

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 28, No. 40 October 1, 2009 Pages 1445-1472

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(Published in the Kansas Register October 1, 2009.)

#### USDA—Natural Resources Conservation Service

Finding of No Significant Impact for Environmental Assessment, Floodwater Retarding Site No. 15 Lyons Creek Watershed in Dickinson and Morris Counties, Kansas

The Natural Resources Conservation Service (NRCS) has prepared an Environmental Assessment in compliance with the National Environmental Policy Act (NEPA), as amended. Pursuant to the implementing regulations for NEPA (40 Code of Federal Records (CFR) parts 1500-1508); the USDA Departmental Policy for the NEPA (7 CFR part 1b); the NRCS Regulations (7 CFR part 650); and the NRCS policy (General Manual Title 190, Part 410); the NRCS gives notice that an environmental impact statement is not being prepared for constructing a single floodwater retarding dam in the Lyons Creek Watershed, Dickinson and Morris Counties, Kansas. The Environmental Assessment was developed in coordination with the sponsoring local organization (Lyons Creek Watershed Joint District No. 41) for a proposed floodwater retarding dam in the Lyons Creek Watershed to reduce flood damages downstream of the site. Upon consideration of the affected environment, alternatives, environmental consequences, and comments and coordination with concerned public and agencies, the State Conservationist for NRCS, Kansas found that based on the significance and context and intensity as defined in 40 CFR part 1508.27, that the proposed action is not a major federal action significantly affecting the quality of the human environment. Thus, a Finding of No Significant Impact (FONSI) is being made.

The Lyons Creek Watershed Joint District No. 41 concurs with this determination and supports the proposed project to construct a single floodwater retarding dam to current NRCS high hazard class requirements and for a design life expediency of 100 years. The following action is proposed to construct a floodwater retarding dam across an unnamed tributary to Lyons Creek, approximately one and one-half miles upstream from their confluence. For further information relating to the project action, please refer to the Environmental Assessment located at www.ks.nrcs.usda.gov/programs/pl566/.

For information regarding this finding, contact: Eric B. Banks, State Conservationist, U.S. Department of Agriculture, Natural Resources Conservation Service, 760 South Broadway, Salina, Kansas 67401; telephone (785) 823-4500. No administrative action on implementation of the proposed action will be taken until 15 days after the date of publication of the Notice of Availability in the local news media.

The USDA is an equal opportunity provider and employer.

<u>Conclusion</u>: I find that the proposed action is not a major federal action significantly affecting the quality of the human environment. Thus, a Finding of No Significant Impact (FONSI) has been made.

Signed in Salina, Kansas, on September 23, 2009.

Eric B. Banks State Conservationist

Doc. No. 037575

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 Ron Thornburgh Secretary of State 1st Floor, Memorial Hall 120 S.W. 10th Ave. Topeka, KS 66612-1594 (785) 296-4564 www.kssos.org



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

#### **Pittsburg State University**

#### **Notice to Bidders**

Pittsburg State University encourages interested vendors to visit the Pittsburg State University Purchasing Office Web site at http://www.pittstate.edu/purch/ for a complete list of all goods and services currently out for bid. Paper postings of all open bids may be reviewed at the Purchasing Office, Room 110, Russ Hall, 1701 S. Broadway, Pittsburg. Copies of open bids also may be requested by contacting Purchasing at (620) 235-4169, by fax at (620) 235-4166, or by e-mail at jensch@pittstate.edu.

Jim Hughes Director of Purchasing

Doc. No. 037208

#### State of Kansas

#### Fort Hays State University

#### Notice to Bidders

Fort Hays State University encourages interested vendors to visit the Fort Hays State University Purchasing Web site, http://www.fhsu.edu/adminfin/purchasing/bids/, for a complete list of all goods and services currently out for bid. Paper postings of all open bids may be reviewed at Purchasing, Room 318, Sheridan Hall, 601 Park St., Hays. Copies of open bids also may be requested by contacting Purchasing at (785) 628-4251, by fax at (785) 628-4046, or by e-mail at purchasing@fhsu.edu.

Kathy Herrman Purchasing Director

Doc. No. 037569

#### State of Kansas

#### Legislature

#### **Interim Committee Schedule**

The following committee meetings have been scheduled during the period of October 2-14. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. The 2009 interim committee memberships and committee agendas can be found at http://skyways.lib.ks.us/ksleg/KLRD/Committees.htm.

Date	Room	Time	Committee	Agenda
Oct. 2	535-N	9:00 a.m.	2010 Commission	Presentation by Dr. Alexa Posny on "Race to the Top" funding.
Oct. 5 Oct. 6		TBA TBA	Joint Committee on Administrative Rules and Regulations	Agenda not available.
Oct. 7 Oct. 8		9:00 a.m. 9:00 a.m.	Special Committee on Kansas Technology Enterprise Corporation	KTEC.
Oct. 8	3 143-N	9:30 a.m.	Special Committee on Utilities	Next generation 9-1-1 emergency response system.
Oct. 1	2 446-N	TBA	Legislative Post Audit	Agenda not available.
Oct. 1	2 545-N	10:00 a.m.	Legislative Educational Planning Committee	KPERS School group update; performance audits; Kansas Board of Regents' legislative initiatives; and early childhood program update.
Oct. 1 Oct. 1		10:00 a.m. 9:00 a.m.	House Appropriations Committee	Agenda not available.
Oct. 1	.3 535-N	TBA	Joint Committee on Kansas Security	Agenda not available.
Oct. 1	3 545-N	10:00 a.m.	Legislative Coordinating Council	Legislative matters.
Oct. 1	4 143-N	10:00 a.m.	Joint Committee on Home- and Community-Based Services Oversight	Staff and agency updates on HCBS waiver programs; review of Quarterly Report; and stakeholder discussion of proposals for cost neutral changes to waiver programs.

Jeffrey M. Russell Director of Legislative Administrative Services

### **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. 2008 Supp. 12-1675(b)(c)(d) and K.S.A. 2008 Supp. 12-1675a(g).

#### Effective 9-28-09 through 10-4-09

	0
Term	Rate
1-89 days	0.14%
3 months	0.08%
6 months	0.18%
1 year	0.40%
18 months	0.68%
2 years	0.97%

Elizabeth B.A. Miller Director of Investments

Doc. No. 037560

#### State of Kansas

#### **Board of Pharmacy**

### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Wednesday, December 2, at the Via Christi-St. Joseph Campus, 3600 E. Harry, third floor, Conference Room A, Wichita, to consider the amendment of K.A.R. 68-2-20 of the Kansas Pharmacy Board.

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 amendment of K.A.R. 68-2-20. All parties may submit written comments prior to the hearing to Debra Billingsley, Executive Secretary, Kansas Pharmacy Board, Room 560, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1231, or to pharmacy@pharmacy.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the amendment of the regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Kansas Pharmacy Board at the address above, (785) 296-4056.

A summary of the proposed regulation follows:

**K.A.R. 68-2-20. Pharmacist's function in filling a prescription.** This regulation identifies the pharmacist's function in filling a prescription.

Copies of the regulation and the economic impact statement may be obtained from the Kansas Pharmacy Board at the contact information above or from the board's Web site at http://www.accesskansas.org/pharmacy/leg.html.

Debra Billingsley Executive Secretary

Doc. No. 037576

#### State of Kansas

#### Department of Agriculture

### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, December 2, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of proposed 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 leslie.garner@kda.ks.gov. 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:

**K.A.R. 4-13-2** adds subcategories as well as categories in which the business will operate to the information to be provided on the business license application per statutory change.

**K.A.R. 4-13-3** corrects the names of commercial applicator subcategories, e.g., changing "1b" to "1B."

K.A.R. 4-13-9 and K.A.R. 4-13-20 extend the fee sunsets to 2015.

**K.A.R. 4-13-14, K.A.R. 4-13-16** and **K.A.R. 4-13-18** clarify existing requirements.

**K.A.R. 4-13-17** changes the deadline for each certified commercial applicator to report a change of mailing address from the tenth day of the following month to within 30 days of the change. This allows a more uniform time period for changes to be reported. In addition, it clarifies existing requirements.

K.A.R. 4-13-21, K.A.R. 4-13-24 and K.A.R. 4-13-33 clarify existing requirements and extend fee sunsets to 2015.

**K.A.R. 4-13-22** is revoked.

**K.A.R. 4-13-23** changes the commercial applicator examination fee and structure to align with statutory change and extends the fee sunset to 2015.

**K.A.R. 4-13-30** requires identity verification via government-issued identification card for each restricted-use pesticide sale or conveyance. In addition, it clarifies existing requirements.

**K.A.R. 4-13-62** adds pesticide dealers to the civil penalty section as a result of statutory change. In addition, it clarifies existing requirements.

#### **Economic Impact Statement:**

The economic impact of the restructuring of commercial certification examination fees is expected to be neutral. The amendments have no anticipated economic impact on dealers or customers. Potential civil penalties

imposed on dealers under these regulations will likely be less than those previously assessed against dealers by the U.S. Environmental Protection Agency. The restructuring of the commercial certification examination fee is expected to have no economic impact on examinees, unless the examinee is retaking due to a failed examination, or is sitting for several examinations for multiple categories/ subcategories.

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 (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 at the contact information above or by accessing the department's Web site at http://www.ksda.gov.

Joshua Svaty Acting Secretary of Agriculture

Doc. No. 037571

#### State of Kansas

#### **Secretary of State**

#### **Executive Appointments**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions, and county officials are included in the Kansas Directory, which is available on the Secretary of State's Web site at www.kssos.org. The following appointments were recently filed with the Secretary of State:

#### **Board of Adult Care Home Administrators**

**Dr. Kevin Bryant,** 4956 N. Webb Road, Wichita, 67226. Term expires June 30, 2011. Reappointed.

**Dawn E. Veh,** 2503 N. Meadowlake Drive, Hutchinson, 67502. Term expires June 30, 2011. Reappointed.

#### Kansas Animal Health Board

**Kendal L. Grecian,** 1133-A 350th Ave., Palco, 67657. Term expires July 1, 2012. Reappointed.

**Terry W. Schwartz,** 465 800 Ave., Carlton, 67448. Term expires July 1, 2010. Succeeds James Reed.

**Dr. Vincent Traffas,** 1072 Highway 36, Kensington, 66951. Term expires July 1, 2012. Reappointed.

#### **Kansas Arts Commission**

**James Denny Senseney**, 8525 E. Tipperary St., Wichita, 67206. Term expires June 30, 2012. Succeeds Novelene Ross.

#### Kansas Board of Barbering

Michael Amyx, Chair, 2312 Free State Lane, Lawrence, 66047. Term expires April 30, 2012. Reappointed.

#### Kansas Board of Cosmetology

**James A. George**, 110 W. Main, Independence, 67301. Term expires Sept. 30, 2012. Succeeds Rogene Handlon.

**Ruth M. Plinsky,** 1028 S.W. Western Ave., Topeka, 66604. Term expires June 30, 2012. Reappointed.

#### **Dealer Review Board**

**Mike E. Steven,** 8201 Killarney Court, Wichita, 67207. Term expires June 30, 2012. Reappointed.

Janet L. Waugh, 916 S. 57th Terrace, Kansas City, KS 66106. Term expires June 30, 2012. Succeeds Paul Garrett.

#### Kansas Council on Developmental Disabilities

**Kristin Fairbank, Chair,** 1341 College, Hays, 67601. Serves at the pleasure of the Governor.

#### State Historic Sites Board of Review

**Dr. Jay Price**, 316½ N. Fountain, Wichita, 67208. Term expires June 30, 2012. Succeeds James Sherow.

#### Physical Therapy Advisory Council

**Aaron Proctor,** 2119 Browning, Manhattan, 66502. Term expires June 30, 2013. Succeeds Ann Sundgren.

#### **State Rehabilitation Council**

**Teresa Beaudry**, 1003 Elm St., Deerfield, 67838. Term expires Oct. 31, 2012. Succeeds Tami Schwindt.

**Robert Hammer,** 420 W. Taylor, Lyons, 67554. Term expires Oct. 31, 2012. Reappointed.

**David Hanson,** 6000 Lamar, Suite 130, Mission, 66202. Term expires Oct. 31, 2011. Reappointed.

**Elena Rettinger-Lincoln,** 120 S.E. 10th Ave., Topeka, 66612. Term expires Oct. 31, 2011. Succeeds Wenda Blaauw.

**Brad J. Rohr**, 139 W. 2nd St., Gorham, 67640. Term expires Oct. 31, 2011. Reappointed.

Candace A. Shively, 49 S.W. Peppertree Lane, Topeka, 66611. Term expires Oct. 31, 2011.

**Dr. Glen W. White,** 416 Nancy Court, Lawrence, 66049. Term expires Oct. 31, 2011. Reappointed.

#### Veterans Claim Assistance Advisory Board

**Elgin Wahlborg,** 32138 61 Road, Arkansas City, 67005. Term expires June 30, 2012. Succeeds David Warnken.

#### State Board of Veterinary Examiners

**Dr. Gregory E. Bogue**, 3443 S. 215th St. West, Goddard, 67052. Term expires June 30, 2013. Succeeds Christen Skaer.

#### Western Governor's Wildlife Council

**Keith E. Sexton,** Department of Wildlife and Parks, 512 S.E. 25th Ave., Pratt, 67124. Serves at the pleasure of the Governor.

Ron Thornburgh Secretary of State

#### **Department of Transportation**

#### **Notice to Consulting Engineers**

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the project listed below. Seven signed copies of the response can be mailed to David Nagy, P.E., Assistant to the Bureau Chief of Design/Contracts Engineer, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754 Interest responses shall be limited to four pages and must be received by noon October 7 for the consulting engineering firm to be considered.

Firms not prequalified with KDOT must submit seven copies of KDOT Form 1050 to become prequalified. The form is available at www.ksdot.org/divengdes/prequal.

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.

#### **On-Call Statewide Bridge Design Services**

The Kansas Department of Transportation is seeking qualified consulting engineering firms for bridge design projects on an as-needed basis according to guidelines provided by KDOT's Bureau of Design. Two to four firms will be selected that will be required to provide following bridge design services:

- 1. Expansion device replacement
- 2. Backwall repairs
- 3. Bridge rail rehabilitation
- 4. Bridge redecking
- 5. Hydraulic studies
- 6. Culvert replacement
- 7. Other structural repairs as required

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.

The firm's accounting systems must have the following capabilities before the firm may be awarded a contract:

 Valid, reliable and current costs must be available within the system to support cost and pricing data;

- capability to provide a means of measuring the reasonableness of incurred costs;
- capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger; and
- ability to provide supporting documentation of actual expenditures for each billing, based on costs.

Deb Miller Secretary of Transportation

Doc. No. 037543

#### 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. Seven signed copies of the response can be mailed to David Nagy, P.E., Assistant to the Bureau Chief of Design/Contracts Engineer, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Interest responses shall be limited to four pages and must be received by noon October 7 for the consulting engineering firm to be considered.

Firms not prequalified with KDOT must submit seven copies of KDOT Form 1050 to become prequalified. The form is available at www.ksdot.org/divengdes/prequal.

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.

#### On-Call Statewide Landscape Architectural Services

The Kansas Department of Transportation is seeking qualified consulting engineering firms for landscape architecture projects on an as-needed basis according to guidelines provided by KDOT's Bureau of Design. Projects will consist of highways, safety rest areas, tourist information centers (TIC), scenic byway projects and salvage yard screening, and provide consultation and review of landscape projects designed by other professional firms. Two to four firms will be selected.

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;
- experience of staff;
- 3. location of firm with respect to proposed project;
- 4. work load of firm; and

5. firm's performance record.

The firm's accounting systems must have the following capabilities before the firm may be awarded a contract:

- Valid, reliable and current costs must be available within the system to support cost and pricing data;
- capability to provide a means of measuring the reasonableness of incurred costs;
- capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger; and
- ability to provide supporting documentation of actual expenditures for each billing, based on costs.

Deb Miller Secretary of Transportation

Doc. No. 037542

#### 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. Seven signed copies of the response can be mailed to David Nagy, P.E., Assistant to the Bureau Chief of Design/Contracts Engineer, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Interest responses shall be limited to four pages and must be received by noon October 14 for the consulting engineering firm to be considered.

Firms not prequalified with KDOT must submit seven copies of KDOT Form 1050 to become prequalified. The form is available at www.ksdot.org/divengdes/prequal.

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 e-mail and/or 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.

#### 69-6 KA-1553-02 & 69-19 KA-1554-02 Bourbon and Crawford Counties

This project will evaluate past studies, project area issues and regional development; review current transportation needs; identify a study corridor; determine a preferred alignment; select the roadway type (four-lane freeway or expressway); determine the environmental classification; and make recommendations to determine the next step in the project development of this 11.5-mile corridor from Fort Scott to Arma.

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.

The firm's accounting systems must have the following capabilities before the firm may be awarded a contract:

- Valid, reliable and current costs must be available within the system to support cost and pricing data;
- capability to provide a means of measuring the reasonableness of incurred costs;
- capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger; and
- ability to provide supporting documentation of actual expenditures for each billing, based on costs.

Deb Miller Secretary of Transportation

Doc. No. 037574

#### State of Kansas

#### **Kansas Judicial Council**

#### **Notice of Meetings**

The Kansas Judicial Council, its Advisory Committees and the Commission on Judicial Performance will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka, unless otherwise designated:

Date	Committee	Time	Location
Oct. 2	Family Law	9:30 a.m.	Suite 140
Oct. 8	Homeowners' Association	9:30 a.m.	Suite 269
Oct. 9	Death Penalty	9:30 a.m.	Room 269
Oct. 16	Commission on Judicial	9:30 a.m.	Room 269
	Performance		
Oct. 16	Administrative Procedure	9:30 a.m.	Room 140
Oct. 16	Criminal Law	9:30 a.m.	Suite 140
Oct. 16	Pattern Instruction for	9:30 a.m.	Room 275
	Kansas - Criminal		
Oct. 23	Civil Code	9:00 a.m.	Room 269
Oct. 23	Guardianship &	9:30 a.m.	Suite 140
	Conservatorship		
Oct. 23	Juvenile Offender/	9:30 a.m.	Suite 140
	Child in Need of Care		
Oct. 30	CJP/District Judges Liaison	1:00 p.m.	Suite 140
Nov. 5	Homeowners' Association	9:30 a.m.	Suite 269
Nov. 6	Family Law	9:30 a.m.	Suite 140
Nov. 13	Criminal Law	9:30 a.m.	Suite 140
Nov. 13	Commission on Judicial	9:30 a.m.	Suite 269
	Performance		
Nov. 13	Guardianship &	9:30 a.m.	Suite 140
	Conservatorship		
Nov. 18	Death Penalty	9:30 a.m.	Room 269
Nov. 20	Administrative Procedure	9:30 a.m.	Room 275
Nov. 20	Pattern Instruction for	9:30 a.m.	Room 269
	Kansas - Criminal		
Nov. 20	Probate Law	9:30 a.m.	Suite 140
		Hon. Lawt	on R. Nuss
			$\alpha$ .

Doc. No. 037565

Chairman

#### 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, is 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. 037561

#### **State of Kansas**

#### **Department of Transportation**

#### **Notice to Contractors**

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 1 p.m. October 21, 2009, and then publicly opened.

#### District One — Northeast

**Atchison**—3 C-4539-01 — County road 4 miles north and 4.4 miles east of Shannon, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

**Doniphan**—22 U-2237-01 — Old U.S. 36 just west of Elm Street in Highland, 0.2 mile, grading and culvert. (Federal Funds)

**Johnson**—46 U-2233-01 — Kill Creek Road from 83rd Street to K-10 in De Soto, 1.3 miles, surfacing. (Federal Funds)

**Leavenworth**—52 U-2239-01 — Fourth Street at K-7 and K-92 in Leavenworth, grading and surfacing. (Federal Funds)

**Leavenworth**—52 U-2240-01 — Fifth Avenue and Doniphan Street in Leavenworth, grading and surfacing. (Federal Funds)

**Leavenworth**—52 U-2241-01 — 10th Street and Wellington Street in Leavenworth, grading and surfacing. (Federal Funds)

**Lyon**—35-56 KA-1607-01 — I-35 bridge 2.6 miles east of K-99, bridge repair. (State Funds)

Osage—70 U-2264-01 — U.S. 56 from the south city limits to Santa Fe Avenue west on K-31 in Burlingame, 1 mile, surfacing. (Federal Funds)

**Pottawatomie**—75 C-4553-01 — County road 2 miles north of Manhattan over Big Blue River, 0.1 mile, surface and bridge. (Federal Funds)

#### District Two — Northcentral

**District**—106 X-2744-01 — Kyle Railroad in Republic, Cloud and Osborne counties, signing. (State Funds)

**District**—106 X-2745-01 — KandO Railroad in Osborne, Lincoln, Mitchell, Saline counties, signing. (State Funds)

**Lincoln**—53 C-4568-01 — County road 3.5 miles north of K-18 north of Beverly, 0.2 mile, grading. (Federal Funds)

**Morris**—64 C-4570-01 — County bridge over Rock Creek, 0.3 mile north of Dunlap, 0.2 mile, bridge. (Federal Funds)

**Ottawa**—72 U-2262-01 — Mill Rock Street intersection from K-106 to the north city limits of Minneapolis, 0.7 mile, surfacing. (Federal Funds)

Washington—101 C-4387-01 — County road 0.5 mile west and 4.5 miles south of Greenleaf, 0.2 mile, grading and bridge. (Federal Funds)

**Washington**—101 C-4573-01 — County Route 1100 through Hanover, 1.7 miles, grading and surfacing. (Federal Funds)

#### District Three — Northwest

**Decatur-Sheridan**—106 KA-1725-01 — K- 223 from the Sheridan-Decatur county line north to the junction of K-383; K-223 from K-23 junction north to the Sheridan-Decatur county line; K-23 from the junction of U.S. 24/K-23 north to the junction of U.S. 83/K-383, 21.4 miles, seal. (State Funds)

Ellis—26 C-4228-01 — County road 5.6 miles south and 0.8 mile west of Walker, 0.2 mile, grading and bridge. (Federal Funds)

**Gove-Logan**—70-106 KA-1824-01 — I-70 from the Logan-Gove county line east 19.3 miles; I-70 from the Thomas-Logan county line east 0.8 mile to the Logan-Gove county line, 20.1 miles, milling and overlay. (State Funds)

Norton—9-69 KA-1427-01 — K-9 from the Norton-Decatur county line east to the west junction of K-9 and U.S. 283, 16.2 miles, seal. (State Funds)

**Osborne**—71 C-4371-01 — County road 0.5 mile south and 4 miles east of Alton, 0.2 mile, grading and bridge. (Federal Funds)

**Phillips**—74 C-4279-01 — County road 15 miles north and 10 miles east of Phillipsburg, 0.2 mile, grading and bridge. (Federal Funds)

**Logan**—83-55 KA-1736-01 — U.S. 83 from the Logan-Scott county line north to the east junction of U.S. 40, 29.1 miles, seal. (State Funds)

**Russell**—84 U-2243-01 — U.S. 281 from east 9th to the Union Pacific Railroad in Russell, 0.1 mile, surfacing. (Federal Funds)

**Thomas**—70-97 KA-1800-01 — I-70 Exit 54 interchange at Colby, 0.2 mile, milling and overlay. (State Funds)

Thomas—97 KA-1730-01 — U.S. 24 from the Colby east city limits east to the junction of U.S. 24 and U.S. 83; U.S. 83 from the junction of U.S. 24/U.S. 83 north to the Sheridan-Thomas county line, 20 miles, overlay. (State Funds)

Thomas—83-97 M-1976-01 — U.S. 83, 2.5 miles north of the junction of U.S. 24/U.S.83, stockpile bituminous material. (State Funds)

**Wallace**—100 U-2244-01 — K-27 from North Front Street to Third Street in Sharon Springs, 0.2 mile, surfacing. (Federal Funds)

**Wallace**—40-100 KA-1735-01 — U.S. 40 from the east city limits of Sharon Springs east to the Wallace-Logan county line, 15.4 miles, seal. (State Funds)

#### District Four — Southeast

**Coffey**—75-16 KA-0474-01 — U.S. 75 from Potomac Street north to south of Neosho Street in Burlington, 0.3 mile, grading and surfacing. (State Funds)

**Miami**—61 C-4481-01 — John Brown Highway and Pressonville Road intersection, 4 miles west of Osawatomie, 0.4 mile, grading and surfacing. (Federal Funds)

#### District Five — Southcentral

**Barber**—4 C-4552-01 — County Road 1381, 2 miles east of Hazelton, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

**Comanche**—17 C-4218-01 — County road 1 mile west of Coldwater, 0.2 mile, grading and bridge. (Federal Funds)

**Kingman**—48 C-4556-01 — County Route 1704 from U.S. 54 south 2.1 miles, surfacing. (Federal Funds)

**Reno**—78 C-4559-01 — Fourth Avenue from K-14 east to K-96, 0.2 miles, surfacing. (Federal Funds)

**Sedgwick**—87 C-4581-01 — Rock Road from Oak Knoll 0.5 mile north of 63rd Street south 4.5 miles, milling and overlay. (Federal Funds)

**Sedgwick**—87 K-9123-06 — I-135, I-235 and U.S. 54 in Wichita, Intelligent Transportation System. (State Funds)

#### District Six — Southwest

Grant-Stevens—106 KA-1782-01 — K-25 from the Stevens-Grant county line north to the south city limits of Ulysses; U.S. 56 from the east junction of K-25 east 5.1 miles; K-25 from the east junction of U.S. 56 north to the Stevens-Grant county line, 31.5 miles, milling and overlay. (State Funds)

**Greeley**—96-36 KA-1482-01 — Junction of K-96/K-27 at Tribune east to the Greeley/Wichita county line, 10.2 miles, overlay. (State Funds)

Lane—23-51 KA-1486-01 — K-23 from the Finney-Lane county line north to the Lane-Gove county line, 30.1 miles, overlay. (State Funds)

Lane—96-51 KA-1786-01 — West of the junction of K-96/K-23 in Dighton east to the Lane-Ness county line, 12.3 miles, overlay. (State Funds)

**Lane**—96-51 M-1974-01 — KDOT mixing strip 1 mile west of Dighton on K-96, stockpile bituminous material. (State Funds)

Morton—56-65 KA-1787-01 — U.S. 56 from the Oklahoma-Kansas state line east 14 miles, overlay. (State Funds)

**Morton**—65 U-2267-01 — North Street from Baca Avenue east to Border Avenue, 0.2 mile, milling and overlay. (Federal Funds)

**Seward-Haskell**—83-106 KA-1775-01 — U.S. 83 from the Seward-Haskell county line north 12.2 miles; U.S. 83 from the south junction of U.S. 160 north to the Seward-Haskell county line, 20.2 miles, milling and overlay. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against

anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

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

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

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

Deb Miller Secretary of Transportation

Doc. No. 037556

(Published in the Kansas Register October 1, 2009.)

### City of Wichita, Kansas

#### **Notice to Bidders**

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, October 30, for the following project:

#### (KDOT Project No. 87N-0497-01/472-84845/991301) (OCA Code 991301) Paving

Asphalt Mill & Overlay on Broadway, Central to 12th (ARRA)

Requests for the bid documents and plans should be directed to City Blue Print at (316) 265-6224 or Marty Strayer at (316) 268-4488. Other questions should be directed to the respective design engineer, (316) 268-4501.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Kim Pelton at (316) 268-4499 for extra sets of plans and specifications.

Marty Strayer Administrative Aide City of Wichita—Engineering

(Published in the Kansas Register October 1, 2009.)

#### City of Wichita, Kansas

#### **Notice to Bidders**

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, October 30, for the following project:

#### (KDOT Project No. 87N-0501-01/472-84846/991302) (OCA Code 991302) Paving

Concrete Pavement Repair on Washington, 1st Street to Central (ARRA)

Requests for the bid documents and plans should be directed to City Blue Print at (316) 265-6224 or Marty Strayer at (316) 268-4488. Other questions should be directed to the respective design engineer, (316) 268-4501.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Kim Pelton at (316) 268-4499 for extra sets of plans and specifications.

Marty Strayer Administrative Aide City of Wichita—Engineering

Doc. No. 037563

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

Oneok Field Services, Tulsa, Oklahoma, owns and operates Cheney Gas Plant located at Section 22, T28S, R5W, Kingman County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting

documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Dave Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business November 2.

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 Sharon Burrell, Bureau of Air and Radiation, not later than the close of business November 2 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. 037566

#### 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-09-245 Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant Michael Springer

5881 CR 3300 Independence, KS 67301

**Legal Description** SW/4 of Section 04, T31S, R14E, Montgomery County

Owner of Property Where Facility Will Be Located

Chuck Springer 6264 CR 1950 Elk City, KS 67344

**Receiving Water** Verdigris River Basin

Kansas Permit No. A-VEMG-H010 Federal Permit No. KS0095346

This is an application for a permit for the expansion at an existing swine facility. The applicant is proposing to increase the maximum capacity by 240 head of swine weighing less than 55 pounds each. The department is also reapproving expansion plans initially approved on September 10, 2003. A new or modified permit will not be issued without additional public notice.

#### Public Notice No. KS-AG-09-246/252 Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Graham County Feed Yard	NE/4 of Section 34,	Solomon River
Mark Reese	T08S, R24W,	Basin
P.O. Box 219	Graham County	
Penokee, KS 67659	,	

Kansas Permit No. A-SOGH-C001 Federal Permit No. KS0079669

This is a reissuance of a permit for an existing facility for 4,999 head (4,999 animal units) of cattle weighing greater than 700 pounds. This is a decrease from the previous permitted capacity of 9,000 head (9,000 animal units) of cattle.

Name and Address of Applicant	Legal Description	Receiving Water
Bellar Farms, Inc.	SW/4 of Section 03,	Verdigris River
Mike Bellar	T30S, R10E, Elk	Basin
1411 Killdeer	County	
Howard, KS 67349	· ·	

Kansas Permit No. A-VEEK-S011

This is a reissuance of a permit for an existing facility for 300 head (120 animal units) of swine weighing greater than 55 pounds and 320 head (32 animal units) of swine weighing 55 pounds or less.

Name and Address of Applicant	Legal Description	Receiving Water
Bellar Farms	SW/4 of Section 02,	Verdigris River
Mike Bellar	T30S, R10E, Elk	Basin
1411 Killdeer	County	
Howard, KS 67349	•	

Kansas Permit No. A-VEEK-S010

This is a reissuance of a permit for an existing facility for 500 head (200 animal units) of swine weighing greater than 55 pounds and 500 head (50 animal units) of swine weighing 55 pounds or less.

Name and Address of Applicant	Legal Description	Receiving Water
Mike Bellar 1411 Killdeer	SW/4 of Section 02 & NW/4 of Section	Verdigris River Basin
Howard, KS 67349	11, T30S, R10E, Elk	Dasiii
	County	

Kansas Permit No. A-VEEK-S004

This is a reissuance of a permit for an existing facility for 2,400 head (960 animal units) of swine weighing greater than 55 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Stan Chipperfield	SE/4 of Section 23,	Smoky Hill River
5069 E. McReynolds Road	T15S, R02W, Saline	Basin
Gynsum KS 67448	County	

Kansas Permit No. A-SHSA-S005

This is a reissuance of a permit for an existing facility with an increase in head count for 250 head (100 animal units) of swine weighing greater than 55 pounds, 300 head (30 animal units) of swine weighing 55 pounds or less, 75 head (75 animal units) of cattle weighing greater than 700 pounds and 75 head (37.5 animal units) of cattle weighing less than 700 pounds, for a total of 242.5 animal units. The increase in head count is due to the addition of 10 head of cattle weighing greater than 700 pounds and 10 head of cattle weighing state when the same in the same.

Name and Address of Applicant	Legal Description	Receiving Water
Bainter Construction Company, Inc.	SW/4 of Section 18, T06S, R27W,	Solomon River Basin
P.O. Box 705	Sheridan County	
Hoxie, KS 67740		

Kansas Permit No. A-SOSD-B007

This permit is being reissued for an existing facility with a maximum capacity of 598 head (299 animal units) of cattle weighing 700 pounds or less. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Stigge Farms	SW/4 of Section 32,	Big Blue River
Alan Stigge	T02S, R03E,	Basin
211 D St.	Washington County	
TIT 11 . TCC ((C)(C)		

Washington, KS 66968

Kansas Permit No. A-BBWS-B013

This permit is being reissued for an existing facility with a maximum capacity of 800 head (800 animal units) of beef cattle more than 700 pounds. There is no change in the permitted animal units.

#### Public Notice No. KS-Q-09-161/165

Name and Address of Applicant	Receiving Stream	Type of Discharge
Fairview, City of	Walnut Creek via	Treated Domestic
P.O. Box 175	Spring Creek via	Wastewater
Fairview, KS 66425	Unnamed Tributary	

Kansas Permit No. M-MO06-OO01 Federal Permit No. KS0098744

Legal Description: SW1/4, S27, T2S, R15E, Brown County

Facility Description: The proposed action consists of issuance of the existing Kansas/NPDES Water Pollution Control permit to replace the current nonoverflowing permit for the above-referenced existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia, total phosphorus and pH. The proposed permit will allow a measurable increase in certain pollutant parameters above existing water quality, but not above concentrations necessary to maintain existing and designated uses and to protect designated critical habitat for threatened and endangered species. 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.

Name and Address of Applicant Gorham, City of P.O. Box 25

Gorham, KS 67640-0025

Receiving Stream Big Creek via Walker Creek via Unnamed Tributary Type of Discharge Treated Domestic Wastewater

Kansas Permit No. M-SH10-OO01 Federal Permit No. KS0096610 Legal Description: NE<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>, S31, T13S, R15W, Russell County

Facility Description: The proposed action consists of issuance of a new discharging permit for the existing Kansas/NPDES Water Pollution Control nondischarging permit for an upgrade and expansion of the current three-cell lagoon system. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring of ammonia, E. coli, chlorides, sulfates and pH. Contained in the permit is a schedule of compliance requiring the permittee to complete construction of the modified facility and to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit. The proposed permit will allow a measurable increase in certain pollutant parameters above existing water quality, but not above concentrations necessary to maintain existing and designated uses and to protect designated critical habitat for threatened and endangered species. 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.

Name and Address of Applicant Hillsboro, City of P.O. Box 125 Hillsboro, KS 67063 Receiving Stream Cottonwood River via South Cottonwood River via Unnamed Type of Discharge Treated Domestic Wastewater

Tributary
Kansas Permit No. M-NE35-OO02 Federal Permit No. KS0097896
Legal Description: SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>, S35, T19S, R2E, Marion County

Facility Description: The proposed action consists of reissuance of the existing Kansas/NPDES Water Pollution Control permit for the above-referenced existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia, sulfates, total phosphorus 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.

Name and Address of Applicant Ottawa, City of 101 S. Hickory Ottawa, KS 66067 Receiving Stream Marais des Cygnes River Type of Discharge Process Wastewater

Kansas Permit No. I-MC31-PO04 Federal Permit No. KS0079804 Legal Description: NE½, SW¼, S35, T16S, R19E, Franklin County Facility Name: Ottawa Municipal Power Plant

Facility Description: The proposed action consists of reissuance of the existing Kansas/NPDES Water Pollution Control permit for the above-referenced existing facility. This facility is an electric power generating station used for peaking and emergency power. The flow from the cooling tower blowdown is monitored separately and the remainder of all process flows is directed to the facility floor drain system that goes into the oil/water separator. Wastewater discharges to the oil/water separator consist of cooling tower blowdown from internal combustion engine units, boiler blowdown, miscellaneous low-volume flows that drain to floor drains throughout the facility, and stormwater runoff. The proposed permit contains limits for free available oxident, total suspended solids, oil and grease, whole effluent toxicity and pH, as well as monitoring of total phosphorus, priority pollutants, temperature and effluent flow. Contained in the permit is a schedule of compliance requiring the permittee to either provide KDHE with a "No Exposure Certificate" or prepare an acceptable Stormwater Pollution Prevention Plan. 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.

Name and Address of Applicant Viola, City of P.O. Box 302 Viola, KS 67149 Receiving Stream Ninnescah River via Unnamed Tributary

Type of Discharge Treated Domestic Wastewater

Federal Permit No. KS0027880

Legal Description: SE<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>, S33, T29S, R3W, Sedgwick County Facility Description: The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an upgraded facility. The facility is being enlarged with the addition of a third cell, and design flow will increased from 0.0187 MGD to 0.0511 MGD. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring of ammonia, E. coli, chlorides and pH. Contained in the permit is a schedule of compliance requiring the permittee to complete construction of the upgrades to the facility by October 1, 2010. The proposed permit will allow a measurable increase in certain pollutant parameters above existing water quality, but not above concentrations necessary to maintain existing and designated uses and to protect designated critical habitat for threatened and endangered species. 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.

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 October 31 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-09-245/252, KS-Q-09-161/165) 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.kdheks.gov/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. 037572

Kansas Permit No. M-AR90-OO01

(Published in the Kansas Register October 1, 2009.)

#### City of Towanda, Kansas

### Notice of Intent to Seek Private Placement \$68,000

#### General Obligation Bonds, Series B, 2009

Notice is hereby given that the city of Towanda, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$68,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds and the passage of an ordinance and adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Paul Erickson City Clerk

Doc. No. 037577

#### State of Kansas

## Department of Administration Division of Purchases

#### **Notice to Bidders**

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

10/13/2009	12563	UPS Materials
10/13/2009	12564	Mechanical Additions and
		Renovations
10/13/2009	12566	Furnish and Install HVAC Units
10/13/2009	12569	Elevator Installation
10/20/2009	12561	Diplomas and Cases
10/22/2009	12545	Substance Abuse Recovery
		Program
10/22/2009	12549	Spectrometer, Plasma Mass
10/28/2009	10713	Information Technology Services,
		Master Contract Groups 5, 6, 7,
		& 8
10/30/2009	12550	Laboratory Equipment
		Maintenance

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/.

10/22/2009 A-010997 Ward Hall Room 114 Improvements, Kansas State University, Manhattan

> Chris Howe Director of Purchases

State of Kansas

#### Children's Cabinet and Trust Fund

#### **Notice of Meeting**

The Kansas Children's Cabinet and Trust Fund will conduct a board meeting from 9 a.m. to 1 p.m. Wednesday, October 14, at the Maner Conference Center, Pioneer Room, 1717 S.W. Topeka Blvd., Topeka. For more information, contact Dyogga Adegbore, Program Consultant, at (785) 368-7044.

Jim Redmon Executive Director

Doc. No. 037564

#### State of Kansas

#### Board of Indigents' Defense Services

### Permanent Administrative Regulations

#### Article 11.—REIMBURSEMENT FROM DEFENDANT

**105-11-1.** Defendant reimbursement of attorney fees. The document titled "attorney cost reimbursement tables: assigned counsel and public defender," as revised by the state board of indigents' defense services on June 5, 2009, is hereby adopted by reference. (Authorized by K.S.A. 22-4504; implementing K.S.A. 22-4522 (e); effective, T-105-10-3-05, Oct. 3, 2005; effective Feb. 17, 2006; amended, T-105-7-5-06, July 5, 2006; amended Nov. 13, 2006; amended, T-105-7-26-07, July 26, 2007; amended Nov. 26, 2007; amended, T-105-8-12-08, Aug. 12, 2008; amended Dec. 29, 2008; amended T-105-6-26-09, June 26, 2009; amended Oct. 16, 2009.)

Patricia A. Scalia Executive Director

Doc. No. 037567

#### State of Kansas

#### **Racing and Gaming Commission**

Permanent Administrative Regulations

### Article 104.—MINIMUM INTERNAL CONTROL SYSTEM

**112-104-34.** Physical key controls; automated key controls. (a) "Sensitive keys" shall mean those unlocking devices designated by the Kansas lottery, a facility manager, or the commission as important to preserving the security of the facility manager's business. Each facility manager shall control the storage, duplication, custody, issuance, and return of sensitive keys. The sensitive key box may be stored in each facility manager's accounting department. At a minimum, the following keys shall be deemed sensitive keys:

- (1) The EGM belly glass key;
- (2) the tip box key, sometimes called a "toke box" key;
- (3) the accounting or audit box key.

- (b) Sensitive keys may be further designated as "critical." Critical keys shall mean those unlocking devices that shall be maintained in a dual-lock box. If a critical key is lost or becomes missing, all locks that the key fits shall be changed within 24 hours. At a minimum, the following keys shall be deemed critical keys:
  - (1) The EGM central processing unit key;
  - (2) the EGM main door key;
  - (3) the EGM drop door key;
  - (4) the bill validator door and box release key;
  - (5) the bill validator contents key;
  - (6) the jackpot or EGM reimpressment kiosk keys;
  - (7) the self-redemption or bill breaker kiosk keys;
  - (8) the change cart key;
  - (9) the key for each table game's drop box;
  - (10) the key for the table game drop box release;
- (11) the keys for the bill validator and table drop storage cart;
  - (12) the key for each table game's chip bank cover;
  - (13) the key for each table game's chip tray;
  - (14) the key for each progressive game's controller;
  - (15) the key for each progressive game's reset switch;
  - (16) the keys for the reserve chip storage;
  - (17) the keys for the card and dice storage area;
  - (18) the keys for the secondary chip storage area;
- (19) the access door key to any cage, EGM bank, or redemption booth;
- (20) the window key to any cage, EGM bank, or redemption booth;
  - $(2\overline{1})$  the keys to the vault;
  - (22) the keys to the soft count room; and
- (23) any key not listed in this subsection that controls access to any cash or chip storage area.
- (c) If a facility manager chooses to use rings to maintain its keys, each key on the ring shall be individually identified on a key access list.
- (d) Each facility manager's internal control system shall include the following information:
- (1) The location of each sensitive key and critical key box:
- (2) each employee or contract job title that is authorized to access the sensitive key or critical key boxes;
- (3) the procedure for issuing and controlling the keys for the sensitive key or critical key boxes;
- (4) the sensitive key or critical key names, location, and persons authorized to sign out each sensitive key or critical key;
- (5) the location and custodian of each duplicate sensitive key; and
  - (6) continuous surveillance coverage of each key box.
- (e) If a facility manager chooses to use an automated key control system, the facility manager's internal control system shall include the following information:
- (1) A description of the automated system and its configuration, including how access is controlled;
- (2) the system's ability to provide scheduled and ondemand reports for a complete audit trail of all access, including the following:
  - (A) The identity of the key box;
  - (B) the identity of the employee;
  - (C) the identity of the keys;
  - (D) the date and time a key was removed;

- (E) the date and time a key was returned;
- (F) any unauthorized attempts to access the key box; and
- (G) all entries, changes, or deletions in the system and the name of the employee performing the entry, change, or deletion;
- (3) the employee position that is in charge of any automated key control system;
- (4) each employee position that is authorized to enter, modify, and delete any keys;
- (5) each employee position that is authorized to access the system;
- (6) details about the alarms being used to signal for the following events:
  - (A) Overdue keys;
  - (B) open key box doors;
  - (C) unauthorized attempts to access; and
  - (D) any other unusual activities;
  - (7) any system override procedures; and
- (8) a procedure for the notification of a commission security agent on duty if a partial or complete system failure occurs.
- (f) Each individual authorized to access keys in the automated system shall have the authorization noted in the employee's personnel file.
- (g) Each change to the list of authorized employees that have access to the automated keys shall be updated within 72 hours of the change. (Authorized by and implementing K.S.A. 2008 Supp. 74-8772; effective Oct. 16, 2009.)
- **112-104-35.** Key control procedures. (a) Each facility manager's internal controls for keys shall include a key box custodian. Each custodian of a sensitive key box or critical key box shall be issued a sensitive key or critical key access list that notes the authorized employee positions that may access each sensitive key or critical key.
- (b) If two keys are required to access a controlled area, then the keys shall be issued to different employees and each key shall be individually signed out of the key access list.
- (c) Each key that requires issuance under security or management escort shall be identified as such in the sensitive key or critical key access list. (Authorized by and implementing K.S.A. 2008 Supp. 74-8772; effective Oct. 16, 2009.)
- **112-104-36.** Key access list. (a) Each facility manager shall maintain a current and accurate key access list for each sensitive key or critical key. Each facility manager shall provide a copy of the key access list to the commission's director of security. The key access list shall include the following details:
  - (1) The name of the key;
  - (2) the storage location of the key;
  - (3) the name of the custodian of the key;
  - (4) the quantity of the keys;
- (5) the title of each employee authorized to remove the key; and
- (6) any escort requirements and specific limitations to key access.
- (b) The custodian of duplicate keys shall maintain a key access list documenting the following information:

- (1) The name of the keys;
- (2) the identification number assigned to the key;
- (3) the employee positions that are authorized to remove a key; and
  - (4) any escort requirements for each key's use.
- (c) The internal control system for keys shall indicate which employees have the authority to make changes, deletions, or additions to the sensitive key and critical key access lists. (Authorized by and implementing K.S.A. 2008 Supp. 74-8772; effective Oct. 16, 2009.)
- **112-104-37. Key log.** (a) Any sensitive key or critical key may be issued only after completion of a sensitive key or critical key log. The key log shall include the following information:
  - (1) The date the key was issued or returned;
  - (2) the key number;
- (3) the individual or automated key box issuing the key;
  - (4) the individual receiving the key;
  - (5) the time the key was signed out or removed;
  - (6) the time the key was signed in;
  - (7) the individual returning the key; and
- (8) the individual or automated key box receiving the returned key.
- (b) Each individual who signs out a sensitive key or a critical key shall maintain custody of the key until the key is returned to the sensitive key or the critical key box. Keys may be passed only to count team leads and distributed to other count team members during bill validator drops and EGM drops. In the event of an emergency, illness, or injury rendering the individual incapable of returning the key, a supervisor may return the key with a notation on the sensitive key log.
- (c) Upon completion, sensitive key or critical key logs shall be forwarded at intervals specified by the facility manager to the accounting or internal audit department, where the logs shall be reviewed and retained. If any discrepancies are found in the key logs, the security or internal auditing department shall begin an investigation and document the discrepancy.
- (d) Each facility manager shall maintain a duplicate key inventory log documenting the current issuance, receipt, and inventory of all duplicate sensitive keys. The duplicate key inventory log shall include the following information:
- (1) The date and time of the key issuance, receipt, or inventory;
  - (2) each key name;
  - (3) each key number;
  - (4) the number of keys in beginning inventory;
  - (5) the number of keys added or removed;
  - (6) the number of keys in ending inventory;
  - (7) the reason for adding or removing keys; and
- (8) the signatures of the two individuals accessing the box. (Authorized by and implementing K.S.A. 2008 Supp. 74-8772; effective Oct. 16, 2009.)
- **112-104-38.** Broken, lost, or missing keys. (a) The internal control system shall include procedures for the following if a critical key or sensitive key is broken:
- (1) The name of the employee required to receive and replace the broken key;

- (2) disposition of the broken key; and
- (3) notification to a commission agent on duty.
- (b) An inventory of duplicate keys shall be maintained in such quantity that there is always at least one duplicate key in inventory for each critical key or sensitive key.
- (c) The internal control system shall include procedures to be followed when a sensitive key or critical key is lost, missing, or taken from the premises.
- (d) The internal control system shall include procedures for investigating and reporting missing critical keys or sensitive keys. The commission agent on duty shall be notified upon discovery that any sensitive keys or critical keys are missing. (Authorized by and implementing K.S.A. 2008 Supp. 74-8772; effective Oct. 16, 2009.)
- **112-104-39.** Corrections to forms. (a) Monetary corrections to a figure originally recorded on a form may be made only in ink by performing the following:
  - (1) Crossing out the error;
  - (2) entering the correct figure; and
- (3) obtaining the initials of the employee making the change and the initials of the employee's supervisor.
- (b) Each nonmonetary correction to a form shall be initialed by the employee making the correction.
- (c) Each form that is not prenumbered shall be maintained and controlled by the applicable department manager. (Authorized by and implementing K.S.A. 2008 Supp. 74-8772; effective Oct. 16, 2009.)
- **112-104-40.** Manual form dispensers. (a) Each facility manager's accounting or security department shall be responsible for loading and unloading any locked manual form dispenser. Each form unloaded from the dispenser shall be delivered directly to the accounting department.
- (b) If the manual form dispenser jams, an employee from the accounting department or security department shall clear the jam and relock the manual form dispenser.
- (c) If a facility manager uses a manual form dispenser, then the dispenser shall be configured to dispense a single form at a time, with undispensed forms kept in continuous order
- (d) Manual form dispensers shall be used to control the following manual forms:
  - (1) Table fill slips;
  - (2) table credit slips; and
- (3) EGM hand-paid jackpot payout forms. (Authorized by and implementing K.S.A. 2008 Supp. 74-8772; effective Oct. 16, 2009.)
- **112-104-41.** Forms; description. (a) Each facility manager shall maintain a supply of all forms listed in subsection (b) and any additional forms that the manager deems necessary to manage the facility. Each facility manager's internal control submission shall include an index of all forms that the manager may use.
- (b) The following forms shall be a part of each facility manager's minimum internal controls:
  - (1) Inventory ledgers for the following:
  - (A) Date of receipt, count, or issuance of cards or dice;
  - (B) quantity of cards and dice received or issued; and
  - (C) balance of cards or dice inventory on hand;

- (2) a log for card or dice pickup and either cancellation or destruction, including the following details:
  - (A) The date of the form's preparation;
- (B) the date and time of cancellation or destruction of the cards or dice;
- (C) the quantity of cards and dice picked up, canceled, or destroyed; and
  - (D) all required signatures;
- (3) a card or dice storage log for the pit area, including the following details:
  - (A) The date of each entry on the log;
- (B) the quantity and description of all cards and dice placed in the compartment;
- (C) the quantity and description of all cards and dice removed from the compartment;
- (D) the current number of each design and color combination of cards and dice; and
  - (E) each daily verification of the current inventory;
- (4) a cashier's cage or vault count sheet, including the following details:
  - (A) The date and time of completion of the count sheet;
  - (B) the location of the cashier's cage;
- (C) the amount of each type and denomination of funds;
  - (D) the actual count total or closing inventory;
  - (E) the accountability total;
  - (F) the amount of overages or shortages; and
- (G) each signature required by these regulations for the count sheet;
- (5) a cashier's cage multiple-transaction log, including the following details:
- (A) The location of the cashier's cage or bank where the cash transactions occurred;
  - (B) the date of the multiple-transaction log;
- (C) the full name of any patron making multiple transactions, if provided by the patron, or a description to help identify the patron if the patron refuses to provide a name. Each description shall include weight, height, hair color, and any other observed distinguishing features;
  - (D) the total cash transaction amount; and
- (E) the transaction type. The transaction types shall be the following:
- (i) Cash-outs, including cashing personal checks and travelers checks;
- (ii) chip redemptions. The gaming location shall be included in the comments column;
  - (iii) deposits for safekeeping;
- (iv) deposits out when withdrawing a safekeeping deposit; and
- (v) any other transactions not listed in paragraphs (b)(5)(E)(i) through (iv), including each cash transaction payment of EGM jackpots and each exchange of currency for currency;
  - (F) the time of the transaction;
- (G) the signature and commission license number of the employee logging the transaction;
- (H) any observed information that would be useful in identifying the patron or explaining the transaction;
- (I) the supervisor's signature. The supervisor's signature shall acknowledge the following items:
- (i) That the supervisor has reviewed the log and, to the best of the supervisor's knowledge, all cash transactions of \$500 or more have been properly recorded; and

- (ii) that all currency transaction reports have been properly completed for all single cash transactions and series of multiple cash transactions in excess of \$10,000; and
- (J) the page number and total pages of the log for the gaming day;
- (6) a chip inventory ledger, including the following details:
  - (A) The date of receipt, issuance, and destruction;
- (B) the number of each denomination of chips received, issued, or destroyed;
- (C) the dollar amount of each denomination of value chips, as defined in K.A.R. 112-108-1, received, issued, or destroyed;
- (D) the number and description of non-value chips received, issued, or destroyed;
  - (E) any required signatures; and
- (F) the identification of any primary chips held in reserve with the word "reserve";
- (7) a safekeeping deposit or withdrawal form, including the following details:
  - (A) Preprinted numbering on all copies;
- (B) the name and signature of the patron making the deposit;
  - (C) the date of each deposit or withdrawal;
  - (D) the amount of each deposit or withdrawal;
  - (E) the type of deposit or withdrawal;
  - (F) the reason for the deposit or withdrawal; and
  - (G) any required signatures;
- (8) a duplicate key inventory log, including the following details:
  - (A) The date and time of the log's completion;
  - (B) the key name;
  - (C) the key number;
  - (D) the number of keys in beginning inventory;
  - (E) the number of keys added or removed;
  - (F) the number of keys in ending inventory;
  - (G) the reason for adding or removing keys; and
- (H) the required signatures of the two individuals accessing the box;
- (9) a tips and gratuity deposit form, including the following details:
  - (A) The date of completion of the form;
  - (B) the number of chips listed by denomination;
  - (C) the total number of all denominations; and
  - (D) all required signatures;
- (10) a temporary bank voucher, including the following details:
  - (A) The date and time of the voucher's completion;
  - (B) the location of the temporary bank;
  - (C) the amount of funds issued;
- (D) the signature from the main bank cashier who is issuing the funds;
  - (E) the signature of the individual receiving funds;
  - (F) the signature of the individual returning funds; and
- (G) the signature of the main bank cashier receiving returned funds;
- (11) a duplication of any critical program storage media log. "Critical program storage media" and "CPSM" shall mean any media storage device containing data, files, or programs, as determined by the commission, that

are capable of affecting the integrity of gaming. The duplicate CPSM log shall include the following details:

- (A) The date of completion of the form;
- (B) the manufacturer of the chip;
- (C) the program number;
- (D) any personnel involved; and
- (E) the disposition of any permanently removed CPSM;
- (12) an EGM drop compartment sweeps log, including the following details:
  - (A) Each EGM number and location;
  - (B) the date and time of the drop;
- (C) the signature of each employee performing the sweep; and
- (D) the signature of the supervisor overseeing the drop;
- (13) an EGM drop or win report, including the following details:
  - (A) The gaming date;
  - (B) the amount wrapped by denomination and totaled;
  - (C) the dollar value difference by denomination;
- (D) the percentage variance difference by denomination;
  - (E) the total jackpot payouts;
  - (F) the total drop by denomination;
  - (G) the total drop of all denominations;
  - (H) the net win or loss by denomination and total; and
  - (I) all required signatures;
- (14) an EGM entry access log, including the following details:
  - (A) The EGM number and location;
  - (B) the date and time of the EGM access;
  - (C) the reason for entry; and
  - (D) all required signatures;
- (15) an EGM hand-paid jackpot form, including the following details:
  - (A) The date and time of completion of the form;
- (B) an EGM number that required hand payment and the location and denomination of the payment;
  - (C) the amount of jackpot;
- (D) the reel symbols on each EGM jackpot requiring hand payment; and
  - (E) all required signatures;
- (16) an EGM sweeps log, including the following details:
  - (A) Each EGM number and location;
  - (B) the date and time of the EGM sweep;
- (C) the signature of each employee performing the sweep; and
- (D) the signature of the supervisor overseeing the sweep:
- (17) an even exchange slip, including the following details:
  - (A) The date, time, and location of the exchange;
  - (B) the amounts to be exchanged by type;
  - (C) the amounts to be changed for;
  - (D) all required signatures; and
  - (E) the total amount exchanged;
- (18) each cage or bank variance slip, including the following details:
  - (A) The date and time of completion of the slip;
  - (B) the location of the bank;

- (C) the amount of overage or shortage; and
- (D) all required signatures;
- (19) ingress or egress logs for the count rooms, surveillance rooms, and cages, including the following details:
  - (A) The date and time of each ingress or egress;
- (B) the printed name of each person entering or leaving;
  - (C) the room entered or left;
  - (D) the reason for entry; and
  - (E) all required signatures;
- (20) a main bank or vault accountability log, including the following details:
  - (A) The date and shift that the accounting was made;
  - (B) the opening balance;
- (C) the amount of each type of accountability transaction:
- (D) detail of the total main bank or vault inventory, including the inventory of the following:
  - (i) Currency;
  - (ii) coin;
  - (iii) chips;
  - (iv) safekeeping deposits; and
  - (v) any unclaimed property account;
  - (E) the total main bank or vault inventory;
  - (F) all overages and shortages;
  - (G) the closing balance; and
  - (H) all required signatures;
- (21) a master gaming report, including the following details:
  - (A) The gaming date;
  - (B) the game and table number;
  - (C) the opening table inventory slip;
  - (D) the total fill slips;
  - (E) the total credit slips;
  - (F) the closing table inventory slip;
  - (G) the total drop per table;
  - (H) the overall totals by game;
  - (I) the total win or loss; and
  - (J) all required signatures;
- (22) a RAM clearing slip, including the following details:
  - (A) The date and time that the RAM was cleared;
- (B) an EGM number, the location, and the number of credits played before the RAM clearing occurred;
  - (C) the current reel positions or video displays;
  - (D) the previous two reel positions or video displays;
- (E) the actual meter readings of the internal hard and soft meters;
  - (F) the progressive jackpot display, if linked;
  - (G) the reason for RAM clear; and
  - (H) all required signatures;
- (23) the returned check log, including the following details:
- (A) The name and address of each person who presented the check that was subsequently returned;
  - (B) the date of the check;
  - (C) the amount of the check;
  - (D) the check number;
- (E) the date the facility manager received notification from a financial institution that the check was not accepted; and

- (F) the dates and amounts of any payments received on the check after being returned by a financial institution;
  - (24) a sensitive key log, including the following:
  - (A) The date the key activity occurred;
  - (B) the key number;
- (C) the individual or automated key box issuing the key;
  - (D) the name of the individual receiving the key;
  - (E) the time the key was signed out;
  - (F) the time the key was signed in;
  - (G) the individual returning the key; and
- (H) the individual or automated key box receiving the returned key;
- (25) a signature authorization list, including the following details for each employee listed:
  - (A) The employee's hire date;
  - (B) the employee's name;
  - (C) the department;
  - (D) the position;
  - (E) the license number;
  - (F) the employee's initials as on a signature card; and
- (G) the employee's signature, with at least the first initial and last name;
- (26) a surveillance incident report, including the following details:
  - (A) The date and incident report number;
  - (B) the time and location of the incident;
- (C) the name and address of each witness and subject involved in the incident, if known;
  - (D) a detailed narrative of the incident;
- (E) an identification of any videotape covering the incident;
  - (F) the final disposition of the incident; and
  - (G) all required signatures;
- (27) a surveillance shift log, including the following details:
  - (A) The date that the entry is being made;
- (B) the time of and duration, description, and location of all unusual occurrences observed;
- (C) a listing of any surveillance issues, including the following:
- (i) Equipment malfunctions related to other logged events or activities;
  - (ii) completed tapes;
  - (iii) still photograph requests; and
  - (D) required signatures;
- (28) a surveillance tape release log, including the following details:
  - (A) The tape number;
  - (B) the date and time of release;
  - (C) the printed name, department, or agency;
- (D) a notation indicating whether the tape is a duplicate or original;
  - (E) an authorization notation;
  - (F) an "issued by and to" notation; and
  - (G) all required signatures;
- (29) a surveillance tape retention log, including the following details:
  - (A) The date and time of the tape retention activity;
  - (B) the tape number being retained;

- (C) a description of the activity recorded and the recording mode; and
  - (D) all required signatures;
- (30) a table credit slip, if applicable, including the following details:
- (A) The date, pit, game or table number, and time of the table credit activity;
- (B) the amount of each denomination of chips to be credited;
- (C) the total amount of all denominations to be credited; and
  - (D) all required signatures;
  - (31) a table fill slip, including the following details:
- (A) The date, pit, game or table number, and time of the table fill activity;
- (B) the amount of each denomination of chips to be distributed;
- (C) the total amount of all denominations to be distributed; and
  - (D) all required signatures;
- (32) a table inventory slip, including the following details:
  - (A) The date and shift;
  - (B) the game and table number;
- (C) the total value of each denomination of chips remaining at the table;
  - (D) the total value of all denominations; and
  - (E) all required signatures;
- (33) a table soft count slip or currency counter machine tape, including the following details:
- (A) The date of the soft count or printing of the machine tape;
  - (B) the table game and number;
  - (C) the box contents by denomination;
  - (D) the total of all denominations; and
  - (E) all required signatures;
- (34) a wide-area progressive secondary jackpot slip, including the following details:
- (A) The date and time of the wide-area progressive secondary jackpot;
  - (B) an EGM number, location, and denomination;
- (C) the amount of the jackpot in alpha and numeric description;
  - (D) the reel symbols and number of credits played;
  - (E) all required signatures; and
  - (F) the game type;
- (35) a security incident report, including the following details:
  - (A) The incident report number;
  - (B) the date and time of the incident;
  - (C) the location of the incident;
  - (D) the type of incident;
- (E) the names and addresses of any witnesses and subjects involved in the incident, if known;
  - (F) a detailed narrative of the incident;
- (G) the identification of videotape covering the incident, if applicable; and
  - (H) all required signatures;
- (36) a security incident log, including the following details:
  - (A) The date of the daily log;
  - (B) the time of the incident;

- (C) the incident report number;
- (D) the name of the reporting security department employee and the employee's commission license number; and
  - (E) the summary of the incident;
- (37) a visitor or vendor log, including the following details:
  - (A) The date of the visitor's or vendor's visit;
  - (B) the printed name;
  - (C) the company;
  - (D) the time in and time out;
  - (E) the type of badge and the badge number;
  - (F) the reason for entry; and
  - (G) all required signatures;
  - (38) a key access list, including the following details:
  - (A) The name of the key;
  - (B) the location of the key;
  - (C) the custodian of the key;
  - (D) the quantity of the keys; and
- (E) the job titles authorized to sign out the key and, if applicable, any escort requirements and specific limitations;
- (39) a table games variance slip, including the following details:
  - (A) The gaming date;
  - (B) the game or table number;
  - (C) the shift;
  - (D) a description of the discrepancy found; and
  - (E) all required signatures;
- (40) an inventory log of prenumbered forms, including the following details:
  - (A) The name of the prenumbered form;
  - (B) the date received or issued;
  - (C) the quantity received or issued;
  - (D) the number sequence of forms received or issued;
- (E) the name of each department to which forms were issued; and
- (F) all required signatures and commission license numbers;
  - (41) a gift log, including the following details:
  - (A) The name of the gift recipient;
  - (B) the gift donor;
  - (C) a description and value of the gift; and
  - (D) the date the gift was received;
  - (42) a safekeeping log, including the following details:
  - (A) The date of deposit or withdrawal;
  - (B) the name of the patron;
  - (C) the dollar amount of deposit or withdrawal;
  - (D) the type of deposit or withdrawal; and
  - (E) the total balance of all deposits;
- (43) a card or dice discrepancy report, including the following details:
  - (A) The date and time of the noted discrepancy;
  - (B) the location;
  - (C) a description of the discrepancy found; and
  - (D) all required signatures;
- (44) a remote access log, including the following details:
  - (A) The access start date and time;
  - (B) the access end date and time;
  - (C) the reason for the remote access; and
  - (D) the person making access;

- (45) a personnel access list, including the following details:
  - (A) The employee name;
  - (B) the license number; and
- (C) all authorized functions the employee may perform;
  - (46) a redemption log, including the following details:
  - (A) The date the claim is being made;
  - (B) the dollar value of each item received by mail;
  - (C) the check number;
  - (D) the patron's name and address; and
- (E) the signature of the employee performing the transaction;
- (47) a currency cassette log, including the following details:
  - (A) The date of the currency cassette log;
  - (B) the time of the currency cassette log;
  - (C) the tamper-resistant seal number;
  - (D) the unique cassette number;
  - (E) the amount of cash in the cassette;
  - (F) the denomination of currency in the cassette; and
- (G) the signature of the main bank cashier who prepared the cassette; and
- (48) a table games jackpot slip, including the following details:
  - (A) The date of the table game jackpot;
  - (B) the time of the table game jackpot;
- (C) the amount of winnings in alpha and numeric description;
  - (D) the table game number;
  - (E) the type of jackpot;
  - (F) the player's name;
  - (G) the signature of the cashier;
  - (H) the signature of the dealer;
  - (I) the signature of the table games supervisor; and
- (j) the signature of the security officer escorting the funds; and
- (49) a meter-reading comparison report, including the following details:
  - (A) The date of the meter-reading comparison report;
  - (B) the asset number;
  - (C) the beginning and ending credits played;
  - (D) the beginning and ending credits paid;
- (E) the beginning and ending amount-to-drop, if applicable;
  - (F) the beginning and ending jackpots paid;
- (G) the difference between the beginning and ending amount for all meters;
  - (H) the variance between the meters, if any; and
- (I) the signature of an accounting department employee. (Authorized by and implementing K.S.A. 2008 Supp. 74-8772; effective Oct. 16, 2009.)

Stephen L. Martino Executive Director

#### Kansas Health Policy Authority

### Permanent Administrative Regulations

# Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REIMBURSEMENTS FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM

- **129-5-78.** Scope of and reimbursement for homeand community-based services for persons with traumatic brain injury. (a) The scope of allowable home- and community-based services (HCBS) for persons with traumatic brain injury shall consist of those services authorized by the applicable federally approved waiver to the Kansas medicaid state plan. Recipients of services provided pursuant to this waiver shall be required to show the capacity to make progress in their rehabilitation and independent living skills.
- (b) The need for HCBS shall be determined by an individualized assessment of the prospective recipient by a provider enrolled in the program. HCBS shall be provided only in accordance with a plan of care written by a case manager.
- (c) HCBS, which shall require prior authorization by the Kansas medicaid HCBS program manager, may include one or more of the following:
- (1) Rehabilitation therapies, which may consist of any of the following:

- (A) Occupational therapy;
- (B) physical therapy;
- (C) speech-language therapy;
- (D) cognitive rehabilitation; or
- (E) behavioral therapy;
- (2) personal services;
- (3) medical equipment, supplies, and home modification not otherwise covered under the Kansas medicaid state plan;
  - (4) sleep-cycle support services;
- (5) a personal emergency response system and its installation; or
- (6) provision of or education on transitional living skills.
- (d) Case management services up to a maximum of 160 hours each calendar year, which may be exceeded only with prior authorization by the Kansas medicaid HCBS program manager, shall be provided to all HCBS recipients under the traumatic brain injury program.
- (e) The fee allowed for home- and community-based services for persons with traumatic brain injury shall be the provider's usual and customary charges, except that no fee shall be paid in excess of the waiver's range maximum. (Authorized by K.S.A. 2008 Supp. 75-7403 and 75-7412; implementing K.S.A. 2008 Supp. 75-7405 and 75-7408; effective July 18, 2008; amended Oct. 16, 2009.)

Andy Allison, Ph.D. Acting Executive Director

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11-6-6 11-12-1 11-12-2 11-12-3 11-12-4 11-12-6 AGENCY I Reg. No. 14-8-6 14-8-7 14-8-8	Amended Amended Amended Amended Amended 14: DEPARTMI DIVISION OF A BEVERAGE C Action Revoked Amended Revoked	V. 27, p. 1374 V. 27, p. 1375 V. 27, p. 1375 V. 27, p. 1376 V. 27, p. 1377 V. 27, p. 1377 ENT OF REVENUE— LCOHOLIC ONTROL  Register V. 27, p. 1214 V. 27, p. 1214 V. 27, p. 1214	28-1-20 28-4-117 28-4-120 28-4-121 28-4-312 28-4-311 28-4-312 through 28-4-30 28-4-800 through 28-4-825 28-4-1200 through	Amended Amended Amended New Amended Amended Revoked Amended	V. 27, p. 989 V. 27, p. 990 V. 27, p. 990 V. 27, p. 990 V. 27, p. 317 V. 27, p. 317 V. 27, p. 317 V. 27, p. 317, 318 V. 27, p. 991 V. 27, p. 318-334	30-46-17 30-63-32 30-64-24 <b>AGEI</b> <b>Reg. No.</b> 40-1-37 40-1-48 40-2-28 40-3-30 40-3-52 40-4-35 40-4-36 40-4-37v 40-4-41 40-4-41a	Amended New Revoked NCY 40: KANS. DEPART! Action Amended Amended New Amended New Amended Amended Amended	V. 28, p. 967 V. 27, p. 664 V. 27, p. 665 AS INSURANCE MENT Register V. 28, p. 966 V. 27, p. 1709 V. 28, p. 273 V. 28, p. 112 V. 27, p. 133 V. 28, p. 915 V. 28, p. 1252
11-6-6 11-12-1 11-12-2 11-12-3 11-12-4 11-12-6 AGENCY I Reg. No. 14-8-6 14-8-7 14-8-8 14-8-12 14-17-7	Amended Amended Amended Amended Amended 14: DEPARTMI DIVISION OF A BEVERAGE C Action Revoked Amended Revoked Revoked New GENCY 17: OFF	V. 27, p. 1374 V. 27, p. 1375 V. 27, p. 1375 V. 27, p. 1376 V. 27, p. 1377 V. 27, p. 1377 ENT OF REVENUE— LCOHOLIC ONTROL  Register V. 27, p. 1214	28-1-20 28-4-117 28-4-120 28-4-121 28-4-311 28-4-312 through 28-4-317 28-4-430 28-4-800 through 28-4-825 28-4-1200 through 28-4-1218	Amended Amended Amended New Amended Amended Revoked Amended	V. 27, p. 989 V. 27, p. 990 V. 27, p. 990 V. 27, p. 990 V. 27, p. 317 V. 27, p. 317 V. 27, p. 317	30-46-17 30-63-32 30-64-24 <b>AGEI</b> <b>Reg. No.</b> 40-1-37 40-1-48 40-2-28 40-3-30 40-3-52 40-4-35 40-4-37 40-4-41 40-4-41a through	Amended New Revoked NCY 40: KANS. DEPART! Action Amended Amended New Amended New Amended Amended New Amended Amended Amended Amended Amended Amended Amended	V. 28, p. 967 V. 27, p. 664 V. 27, p. 665  AS INSURANCE MENT  Register V. 28, p. 966 V. 27, p. 1709 V. 28, p. 273 V. 28, p. 112 V. 27, p. 133 V. 28, p. 1915 V. 28, p. 1252 V. 28, p. 643 V. 27, p. 434
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11-6-6 11-12-1 11-12-2 11-12-3 11-12-4 11-12-6 AGENCY I Reg. No. 14-8-6 14-8-7 14-8-8 14-8-12 14-17-7 A	Amended Amended Amended Amended Amended 14: DEPARTMI DIVISION OF A BEVERAGE C Action Revoked Amended Revoked Revoked Revoked New GENCY 17: OFF ATE BANK COM	V. 27, p. 1374 V. 27, p. 1375 V. 27, p. 1375 V. 27, p. 1376 V. 27, p. 1377 V. 27, p. 1377 ENT OF REVENUE— LCOHOLIC ONTROL  Register V. 27, p. 1214	28-1-20 28-4-117 28-4-120 28-4-121 28-4-312 28-4-311 28-4-312 through 28-4-300 through 28-4-800 through 28-4-1218 28-16-28g 28-23-16 28-32-1 28-32-2	Amended Amended New Amended Amended Revoked Amended New New New Amended Revoked Revoked Revoked Revoked	V. 27, p. 989 V. 27, p. 990 V. 27, p. 990 V. 27, p. 990 V. 27, p. 317 V. 27, p. 317 V. 27, p. 317 V. 27, p. 318 V. 27, p. 991 V. 27, p. 318-334 V. 28, p. 1426-1437 V. 27, p. 779 V. 27, p. 191 V. 27, p. 247 V. 27, p. 247	30-46-17 30-63-32 30-64-24 <b>AGEI</b> <b>Reg. No.</b> 40-1-37 40-1-48 40-2-28 40-3-30 40-3-52 40-4-35 40-4-37v 40-4-41 40-4-41a through 40-4-41j 40-7-20a	Amended New Revoked NCY 40: KANS. DEPARTY Action Amended Amended New Amended New Amended New Amended Amended Amended Amended New Amended Revoked Amended	V. 28, p. 967 V. 27, p. 664 V. 27, p. 665  AS INSURANCE MENT  Register V. 28, p. 966 V. 27, p. 1709 V. 28, p. 273 V. 28, p. 112 V. 27, p. 133 V. 28, p. 112 V. 27, p. 133 V. 28, p. 1252 V. 28, p. 643 V. 27, p. 434  V. 27, p. 434, 435 V. 28, p. 604  ARTMENT OF
11-6-6 11-12-1 11-12-2 11-12-3 11-12-4 11-12-6 AGENCY I Reg. No. 14-8-6 14-8-7 14-8-8 14-8-12 14-17-7 A ST. Reg. No. 17-24-2 17-24-3	Amended Amended Amended Amended Amended 14: DEPARTMI DIVISION OF A BEVERAGE C Action Revoked Amended Revoked Revoked New GENCY 17: OFF ATE BANK COM Action Amended Amended Amended	V. 27, p. 1374 V. 27, p. 1375 V. 27, p. 1375 V. 27, p. 1376 V. 27, p. 1377 V. 27, p. 1377 ENT OF REVENUE— LCOHOLIC ONTROL  Register V. 27, p. 1214 V. 28, p. 1371 V. 28, p. 1371 V. 28, p. 1371	28-1-20 28-4-117 28-4-120 28-4-121 28-4-311 28-4-312 through 28-4-317 28-4-30 through 28-4-825 28-4-1200 through 28-4-1218 28-16-28g 28-23-16 28-32-1 28-32-2 28-32-4	Amended Amended New Amended Amended Revoked Amended New New New Amended Revoked Revoked Revoked Revoked Revoked Revoked	V. 27, p. 989 V. 27, p. 990 V. 27, p. 990 V. 27, p. 990 V. 27, p. 317 V. 27, p. 317 V. 27, p. 317 V. 27, p. 318 V. 27, p. 991 V. 27, p. 318-334 V. 28, p. 1426-1437 V. 27, p. 779 V. 27, p. 191 V. 27, p. 247 V. 27, p. 247 V. 27, p. 247	30-46-17 30-63-32 30-64-24 AGEI Reg. No. 40-1-37 40-1-48 40-2-28 40-3-30 40-3-52 40-4-35 40-4-35 40-4-37v 40-4-41 40-4-41a through 40-4-41j 40-7-20a	Amended New Revoked NCY 40: KANS. DEPARTY Action Amended Amended New Amended New Amended Amended New Amended Amended Amended New Amended Amended Revoked Amended EENCY 44: DEP. CORRECT	V. 28, p. 967 V. 27, p. 664 V. 27, p. 665  AS INSURANCE MENT  Register V. 28, p. 966 V. 27, p. 1709 V. 28, p. 273 V. 28, p. 112 V. 27, p. 133 V. 28, p. 112 V. 27, p. 133 V. 28, p. 1252 V. 28, p. 643 V. 27, p. 434, 435 V. 28, p. 604  ARTMENT OF
11-6-6 11-12-1 11-12-2 11-12-3 11-12-4 11-12-6 AGENCY I Reg. No. 14-8-6 14-8-7 14-8-8 14-8-12 14-17-7 A ST. Reg. No. 17-24-2 17-24-3 17-24-4	Amended Amended Amended Amended Amended Amended 14: DEPARTMI DIVISION OF A BEVERAGE C Action Revoked Amended Revoked Revoked New GENCY 17: OFF ATE BANK COM Action Amended Amended Amended Amended Amended	V. 27, p. 1374 V. 27, p. 1375 V. 27, p. 1375 V. 27, p. 1376 V. 27, p. 1377 V. 27, p. 1377 V. 27, p. 1377 ENT OF REVENUE— LCOHOLIC ONTROL  Register V. 27, p. 1214 V. 28, p. 1371 V. 28, p. 1371 V. 28, p. 1371 V. 28, p. 1371	28-1-20 28-4-117 28-4-120 28-4-121 28-4-311 28-4-312 through 28-4-317 28-4-430 28-4-800 through 28-4-1200 through 28-4-1218 28-16-28g 28-23-16 28-32-1 28-32-2 28-32-6	Amended Amended New Amended Amended Revoked Amended New New New Amended Revoked Revoked Revoked Revoked	V. 27, p. 989 V. 27, p. 990 V. 27, p. 990 V. 27, p. 990 V. 27, p. 990 V. 27, p. 317 V. 27, p. 317 V. 27, p. 317 V. 27, p. 318 V. 27, p. 318-334 V. 28, p. 1426-1437 V. 27, p. 779 V. 27, p. 779 V. 27, p. 191 V. 27, p. 247	30-46-17 30-63-32 30-64-24 AGEI Reg. No. 40-1-37 40-1-48 40-2-28 40-3-30 40-3-52 40-4-35 40-4-37v 40-4-41 40-4-41a through 40-4-41j 40-7-20a AG	Amended New Revoked NCY 40: KANS. DEPARTY Action Amended Amended New Amended New Amended Amended Amended Amended Amended Revoked Amended ENCY 44: DEP. CORRECT Action	V. 28, p. 967 V. 27, p. 664 V. 27, p. 665  AS INSURANCE MENT  Register V. 28, p. 966 V. 27, p. 1709 V. 28, p. 273 V. 28, p. 112 V. 27, p. 133 V. 28, p. 915 V. 28, p. 1252 V. 28, p. 643 V. 27, p. 434 V. 27, p. 434  V. 27, p. 434, 435 V. 28, p. 604  ARTMENT OF
11-6-6 11-12-1 11-12-2 11-12-3 11-12-4 11-12-6 AGENCY I Reg. No. 14-8-6 14-8-7 14-8-8 14-8-12 14-17-7 A ST. Reg. No. 17-24-2 17-24-3 17-24-4 17-24-5	Amended Amended Amended Amended Amended Amended 14: DEPARTMI DIVISION OF A BEVERAGE C Action Revoked Amended Revoked Revoked New GENCY 17: OFF ATE BANK CON Action Amended Amended Amended Amended Amended Amended New	V. 27, p. 1374 V. 27, p. 1375 V. 27, p. 1375 V. 27, p. 1376 V. 27, p. 1377 V. 27, p. 1377 V. 27, p. 1377 ENT OF REVENUE— LCOHOLIC ONTROL  Register V. 27, p. 1214 V. 28, p. 1371 V. 28, p. 1371 V. 28, p. 1371 V. 28, p. 1371 V. 28, p. 1373	28-1-20 28-4-117 28-4-120 28-4-121 28-4-312 28-4-311 28-4-312 through 28-4-300 through 28-4-800 through 28-4-1218 28-16-28g 28-23-16 28-32-1 28-32-2 28-32-2 28-32-2 28-32-5 28-32-7	Amended Amended New Amended Revoked Amended New New New Amended Revoked Revoked Revoked Revoked Revoked Revoked Revoked Revoked	V. 27, p. 989 V. 27, p. 990 V. 27, p. 990 V. 27, p. 990 V. 27, p. 317 V. 27, p. 317 V. 27, p. 317 V. 27, p. 318 V. 27, p. 991  V. 27, p. 318-334  V. 28, p. 1426-1437 V. 27, p. 779 V. 27, p. 191 V. 27, p. 247	30-46-17 30-63-32 30-64-24 AGEI Reg. No. 40-1-37 40-1-48 40-2-28 40-3-30 40-3-52 40-4-35 40-4-37v 40-4-41 40-4-41a through 40-4-41j 40-7-20a AG Reg. No. 44-6-101	Amended New Revoked NCY 40: KANS. DEPARTY Action Amended Amended New Amended New Amended New Amended New Amended Amended Revoked Amended EENCY 44: DEP. CORRECT Action Amended	V. 28, p. 967 V. 27, p. 664 V. 27, p. 665  AS INSURANCE MENT  Register V. 28, p. 966 V. 27, p. 1709 V. 28, p. 273 V. 28, p. 112 V. 27, p. 133 V. 28, p. 112 V. 27, p. 133 V. 28, p. 1252 V. 28, p. 1252 V. 28, p. 643 V. 27, p. 434  V. 27, p. 434, 435 V. 28, p. 604  ARTMENT OF TIONS  Register V. 27, p. 1126
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49-45-35	Amended	V. 27, p. 1467			V. 28, p. 1187	86-3-19 86-3-30	Amended New (T)	V. 27, p. 1517 V. 27, p. 1091
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POSTAL SERVICE ® (All Periodicals Pu	blications Except Requ	
1. Publication Title	2. Publication Number	3. Filing Date
Kansas Register	0 6 6 2 _ 1 9 0	Sept. 28, 2009
4. Issue Frequency	5. Number of Issues Published Annually	6. Annual Subscription Price
Weekly	52 plus annual index	\$80.00
7. Complete Mailing Address of Known Office of Publication (Not printer) (Street	et, city, county, state, and ZIP+4®)	Contact Person
Kansas Secretary of State, 1st Floor, Memor 120 S.W. 10th Ave., Topeka, Shawnee County,		Nancy Reddy Telephone (Include area code) (785) 296-3489
8. Complete Mailing Address of Headquarters or General Business Office of P	ublisher (Not printer)	(163) 290-3469
same as above		
9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Mana	aging Editor (Do not leave blank)	
Publisher (Name and complete mailing address)		
Ron Thornburgh, Kansas Secretary of State, 120 S.W. 10th Ave., Topeka, KS 66612-1594	lst Floor, Memorial Hall,	
Editor (Name and complete mailing address)		
Nancy R. Reddy, Secretary of State's Office 1st Floor, Memorial Hall, 120 S.W. 10th Ave	, Legal Publications Divis ., Topeka, KS 66612-1594	ion,
Managing Editor (Name and complete mailing address)		
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Kansas Secretary of State	lst Floor, Memorial Hal	1
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12. Tax Status (For completion by nonprofit organizations authorized to mail at The purpose, function, and nonprofit status of this organization and the expectation of the Changed During Preceding 12 Months.    Has Changed During Preceding 12 Months (Publisher must submit expectations)	empt status for federal income tax purposes	
☐ Has Changed During Preceding 12 Months (Publisher must submit exp	nanadon of change with this statement)	

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13. Publication Title			14. Issue Date for Circulation Data Below			
Kan	sas	Registwr	Sept. 24, 2009			
15. Extent and	l Nat	ure of Circulation	Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date		
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b. Paid Circulation (By Mail and	(2)	Mailed In-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	50	45		
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f. Total Distrib	ution	n (Sum of 15c and 15e)	381	290		
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h. Total (Sum	of 15	if and g)	600	500		
i. Percent Pai (15c divided		15f times 100)	61%	71%		
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17. Signature a	nd Ti	tle of Editor, Publisher, Business Manager, or Owner	-	Date		
Nancy	R.	Reddy, Editor Mancy R. K	Reddy	Sept. 28, 2009		
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casebound swinge-hinge binders are manufactured by ABZ Binder. (A swinge-hinge binder has more capacity and allows for easier interfiling than standard ring binders.) The three-inch binder features dark blue supported vinyl covering and gold imprinting, with a label holder on the spine.

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ns 2001-48 through 2001-5¢

### \$15 each, includes shipping and handling.

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

	Clip and mail
Please send	Kansas Register Binders @ \$15 (Note: Kansas residents must include applicable state and local sales tax.)
Total enclosed	Ship to:
Shipping is by U.P.S. Delivery Service— Street address is necessary.	

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

	Use this form or a copy of it to en	nter a subscription:	
	One-year subscription @ \$80 ea. (Kansas residents must include applicable state and local sales tax.)		Rec. No.
Send to:	Total Enclosed (Make check payable to the Kansas Regis	ter)	Exp
(Please, no more than 4 address lines.)		<u></u>	Exp Code
	Zip code must be inc	cluded	
Remov	Use this form or a copy of it to enter a ve your mailing label (above) and affix it here:	Indicate change of name of here:	