



Kansas Register

Ron Thornburgh, Secretary of State

Vol. 27, No. 16 April 17, 2008 Pages 475-506

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State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced April 3-4 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 2994, An act amending the unfair trade practice act; amending K.S.A. 2007 Supp. 40-2404 and repealing the existing section, by Committee on Federal and State Affairs.

House Resolutions

HR 6027, A resolution celebrating and commemorating Frank Bozick as the oldest living veteran in Kansas.

HR 6028, A resolution commemorating the spirit and legacy of Dr. Martin Luther King, Jr. on the 40th anniversary of his assassination.

HR 6029, A resolution in memory of Staff Sergeant Bryant Wayne Mackey.

Senate Concurrent Resolutions

SCR 1626, A concurrent resolution relating to the 2008 regular session of the legislature; extending such session beyond 90 calendar days; and providing for adjournment thereof.

Senate Resolutions

SR 1854, A resolution congratulating and commending the 2008 McPherson High School girls' basketball team.

SR 1855, A resolution congratulating and commending Coach Shane Cordell of Little River High School.

Doc. No. 035612

State of Kansas

Department of Administration
Division of Facilities ManagementNotice of Commencement of
Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for new student housing for approximately 200 residents on the Pittsburg State University campus in Pittsburg. The facility will be a modified suite-style configuration featuring clusters of sleeping rooms, private or semi-private bath facilities, and efficiency kitchenettes associated with each sleeping cluster. The total project budget is \$10,000,000. A program is available.

For more information concerning the scope of services, contact Paul Stewart, (620) 235-4130.

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 2008 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 May 2.

Marilyn Jacobson, Director
Division of Facilities Management

Doc. No. 035617

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.

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PUBLISHED BY
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State of Kansas**Department of Administration
Division of Facilities Management****Notice of Commencement of
Negotiations for Architectural Services**

Notice is hereby given of the commencement of negotiations for architectural services for parking improvements and new pedestrian plazas on the Pittsburg State University campus in Pittsburg. Improvements include, but are not limited to, renovating and enlarging existing lots and constructing new lots (new paving, curb and gutter, lighting, stormwater management, emergency phones and circulation patterns). Two new pedestrian plazas need construction — one will link the main campus to the student dining hall and south dorms across Lindburg Street, and the other will connect the core campus to the main parking lot, stadium, and McPherson Hall across Joplin Street. The total project budget is \$4,000,000. A program is available.

For more information concerning the scope of services, contact Paul Stewart, (620) 235-4130.

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 2008 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 May 2.

Marilyn Jacobson, Director
Division of Facilities Management

Doc. No. 035618

State of Kansas**Department of Administration
Division of Facilities Management****Notice of Commencement of
Negotiations for Architectural Services**

Notice is hereby given of the commencement of negotiations for architectural services for renovations to existing student housing (Bowen, Trout, Tanner Annex, Nation, Dellinger and Mitchell) on the Pittsburg State University campus in Pittsburg. All of these facilities were built in the 1950s-60s and have had major infrastructure renovations but no major surface renovation to modernize the buildings. Improvements include, but are not limited to, replacement of windows, student room doors, corridor access and stairwell doors, floor coverings, room built-in cabinetry, ceiling surfaces and all wall surface finishes. All restroom and shower/bath facilities also will be reconditioned. Dellinger and Tanner Annex need upgrades to their HVAC distribution systems, which include hydronic pipe and unit-vent replacements. Central air conditioning will be considered for Mitchell. The total project budget is \$12,000,000. A program is available.

For more information concerning the scope of services, contact Paul Stewart, (620) 235-4130.

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 2008 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 May 2.

Marilyn Jacobson, Director
Division of Facilities Management

Doc. No. 035619

State of Kansas**Department of Administration
Division of Facilities Management****Notice of Commencement of Negotiations
for "On-Call" Engineering Services**

Notice is hereby given of the commencement of negotiations for "on-call" utilities, power generation and distribution systems engineering services at Kansas State University, Manhattan. The utilities are steam, chilled water, and high voltage generation and distribution systems.

Firms must demonstrate:

- Experience and knowledge in the design and operation of power plant utilities, including distribution and building systems in a higher education campus setting;
- Experience designing maintainable, energy efficient and reliable utility systems;
- Experience with environmental issues, public relations, project management, utility system inspection and documentation; and
- Ability and experience to identify and assist with securing revenue sources outside Kansas, i.e., federal grants for renewable energy and energy conservation projects.

For more information concerning 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 2008 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 May 2.

Marilyn Jacobson, Director
Division of Facilities Management

Doc. No. 035616

State of Kansas

Commission on Veterans' Affairs

Notice of Meeting

The Kansas Commission on Veterans' Affairs will meet at 1 p.m. Friday, April 25, in the Florentine Room, Jayhawk Tower, 700 S.W. Jackson, Topeka. The public is invited to attend. For more information, call (785) 296-3976.

George S. Webb
Executive Director

Doc. No. 035613

State of Kansas

Department of Commerce

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Tuesday, June 24, in the main conference room, Kansas Department of Commerce, Curtis State Office Building, Suite 100, 1000 S.W. Jackson, Topeka, to consider the adoption of regulations administering portions of the Kansas Energy Development Act, K.S.A. 79-32,216 et seq., which provides certain tax incentives to taxpayers who have submitted an application to the Secretary of Commerce, subject to approval by the Secretary of Commerce.

This 60-day notice of the public hearing shall constitute a public comment period for receiving written public comments on the proposed regulations. The proposed regulations may be viewed on the Kansas Department of Commerce Web site at www.kansascommerce.com. Copies of the regulations and the economic impact statement may be obtained by contacting Lyle Peterson, Kansas Department of Commerce, 1000 S.W. Jackson, Suite 100, Topeka, 66612-1354, (785) 296-6080.

All interested parties desiring to submit written comments before the hearing may do so electronically at www.kansascommerce.com or to Lyle Peterson at the address listed above. All interested parties will be given a reasonable opportunity to present their views orally on these regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least 10 working days in advance of the hearing by contacting Lyle Peterson at the contact information above. Vehicles with a handicapped license plate or handicapped placard may park in any metered space around the building, and there is no charge for parking. The curbs and all entrances on Jackson, 10th Street, and Kansas Avenue to the Curtis State Office Building are accessible to individuals with disabilities.

Written copies of the regulations and their economic impact statements may be obtained from Lyle Peterson at the address and phone number listed above. A summary of the proposed regulations and their economic impact follows:

K.A.R. 110-19-1. Definitions. This regulation defines key terms in the regulations.

K.A.R. 110-19-2. Application; additional documentation. This regulation notifies applicants of the documentation that must be provided to the Secretary of Commerce in applying for approval for Kansas Energy Incentive Act tax incentives.

K.A.R. 110-19-3. Secretary's review and determination. This regulation provides that after the secretary's review of an application for tax incentives, the secretary shall make a determination whether to approve the application within 60 days of the submission of the information required by K.A.R. 110-19-2 by the applicant to the secretary; the determination shall be mailed to each taxpayer identified on the application as having an ownership interest in the project.

K.A.R. 110-19-4. Annual compliance and audit. This regulation provides that each taxpayer shall provide all documentation necessary for the secretary to determine whether the taxpayer is in compliance with the agreement required by the Act. The regulation also lists certain information necessary for the Department of Commerce to monitor the taxpayers' annual compliance with the terms of the agreement.

K.A.R. 110-20-1. Definitions. This regulation defines key terms in the regulations.

K.A.R. 110-20-2. Application; additional documentation. This regulation notifies applicants of the documentation that must be provided to the Secretary of Commerce in applying for approval for Kansas Energy Development Act tax incentives.

K.A.R. 110-20-3. Secretary's review and determination. This regulation provides that after the secretary's review of an application for tax incentives, the secretary shall make a determination whether to approve the application within 60 days of the submission of the information required by K.A.R. 110-20-2 by the applicant to the secretary; the determination shall be mailed to each taxpayer identified on the application as having an ownership interest in the project.

K.A.R. 110-20-4. Annual compliance and audit. This regulation provides that each taxpayer shall provide all documentation necessary for the secretary to determine whether the taxpayer is in compliance with the agreement required by the Act. The regulation also lists certain information necessary for the Department of Commerce to monitor the taxpayers' annual compliance with the terms of the agreement.

The economic impact of these proposed regulations would be to taxpayers seeking approval for tax incentives for the costs of obtaining, preparing, submitting and maintaining the documentation and any other compliance information required. The Department of Commerce considers the methods proposed to be the least costly and intrusive methods necessary to achieve the stated purpose of the rules and regulations in order to meet the department's and the secretary's statutory obligations.

David D. Kerr
Secretary of Commerce

Doc. No. 035623

State of Kansas

Department of Commerce

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 2:30 p.m. Tuesday, June 24, in the main conference room, Kansas Department of Commerce, Curtis State Office Building, Suite 100, 1000 S.W. Jackson, Topeka, to consider the adoption of three new regulations, K.A.R. 110-13a-1 through 110-13a-3, relating to the Enterprise Facilitation Funds Program (K.S.A. 50,154, which provides funding to enterprise facilitation groups for specific projects), and an amendment to one existing regulation, K.A.R. 110-13-4, relating to Regional Business Development Funds (K.S.A. 50,154, which provides development funding for eligible regional projects).

This 60-day notice of the public hearing shall constitute a public comment period for receiving written public comments on the proposed regulations. The proposed regulations may be viewed on the Kansas Department of Commerce Web site at www.kansascommerce.com. Copies of the regulations and the economic impact statement may be obtained by contacting Becki Rhoades or Carole Jordan, Kansas Department of Commerce, 1000 S.W. Jackson, Suite 100, Topeka, 66612-1354, (785) 296-3737.

All interested parties desiring to submit written comments before the hearing may do so electronically at www.kansascommerce.com or to Carole Jordan at the address listed above. All interested parties will be given a reasonable opportunity to present their views orally on these regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least 10 working days in advance of the hearing by contacting Carole Jordan at the contact information above. Vehicles with a handicapped license plate or handicapped placard may park in any metered space around the building, and there is no charge for parking. The curbs and all entrances on Jackson, 10th Street, and Kansas Avenue to the Curtis State Office Building are accessible to individuals with disabilities.

Copies of the regulations and their economic impact statements may be obtained from Becki Rhoades or Carole Jordan at the address and phone number listed above. A summary of the proposed regulations and their economic impact follows:

K.A.R. 110-13a-1. Definitions. This regulation defines key terms in the regulations.

K.A.R. 110-13a-2. Application requirements for enterprise facilitation project funding. This regulation notifies applicants of the documentation that must be provided to the Secretary of Commerce when applying for approval of an Enterprise Facilitation Funds project.

K.A.R. 110-13a-3. Reporting. This regulation provides that each taxpayer shall provide all documentation nec-

essary for the secretary to determine whether the enterprise facilitation group is in compliance with the requirements of the Act. The regulation also lists certain information necessary for the Department of Commerce to monitor the enterprise facilitation group's annual compliance with the terms of the agreement.

K.A.R. 110-13-4. Regional business development funds; eligible projects. This amendment to K.A.R. 110-13-4 would increase from 60 percent to 75 percent the amount of Regional Business Development Funds to be allocated toward job creation and retention. The amendment is merely a technical cleanup.

The economic impact of these proposed regulations would be to enterprise facilitation groups that submit applications for funding from Enterprise Facilitation Funds. They will incur the costs of obtaining, preparing, submitting, and maintaining the documentation and any other compliance information required by the proposed rules and regulations in addition to requirements imposed by statute. The Department of Commerce considers the methods proposed to be the least costly and intrusive methods necessary to achieve the stated purpose of the rules and regulations in order to meet the department's and the secretary's statutory obligations. The amendment to K.A.R. 110-13-4 will cause no additional economic impact to the applicants for Regional Business Development Funds.

David D. Kerr
Secretary of Commerce

Doc. No. 035630

State of Kansas

Department of Agriculture

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, June 18, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of proposed Pesticide, Chemigation Safety, Weights and Measures, Dairy, Plant Pest, and Meat and Poultry regulations.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Agriculture, 109 S.W. 9th, 4th Floor, Topeka, 66612, or by e-mail at lgarner@kda.state.ks.us. Comments also may be made through the department's Web site, <http://www.ksda.gov>, under the proposed regulation. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. These regulations are proposed for adoption on a permanent basis. A summary of the proposed regulations and their economic impact follows:

(continued)

Pesticide

K.A.R. 4-13-40 is amended to update the Kansas administrative procedure act references and include the assessment of civil penalties in summary adjudicative hearings.

K.A.R. 4-13-41, 4-13-42 and 4-13-61 are revoked for consistency with the changes in K.A.R. 4-13-60 and the Kansas administrative procedure act.

K.A.R. 4-13-60 deletes provisions for use of a "complaint" in enforcement proceedings and provides provisions pursuant to the Kansas administrative procedure act.

K.A.R. 4-13-64 clarifies the request for a settlement conference and adds language for the requirements for a consent agreement.

K.A.R. 4-13-65 is amended for consistency with the changes in K.A.R. 4-13-60 and the Kansas administrative procedure act.

Chemigation Safety

K.A.R. 4-20-11 is amended for consistency with K.A.R. 4-13-60 and 4-13-62 through 4-13-65 and the Kansas administrative procedure act.

Weights and Measures

K.A.R. 99-27-2 deletes provisions for use of a "complaint" in enforcement proceedings and provides provisions pursuant to the Kansas administrative procedure act.

K.A.R. 99-27-3 is revoked for consistency with the changes in K.A.R. 99-27-2 and the Kansas administrative procedure act.

K.A.R. 99-27-4 clarifies the request for a settlement conference.

K.A.R. 99-27-5 is amended for consistency with the changes in K.A.R. 99-27-2 and the Kansas administrative procedure act.

Dairy

K.A.R. 4-7-900 deletes provisions for use of a "complaint" in enforcement proceedings and provides provisions pursuant to the Kansas administrative procedure act.

K.A.R. 4-7-901 is revoked for consistency with the changes in K.A.R. 4-7-900 and the Kansas administrative procedure act.

K.A.R. 4-7-902 and 4-7-903 are amended for consistency with the changes in K.A.R. 4-7-900.

K.A.R. 4-7-904 clarifies the request for a settlement conference and adds language for the requirements for a consent agreement.

Plant Protection

K.A.R. 4-15-11 deletes provisions for use of a "complaint" in enforcement proceedings and provides provisions pursuant to the Kansas administrative procedure act.

K.A.R. 4-15-12 is revoked for consistency with the changes in K.A.R. 4-15-11 and the Kansas administrative procedure act.

K.A.R. 4-15-13 is amended for consistency with the changes in K.A.R. 4-15-11.

K.A.R. 4-15-14 clarifies the request for a settlement conference.

Meat and Poultry

K.A.R. 4-16-300 deletes provisions for use of a "complaint" in enforcement proceedings and provides provisions pursuant to the Kansas administrative procedure act.

K.A.R. 4-16-301 is revoked for consistency with the changes in K.A.R. 4-16-300 and the Kansas administrative procedure act.

K.A.R. 4-16-302, 4-16-303 and 4-16-305 are amended for consistency with the changes in K.A.R. 4-16-300.

K.A.R. 4-16-304 clarifies the request for a settlement conference and adds language for the requirements for a consent agreement.

K.A.R. 4-17-300 deletes provisions for use of a "complaint" in enforcement proceedings and provides provisions pursuant to the Kansas administrative procedure act.

K.A.R. 4-17-301 is revoked for consistency with the changes in K.A.R. 4-17-300 and the Kansas administrative procedure act.

K.A.R. 4-17-302, 4-17-303 and 4-17-305 are amended for consistency with the changes in K.A.R. 4-17-300.

K.A.R. 4-17-304 clarifies the request for a settlement conference and adds language for the requirements for a consent agreement.

Economic impact statement for regulations listed above: These proposed changes are required to simplify enforcement proceedings and follow the Kansas administrative procedure act. There are no anticipated costs associated with the proposed changes to the regulations.

Meat and Poultry

K.A.R. 4-16-7a is amended by adding a minimum of two hours for an overtime inspection.

Economic impact statement: Currently, when inspectors are called out to a plant on overtime work they spend a minimum of two hours at a plant; therefore, the proposed minimum requirement should not increase the cost to the plants.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Leslie Garner at (785) 296-4623 or fax at (785) 368-6668. Handicapped parking is located at the southwest corner of 9th and Kansas Ave., and the north entrance to the building is accessible to individuals with disabilities.

Copies of the regulations and their economic impact statements may be obtained by contacting Leslie Garner or by accessing the department's Web site at <http://www.ksda.gov>.

Adrian J. Polansky
Secretary of Agriculture

Doc. No. 035621

State of Kansas

Department of Corrections

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, June 17, in the Department of Corrections' main conference room, fourth floor, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of certain proposed new regulations, as well as permanent amendments to certain Kansas Department of Corrections administrative regulations.

The regulations proposed for permanent amendments are as follows: K.A.R. 44-6-101, 44-6-114e, 44-6-115a and 44-6-125.

The new regulations proposed are as follows: K.A.R. 44-6-127, 44-6-128, 44-6-129, 44-6-130, 44-6-131 and 44-6-132.

This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed amendments and new permanent regulations. All interested parties may submit written comments prior to the hearing to Linden G. Appel, Chief Legal Counsel, Kansas Department of Corrections, 4th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1284. All interested parties will be given a reasonable opportunity at the hearing to present their views orally on the adoption of the proposed amendments and new permanent regulations. In order to give all parties an opportunity to express their views, it may be necessary to request each participant to limit oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed amendments, new regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Linden Appel at (785) 296-4508, TDD (785) 296-8443, or fax (785) 296-0014. Handicapped parking is located at the south end of Landon State Office Building, and the north entrance to the building, which is the public access entrance, is accessible to individuals with disabilities.

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

K.A.R. 44-6-101. Definitions. This regulation is amended by addition of two new definitions, at (c)(4) and (e)(8), respectively "program credit" and "program release date," inclusion of which is prompted by the creation of a new form of credit based upon inmate performance in certain designated rehabilitative programs. Akin to good time credit, program credit is used to reduce the duration of the prison portion of a guidelines or determinate sentence, as provided by House Substitute for Senate Bill 14 of 2007 (codified at K.S.A. 2007 Supp. 21-4722).

No quantifiable economic impact upon offenders, other state agencies, or private citizens is now anticipated as a result of this amendment. However, it is anticipated that the department will experience some savings in direct of-

fender support costs due to shorter lengths of time served in prison by offenders who are awarded such credits.

K.A.R. 44-6-114e. Guidelines release date. This regulation is amended by addition of language in subsections (a) and (b) to recognize the establishment, by the same 2007 legislation, of an enhanced rate, i.e., 20% of the prison portion of a guidelines or determinate sentence, for earning of good time credits for offenders who commit crimes on or after January 1, 2008, at non-drug severity levels 7 through 10, and drug grid severity levels 3 and 4. Further, in regard to such enhanced good time credit earning for eligible offenders, the allocation of such credits over the span of the offender's prison sentence is modified, at subsection (h), so as to make more good time credit available to award during the earlier portion of the prison sentence, and thereby to encourage good conduct and participation in assigned programs sooner rather than later during the prison portion of the sentence.

No quantifiable economic impact upon offenders, other state agencies, or private citizens is now anticipated as a result of this amendment. However, it is anticipated that the department will experience some savings in direct offender support costs due to shorter lengths of time served in prison by offenders who are awarded such enhanced credits.

K.A.R. 44-6-115a. Awarding and withholding good time credits for incarcerated offenders. This regulation is amended at subsection (i) to recognize that forfeitures of earned program credits are not subject to restoration to the inmate.

No quantifiable economic impact upon offenders, the department, other state agencies, or private citizens is now anticipated as a result of this amendment.

K.A.R. 44-6-125. Good time forfeitures not restored; exceptions; limits; parole; guidelines release date. This regulation is amended at subsection (f) to provide that earned program credits established by House Substitute for Senate Bill 14 are, like good time credits, subject to forfeiture as a penalty for commission of certain disciplinary offenses by prison inmates. Further, in the nature of a cleanup amendment, subsection (e) is amended to provide that, for offenders serving a guidelines or determinate sentence, good time credits may be forfeited in instances where the credits have been previously earned but not yet technically awarded. This change is made in order to bring treatment of guidelines-sentenced offenders into line with offenders serving indeterminate sentences, as provided by a 2006 amendment of this regulation at subsection (a).

No quantifiable economic impact upon offenders, the department, other state agencies, or private citizens is now anticipated as a result of this amendment.

The new regulations are likewise proposed to be adopted on a permanent basis. A summary of the proposed new regulations and their economic impact follows:

K.A.R. 44-6-127. Program credits. This new regulation recognizes the establishment of a new form of sentence credit used to reduce the time spent in serving the prison portion of certain sentences, as provided by House Sub-

(continued)

stitute for Senate Bill 14. It further establishes major eligibility criteria for award of program credits in terms of eligibility treatment of certain composite sentence structures featuring sentence components with an indeterminate term of years and a determinate sentence, and follows statutory criteria in prohibiting award of the credits for completion of a sex offender treatment program. It further provides for addition of program credits to the inmate's postrelease supervision term in the same manner as good time credits, and for forfeitures of program credits as penalties for commission of certain inmate disciplinary offenses, again as in the case of good time credits. Finally, it provides that other criteria for award of program credits shall be established by issuance of a Departmental Internal Management Policy and Procedure by the secretary.

No quantifiable economic impact upon offenders, other state agencies, or private citizens is now anticipated as a result of this regulation. However, it is anticipated that the department will experience some savings in direct offender support costs due to shorter lengths of time served in prison by offenders who are awarded such credits.

K.A.R. 44-6-128. Adjustments of previous awards of good time credits; scope of review and decision-making procedure; effect of noncompliance with procedure. This regulation provides that procedures established in successive regulations shall be employed in instances where it becomes necessary to correct an error made in regard to a previous award of good time credits that will result in a decrease in the amount of such good time credit previously awarded to the inmate or offender. It further provides that such adjustments are to be limited to those review periods identified in a written notice provided to the inmate or offender, and that any error in following the procedures outlined for such adjustments shall not serve as a basis for granting any sort of relief to the inmate or offender unless the error involved has interfered with the rights of the inmate or offender to such degree that justice has been denied.

No quantifiable economic impact upon offenders, the department, other state agencies, or private citizens is now anticipated as a result of this regulation.

K.A.R. 44-6-129. Same; notice of proposed action; service, election of hearing or waiver; hearing officer designation; issuance and service of notice of hearing; requests for witnesses. This regulation provides for preparation and service upon the inmate or offender of a formal written notice specifying the amount of good time credits proposed for removal, the review periods affected, the reason(s) for the proposed adjustment, and attachment of supporting documents from the records of the inmate or offender, as well as notice of the inmate's right to a hearing on the proposed adjustment before an impartial decision-maker, and certain other rights. It further provides that the inmate may either elect to proceed with a hearing on the proposed adjustment, or affirmatively waive the hearing in writing, and if no such election is made, the hearing shall be presumed to be necessary. The hearing officer is to be selected from certain supervisory-level staff, and shall then issue a written notice of the hearing date and time, as well as summon any witnesses requested by the inmate or offender upon presentation of

a written proffer of testimony by the inmate or offender, unless the hearing officer denies such a requested witness upon one or more of a number of specified grounds.

No quantifiable economic impact upon offenders, the department, other state agencies, or private citizens is now anticipated as a result of this regulation.

K.A.R. 44-6-130. Same; hearing procedure; written decision; service upon inmate or offender; effect of a denial of proposed action. This regulation provides for the details of procedure necessary to conduct the hearing on the proposed adjustment of good time credits. It generally requires that the proposing staff member and the inmate or offender each present their positions on the proposed adjustment in each other's presence, with opportunity for rebuttal provided to the proposing staff member in the discretionary judgment of the hearing officer. It permits the hearing officer to conduct research deemed necessary in regard to the review period or periods specified in the notice of proposed action outside the presence of the parties, and provides that if the hearing officer intends to rely upon any document discovered by the hearing officer that was not previously served upon the inmate or offender, then a copy of any such document must be served upon the inmate or offender with opportunity permitted to file a written response to the document(s). It is further provided that if the hearing officer discovers a factual basis for proposing that an even greater amount of good time credits should be removed than originally proposed, a new notice of proposed action is to be issued in the same manner as in the case of the original notice, and the matter assigned to a new hearing officer for decision. Finally, the hearing officer's decision is to be in writing and provided to the inmate or offender, with any appeal by the proposing staff member of a decision to deny the proposed adjustment barred.

No quantifiable economic impact upon offenders, the department, other state agencies, or private citizens is now anticipated as a result of this regulation.

K.A.R. 44-6-131. Same; appeal procedure. This regulation provides an appeal procedure permitting review of the hearing officer's decision to adjust a previous good time credit award. The appeal is to be forwarded within a certain time to a designated official in the Department's Division of Facilities Management in the case of inmates, or to a designated official in the Division of Community and Field Services in the case of offenders under some form of community supervision. That official then produces a written decision and causes it to be served upon the inmate or offender within a certain time period.

No quantifiable economic impact upon offenders, the department, other state agencies, or private citizens is now anticipated as a result of this regulation.

K.A.R. 44-6-132. Entry of adjustments of good time awards in relevant departmental database or databases. This regulation simply outlines the mechanical procedure for entry of an adjustment of good time credit into the relevant departmental database or databases, including timelines for doing so.

No quantifiable economic impact upon offenders, the department, other state agencies, or private citizens is now anticipated as a result of this regulation.

A complete copy of the proposed amendments of existing regulations, the proposed new permanent regulations and complete economic impact statements may be obtained by writing Linden G. Appel, Department of Corrections, 4th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1284, or by calling (785) 296-4508 or TDD (785) 296-8443, 8 a.m. to 5 p.m. weekdays.

Roger K. Werholtz
Secretary of Corrections

Doc. No. 035614

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 1, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the K DFA 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 K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 000722—Maximum Principal Amount: \$120,000. Owner/Operator: Shawn and Kelly Becker. Description: Acquisition of 58.2 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Shawn and Kelly Becker and is located at Section 1, Township 4 South, Nemaha County, Kansas, approximately 1 mile west of Centralia on State Highway 9.

The bond, when issued, will be a limited obligation of the K DFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the K DFA, 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 K DFA 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 K DFA.

Stephen R. Weatherford
President

Doc. No. 035633

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

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

Effective 4-14-08 through 4-20-08

Term	Rate
1-89 days	2.30%
3 months	1.15%
6 months	1.34%
1 year	1.58%
18 months	1.66%
2 years	1.69%

Daniel J. Nackley
Director of Investments

Doc. No. 035611

State of Kansas

Department of Revenue Division of Motor Vehicles

Notice of Intent to Establish a New Motor Vehicle Dealer License

Notice has been received from Motorhead's Scoot & Cycle, LLC, 3100 S. 24th St., Suite D, Kansas City, Wyandotte County, Kansas, of its intent to establish a new Panther Motors ScootCoupe and RTM Group Inc. dealership, Motorhead's Scoot & Cycle, LLC, 3100 S. 24th St., Suite D, Kansas City, Kansas. The vehicle dealer operators and the principal investors are Genifer H. Sanderson and Robert W. Sanderson. The proposed date of completion is immediately upon approval.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed establishment of the new Panther Motors ScootCoupe and RTM Group Inc. dealership, Motorhead's Scoot & Cycle, at 3100 S. 24th St., Suite D, Kansas City, Kansas, if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale at Motorhead's Scoot & Cycle, at 3100 S. 24th St., Suite D, Kansas City, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the new Panther Motors ScootCoupe and TRM Group Inc. dealership will be located.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the Director of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Director of Motor Vehicles, 1st Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Carmen Alldritt
Director of Motor Vehicles

Doc. No. 035615

(Published in the Kansas Register April 17, 2008.)

**Summary Notice of Bond Sale
City of Andale, Kansas
\$200,000
General Obligation Bonds, Series 2008
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated March 24, 2008, written bids will be received on behalf of the clerk of the city of Andale, Kansas (the issuer), at the address set forth below until 2 p.m. April 28, 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 May 1, 2008, and will become due November 1 in the years as follows:

Year	Principal Amount
2010	\$40,000
2011	40,000
2012	40,000
2013	45,000
2014	35,000

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 May 1 and November 1 in each year, beginning May 1, 2009.

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 \$4,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 15, 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 2008 is \$6,541,275. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$1,351,022.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the undersigned at the address set forth below.

Written and Facsimile Bid and Good Faith

Deposit Delivery Address:

Virginia Edwards, Clerk
326 N. Main
Andale, KS 67001
(316) 444-2351
Fax (316) 444-2322
E-mail: vedwards2351@prodigy.net

Dated February 25, 2008.

City of Andale, Kansas

Doc. No. 035632

State of Kansas

Social and Rehabilitation Services

Request for Proposals

The Department of Social and Rehabilitation Services, South Central Region, announces the release of a request for proposals to provide services to children and families with child in need of care abuse, neglect and non-abuse/neglect risk factors. Children and families will receive services through parent and family supports to address these factors. These supports should include, but are not limited to, case management, i.e., education of and referrals to community resources; daily life skills education (housekeeping, budgeting); parenting skills education; and parent education and support of their own child(ren)'s educational needs.

The funds are targeted for services to prevent the need for youth to be placed in out-of-home placement and/or reduce the number of youth who are currently in out-of-home placements within the region. The South Central Region is comprised of the following 17 counties: Butler, Chase, Chautauqua, Coffey, Cowley, Elk, Greenwood, Harper, Harvey, Kingman, Lyon, Marion, McPherson, Morris, Reno, Rice and Sumner.

The deadline for proposals is 5 p.m. April 30. For more information, contact Toni Harryman, PI Program Consultant, El Dorado SRS, 410 N. Haverhill Road, El Dorado, 67042, (316) 321-4200, ext. 239, fax (316) 321-1230, or e-mail: toni.harryman@srs.ks.gov.

Don Jordan
Secretary of Social and
Rehabilitation Services

Doc. No. 035625

State of Kansas

Office of Judicial Administration
Supreme Court Docket

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

Monday, May 12, 2008

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
97,759 State of Kansas, Appellee v. Ruben Y. Warledo, Appellant	Stephen N. Six, Attorney Gen. Boyd K. Isherwood, Asst. District Atty. Randall L. Hodgkinson, Kansas Appellate Defender	Sedgwick
99,476 Ruthie M. Hall, Appellant v. Dillon Companies, Inc., Appellee	Bruce A. Brumley Scott J. Mann	Work Comp.
98,607 Gary Lloyd McCracken, Appellant v. Frank Kohl, Appellee	Rhonda Keylon Levinson Frank E. Kohl, County Atty.	Leavenworth
98,275 State of Kansas, Appellee v. John Don Layton, Appellant	Stephen N. Six, Attorney Gen. Ty Kaufman, County Atty. Michael P. Whalen	McPherson

1:30 p.m.

96,658 Board of County Commissioners of Sumner County, et al., Appellants v. Hon. Roderick Bremby, KDHE, et al., Appellees	Kelly J. Kauffman John Terry Moore Nancy L. Ulrich	Shawnee Petition for Review
98,949 State of Kansas, Appellee v. Hector H. Gallegos, Appellant	Stephen N. Six, Attorney Gen. Jared S. Maag, Deputy Solicitor General Jennifer E. Conkling, Kansas Appellate Defender	Rice
99,155 Robert Manly and Jane Manly, Appellees/Cross-Appellants v. City of Shawnee, et al., Appellants/Cross-Appellees	Rod L. Richardson Marvin E. Rainey Curtis L. Tideman	Johnson
95,896 State of Kansas, Appellee v. Eric Eugene Hall, Appellant	Stephen N. Six, Attorney Gen. Ty Kaufman, County Atty. Rachel L. Pickering, Kansas Appellate Defender	McPherson Petition for Review

Tuesday, May 13, 2008

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
96,175 State of Kansas, Appellee v. Patrick Angelo, Appellant	Stephen N. Six, Attorney Gen. Jerome A. Gorman, District Atty. Michael J. Bartee	Wyandotte
99,509 In the Interest of B.D.-Y.	Charles D. Ball Jerome A. Gorman, District Atty.	Wyandotte
96,299 State of Kansas, Appellee v. Marcus Tyler, Jr., Appellant	Stephen N. Six, Attorney Gen. Jerome A. Gorman, District Atty. Korey A. Kaul, Kansas Appellate Defender	Wyandotte

(continued)

<p>98,671 State of Kansas, Appellant v. Larhon Cook, Appellee</p>	<p>Stephen N. Six, Attorney Gen. Robbin L. Wasson, Asst. District Atty. Janine A. Cox, Kansas Appellate Defender</p>	<p>Wyandotte</p>
1:30 p.m.		
<p>96,060 Estate of Ethel Draper, Appellee v. Bank of America, NA, et al., [First Christian Church of Olathe], Appellant</p>	<p>Barry D. Martin Kurt S. Brack Michael R. Ong</p>	<p>Johnson Petition for Review</p>
<p>97,664 Albert Nelson and Markeyta Nelson Dewey, Appellants v. Doris Nelson, et al., Appellees</p>	<p>William P. Tretbar Coy M. Martin</p>	<p>Sedgwick Petition for Review</p>
<p>99,955 In the Matter of Christopher N. Cowger, Respondent</p>	<p>Frank D. Diehl, Deputy Discip. Admin. Gregory A. Lee Christopher N. Cowger, Pro Se</p>	<p>Original</p>
<p>99,645 In the Matter of Michael C. Allen, Respondent</p>	<p>Alexander M. Walczak, Deputy Discip. Admin. Michael C. Allen, Pro Se</p>	<p>Original</p>

Wednesday, May 14, 2008**9:00 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
<p>96,697 Foundation Property Investments, Appellee v. CTP, Appellant</p>	<p>Amy D. Fellows Cline Joshua M. Ellwanger</p>	<p>Butler Petition for Review</p>
<p>97,440 State of Kansas, Appellee v. Brenton S. Cook, Appellant</p>	<p>Stephen N. Six, Attorney Gen. Lee J. Davidson, Asst. Attorney Gen. Christina M. Waugh, Kansas Appellate Defender</p>	<p>Saline</p>
<p>97,683 State of Kansas, Appellee v. Gregory A. Moore, Appellant</p>	<p>Stephen N. Six, Attorney Gen. Jared S. Maag, Deputy Solicitor General Reid T. Nelson, Capital Appellate Defender</p>	<p>Sedgwick</p>
<p>96,868 Bradley Deal, Appellant v. Alan W. Bowman, Appellee</p>	<p>Michael C. Helbert Craig Kennedy</p>	<p>Morris Petition for Review</p>
1:30 p.m.		
<p>99,957 State, <i>ex rel.</i>, Stephen N. Six, Appellant v. Kansas Lottery and Ed Van Petten, Appellees</p>	<p>Michael C. Leitch, Deputy Attorney Gen. Dan Biles</p>	<p>Shawnee</p>
<p>96,784 Dodge City Implement, Inc., et al., Appellants v. Board of County Commissioners of Barber County, et al. Appellees</p>	<p>Mark A. Buck Stephen M. Kerwick Edward L. Keeley</p>	<p>Barber Petition for Review</p>
<p>99,956 In the Matter of Stephen V. Sickel, Respondent</p>	<p>Alexander M. Walczak, Deputy Discip. Admin. N. Trey Pettlon III Stephen V. Sickel, Pro Se</p>	<p>Original</p>

Thursday, May 15, 2008

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
100,060 In the Matter of Rebecca L. Pilshaw, Respondent	Edward G. Collister, Jr. Stephen M. Joseph Rebecca L. Pilshaw, Pro Se	Original
99,646 In the Matter of Stephen Jay Dennis, Respondent	Stanton A. Hazlett, Discip. Admin. Stephen Jay Dennis, Pro Se	Original
99,705 In the Matter of Kevin C. Harris, Respondent	Frank D. Diehl, Deputy Discip. Admin. Steven R. McConnell Kevin C. Harris, Pro Se	Original
99,884 In the Matter of Stephen J. Jones, Respondent	Alexander M. Walczak, Deputy Discip. Admin. Stephen J. Jones, Pro Se	Original

Friday, May 16, 2008

**Summary Calendar — No Oral Argument
Pursuant to Supreme Court Rule 7.01(c)**

98,553 State v. Todd M. Deal

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

98,332 State v. Lawrence H. Juniell, Jr.	98,622 State v. Oscar David Urrutia	98,919/
98,580/	98,658 State v. Todd A. Lankford	98,920 State v. Chester W. Brockman
98,581 State v. Raymond Hall	98,683 State v. Jason Lawrence Calhoon	98,943 State v. Milo J. Brown, Jr.
98,620 State v. Michael W. Hines, Sr.	98,888 State v. Jonathan W. Vanloenen	99,056 State v. William Doyle Vanbuskirk

Carol G. Green
Clerk of the Appellate Courts

Doc. No. 035587

**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:

04/28/2008	11208	Fertilizer and Herbicide
04/28/2008	11262	Tractor, Agricultural
04/29/2008	11250	Elevator Modernization and Upgrade
04/29/2008	11251	Elevator Modernization and Upgrade
04/29/2008	11252	Air Filtration and Dust Collection System
04/30/2008	11235	Taxicab Service (SafeRide Program)
04/30/2008	11242	Court Reporting Services (OHA)
04/30/2008	11254	Utility Truck Bodies
04/30/2008	11255	Lab Equipment-Paint Removal System (Aircraft)
05/01/2008	11258	Electrical System Improvements, Milford Fish Hatchery
05/02/2008	11257	Tool Boxes for Pickup Trucks
05/02/2008	11259	Concrete Repair to Parking Lot (Chanute)

05/07/2008 11237 Fleet Maintenance Information Software System

05/28/2008 11231 External Quality Review for Medicaid Managed Care

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

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

Additional files may be located at the following Web site (please monitor this Web site on a regular basis for any changes/addenda):

<http://da.state.ks.us/purch/adds/default.htm>

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

05/15/2008 A-010485 Kansas Artificial Breeding Service Unit (KABSU), Kansas State University, Manhattan

Chris Howe
Director of Purchases

Doc. No. 035631

State of Kansas

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of March 2008 for failure to timely file an annual report and pay the annual report fee as required by the Kansas general corporation code:

Domestic Corporations

A Dog's World Institute, Chetopa, KS.
 Anderton Rollwagen Houghton Credit Services, Inc., Shawnee, KS.
 Brooks Publishing Co., Inc., Lenexa, KS.
 Butler County Community College Foundation, El Dorado, KS.
 BV Stars Millwall 96-97 Inc., Shawnee, KS.
 Calvary Chapel Christian School of Wichita, Inc., Wichita, KS.
 Cheyenne Country, Inc., Ottawa, KS.
 Chi Omega Fraternity, Inc. - Lambda Chapter, Lawrence, KS.
 Christ Evangelical Lutheran Church, Inc., Overland Park, KS.
 Coffey County Resource Council, Inc., Burlington, KS.
 Core Community Development Corporation, Wichita, KS.
 D & W Farms, Inc., Osage City, KS.
 D. C. Sales & Service, Inc., Wichita, KS.
 Disabled American Veterans Memorial Chapter No. 1, Inc., Kansas City, KS.
 Disabled American Veterans, Department of Kansas Incorporated, Oswego, KS.
 Disabled American Veterans, Department of Kansas, Thrift Salvage Stores, Inc., Oswego, KS.
 Domann Drug, Inc., Lawrence, KS.
 Downey Side Inc., New York, NY.
 First Cougar Management Co., Inc., McAlester, OK.
 Food & Fuel, L.L.C., Johnson, KS.
 Free State Cross Country & Track Backers, Inc., Lawrence, KS.
 Gift of Adoption Fund, Inc., Heartland Chapter, Lenexa, KS.
 Gloryhome Foundation, Eudora, KS.
 Gordon's Carpet Center, Inc., Hays, KS.
 Hommon & Sons, Inc., Smith Center, KS.
 Howbert Farms, Inc., Berryton, KS.
 Independence Wrestling Club Boosters, Inc., Independence, KS.
 JJ, & K, Inc., Lenexa, KS.
 John's Cable Tool Service, Inc., Plainville, KS.
 K & P Farm Inc., Berryton, KS.
 Kansas Chapter International Association of Workforce Professionals, Topeka, KS.
 Kansas Council of Genealogical Societies, Inc., Topeka, KS.
 Kansas Lions Foundation, Wichita, KS.
 Kansas Masonry Industries Council, Inc., Bonner Springs, KS.
 Kansas University Anesthesiology Foundation, Kansas City, KS.
 KBCC, Inc., Kansas City, KS.
 KSU Child Development Center, Inc., Manhattan, KS.
 KWHK Broadcasting Company, Inc., Hutchinson, KS.
 Lifeline Medical Imaging, Inc., Salina, KS.
 Little Cats, Inc., Lenora, KS.
 Manhattan Area Habitat for Humanity, Inc., Manhattan, KS.
 Marion Lions Club, Marion, KS.
 McPherson VOA Elderly Housing, Inc., Topeka, KS.
 Memories Restored, Inc., Larned, KS.
 My Father's House Church of the Nazarene, Inc., Paola, KS.

My Father's House Community Services, Inc., Paola, KS.
 National Mother to Mother Ministry, Inc., Olathe, KS.
 Olathe Community Theatre Association, Olathe, KS.
 Oriental and American Restaurant, Inc., Phillipsburg, KS.
 Ottawa Community Arts Council, Inc., Ottawa, KS.
 Ottawa Teens, Inc., Ottawa, KS.
 Parallax Program, Inc., Wichita, KS.
 Pittsburg State University Alumni Association, Inc., Pittsburg, KS.
 Possibilities in Motion, Inc., Wichita, KS.
 Pratt Public School Foundation, Pratt, KS.
 Precision Machine, Inc., Iola, KS.
 Rawlins County Hospital, Inc., Atwood, KS.
 RDC Feeders, Inc., Brewster, KS.
 Region IV Emergency Medical Services Council, Inc., Wakefield, KS.
 Riley's Builder Supply, Inc., Wichita, KS.
 River City Motors, Inc., Lawrence, KS.
 Riverton Community Center Association/Fire Station, Riverton, KS.
 Rotary Club of Shawnee Mission, Kansas, Incorporated, Leawood, KS.
 San Jose Institute, Tescott, KS.
 Sherpa, Inc., Overland Park, KS.
 Siding Solutions Inc., Wichita, KS.
 SMNW Band Boosters, Inc., Shawnee, KS.
 Spotlighters, Inc., Overland Park, KS.
 Sterling College, Sterling, KS.
 Stone Dance Foundation, Lawrence, KS.
 Stovern Hansen, Ltd., Mission, KS.
 The Center for Learning Tree Institute, Girard, KS.
 The John L. and Mary Beth Matthews Foundation, Neodesha, KS.
 The Kansas Epsilon Housing Corporation of Sigma Phi Epsilon, Stilwell, KS.
 The Patrons Gallery, Inc., Overland Park, KS.
 The Scima Corporation, Kansas City, KS.
 The Topeka Lions Club of Topeka, Kansas, Topeka, KS.
 Thomas Hopkins Post No. 4, the American Legion, Wichita, KS.
 True Vine Missionary Baptist Church, Inc., Topeka, KS.
 U.S.D. 388 Education Foundation, Ellis, KS.
 Ultimate Cage Combat Inc., Topeka, KS.
 Valley Equipment, Inc., Ogden, KS.
 Wadley Homes, Inc., Wichita, KS.
 Wichita Southeast Lions Club, Inc., Wichita, KS.
 Wings Upon the Prairie, Inc., Colby, KS.
 Yockers Bldg. Co., Inc., Leesburg, FL.
 Yvonne D. Missionary, Inc., Merriam, KS.

Foreign Corporations

Acuity Speciality Products Group, Inc., Atlanta, GA.
 Advantis Construction Company, Atlanta, GA.
 American Foundation for the Blind, Inc., New York, NY.
 Americares Foundation, Inc., Stamford, CT.
 BASA Enterprises, L.L.C., Leavenworth, KS.
 Bond Wholesale, Inc., Trenton, MO.
 Boyles Moak Brickell Marchetti Insurance, Inc., Ridgeland, MS.
 Credit Loans, Inc., Conroe, TX.
 Frank Eaton Livestock Ltd., Arcola, Saskatchewan.
 Island Ink-Jet Systems (US) Inc., Courtenay, British Columbia.
 Kaul Glove and Mfg. Co., Detroit, MI.
 M.I.N.K., a Network of Runaway and Homeless Youth Services, Lenexa, KS.
 Malia's C.O.R.D. Foundation, Inc., Hebron, KY.
 Paws with a Cause, Wayland, MI.

Pennsylvania Higher Education Assistance Agency,
Harrisburg, PA.
PJD, Inc., Sturgeon Bay, WI.
Salina VOA Elderly Housing, Inc., Topeka, KS.
The Commission on Accreditation and School Improvement,
Tempe, AZ.
Veterans Advocacy Group, Inc., Nashville, TN.

Ron Thornburgh
Secretary of State

Doc. No. 035622

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the project listed below. A response may be submitted by e-mail to neil@ksdot.org or seven signed copies of the response can be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Responses shall be limited to four pages and must be received by noon April 24 for the consulting engineering firm to be considered.

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

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

Regional Transportation Study

The Kansas Department of Transportation is seeking proposals from qualified firms to conduct a study of a five-county area in northeast Kansas including Douglas, Johnson, Leavenworth, Miami and Wyandotte. The planning partners are KDOT, KTA, MARC, Lawrence-Douglas County Metro Planning Commission, and the five counties and key cities in the area.

The goal of the study is to develop an integrated approach to transportation planning for the region. It will be conducted in two phases.

Phase 1 will include an:

- Identification of the significant developments in the five-county area and determine how these developments are impacting the regional transportation system.
- Examination of the state highway system and the local roads that perform regional traffic services. This examination should estimate future traffic and deter-

mine the capacity of the existing highways in this region to carry projected traffic. Freight is becoming an increasingly important component of traffic issues and needs to be specifically addressed as part of this study as well.

- Identify transportation needs across all modes (including transit) before prioritizing more detailed work to be done in Phase 2.

Phase 2 of the study will include:

- An identification of corridors for future improvement. This could include an identification of existing corridors where capacity needs to be added or where technology solutions can be applied. It also could include an identification of new corridors that need to be added to the transportation system and a planning level identification of future right-of-way needs.
- Initial screening of costs associated with the transportation improvements needs and priorities of the region.
- The development of an implementation toolbox that includes financing mechanisms and land use regulatory techniques that will help local governments preserve future transportation options

There are a number of studies and design projects within the five-county area that are currently underway or complete. It is important for the study to be coordinated with those efforts. Some notable examples are:

- Statewide Freight Plan
- Statewide Truck Weigh Station Relocation & Modernization Study
- Metropolitan Transportation Plans
- I-435 from K-10 to I-35 PE Only Study
- I-70/K-7 Interchange PE Only Study
- I-35 Southwest Johnson County Interchange PE Only Study
- K-7 Corridor Management Plan
- South Metro Connection Study
- I-70 Interchange at Leavenworth County Road 1
- K-10 Transportation Study
- Kaw Connects Study
- Johnson County Arterial Roadway Network Plan
- I-35/US-69 MIS, and
- South Lawrence Trafficway

Firms are invited to be creative in their approach to this study. KDOT and its partners will be open to new ideas and fresh approaches. Public and stakeholder involvement will be a significant part of the scope and is absolutely critical to the success of this study.

Phase 1 of the study should be completed in 12 to 18 months.

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

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

Deb Miller
Secretary of Transportation

Doc. No. 035606

State of Kansas

Department of Transportation**Notice to Consulting Engineers**

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the project listed below. A response may be submitted by e-mail to neil@ksdot.org or seven signed copies of the response can be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Responses shall be limited to four pages and must be received by noon May 8 for the consulting engineering firm to be considered.

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

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

**70-105 KA-1003-01
Wyandotte County**

As part of the K-7 Corridor Study, an interchange concept for the I-70/K-7 interchange was developed. It included interchanges at K-7/130th Street and K-7/Kansas Avenue. KDOT now wants to develop a preliminary plan that includes the proposed horizontal and vertical alignment for the project. This project will identify constructible segments of the ultimate interchanges concept and may require an operational analysis to evaluate the constructible segments. Public involvement and initial environmental documentation will be included in the project. This work is scheduled to be completed by March 2010, and the preliminary engineering is estimated at \$5,000,000 for this phase.

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

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

Deb Miller
Secretary of Transportation

Doc. No. 035626

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. 035588

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. Osborne Industries, Inc. has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Osborne Industries, Inc., Osborne, owns and operates a manufacturing company of fiberglass component parts for livestock and animal care products located at 120 N. Industrial Ave., Osborne.

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 Northwest District Office, 2301 E. 13th, Hays. To obtain or review the proposed permit and supporting documentation, contact Terry Tavener, (785) 296-1581, at the KDHE central office; and to review the proposed permit only, contact Richard Robinson, (785) 625-5663, at the KDHE Northwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Terry Tavener, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business May 19.

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 May 19 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 Patricia Scott, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, 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. 035620

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. Glass King Manufacturing Company, Inc. has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Glass King Manufacturing Company, Inc., Great Bend, owns and operates a facility that manufactures fiberglass and steel storage tanks located at 211 N. 281 Highway, Great Bend.

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 Northwest District Office, 2301 E. 13th, Hays. To obtain or re-

view the proposed permit and supporting documentation, contact Sergio Guerra, (785) 296-0365, at the KDHE central office; and to review the proposed permit only, contact Richard Robinson, (785) 625-5663, at the KDHE Northwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Sergio Guerra, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business May 19.

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 May 19 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 Patricia Scott, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, 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. 035629

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. Westar Energy Inc., Jeffrey Energy Center 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, rec-

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

Westar Energy Inc., Jeffrey Energy Center, Topeka, owns and operates an electrical generation facility located at 25905 Jeffrey Road, St. Marys.

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 Jason Heitman, (785) 296-1691, at the KDHE central office; and to review the proposed permit only, contact Pat Simpson, (785) 842-4600, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Jason Heitman, 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 noon May 19.

Any member of the public may request a public hearing be conducted to receive comments on the proposed issuance of the draft air quality construction permit. Written requests to hold a public hearing should be sent to the attention of Christy Thurman at the address listed above or by fax to (785) 296-7455 and must be received by noon May 19. If a request is received, a public hearing is tentatively scheduled by the KDHE at 7 p.m. May 19 at St. Marys High School, Commons Area, 601 E. Lasley, St. Marys. If no requests to hold the public hearing are received by noon May 19, the public hearing will be cancelled.

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 received an application from LCI Services, Inc. for a new construction and demolition landfill located at 475 S. Holcomb Lane, south of the city of Holcomb in Finney County. The proposed landfill has a total area of 43.6 acres, 25.8 acres of disposal area, and a total capacity of 1,437,500 cubic yards. The facility is located in the Northeast Quarter of Section 24, Township 24 South, Range 34 West in Finney County, approximately 1 mile south of Holcomb.

Finney County has certified that the application described herein is consistent with its solid waste management plan and compatible with surrounding land use. KDHE has reviewed the application and found it to be in conformance with state solid waste statutes and regulations.

KDHE is providing public notice of its intent to issue a permit to LCI Services Inc. to operate the proposed C&D landfill described herein. However, a final decision to issue the permit has not been made, and KDHE will consider information gathered during the public comment period before making a final decision. A copy of the administrative record, which includes the permit application, engineering drawings, draft permit and other information with respect to this permit action, will be available for public review through May 16 during normal business hours at the following locations:

Kansas Department of Health and Environment
Bureau of Waste Management
1000 S.W. Jackson, Suite 320
Topeka, 66612-1366
Contact: Habib Ghali
(785) 296-6724

Finney County Public Library
605 E. Walnut St.
Garden City, 67846

Additionally, the application form is available for public viewing via the Internet at www.kdheks.gov/waste. Anyone wishing to comment on the proposed facility should submit written statements by 5 p.m. May 16 to Habib Ghali of KDHE at the address listed above, via facsimile to (785) 296-1592, or via e-mail to hghali@kdhe.state.ks.us. Comments that are postmarked by May 16 and received within one week thereafter also will be considered.

After consideration of all formal comments as described above, KDHE will make a final decision on whether to issue the permit. Notice of the decision will be given to the applicant, to anyone who submitted formal comments, and to those who requested notice of the final permit decision.

Roderick L. Bremby
Secretary of Health
and Environment

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-08-112/121
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Daniel & Jennifer Gerety Farm-Heideman 1836 160th Road Sabetha, KS 66534	NE/4 of Section 25, T02S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S070
This is a new permit for a new facility for 2,400 head (960 animal units) of swine weighing more than 55 pounds. Two new enclosed buildings with concrete manure waste storage pits below the floor will be constructed at this location.

Name and Address of Applicant	Legal Description	Receiving Water
Daniel & Jennifer Gerety Farm-Henry 841 T Road Goff, KS 66428	SE/4 of Section 30, T04S, R14E, Nemaha County	Kansas River Basin

Kansas Permit No. A-KSNM-S035
This is a new permit for a new facility for 2,400 head (960 animal units) of swine weighing more than 55 pounds. Two new enclosed buildings with concrete manure waste storage pits below the floor will be constructed at this location.

Name and Address of Applicant	Legal Description	Receiving Water
Schering-Plough Animal Health Corporation Dale Bailey 1202 Idaho Road Williamsburg, KS 66095	E/2 of Section 23 & NW/4 of Section 24, T18S, R18E, Franklin County	Marias des Cygnets River Basin

Kansas Permit No. A-MCFR-B003
This is a permit modification and reissuance for an existing animal health research facility. The facility proposes to add swine as a species for animal health research; up to 100 head of swine weighing more than 55 pounds (40 animal units) and up to 100 head of swine weighing 55 pounds or less (10 animal units). Currently health research for horses, goats, sheep and cattle is carried out. The animal

unit capacity will change from 360 animal units to 383 animal units. There will be no change to the animal waste management system or animal housing systems.

Name and Address of Applicant	Legal Description	Receiving Water
Keating Farms K & K West Harry Moser 3063 26th Road Wheaton, KS 66521	NE/4 of Section 31, T05S, R10E, Marshall County	Big Blue River Basin

Kansas Permit No. A-BBMS-S039
This is a reissuance of a permit with a decrease in animal units for an existing facility for 1,300 head (520 animal units) of swine weighing greater than 55 pounds. The decrease from 800 animal units to 520 animal units is due to the removal of the proposed building from the permit, the building was not constructed.

Name and Address of Applicant	Legal Description	Receiving Water
Sink Farms John L. Sink 2047 Sandcreek Road Ottawa, KS 66067	SE/4 of Section 17, T16S, R19E, Franklin County	Marais des Cygnets River Basin

Kansas Permit No. A-MCFR-S028
This is a reissuance of a permit with a decrease in head count for an existing facility for 519 head (207.6 animal units) of swine weighing greater than 55 pounds and 440 head (44 animal units) of swine weighing 55 pounds or less, for a total of 959 head (251.6 animal units) of swine. The decrease from 1,055 head of swine is due to the discontinued use of the open lots.

Name and Address of Applicant	Legal Description	Receiving Water
Kerbs Dairy Russell Kerbs P.O. Box 41 Tampa, KS 67483	SE/4 of Section 25, T17S, R02E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-M015
This is a reissuance of a permit for an existing facility for 95 head (133 animal units) of mature dairy cattle and 15 head (7.5 animal units) of calves weighing less than 700 pounds, for a total of 110 head (140.5 animal units) of dairy cattle.

Name and Address of Applicant	Legal Description	Receiving Water
McDifft Farms Gregg McDifft 35715 Drovers Trail Road Alma, KS 66401	SW/4 of Section 05 & NE/4 of Section 08 & SW/4 of Section 09, T13S, R09E, Wabaunsee County	Kansas River Basin

Kansas Permit No. A-KSWB-S003
This is a reissuance of a permit for an existing facility with a maximum capacity of 615 head (246 animal units) of swine more than 55 pounds and 500 head (50 animal units) of swine 55 pounds or less, for a total of 296 animal units. There is no change in permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Larson Angus Ranch Feedlot Daniel J. Larson 195 Road 26 Sharon Springs, KS 67758	SW/4 of Section 20, T15S, R39W, Wallace County	Smoky Hill River Basin

Kansas Permit No. A-SHWA-C002 Federal Permit No. KS0088820
This is a reissuance of a permit for an existing facility for 2,000 head (2,000 animal units) of cattle weighing greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Taylor Farms Brian Taylor 207 E. Jade Road Phillipsburg, KS 67661	SW/4 of Section 18, T02S, R17W, Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-M003
This is a reissuance of a permit for an existing facility for 150 head (210 animal units) of mature dairy cattle and 75 head (75 animal units)

(continued)

of dairy heifers weighing greater than 700 pounds, for a total of 225 head (285 animal units) of mature dairy cattle.

Name and Address of Applicant	Legal Description	Receiving Water
Dwight Yarrow 975 Navajo Road Clay Center, KS 67432	SW/4 of Section 20, T09S, R03E, Clay County	Lower Republican River Basin

Kansas Permit No. A-LRCY-B002

This is a reissuance of a permit for an existing facility for 300 head (150 animal units) of cattle weighing less than 700 pounds. The facility consists of 3.3 acres of pens, one sediment basin, and on retention control structure.

Public Notice No. KS-08-082/087

Name and Address of Applicant	Receiving Stream	Type of Discharge
Americus, City of P.O. Box 526 Americus, KS 66835	Allen Creek via Troublesome Creek via Pester Creek	Treated Domestic Wastewater

Kansas Permit No. M-NE02-OO01 Federal Permit No. KS0047406

Legal Description: SE¼, NW¼, SW¼ and SW¼, NE¼, SW¼, S12, T18S, R10E, Lyon County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia and fecal coliform/E. coli. Monitoring for total recoverable copper and pH also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Johnson County Unified Wastewater Districts 11811 S. Sunset Drive Suite 2500 Olathe, KS 66061	Kansas River	Treated Domestic Wastewater

Facility Name: Mill Creek Regional Wastewater Treatment Facility

Kansas Permit No. M-KS68-OO04 Federal Permit No. KS0088269

Legal: Plant - NE¼, S2, T12S, R23E, Johnson County

Outfall - SW, S32, T11S, R24E, Wyandotte County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. This treatment facility consists of a six-cell aerated lagoon system and an activated sludge system. The activated sludge system consists of an earthen aeration basin, two clarifiers, RAS pump station and UV disinfection of effluent. The two systems operate in parallel and discharge to a four-port effluent diffuser in the Kansas River. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli and pH. Monitoring for total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, total recoverable copper and effluent flow also will be required. The permittee will be required to perform a chronic whole effluent toxicity test annually and to perform a priority pollutant scan once during the term of the permit. Contained in the permit is a schedule of compliance requiring the permittee to conduct a study to assess the cost and feasibility for this facility to attain various levels of nutrient reduction. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
LaHarpe, City of P.O. Box 121 LaHarpe, KS 66751	Elm Creek via Unnamed Tributary via Constructed Wetland	Treated Domestic Wastewater

Kansas Permit No. M-NE39-OO02 Federal Permit No. KS0094251

Legal Description: NE¼, S34, T24S, R19E, Allen County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring for ammonia, fecal coliform/E. coli, total recoverable lead and copper and pH also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Lawrence, City of P.O. Box 708 Lawrence, KS 66044	Kansas River	Treated Domestic Wastewater

Kansas Permit No. M-KS31-IO01 Federal Permit No. KS0038644

Legal Description: NW¼, S32, T12S, R20E, Douglas County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The facility is a mechanical treatment plant consisting of an aerated grit removal, primary clarification, complete mix activated sludge basins, final clarification, and disinfection of effluent via chlorination/dechlorination. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. Sludge is digested in anaerobic and aerobic digesters and dewatered with a belt filter press prior to land application. The facility also has an extraneous flow basin with clarification and disinfection. Also permitted is a discharge to the storm sewers of effluent from a lime slurry lagoon. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform/E. coli, total residual chlorine and pH. Monitoring of temperature, dissolved oxygen, total phosphorus nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, total recoverable copper and effluent flow also will be required. The permittee will be required to perform a chronic whole effluent toxicity test annually and to perform a priority pollutant scan once during the term of the permit. Contained in the permit is a schedule of compliance requiring the permittee to conduct a study to assess the cost and feasibility for this facility to attain various levels of nutrient reduction. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Marion, City of 203 N. Third Marion, KS 66861	Cottonwood River	Treated Domestic Wastewater

Kansas Permit No. M-NE45-OO01 Federal Permit No. KS0051691

Legal Description: W½, SW¼, SW¼, S5, T20S, R4E, Marion County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia and fecal coliform/E. coli, as well as monitoring for total sulfates and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Wellington, City of 317 S. Washington Ave. Wellington, KS 67152	Slate Creek	Treated Domestic Wastewater

Kansas Permit No. M-AR92-OO01 Federal Permit No. KS0020869

Legal Description: SE¼, NW¼, S26, T32S, R1W, Sumner County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The facility is a mechanical treatment plant consisting of a bar screen, vortex grit removal, activated sludge system, final clarification, UV disinfection of effluent and cascade reaeration. Sludge is stored in an aerated holding basin. Drying beds are available. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit contains limits for biochemical oxygen demand, total suspended sol-

ids, ammonia, fecal coliform/E. coli, dissolved oxygen and pH. Monitoring for total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen, chlorides and effluent flow also will be required. The permittee will be required to perform a chronic whole effluent toxicity test annually and to perform a priority pollutant scan once during the term of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Public Notice No. KS-NQ-08-014

Name and Address of Applicant	Legal Location	Type of Discharge
Renwick Unified School District #267 P.O. Box 68 Andale, KS 67001	SW¼, NW¼, NE¼, S5, T27S, R2W, Sedgwick County	Nonoverflowing

Kansas Permit No. M-AR03-NO02 Federal Tracking No. KSJ000469
 Facility Name: St. Mark's Elementary School
 Facility Address: 19001 W. 29th St. North, Colwich, KS 67030

Facility Description: The proposed action is to reissue an existing wastewater permit for an existing nonoverflowing wastewater stabilization lagoon system. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

Public Notice No. KS-PT-08-007

Name and Address of Applicant	Receiving Facility	Type of Discharge
M-C Company, Inc. 304 Pedigo Drive Pratt, KS 67124	Pratt MWWTP	Process Wastewater

Kansas Permit No. P-AR73-OO01 Federal Tracking No. KSP000005

Facility Description: The proposed action is to reissue an existing pretreatment permit for this facility. This facility manufactures hydraulic adapter fittings and can either perform zinc electroplating or chromating on the hydraulic fittings. This facility also conducts copper brazing occasionally. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to State and Federal pretreatment requirements.

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

All comments regarding the draft documents or application notices received on or before May 17 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-08-112/121, KS-08-082/087, KS-NQ-08-014, KS-PT-08-007) 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. 035624

**State of Kansas
 Secretary of State**

Certification of New State Laws

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

Ron Thornburgh
 Secretary of State

(Published in the Kansas Register April 17, 2008.)

SENATE BILL No. 477

AN ACT relating to offender registration; amending K.S.A. 22-4902 and repealing the existing section.

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

Section 1. K.S.A. 22-4902 is hereby amended to read as follows: 22-4902. As used in this act, unless the context otherwise requires:

- (a) "Offender" means: (1) A sex offender as defined in subsection (b);
- (2) a violent offender as defined in subsection (d);
- (3) a sexually violent predator as defined in subsection (f);
- (4) any person who, on and after the effective date of this act, is convicted of any of the following crimes when the victim is less than 18 years of age:
 - (A) Kidnapping as defined in K.S.A. 21-3420 and amendments thereto, except by a parent;
 - (B) aggravated kidnapping as defined in K.S.A. 21-3421 and amendments thereto; or
 - (C) criminal restraint as defined in K.S.A. 21-3424 and amendments thereto, except by a parent;
- (5) any person convicted of any of the following criminal sexual conduct if one of the parties involved is less than 18 years of age:
 - (A) Adultery as defined by K.S.A. 21-3507, and amendments thereto;
 - (B) criminal sodomy as defined by subsection (a)(1) of K.S.A. 21-3505, and amendments thereto;

(continued)

(C) promoting prostitution as defined by K.S.A. 21-3513, and amendments thereto;

(D) patronizing a prostitute as defined by K.S.A. 21-3515, and amendments thereto;

(E) lewd and lascivious behavior as defined by K.S.A. 21-3508, and amendments thereto; or

(F) unlawful sexual relations as defined by K.S.A. 21-3520, and amendments thereto;

(6) any person who has been required to register under any federal, military or other state's law or is otherwise required to be registered;

(7) any person who, on or after July 1, 2006, is convicted of any person felony and the court makes a finding on the record that a deadly weapon was used in the commission of such person felony;

(8) any person who has been convicted of an offense in effect at any time prior to the effective date of this act, that is comparable to any crime defined in subsection (4), (5), (7) or (11), or any federal, military or other state conviction for an offense that under the laws of this state would be an offense defined in subsection (4), (5), (7) or (11);

(9) any person who has been convicted of an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of an offense defined in subsection (4), (5), (7) or (10);

(10) any person who has been convicted of aggravated trafficking as defined in K.S.A. 21-3447, and amendments thereto; or

(11) any person who has been convicted of: (A) Unlawful manufacture or attempting such of any controlled substance as defined by K.S.A. 65-4159, and amendments thereto, unless the court makes a finding on the record that the manufacturing or attempting to manufacture such controlled substance was for such person's personal use;

(B) possession of ephedrine, pseudoephedrine, red phosphorus, lithium metal, sodium metal, iodine, anhydrous ammonia, pressurized ammonia or phenylpropanolamine, or their salts, isomers or salts of isomers with intent to use the product to manufacture a controlled substance as defined by K.S.A. 65-7006, and amendments thereto, unless the court makes a finding on the record that the possession of such product was intended to be used to manufacture a controlled substance for such person's personal use; or

(C) K.S.A. 65-4161, and amendments thereto.

Convictions which result from or are connected with the same act, or result from crimes committed at the same time, shall be counted for the purpose of this section as one conviction. Any conviction set aside pursuant to law is not a conviction for purposes of this section. A conviction from another state shall constitute a conviction for purposes of this section.

(b) "Sex offender" includes any person who, after the effective date of this act, is convicted of any sexually violent crime set forth in subsection (c) or is adjudicated as a juvenile offender for an act which if committed by an adult would constitute the commission of a sexually violent crime set forth in subsection (c).

(c) "Sexually violent crime" means:

(1) Rape as defined in K.S.A. 21-3502 and amendments thereto;

(2) indecent liberties with a child as defined in K.S.A. 21-3503 and amendments thereto;

(3) aggravated indecent liberties with a child as defined in K.S.A. 21-3504 and amendments thereto;

(4) criminal sodomy as defined in subsection (a)(2) and (a)(3) of K.S.A. 21-3505 and amendments thereto;

(5) aggravated criminal sodomy as defined in K.S.A. 21-3506 and amendments thereto;

(6) indecent solicitation of a child as defined by K.S.A. 21-3510 and amendments thereto;

(7) aggravated indecent solicitation of a child as defined by K.S.A. 21-3511 and amendments thereto;

(8) sexual exploitation of a child as defined by K.S.A. 21-3516 and amendments thereto;

(9) sexual battery as defined by K.S.A. 21-3517 and amendments thereto;

(10) aggravated sexual battery as defined by K.S.A. 21-3518 and amendments thereto;

(11) aggravated incest as defined by K.S.A. 21-3603 and amendments thereto; or

(12) *electronic solicitation as defined by K.S.A. 21-3523, and amendments thereto, committed on and after the effective date of this act;*

~~(12)~~ (13) any conviction for an offense in effect at any time prior to the effective date of this act, that is comparable to a sexually violent crime as defined in subparagraphs (1) through (11), or any federal, military or other state conviction for an offense that under the laws of this state would be a sexually violent crime as defined in this section;

~~(13)~~ (14) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of a sexually violent crime, as defined in this section; or

~~(14)~~ (15) any act which at the time of sentencing for the offense has been determined beyond a reasonable doubt to have been sexually motivated. As used in this subparagraph, "sexually motivated" means that one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.

(d) "Violent offender" includes any person who, after the effective date of this act, is convicted of any of the following crimes:

(1) Capital murder as defined by K.S.A. 21-3439 and amendments thereto;

(2) murder in the first degree as defined by K.S.A. 21-3401 and amendments thereto;

(3) murder in the second degree as defined by K.S.A. 21-3402 and amendments thereto;

(4) voluntary manslaughter as defined by K.S.A. 21-3403 and amendments thereto;

(5) involuntary manslaughter as defined by K.S.A. 21-3404 and amendments thereto; or

(6) any conviction for an offense in effect at any time prior to the effective date of this act, that is comparable to any crime defined in this subsection, or any federal, military or other state conviction for an offense that under the laws of this state would be an offense defined in this subsection; or

(7) an attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of an offense defined in this subsection.

(e) "Law enforcement agency having jurisdiction" means the sheriff of the county in which the offender expects to reside upon the offender's discharge, parole or release.

(f) "Sexually violent predator" means any person who, on or after July 1, 2001, is found to be a sexually violent predator pursuant to K.S.A. 59-29a01 et seq. and amendments thereto.

(g) "Nonresident student or worker" includes any offender who crosses into the state or county for more than 14 days, or for an aggregate period exceeding 30 days in a calendar year, for the purposes of employment, with or without compensation, or to attend school as a student.

(h) "Aggravated offenses" means engaging in sexual acts involving penetration with victims of any age through the use of force or the threat of serious violence, or engaging in sexual acts involving penetration with victims less than 14 years of age, and includes the following offenses:

(1) Rape as defined in subsection (a)(1)(A) and subsection (a)(2) of K.S.A. 21-3502, and amendments thereto;

(2) aggravated criminal sodomy as defined in subsection (a)(1) and subsection (a)(3)(A) of K.S.A. 21-3506, and amendments thereto; and

(3) any attempt, conspiracy or criminal solicitation, as defined in K.S.A. 21-3301, 21-3302 or 21-3303 and amendments thereto, of an offense defined in this subsection.

(i) "Institution of higher education" means any post-secondary school under the supervision of the Kansas board of regents.

Sec. 2. K.S.A. 22-4902 is hereby repealed.

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

(Published in the Kansas Register April 17, 2008.)

Substitute for HOUSE BILL No. 2207

AN ACT concerning emergency proceedings under the Kansas administrative procedure act; relating to nonresident pharmacists and contact lens dispensers through the mail; authorizing emergency proceedings against permits and registrations; amending K.S.A. 65-1657 and 65-4967 and K.S.A. 2007 Supp. 65-1627 and repealing the existing sections.

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

Section 1. K.S.A. 2007 Supp. 65-1627 is hereby amended to read as follows: 65-1627. (a) The board may revoke, suspend, place in a probationary status or deny a renewal of any license of any pharmacist upon a finding that:

(1) The license was obtained by fraudulent means;

(2) the licensee has been convicted of a felony and the licensee fails to show that the licensee has been sufficiently rehabilitated to warrant the public trust;

(3) the licensee is found by the board to be guilty of unprofessional conduct or professional incompetency;

(4) the licensee is addicted to the liquor or drug habit to such a degree as to render the licensee unfit to practice the profession of pharmacy;

(5) the licensee has violated a provision of the federal or state food, drug and cosmetic act, the uniform controlled substances act of the state of Kansas, or any rule and regulation adopted under any such act;

(6) the licensee is found by the board to have filled a prescription not in strict accordance with the directions of the practitioner or a mid-level practitioner;

(7) the licensee is found to be mentally or physically incapacitated to such a degree as to render the licensee unfit to practice the profession of pharmacy;

(8) the licensee has violated any of the provisions of the pharmacy act of the state of Kansas or any rule and regulation adopted by the board pursuant to the provisions of such pharmacy act;

(9) the licensee has failed to comply with the requirements of the board relating to the continuing education of pharmacists;

(10) the licensee as a pharmacist in charge or consultant pharmacist under the provisions of subsection (c) or (d) of K.S.A. 65-1648 and amendments thereto has failed to comply with the requirements of subsection (c) or (d) of K.S.A. 65-1648 and amendments thereto;

(11) the licensee has knowingly submitted a misleading, deceptive, untrue or fraudulent misrepresentation on a claim form, bill or statement;

(12) the licensee has had a license to practice pharmacy revoked, suspended or limited, has been censured or has had other disciplinary action taken, or voluntarily surrendered the

license after formal proceedings have been commenced, or has had an application for license denied, by the proper licensing authority of another state, territory, District of Columbia or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof;

(13) the licensee has self-administered any controlled substance without a practitioner's prescription order or a mid-level practitioner's prescription order; or

(14) the licensee has assisted suicide in violation of K.S.A. 21-3406 and amendments thereto as established by any of the following:

(A) A copy of the record of criminal conviction or plea of guilty for a felony in violation of K.S.A. 21-3406 and amendments thereto.

(B) A copy of the record of a judgment of contempt of court for violating an injunction issued under K.S.A. 60-4404 and amendments thereto.

(C) A copy of the record of a judgment assessing damages under K.S.A. 60-4405 and amendments thereto; or

(15) the licensee has failed to furnish the board, its investigators or its representatives any information legally requested by the board.

(b) In determining whether or not the licensee has violated subsection (a)(3), (a)(4), (a)(7) or (a)(13), the board upon reasonable suspicion of such violation has authority to compel a licensee to submit to mental or physical examination or drug screen, or any combination thereof, by such persons as the board may designate. To determine whether reasonable suspicion of such violation exists, the investigative information shall be presented to the board as a whole. Information submitted to the board as a whole and all reports, findings and other records shall be confidential and not subject to discovery by or release to any person or entity. The licensee shall submit to the board a release of information authorizing the board to obtain a report of such examination or drug screen, or both. A person affected by this subsection shall be offered, at reasonable intervals, an opportunity to demonstrate that such person can resume the competent practice of pharmacy with reasonable skill and safety to patients. For the purpose of this subsection, every person licensed to practice pharmacy and who shall accept the privilege to practice pharmacy in this state by so practicing or by the making and filing of a renewal application to practice pharmacy in this state shall be deemed to have consented to submit to a mental or physical examination or a drug screen, or any combination thereof, when directed in writing by the board and further to have waived all objections to the admissibility of the testimony, drug screen or examination report of the person conducting such examination or drug screen, or both, at any proceeding or hearing before the board on the ground that such testimony or examination or drug screen report constitutes a privileged communication. In any proceeding by the board pursuant to the provisions of this subsection, the record of such board proceedings involving the mental and physical examination or drug screen, or any combination thereof, shall not be used in any other administrative or judicial proceeding.

(c) The board may temporarily suspend or temporarily limit the license of any licensee in accordance with the emergency adjudicative proceedings under the Kansas administrative procedure act if the board determines that there is cause to believe that grounds exist for disciplinary action under subsection (a) against the licensee and that the licensee's continuation in practice would constitute an imminent danger to the public health and safety.

(d) The board may suspend, revoke, place in a probationary status or deny a renewal of any retail dealer's permit issued by the board when information in possession of the board discloses that such operations for which the permit was issued are not

(continued)

being conducted according to law or the rules and regulations of the board. *When the board determines that action under this subsection requires the immediate protection of the public interest, the board shall conduct an emergency proceeding in accordance with K.S.A. 77-536, and amendments thereto, under the Kansas administrative procedure act.*

(e) The board may revoke, suspend, place in a probationary status or deny a renewal of the registration of a pharmacy upon a finding that: (1) Such pharmacy has been operated in such manner that violations of the provisions of the pharmacy act of the state of Kansas or of the rules and regulations of the board have occurred in connection therewith; (2) the owner or any pharmacist employed at such pharmacy is convicted, subsequent to such owner's acquisition of or such employee's employment at such pharmacy, of a violation of the pharmacy act or uniform controlled substances act of the state of Kansas, or the federal or state food, drug and cosmetic act; (3) the owner or any pharmacist employed by such pharmacy has fraudulently claimed money for pharmaceutical services; or (4) the registrant has had a registration revoked, suspended or limited, has been censured or has had other disciplinary action taken, or an application for registration denied, by the proper registering authority of another state, territory, District of Columbia or other country, a certified copy of the record of the action of the other jurisdiction being conclusive evidence thereof. *When the board determines that action under this subsection requires the immediate protection of the public interest, the board shall conduct an emergency proceeding in accordance with K.S.A. 77-536, and amendments thereto, under the Kansas administrative procedure act.*

(f) A registration to manufacture drugs, to distribute at wholesale a drug, to sell durable medical equipment or a registration for the place of business where any such operation is conducted may be suspended, revoked, placed in a probationary status or the renewal of such registration may be denied by the board upon a finding that the registrant or the registrant's agent: (1) Has materially falsified any application filed pursuant to or required by the pharmacy act of the state of Kansas; (2) has been convicted of a felony under any federal or state law relating to the manufacture or distribution of drugs; (3) has had any federal registration for the manufacture or distribution of drugs suspended or revoked; (4) has refused to permit the board or its duly authorized agents to inspect the registrant's establishment in accordance with the provisions of K.S.A. 65-1629 and amendments thereto; (5) has failed to keep, or has failed to file with the board or has falsified records required to be kept or filed by the provisions of the pharmacy act of the state of Kansas or by the board's rules and regulations; or (6) has violated the pharmacy act of the state of Kansas or rules and regulations adopted by the state board of pharmacy under the pharmacy act of the state of Kansas or has violated the uniform controlled substances act or rules and regulations adopted by the state board of pharmacy under the uniform controlled substances act. *When the board determines that action under this subsection requires the immediate protection of the public interest, the board shall conduct an emergency proceeding in accordance with K.S.A. 77-536, and amendments thereto, under the Kansas administrative procedure act.*

(g) Orders under this section, and proceedings thereon, shall be subject to the provisions of the Kansas administrative procedure act.

Sec. 2. K.S.A. 65-1657 is hereby amended to read as follows: 65-1657. (a) No nonresident pharmacy shall ship, mail or deliver, in any manner, prescription drugs to a patient in this state unless registered under this section as a nonresident pharmacy. Applications for a nonresident pharmacy registration under this section shall be made on a form furnished by the board. A nonresident pharmacy registration shall be granted for a period of one year upon compliance by the nonresident pharmacy with

the provisions of this section and rules and regulations adopted pursuant to this section and upon payment of the registration fee established under K.S.A. 65-1645, and amendments thereto, for a pharmacy registration. A nonresident pharmacy registration shall be renewed annually on forms provided by the board, upon compliance by the nonresident pharmacy with the provisions of this section and rules and regulations adopted pursuant to this section and upon payment of the renewal fee established under K.S.A. 65-1645, and amendments thereto, for the renewal of a pharmacy registration.

(b) As conditions for the granting of a registration and for the renewal of a registration for a nonresident pharmacy, the nonresident pharmacy shall comply with the following:

(1) Provide information to the board to indicate the person or persons applying for the registration, the location of the pharmacy from which the prescription drugs will be dispensed, the names and titles of all principal owners and corporate officers, if any, and the names of all pharmacists dispensing prescription drugs to residents of Kansas;

(2) be registered and in good standing in the state in which such pharmacy is located;

(3) maintain, in readily retrievable form, records of prescription drugs dispensed to Kansas patients;

(4) supply upon request, all information needed by the board to carry out the board's responsibilities under this section and rules and regulations adopted pursuant to this section;

(5) maintain pharmacy hours that permit the timely dispensing of drugs to Kansas patients and provide reasonable access for the patients to consult with a licensed pharmacist about such patients' medications;

(6) provide toll-free telephone communication consultation between a Kansas patient and a pharmacist at the pharmacy who has access to the patient's records, and ensure that the telephone number(s) will be placed upon the label affixed to each prescription drug container dispensed in Kansas; and

(7) provide to the board such other information as the board may reasonably request to administer the provisions of this section.

(c) Each nonresident pharmacy shall comply with the following unless compliance would be in conflict with specific laws or rules and regulations of the state in which the pharmacy is located:

(1) All statutory and regulatory requirements of Kansas for controlled substances, including those that are different from federal law;

(2) labeling of all prescriptions dispensed, to include but not be limited to identification of the product and quantity dispensed;

(3) all the statutory and regulatory requirements of Kansas for dispensing prescriptions in accordance with the quantities indicated by the prescriber; and

(4) the Kansas law regarding the maintenance and use of the patient medication profile record system.

(d) In addition to subsection (c) requirements, each nonresident pharmacy shall comply with all the statutory and regulatory requirements of Kansas regarding drug product selection laws whether or not such compliance would be in conflict with specific laws or rules and regulations of the state in which the pharmacy is located, except that compliance which constitutes only a minor conflict with specific laws or rules and regulations of the state in which the pharmacy is located would not be required under this subsection.

(e) Each nonresident pharmacy shall develop and provide the board with a policy and procedure manual that sets forth:

(1) Normal delivery protocols and times;

(2) the procedure to be followed if the patient's medication is not available at the nonresident pharmacy, or if delivery will be delayed beyond the normal delivery time;

(3) the procedure to be followed upon receipt of a prescription for an acute illness, which policy shall include a procedure for delivery of the medication to the patient from the nonresident pharmacy at the earliest possible time, or an alternative that assures the patient the opportunity to obtain the medication at the earliest possible time; and

(4) the procedure to be followed when the nonresident pharmacy is advised that the patient's medication has not been received within the normal delivery time and that the patient is out of medication and requires interim dosage until mailed prescription drugs become available.

(f) Except in emergencies that constitute an immediate threat to the public health and require prompt action by the board, the board may file a complaint against any nonresident pharmacy that violates any provision of this section. This complaint shall be filed with the regulatory or licensing agency of the state in which the nonresident pharmacy is located. If the regulatory or licensing agency of the state in which the nonresident pharmacy is located fails to resolve the violation complained of within a reasonable time, not less than 180 days from the date that the complaint is filed, disciplinary proceedings may be initiated by the board. The board also may initiate disciplinary actions against a nonresident pharmacy if the regulatory or licensing agency of the state in which the nonresident pharmacy is located lacks or fails to exercise jurisdiction.

(g) The board shall adopt rules and regulations that make exceptions to the requirement of registration by a nonresident pharmacy when the out-of-state pharmacy supplies lawful refills to a patient from a prescription that was originally filled and delivered to a patient within the state in which the nonresident pharmacy is located, or when the prescriptions being mailed into the state of Kansas by a nonresident pharmacy occurs only in isolated transactions. In determining whether the prescriptions being mailed into the state of Kansas by a nonresident pharmacy are isolated transactions, the board shall consider whether the pharmacy has promoted its services in this state and whether the pharmacy has a contract with any employer or organization to provide pharmacy services to employees or other beneficiaries in this state.

(h) It is unlawful for any nonresident pharmacy which is not registered under this act to advertise its services in this state, or for any person who is a resident of this state to advertise the pharmacy services of a nonresident pharmacy which has not registered with the board, with the knowledge that the advertisement will or is likely to induce members of the public in this state to use the pharmacy to fill prescriptions. ~~A violation of this section is a class C misdemeanor.~~

(i) Upon request of the board, the attorney general may bring an action in a court of competent jurisdiction for injunctive relief to restrain a violation of the provisions of this section or any rules and regulations adopted by the board under authority of this section. The remedy provided under this subsection shall be in addition to any other remedy provided under this section or under the pharmacy act of the state of Kansas.

(j) The board may adopt rules and regulations as necessary and as are consistent with this section to carry out the provisions of this section.

(k) The executive secretary of the board shall remit all moneys received from fees under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the manner specified under K.S.A. 74-1609, and amendments thereto.

(l) *A violation of this section is a severity level 10, nonperson felony.*

(m) This section shall be part of and supplemental to the pharmacy act of the state of Kansas.

Sec. 3. K.S.A. 65-4967 is hereby amended to read as follows: 65-4967. (a) For purposes of this section a person dispensing contact lenses means a person or entity not licensed under K.S.A. 65-1505, and amendments thereto, or licensed to practice medicine and surgery in Kansas who mails contact lenses to patients in Kansas pursuant to a contact lens prescription which such person or entity did not determine.

(b) No person dispensing contact lenses as defined under subsection (a) may dispense contact lenses through the mail to Kansas residents unless such person meets the criteria of this section, is registered under this section and pays the annual registration fee set by the state board of healing arts. Registration fees shall not exceed the annual fee for an initial or renewal permit to practice optometry in this state as provided in K.S.A. 65-1505 and amendments thereto.

(c) Approval of the registration for dispensing contact lenses shall be provided by the state board of healing arts upon certification by the person dispensing the contact lenses that such person:

(1) Is licensed or registered to dispense contact lenses in the state where the dispensing facility is located, if required to be licensed or registered in such state;

(2) provides the location, names and titles of all principal corporate officers and of the individual who is responsible for overseeing the dispensing of contact lenses in Kansas;

(3) complies with directions and appropriate requests for information from the regulating agency of each state where such person is licensed or registered;

(4) will respond directly and within a reasonable period of time, not to exceed 15 days, to all communications from the state board of healing arts concerning the dispensing of contact lenses in Kansas;

(5) maintains records of contact lenses and their corresponding valid, unexpired prescription dispensed in Kansas;

(6) agrees to cooperate with the state board of healing arts in providing information to the regulatory agency of any state where it is licensed or registered concerning matters related to the dispensing of contact lenses in Kansas;

(7) provides a toll-free telephone service for responding to questions and complaints from individuals in Kansas during such person's regular hours of operation and agrees to (a) include the toll-free number in literature provided with mailed contact lenses and (b) refer all questions relating to eye care for the lenses prescribed to the licensee who determined the contact lens prescription;

(8) provides the following, or substantially equivalent, written notification to the patient whenever contact lenses are supplied:

WARNING: IF YOU ARE HAVING ANY OF THE FOLLOWING SYMPTOMS, REMOVE YOUR LENSES IMMEDIATELY AND CONSULT YOUR EYE CARE PRACTITIONER BEFORE WEARING YOUR LENSES AGAIN: UNEXPLAINED EYE DISCOMFORT, WATERING, VISION CHANGE OR REDNESS;

(9) fills contact lens prescriptions according to the strict directions of a person licensed to practice optometry or person licensed to practice medicine and surgery in Kansas, without any deviation or substitution of lenses; and

(10) consents in writing to the personal and subject matter jurisdiction of the district courts of this state and the state board of healing arts for actions arising out of this act.

(d) *The state board of healing arts may temporarily suspend or temporarily limit the registration of any person dispensing contact lenses through the mail to Kansas residents in accordance with the emergency adjudicative proceedings under the Kansas administrative procedure act if the board determines that there is cause to believe that any of the requirements of subsection (c) and that the registrant's*

(continued)

continued dispensing of contact lenses by mail to Kansas residents would constitute an imminent danger to the public health and safety.

(e) The state board of healing arts shall remit all moneys received under this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of such remittance, the state treasurer shall deposit

the entire amount in the state treasury to the credit of the healing arts fee fund.

Sec. 4. K.S.A. 65-1657 and 65-4967 and K.S.A. 2007 Supp. 65-1627 are hereby repealed.

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

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2006 Volumes 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
4-13-1	Amended	V. 27, p. 186
4-13-3	Amended	V. 27, p. 187
4-13-9	Amended	V. 27, p. 188
4-13-11	Revoked	V. 27, p. 188
4-13-13	Amended	V. 27, p. 188
4-13-20	Amended	V. 27, p. 190
4-13-21	Amended	V. 27, p. 191
4-13-22	Amended	V. 27, p. 191
4-13-23	Amended	V. 27, p. 191
4-13-24	Amended	V. 27, p. 191
4-13-33	Amended	V. 27, p. 191
4-15-9	Amended	V. 26, p. 81
4-19-1	Amended	V. 26, p. 173
4-28-8		
through		
4-28-16	New	V. 27, p. 191-195

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
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
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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 17: OFFICE OF THE STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-25-1	New	V. 27, p. 356

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
28-4-122	Amended	V. 27, p. 317
28-4-311	Amended	V. 27, p. 317
28-4-312		
through		
28-4-317	Revoked	V. 27, p. 317, 318
28-4-800		
through		
28-4-825	New	V. 27, p. 318-334
28-15-35	Amended	V. 26, p. 825
28-15-36	Amended	V. 26, p. 829
28-15-36a	Amended	V. 26, p. 829
28-15-37	Amended	V. 26, p. 830
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
28-23-16	Revoked	V. 27, p. 191
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
28-32-1	Revoked	V. 27, p. 247
28-32-2	Revoked	V. 27, p. 247
28-32-4	Revoked	V. 27, p. 247
28-32-5	Revoked	V. 27, p. 247
28-32-6	Revoked	V. 27, p. 247
28-32-7	Revoked	V. 27, p. 247
28-32-8		
through		
28-32-14	New	V. 27, p. 247-249
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

28-59-5	Amended	V. 27, p. 462
28-61-11	Amended	V. 27, p. 464
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
40-3-52	New	V. 27, p. 133
40-4-41	Amended	V. 27, p. 434
40-4-41a		
through		
40-4-41j	Revoked	V. 27, p. 434, 435
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
66-6-1	Amended	V. 27, p. 315
66-6-4	Amended	V. 27, p. 316
66-9-5	Amended	V. 26, p. 1024
66-10-1	Amended	V. 27, p. 317
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
68-7-20	Amended	V. 27, p. 435
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

(continued)

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
91-40-1	Amended	V. 27, p. 274
91-40-2	Amended	V. 27, p. 279
91-40-3	Amended	V. 27, p. 279
91-40-5	Amended	V. 27, p. 280
91-40-7		
through		
91-40-12	Amended	V. 27, p. 281-284
91-40-16	Amended	V. 27, p. 285
91-40-17	Amended	V. 27, p. 285
91-40-21	Amended	V. 27, p. 286
91-40-22	Amended	V. 27, p. 287
91-40-26		
through		
91-40-31	Amended	V. 27, p. 287-289
91-40-33	Amended	V. 27, p. 290
91-40-34	Amended	V. 27, p. 290
91-40-35	Amended	V. 27, p. 290
91-40-37	Revoked	V. 27, p. 291
91-40-38	Amended	V. 27, p. 291
91-40-39	Revoked	V. 27, p. 291
91-40-41	Amended	V. 27, p. 291
91-40-42	Amended	V. 27, p. 291
91-40-42a	New	V. 27, p. 292
91-40-43	Amended	V. 27, p. 293
91-40-44	Amended	V. 27, p. 293
91-40-45	Amended	V. 27, p. 293
91-40-46	Amended	V. 27, p. 294
91-40-48	Amended	V. 27, p. 294
91-40-50	Amended	V. 27, p. 294
91-40-51	Amended	V. 27, p. 295

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
100-22-8	Revoked	V. 27, p. 357
100-22-8a	New (T)	V. 26, p. 1929
100-22-8a	New	V. 27, p. 357
100-28a-1	Amended	V. 26, p. 1753
100-29-7	Amended	V. 27, p. 209
100-49-4	Amended	V. 26, p. 1258
100-49-10	New	V. 26, p. 1367
100-54-4	Amended	V. 27, p. 209
100-54-7	Amended	V. 26, p. 1043
100-54-8	Amended	V. 26, p. 1044

100-55-4	Amended	V. 27, p. 209
100-73-1	Amended	V. 26, p. 1258
100-73-9	Amended	V. 27, p. 315

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-7	Revoked	V. 26, p. 881
102-1-12	Amended	V. 27, p. 407
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 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. The following regulations were filed after January 1, 2008:

Reg. No.	Action	Register
111-4-2645		
through		
111-4-2656	New	V. 27, p. 436-442
111-5-127	Amended	V. 27, p. 442
111-5-128	Amended	V. 27, p. 443
111-5-132	Amended	V. 27, p. 443

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. 27, p. 403
115-4-4a	Amended	V. 27, p. 403
115-4-6	Amended	V. 27, p. 109
115-4-6a	Revoked	V. 27, p. 112
115-4-13	Amended	V. 27, p. 404
115-4-14	Revoked	V. 27, p. 112
115-7-1	Amended	V. 26, p. 1725
115-7-8	Amended	V. 27, p. 405
115-7-9	Amended	V. 27, p. 406
115-8-7	Amended	V. 26, p. 1364
115-8-13	Amended	V. 27, p. 112
115-9-9	Amended	V. 26, p. 641
115-18-7	Amended	V. 27, p. 406
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. 27, p. 357
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
128-1-1	New	V. 27, p. 358
128-2-1	New	V. 27, p. 360
128-2-3	through	
128-2-13	New	V. 27, p. 360-362
128-2-12	New (T)	V. 27, p. 107
128-3-1	New	V. 27, p. 362
128-4-1	through	
128-4-9	New	V. 27, p. 363-367
128-4a-1	New	V. 27, p. 367
128-5-1	New	V. 27, p. 367
128-5-2	New	V. 27, p. 368
128-6-1	New	V. 27, p. 368
128-6-2	New	V. 27, p. 371
128-6-4	New	V. 27, p. 374

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

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