



Kansas Register

Ron Thornburgh, Secretary of State

Vol. 27, No. 5 January 31, 2008 Pages 117-138

In this issue . . .	Page
Kansas Development Finance Authority	
Notice of hearing on proposed revenue bonds	118
Advisory Committee on Trauma	
Notice of meeting	119
Speech-Language Pathology/Audiology Advisory Board	
Notice of meeting	119
Department of Administration—Division of Facilities Management	
Notice of commencement of negotiations for engineering services	119
University of Kansas	
Notice to bidders	119
Department of Administration—Division of Purchases	
Notice to bidders for state purchases	119
Pooled Money Investment Board	
Notice of investment rates.....	120
Legislative bills and resolutions introduced January 17-23	120
Attorney General	
Opinions 2007-34 through 2007-43, 2008-1 and 2008-2.....	122
Department of Health and Environment	
Requests for comments on proposed air quality permits.....	123, 124
Notice concerning water pollution control permits/applications	125
Kansas Department of Transportation	
Request for comments on the Statewide Transportation Improvement Program.....	126
Notice to contractors.....	126
Governmental Ethics Commission	
Opinions 2008-01 through 2008-03.....	128
Notice of Bond Sale	
City of Independence.....	130
City of Fairway	131
City of Bonner Springs.....	132
Permanent Administrative Regulations	
Kansas Insurance Department	133
Index to administrative regulations.....	133

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, February 14, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 000709—Maximum Principal Amount: \$38,578.68. Owner/Operator: Darryl and Debra Blocker. Description: Acquisition of livestock and construction of a pole barn to be used by the owner/operator for farming purposes. The project is being financed by the lender for Darryl and Debra Blocker and is located at Section 26,

Township 12, Range 3, Dickinson County, Kansas, approximately 2 miles west of Chapman on Old 40 Highway to Paint Road, then north 1.5 miles.

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

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

Stephen R. Weatherford
President

Doc. No. 035349

The KANSAS REGISTER (USPS 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly and a cumulative index is published annually by the Kansas Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594. One-year subscriptions are \$80 (Kansas residents must include applicable state and local sales tax). Single copies may be purchased, if available, for \$2 each. **Periodicals postage paid at Topeka, KS.**

POSTMASTER: Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

© Kansas Secretary of State 2008. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
Ron Thornburgh
Secretary of State
1st Floor, Memorial Hall
120 S.W. 10th Ave.
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

State of Kansas

Advisory Committee on Trauma**Notice of Meeting**

The Advisory Committee on Trauma will meet from 10 a.m. to 3 p.m. Wednesday, February 13, at the Topeka and Shawnee County Public Library, Room 101 AB, 1515 S.W. 10th Ave., Topeka. For more information, contact the KDHE Office of Local and Rural Health at (785) 296-1200.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 035342

State of Kansas

**Speech-Language Pathology/Audiology
Advisory Board****Notice of Meeting**

The Speech-Language Pathology/Audiology Advisory Board will meet at 10 a.m. Thursday, April 10, in Room C of the Kansas National Education Association (KNEA) Building, 715 S.W. 10th Ave., Topeka.

Marla Rhoden, Director
Health Occupations Credentialing

Doc. No. 035343

State of Kansas

**Department of Administration
Division of Facilities Management****Notice of Commencement of
Negotiations for Engineering Services**

Notice is hereby given of the commencement of negotiations for engineering services for the Willard Hall infrastructure renovation at Kansas State University in Manhattan. The 105,350 gsf facility built in 1938 consists of four levels of classrooms, studios and lecture halls, with an attic above and a utility tunnel below. The building is a concrete structure with a wood roof, clad with native stone. Services include replacement of the HVAC, electrical and original plumbing systems in three phases over four years. The construction estimate is \$5,120,000. A program is available.

For more information regarding the scope of services, contact Abe Fattaey, (785) 532-1725.

To be considered, five (5) bound proposals and one (1) PDF file on a CD of the following should be provided: a letter of interest, an SF330 Part I, information regarding similar projects, and an SF330 Part II for each firm and consultant. Proposals should be concise and follow the 2007 State Building Advisory Commission guidelines, available to firms at <http://da.ks.gov/fp/>. If copies of the guidelines are needed, contact Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, Phyllis.Fast@da.ks.gov. Submittals should be received by Phyllis Fast before noon February 15.

Marilyn Jacobson, Director
Division of Facilities Management

Doc. No. 035335

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 site at <http://www.purchasing.ku.edu/> for a complete listing of all transactions for which KU Purchasing Services, or one of the consortia commonly utilized by KU, are seeking competitive bids. Paper postings of KU Purchasing Services bid transactions may be viewed at the Purchasing Services office located at 1246 W. Campus Road, Room 7, Lawrence, 66045, or persons may contact Purchasing Services at (785) 864-3790, by fax at (785) 864-3454 or by e-mail at purchasing@ku.edu to request a copy of a current bid.

Barry K. Swanson
Associate Comptroller/
Director of Purchasing Services

Doc. No. 035337

State of Kansas

**Department of Administration
Division of Purchases****Notice to Bidders**

Sealed bids for items listed will be received by the Director of Purchases until 2 p.m. on the date indicated. For more information, call (785) 296-2376:

02/12/2008	11051	Post-Release Vocational Services
02/13/2008	11044	Bituminous Plant Mixture (Hot Mix/ Cold Lay) District #5
03/04/2008	11048	Web-Based Data Collection Services for WOTC Program
03/20/2008	11019	Debit Card Services, Unemployment Insurance Benefits

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/.

02/21/2008	A-010600	Floor Covering Replacement — Various Locations, Wichita State University, Wichita
02/28/2008	A-010596	Campus Tuckpointing — Jabara Hall, Wichita State University, Wichita
03/04/2008	A-010200	New Rest Area Structures — Linn County Safety Rest Area, Department of Transportation, Linn County

Chris Howe
Director of Purchases

Doc. No. 035450

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

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

Effective 1-28-08 through 2-3-08

Term	Rate
1-89 days	3.65%
3 months	2.26%
6 months	2.34%
1 year	2.22%
18 months	2.15%
2 years	2.14%

Daniel J. Nackley
Director of Investments

Doc. No. 035336

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced January 17-23 by the 2008 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at www.kslegislature.org.

House Bills

HB 2627, An act concerning certain property tax abatements by cities and counties, by Committee on Elections and Governmental Organization.

HB 2628, An act concerning townships; amending K.S.A. 80-109 and repealing the existing section, by Committee on Elections and Governmental Organization.

HB 2629, An act concerning fire districts in Johnson county and city annexation; amending K.S.A. 19-3623f and repealing the existing section, by Representative Merrick.

HB 2630, An act concerning housing; creating the housing rehabilitation capital loan guarantee program; establishing the senior housing assistance and housing rehabilitation capital loan guarantee fund; making and concerning appropriations for the Kansas housing resources corporation for the fiscal years ending June 30, 2008 and June 30, 2009, by Representative King

HB 2631, An act concerning cities; requiring arbitration of claims of individuals in certain circumstances, by Representative Brown.

HB 2632, An act concerning the Kansas corporation commission; relating to energy efficiency, conservation and demand management programs; amending K.S.A. 2007 Supp. 74-616 and repealing the existing section, by Committee on Energy and Utilities.

HB 2633, An act concerning counties; relating to approval of wind power generation facilities; amending K.S.A. 19-101a and repealing the existing section, by Committee on Energy and Utilities.

HB 2634, An act concerning telecommunications; relating to the state corporation commission; establishing the broadband deployment assistance program; amending K.S.A. 2007 Supp. 66-2010 and repealing the existing section, by Committee on Energy and Utilities.

HB 2635, An act establishing a water sustainability review process and implementation thereof; amending K.S.A. 74-2608 and K.S.A. 2007 Supp. 74-2622 and repealing the existing sections, by Committee on Energy and Utilities.

HB 2636, An act concerning the Kansas biological survey; relating to treatment of non-potable waters in Kansas; amending K.S.A. 76-338 and repealing the existing section, by Committee on Energy and Utilities.

HB 2637, An act concerning telecommunications; relating to pricing flexibility and the lifeline service program; amending K.S.A. 66-2006 and K.S.A. 2007 Supp. 66-2005 and repealing the existing sections, by Committee on Energy and Utilities.

HB 2638, An act concerning the location and mapping of underground water and wastewater facilities, by Committee on Energy and Utilities.

HB 2639, An act establishing the energy resources commission; relating to powers and duties thereof, by Committee on Energy and Utilities.

HB 2640, An act concerning income taxation; relating to credits; capital investments in businesses located in a city substantially damaged by disaster, by Committee on Taxation.

HB 2641, An act concerning income taxation; relating to property taxes paid by certain taxpayers; amending K.S.A. 2007 Supp. 79-32,117 and repealing the existing section, by Committee on Taxation.

HB 2642, An act concerning the commission on judicial performance; relating to access to court records; immunity from liability; amending K.S.A. 20-3204, 20-3205, 20-3206, 25-4169a, 59-2122, 60-3104 and 60-31a04 and K.S.A. 2007 Supp. 38-2211, 38-2309 and 59-2979 and repealing the existing sections, by Committee on Judiciary.

HB 2643, An act concerning civil procedure; relating to answers of garnishment; amending K.S.A. 60-736 and repealing the existing section, by Committee on Judiciary.

HB 2644, An act concerning conservators and guardians; relating to the appointment thereof; amending K.S.A. 59-3056, 59-3058, 59-3061, 59-3062, 59-3068 and 58-3069 and K.S.A. 2007 Supp. 59-3059, 59-3060 and 59-3083 and repealing the existing sections, by Committee on Judiciary.

HB 2645, An act establishing the broadband technology and application advisory council; relating to membership, compensation and powers and duties thereof, by Committee on Government Efficiency and Technology.

HB 2646, An act concerning counties; dealing with certain minimum maintenance roads, by Representative Otto.

HB 2647, An act relating to public finance; creating the Kansas taxpayer transparency act; defining terms; requiring the secretary of administration to develop and operate a specified website; enumerating information which shall be made available on such website; establishing a time period covered for information on such website; establishing the public finance transparency board and prescribing its duties; and providing for nondisclosure of certain information, by Committee on Government Efficiency and Technology.

HB 2648, An act concerning cities and appointments by mayors; amending K.S.A. 13-518, 13-527, 13-1347, 14-201, 14-695, 15-201, 15-204 and 17-4757 and K.S.A. 2007 Supp. 12-1222 and 12-5711 and repealing the existing sections, by Representative O'Neal.

HB 2649, An act concerning counties; relating to initiative and referendum, by Committee on Elections and Governmental Organization.

HB 2650, An act concerning controlled substances; relating to salvia divinorum; amending K.S.A. 65-4105 and repealing the existing section, by Representative Mast.

HB 2651, An act relating to motor vehicles; concerning salvage vehicles; amending K.S.A. 2007 Supp. 8-197 and repealing the existing section, by Committee on Transportation.

HB 2652, An act establishing the motor vehicle damage appraisal act, by Committee on Transportation.

HB 2653, An act relating to motor vehicles; concerning the handling of repair claims by insurance companies, by Committee on Transportation.

HB 2654, An act relating to real estate brokers and salespersons; concerning certain prohibited acts; amending K.S.A. 2007 Supp. 58-3062 and repealing the existing section, by Committee on Transportation.

HB 2655, An act relating to insurance; concerning unfair claim settlement practices; amending K.S.A. 2007 Supp. 40-2404 and repealing the existing section, by Committee on Transportation.

HB 2656, An act relating to cemetery corporations; authorizing certain cemetery corporations to convey real estate not platted into cemetery lots free from trust restrictions, by Committee on Judiciary.

HB 2657, An act concerning motorboats; relating to exhaust noise requirements; amending K.S.A. 2007 Supp. 32-1120 and repealing the existing section, by Representative Tapanelli.

HB 2658, An act concerning sustainability of certain reservoirs; imposing certain fees and surcharges, by Committee on Agriculture and Natural Resources.

HB 2659, An act designating a portion of United States highway 400 as the atomic veteran's memorial highway; amending K.S.A. 2007 Supp.

68-1022 and repealing the existing section, by Representatives Trimmer and Crum.

HB 2660, An act concerning petroleum products; relating to the payment of fees; amending K.S.A. 55-427 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2661, An act concerning grain commodity commissions; amending K.S.A. 2007 Supp. 2-3002 and 2-3007 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2662, An act relating to vouchers for tuition and required fees at certain institutions of higher education and excused absences from public school for students who sound "Taps" at a veteran's funeral, by Committee on Veterans, Military and Homeland Security.

HB 2663, An act relating to veterans; amending K.S.A. 73-1211 and K.S.A. 2007 Supp. 73-1210a and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

House Concurrent Resolutions

HCR 5027, A concurrent resolution urging development of electric transmission lines for energy security and economic development.

HCR 5028, A concurrent resolution memorializing the United States Army Corp of Engineers, Bureau of Reclamation and United States Congress to partner with the State of Kansas in order to extend the productive lives of reservoirs in Kansas.

House Resolutions

HR 6005, A resolution requesting the state corporation commission to examine current provider of last resort policies.

Senate Bills

SB 430, An act relating to crimes, punishment and criminal procedure; concerning aggravated criminal threat; amending K.S.A. 21-3419a and repealing the existing section, by Committee on Judiciary.

SB 431, An act concerning the probate code; relating to the increase in allowances for spouses and minor children; amending K.S.A. 59-403, 59-6a215 and 59-2287 and K.S.A. 2007 Supp. 59-1507b and repealing the existing sections, by Committee on Judiciary.

SB 432, An act concerning the uniform transfer on death security registration act; amending K.S.A. 17-49a01 and 17-49a03 and repealing the existing sections, by Committee on Judiciary.

SB 433, An act enacting the uniform prudent management of institutional funds act; repealing K.S.A. 58-3601 through 58-3609, by Committee on Judiciary.

SB 434, An act relating to civil procedure; concerning certain rules of procedure; amending K.S.A. 60-216, 60-226, 60-233, 60-234, 60-237 and 60-245 and repealing the existing sections, by Committee on Judiciary.

SB 435, An act relating to children and minors; concerning the revised Kansas juvenile justice code and the revised Kansas code for care of children; amending K.S.A. 2007 Supp. 38-2202, 38-2203, 38-2211, 38-2217, 38-2237, 38-2241, 38-2243, 38-2244, 38-2247, 38-2248, 38-2251, 38-2254, 38-2258, 38-2259, 38-2260, 38-2264, 38-2265, 38-2268, 38-2269, 38-2304 and 38-2317 and repealing the existing sections; also repealing K.S.A. 2007 Supp. 38-133, by Committee on Judiciary.

SB 436, An act concerning community colleges; providing district-wide retailers' sales tax authority; procedure and requirements; protest petition, by Legislative Educational Planning Committee.

SB 437, An act concerning postsecondary educational institutions; relating to the ROTC service scholarship; amending K.S.A. 74-3255 and repealing the existing section, by Committee on Education.

SB 438, An act concerning certain firefighters; establishing certain employment rights, by Senator D. Schmidt.

SB 439, An act concerning insurance; establishing advertising standards for life insurance policies and annuities; amending K.S.A. 2007 Supp. 40-4909 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 440, An act concerning insurance agents and producers; relating to continuing education requirements; amending K.S.A. 2007 Supp. 40-4903 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 441, An act concerning insurance; pertaining to HIPAA compliance; amending K.S.A. 2007 Supp. 40-2258 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 442, An act concerning insurance; relating to foreign insurance companies doing business in this state; amending K.S.A. 2007 Supp. 40-209 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 443, An act concerning the long-term care partnership program, by Committee on Financial Institutions and Insurance.

SB 444, An act concerning property taxation; relating to exemptions; tangible personal property not specifically classified, by Committee on Assessment and Taxation.

SB 445, An act concerning income taxation; relating to credits; capital investments in businesses located in a city substantially damaged by disaster, by Committee on Assessment and Taxation.

SB 446, An act concerning sales taxation; relating to exemptions; certain educational foundations; amending K.S.A. 2007 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 447, An act concerning agriculture; relating to the agricultural and specialty chemical remediation act; increasing reimbursement limits; extending deposit loan program; amending K.S.A. 2-3708, 2-3713 and 2-3714 and repealing the existing sections, by Committee on Natural Resources.

SB 448, An act relating to corporations; concerning the application of general corporation code to certain cooperatives, by Committee on Judiciary.

SB 449, An act amending the uniform commercial code; relating to secured transactions; amending K.S.A. 2007 Supp. 84-9-521 and repealing the existing section, by Committee on Judiciary.

SB 450, An act relating to cemetery corporations; concerning the investment of permanent maintenance fund; amending K.S.A. 17-1349 and repealing the existing section, by Committee on Judiciary.

SB 451, An act relating to motor vehicles; concerning certificates of title; amending K.S.A. 2007 Supp. 8-135 and repealing the existing section, by Senators Umbarger and Vratil.

SB 452, An act concerning energy; relating to energy efficiency initiatives for certain state agencies and public schools, by Special Committee on Energy, Natural Resources and Environment.

SB 453, An act establishing the Kansas commission on rural policy, by Committee on Ways and Means.

SB 454, An act concerning governmental consolidation and reorganization; amending K.S.A. 12-3901, 12-3902, 12-3903, 12-3904 and 12-3909 and K.S.A. 2007 Supp. 19-205 and repealing the existing sections, by Committee on Ways and Means.

SB 455, An act concerning school districts; relating to school finance; relating to the high enrollment weighting and the low enrollment weighting; amending K.S.A. 2007 Supp. 72-6412 and 72-6442b and repealing the existing sections, by Committee on Education.

SB 456, An act concerning the Kansas health policy authority; relating to the inspector general; amending K.S.A. 2007 Supp. 75-7427 and repealing the existing section, by Committee on Judiciary.

SB 457, An act concerning municipalities and taxing subdivisions; amending K.S.A. 2007 Supp. 79-2926, 79-2929a and 79-2930 and repealing the existing sections, by Committee on Ways and Means.

SB 458, An act enacting the Kansas illegal immigration relief act; amending K.S.A. 2007 Supp. 8-240, 8-1324, 79-32,120 and 79-32,138 and repealing the existing sections; also repealing K.S.A. 2007 Supp. 76-731a, by Senators Palmer, Barnett, Huelskamp, Journey and Ostmeyer.

SB 459, An act concerning school districts; relating to school finance; amending K.S.A. 2007 Supp. 72-6448 and repealing the existing section, by Committee on Education.

SB 460, An act concerning townships; amending K.S.A. 75-1122, 80-1101, 80-1101a, 80-1102a, 80-1103, 80-1104, 80-1109, 80-1110 and 80-1111 and K.S.A. 2007 Supp. 80-120 and 80-1117 and repealing the existing sections; also repealing K.S.A. 80-1106, 80-1107, 80-1108, 80-1301, 80-1302, 80-1303, 80-1304 and 80-1305, by Committee on Ways and Means.

SB 461, An act concerning employment security law; amending K.S.A. 2007 Supp. 44-710 and 44-717 and repealing the existing sections, by Committee on Commerce.

Senate Concurrent Resolutions

SCR 1616, A concurrent resolution requesting the creation of a task force to study the design and implementation of an electronic motor vehicle financial security verification system for real time verification of compliance with the financial security requirements of the Kansas automobile injury reparations act.

Senate Resolutions

SR 1803, A resolution congratulating and commending the members of the 2008 Kansas Teacher of the Year Team.

Doc. No. 035338

State of Kansas

Attorney General**Opinion 2007-34**

Counties and County Officers—Fire Protection Districts in Any County—Tax Levies; Use of Proceeds, Limitations; Election on Levies, When.

Taxation—Aggregate Tax Levy Limitations—Suspension of Tax Levy Limitations.

Counties and County Officers—General Provisions—Home Rule Powers; Limitations, Restrictions and Prohibitions; Fire District Levy Limits. William A. Taylor, III, Cowley County Counselor, Winfield, October 25, 2007.

While K.S.A. 2006 Supp. 79-5040 authorizes a fire district to exceed the five mill limit set forth in K.S.A. 2006 Supp. 19-3610, there is no similar statutory authority negating the election procedures required by K.S.A. 2006 Supp. 19-3610. Thus, any fire district that wants to exceed the five mill levy limit must follow the procedural steps set forth in that statute. K.S.A. 2006 Supp. 19-101a allows counties to exercise home rule powers in connection with governing county business. However, fire districts do not have home rule authority. They are taxing subdivisions separate and distinct from counties. Counties therefore cannot exercise county home rule power on behalf of fire districts in order to opt out of fire district statutes. Cited herein: K.S.A. 2006 Supp. 19-101a; 19-3610; K.S.A. 19-3613; K.S.A. 2006 Supp. 79-5040. TMB

Opinion 2007-35

Schools—School Safety and Security Act; Information Regarding Identity of Specified Pupils; Disclosure Requirements; Criminal Acts; Reports to Law Enforcement Agencies; Family Educational Rights and Privacy Act.

Schools—School Safety Violations, Suspension of Driving Privileges—Suspension of Driver's License or Privilege Upon Certain School Safety Violations; Procedure; Family Educational Rights and Privacy Act. Senator Vicki Schmidt, 20th District, Topeka; John L. Vratil, Attorney for Blue Valley Unified School District No. 229, Overland Park, November 2, 2007.

Compliance with K.S.A. 72-89c02(a) conflicts with the Family Educational Rights and Privacy Act (FERPA) because it requires a school official to notify and release to a law enforcement agency personally identifiable information contained in a student's records regarding the student's suspension or expulsion when the suspension or expulsion stems from certain school safety violations. Unlike K.S.A. 72-89c02(a), the School Safety and Security Act does not violate FERPA because it requires school officials to notify law enforcement of certain criminal conduct by a student as opposed to reporting disciplinary action taken by the school. Cited herein: K.S.A. 72-89b01; 72-89b03; 72-89c02, as amended by L. 2007, Ch. 149, § 2; 20 U.S.C. § 1232g. RER

Opinion 2007-36

Intoxicating Liquors and Beverages—Licensing and Re-

lated Provisions; City Option; Retailers License, Premises Within City; Repealing Ordinance Prohibiting License to Sell at Retail Packaged Alcoholic Liquor. Tim J. Larson, Counsel, City of Hesston, Wichita, November 27, 2007.

There is no provision in the Kansas Liquor Control Act allowing the Director of Alcoholic Beverage Control to issue a license to sell, at retail, packaged alcoholic liquor upon receipt of a copy of an ordinance *repealing* an earlier ordinance prohibiting such licenses. Moreover, any such ordinance would conflict with the Kansas Liquor Control Act and, thus, would be void. Should the electorate of the City of Hesston want to change the status of their city from "dry" to "wet," it can do so only by following the petition and election procedure in K.S.A. 2006 Supp. 41-302. Cited herein: K.S.A. 2006 Supp. 41-208; 41-301; 41-302; K.S.A. 41-721; Kan. Const., Art. 15, Section 10. MF

Opinion 2007-37

Wildlife, Parks and Recreation—Department of Wildlife and Parks—Conservation Officers and Employees; Powers and Authority; Entry on Private Land in Performance of Official Duties.

Crimes and Punishment—Crimes Against Property—Criminal Trespass; Entry on Private Lands by Conservation Officers in Performance of Official Duties. J. Michael Hayden, Secretary, Kansas Department of Wildlife and Parks, Topeka, November 27, 2007.

Conservation officers, also referred to as natural resource officers, do not incur criminal liability for trespass when they enter and remain upon private property without the owner's permission while in the pursuit of their statutory duties. Cited herein: K.S.A. 2006 Supp. 21-3721; K.S.A. 32-808; 32-1048; K.S.A. 2006 Supp. 74-5602. CN

Opinion 2007-38

Taxation—Property Exempt From Taxation—Newly Constructed Residential Property Which Has Never Been Occupied. Senator Barbara P. Allen, 8th District, Overland Park, November 30, 2007.

A statute that provides for different rates of taxation, based upon a distinction between whether the real property is owned by a private resident versus a commercial home builder, violates the uniform and equal provisions in the Kansas Constitution, Article 11, Section 1. 2007 House Bill No. 2543, as currently written, makes such a distinction and is therefore unconstitutional. Cited herein: Kansas Constitution, Art. 11, §§ 1, 12; 2007 H.B. 2543. TMB

Opinion 2008-39

Counties and County Officers—Sheriff—Charge and Custody of Jail; Duty to Accept Prisoners.

Counties and County Officers—Jails—County Jails; Duty to Accept Prisoners. Jerome A. Gorman, Wyandotte County District Attorney, Kansas City, November 30, 2007.

Pursuant to K.S.A. 19-1930, a county sheriff must accept custody of prisoners who are taken to the county jail by city law enforcement officers and presented at the jail

for incarceration. However, when a prisoner is taken directly to a medical facility by a city law enforcement officer prior to presentation at the county jail, the sheriff is not responsible for the custody of such prisoner until the latter is presented at the jail. Cited herein: K.S.A. 12-4213; 19-811; 19-1901; 19-1910; 19-1916; 19-1930; 22-4613; 59-29b45 *et seq.*; 75-5217.

Opinion 2007-40

Crimes and Punishment—Crimes Against Public Safety; Criminal Use of Weapons; Carrying Concealed Firearms; Exemption for Licensed Hunters.

Wildlife, Parks, and Recreation—Enforcement; Unlawful Acts; Unlawful Methods of Taking Wildlife; Applicability of K.S.A. 21-4201 Exemption.

State Departments; Public Officers and Employees—Attorney General; Firearms; Concealed Firearms; Applicability to Licensed Hunters with Concealed Carry Licenses. J. Michael Hayden, Secretary, Kansas Department of Wildlife and Parks, Topeka, December 4, 2007.

K.S.A. 2006 Supp. 21-4201 (criminal use of weapons) and K.S.A. 2006 Supp. 75-7c01 *et seq.* (Personal & Family Protection Act) do not exempt a licensed hunter who may be authorized to carry a concealed firearm from complying with K.S.A. 32-1003(a)(7) which prohibits spotlighting wildlife while in possession of a pistol and K.A.R. 115-4-4 which limits big game hunting equipment. We offer no opinion whether the Law Enforcement Officers Safety Act of 2004 would provide a viable defense to a violation of K.S.A. 32-1003(a)(7) and K.A.R. 115-4-4. Cited herein: K.S.A. 2006 Supp. 21-4201; K.S.A. 32-807; 32-1003; K.S.A. 2006 Supp. 32-1031; 32-1032; 75-7c01; 75-7c10, as amended by L. 2007, Ch. 166, § 5; 75-7c11, as amended by L. 2007, Ch. 166, § 6; 75-7c17, as amended by L. 2007, Ch. 166, § 7; K.A.R. 115-4-4; 18 U.S.C. §§ 926B, 926C. MF

Opinion 2007-41

Crimes and Punishment—Crimes Against the Public Safety; Criminal Use of Weapons; Possession and Sales of Silencers and Automatic Firearms by Federally Licensed Firearms Dealers. Representative Dennis McKinney, 116th District, Greensburg, December 4, 2007.

The Gun Control Act of 1968 does not preempt K.S.A. 2006 Supp. 21-4201 and, therefore, federally licensed firearms dealers must abide by the prohibitions on possessing automatic weapons and silencers unless an exception applies. Cited herein: K.S.A. 2006 Supp. 21-4201; 18 U.S.C. § 921; 18 U.S.C. § 922; 18 U.S.C. § 923; 18 U.S.C. § 927; 27 C.F.R. § 478.58; U.S. Const., Art. VI, Cl. 2. JLA

Opinion 2007-42

Cities and Municipalities—Ordinances of Cities—Initiative and Referendum; Proposed Ordinance Banning Casinos Within City and Prohibiting City Services to Any Casino. J. T. Klaus, Counsel, City of Mulvane, Wichita, December 10, 2007.

As the operation of the initiative and referendum process at K.S.A. 12-3013 is restricted to measures which are clearly legislative and not principally administrative, a proposed ordinance banning a casino gambling facility in the City of Mulvane and prohibiting the extension of city

services to a casino located in Sumner County is not a proper subject for such process. Moreover, the initiative and referendum process is not available for a proposed ordinance that attempts to exempt the City of Mulvane from the Kansas Expanded Lottery Act. Cited herein: K.S.A. 12-808; 12-111; 12-3013; L. 2007, Ch. 110, §§1, 3, 5, 6, 16; Kan. Const., Art. 12, § 5; U.S. Const., Art 1, § 10. MF

Opinion 2007-43

Elections—State Board of Education Member Elections—Candidates; School District Employee; Disqualification for Office Repealed. Senator Anthony Hensley, 19th District, Topeka, December 17, 2007.

Neither state statute nor the common law doctrine of incompatibility of office precludes a person who is employed by a unified school district from seeking the office of and concurrently serving as a member of the State Board of Education. Cited herein: K.S.A. 25-1901; 25-1903; Kan. Const., Art. 6, §§ 2, 3; L. 2003, ch. 84, § 1; K.S.A. 25-1904 (repealed). RDS

Opinion 2008-1

State Boards, Commissions and Authorities—State Lottery—Kansas Lottery Act; Kansas Expanded Lottery Act; State and Local Officials Prohibited From Accepting Complimentary Service from Person Submitting Proposal for Lottery Gaming Facility. Representative Margaret E. Long, 36th District, Kansas City, Kansas, January 11, 2008.

The phrase “complimentary service” in the Kansas Expanded Lottery Act includes complimentary food and beverage. Cited herein: K.S.A. 41-206; 46-236; 46-237; 46-269; 46-271; 74-8716, as amended by L. 2007, Ch. 110, § 46; L. 2007, Ch. 110, § 31. JLA

Opinion 2008-2

Constitution of the State of Kansas—Executive—Pardons; Repetitive Clemency Applications.

Criminal Procedure—Release Procedures; Pardons and Commutations; Repetitive Clemency Applications. Paul Feleciano, Jr., Chairperson, Kansas Parole Board, Topeka, January 11, 2008.

State law does not limit the number of clemency applications that can be submitted to the Kansas Parole Board. Cited herein: K.S.A. 2006 Supp. 22-3701; Kan. Const., Art.1, § 7. RER

Paul Morrison
Attorney General

Doc. No. 035341

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. Colorado Interstate Gas Co. has applied for a Class I operating permit renewal in accordance with

(continued)

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.

Colorado Interstate Gas Co., 2 N. Nevada, Colorado Springs, Colorado, owns and operates Morton County compressor station located at Sec. 18, T33S, R43W, Morton County, Kansas.

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

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business March 3.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Christy Thurman, Bureau of Air and Radiation, not later than the close of business March 3 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

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. Southern Star Central Gas Pipeline 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.

Southern Star Central Gas Pipeline, Owensboro, Kentucky, owns and operates Atchison compressor station located at Sec. 12, T6S, R20E, Atchison 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 documentation, 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 March 3.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Christy Thurman, Bureau of Air and Radiation, not later than the close of business March 3 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. 035340

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-08-021 Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located	Receiving Water
Daniel and Jennifer Gerety Farm (Heideman) 1307 96th Road Seneca, KS 66538	J-Six Farms LP P.O. Box 170 Seneca, KS 66538	Missouri River Basin
NE/4 of Section 25, T02S, R13E, Nemaha County Kansas Permit No. A-MONM-S070		

This is an application for a new permit for a proposed swine facility for 2,400 head (960 animal units) of swine weighing more than 55 pounds. Construction of an enclosed swine building is proposed. A new or modified permit will not be issued without additional public notice.

Public Notice No. KS-AG-08-022/029 Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Fleming Dairy Rodney and Kelly Fleming 2085 245th St. Fort Scott, KS 66701	NW/4 of Section 15, T24S, R25E, Bourbon County	Marais des Cygnes River Basin

Kansas Permit No. A-MCBB-M006

This is a new permit for an existing, expanding facility for 150 head (210 animal units) of mature dairy cattle and 80 head (40 animal units) of cattle weighing less than 700 pounds. Two freestall barns, a new concrete manure storage area and a new earthen wastewater retention structure will be constructed to control wastewater from the facility.

Name and Address of Applicant	Legal Description	Receiving Water
Rutti Farm Gerald Rutti 1346 N.W. 20th Ave. St. John, KS 67576	NW/4 of Section 08, T22S, R13W, Stafford County	Lower Arkansas River Basin

Kansas Permit No. A-ARSF-S009

This is a reissuance of a permit for new construction at an existing facility for 1,200 head (480 animal units) of swine weighing greater than 55 pounds. The proposed construction consists of the addition of two hoop structures; no increase in head count or animal units is proposed.

Name and Address of Applicant	Legal Description	Receiving Water
Lapar Dairy David L. Whitehill 2307 281st Road Latham, KS 67072	NE/4 of Section 10, T30S, R07E, Cowley County	Lower Arkansas River Basin

Kansas Permit No. A-ARCL-M001

This is a reissuance of a permit for an existing facility with an increase in animal units for 250 head (350 animal units) of mature dairy cattle, 40 head (40 animal units) of dairy cattle weighing greater than 700 pounds and 60 head (30 animal units) of dairy cattle weighing less than 700 pounds, for a total of 420 animal units of dairy cattle. The increase from 224 animal units to 420 animal units is due to a listing of all animals maintained on site but not included in the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Prairie Pork Center Kevin Deniston 440 N. Eagle Road Scott City, KS 67871	NE/4 of Section 20, T18S, R34W, Scott County	Upper Arkansas River Basin

Kansas Permit No. A-UASC-S007

This is a reissuance of a permit with a decrease in animal units for an existing facility for 200 head (80 animal units) of swine weighing greater than 55 pounds. This is a decrease from the previous permitted capacity of 240 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Flory Dairy Farm LLC Randy Flory 638 E. 626 Road Lawrence, KS 66047	SW/4 of Section 14, T14S, R18E, Douglas County	Kansas River Basin

Kansas Permit No. A-KSDG-M002

This permit is being reissued to an existing facility for a maximum capacity of 202 head of dairy cows (lactating and dry), 30 head dairy heifers, more than 700 pounds and 85 head dairy calves less than 700 pounds, for a total of 355.3 animal units. This permit includes an increase in animal units by adding dairy calves that have always existed at the facility but were not included in previous permits and due to a change in the way dry cow animal units were calculated.

(continued)

Name and Address of Applicant	Legal Description	Receiving Water
J-Six Farms Inc. (Herkimer) John Kramer P.O. Box 170 Seneca, KS 66538	SE/4 of Section 23, T01S, R06E, Marshall County	Big Blue River Basin

Kansas Permit No. A-BBMS-S036

This permit is being reissued for a maximum capacity for 762 head (304.8 animal units) of swine more than 55 pounds and 1,120 head (112 animal units) of swine 55 pounds or less. There is no change in permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Reinert Feedyard, Inc. Jim Reinert P.O. Box 92 Ensign, KS 67841	SW/4 of Section 31, T27S, R26W, Ford County	Upper Arkansas River Basin

Kansas Permit No. A-UAFO-C015 Federal Permit No. KS0090140

This is a reissuance of a permit for an existing facility for 1,200 head (1,200 animal units) of cattle weighing greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Bergkamp Dairy Gilbert Bergkamp 27401 Yoder Road Pretty Prairie, KS 67570	SE/4 of Section 33, T26S, R05W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M001

This is a reissuance of a permit for an existing facility for 80 head (112 animal units) of mature dairy cattle.

Persons wishing to comment on the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural-related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft documents or application notices received on or before March 1 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-08-021/029) and name of the applicant/permittee when preparing comments.

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

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdhe.state.ks.us/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 035346

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 08-11 by adding the following project:

Project X-2700-01, Railway-Highway Crossing Signals Flashing Light Straight-Post Type with Gates, Union Pacific Railroad Crossing and Rolling Hills Road northeast of Liberal, Seward 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 February 10.

Deb Miller
Secretary of Transportation

Doc. No. 035347

State of Kansas
Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 1 p.m. February 20 and then publicly opened.

District One — Northeast

Doniphan—22 KA-1029-01 — K-238 from the junction of U.S. 36/K-238 north to the Kansas-Missouri state line; U.S. 36 from the east edge of Troy east to the west city limits of Wathena, 7.9 miles, overlay. (State Funds)

Douglas—40-23 U-2041-01 — Intersection of North 2nd Street and Locust Street in Lawrence, 0.2 mile, intersection improvement. (Federal Funds)

Johnson—35-46 KA-1106-01 — I-35, 3,000 feet south of I-435 then north 1.1 miles, pavement patching. (State Funds)

Johnson—435-46 KA-1196-01 — I-435 and I-35 interchange, bridge repair. (State Funds)

Johnson—35-46 K-9014-01 — I-35 and 159th Street and Lone Elm Road in Olathe, interchange construction. (Federal Funds)

Nemaha—66 C-4065-01 — County road 1 mile north and 0.5 mile east of Seneca, 0.3 mile, grading, bridge and surfacing. (Federal Funds)

Nemaha—62-66 KA-0551-01 — K-62 Soldier Creek drainage, 3.8 miles north of the Jackson-Nemaha county line, culvert construction. (State Funds)

Shawnee—89 K-9678-01 — MacVicar Avenue I-70 east-bound exit, 0.8 mile, grading and surfacing. (Federal Funds)

Shawnee—24-89 KA-0137-01 — U.S. 24 in Rossville from the Cross Creek bridge to the east city limits and the Orange Street approach, 0.3 mile, curb and gutter. (State Funds)

Shawnee—24-89 KA-0956-01 — U.S. 24 from the Pottawatomie-Shawnee county line east to the west city limits of Silver Lake, 10.6 miles, overlay. (State Funds)

Wyandotte—24-105 K-8248-04 — State Avenue from 72nd Street to 47th Street in Kansas City, surfacing. (State Funds)

District Two — Northcentral

District—106 KA-1195-01 — Various locations in District Two, 32.6 miles, milling. (State Funds)

Ellsworth—70-27 KA-0882-01 — Six I-70 bridges east of the Ellsworth-Russell county line, bridge repair. (State Funds)

McPherson—81 KA-0141-01 — U.S. 81B from K-4 to Swenson Street, 0.7 mile, pavement reconstruction. (State Funds)

McPherson—56-59 KA-0142-01 — U.S. 56/U.S. 81B from Maple east to west of Cherry in McPherson, 0.3 mile, grading and surfacing. (State Funds)

Morris—64 C-4269-01 — County road 2 miles south and 1.8 miles east of Dwight, 0.4 mile, grading, bridge and surfacing. (Federal Funds)

District Three — Northwest

Decatur—20 C-4225-01 — County road 2 miles south and 1.3 miles west of Oberlin, 0.2 mile, grading and bridge. (Federal Funds)

Decatur—20 C-4226-01 — County road 2 miles south and 1.4 miles west of Oberlin, 0.2 mile, grading and bridge. (Federal Funds)

Phillips—74 C-3990-01 — County road 0.5 mile south and 3 miles west of Logan, 0.2 mile, grading and bridge. (Federal Funds)

Russell—84 C-4099-01 — County road 12 miles south and 2.5 miles east of Russell, 0.3 mile, grading, bridge and surfacing. (Federal Funds)

Sherman—70-91 KA-1200-01 — I-70 from Exit 17 at Goodland to Edson, 10.2 miles, overlay. (State Funds)

District Four — Southeast

Allen—169-1 KA-1198-01 — U.S. 169 from the Neosho-Allen county line north 14.4 miles, pavement marking. (Federal Funds)

Allen—1 U-1837-01 — Cottonwood Street from Madison to Garfield in Iola, 0.8 mile, grading and surfacing. (Federal Funds)

Anderson—31-2 KA-0894-01 — K-31 bridge, 5.1 miles west of the north junction of U.S. 59, bridge repair. (State Funds)

Cherokee—400-11 KA-1146-01 — U.S. 400 from the Labette-Cherokee county line to K-171 and from K-171 to U.S. 160, 31.4 miles, pavement marking. (Federal Funds)

Cherokee-Crawford—106 KA-1116-01 — K-171 from the junction of U.S. 69 east to the Missouri state line; U.S. 69 from the south city limits of Frontenac north to the north junction of U.S. 160/U.S. 69, 6.7 miles, overlay. (State Funds)

Greenwood—400-37 KA-1199-01 — U.S. 400 from the Butler-Greenwood county line east 31.5 miles to the Greenwood-Wilson county line, pavement marking. (Federal Funds)

Labette—160-50 KA-0891-01 — U.S. 160 bridges east of K-222, bridge repair. (State Funds)

Labette—166-50 KA-0892-01 — U.S. 166 bridge 6.6 miles east of K-101, bridge repair. (State Funds)

Labette—59-50 KA-0890-01 — Two U.S. 59 bridges north of the west junction of U.S. 160 south of Parsons, bridge repair. (State Funds)

Wilson—400-103 KA-0484-01 — U.S. 400 and K-47 east of Fredonia, 0.5 mile, grading and surfacing. (State Funds)

District Five — Southcentral

Sedgwick—135-87 KA-1185-01 — Two 135 bridges in Sedgwick County, bridge repair. (State Funds)

District Six — Southwest

Ford—400-29 K-8237-01 — U.S. 50, 1.5 miles west of the U.S. 50/U.S. 50B junction south to U.S. 56, 2.5 miles, grading, bridge and surfacing. (Federal Funds)

Haskell—41 C-4400-01 — Various locations in the City of Satanta, 2.5 miles, pedestrian and bicycle paths. (Federal Funds)

Morton—27-65 K 5732-02 — K-27, .972 mile north of county road then 2.579 miles north, landscaping and beautification. (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. 035332

State of Kansas

Governmental Ethics Commission

Opinion No. 2008-01

Written January 16, 2008, to Sue Hack, Mayor, City of Lawrence.

This opinion is in response to your letters dated December 5, 2007, and January 10, 2008, requesting an opinion from the Kansas Governmental Ethics Commission concerning local conflict of interest laws, K.S.A. 75-4301a *et seq.* We note at the outset that the Commission's jurisdiction concerning your questions is limited to the application of K.S.A. 75-4301a *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement:

You request this opinion in your capacity as Mayor of the City of Lawrence. You are also the Director of Leadership Lawrence, a program of the Lawrence Chamber of Commerce, for which you receive compensation from the Chamber of Commerce. You explain that a new not-for-profit corporation, Destination Management, Inc. (DMI) has been established to operate the Lawrence Convention and Visitors Bureau. DMI will receive some of the receipts of the City's transient guest tax received from the Kansas Department of Revenue. DMI is managed and controlled by a board of directors made up of, among others, Chamber of Commerce representatives and representatives of the City of Lawrence, including the mayor, or the mayor's designee. DMI is exempt from taxation of corporations under section 501(c)(6) of chapter 26 of the United States Code.

Questions:

1. May you, as mayor, serve on the DMI board of directors when you are also employed by the Chamber of Commerce, another entity represented on the DMI board?
2. If you may serve on the DMI board of directors, may you, as mayor, act on matters related to DMI that are pending before your city commission, or that come before your commission in the future?

Opinion:

In response to your first question, there is nothing in the local conflict of interest laws that would prohibit you from serving on the DMI board of directors in your capacity as Mayor of the City of Lawrence even though your employer, the Lawrence Chamber of Commerce, also has representatives serving on the DMI advisory board.

Turning to your second question, K.S.A. 75-4304 and 75-4305 restrict certain actions by a local governmental officer in matters relating to a business in which the local officer has a substantial interest. Therefore, to answer your second question, we must determine if your serving on the DMI board of directors would result in your having a substantial interest in DMI. K.S.A. 75-4301a(a)(4) defines "substantial interest" resulting from membership on a board of directors as follows:

If an individual or an individual's spouse holds the position of officer, director, associate partner or proprietor of any business, other than an organization exempt from federal taxation of corporations under section 501(c)(3), (4), (5), (6), (7), (8), (10), or (19) of chapter 26 of the United States code, the individual has a substantial interest in that business, irrespective of the amount of compensation received by the individual or individual's spouse. (Emphasis added.)

Because DMI is exempt from taxation under section 501(c)(6) of chapter 26 of the United States Code, you would not have a substantial interest in DMI as a result of serving as a director of DMI. In your capacity as mayor, the local conflict of interest statutes do not limit or restrict your actions on matters relating to DMI that are pending before your city commission or that come before your commission in the future.

It should be noted that although your serving as a director of DMI does not create a substantial interest in DMI, you are required by K.S.A. 75-4302a(e) to disclose your position as a director of DMI on your Statement of Substantial Interests form.

Opinion No. 2008-02

Written January 16, 2008, to Scott Allegrucci, Director, Great Plains Alliance for Clean Energy, Topeka.

This opinion is in response to your letter of January 9, 2008, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the lobbying provisions of the state level conflict of interest laws, K.S.A. 46-215 *et seq.* We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement:

You request this opinion in your capacity as director of the Great Plains Alliance for Clean Energy (GPACE), a 501(c)(4) advocacy organization whose mission is to support a clean, secure, profitable energy economy benefiting Kansas businesses, farms, communities, and all future Kansans. GPACE is an alliance of organizations and individuals from Kansas and elsewhere. GPACE is planning to conduct grassroots lobbying in Kansas. You seek clarification on issues pertaining to Kansas lobbying laws in order to assure members of your alliance that they are in compliance with the laws.

Questions:

1. Are contributors to GPACE, from Kansas or out of state, required to register a lobbyist in the state of Kansas when contributing to GPACE?
2. Is there a distinction under the Kansas lobbying laws between individual, corporate, not-for-profit, or other contributors from in state or out of state who contribute to a 501(c)(4) organization operating and lobbying in the state of Kansas?
3. Is advertising or messaging that does not explicitly direct viewers to contact their legislator regarding a particular initiative before the legislature considered lobbying, and, therefore, required to be reported as a lobbying expense?

Opinion:

In response to your first question, K.S.A. 46-222 defines "lobbyist" in pertinent part as follows:

(a) "Lobbyist" means: (1) Any person employed in considerable degree for lobbying; (2) any person formally appointed as the primary representative of an organization or other person to lobby in person on state-owned or leased property; or (3) any person who makes expenditures in an aggregate amount of \$100 or more, exclusive of personal travel and subsistence expenses, in any calendar year for lobbying. . . .

"Lobbying" is defined in K.S.A. 46-225 in pertinent part as follows:

(a) "Lobbying" means: (1) Promoting or opposing in any manner action or nonaction by the legislature on any legislative matter or the adoption or nonadoption of any rule and regulation by any state agency

"Expenditure" as used in the lobbying statutes is defined in K.A.R. 19-60-3 as follows:

(b) "Expenditure" means a payment or contract to pay for any of the following:

(1) The provision of hospitality in the form of recreation, food, and beverage to any state officers or employees of the legislative branch

(2) the provision of any entertainment, gift, honoraria, or payment to any state officers or employees of the legislative branch

(3) the production and communication of lobbying information to any state officer or employee of the legislative branch

(4) the production and dissemination of mass media communications, letter-writing campaigns, and similar transactions that explicitly promote or oppose a clearly identified legislative matter or regulation and that urge or request the recipient to communicate directly with state officers or employees of the legislative branch, candidates for the legislature, or legislators-elect regarding that matter. . . .

K.S.A. 46-265 (a) requires that "every lobbyist shall register with the secretary of state by completing and signing a registration form . . ." K.A.R. 19-62-1 further explains who must register as follows:

Who must register.

(a) Employed lobbyists. Each person whose employment is, to a considerable degree, for the purpose of lobbying shall register as a lobbyist. . . .

(b) Appointed lobbyists. Any person formally appointed as the primary representative of an organization or of another person to lobby on state-owned or leased property shall register as a lobbyist regardless of whether the person receives compensation for lobbying. . . .

(c) Persons making lobbying expenditures. Any person who makes "expenditures" for lobbying as defined in K.A.R. 19-60-3(b), in an aggregate amount of \$100 or more in any calendar year shall register as a lobbyist. . . .

Applying the above statutes and regulations to your first question, only persons who engage directly in "lobbying" as defined by K.S.A. 46-225 must register as a lobbyist. There are no statutes or regulations that require a person to register a lobbyist when the person makes a contribution to an organization such as GPACE.

Turning to your second question, the Kansas lobbying laws do not regulate or limit who may contribute to a 501(c)(4) organization that engages in lobbying. Further,

there are no requirements for such an organization to report their contributions. Therefore, there is no distinction under Kansas lobbying laws between individual, corporate, not-for-profit, or any other contributors from in state or out of state who contribute to GPACE.

In response to your third question, according to the definition of "lobbying" in K.S.A. 46-225, advertising or messaging that promotes or opposes action or nonaction by the legislature on any legislative matter constitutes lobbying. K.S.A. 46-219 defines "legislative matter" as "any bill, resolution, nomination, or other issue or proposal pending before the legislature or any committee, subcommittee, or council thereof." K.A.R. 19-61-1 further explains "legislative matters" in pertinent part as follows:

(a) . . . An issue or proposal is pending before any such body [the legislature or any committee, subcommittee, or council thereof] if it is being directly considered by such body, if it has been communicated to such body or a member thereof even if not directly considered by it, or if it is an issue subject to continuing review by any such body.

(1) Any communication which is intended to advocate action or nonaction by the legislature on a legislative matter, including communications with other persons with the intent that such persons communicate with legislators in regard thereto, constitutes lobbying. . . .

(b) Exceptions. The communication of factual material which is not intended to promote or oppose action or nonaction on a legislative matter and which is not accompanied by active advocacy does not constitute lobbying.

If an advertisement or message promotes or opposes action or nonaction by the legislature on any legislative matter, it meets the definition of "lobbying" and would be required to be reported as a lobbying expense, even if it does not direct viewers to contact their legislator. Whether a particular advertisement or message falls within the exceptions of K.A.R. 19-61-1(b), or whether it constitutes lobbying, depends on the specific content of that particular advertisement or message. Therefore, without viewing a particular message or advertisement, we cannot determine whether or not it constitutes lobbying and would be required to be reported as a lobbying expense.

Opinion No. 2008-03

Written January 16, 2008, to Tom Stockburger, SAS Regional Office, Greenwood Village, Colorado.

This opinion is in response to your letter received by email on December 17, 2007, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws, K.S.A. 46-215 *et seq.* We note at the outset that the Commission's jurisdiction concerning your questions is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement:

You are asking for this opinion in your capacity as the account representative for SAS Institute for the State of Kansas. SAS provides software to state agencies through a contract with the State. There are approximately 35-80

(continued)

state employees of the executive branch who use SAS software. You would like to conduct quarterly update sessions for state employees who use SAS software. The primary focus of the sessions will be educational, but you will also talk about new features of the software or new software products that may be of interest.

Questions:

1. Can SAS sponsor quarterly sessions during the lunch period and provide state attendees lunch at no cost to the attendees?
2. Can SAS sponsor quarterly sessions in the morning or late in the day and provide state attendees snacks and beverages at no cost to the attendees?
3. Can SAS provide a nominal gift at these sessions to state attendees if the value of the gift is less than \$40.00?

Opinion:

K.S.A. 2008 Supp. 46-237a limits the receipt of meals and gifts by officers and employees of the executive branch of state government. That statute states in pertinent part:

- (a) The provisions of this section shall apply to:
 - (1) The governor;
 - (2) the lieutenant governor;
 - (3) the governor’s spouse;
 - (4) all officers and employees of the executive branch of state government; and
 - (5) all members of boards, commissions and authorities of the executive branch of state government.
- (b) No person subject to the provisions of this section shall solicit or accept any gift, economic opportunity, loan, gratuity, special discount or service provided because of such person’s official position, except:
 - (1) A gift having an aggregate value of less than \$40 given at a ceremony or public function where the person is accepting the gift in such person’s official capacity; or
 - ...
 - (3) anything of value received by the person on behalf of the state that inures to the benefit of the state or that becomes the property of the state. . . .
- (c) No person subject to the provisions of this section shall solicit or accept free or special discount meals from a source outside state government, except:
 - ...
 - (4) food such as soft drinks, coffee or snack foods not offered as part of a meal;
 - (5) any meal the value of which is \$25 or less;
 - (6) meals provided to a person when the person’s presence at the event or meeting at which the meal is provided serves a legitimate state purpose or interest and the agency of which such person is an officer or employee authorizes such person’s attendance at such event or meeting. . . . (Emphasis added.)

In response to your first question, SAS may provide a lunch to state employees who attend your sessions as long as the value of the lunch does not exceed \$25.00. Additionally, SAS may provide a lunch that exceeds \$25.00 in value to state employees, but only if the employees receive authorization from their agency as required by K.S.A. 46-237a (c)(6).

Turning to your second question, foods such as soft drinks, coffee and snack foods may be provided by SAS to state employees at any time.

In response to your third question, state employees of the executive branch are prohibited from accepting any gift, regardless of value, unless the acceptance falls within one of the exceptions stated in K.S.A. 2008 Supp. 46-237a(b). The gift limitation of \$40 only applies if the gift is given at a ceremony or public function. It does not appear that any of the exceptions would apply to the facts you have provided, unless the gift is such that it would inure to the benefit of the state, and the employee accepts the gift on behalf of the state. Therefore, you may not provide personal gifts to state employees at your quarterly update sessions; however, gifts that benefit the state and are accepted on behalf of the state and become state property may be provided.

Sabrina K. Standifer
Chairwoman

Doc. No. 035330

(Published in the Kansas Register January 31, 2008.)

**Summary Notice of Bond Sale
City of Independence, Kansas
\$190,000
General Obligation Bonds, Series 2008-A
(General obligation bonds payable to the extent
necessary from unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated January 24, 2008, written and electronic bids will be received on behalf of the clerk of the city of Independence, 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 February 7, 2008, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated February 15, 2008, and will become due on October 1 in the years as follows:

Year	Principal Amount
2008	\$20,000
2009	15,000
2010	15,000
2011	20,000
2012	20,000
2013	20,000
2014	20,000
2015	20,000
2016	20,000
2017	20,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning October 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 \$3,800 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about February 26, 2008, 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 2007 is \$54,234,603. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$9,345,000.

Approval of Bonds

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

Additional Information

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

Written Bid and Good Faith Deposit

Delivery Address:

Anthony D. Royse, Clerk
 City Hall
 120 N. 6th St.
 Independence, KS 67301
 (620) 332-2500
 Fax (620) 332-2511
 E-mail: tonyr@comgen.com

Financial Advisor - Facsimile Bid and

Good Faith Deposit Delivery Address:

Stifel, Nicolaus & Company, Incorporated
 Financial Advisor
 301 N. Main, Suite 800
 Wichita, KS 67202
 Attn: Patricia A. Hinojos
 (316) 337-8498
 Fax (316) 337-8492
 E-mail: hinojosp@stifel.com

Dated January 24, 2008.

City of Independence, Kansas

Doc. No. 035351

(Published in the Kansas Register January 31, 2008.)

Summary Notice of Bond Sale

City of Fairway, Kansas

\$3,400,000*

General Obligation Bonds, Series 2008-A

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated December 10, 2007, written and electronic bids will be received on behalf of the city administrator/city clerk of the city of Fairway, 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 11 a.m. February 11, 2008, for the purchase of the above-referenced bonds. No bid of less than 99.25 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated February 15, 2008, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2009	\$185,000
2010	195,000
2011	200,000
2012	210,000
2013	215,000
2014	225,000
2015	235,000
2016	245,000
2017	255,000
2018	265,000
2019	275,000
2020	285,000
2021	300,000
2022	310,000

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 September 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 \$68,000 (2 percent of the principal amount of the bonds).

(continued)

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost on or about February 28, 2008, 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 2007 is \$82,637,930. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$8,900,000.

Approval of Bonds

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

Additional Information

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

Written and Facsimile Bid and Good Faith Deposit**Delivery Address:**

Kathi Robards
City Administrator/City Clerk
5252 Belinder Road
Fairway, KS 66205
(913) 262-0350
Fax (913) 262-4607

Financial Advisor:

George K. Baum & Company
Financial Advisor
4801 Main St., Suite 500
Kansas City, MO 64112
Attn: David Arteberry
(816) 474-1100
Fax (816) 283-5326

Dated December 10, 2007.

City of Fairway, Kansas
By: Kathi Robards
City Administrator/City Clerk

* Preliminary; subject to change.

Doc. No. 035348

(Published in the Kansas Register January 31, 2008.)

**Summary Notice of Bond Sale
City of Bonner Springs, Kansas**

\$1,680,000*

General Obligation Bonds, Series 2008-A

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

Bids

Subject to the notice of bond sale dated January 14, 2008, bids will be received by the city clerk of the city of Bonner Springs, Kansas, on behalf of the governing body at City Hall, 205 E. 2nd St., Bonner Springs, KS 66012, or,

in the case of electronic proposals, via PARITY electronic bid submission system, until 1 p.m. February 11, 2008, for the purchase of \$1,680,000* principal amount of General Obligation Bonds, Series 2008-A. No bid of less than the entire par value of the bonds plus accrued interest to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated February 15, 2008 (the dated date), and will become due September 1 in the years as follows:

Year	Principal Amount*
2009	\$15,000
2010	60,000
2011	60,000
2012	65,000
2013	65,000
2014	70,000
2015	75,000
2016	75,000
2017	80,000
2018	80,000
2019	85,000
2020	90,000
2021	90,000
2022	95,000
2023	100,000
2024	105,000
2025	110,000
2026	115,000
2027	120,000
2028	125,000

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as provided in the notice of sale, which interest will be payable semi-annually on March 1 and September 1 in each year, beginning March 1, 2009. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$33,600 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about February 28, 2008, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2007 is \$79,873,551. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$22,370,000. Temporary notes in the amount of \$1,720,000 will be redeemed with the proceeds of the bonds and other available funds of the city on March 1, 2008.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (913) 667-1716; from the city's financial advisor, George K. Baum & Company, Plaza Colonnade, 4801 Main St., Suite 500, Kansas City, MO 64112, Attention: David Arteberry, (816) 474-1100; or from bond counsel, Kutak Rock LLP, 1010 Grand Blvd., Suite 500, Kansas City, MO 64106-2220, (816) 960-0090, Attention: Dorothea Riley.

Dated January 31, 2008.

City of Bonner Springs, Kansas
By Rita Hoag, City Clerk
City Hall
205 E. 2nd St.
Bonner Springs, KS 66012

*Subject to change.

Doc. No. 035345

State of Kansas

Kansas Insurance Department

Permanent Administrative Regulations

Article 3.—FIRE AND CASUALTY INSURANCE

40-3-52. Fire and casualty insurance; title insurers; controlled business arrangements. (a) For the purpose of this regulation, "controlled business" shall have the meaning specified in K.A.R. 40-3-43.

(b) As a part of the report stating the percentage of closed title orders originating from a controlled business arrangement pursuant to K.S.A. 40-2404(14)(h) and amendments thereto, each title insurer or title agent engaged in a controlled business arrangement shall submit the following information to the commissioner:

- (1) The identity of each producer of title business involved in the controlled business arrangement;
- (2) the date on which the business year began for the controlled business arrangement;
- (3) the identity of any federally chartered bank or savings association affiliated with the title insurer, if such an affiliation exists; and
- (4) the date of the end of the title insurer's or title agency's business year.

(c) Each insurer or title agent required by subsection (b) to file a report shall submit the report to the commissioner pursuant to K.S.A. 40-2404(14)(h) and amendments thereto. (Authorized by K.S.A. 40-103 and K.S.A. 2006 Supp. 40-2404(14)(j); implementing K.S.A. 40-2403 and K.S.A. 2006 Supp. 40-2404(14); effective Feb. 15, 2008.)

Sandy Praeger
Kansas Insurance Commissioner

Doc. No. 035344

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 and the 2007 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-64-1	New	V. 26, p. 1393

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-4-1	Amended	V. 26, p. 1045
3-4-2	Amended	V. 26, p. 1045
3-4-4	Amended	V. 26, p. 1045
3-4-5	Amended	V. 26, p. 1045
3-4-6	Amended	V. 26, p. 1045

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-2-8	Amended	V. 27, p. 16
4-2-20	Amended	V. 27, p. 16

4-3-47	Amended	V. 27, p. 16
4-3-49	Amended	V. 27, p. 16
4-3-51	Amended	V. 27, p. 16
4-8-14a	Amended	V. 26, p. 489
4-8-27	Amended	V. 26, p. 489
4-8-28	Amended	V. 26, p. 489
4-8-29	Amended	V. 26, p. 489
4-8-30	Amended	V. 26, p. 489
4-8-31	Amended	V. 26, p. 489
4-8-33	Amended	V. 26, p. 489
4-8-34	Amended	V. 26, p. 489
4-8-35	Amended	V. 26, p. 489
4-8-39	Amended	V. 26, p. 490
4-8-42	Amended	V. 26, p. 490
4-11-2	Amended	V. 26, p. 100
4-11-3	Amended	V. 26, p. 100
4-11-15	New	V. 26, p. 101
4-15-9	Amended	V. 26, p. 81
4-19-1	Amended	V. 26, p. 173

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-40-1	Amended	V. 26, p. 642
5-40-2	Amended	V. 26, p. 644
5-40-2a	New	V. 26, p. 646
5-40-2b	New	V. 26, p. 647
5-40-3	Amended	V. 26, p. 647
5-40-4	Amended	V. 26, p. 647
5-40-5	Amended	V. 26, p. 648
5-40-5a	New	V. 26, p. 648
5-40-8	Amended	V. 26, p. 648
5-40-9	Revoked	V. 26, p. 648
5-40-10	Revoked	V. 26, p. 648
5-40-11	Revoked	V. 26, p. 648
5-40-12	Amended	V. 26, p. 648
5-40-13	Revoked	V. 26, p. 649
5-40-20	New	V. 26, p. 649
5-40-21	New	V. 26, p. 649
5-40-22	New	V. 26, p. 649
5-40-23	New	V. 26, p. 650
5-40-24	New	V. 26, p. 650
5-40-26	New	V. 26, p. 651
5-40-30	New	V. 26, p. 651
5-40-31	New	V. 26, p. 652
5-40-32	New	V. 26, p. 653
5-40-33	New	V. 26, p. 653
5-40-40	New	V. 26, p. 653
5-40-41	New	V. 26, p. 654
5-40-42	New	V. 26, p. 654
5-40-43	New	V. 26, p. 655
5-40-44	New	V. 26, p. 655
5-40-45	New	V. 26, p. 655
5-40-46	New	V. 26, p. 655
5-40-50	New	V. 26, p. 656
5-40-51	New	V. 26, p. 656
5-40-52	New	V. 26, p. 657
5-40-53	New	V. 26, p. 657
5-40-54	New	V. 26, p. 657
5-40-55	New	V. 26, p. 658
5-40-56	New	V. 26, p. 658
5-40-57	New	V. 26, p. 658
5-40-70	New	V. 26, p. 659
5-40-71	New	V. 26, p. 659

(continued)

5-40-72	New	V. 26, p. 659
5-40-73	New	V. 26, p. 659
5-40-73a	New	V. 26, p. 660
5-40-74	New	V. 26, p. 661
5-40-75	New	V. 26, p. 661
5-40-76	New	V. 26, p. 662
5-40-77	New	V. 26, p. 662
5-40-90	New	V. 26, p. 662
5-40-91	New	V. 26, p. 663
5-40-92	New	V. 26, p. 663
5-40-93	New	V. 26, p. 663
5-40-94	New	V. 26, p. 663
5-40-100	New	V. 26, p. 663
5-40-101	New	V. 26, p. 663
5-40-102	New	V. 26, p. 664
5-40-103	New	V. 26, p. 664
5-40-104	New	V. 26, p. 664
5-40-105	New	V. 26, p. 664
5-40-106	New	V. 26, p. 664
5-42-1	Amended	V. 26, p. 664
5-42-5	New	V. 26, p. 665
5-44-7	New	V. 26, p. 666

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-17-22	Amended	V. 26, p. 325
7-44-1 through 7-44-7	New	V. 26, p. 505, 506

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-20-1	Amended	V. 26, p. 507
10-20-2	Amended	V. 26, p. 507
10-20-2a	Amended	V. 26, p. 507
10-20-4	Amended	V. 26, p. 507

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-8-3	Amended	V. 26, p. 1543
11-8-4	Amended	V. 26, p. 1543
11-12-1 through 11-12-7	New	V. 26, p. 1184-1187

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Reg. No.	Action	Register
14-8-2	Amended	V. 26, p. 1906
14-8-3	Amended	V. 26, p. 1906
14-16-23	Revoked	V. 26, p. 1906
14-16-24	Revoked	V. 26, p. 1906
14-24-1 through 14-24-6	New	V. 26, p. 1907

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-5	Amended	V. 26, p. 1115
28-1-6	Amended	V. 26, p. 1115
28-15-35	Amended	V. 26, p. 825
28-15-36	Amended	V. 26, p. 829
28-15-36a	Amended	V. 26, p. 829
28-16-28g	Amended	V. 26, p. 691
28-16-56c	Amended	V. 26, p. 283
28-16-56d	Amended	V. 26, p. 284
28-18-1	Amended	V. 26, p. 284
28-18-2	Amended	V. 26, p. 288
28-18-4	Amended	V. 26, p. 289
28-18-8	Amended	V. 26, p. 289
28-18-9	Amended	V. 26, p. 290
28-18-11	Amended	V. 26, p. 1929
28-18-12	Amended	V. 26, p. 290
28-18-13	Amended	V. 26, p. 291
28-18-14	Amended	V. 26, p. 292
28-18-16	New	V. 26, p. 292
28-18-17	New	V. 26, p. 293
28-18a-1	Amended	V. 26, p. 294
28-18a-2	Amended	V. 26, p. 298
28-18a-4	Amended	V. 26, p. 299

28-18a-8	Amended	V. 26, p. 299
28-18a-9	Amended	V. 26, p. 300
28-18a-11	Amended	V. 26, p. 1929
28-18a-12	Amended	V. 26, p. 300
28-18a-19	Amended	V. 26, p. 301
28-18a-21	Amended	V. 26, p. 302
28-18a-22	Amended	V. 26, p. 302
28-18a-26	Amended	V. 26, p. 303
28-18a-32	Revoked	V. 26, p. 303
28-18a-33	New	V. 26, p. 303
28-19-720	Amended	V. 26, p. 951
28-19-728	New	V. 26, p. 951
28-19-728a through 28-19-728f	New	V. 26, p. 951, 952
28-19-735	Amended	V. 26, p. 953
28-19-750	Amended	V. 26, p. 953
28-24-1 through 28-24-14	Amended	V. 26, p. 1510-1514
28-24-15	Revoked	V. 26, p. 1514
28-24-16	Revoked	V. 26, p. 1514
28-24a-1	New	V. 26, p. 1514
28-24a-2	New	V. 26, p. 1514
28-24a-3	New	V. 26, p. 1515
28-29-28	Amended	V. 26, p. 1610
28-29-29	Amended	V. 26, p. 1611
28-29-29a	Amended	V. 26, p. 1611
28-29-29b	New	V. 26, p. 1612
28-29-30	Amended	V. 26, p. 1612
28-29-31	Amended	V. 26, p. 1613
28-29-31a	New	V. 26, p. 1614
28-29-32	Amended	V. 26, p. 1614
28-29-33	Amended	V. 26, p. 1615
28-29-2011	New	V. 26, p. 1615
28-29-2101	Amended	V. 26, p. 1615
28-35-135a	Amended	V. 26, p. 1142
28-35-135d	Amended	V. 26, p. 1144
28-35-135n	Amended	V. 26, p. 1145
28-35-135p	Amended	V. 26, p. 1145
28-35-135r	Amended	V. 26, p. 1147
28-35-177a	Amended	V. 26, p. 1148
28-35-178a	Amended	V. 26, p. 1149
28-35-178b	Amended	V. 26, p. 1150
28-35-180a	Amended	V. 26, p. 1151
28-35-181d	Amended	V. 26, p. 1152
28-35-181m	Amended	V. 26, p. 1153
28-35-181n	Amended	V. 26, p. 1154
28-35-181o	Amended	V. 26, p. 1155
28-35-182c	Amended	V. 26, p. 1155
28-35-184a	Amended	V. 26, p. 1156
28-35-201	Amended	V. 26, p. 1156
28-35-202	Revoked	V. 26, p. 1158
28-35-203	Amended	V. 26, p. 1158
28-35-216a	Amended	V. 26, p. 1159
28-35-230g	New	V. 26, p. 1159
28-35-289	Amended	V. 26, p. 1160
28-35-292	Amended	V. 26, p. 1162
28-35-308	Amended	V. 26, p. 1162
28-35-349	Amended	V. 26, p. 1162
28-35-450	Amended	V. 26, p. 1162
28-36-33 through 28-36-49	Revoked (T)	V. 26, p. 1682
28-36-33 through 28-36-49	Revoked	V. 27, p. 73
28-36-70 through 28-36-89	New (T)	V. 26, p. 1682-1696
28-36-70 through 28-36-89	New	V. 27, p. 73-87
28-36-101 through 28-36-108	Amended	V. 26, p. 1776-1779
28-36-109	New	V. 26, p. 1780
28-46-2	Revoked	V. 26, p. 214
28-46-2a	New	V. 26, p. 215
28-46-25	Amended	V. 26, p. 215
28-46-26	Revoked	V. 26, p. 215
28-46-26a	New	V. 26, p. 215
28-46-34a	New	V. 26, p. 215
28-46-38	Amended	V. 26, p. 216

28-54-1 through 28-54-7	New	V. 26, p. 1640-1642
-------------------------	-----	---------------------

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-98	Amended	V. 26, p. 1905
30-5-65	Revoked	V. 26, p. 1091

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-37	Amended	V. 26, p. 1393
40-1-51	Revoked	V. 26, p. 1364
40-2-20	Amended	V. 26, p. 101
40-2-29	New	V. 27, p. 15
40-2-30	New	V. 26, p. 1545
40-3-25	Amended	V. 27, p. 15
40-3-34	Revoked	V. 26, p. 1423
40-7-19	Amended	V. 26, p. 881
40-7-20a	Amended	V. 26, p. 103
40-7-25	Amended	V. 26, p. 488

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-101	Amended	V. 26, p. 817
44-6-125	Amended	V. 26, p. 818
44-6-136	Amended	V. 26, p. 819
44-11-111	Amended	V. 26, p. 819
44-11-113	Amended	V. 26, p. 820
44-11-123	Amended	V. 26, p. 820
44-12-103	Amended	V. 26, p. 1074
44-12-105	Amended	V. 26, p. 1075
44-12-106	Amended	V. 26, p. 1075
44-12-107	Amended	V. 26, p. 1075
44-12-208	Amended	V. 26, p. 1075
44-12-210	Amended	V. 26, p. 1075
44-12-211	New	V. 26, p. 1075
44-12-212	New	V. 26, p. 1075
44-12-304	Amended	V. 26, p. 1075
44-12-306	Amended	V. 26, p. 1076
44-12-308	Amended	V. 26, p. 1076
44-12-312	Amended	V. 26, p. 1076
44-12-315	Amended	V. 26, p. 1076
44-12-320a	New	V. 26, p. 1076
44-12-325	Amended	V. 26, p. 1076
44-12-601	Amended	V. 26, p. 1077
44-12-901	Amended	V. 26, p. 1079
44-12-902	Amended	V. 26, p. 1079
44-12-903	New	V. 26, p. 1079
44-12-1101	Amended	V. 26, p. 1080
44-12-1201	Amended	V. 26, p. 1080
44-12-1301	Amended	V. 26, p. 1080
44-12-1302	Amended	V. 26, p. 1081
44-12-1303	Amended	V. 26, p. 1081
44-12-1306	Amended	V. 26, p. 1081
44-12-1308	Amended	V. 26, p. 1081
44-13-101a	Amended	V. 26, p. 1082
44-13-106	Amended	V. 26, p. 1082
44-13-201	Amended	V. 26, p. 1082
44-13-201a	New	V. 26, p. 1083
44-13-201b	Amended	V. 26, p. 1084
44-13-202	Amended	V. 26, p. 1084
44-13-307	Amended	V. 26, p. 1085
44-13-402	Amended	V. 26, p. 1085
44-13-403	Amended	V. 26, p. 1085
44-13-404	Amended	V. 26, p. 1087
44-13-405a	Amended	V. 26, p. 1088
44-13-406	Amended	V. 26, p. 1089
44-13-408	Amended	V. 26, p. 1089
44-13-603	Amended	V. 26, p. 1089
44-13-610	Amended	V. 26, p. 1089
44-13-701	Amended	V. 26, p. 1090
44-13-703	Amended	V. 26, p. 1090
44-13-704	Amended	V. 26, p. 1090
44-15-101a	Amended	V. 26, p. 820
44-15-102	Amended	V. 26, p. 821
44-15-104	Amended	V. 26, p. 822
44-16-104a	New	V. 26, p. 822

AGENCY 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-45-36	New	V. 26, p. 1647
49-50-6	Amended	V. 26, p. 1647

49-50-20 Amended V. 26, p. 1647
**AGENCY 50: DEPARTMENT OF LABOR—
 DIVISION OF EMPLOYMENT**

Reg. No.	Action	Register
50-3-2	Amended	V. 26, p. 1642

**AGENCY 51: DEPARTMENT OF LABOR—
 DIVISION OF WORKERS COMPENSATION**

Reg. No.	Action	Register
51-9-7	Amended	V. 26, p. 1639

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
60-9-106	Amended	V. 26, p. 1112
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
63-2-26	New	V. 27, p. 108
63-4-1	Amended	V. 27, p. 108
63-5-1	Amended	V. 26, p. 126

**AGENCY 66: BOARD OF TECHNICAL
 PROFESSIONS**

Reg. No.	Action	Register
66-9-5	Amended	V. 26, p. 1024
66-10-10a	Amended	V. 26, p. 1024
66-11-5	Amended	V. 26, p. 1025

**AGENCY 67: BOARD OF EXAMINERS
 IN THE FITTING AND DISPENSING OF
 HEARING INSTRUMENTS**

Reg. No.	Action	Register
67-5-3	Revoked	V. 26, p. 692
67-5-4	Amended	V. 26, p. 692
67-5-5	New	V. 26, p. 692

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-5-16	Amended	V. 26, p. 488
68-7-11	Amended	V. 26, p. 1112
68-7-12	Amended	V. 26, p. 1114
68-20-17	Amended	V. 26, p. 488

**AGENCY 69: BOARD OF COSMETOLOGY
 (by Dept. of Health and Environment)**

Reg. No.	Action	Register
69-12-6	Revoked	V. 26, p. 1515
69-12-13	Revoked	V. 26, p. 1515

**AGENCY 70: BOARD OF
 VETERINARY EXAMINERS**

Reg. No.	Action	Register
70-5-1	Amended	V. 26, p. 1863

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-2	Amended	V. 26, p. 1954
74-1-3	Amended	V. 26, p. 1954
74-1-6	Amended	V. 26, p. 1955
74-1-8	Amended	V. 26, p. 1955
74-2-7	Amended	V. 26, p. 1955
74-4-1a	Amended	V. 26, p. 126
74-5-2	Amended	V. 26, p. 1956
74-5-101	Amended	V. 26, p. 1957
74-5-105	Revoked	V. 26, p. 127
74-5-201	Amended	V. 26, p. 1957
74-5-202	Amended	V. 26, p. 1957
74-5-204	Revoked	V. 26, p. 1957
74-5-403	Amended	V. 26, p. 128
74-5-405a	New	V. 26, p. 1957

74-5-406	Amended	V. 26, p. 1958
74-5-408	New	V. 26, p. 128
74-6-1	Amended	V. 26, p. 1958
74-7-2	Amended	V. 26, p. 1958
74-11-6	Amended	V. 26, p. 128

**AGENCY 82: STATE CORPORATION
 COMMISSION**

Reg. No.	Action	Register
82-3-103	Amended	V. 26, p. 1609
82-3-119	Revoked	V. 26, p. 1643
82-3-123	Amended	V. 26, p. 1643
82-3-123a	Amended	V. 26, p. 1644
82-3-124	Amended	V. 26, p. 1644
82-3-131	Amended	V. 26, p. 1645
82-3-140	Amended	V. 26, p. 1645
82-3-300	Amended	V. 26, p. 1645
82-3-303	Amended	V. 26, p. 823
82-3-304	Amended	V. 26, p. 824
82-3-408	Amended	V. 26, p. 1646
82-3-603a	New	V. 26, p. 1610
82-4-30a	Amended (T)	V. 26, p. 1930
82-11-1	Amended	V. 27, p. 43
82-11-3	Amended	V. 27, p. 43
82-11-4	Amended	V. 27, p. 44
82-11-7	Amended	V. 27, p. 49
82-11-8	Amended	V. 27, p. 49

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-2	Amended	V. 26, p. 1728
86-1-5	Amended	V. 26, p. 1728
86-1-10	Amended	V. 26, p. 1729
86-1-11	Amended	V. 26, p. 1730
86-1-13	Amended	V. 26, p. 1731
86-1-15	Amended	V. 26, p. 1732
86-1-17	Amended	V. 26, p. 1732
86-1-18	Amended	V. 26, p. 1733
86-1-19	Amended	V. 26, p. 1733
86-1-20	New	V. 26, p. 1734
86-2-3	Revoked	V. 26, p. 1734
86-2-5	Revoked	V. 26, p. 1734
86-2-7	Revoked	V. 26, p. 1734
86-3-3	Revoked	V. 26, p. 1734
86-3-8	Amended	V. 26, p. 1734
86-3-9	Amended	V. 26, p. 1734
86-3-15	Amended	V. 26, p. 1734
86-3-21	Amended	V. 26, p. 1735
86-3-22	Amended	V. 26, p. 1735
86-3-26a	New	V. 26, p. 1736

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-3-8	Revoked	V. 26, p. 1141
88-3-8a	New	V. 26, p. 1141
88-3-12	Amended	V. 26, p. 1141
88-24-1	Amended	V. 26, p. 1142
88-24-2	Amended	V. 26, p. 1142
88-29-1 through 88-29-19	New	V. 26, p. 216-229
88-30-1	New	V. 26, p. 1544
88-30-2	New	V. 26, p. 1544
88-30-3	New	V. 26, p. 1544

**AGENCY 91: DEPARTMENT OF
 EDUCATION**

Reg. No.	Action	Register
91-1-201	Amended	V. 26, p. 1217
91-1-202	Amended	V. 26, p. 1218
91-1-203	Amended	V. 26, p. 1220
91-1-204	Amended	V. 26, p. 1224
91-1-209	Amended	V. 26, p. 1226
91-1-234	New	V. 26, p. 1226

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-16a	Amended	V. 26, p. 408
92-19-16b	New	V. 26, p. 409
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
92-27-1 through 92-27-5	New	V. 26, p. 1648, 1649

**AGENCY 97: KANSAS COMMISSION ON
 VETERANS' AFFAIRS**

Reg. No.	Action	Register
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 99: DEPARTMENT OF
 AGRICULTURE—DIVISION OF
 WEIGHTS AND MEASURES**

Reg. No.	Action	Register
99-25-1	Amended	V. 27, p. 108
99-25-9	Amended	V. 27, p. 108
99-25-11	New	V. 27, p. 109

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended	V. 26, p. 1258
100-15-5	Amended	V. 26, p. 384
100-15-6	Amended	V. 26, p. 385
100-22-6	New	V. 26, p. 1642
100-22-7	New	V. 26, p. 1043
100-22-8	New	V. 26, p. 1367
100-22-8	Revoked (T)	V. 26, p. 1929
100-22-8a	New (T)	V. 26, p. 1929
100-28a-1	Amended	V. 26, p. 1753
100-49-4	Amended	V. 26, p. 1258
100-49-10	New	V. 26, p. 1367
100-54-7	Amended	V. 26, p. 1043
100-54-8	Amended	V. 26, p. 1044
100-73-1	Amended	V. 26, p. 1258
100-73-9	New	V. 26, p. 1044

**AGENCY 102: BEHAVIORAL SCIENCES
 REGULATORY BOARD**

Reg. No.	Action	Register
102-1-7	Revoked	V. 26, p. 881
102-1-13	Amended	V. 26, p. 1774
102-2-3	Amended	V. 26, p. 1775
102-2-10	Revoked	V. 26, p. 881
102-3-2	Amended	V. 26, p. 1775
102-3-8a	Revoked	V. 26, p. 881
102-4-2	Amended	V. 26, p. 1775
102-4-8a	Revoked	V. 26, p. 881
102-5-2	Amended	V. 26, p. 1776
102-5-8	Revoked	V. 26, p. 881
102-6-8	Amended	V. 26, p. 881

**AGENCY 105: BOARD OF
 INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-11-1	Amended	V. 26, p. 1752

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-13-10	Amended	V. 26, p. 1752
110-15-1 through 110-15-4	New	V. 26, p. 1864
110-16-1 through 110-16-4	New	V. 26, p. 1865, 1866
110-17-1 through 110-17-4	New	V. 26, p. 1866, 1867
110-18-1 through 110-18-4	New	V. 26, p. 1867, 1868

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
(continued)

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. A list of regulations filed by the Kansas Lottery from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register.

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-9a	Amended	V. 27, p. 19
112-4-14a	Amended	V. 27, p. 19
112-5-1	Amended	V. 27, p. 19
112-6-1	Amended	V. 27, p. 20
112-7-6	Amended	V. 27, p. 20
112-7-8	Amended	V. 27, p. 21
112-7-15a	Amended	V. 27, p. 21
112-7-16	Amended	V. 27, p. 22
112-7-18a	Amended	V. 27, p. 22
112-7-20	Amended	V. 27, p. 23
112-8-9	Amended	V. 27, p. 23
112-10-12	Amended	V. 27, p. 23
112-10-32	Amended	V. 27, p. 23
112-11-10	Amended	V. 27, p. 24
112-11-20	Amended	V. 27, p. 24
112-18-1	Amended	V. 27, p. 26

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 26, p. 1722
115-2-3a	Amended	V. 26, p. 1723

115-4-4	Amended	V. 26, p. 410
115-4-4a	Amended	V. 26, p. 411
115-4-6	Amended	V. 27, p. 109
115-4-6a	Revoked	V. 27, p. 112
115-4-13	Amended	V. 26, p. 1111
115-4-14	Revoked	V. 27, p. 112
115-7-1	Amended	V. 26, p. 1725
115-7-8	Amended	V. 26, p. 1726
115-7-9	New	V. 26, p. 1727
115-8-7	Amended	V. 26, p. 1364
115-8-13	Amended	V. 27, p. 112
115-9-9	Amended	V. 26, p. 641
115-18-10	Amended	V. 26, p. 1727
115-18-12	Amended	V. 26, p. 1728
115-18-20	Amended	V. 26, p. 1728
115-30-1	Amended	V. 26, p. 1364
115-30-5	Amended	V. 26, p. 1365
115-30-7	Amended	V. 26, p. 1365
115-30-8	Amended	V. 26, p. 1365
115-30-10	Amended	V. 26, p. 1366
115-30-12	New	V. 26, p. 1366

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 26, p. 1259
117-2-1	Amended	V. 26, p. 1259
117-2-2	Amended	V. 26, p. 1260
117-2-2a	Amended	V. 27, p. 16
117-2-3	Amended	V. 26, p. 1261
117-2-4	Amended	V. 26, p. 1261
117-3-1	Amended	V. 26, p. 1262
117-3-2	Amended	V. 26, p. 1265
117-3-2a	Amended	V. 27, p. 17

117-3-4	Amended	V. 26, p. 1264
117-4-1	Amended	V. 26, p. 1264
117-4-2	Amended	V. 26, p. 1265
117-4-2a	Amended	V. 27, p. 17
117-4-3	Amended	V. 26, p. 1266
117-4-4	Amended	V. 26, p. 1266
117-5-2a	Amended	V. 27, p. 18
117-6-1	Amended	V. 26, p. 1266
117-6-2	Amended	V. 26, p. 1267
117-7-1	Amended	V. 27, p. 18
117-8-1	Amended	V. 27, p. 19

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
121-2-1	Amended	V. 26, p. 1908
121-3-1	Amended	V. 26, p. 1908
121-5-4	New	V. 26, p. 1909
121-9-1	New	V. 26, p. 1910

AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION

Reg. No.	Action	Register
128-1-1	New (T)	V. 27, p. 106
128-2-12	New (T)	V. 27, p. 107

AGENCY 129: KANSAS HEALTH POLICY AUTHORITY

Reg. No.	Action	Register
129-5-1	Amended	V. 26, p. 1579
129-5-65	New	V. 26, p. 1091

Order a custom-made loose-leaf binder for the Kansas Register!

Custom-made binders are available to attractively hold up to a year's worth of your copies of the Kansas Register for permanent use. The high quality, durable casebound swinge-hinge binders are manufactured by ABZ Binder. (A swinge-hinge binder has more capacity and allows for easier interfiling than standard ring binders.) The three-inch binder features dark blue supported vinyl covering and gold imprinting, with a label holder on the spine.

\$15 each, includes shipping and handling.
 (Kansas residents must include applicable state and local sales tax.)



In this issue . . .

Kansas Department of Health and Environment	Page
Requests for comments on proposed air quality permits	34, 39
Annual Program Report for the Voluntary Cleanup and Property Redevelopment Program	35
Notice of hearing on proposed air quality permit	36
Notice concerning Kansas water pollution control permits	37
Pooled Money Investment Board	
Notice of investment rates	
State Banking Board	
Notice of 2002 meeting schedule	
Public notice	
Department of Administration	
Wildlife and Parks Commission	
Notice of hearing on proposed administrative regulations	37
Attorney General	
Opinions 2001-48 through 2001-56	39
Information Network of Kansas	
Notice of meeting	39
City of Overland Park	
Notice to bidders	40
Department of Administration—Division of Purchases	
Notice to bidders for state purchases	42
	42
	43

Please send _____

Total enclosed _____

Clip and mail

Kansas Register Binders @ \$15

(Note: Kansas residents must include applicable state and local sales tax.)

Ship to:

Shipping is by
 U.P.S. Delivery Service—
 Street address is necessary.

Mail this form, with payment, to: Kansas Register, Secretary of State, 1st Floor,
 Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594

**Kansas Register
Secretary of State
1st Floor, Memorial Hall
120 S.W. 10th Ave.
Topeka, KS 66612-1594**

Use this form or a copy of it to enter a subscription:

_____ **One-year subscription @ \$80 ea.**
**(Kansas residents must include
applicable state and local sales tax.)**

Total Enclosed
(Make check payable to the Kansas Register)

Send to: _____

(Please, no
more than
4 address
lines.)

Zip code must be included

Rec. No. _____ Exp. _____ Code _____

This space for Register office use only.

Use this form or a copy of it to enter a name or address change:

Remove your mailing label (above) and affix it here:



Indicate change of name or address
here:

**Mail either form to: Kansas Register, Secretary of State, 1st Floor,
Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594**