



# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 20, No. 26 June 28, 2001 Pages 1039-1070

In this issue . . .	Page
Legislative interim committee schedule.....	1040
<b>State Conservation Commission</b>	
Notice to contractors.....	1041
<b>Legislative Administrative Services</b>	
Request for proposals for desktop and laptop computers.....	1041
<b>Pooled Money Investment Board</b>	
Notice of investment rates.....	1041
<b>Kansas Arts Commission</b>	
Notice of meeting.....	1041
<b>Department of Administration—Division of Architectural Services</b>	
Notice of commencement of negotiations for architectural services.....	1041
<b>Kansas Water Authority</b>	
Notice of meetings.....	1042
<b>Kansas Department of Transportation</b>	
Notices to contractors.....	1042, 1043
Notice of public auction.....	1042
<b>Department of Revenue—Division of Vehicles</b>	
Notice of intent to relocate existing motor vehicle dealer.....	1043
<b>Kansas Department of Health and Environment</b>	
Notice concerning Kansas water pollution control permits.....	1044
Requests for comments on proposed air quality permits.....	1049
Request for comments on proposed construction/demolition landfill permit.....	1050
<b>Department of Administration—Division of Purchases</b>	
Notice to bidders for state purchases.....	1048
<b>City of Wichita</b>	
Notice to bidders.....	1050
<b>Notice of Bond/Note Sale</b>	
City of Salina.....	1051
City of Ramona.....	1052
U.S.D. 402, Butler County.....	1053
City of Toronto.....	1055
U.S.D. 353, Sumner County.....	1056
<b>Department of Human Resources</b>	
Notice of maximum and minimum weekly unemployment benefit amounts.....	1057
<b>Social and Rehabilitation Services and Kansas Department on Aging</b>	
Notice of final nursing facility Medicaid rates.....	1057
<b>Permanent Administrative Regulations</b>	
Department of Wildlife and Parks.....	1061
<b>Index to administrative regulations.....</b>	<b>1064</b>

## State of Kansas

## Legislature

## Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 2-15. 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. When available, agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/klrd.html>.

Date	Room	Time	Committee	Agenda
July 2	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of rules and regs. proposed by the Securities Commissioner, Dept. of Wildlife and Parks, Insurance Commissioner, Dept. of Commerce and Housing, and SRS.
July 10	519-S	10:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	<b>10th:</b> Community corrections; juvenile ombudsman; JJA update; psychotropic drug use at juvenile facilities.
July 11	Lansing	9:00 a.m.		<b>11th:</b> Correctional Industries tour at Lansing.
July 12	313-S	10:00 a.m.	Special Committee on Redistricting	Public hearing—Congressional plans.
July 12	519-S	10:00 a.m.	Joint Committee on Arts and Cultural Resources	Agenda not available.
July 13	519-S	9:00 a.m.		
July 13	514-S	10:00 a.m.	Joint Committee on State-Tribal Relations	Update on state-tribal issues.

Jeff Russell  
Director of Legislative  
Administrative Services

Doc. No. 026757

The Kansas Register (ISSN No. 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 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 \$5.44 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Periodicals postage paid at Topeka, KS.

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

© Kansas Secretary of State 2001. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

**PUBLISHED BY**  
Ron Thornburgh  
Secretary of State  
1st Floor, Memorial Hall  
120 S.W. 10th Ave.  
Topeka, KS 66612-1594  
(785) 296-4564  
[www.kssos.org](http://www.kssos.org)



**Register Office:**  
Garden Level, Memorial Hall  
(785) 296-3489  
Fax (785) 368-8024

State of Kansas

**State Conservation Commission**

**Notice to Contractors**

Sealed bids for the construction of a 31,570 cubic yard detention dam, Site 5-7 in Brown County, will be received by the Roy's Creek Watershed District No. 75 at 2022 240th St., Hiawatha, 66434-9800, until 1 p.m. July 14. The bid opening will be at the Natural Resources Conservation Service Office, 1310 Oregon, Hiawatha, at 8 p.m. July 17. A copy of the invitation for bids and plans and specifications can be obtained from Paul Kleppe, contracting officer, at the watershed district office or by calling (785) 544-7759.

Tracy D. Streeter  
Executive Director

Doc. No. 026768

State of Kansas

**Legislative Administrative Services**

**Request for Proposals**

The Division of Legislative Administrative Services announces the release of a request for proposals by the Legislative Coordinating Council to acquire desktop and laptop computers, setup, implementation and maintenance services via lease agreement.

Vendors interested in receiving a request for proposal should contact Jeff Russell, Legislative Administrative Services, Room 511-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-2391, fax (785) 296-1153. Completed proposals must be received not later than 2 p.m. July 12.

Jeff Russell  
Director of Legislative  
Administrative Services

Doc. No. 026763

State of Kansas

**Pooled Money Investment Board**

**Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 2000 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 6-25-01 through 7-1-01

Term	Rate
1-89 days	3.97%
3 months	3.36%
6 months	3.38%
1 year	3.53%
18 months	3.77%
2 years	3.92%

Derl S. Treff  
Director of Investments

Doc. No. 026745

State of Kansas

**Kansas Arts Commission**

**Notice of Meeting**

The Kansas Arts Commission will convene its quarterly business meeting at 9 a.m. Friday, June 29, at the El Dorado Civic Center, 201 E. Central, El Dorado.

Meetings of the Kansas Arts Commission, a state agency, and its advisory panels are open to public observation in accessible locations. Persons with special needs are asked to request accommodation in advance. Assisted listening devices are available upon request. Official proceedings are recorded on audiotape.

For more information, contact the Kansas Arts Commission, 700 S.W. Jackson, Suite 1004, Topeka, 66603-3761, (785) 296-3335, fax (785) 296-4989, e-mail KAC@arts.state.ks.us. Persons with special communication needs may use the Kansas Relay Service, 1-800-766-3777.

David M. Wilson  
Executive Director

Doc. No. 026771

State of Kansas

**Department of Administration  
Division of Architectural Services**

**Notice of Commencement of  
Negotiations for Architectural Services**

Notice is hereby given of the commencement of negotiations for architectural services for design and construction administration for an additional building on the Edwards Campus of the University of Kansas, 12600 Quivira, Overland Park. The project is to be known as the Edwards Campus Facility Expansion. This project is designated as the #2 building on the Edwards Campus master plan. The project is a classroom/office type facility and the budget for construction is approximately \$11 million.

For information regarding the scope of services, contact Warren Corman, University Architect and Special Assistant to the Chancellor, University of Kansas, (785) 864-4868.

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 1020 S. Kansas Ave., Topeka, 66612-1311, (785) 296-8899. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. July 13.

Thaine Hoffman, AIA  
Director, Division of  
Architectural Services

Doc. No. 026744

## State of Kansas

## Kansas Water Authority

## Notice of Meetings

The Kansas Water Authority will conduct its quarterly meeting July 11-12 in Independence. The Conservation and Evaluation Committee and the Education and Interagency Coordination Committee will meet at 9 a.m. July 11, followed by meetings of the Planning Committee and the Public Water Supply Committee at 12:30 p.m. The Education and Interagency Coordination Committee and the Public Water Supply Committee meetings will be held in the Spanish Room of Memorial Hall, located at Penn and Locust. The Conservation and Evaluation Committee and the Planning Committee will meet in the Legion Room of Memorial Hall.

The full Authority will convene at 9 a.m. July 12 in the Legion Room of Memorial Hall to receive the Kansas Water Office Director's Report and conduct its regular business session, including reports from the four committees.

An agenda and other details of the meeting are available from the Kansas Water Office, 901 S. Kansas Ave., Topeka, 66612-1249, (785) 296-3185 or toll free at 1-888-KAN-WATER. If accommodations are needed for persons with disabilities, please notify the Kansas Water Office at the address above at least two days prior to the meeting.

Kent Lamb  
Chairman

Doc. No. 026762

## 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 in the Docking State Office Building, 8th floor conference room, Topeka, until 2 p.m. Monday, July 9, and then publicly opened:

## District One - Northeast

**Shawnee**—70-89 K-6358-03 - Crossover construction for I-70 project from 0.5 mile (0.8 kilometer) west of the Wabaunsee-Shawnee county line east to 0.3 mile (0.5 kilometer) west of Valencia Road, 3.7 miles (6 kilometers), detour construction. (Federal Funds)

**Wabaunsee**—70-99 K-6357-02 - Crossover construction for I-70 project from 0.4 mile (0.6 kilometer) east of the junction of K-30 to east 0.5 mile (0.8 kilometer) west of the Wabaunsee-Shawnee county line, 4.1 miles (6.6 kilometers), detour construction. (Federal Funds)

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 af-

fidavit 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.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 026767

## State of Kansas

## Department of Transportation

## Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale and removal at public auction July 31 at site (75-89 K 6680-01 Trs. 14 & 15) the following improvements located in Shawnee County, Kansas, described as follows:

10 a.m.

**Tr. 14 - 4720 N.W. Pottawatomie Road, Topeka** (located west of Highway 75 and north of 46th Street on Pottawatomie). 1,768 sq. ft. 3 bedroom, 1.5 bath ranch-style house on full walkout basement, with double car attached garage and 396 sq. ft. Four Season Room with Jacuzzi.

Immediately following—a 13' x 19' wood frame shop, with overhead and sliding door, will be auctioned separately.

11:30 a.m.

**Tr. 15 - 4730 N.W. Pottawatomie Road, Topeka**. 1,280 sq. ft. 3 bedroom, 2 bath ranch-style house on full walkout basement, with double car attached garage.

Immediately following—a 10' x 10' garden shed will be auctioned separately.

## Inspection of Properties:

From 11 a.m. to 1 p.m. July 24 and 30 minutes prior to the sale.

## Performance Bonds:

Posted by cashier's check on the day of sale:  
Houses—\$4,000 each  
Sheds—\$200 each

## Terms of Sale:

Cashier's check for the purchase price must be paid on the day of the sale. The successful bidder will be required to remove the structures from the right of way on or before November 1, 2001.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

The seller reserves the right to reject any and all bids and is not responsible for accidents. For additional terms and information, contact the Bureau of Right of Way at 1-877-461-6817.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 026748

## State of Kansas

**Department of Revenue  
Division of Vehicles**

**Notice of Intent to Relocate an Existing  
Motor Vehicle Dealer**

Notice has been received from General Motors Corporation that Don Hattan Chevrolet, Inc., Kansas Dealer #522, is requesting relocation from 6024 N. Broadway, Wichita, to I-135 and 61st Street, Wichita.

Pursuant to K.S.A. 2000 Supp. 8-2430(a), any new motor vehicle dealer may protest the proposed relocation of Don Hattan Chevrolet, Inc., if that new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which exists at Don Hattan Chevrolet, Inc., and provided that the new motor vehicle dealer is physically located within the same relevant market area, as defined in K.S.A. 2000 Supp. 8-2430(e)(2)(A).

Pursuant to K.S.A. 2000 Supp. 8-2430(a), any petition or complaint must be filed with Sheila J. Walker, Director, Division of Vehicles, Room 162-S, Docking State Office Building, 915 S.W. Harrison, Topeka, 66626, within 30 days of this published notice.

Stephen S. Richards  
Secretary of Revenue

Doc. No. 026766

## 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 Capitol Plaza Hotel, Topeka, until 2 p.m. July 18 and then publicly opened:

**District One—Northeast**

**Douglas**—59-23 U-1846-01 - 27th and Iowa in Lawrence, 0.3 mile (0.5 kilometer), intersection improvement. (Federal Funds)

**Douglas**—10-23 U-1847-01 - 23rd Street and Barker Avenue in Lawrence, 0.3 mile (0.5 kilometer), intersection improvement. (Federal Funds)

**Douglas**—10-23 K-8501-01 - K-10 westbound exit ramps, 0.2 mile (0.3 kilometer), slide repair. (State Funds)

**Osage**—75-70 K-8351-01 - U.S. 75 bridge 045 over Local Road and bridge 046 Local Road over U.S. 75, bridge repair. (State Funds)

**Shawnee**—75-89 K-5765-01 - U.S. 75, 0.2 mile (0.4 kilometer) north of the Kansas River bridge north to 0.7 mile (1.1 kilometers) northeast of U.S. 24, 1.7 miles (2.7 kilometers), pavement reconstruction. (Federal Funds)

**Wyandotte**—435-105 K-8352-01 - Interstate 435 bridges over K-32 and Union Pacific Railroad, bridge repair. (State Funds)

**Wyandotte**—635-105 K-8353-01 - Interstate 635 over 38th Street and over K-5, pavement patching. (State Funds)

**District Two—Northcentral**

**Chase**—150-9 K-5769-01 - K-150, from the Marion-Chase county line east to the junction of U.S. 50, 8.7 miles (14 kilometers), grading and surfacing. (Federal Funds)

**Dickinson**—43-21 K-8537-01 - K-43 from the junction of K-4 north to I-70, 12.2 miles (19.7 kilometers), crack repair. (State Funds)

**Jewell**—45 C-3425-01 - County road, 3.5 miles (5.6 kilometers) south and 5.2 miles (8.4 kilometers) east of Ionia, 2.8 miles (4.5 kilometers), grading. (Federal Funds)

**Marion**—150-57 K-6777-01 - K-150 from the junction of U.S. 56 east to the Marion-Chase county line, 8 miles (12.9 kilometers), grading, bridge and surfacing. (Federal Funds)

**McPherson**—61-59 K-8538-01 - K-61 from the Reno-McPherson county line northeast to the junction of K-153, 12.4 miles (20 kilometers), seal. (State Funds)

**Saline**—70-85 K-8435-01 - I-70, 8 miles (12.9 kilometers) east of the Lincoln-Saline county lines, then east 6.7 miles (10.8 kilometers), sealing. (State Funds)

**Washington**—101 K-8600-01 - K-148 from the east junction of K-9, north to the Kansas-Nebraska state line; K-234 from the east city limits of Hanover east to the junction of K-148; K-243 from the junction of K-148 east to the Pony Express Station, 21.7 miles (34.9 kilometers), seal. (State Funds)

**District Three—Northwest**

**Norton**—69 C-3608-01 - County road 1 mile (1.6 kilometers) north of Calvert over Prairie Dog Creek, 0.2 mile (0.4 kilometer), grading, bridge and surfacing. (Federal Funds)

**Osborne-Russell-Smith**—281-106 K-8507-01 — U.S. 281 from the Russell-Osborne county line north to the south city limits of Osborne; U.S. 281 from the Barton-Russell county line north to the south city limits of Russell; U.S. 281 from the east junction of K-18 north to the Russell-Osborne county line; U.S. 281 from the Osborne-Smith county line north to the south city limits of Smith Center, 50.2 miles (80.7 kilometers), seal. (State Funds)

**Phillips**—74 C-3643-01 - County road 3 miles (4.8 kilometers) west and 2.5 miles (4 kilometers) north of Kirwin, 0.2 mile (0.3 kilometer), grading and bridge. (Federal Funds)

**Thomas**—24-97 K-8441-01 - U.S. 24 from the junction of I-70 east to Colby, 8.4 miles (13.5 kilometers), seal. (State Funds)

**Thomas**—70-97 K-8574-01 - Interstate 70 from the Sherman-Thomas county line east to 0.3 mile (0.5 kilometer) west of U.S. 24, interchange improvement, 10.3 miles (16.6 kilometers), slurry seal. (State Funds)

**Thomas**—184-97 K-8575-01 - K-184 from the I-70 interchange north to Brewster, 1.6 miles (2.5 kilometers), seal. (State Funds)

**District Four—Southeast**

**Franklin**—30 C-3699-01 - County road at the west edge of LeLoup over Wolf Creek, 0.15 mile (0.24 kilometers), grading and bridge. (Federal Funds)

*(continued)*

**Linn-Miami**—69-106 K-8589-01 - U.S. 69 from bridge over K-152 north to the Linn-Miami county line; U.S. 69 from the Linn-Miami county line north 4.7 miles (7.5 kilometers), 7.7 miles (12.4 kilometers), overlay. (State Funds)

**Miami**—169-61 K-7141-01 - U.S. 169, 0.5 mile (0.9 kilometer) southwest of K-7, northeast 9.9 miles (15.9 kilometers), grading, bridge and surfacing. (Federal Funds)

**Miami**—68-61 K-8363-01 - K-68 bridge Q25, over the Missouri Pacific Railroad, bridge overlay. (State Funds)

#### District Five—Southcentral

**Butler**—400-8 K-8436-01 - U.S. 400, 0.6 mile (1 kilometer) east of County Route 1010, east 12.3 miles (19.8 kilometers), joint repair. (State Funds)

**Butler**—54-8 K-8366-01 - U.S. 54 bridges 127 and 128 over Walnut River, bridge repair. (State Funds)

**Harvey**—15-40 K-8365-01 - K-15, bridge 064 over Sand Creek, bridge overlay. (State Funds)

**Harvey**—135-40 K-8500-01 - I-135, 0.9 mile (1.4 kilometers) north of the junction of K-15, north to the Harvey-McPherson county line, 7.3 miles (11.7 kilometers), slurry seal. (State Funds)

**Reno-Harvey**—50-106 K-8510-01 - U.S. 50, from the Reno-Harvey County line east to west of Meridian Street in Newton; U.S. 50 from the Reno-Harvey county line west to Halstead Street, 27.9 miles (44.9 kilometers), rumble strips. (State Funds)

**Sedgwick**—235-87 K-8371-01 - Interstate 235 bridges 087 and 088 over U.S. 54, bridge overlay. (State Funds)

**Sedgwick**—254-87 K-8372-01 - K-254 bridges 196 and 197 over the Middle Fork Chisholm Creek, bridge repair. (State Funds)

#### District Six—Southwest

**Edwards**—24 U-1753-01 - Marsh Avenue at Coon Creek in Kinsley, 0.16 mile (0.25 kilometer), grading, bridge and surfacing. (Federal Funds)

**Finney**—28 C-3648-01 - County road 0.8 mile (1.3 kilometers) south of Holcomb, 0.6 mile (1 kilometer), grading, bridge and surfacing. (Federal Funds)

**Ford**—29 C-3698-01 - County road 2.5 miles (4 kilometers) north of Dodge City, then west on Garnett, 9.9 miles (16 kilometers), surfacing. (Federal Funds)

**Seward**—83-88 K-8431-01 - U.S. 83, from the Oklahoma-Kansas state line, north to 0.9 mile (1.5 kilometers) north of the junction of K-51, 13.7 miles (22.1 kilometers), overlay. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been pre-qualified 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 in-

directly, 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.

E. Dean Carlson  
Secretary of Transportation

Doc. No. 026758

#### State of Kansas

### Department of Health and Environment

#### Notice Concerning Kansas Water Pollution Control Permits

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, draft permits have been prepared and/or permit applications have been received for discharges to the waters of the United States and the State of Kansas for the class of discharges described below.

The determinations for permit content are based on staff review, applying the appropriate standards, regulations and effluent limitations of the State of Kansas and the EPA, and when issued will result in a State Water Pollution Control Permit and National Pollutant Discharge Elimination System Authorization subject to certain conditions.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

#### Public Notice No. KS-AG-01-159/180

#### Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Sturdy Farms c/o Darrell Sturdy 1108 W. 6th St. Lyndon, KS 66451	NE/4 of Section 12, T17S, R15E, Osage County	Marais des Cygnes River Basin

Kansas Permit No. A-MCOS-B007

This is a permit renewal of an existing facility for 800 head (400 animal units) of cattle less than 700 pounds.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Gieringer Farms 39440 W. 191st Edgerton, KS 66021	NE/4 and SE/4 of Section 35, T14S, R21E, Johnson County	Marais des Cygnes River Basin

Kansas Permit No. A-MCJO-S007

This is a permit renewal of an existing facility for 693 head (277.2 animal units) of swine greater than 55 pounds and for 380 head (38 animal units) of swine 55 pounds or less for a total of 315.2 animal units.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Stefan Busenitz 17093 N.W. Shumway Road Burns, KS 66840	SE/4 of Section 2, T23S, R4E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-S042

This is a new permit for a new facility for 1,325 head (290 animal units) of swine.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan received by the department shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Meyer Brothers c/o Carl Meyer 5658 W. 201st St. Osage City, KS 66532	SE/4 of Section 36, T15S, R14E, Osage County	Marais des Cygnes River Basin

Kansas Permit No. A-MCOS-B003

This is a permit renewal of an existing facility for 500 head (500 animal units) of cattle greater than 700 pounds.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan most recently approved by the department shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Sherman Dodge 710 220th St. Fairview, KS 66425	SW/4 of Section 31, T2S, R16E, Brown County	Missouri River Basin

Kansas Permit No. A-MOBR-M004

This is a permit renewal for an existing facility for 70 head of dairy cows (98 animal units).

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan approved by the department shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Spur Feeders Inc. Route 2, P.O. Box 27A Concordia, KS 66901	NW/4 of Section 4, T5S, R4W, Cloud County	Republican River Basin

Kansas Permit No. A-LRCD-B001

This is a new permit for new construction at an existing facility for 999 head (499.5 animal units) of cattle.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: Permeability tests shall be conducted on the earthen wastewater retention structure(s). Should any structure not meet the permeability requirements, additional sealing will be required. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Dale Wenger Prairie Pork Producers 4204 N. Golden Prairie Road Burrton, KS 67020	NW/4 of Section 32, T22S, R2W, Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-S033

This is a renewal permit for an existing facility for 1,800 head (720 animal units) of swine.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
William Spexarth 6945 N. 167th St. North Colwich, KS 67030	NE/4 of Section 9, T26S, R2W, Sedgwick County	Lower Arkansas River Basin

Kansas Permit No. A-ARSG-S009

This is a renewal permit for an existing facility for 200 head (80 animal units) of swine.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan submitted in 1997 shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Dan Benewiat 16413 W. Highway 50 Halstead, KS 67056	NW/4 of Section 30, T23S, R2W, Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-T001

This is a renewal permit for an existing truck wash for 182 trucks per month (6 trucks per day average).

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plans submitted to the department shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Gerald Baalman 4755 N. 183rd West Colwich, KS 67030	SE/4 of Section 20, T26S, R2W, Sedgwick County	Lower Arkansas River Basin

Kansas Permit No. A-ARSG-M031

This is a renewal permit for an existing facility for 100 head (140 animal units) of dairy cattle.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

<b>Name and Address of Applicant</b>	<b>Legal Description</b>	<b>Receiving Water</b>
Gilbert Bergkamp 27401 S. Yoder Road Pretty Prairie, KS 67570	SE/4 of Section 33, T26S, R5W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M001

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

(continued)

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan received by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
David L. Beachy 9025 W. Longview Hutchinson, KS 67501	NW/4 of Section 20, T24S, R6W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M018

This is a renewal permit for an existing facility for 40 head (56 animal units) of dairy cattle.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Kurr Cattle Company 9025 S. Mission Road Sedgwick, KS 67135	E/2 of Section 30, T24S, R1W, Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-C001 Federal Permit No. KS0040703

This is a renewal permit for an existing facility for 3,000 head (3,000 animal units) of beef cattle.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan submitted to the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Elmwood Dairy 3819 E. Trail West Road Haven, KS 67543	NW/4 of Section 15, T24S, R5W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M010

This is a renewal permit for an existing facility for 60 head (84 animal units) of dairy cattle.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: Should the water level in the retention structure approach the operating level(s) shown in Table 1, in Section A "Permit Limitations," dewatering equipment shall be obtained through purchase, rental or custom application agreement. The manure/waste management plan received by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Peterson Farm c/o Dan R. Peterson 3056 Bluestem Burdick, KS 66838	NW/4 of Section 2, T18S, R5E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-S004

This permit is a renewal for an existing facility for 442 head (116.8 animal units) of swine.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Kenneth Herbster 3309 Dewberry Road Morrill, KS 66515	N/2 of Section 11, T1S, R15E, Brown County	Missouri River Basin

Kansas Permit No. A-MOBR-S005

This is a renewal permit for an existing facility for 550 head of swine greater than 55 pounds (220 animal units).

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Kenneth Herbster 3309 Dewberry Road Morrill, KS 66515	SE/4 of Section 2, T1S, R15E, Brown County	Missouri River Basin

Kansas Permit No. A-MOBR-S019

This is a renewal permit for an existing facility for 750 head of swine greater than 55 pounds for a total of 300 animal units.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
William Brandt West Emma Valley Dairy 1734 S. Mission Road	NE/4 Section of 30, T23S, R1W, Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-M007

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

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan received by the department shall be adhered to as a condition of the permit. The department shall be contacted for an inspection prior to returning the dairy to active service. If the desire to be in active service should occur, contact the department's district office at 130 S. Market, Suite 6050, Wichita, KS 67202, (316) 337-6020.

Name and Address of Applicant	Legal Description	Receiving Water
Kenneth Tinberg 15981 Golden Road Linwood, KS 66052	SW/4 of Section 22, T12S, R22E, Leavenworth County	Kansas River Basin

Kansas Permit No. A-KSLV-S019

This is a renewal permit for an existing facility for 480 head of swine greater than 55 pounds and 240 head of swine less than or equal to 55 pounds for a total of 216 animal units.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: A manure/waste management plan for the facility shall be developed. A plan shall be submitted to the department within six months following permit issuance and will become part of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Orville Miller 6400 W. Illinois Ave. Hutchinson, KS 67501	SW/4 of Section 30, R23S, R6W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M003

This is a renewal permit for an existing facility for 140 head (196 animal units) of dairy cattle.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan received by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
National Genetic Technology P.O. Box 129 Columbus, NE 68602-0129	NW/4 of Section 2, T4S, R4E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S033

This is a permit renewal and modification to reflect actual existing facilities for an existing facility for 800 head of swine weighing more than 55 pounds and 1,640 head of swine weighing less than 55 pounds for a total of 2,440 (484 animal units) of swine.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Bruce Kaufman 7211 W. Parallel Road Pretty Prairie, KS 67576	SW/4 of Section 1, T26S, R7W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M019

This is a renewal permit for an existing facility for 60 head (84 animal units) of dairy cattle.

Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided that meets or exceeds KDHE minimum requirements.

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

**Public Notice No. KS-01-089/92**

Name and Address of Applicant	Waterway	Type of Discharge
Carbondale, City of P.O. Box 70 Carbondale, KS 66414	Wakarusa River via Bury's Creek	Treated Domestic Wastewater

Kansas Permit No. M-KS07-0001 Federal Permit No. KS0021674

Legal: NE¼, S24, T14S, R15E, Osage County

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

Name and Address of Applicant	Waterway	Type of Discharge
Clearview City Inc. 36000 W. 103rd St. P.O. Box 631 Clearview City, KS 66019	Kansas River via Kill Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. C-KS89-0002 Federal Permit No. KS0090671  
Legal: NW¼, S5, T13S, R22E, Johnson County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids and pH. Monitoring for ammonia and fecal coliform also will be required. The permit requirements are pursuant to the Kansas Surface Water

Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Sedan, City of 109 N. Chautauqua Sedan, KS 67361	Little Caney River via Middle Caney Creek	Treated Domestic Wastewater

Kansas Permit No. M-VE33-0002 Federal Permit No. KS0089746

Legal: SE¼, S4, T34S, R11E, Chautauqua County

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

Name and Address of Applicant	Waterway	Type of Discharge
Sundowner West Meadows Improvement District Frank Norton, President P.O. Box 2388 Salina, KS 67402	Mulberry Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-SA20-0001 Federal Permit No. KS0094161

Legal: SW¼, S28, T13S, R4W, Saline County

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

**Public Notice No. KS-EG-01-003**

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the State of Kansas.

**Name and Address of Applicant**  
Vulcan Materials Company  
P. O. Box 12283  
Wichita, KS 67277-2283

Well and Permit Number	Location
Pauly 2-1 KS-03-173-254	905 feet from south line and 1893 feet from east line of Section 20-29-02W, Sedgwick County, Kansas (NE SW SE)
Pauly 2-2 KS-03-173-255	1118 feet from south line and 1687 feet from east line of Section 20-29-02W, Sedgwick County, Kansas (NE SW SE)
Pauly 2-3 KS-03-173-256	693 feet from south line and 1675 feet from east line of Section 20-29-02W, Sedgwick County, Kansas (SE SW SE)
Pauly 2-4 KS-03-173-257	692 feet from south line and 2099 feet from east line of Section 20-29-02W, Sedgwick County, Kansas (SW SW SE)
Pauly 2-5 KS-03-173-258	1117 feet from south line and 2111 feet from east line of Section 20-29-02W, Sedgwick County, Kansas (NW SW SE)

Facility Description: The proposed action is to issue new permits for new injection wells to mine salt using solution mining methods. Vulcan Materials uses the salt brine in the production of chloroalkalis and chlorosolvents.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their  
*(continued)*

comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Shonda Domme for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620.

All comments regarding the draft permit or application notice postmarked or received on or before July 28 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-01-159/180, KS-01-089/92, KS-EG-01-003) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

For agricultural permits and applications, a copy of the permit application, supporting documentation and a KDHE-developed fact sheet, if appropriate, is available for review at the appropriate district office:

Northwest District Office, 2301 E. 13th,  
Hays, 67601-2651, (785) 625-5664

North Central District Office, 2501 Market Place,  
Salina, 67401-7699, (785) 827-9639

Northeast District Office, 800 W. 24th,  
Lawrence, 66046-4417, (785) 842-4600

Southwest District Office, 302 W. McArtor Road,  
Dodge City, 67801-6098, (316) 225-0596

South Central District Office, 130 S. Market, 6th Floor,  
Wichita, 67202-3802, (316) 337-6020

Southeast District Office, 1500 W. 7th,  
Chanute, 66720, (316) 431-2390

Application information and components of plans and specifications for all new facilities and for expansions of existing swine facilities may be reviewed on the Internet at <http://www.kdhe.state.ks.us/feedlots/stindex.html>.

For all other proposed permits, the draft permit(s), including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Clyde D. Graeber  
Secretary of Health  
and Environment

## State of Kansas

### Department of Administration Division of Purchases

#### Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, 66612, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

**Monday, July 9, 2001**

**1087R**

Kansas Highway Patrol—BDU Components

**03600**

Statewide—2002 Calendars

**03613**

Department of Transportation—Accounting Services

**Tuesday, July 10, 2001**

**03634**

Emporia State University—Cleaning Chemicals,  
Supplies and Equipment

**03669**

Hutchinson Correctional Facility—Ready Mix  
Concrete

**Wednesday, July 11, 2001**

**03635**

Kansas Correctional Industries—Mineral Spirits

**03636**

Kansas Correctional Industries—Vinyl Acrylic and  
Acrylic Emulsions

**03638**

Kansas Correctional Industries—Blended BC Solvent

**Friday, July 13, 2001**

**03614**

Department of Transportation—Statewide  
Archeological Contractors to Conduct Phase III and IV  
Archeological Surveys for the Department of  
Transportation, Various Locations

**Tuesday, July 24, 2001**

**A-9172(B)**

Pittsburg State University—Asbestos Abatement,  
Chandler Hall

**A-9233**

Larned State Hospital—Building Package,  
Temporary Housing Unit, Phase 1

**A-9233(A)**

Larned State Hospital—Fence Package, Temporary  
Housing Unit, Phase I

**A-9235**

Larned State Hospital—Video and Intercom Systems,  
Temporary Housing Unit, Phase 1

John T. Houlihan  
Director of Purchases

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

The Girard Municipal Power Plant owns and operates a power plant located at 309 E. Buffalo, Girard, Crawford County.

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, Building 283, Forbes Field, Topeka, and at the KDHE Southeast District Office, 1500 W. 7th, Chanute. To obtain or review the proposed permit and supporting documentation, contact John S. Ramsey, (785) 296-1992, at the KDHE central office, or Lynelle Stranghoner, (620) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to John S. Ramsey, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business July 30.

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 Connie Carreno, Bureau of Air and Radiation, not later than the close of business July 30 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 45-day review period. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment 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 Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026746

## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. The City of Winfield has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install an engine for electric power generation. Emissions of oxides of nitrogen (NO<sub>x</sub>), carbon monoxide (CO) and hydrocarbons (HCs) were evaluated during the permit review process.

The City of Winfield owns and operates the stationary source located at 2801 E. 12th, Winfield, at which the engine is to be installed.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact Daizy Dandass, (785) 296-6427, at the KDHE central office, or David 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 Daizy Dandass, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business July 30.

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 Connie Carreno, Bureau of Air and Radiation, not later than the close of business July 30 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026754

## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment has received an application for a new permit to construct and operate a construction and demolition (C/D) landfill. The proposed C/D landfill site is located in the NW¼ of Section 36, Township 26 South, Range 1 West in Sedgwick County, at 3500 N. West Street. The property is owned by C&D Recyclers of Kansas, Inc., a wholly-owned subsidiary of Diversified Holdings, Inc., which is a wholly-owned subsidiary of Ritchie Companies, Inc.

The C/D landfill will include about 52 acres on the approximately 68-acre property. The C/D landfill will be constructed and operated in conformance with state solid waste regulations currently being developed for this type of landfill. The C/D landfill will involve filling of an existing on-site lake that resulted from past sand excavation; however, the U.S. Army Corps of Engineers has determined that the existing on-site lake is not "waters of the United States," and therefore authorization from the Corps of Engineers is not required for filling of the existing on-site lake. Based on current waste projections, the C/D landfill will have a total capacity to receive waste for approximately 20 to 60 years. C&D Recyclers of Kansas, Inc. proposes an aggressive recycling rate of 60 to 65 percent of the C/D waste received. KDHE is providing public notice of its intent to issue a permit to allow construction and operation of the proposed C/D landfill.

A copy of the administrative record, which includes the draft permit, permit application, engineering drawings and all information regarding this permit action, is available for public review through August 6 during normal business hours, Monday through Friday, at the following locations:

Kansas Department of Health and Environment  
Bureau of Waste Management  
Solid Waste Permits Section  
Forbes Field, Building 740  
Topeka, 66620  
Contact: Paul Graves  
(785) 296-1596

Kansas Department of Health and Environment  
South Central District Office  
130 S. Market, Suite 6050  
Wichita, 67202  
Contact: Mark Bradbury  
(316) 337-6041

Anyone wishing to comment on the proposed C/D landfill permit should submit written statements post-marked not later than August 6 to Paul Graves of KDHE at the address listed above. In addition, an informational meeting and public hearing will be held July 30, in conjunction with the public comment period, at the Sedgwick County Extension Education Center, Sunflower Room, 7001 W. 21st St. North (southeast corner of 21st and Ridge Road), Wichita. The informational meeting will begin at 6 p.m. At the informational meeting, KDHE staff will be

present in an informal setting to respond to questions from concerned individuals regarding the C/D landfill. At 7 p.m., immediately following the informational meeting, a public hearing will be held. The hearing will provide a format for individuals to make formal comments that will be recorded by KDHE. KDHE will subsequently respond to all formal comments in writing.

After consideration of all formal comments received at the public hearing and all written comments received during the public notice period, KDHE will make a final decision on whether to issue the permit. Notice of the decision will be given to the applicant, to anyone who submitted written comments during the comment period, to those who commented during the public hearing and to those who requested notice of the final permit decision.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 026769

(Published in the Kansas Register June 28, 2001.)

## City of Wichita, Kansas

## Notice to Bidders

The City of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67201, until 10 a.m. Friday, July 27, for the following project:

**KDOT Project No. 87 N-0196-01/472-83393/706819**  
**(OCA Code 706819)**  
**Paving**

Intersection improvements at Central and Rock Road  
(Central and Rock Road)

Plans and specifications for this project will be available July 11. Requests for the bid documents and plans should be directed to City Blue Print, (316) 265-6224, or to Sandra Loggins, (316) 268-4488. Other questions should be directed to the respective design engineer at (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 Pam Plank at (316) 268-4499 or Sandra Loggins at (316) 268-4488 for extra sets of plans and specifications.

Sandra Loggins  
Administrative Aide  
City of Wichita—Engineering

Doc. No. 026761

(Published in the Kansas Register June 28, 2001.)

**Summary Notice of Sale**  
**City of Salina, Kansas**  
**\$935,000\***  
**General Obligation Temporary Notes**  
**Series 2001-2**  
**and**  
**\$5,350,000\***  
**General Obligation Internal Improvement Bonds**  
**Series 2001-A**

360,000	2005
360,000	2006
355,000	2007
355,000	2008
355,000	2009
355,000	2010
355,000	2011
355,000	2012
355,000	2013
355,000	2014
355,000	2015
355,000	2016

**Bids**

Subject to the notice of sale and preliminary official statement, sealed, facsimile and electronic bids for the purchase of \$935,000\* of General Obligation Temporary Notes, Series 2001-2, and \$5,350,000\* of General Obligation Bonds, Series 2001-A, of the City of Salina, Kansas, will be received (1) in the case of sealed and facsimile bids, by the city clerk at the address and fax number hereinafter set forth, and (2) in the case of electronic bids, through PARITY electronic bid submission system, until 1 p.m. for the notes and until 2 p.m. for the bonds on Monday, July 9, 2001, at which time such bids will be publicly read. No bid will be considered of (a) less than 99.50 percent of the principal amount of the notes and accrued interest to the date of delivery and (b) less than 100 percent of the principal amount of the bonds and accrued interest to the date of delivery.

**Note Details**

The notes will be dated July 15, 2001, and will become due on August 1, 2002. The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. The notes will bear interest from the dated date at the rate determined when the notes are sold, which interest will be payable at maturity on August 1, 2002. The notes will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the notes will be made. Individual purchases of notes will be made in book-entry form only. Purchasers will not receive certificates representing their interest in notes purchased. The treasurer of the city will be the note paying agent and note registrar for the notes.

**Bond Details**

The bonds will be dated July 15, 2001, and will mature serially on October 1 in the years and in the amounts set forth below. The bonds will consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof. Interest will be payable semiannually on April 1 and October 1 (the interest payment dates), beginning April 1, 2002. The Kansas State Treasurer will be the paying agent and bond registrar for the bonds.

The bonds will become due on the stated maturity dates as follows:

Principal Amount*	Maturity October 1
\$360,000	2002
360,000	2003
360,000	2004

**Redemption Prior to Maturity**

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

**Good Faith Deposit**

A good faith deposit will not be required for the notes. Each bid for the bonds must be accompanied by a good faith deposit in the form of a certified or cashier's check or a financial surety bond in the amount of 2 percent of the principal amount of the bonds, payable to the order of the city clerk.

**Delivery**

The city will pay for preparing the notes and the bonds. Delivery of the notes and the bonds will be made to the successful bidder(s) on or about July 26, 2001, through the facilities of the Depository Trust Company, New York, New York.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations is \$331,396,116. The total general obligation indebtedness of the city as of the date of the notes and bonds, including the notes and bonds being sold, is \$32,732,250.

**Approval of Notes and Bonds**

The notes and the bonds will be sold subject to the approving legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, bond counsel, which opinions will be furnished and paid for by the city, will accompany the notes and the bonds and will be delivered to the successful bidder(s) when the notes and the bonds are delivered.

**Additional Information**

Additional copies of this notice of sale, official bid forms or further information may be obtained from the undersigned or from George K. Baum & Company, Twelve Wyandotte Plaza, Kansas City, MO 64105, (816) 474-1100, the city's financial advisor.

Dated June 18, 2001.

City of Salina, Kansas  
 By Lieu Ann Nicola, City Clerk  
 Room 206  
 City/County Building  
 300 W. Ash  
 Salina, KS 67402-0736  
 (785) 309-5735  
 Fax (785) 309-5738

\* Preliminary, subject to change.

Doc. No. 026760

(Published in the Kansas Register June 28, 2001.)

**Summary Notice of Bond Sale**

City of Ramona, Kansas

\$105,000

**General Obligation Improvement Bonds  
Series A, 2001**(General obligation improvement bonds payable  
from unlimited ad valorem taxes)**Details of the Sale**

Subject to the terms and conditions of the complete official notice of bond sale dated as of June 19, 2001, of the City of Ramona, Kansas, in connection with the city's General Obligation Improvement Bonds, Series A, 2001, hereinafter described, written bids for the purchase of the bonds shall be received at the office of the city clerk at City Hall, 100 Main, Ramona, KS 67475, or at the offices of the city's financial advisor, Cooper Malone McClain, Inc., 7701 E. Kellogg, Suite 700, Wichita, KS 67278-1684, or by telefacsimile at (316) 685-1751, until 2 p.m. Monday, July 9, 2001. All bids shall be disclosed publicly and tabulated or compared on said date at 7 p.m. at the Ramona City Hall and shall thereafter be immediately considered and acted upon by the city.

No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or the city's financial advisor. Bids may be submitted by mail or delivered in person, or may be submitted by telefacsimile at (316) 685-1751, and must be received at the place and not later than the date and time hereinbefore specified. Neither the city, its bond counsel, its financial advisor, nor any officer or employee of the city shall be deemed to have any liability whatsoever in connection with the failure of any electronic or telefacsimile equipment or any other occurrence resulting in disqualification or failure by the city to receive a bid. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Bonds**

The bonds to be sold are in the aggregate principal amount of \$105,000, and shall bear a dated date of July 15, 2001. The bonds shall be issued as fully registered bonds in the denomination of \$1,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified in even multiples of 1/8th or 1/10th of 1 percent by the successful bidder for the bonds. The difference between the highest and lowest interest rate shall not exceed 2 percent. Certain of the bonds are subject to redemption prior to their respective maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on February 1 and August 1 of each year, commencing February 1, 2002, and the bonds shall mature serially on August 1 in each of the years and principal amounts as follows:

**Maturity Schedule**

Principal Amount	Maturity Date
\$ 5,000	2002
5,000	2003
5,000	2004
6,000	2005
6,000	2006
6,000	2007
6,000	2008
7,000	2009
7,000	2010
8,000	2011
8,000	2012
8,000	2013
9,000	2014
9,000	2015
10,000	2016

**Redemption of Bonds**

Certain of the bonds are subject to optional redemption prior to their maturities as set forth in the official notice of bond sale. Additionally, a bidder may elect to have all or a portion of the bonds shown in the above maturity schedule issued as term bonds, which would be subject to mandatory redemption requirements. (Reference is made to the official notice of bond sale for complete details regarding redemption of the bonds.)

**Payment of Principal and Interest**

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be paid upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

**Book-Entry Option**

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

**Security for the Bonds**

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. The bonds shall be payable as to both the principal of and the interest thereon from ad valorem taxes levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

**Delivery of the Bonds**

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about July 30, 2001, at such bank or trust company or other qualified

depository in the contiguous United States, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

**Legal Opinion**

The bonds will be sold subject to the legal opinion of Triplett, Woolf & Garretson, LLC, Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

**Financial Matters**

The city's current equalized assessed tangible valuation is as follows:

Assessed Tangible Valuation of Taxable	
Tangible Property .....	\$183,584
Taxable Value of Motor Vehicles .....	<u>66,762</u>
Assessed Tangible Valuation for	
Debt Limit Computation .....	<u>\$250,346</u>

K.S.A. 10-308 provides that the authorized and outstanding bonded indebtedness of any city shall not exceed 30 percent of the assessed valuation of the city. As of July 15, 2001, the city's gross outstanding debt, including the bonds, will be \$176,000. The city's total indebtedness that is subject to debt limitation, as of July 15, 2001, will be \$72,173.83, which is 28.83 percent of the assessed valuation of the city.

**Official Statement**

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered by the successful bidder at its expense.

**Continuing Disclosure**

Securities and Exchange Commission Rule 15c2-12 provides that brokers, dealers and municipal securities dealers must comply with certain requirements before acting as an underwriter in a primary offering of municipal securities with an aggregate principal amount of \$1,000,000 or more.

The bonds described herein will be offered in a primary offering with an aggregate principal amount of less than \$1,000,000. Accordingly, in the opinion of bond counsel, the offering and sale of the bonds described herein does not constitute an offering as defined by the rule, and the requirements of the rule do not apply to brokers, dealers and municipal securities dealers acting as underwriters in connection with the bonds described herein.

**Additional Information**

For additional information regarding the city, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale and the official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk at the address and telephone number shown below or from the financial advisor, Dave Malone, Cooper Malone McClain, Inc., 7701 E. Kellogg, Suite 700, P.O. Box 781684, Wichita, KS 67278-1684, (316) 685-5777.

City of Ramona, Kansas  
By Marvena Cheever  
City Clerk  
City Hall, 100 Main  
Ramona, KS 67475  
(785) 965-2238

Doc. No. 026772

(Published in the Kansas Register June 28, 2001.)

**Summary Notice of Bond Sale  
Unified School District No. 402  
Butler County, Kansas (Augusta)  
\$250,000**

**General Obligation Capital Outlay Bonds  
(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Details of the Sale**

Subject to the terms and conditions of the complete official notice of bond sale dated as of June 18, 2001, of Unified School District No. 402, Butler County, Kansas (Augusta), written bids for the purchase of the bonds shall be received at the school district's offices at 301 W. Kelly, Augusta, Kansas, until 4 p.m. Monday, June 18, 2001, for the purchase of the school district's General Obligation Capital Outlay Bonds, Series 2001, which are hereinafter described. All bids shall be publicly opened and read aloud by school district staff on said date and at said time and shall thereafter be immediately considered and acted upon by the school district at a meeting to begin at 7 p.m. No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids will be accepted only on the official bid form that has been prepared for these bonds, which may be obtained from the clerk of the school district or the school district's financial advisor. Bids may be submitted by mail or delivered in person, or may be submitted by telefacsimile at (316) 775-5035. All bids must be received at the place and not later than the date and time herein specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the school district, or in the form of a financial surety bond payable to the order of the school district and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

(continued)

### Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$250,000. The bonds shall be issued as fully registered certificated bonds, without coupons, in the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall bear a dated date of August 1, 2001. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. The bonds are *not* subject to redemption prior to their respective maturities.

Interest on the bonds shall be payable semiannually on April 1 and October 1 of each year, commencing April 1, 2002, and the bonds shall mature serially on October 1 in each of the years and principal amounts as follows:

#### Maturity Schedule

Principal Amount	Year of Maturity
\$55,000	2002
60,000	2003
65,000	2004
70,000	2005

### Security for the Bonds

The bonds and the interest thereon constitute general obligations of the school district, and the full faith, credit and resources of the school district will be pledged to the payment thereof. The school district will be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the school district for the purpose of paying the bonds and the interest thereon.

### Book-Entry Option

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

### Paying Agent and Bond Registrar; Payment of Principal and Interest

The Kansas State Treasurer has been designated as paying agent and bond registrar for the bonds (hereinafter called the paying agent), and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

### Delivery

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the school district to the successful bidder, or at its direction, on or before August 8, 2001, to DTC for the account of the successful bidder or at such bank or trust company or other qualified depository in the State of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

### Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle Elkouri Law Firm L.L.C., Wichita, Kansas, bond counsel, whose fees will be paid by the school district.

Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of legal matters.)

### Financial Matters

The school district's equalized assessed tangible valuation for computation of bonded debt limitations is \$62,961,608. Including the bonds described herein, on August 8, 2001, the school district's outstanding bonded indebtedness will be \$13,335,000.

### Official Statement

The school district has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the school district or the school district's financial advisor. The preliminary official statement is in a form "deemed final" by the school district for the purpose of Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. The school district will provide the purchaser of the bonds or its designated agent, within seven business days after the date of the sale, copies of the school district's final official statement in sufficient quantity to comply with the rules of the Securities and Exchange Commission and the Municipal Securities Rulemaking Board. The school district will deliver to the purchaser of the bonds, at the time of delivery of the bonds, a certificate of its authorized officials to the effect that, to the best of their knowledge, in said official notice of bond sale and preliminary official statement and in the official statement, the school district has not made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made therein, in light of the circumstances under which they were made, not misleading. Authorization is hereby given to redistribute this official notice of bond sale and the preliminary official statement, but this entire official notice of bond sale and the entire preliminary official statement, and not portions thereof, must be redistributed.

### Additional Information

For additional information regarding the school district, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and the school district's preliminary official statement and official bid form for the bonds, all of which may be obtained from the undersigned or from the school district's financial advisor by contacting Dave Malone, Cooper Malone McClain, Inc., 7701 E. Kellogg, Suite 700, Wichita, KS 67207, (316) 685-5777.

Unified School District No. 402  
Butler County, Kansas (Augusta)  
by Connie Hummel, Clerk  
301 W. Kelly  
Augusta, KS 67010  
(316) 775-5484  
Fax (316) 775-5035

Doc. No. 026747

(Published in the Kansas Register June 28, 2001.)

**Summary Notice of Bond Sale  
City of Toronto, Kansas  
\$300,000**

**General Obligation Sewer System Bonds  
Series 2001**

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

**Details of the Sale**

Subject to the terms and conditions of the complete official notice of bond sale dated as of June 14, 2001, of the City of Toronto, Kansas, in connection with the city's General Obligation Sewer System Bonds, Series 2001, hereinafter described, written bids for the purchase of the bonds shall be received at the office of the city clerk at City Hall, 106 N. Stockton, P.O. Box 235, Toronto, KS 66777, until 7:30 p.m. Monday, July 9, 2001, for the purchase of the bonds. All bids shall be publicly opened, read aloud and tabulated on said date and at said time and shall thereafter be immediately considered and acted upon by the city. No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk or the city's financial advisor. Bids may be submitted by mail or delivered in person, and must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Bonds**

The bonds to be sold are in the aggregate principal amount of \$300,000, and shall bear a dated date of July 15, 2001. The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption prior to their respective maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on March 1 and September 1 of each year, beginning March 1, 2002, and the bonds shall mature serially on September 1 in each of the years and principal amounts as follows:

**Maturity Schedule**

Principal Amount	Maturity Date
\$ 5,000	09-01-02
10,000	09-01-03
10,000	09-01-04
10,000	09-01-05

10,000	09-01-06
10,000	09-01-07
10,000	09-01-08
15,000	09-01-09
15,000	09-01-10
15,000	09-01-11
15,000	09-01-12
15,000	09-01-13
15,000	09-01-14
15,000	09-01-15
20,000	09-01-16
20,000	09-01-17
20,000	09-01-18
20,000	09-01-19
25,000	09-01-20
25,000	09-01-21

(plus accrued interest from July 15, 2001)

**Redemption of Bonds**

Certain of the bonds are subject to optional redemption prior to their maturities as set forth in the official notice of bond sale. (Reference is made to the official notice of bond sale for complete details regarding redemption of the bonds.)

**Paying Agent and Bond Registrar; Payment of Principal and Interest**

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds (hereinafter called the paying agent), and the principal of the bonds shall be paid upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

**Book-Entry Option**

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

**Security for the Bonds**

The bonds and the interest thereon constitute general obligations of the city, and the full faith, credit and resources of the city will be pledged to the payment thereof. The bonds shall be payable as to both the principal of and the interest thereon, from ad valorem taxes which may be levied without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city.

**Delivery of the Bonds**

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or before July 26, 2001, to DTC for the account of the successful bidder or at such bank or trust company or other qualified depository in the State of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

**Legal Opinion**

The bonds will be sold subject to the legal opinion of Hinkle Elkouri Law Firm L.L.C., Wichita, Kansas, bond  
(continued)

counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

**Financial Matters**

The city's current equalized assessed tangible valuation is as follows:

Assessed Valuation of Taxable Tangible	
Property .....	\$ 701,758
Taxable Value of Motor Vehicles .....	238,423
Assessed Tangible Valuation for	
Computation of Bonded Debt	
Limitations .....	\$940,181

K.S.A. 10-308 provides that the authorized and outstanding bonded indebtedness of any city shall not exceed 30 percent of the assessed valuation of the city. As of July 15, 2001, including this issue, the city's gross outstanding debt will be \$440,000. The total indebtedness, after statutory adjustments, as of July 15, 2001, is \$0, which is 0 percent of the assessed valuation of the city.

**Official Statement**

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. The city will provide the purchaser of the bonds or its designated agent, within seven business days after the date of the sale, copies of the city's final official statement, in sufficient quantity to comply with the rules of the Securities and Exchange Commission and the Municipal Securities Rulemaking Board. The city will deliver to the purchaser of the bonds, at the time of delivery of the bonds, a certificate of its authorized officials to the effect that, to the best of their knowledge, in said official notice of bond sale and preliminary official statement and in the official statement, the city has not made an untrue statement of a material fact or omitted to state a material fact necessary in order to make the statements made therein, in light of the circumstances under which they were made, not misleading. Authorization is hereby given to redistribute this official notice of bond sale and the preliminary official statement, but this entire official notice of bond sale and the entire preliminary official statement, and not portions thereof, must be redistributed.

**Additional Information**

For additional information regarding the city, the bonds and the public sale, interested parties are invited to request copies of the complete official notice of bond sale and the official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk at the address and telephone number shown below or from the city's financial advisor, Dave Malone, Cooper Malone McClain, Inc., 7701 E. Kellogg, Suite 700, Wichita, KS 67207, (316) 685-5777.

City of Toronto, Kansas  
 by Kim Hull  
 City Clerk  
 City Hall  
 106 N. Stockton  
 P.O. Box 235  
 Toronto, KS 66777  
 (620) 637-2605

Doc. No. 026770

(Published in the Kansas Register June 28, 2001.)

**Summary Notice of Bond Sale  
 Unified School District No. 353  
 Sumner County, Kansas (Wellington)  
 \$9,850,000  
 General Obligation School Building Bonds  
 Series 2001  
 (General obligation bonds payable from  
 unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated June 14, 2001, sealed, facsimile and electronic bids will be received by the clerk of Unified School District No. 353, Sumner County, Kansas (Wellington) (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at the office of the Board of Education, 221 S. Washington, P.O. Box 648, Wellington, KS 67152, and in the case of electronic bids, through Thomson Financial Municipals Group BiDCOMP/PARITY electronic bid submission system, until 4 p.m. July 12, 2001, for the purchase of \$9,850,000 principal amount of General Obligation School Building Bonds, Series 2001. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated July 1, 2001, and will become due on September 1 in the years as follows:

Year	Principal Amount
2003	\$ 40,000
2004	160,000
2005	175,000
2006	190,000
2007	210,000
2008	225,000
2009	245,000
2010	265,000
2011	290,000
2012	310,000
2013	335,000
2014	360,000
2015	390,000
2016	420,000
2017	450,000
2018	485,000
2019	520,000
2020	555,000

2021	595,000
2022	635,000
2023	675,000
2024	725,000
2025	770,000
2026	825,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2002.

#### Optional Book-Entry-Only System

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

#### Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

#### Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$197,000 (2 percent of the principal amount of the bonds).

#### Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 15, 2001, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

#### Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2000 is \$59,166,944. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$9,850,000.

#### Approval of Bonds

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

#### Additional Information

Additional information regarding the bonds may be obtained from the clerk, (620) 326-4300, fax (620) 326-4304; or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206-2241, Attention: Stephen E. Shogren, (316) 681-3123, fax (316) 681-3147.

Dated June 14, 2001.

Unified School District No. 353  
Sumner County, Kansas (Wellington)

Doc. No. 026749

#### State of Kansas

#### Department of Human Resources

#### Notice of Maximum and Minimum Weekly Unemployment Benefit Amounts

The maximum weekly benefit amount and the minimum weekly benefit amount payable with respect to new claims filed on or after July 1, 2001 and before July 1, 2002, are respectively \$333 and \$83. I hereby certify that these maximum and minimum weekly benefit amounts have been computed in accordance with K.S.A. 44-704 of the Kansas Employment Security Law, pursuant to which this announcement is published.

Richard E. Beyer  
Secretary of Human Resources

Doc. No. 026729

#### State of Kansas

#### Social and Rehabilitation Services Department on Aging

#### Notice of Final Nursing Facility Medicaid Rates for State Fiscal Year 2002, Methodology for Calculating Final Rates, and Rate Justifications; Response to Written Comments; and Notice of Intent to Amend the Medicaid State Plan

Under the Medicaid program, 42 U.S.C. 1396 *et seq.*, the State of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging administers the Medicaid nursing facility services payment program on behalf of the Secretary of Social and Rehabilitation Services. As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of Social and Rehabilitation Services (SRS) and the Secretary of Aging (KDOA) are publishing the final Medicaid per diem rates for Medicaid-certified nursing facilities for state fiscal year 2002 (FY 2002), the methodology underlying the establishment of the final nursing facility rates, and the justifications for those final rates. SRS and KDOA also are providing notice of the state's intent to submit proposed amendments to the Medicaid State Plan to the U.S. Department of Health and Human Services' Health Care Financing Administration (HCFA) on or before September 28, 2001.

**I. Methodology Used to Calculate Medicaid Per Diem Rates for Nursing Facilities.** In general, the state uses a prospective, cost-based, facility-specific rate-setting methodology to calculate nursing facility Medicaid per diem rates, including the final rates in this notice. The state's rate-setting methodology is contained primarily in the following described documents and authorities and in the exhibits, attachments, regulations or other authorities referenced in them:

A. The following portions of the Kansas Medicaid State Plan maintained by SRS:

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

(continued)

2. Attachment 4.19D, Part I, Subpart E;
3. Attachment 4.19D, Part I, Subpart F;
4. Attachment 4.19D, Part I, Subpart S (Reserved);

and

B. SRS regulations set out in K.A.R. Article 30-10.

The text of those portions of the Medicaid State Plan identified above in sections I.A.1-4, but not the documents, authorities and the materials incorporated into them by reference, were reprinted in the May 10, 2001 issue of the Kansas Register (pages 734-748). The methodology used to calculate the final rates is the same as the methodology published in the May 10, 2001 issue of Kansas Register. Readers should refer back to that issue for a description of the state's methodology.

A copy of the state's rate-setting methodology from the Medicaid State Plan and the materials referenced in the methodology are available upon written request. A request for copies will be treated as a request for public records under the Kansas Open Records Act, K.S.A. 45-215 *et seq.* The state will charge a fee for copies. Written requests for copies should be sent to:

Kansas Department on Aging  
 Attention: Bill McDaniel  
 New England Building  
 503 S. Kansas Ave.  
 Topeka, KS 66603-3404  
 Fax: (785) 296-0256

## II. Final Medicaid Per Diem Rates for Kansas Nursing Facilities.

**A. Cost Center Limitations.** The state establishes the following cost center limitations which are used in the final rate-setting process:

Administration:	Median Cost + 15%	\$15.78 per day
Property: [Ownership Cost + (Plant Operating	Median Cost + 30%)]	\$12.32 per day
Room & Board:	Median Cost + 30%	\$24.64 per day
Health Care (for a Case Mix Index of 1.0):	Median Cost + 25%	\$67.15 per day

These amounts were determined according to the reimbursement limitations section set out in Section I.A. of the methodology published in the May 10, 2001 issue of the Kansas Register.

**B. Case Mix Index.** These final rates are based upon each nursing facility's average case mix index (CMI) calculated with a cutoff date of May 1, 2001, using the July 1, 2001, normalized table. In Section II.C., below, each nursing facility's average CMI is listed beside its final per diem rate.

**C. Final Nursing Facility Per Diem Rates and CMI.** The final rates listed below differ from the proposed rates published in the May 10, 2001 Kansas Register because of several factors, including: adjustments due to completion of all the desk reviews of all the nursing facility cost reports, including those cost reports submitted after the February 28, 2001 deadline; use of the facilities' May 1, 2001 CMI instead of the April 1, 2001 CMI; consideration of amended nursing facility cost reports; and rebasing property fees. All of these factors impact cost center upper limits and individual nursing facility rates. In accordance with K.A.R. 30-10-18, the state will pay a nursing facility the lower of the per diem rate

that the facility charges its private pay residents or the facility's final Medicaid per diem rate published below.

Facility Name	City	Daily Rate	Final CMI
Abilene Nursing Center	Abilene	80.30	0.89
Infinia at Abilene, Inc.	Abilene	61.29	0.90
Alma Manor	Alma	110.83	0.90
Andover Health Care Center	Andover	93.41	1.26
Anthony Community Care Center	Anthony	99.17	0.95
Arkansas City Presbyterian Manor	Arkansas City	107.96	1.15
Medicalodge East Healthcare Center	Arkansas City	115.55	1.34
Medicalodge Post Acute & Rehab Center	Arkansas City	109.60	0.90
Infinia at Arma	Arma	100.18	1.60
Ashland Health Center - LTCU	Ashland	97.14	0.90
Atchison Hospital SNF	Atchison	94.54	0.95
Atchison Senior Village	Atchison	93.84	0.92
Dodley Center	Atchison	100.56	0.86
Medicalodge of Atchison	Atchison	99.99	1.23
Attica Long Term Care	Attica	94.47	0.96
Atwood Good Samaritan Center	Atwood	95.01	0.86
Augusta Medical Complex	Augusta	74.57	0.89
Lake Point Nursing Center	Augusta	88.72	0.96
Baldwin Care Center	Baldwin City	89.76	0.98
Quaker Hill Manor	Baxter Springs	86.67	0.91
Spring Valley Care Center	Baxter Springs	92.44	1.16
Belleville Health Care Center	Belleville	86.68	1.12
Republic County Hospital-LTCU	Belleville	109.14	0.97
Ridgeview Manor	Belleville	87.05	0.96
Hilltop Lodge Nursing Home	Beloit	84.83	0.92
Mitchell County Community Hospital	Beloit	101.41	0.98
Centers for LTC of Bonner Springs	Bonner Springs	95.90	0.93
Hill Top House	Bucklin	89.19	0.95
Buhler Sunshine Home, Inc.	Buhler	103.09	1.00
Santa Fe Trails Nursing Home	Burlingame	83.58	1.12
Life Care Center of Burlington	Burlington	93.07	1.07
Beverly Health & Rehab of Caldwell	Caldwell	80.82	0.90
Caney Nursing Center	Caney	67.56	0.90
Shiloh Manor of Canton, Inc.	Canton	94.52	0.93
Cedar Vale Nursing Center	Cedarvale	73.04	0.80
Eastridge Nursing Home	Centralia	94.63	0.91
Applewood Rehabilitation	Chanute	65.70	0.66
Heritage Health Care Center	Chanute	79.73	1.09
Park Place Healthcare & Rehab Center	Chanute	90.51	1.09
Chapman Valley Manor	Chapman	84.33	0.98
Cheney Golden Age Home Inc.	Cheney	91.97	0.87
Cherryvale Care Center	Cherryvale	98.28	1.06
Chetopa Manor	Chetopa	76.73	1.47
The Shepherd's Center	Cimarron	94.56	1.04
Clay Center Presbyterian Manor	Clay Center	113.57	0.96
Medicalodge of Clay Center	Clay Center	97.52	1.08
Ninnescah Manor	Clearwater	102.54	1.00
Community Care Inc.	Clifton	67.85	0.85
Park Villa Nursing Home	Clyde	80.77	0.87
Coffeyville Regional Medical Center	Coffeyville	155.21	1.57
Medicalodge East of Coffeyville	Coffeyville	96.63	0.98
Windsor Place	Coffeyville	93.31	1.21
Citizens Medical Center	Colby	114.52	0.92
Lantern Park Manor	Colby	77.44	1.00
Pioneer Lodge	Coldwater	86.31	0.87
Medicalodge of Columbus	Columbus	110.72	1.10
Riverside Health Care	Colwich	103.30	0.93
Beverly Health & Rehab of Concordia	Concordia	85.39	0.90
Mt. Joseph Senior Community, Inc.	Concordia	96.82	0.98
Sunset Nursing Center	Concordia	98.90	1.02
Spring View Manor	Conway Springs	80.77	0.90
Chase County Nursing Home	Cottonwood Falls	91.04	1.32
Twin Lake Healthcare Center	Council Grove	81.37	0.99
Hilltop Manor	Cunningham	79.35	0.89
Westview Manor, Inc.	Derby	91.58	1.05
Grouse Valley Manor	Dexter	84.67	0.83
Lane County Hospital - LTCU	Dighton	103.92	0.80
Dodge City Good Samaritan Center	Dodge City	104.95	0.99
Manor of the Plains	Dodge City	104.06	0.97
Trinity Manor	Dodge City	103.64	0.92
Medicalodge of Douglass	Douglass	100.70	0.97
Downs Nursing Center	Downs	84.61	0.99
Country Care Home	Easton	80.80	0.84
Edwardsville Convalescent Center	Edwardsville	105.11	1.17
Edwardsville Manor	Edwardsville	85.90	0.80
Parkway Care Home	Edwardsville	92.51	1.25
Beverly Health & Rehab of El Dorado	El Dorado	83.61	1.00
Lakepoint Nursing Center-El Dorado	El Dorado	89.65	0.96

Facility Name	City	Daily Rate	Final CMI	Facility Name	City	Daily Rate	Final CMI
Morton County Hospital	Elkhart	105.65	0.93	High Plains Retirement Village	Lakin	117.79	1.18
Woodhaven Care Center	Ellinwood	85.29	1.02	Colonial Manor - Lansing	Lansing	89.82	1.19
Ellis Good Samaritan Center	Ellis	89.65	1.15	Larned Healthcare & Living Center	Larned	78.83	1.01
Ellisworth Good Sam Village-Villa	Ellisworth	106.83	0.90	Brandon Woods, Inc.	Lawrence	105.44	1.08
Emporia Presbyterian Manor	Emporia	110.59	1.05	Colonial Manor-Lawrence	Lawrence	100.38	1.13
Emporia Rehabilitation Center	Emporia	72.34	1.13	Lawrence Presbyterian Manor	Lawrence	127.92	1.17
Holiday Resort of Emporia	Emporia	88.85	0.99	Leavenworth Co Convalescent Infi	Leavenworth	81.60	1.03
Vintage Manor	Emporia	88.39	0.90	Medicalodge of Leavenworth	Leavenworth	109.82	1.16
Enterprise Estates Nursing Center	Enterprise	79.16	0.95	Delmar Gardens of Lenexa	Lenexa	99.24	1.23
Heritage Village-Eskridge	Eskridge	76.29	0.68	Leonardville Nursing Home	Leonardville	74.69	0.95
Eudora Nursing Center	Eudora	86.34	0.90	Golden Acres Nursing Home	Leoti	116.85	0.95
Medicalodge of Eureka	Eureka	108.51	1.21	Liberal Good Samaritan Center	Liberal	98.19	0.90
Florence Health Care	Florence	69.81	0.83	Lincoln County Hospital LTCU	Lincoln	113.92	0.94
Fort Scott/Marmaton Valley	Fort Scott	78.59	1.11	Mid-America Health Center of Lincoln	Lincoln	85.01	1.03
Medicalodge of Ft. Scott	Fort Scott	111.00	1.13	Bethany Home Association	Lindsborg	102.17	0.85
Fowler Nursing Home	Fowler	92.99	0.83	Linn Community Nursing Home	Linn	77.08	0.88
Frankfort Community Care Home	Frankfort	90.88	1.07	Sandstone Heights	Little River	93.22	0.92
Beverly Health & Rehab of Fredonia	Fredonia	88.13	1.18	Logan Manor Community Health Ser.	Logan	79.11	0.85
Sunset Manor, Inc.	Frontenac	79.70	1.03	Louisburg Care Center	Louisburg	96.88	1.16
Galena Nursing & Rehab Center	Galena	78.92	1.09	Beverly Health & Rehab of Lucas	Lucas	87.45	0.90
Garden Valley Retirement Village	Garden City	103.54	1.13	Lyons Good Samaritan Center	Lyons	96.24	0.88
Terrace Garden Care Center	Garden City	104.43	1.16	Madison Manor, Inc.	Madison	89.66	0.86
Centers for Long Term Care of Gardner	Gardner	130.46	1.69	Meadowlark Hills Retirement Comm.	Manhattan	124.15	1.07
Medicalodge of Gardner	Gardner	102.38	0.91	St. Joseph Senior Community, Inc.	Manhattan	97.58	1.04
Anderson County Hospital	Garnett	102.04	1.03	Stoneybrook Retirement Community	Manhattan	100.38	1.13
Golden Heights Living Center	Garnett	90.62	0.97	Jewell County Hospital	Mankato	103.35	0.87
The Heritage	Girard	77.28	1.18	Marion Manor	Marion	86.09	1.01
The Nicol Home, Inc.	Glasco	90.48	0.80	St. Luke Living Center	Marion	94.07	0.90
Medicalodge of Goddard	Goddard	114.56	1.32	Riverview Estates, Inc.	Marquette	81.28	0.91
Bethesda Home	Goessel	109.89	0.91	Cambridge Place	Marysville	91.06	1.07
Sherman Co. Good Samaritan Center	Goodland	99.11	0.99	Community Memorial Healthcare, Inc.	Marysville	87.96	0.92
Central Kansas Medical Center, N	Great Bend	118.00	1.13	Infinia at McPherson	McPherson	101.49	0.97
Cherry Village Benevolence	Great Bend	91.83	0.96	The Cedars, Inc.	McPherson	102.61	0.95
Integrated Health Services of Great Bend	Great Bend	96.97	1.01	Lone Tree Compassionate Care Cor	Meade	102.76	0.89
Washington Cnty Hosp. Dist. #1	Hanover	79.80	0.83	Cedar Crest Manor	Medicine Lodge	88.89	0.95
Friendship Manor Rehab Center	Haviland	68.06	0.60	Trinity Lutheran Manor	Merriam	116.05	1.14
Hays Good Samaritan Center	Hays	99.30	1.00	Minneapolis Good Samaritan Center	Minneapolis	99.75	1.09
Hays Medical Center	Hays	231.55	2.78	Ottawa County Hospital-LTCU	Minneapolis	62.41	0.90
St. John's of Hays	Hays	94.31	0.96	Minneola Nursing Home	Minneola	93.01	0.94
Prestige Rehab & Nursing Center	Haysville	104.81	1.19	Elk Manor Home	Moline	80.41	0.99
Herington Municipal Hospital	Herington	98.53	1.37	Bethel Home, Inc.	Montezuma	102.72	0.97
Lutheran Home, Inc.	Herington	81.87	0.92	Moran Manor	Moran	78.81	0.90
Schowalter Villa	Hesston	113.70	0.93	Memorial Home for the Aged	Moundridge	112.12	0.98
Maple Heights of Hiawatha	Hiawatha	94.95	0.95	Moundridge Manor, Inc.	Moundridge	80.27	0.79
Oak Ridge Acres	Hiawatha	70.19	1.02	Mt. Hope Nursing Center	Mt. Hope	93.09	0.81
Highland Care Center	Highland	91.04	1.11	Villa Maria, Inc.	Mulvane	104.03	0.95
Dawson Place, Inc.	Hill City	84.79	0.86	Beverly Health & Rehab of Neodesha	Neodesha	87.10	0.95
Hillsboro Community Medical Center	Hillsboro	98.11	0.87	Golden Keys Nursing Home	Neodesha	64.77	0.88
Parkside Homes, Inc.	Hillsboro	99.56	0.96	Ness County Hospital Dist. #2	Ness City	101.99	0.88
Hoisington Rehabilitation Center	Hoisington	78.41	0.85	Bethel Care Centre	Newton	106.73	1.00
Holton Manor	Holton	73.86	0.86	Friendly Acres, Inc.	Newton	110.58	0.97
Jackson Co. Nursing Home, Inc.	Holton	84.15	0.96	Kansas Christian Home	Newton	112.12	0.90
Tri County Manor Living Center	Horton	73.68	0.91	Newton Presbyterian Manor	Newton	119.97	1.04
Howard Twilight Manor	Howard	88.41	1.23	Manorcare Health Services of Wichita	North Wichita	97.65	1.13
Sheridan County Hospital	Hoxie	95.60	0.97	Ande Home, Inc.	Norton	97.85	0.83
Pioneer Manor	Hugoton	109.53	0.94	Village Villa	Nortonville	83.61	1.08
Pinecrest Nursing Home	Humboldt	75.82	0.90	Norwich Health Care Center	Norwich	84.87	0.75
Golden Plains	Hutchinson	104.17	1.05	Decatur Co. Good Samaritan Center	Oberlin	90.11	0.91
Hutchinson Good Samaritan Center	Hutchinson	105.30	1.03	Decatur County Hospital	Oberlin	86.15	0.84
Oakwood Rehabilitation Center	Hutchinson	77.86	1.01	Centers for Long Term Care of Olathe	Olathe	102.54	1.08
Ray E. Dillon Living Center	Hutchinson	106.08	1.06	Johnson County Nursing Center	Olathe	120.03	1.01
Wesley Towers	Hutchinson	120.80	1.07	Olathe Good Samaritan Center	Olathe	120.40	1.14
Glenwood Estate	Independence	76.97	0.93	Royal Terrace Nrsng. & Rehab. Center	Olathe	103.60	1.26
Manor Nursing Home	Independence	77.18	1.00	Villa St. Francis	Olathe	118.85	1.21
The Lodge at Independence	Independence	92.65	1.04	Golden Acres	Onaga	86.72	0.96
Pleasant View Home	Inman	101.21	0.83	Osage Nursing & Rehabilitation Center	Osage City	86.45	1.09
Windsor Place at Iola, LLC	Iola	81.05	1.31	Peterson Nursing Home	Osage City	76.51	1.01
Cheyenne Lodge, Inc.	Jamestown	72.74	0.98	Life Care Center of Osawatomie	Osawatomie	113.07	1.36
Hodgeman Co Health Center-LTCU	Jetmore	115.07	0.97	Parkview Care Center	Osborne	92.27	0.93
Stanton County Hospital-LTCU	Johnson	106.72	0.80	Hickory Pointe Care & Rehab Center	Oskaloosa	88.13	1.07
Junction City Good Samaritan Center	Junction City	96.21	1.22	Infinia at Oswego	Oswego	89.48	0.99
Valley View Professional Care Center	Junction City	79.27	0.88	Village Manor	Ottawa	90.32	1.06
Alzheimer's Center of Kansas City	Kansas City	115.17	1.01	Brookside Manor	Overbrook	97.71	0.99
Kansas City Presbyterian Manor	Kansas City	128.05	1.14	Delmar Gardens of Overland Park	Overland Park	109.72	1.50
Medicalodge East of Kansas City	Kansas City	115.70	1.05	Indian Creek Nursing Center	Overland Park	111.10	1.23
Medicalodge Post Acute Center	Kansas City	116.34	1.21	Lifecare Center of Overland Park	Overland Park	107.37	0.98
The Manor of Kansas City	Kansas City	95.26	1.13	Manorcare Health Services of Overland Park	Overland Park	120.87	1.13
Infinia at Kensington	Kensington	63.23	0.84	Overland Park	Overland Park	122.73	1.14
The Wheatlands	Kingman	87.10	0.89	Specialty Hospital of Overland Park	Overland Park	116.25	1.01
Medicalodge of Kinsley	Kinsley	106.68	0.92	Villa Saint Joseph	Overland Park	119.00	1.07
Kiowa Hospital District Manor	Kiowa	94.39	0.89	Riverview Manor, Inc.	Oxford	87.55	0.99
Rush Co. Memorial Hospital	La Crosse	90.77	0.91				
Rush County Nursing Home	La Crosse	103.84	0.99				

(continued)

Facility Name	City	Daily Rate	Final CMI
Country Haven Nursing Center	Paola	104.29	1.12
Medicalodge of Paola	Paola	82.28	0.62
Elmhaven East	Parsons	69.40	1.18
Elmhaven West	Parsons	73.79	1.01
Parsons Good Samaritan Center	Parsons	93.17	1.14
Parsons Presbyterian Manor	Parsons	106.92	1.00
Peabody Community Living Center	Peabody	100.88	0.98
Westview Manor of Peabody	Peabody	65.80	0.63
Phillips County Hospital-LTCU	Phillipsburg	110.40	0.96
Phillips County Retirement Center	Phillipsburg	77.73	0.81
Beverly Rehabilitation Center	Pittsburg	90.54	1.01
Medicalodge North of Pittsburg	Pittsburg	98.77	0.94
Medicalodge South of Pittsburg	Pittsburg	106.21	1.03
Mt. Carmel Medical Center	Pittsburg	160.66	1.69
Rooks County Home	Plainville	94.87	0.93
Friendship Manor of Pratt	Pratt	86.09	1.16
Pratt Regional Medical Center	Pratt	97.21	0.89
Prescott Country View Nursing Home	Prescott	70.77	0.87
Prairie Sunset Manor	Pretty Prairie	87.04	1.00
Protection Valley Manor	Protection	74.86	0.82
Gove County Medical Center	Quinter	103.63	0.92
Grisell Memorial Hosp Dist #1-LT	Ransom	111.34	0.99
Richmond Care Center	Richmond	77.99	0.83
Lakepoint Nursing & Rehab Center	Rose Hill	79.22	0.99
Rossville Valley Manor	Rossville	109.14	0.96
Gateway Care Center	Russell	67.43	0.67
Wheatland Nursing & Rehab Center	Russell	89.95	1.04
Apostolic Christian Home	Sabetha	82.31	0.95
Sabetha Manor	Sabetha	86.05	0.97
Center for LTC of Salina	Salina	91.33	1.27
Holiday Resort of Salina	Salina	103.67	0.97
Kenwood View Nursing Center	Salina	87.26	1.02
Salina Presbyterian Manor	Salina	108.34	0.94
Shalimar Health Center	Salina	68.67	1.03
Smokey Hill Rehabilitation Center	Salina	94.07	1.09
Windsor Estates	Salina	97.26	1.12
Satanta Dist. Hosp. LTCU	Satanta	123.57	1.05
Park Lane Nursing Home	Scott City	98.76	0.87
Pleasant Valley Manor	Sedan	74.96	1.11
Sedgwick Healthcare Center	Sedgwick	98.39	1.33
Country View Estates Care Home	Seneca	74.63	0.96
Crestview Manor	Seneca	58.22	0.94
Prairie Manor Good Samaritan Center	Sharon Springs	88.58	0.90
Sharonlane Nursing Home	Shawnee	104.59	1.10
Shawnee Gardens Nursing Center	Shawnee	114.29	1.04
Infinia at Smith Center	Smith Center	84.90	1.22
Smith County Memorial Hosp-LTCU	Smith Center	93.84	0.87
Mennonite Friendship Manor, Inc.	South	111.87	1.05
	Hutchinson		
Beverly Hlth & Rehab-Spring Hill	Spring Hill	100.77	1.20
St. Francis Good Samaritan Center	St. Francis	97.71	0.87
Leisure Homestead at St. John	St. John	80.98	0.92
St. Mary's Manor	St. Mary's	93.06	1.05
Prairie Mission Retirement Villa	St. Paul	92.85	0.92
Leisure Homestead at Stafford	Stafford	74.39	0.88
Sterling Presbyterian Manor	Sterling	95.57	0.86
Solomon Valley Manor	Stockton	92.95	0.97
Hamilton Co. Hospital-LTCU	Syracuse	105.31	0.87
Tonganoxie Nursing Center	Tonganoxie	99.76	1.09
Aldersgate Village	Topeka	122.30	1.04
Brewster Place	Topeka	122.36	1.10
Brighton Place North	Topeka	61.78	0.58
Countryside Health Center	Topeka	74.65	0.62
Eventide Convalescent Center, Inc.	Topeka	86.32	0.85
Fairlawn Heights Nursing Center	Topeka	88.73	0.62
IHS Highland Park	Topeka	102.22	0.89
IHS of Brighton Place	Topeka	70.52	0.63
Indian Trails Manor	Topeka	65.02	0.67
Lexington Park Nursing and Post	Topeka	126.58	1.29
Manorcare Health Services of Topeka	Topeka	109.44	1.26
McCrite Plaza Health Center	Topeka	108.13	1.02
Plaza West Care Center, Inc.	Topeka	121.03	1.24
Rolling Hills Health Center	Topeka	103.82	1.22
Southgate Village Life Care Center	Topeka	79.57	1.10
The United Methodist Home	Topeka	110.11	0.89
Topeka Healthcare Center	Topeka	98.86	1.42
Topeka Presbyterian Manor Inc.	Topeka	120.65	1.03
Westwood Manor	Topeka	94.29	0.99
Woodland Health Center	Topeka	80.45	0.91
Greeley County Hospital, LTCU	Tribune	106.90	0.86
Western Prairie Care Home	Ulysses	114.72	0.94
Valley Health Care Center	Valley Falls	78.04	0.65
St. John's Rest Home of Victoria	Victoria	84.11	0.83

Facility Name	City	Daily Rate	Final CMI
The Lutheran Home - WaKeeney	WaKeeney	77.95	0.82
Trego Co. Lemke Memorial LTCU	WaKeeney	109.89	0.94
Heritage Village-Wakefield	Wakefield	80.62	0.94
Valley Vista Good Samaritan Center	Wamego	97.06	1.06
The Centennial Homestead, Inc.	Washington	67.10	0.86
Colonial Manor - Wathena	Wathena	86.80	1.22
Sunset Manor	Waverly	112.94	0.91
Beverly Health & Rehab of Wellington	Wellington	86.76	1.11
Cedar View Good Samaritan Center	Wellington	99.36	0.98
Wellsville Manor	Wellsville	98.24	1.09
Westy Community Care Home	Westmoreland	84.65	0.95
Wheat State Manor	Whitewater	103.48	0.90
Cameo Care Center	Wichita	96.67	0.82
Catholic Care Center Inc.	Wichita	104.47	1.06
Homestead Health Center, Inc.	Wichita	104.43	0.92
Horizon Specialty Hospital	Wichita	111.08	1.11
IHS of Wichita	Wichita	119.82	1.06
Infinia at Wichita	Wichita	109.94	0.94
Kansas Masonic Home	Wichita	118.72	1.15
Lakewood Heights Nursing Center	Wichita	93.49	1.26
Life Care Center of Wichita	Wichita	109.69	1.36
Lincoln East	Wichita	95.28	0.91
Medicalodge of Wichita	Wichita	133.26	1.21
Meridian Nursing & Rehab Center	Wichita	96.29	1.00
Sandpiper Bay Health & Retirement	Wichita	109.42	1.06
The Health Care Center @ Larksville	Wichita	116.87	0.95
Wichita Healthcare & Rehab Center	Wichita	114.82	1.00
Wichita Presbyterian Manor	Wichita	122.20	1.18
Wilson Nursing Home	Wilson	87.68	1.17
Jefferson Co. Memorial Hospital	Winchester	93.05	0.90
Cumbernauld Village, Inc.	Winfield	109.93	0.97
Good Samaritan Village-Winfield	Winfield	110.57	0.94
Walnut Hill Nursing Center, Inc.	Winfield	82.37	0.75
Winfield Rest Haven, Inc.	Winfield	83.99	0.91
Twin Oaks Health Care	Yates Center	84.04	0.96

III. Justifications for the Final Rates.

1. The final rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan, which has been used, in essentially the same form, to set nursing facility rates for more than seven years.

2. The final rates are calculated according to a methodology that satisfies the requirements of K.S.A. 39-708c(x) and the Department of Social and Rehabilitation Services' regulations in K.A.R. Chapter 30, Article 10 implementing that statute.

3. The state's studies project that the final rates:

a. Would result in payment, in the aggregate, of 96.7% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and

b. would result in a maximum allowable rate of \$120.92; the total average allowable cost is \$105.01 for an average case mix index of one.

c. Estimated average rate July 1, 2001	\$96.02
Average payment rate July 1, 2000	\$91.43
Amount of change	\$4.59
Percent of change	5.02%

4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase by approximately \$21.8 million.

5. The state estimates that the final rates would continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population. The state's studies indicate:

a. Service providers operating a total of 315 nursing facilities (representing 97% of all the free standing licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 44 hospital-based long-term care units also are certified to participate in the Medicaid program;

b. there is at least one Medicaid-certified nursing facility and/or facility for mental health, or Medicaid-certified hospital-based long-term care unit in each of the 105 counties in Kansas;

c. the statewide average occupancy rate for nursing facilities participating in Medicaid is 87.9%;

d. the statewide average Medicaid occupancy rate for participating facilities is 55.3%, which is a slight increase from the prior year; and

e. the final rates would cover 98.47% of the estimated Medicaid health care costs incurred by participating nursing facilities statewide.

6. Federal Medicaid regulations at 42 C.F.R. 447.272 impose an aggregate upper payment limit that states may pay for Medicaid nursing facility services. The state's analysis indicates that the final methodology would result in compliance with the federal regulation.

**IV. The State's Response to Written Comments on the Published Proposals.** In response to the Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2002, Methodology for Calculating Proposed Rates, and Rate Justifications; Notice of Intent to Amend the Medicaid State Plan; Request for Comments; and Notice of Intent to Publish Final Rates published in the May 10, 2001 Kansas Register, the state received one set of written comments. The state thanks the commenter for their interest, efforts and suggestions. The state reviewed, discussed and considered those comments before approving the final rate-setting methodology and the final per diem rates published in this notice.

While the commenter points out, discusses and, in some instances, suggests changes to specific components of the rate-setting methodology, they did not specifically question the overall sufficiency of the proposed rates or the overall sufficiency of the proposed rate for any single nursing facility, or comment on the state's justifications for the proposed rates. The state notes that the effective operation of each facility's rate is based on the aggregate rate, not on the value of any single component of the rate or a combination of several (but not all) of the rate's components. The proposed rates (and even the final adopted rates printed above) show an average aggregate rate increase in excess of 5 percent.

Again, the state would like to thank the commenter for their efforts, interest and suggestions. The state will consider the comments again as part of the state's planned review of the overall rate-setting methodology during FY 2002.

**V. Notice of Intent to Amend the Medicaid State Plan.** The state intends to submit the Medicaid State Plan amendments to HCFA on or before September 28, 2001.

J.G. Scott  
Budget Director  
Social and Rehabilitation Services  
Connie Hubbell  
Secretary of Aging

Doc. No. 026759

## State of Kansas

### Department of Wildlife and Parks

#### Permanent Administrative Regulations

#### Article 1.—GAME BIRDS

**23-1-11.** (Authorized by and implementing K.S.A. 32-152 and 32-215; effective May 1, 1980; amended May 1, 1981; amended May 1, 1983; revoked July 13, 2001.)

#### Article 8.—WILDLIFE AREAS

**23-8-27.** (Authorized by K.S.A. 32-161a, 82a-821; effective May 1, 1980; revoked July 13, 2001.)

#### Article 8.—DEPARTMENT LANDS AND WATERS

**115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms.** (a) Subject to provisions and restrictions as established by posted notice, the following activities shall be allowed on department lands and waters:

(1) Hunting during open seasons for hunting on lands and waters designated for public hunting;

(2) furharvesting during open seasons for furharvesting on lands and waters designated for public hunting and other lands and waters as designated by the department;

(3) target practice in areas designated as open for target practice; and

(4) noncommercial training of hunting dogs.

(b) Other than as part of an activity under subsection (a) the discharge of firearms and other sport hunting equipment capable of launching projectiles shall be allowed on department lands and waters only as specifically authorized in writing by the department.

(c) The discharge of fully automatic rifles or fully automatic handguns on department lands and waters shall be prohibited.

(d) Department lands and waters shall be open neither for commercial rabbit and hare furharvesting nor for commercial harvest of amphibians and reptiles. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1015; effective Dec. 4, 1989; amended July 13, 2001.)

**115-8-5.** (Authorized by L. 1989, Ch. 118, Sec. 9; implementing L. 1989, Ch. 118, Sec. 9 and 126; effective Dec. 4, 1989; revoked July 13, 2001.)

**115-8-8. Swimming.** (a) Swimming shall be allowed in all department waters, subject to the following restrictions:

(1) Swimming shall be prohibited in state fishing lakes except as authorized by posted notice.

(2) Skin and scuba diving shall be allowed only in department waters designated for these activities by posted notice.

(3) Swimming in any department water may be prohibited or restricted by posted notice.

(b) In any department water where swimming is otherwise prohibited, body contact with water that occurs incidental to allowed activities shall be authorized.

(continued)

(c) On lands that are designated by posted notice as swimming beaches or in waters that are designated by buoys or other markers as swimming areas, the following restrictions shall apply:

- (1) Possession of liquor or beer shall be prohibited.
- (2) No containers other than shatterproof containers shall be possessed. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1015; effective Dec. 4, 1989; amended July 13, 2001.)

**115-8-12. Stocking or releasing of wildlife.** Wildlife may be stocked or released on department lands or waters only as authorized by any of the following:

- (a) A written agreement issued by the department;
- (b) a permit issued by the department;
- (c) a department-approved management plan;
- (d) rules and regulations; or
- (e) posted notice. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-1002, and K.S.A. 32-1015; effective Dec. 4, 1989; amended July 13, 2001.)

**115-8-16.** (Authorized by L. 1989, Ch. 118, Sec. 9; implementing L. 1989, Ch. 118, Sec. 9 and 126; effective Dec. 4, 1989; revoked July 13, 2001.)

**115-8-18.** (Authorized by L. 1989, Ch. 118, Sec. 9; implementing L. 1989, Ch. 118, Sec. 9 and 126; effective Dec. 4, 1989; revoked July 13, 2001.)

**115-8-20. Construction, littering, and prohibited activities.** (a) The following activities shall be prohibited on department lands and waters except as specified in rules and regulations or as authorized by the department.

- (1) Constructing any structure, building, facility, appurtenance or roadway;
- (2) dumping, discarding, or depositing trash, litter, or waste material;
- (3) digging holes or pits; and
- (4) destroying, defacing, degrading, or removing any of the following:
  - (A) Signs;
  - (B) real or personal property, other than property owned by that person;
  - (C) geological formations;
  - (D) historical sites;
  - (E) archeological relics or ruins; or
  - (F) vegetation, except for the noncommercial gathering of edible wild plants, wild fruits, nuts, or fungi for human consumption.

(b) Trash, litter, and waste material shall be deposited or discarded only in containers provided for the depositing of trash, litter, and waste material. Each person using lands or waters where these containers are not provided shall remove any trash, litter, and waste material generated as a result of and during the person's use of the area. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1015; effective Dec. 4, 1989; amended July 13, 2001.)

**115-8-21. Special events; permit requirements and procedures; department lands and waters.** (a) A special event permit shall be required for any event occurring on department lands or waters, or both, if one of the following conditions exists:

- \* (1) An entrance, admission, or participation fee is charged.
- (2) Food, merchandise, or service is offered for sale.
- (3) The exclusive use of a facility or a specified land or water area is necessary, other than facilities or areas for which other permits may be issued.
- (4) An organized or advertised competition will be conducted.
- (5) Sound will be amplified that may disrupt area users.
- (6) Temporary structures, other than blinds or common camping equipment, will be erected.
- (b) An event sponsored in part or in total by the department shall not require a special event permit.
- (c) For a field trial or a water event on department lands or waters, a special event permit may be issued by the department in place of a field trial permit or a water event permit if the requirements of K.A.R. 115-13-2 or K.A.R. 115-30-9, respectively, are met in addition to the requirements for a special event permit.
- (d) Permit procedures.
  - (1) Each application for a special event permit shall be made to the department no fewer than five weekdays before the event is to be held.
  - (2) Payment of the special event permit fee specified in K.A.R. 115-2-3 shall accompany each application.
  - (3) The permit fee shall be returned to the applicant if the special event permit is not approved by the department.
  - (4) The permit fee shall not be refunded for an issued special event permit.
  - (5) A performance deposit may be required as a condition of special event permit issuance.
  - (6) The deposit shall be returned by the department if the special event permittee has met all permit conditions.
  - (e) Permit holders may tag or mark wildlife only as allowed under permit conditions.
  - (f) A special event permit may be refused issuance by the department if the proposed event meets any of the following conditions:
    - (1) Would not be compatible with intended uses of the area;
    - (2) Would result in misuse or damage to facilities, structures, or the natural environment; or
    - (3) Would pose a threat to public health, safety, or welfare.
  - (g) In addition to other penalties prescribed by law, failure to comply with all rules and regulations and permit conditions shall be grounds for revocation of a special event permit or refusal to issue a special event permit.
  - (h) This regulation shall be effective on and after January 1, 2002. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1015; effective March 19, 1990; amended Jan. 1, 2002.)

#### Article 18.—SPECIAL PERMITS

**115-18-17. Educational bird hunt permit; application, permit, and general provisions.** (a) Pen-raised, banded birds may be released and shot outside of established hunting seasons for that species if authorized by an educational bird hunt permit. An educational bird

hunt permit shall not be required in order to take any species of bird during established hunting seasons for that species.

(b) Each person who desires to obtain an educational bird hunt permit shall apply to the secretary. Each applicant shall provide the following information:

- (1) The name and address of the applicant;
- (2) a description of the educational purpose to be met by the proposed hunt;
- (3) the date and location of the proposed hunt;
- (4) the anticipated number of student participants and instructor participants;
- (5) the source, species, and number of birds to be released; and

(6) any other information as required by the secretary.

(c) Issuance of an educational bird hunt permit may be denied by the secretary for any of the following reasons:

- (1) The application is incomplete or contains false information.
- (2) The proposed hunt does not conform to the requirements for and restrictions governing an educational bird hunt.
- (3) The proposed hunt would violate a law or another regulation.
- (4) Issuance of the permit would pose an inordinate risk to the public or to wildlife resources.

(d) Each educational bird hunt shall be subject to the following requirements and restrictions:

(1) The purpose of the proposed hunt shall be to educate persons who have not had previous experience hunting upland birds.

(2) Instructor participants may shoot and take released birds, but no more than one instructor participant per student participant shall be permitted.

(3) The number of game birds harvested during an educational bird hunt shall not exceed the number of game birds released of the same species. No game bird species may be hunted during the educational bird hunt until a release of that game bird species has been made.

(4) All pen-raised birds released during an educational bird hunt shall be banded using leg bands and shall be coded with the initials "EH."

(5) Within 30 days of the conclusion of an educational bird hunt, the permittee shall report the following to the department:

(A) The number of student participants and instructor participants; and

(B) the number of birds released and the number of birds harvested, for each species released or harvested. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective July 13, 2001.)

#### Article 20.—MISCELLANEOUS REGULATIONS

**115-20-1. Crows; legal equipment, taking methods, and possession.** (a) Legal hunting equipment for taking crows shall consist of the following:

(1) Firearms, except fully automatic rifles and handguns and except shotguns and muzzleloading shotguns larger than 10 gauge or using other than shot ammunition;

(2) pellet and BB guns;

(3) archery equipment;

(4) falconry equipment; and

(5) calls and decoys, except live decoys.

(b) The use of dogs shall be permitted while hunting.

(c) Hunting hours shall be from ½ hour before sunrise to sunset.

(d) Any type of apparel may be worn while hunting crows.

(e) Crows may be shot or pursued by falconry means while the crow is in flight, on the ground, or perched.

(f) Legally taken crows may be possessed without limit in time and number and may be disposed of in any manner, except crows shall not be purchased, sold, bartered, or offered for purchase, sale, or barter.

(g) Blinds and stands may be used while hunting. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807 and K.S.A. 32-1002; effective July 30, 1990; amended March 20, 1995; amended July 13, 2001.)

**115-20-2. Certain wildlife; legal equipment, taking methods, possession, and license requirement.** (a) Subject to federal and state laws and rules and regulations, wildlife listed below in subsection (b) may be taken for personal use on a noncommercial basis.

(b) For purposes of this regulation, wildlife shall include the following, excluding any species listed in K.A.R. 115-15-1 or K.A.R. 115-15-2:

(1) Prairie dog;

(2) ground squirrel;

(3) woodchuck;

(4) mole;

(5) gopher;

(6) kangaroo rat;

(7) wood rat;

(8) armadillo;

(9) porcupine;

(10) feral pigeon;

(11) commensal and other rodents, excluding game and furbearing animals;

(12) invertebrates;

(13) amphibians, except bullfrogs; and

(14) reptiles, except common snapping turtles and soft-shelled turtles.

(c) Wildlife listed above in subsection (b) shall be taken only with any of the following legal equipment or methods:

(1) Firearms, except fully automatic firearms;

(2) bow and arrow;

(3) pellet and BB gun;

(4) crossbow;

(5) falconry;

(6) projectiles hand-thrown or propelled by a sling-shot;

(7) trap;

(8) deadfall;

(9) snare or noose;

(10) net or seine;

(11) glue board;

(12) hand;

(13) dogs; or

(continued)

(14) poison, poisonous gas, or smoke, if the toxicant is registered and labeled for that use and if all permit requirements for use of the poison, poisonous gas, or smoke have been met.

(d) The open season for the taking of wildlife listed above in subsection (b) shall be year-round.

(e) There shall be no maximum daily bag or possession limit for wildlife listed above in subsection (b), except no more than five of any one species of amphibian, reptile, or mussel may be possessed.

(f) Legally taken wildlife listed above in subsection (b) may be possessed without limit in time.

(g) A hunting license shall not be required to take invertebrates. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807, K.S.A. 32-919, K.S.A. 32-1002, and K.S.A. 32-1003; effective Sept. 10, 1990; amended Nov. 30, 1998; amended July 13, 2001.)

Steven A. Williams  
Secretary of Wildlife  
and Parks

Doc. No. 026750

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2000 Volumes of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-5-8	Amended (T)	V. 20, p. 175
1-5-8	Amended	V. 20, p. 730
1-5-9	Amended (T)	V. 20, p. 176
1-5-9	Amended	V. 20, p. 730
1-5-19b	Amended (T)	V. 20, p. 176
1-5-19b	Amended	V. 20, p. 730
1-5-19c	Amended (T)	V. 20, p. 176
1-5-19c	Amended	V. 20, p. 730
1-5-20	Amended (T)	V. 20, p. 176
1-5-20	Amended	V. 20, p. 731
1-5-24	Amended	V. 19, p. 1337
1-9-23	Amended	V. 19, p. 944
1-18-1a	Amended	V. 19, p. 1719
1-49-1	Amended	V. 19, p. 724

**AGENCY 3: KANSAS STATE TREASURER**

Reg. No.	Action	Register
3-2-1	New	V. 19, p. 1016
3-2-2	New	V. 19, p. 1016
3-2-3	New	V. 19, p. 1016
3-3-1	New	V. 19, p. 1678

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-3-47	Amended	V. 20, p. 861
4-3-49	Amended (T)	V. 20, p. 246
4-3-49	Amended	V. 20, p. 861
4-3-51	New (T)	V. 20, p. 246
4-3-51	New	V. 20, p. 861
4-7-213	Amended	V. 19, p. 117
4-7-214	Amended	V. 19, p. 117
4-7-215	Revoked	V. 19, p. 118
4-7-216	New	V. 19, p. 118
4-8-14a	Amended	V. 19, p. 1679
4-8-27	Amended	V. 19, p. 1679
4-8-28	Amended	V. 19, p. 1680
4-8-29	Amended	V. 19, p. 1680
4-8-32	Amended	V. 19, p. 1680
4-8-34	Amended	V. 19, p. 1680
4-8-41	Amended	V. 19, p. 1680
4-8-42	New	V. 19, p. 1680
4-10-2j	Amended	V. 20, p. 431
4-10-5	Amended	V. 20, p. 430
4-10-5a	New	V. 20, p. 431

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-1-1	Amended	V. 19, p. 1476
5-1-3		
5-1-3	through	
5-1-12	New	V. 19, p. 1480-1483
5-2-3	New	V. 19, p. 1484
5-3-1a	New	V. 19, p. 1484
5-3-4b	Amended	V. 19, p. 1484
5-3-4c	New	V. 19, p. 1484
5-3-4d	New	V. 19, p. 1485
5-3-4e	New	V. 19, p. 1485
5-3-5d	Amended	V. 19, p. 1485
5-3-5e	Amended	V. 19, p. 1485
5-3-5g		
5-3-5g	through	
5-3-5n	New	V. 19, p. 1485, 1486
5-3-11	Amended	V. 19, p. 1486
5-3-16	Amended	V. 19, p. 1490
5-3-19		
5-3-19	through	
5-3-28	New	V. 19, p. 1490-1493
5-4-5	New	V. 19, p. 1494
5-4-8	New	V. 19, p. 1494
5-5-1	Amended	V. 19, p. 1495
5-5-6	Amended	V. 19, p. 1495
5-5-13	New	V. 19, p. 1496
5-5-14	New	V. 19, p. 1496
5-5-16	New	V. 19, p. 1496
5-6-3		
5-6-3	through	
5-6-15	New	V. 19, p. 1497-1499
5-7-4	Amended	V. 19, p. 1499
5-7-4a	New	V. 19, p. 1500
5-7-5	New	V. 19, p. 1500
5-8-3	New	V. 19, p. 1500
5-8-4	New	V. 19, p. 1501
5-8-6	New	V. 19, p. 1501
5-8-7	New	V. 19, p. 1502
5-8-8	New	V. 19, p. 1502
5-9-11	New	V. 19, p. 1503
5-12-1		
5-12-1	through	
5-12-4	New	V. 19, p. 1503, 1504
5-13-1		
5-13-1	through	
5-13-11	New	V. 19, p. 1504-1507
5-14-1		
5-14-1	through	
5-14-7	New	V. 19, p. 1507-1509
5-21-4	Amended	V. 19, p. 1509
5-21-5	New	V. 19, p. 1510
5-21-8	New	V. 19, p. 1510
5-21-9	New	V. 19, p. 1510
5-23-1	Amended	V. 19, p. 1510
5-23-3	Amended	V. 19, p. 1511
5-23-3a	New	V. 19, p. 1511
5-23-4	Amended	V. 19, p. 1512
5-23-4a	Amended	V. 19, p. 1513
5-23-4b	New	V. 19, p. 1513
5-23-14	New	V. 19, p. 1514
5-23-15	New	V. 19, p. 1514
5-25-4	Amended	V. 20, p. 294
5-40-1	Amended	V. 19, p. 1514
5-40-4	Amended	V. 19, p. 1515

5-40-11	New	V. 19, p. 1515
5-40-14	New	V. 19, p. 1515
5-40-15	New	V. 19, p. 1515
5-40-16	New	V. 19, p. 1515
5-41-1	Amended	V. 19, p. 1516
5-41-6	Amended	V. 19, p. 1516
5-42-3	Revoked	V. 19, p. 1516
5-42-4	New	V. 19, p. 1517
5-45-1	Amended	V. 19, p. 1517
5-45-4	Amended	V. 19, p. 1518
5-45-13	Amended	V. 19, p. 1518
5-45-14	Amended	V. 19, p. 1518
5-45-18	New	V. 19, p. 1518
5-46-1	New	V. 19, p. 1519
5-46-3	New	V. 19, p. 1519
5-46-4	New	V. 19, p. 1519

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-24-2	Amended	V. 20, p. 323
7-25-1	Amended	V. 20, p. 325
7-26-1	Amended	V. 20, p. 325
7-26-2	Amended	V. 20, p. 325
7-28-1	Amended	V. 20, p. 325
7-29-2	Amended	V. 20, p. 325
7-32-1	Amended	V. 19, p. 1269
7-32-2	Amended	V. 19, p. 1269
7-36-4	Amended	V. 20, p. 326
7-38-1	Amended	V. 20, p. 326
7-41-1		
7-41-1	through	
7-41-13	New	V. 20, p. 1021-1023

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

Reg. No.	Action	Register
9-7-19	New (T)	V. 20, p. 934
9-10-33	New	V. 19, p. 1948
9-14-2	Amended	V. 19, p. 1748
9-15-4	Amended	V. 19, p. 1748
9-15-5	New	V. 19, p. 1948
9-18-1	Amended (T)	V. 20, p. 935
9-22-4	New (T)	V. 20, p. 935
9-22-5	New (T)	V. 20, p. 936

**AGENCY 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-6-1	Amended	V. 19, p. 399

**AGENCY 17: STATE BANK COMMISSIONER**

Reg. No.	Action	Register
17-22-1	Amended	V. 19, p. 500
17-23-16	Amended	V. 19, p. 500

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-1-2	Amended	V. 19, p. 141
28-1-18	Amended	V. 19, p. 141
28-1-26	New	V. 19, p. 142
28-4-501	Amended	V. 19, p. 422
28-4-503	Amended	V. 19, p. 423
28-4-504	Amended	V. 19, p. 423
28-4-505	Amended	V. 19, p. 423
28-4-513	Amended	V. 19, p. 423
28-4-530	Revoked	V. 19, p. 423
28-4-531	Revoked	V. 19, p. 423

28-10-15 through		
28-10-35	Revoked	V. 20, p. 322
28-10-37	Revoked	V. 20, p. 322
28-10-38	Revoked	V. 20, p. 322
28-10-39	Revoked	V. 20, p. 322
28-10-75 through		
28-10-88	Revoked	V. 20, p. 322
28-10-100 through		
28-10-108	Revoked	V. 20, p. 322
28-15-35	Amended	V. 20, p. 725
20-15-36	Amended	V. 20, p. 728
28-15-36a	Amended	V. 20, p. 728
28-15-37	Amended	V. 20, p. 729
28-16-28b	Amended	V. 19, p. 1720
28-16-28e	Amended	V. 19, p. 1723
28-16-57	Revoked	V. 20, p. 322
28-16-76 through		
28-16-79	Revoked	V. 20, p. 322
28-16-82	Revoked	V. 20, p. 322
28-17-15	Amended	V. 19, p. 1190
28-19-79	Revoked	V. 20, p. 492
28-19-202	Amended	V. 20, p. 322
28-19-717	New	V. 19, p. 1932
28-19-719	New	V. 20, p. 492
28-19-729	New	V. 19, p. 565
28-19-729a through		
28-19-729h	New	V. 19, p. 566-569
28-29-1100 through		
28-29-1107	New	V. 19, p. 941-943
28-34-1a	Amended	V. 20, p. 105
28-34-6a	Amended	V. 20, p. 106
28-34-9a	Amended	V. 20, p. 107
28-34-21	Revoked	V. 20, p. 323
28-34-26	Revoked	V. 20, p. 323
28-34-27	Revoked	V. 20, p. 323
28-34-28	Revoked	V. 20, p. 323
28-34-30	Revoked	V. 20, p. 323
28-34-32b	Amended	V. 20, p. 107
28-34-50	Amended	V. 20, p. 453
28-34-51	Amended	V. 20, p. 454
28-34-52	Revoked	V. 20, p. 455
28-34-52a	New	V. 20, p. 455
28-34-52b	New	V. 20, p. 455
28-34-53	Amended	V. 20, p. 456
28-34-54	Amended	V. 20, p. 456
28-34-55	Revoked	V. 20, p. 457
28-34-55a	New	V. 20, p. 457
28-34-56	Revoked	V. 20, p. 457
28-34-56a	New	V. 20, p. 457
28-34-57	Amended	V. 20, p. 457
28-34-58	Revoked	V. 20, p. 458
28-34-58a	New	V. 20, p. 458
28-34-59	Revoked	V. 20, p. 459
28-34-59a	New	V. 20, p. 459
28-34-60	Revoked	V. 20, p. 459
28-34-60a	New	V. 20, p. 459
28-34-61	Revoked	V. 20, p. 460
28-34-61a	New	V. 20, p. 460
28-34-62a	Amended	V. 20, p. 460
28-34-75 through		
28-34-93	Revoked	V. 20, p. 323
28-34-94a	Revoked	V. 20, p. 323
28-38-18 through		
28-38-23	Amended	V. 19, p. 1078-1080
28-38-26	Amended	V. 19, p. 1081
28-38-28	Amended	V. 19, p. 1081
28-38-29	Amended	V. 19, p. 1081
28-38-30	New	V. 19, p. 1082
28-39-410	Revoked	V. 20, p. 323
28-59-1 through		
28-59-5	Amended	V. 20, p. 295, 296
28-59-5a	Amended	V. 20, p. 297
28-59-6	Amended	V. 20, p. 297
28-59-7	Amended	V. 20, p. 298
28-59-8	Amended	V. 20, p. 298

28-61-1 through		
28-61-10	Amended	V. 20, p. 298-303
28-61-11	New	V. 20, p. 304
28-68-1	Amended	V. 19, p. 1934
28-68-2	Amended	V. 19, p. 1934
28-68-3	Amended	V. 19, p. 1935
28-68-6	Amended	V. 19, p. 1936
28-72-51 through		
28-72-54	New	V. 19, p. 989, 990

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-50	Amended	V. 19, p. 1548
30-4-64	Amended	V. 20, p. 490
30-5-58	Amended	V. 20, p. 1023
30-5-59	Amended	V. 19, p. 1548
30-5-64	Amended	V. 19, p. 1549
30-5-81	Amended	V. 19, p. 1587
30-5-92	Amended	V. 20, p. 1029
30-5-94	Amended	V. 20, p. 1030
30-5-108	Amended	V. 20, p. 491
30-5-309	Amended	V. 19, p. 988
30-10-21	Amended	V. 19, p. 1550

**AGENCY 36: DEPARTMENT OF TRANSPORTATION**

Reg. No.	Action	Register
36-2-3	Revoked	V. 19, p. 1449
36-2-4	Revoked	V. 19, p. 1449
36-2-6	Revoked	V. 19, p. 1449
36-2-8 through		
36-2-13	Revoked	V. 19, p. 1449
36-15-23	Revoked	V. 19, p. 1622
36-34-1	Revoked	V. 19, p. 1622

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-8	Revoked	V. 20, p. 946
40-1-13	Revoked	V. 20, p. 946
40-1-30	Revoked	V. 20, p. 723
40-1-42	Amended	V. 20, p. 723
40-1-43	Amended	V. 20, p. 723
40-1-46	New	V. 20, p. 573
40-3-26	Amended	V. 19, p. 303
40-3-27	Revoked	V. 19, p. 680
40-3-29	Revoked	V. 20, p. 946
40-3-32	Amended	V. 19, p. 303
40-3-45	Amended	V. 19, p. 303
40-3-49	Amended	V. 19, p. 303
40-4-35	Amended	V. 19, p. 1853
40-4-41	Amended	V. 20, p. 946
40-4-41b through		
40-4-41g	Amended	V. 20, p. 949-953
40-4-41h	New	V. 20, p. 953
40-4-41i	New	V. 20, p. 954
40-4-41j	New	V. 20, p. 954
40-9-100	Amended	V. 20, p. 954
40-12-1	Revoked	V. 20, p. 723

**AGENCY 49: DEPARTMENT OF HUMAN RESOURCES**

Reg. No.	Action	Register
49-45-1 through		
49-45-4	Amended	V. 19, p. 504
49-45-4a	New	V. 19, p. 504
49-45-5 through		
49-45-9	Amended	V. 19, p. 504
49-45-20 through		
49-45-28	Amended	V. 19, p. 504, 505
49-45-29 through		
49-45-34	New	V. 19, p. 505
49-45a-1	Amended	V. 19, p. 505
49-45a-2 through		
49-45a-27	Revoked	V. 19, p. 506

49-46-1	Amended	V. 19, p. 506
49-47-1	Amended	V. 19, p. 507
49-47-1a	New	V. 19, p. 507
49-47-1b	New	V. 19, p. 507
49-47-2	Amended	V. 19, p. 507
49-48-1	Amended	V. 19, p. 508
49-49-1a	New	V. 19, p. 508
49-50-1 through		
49-50-4	Amended	V. 19, p. 509, 510
49-50-6 through		
49-50-15	Amended	V. 19, p. 510-513
49-50-17 through		
49-50-20	Amended	V. 19, p. 513, 514
49-50-21	New	V. 19, p. 514
49-50-22	New	V. 19, p. 515
49-51-1	Amended	V. 19, p. 515
49-51-2	Amended	V. 19, p. 515
49-51-3	Amended	V. 19, p. 515
49-51-3a	New	V. 19, p. 516
49-51-6 through		
49-51-12	Amended	V. 19, p. 516-518
49-51-14	Revoked	V. 19, p. 518
49-52-5 through		
49-52-9	Amended	V. 19, p. 518-520
49-52-11	Amended	V. 19, p. 520
49-52-13	Amended	V. 19, p. 520
49-52-14	Amended	V. 19, p. 521
49-52-15	Revoked	V. 19, p. 521
49-52-16	New	V. 19, p. 521
49-52-17	New	V. 19, p. 521
49-54-1 through		
49-54-3	Revoked	V. 19, p. 521

**AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT**

Reg. No.	Action	Register
50-1-2	Amended	V. 20, p. 137
50-1-3	Amended	V. 20, p. 138
50-1-4	Amended	V. 20, p. 138
50-2-1	Amended	V. 20, p. 139
50-2-3	Amended	V. 20, p. 139
50-2-9	Revoked	V. 20, p. 140
50-2-12	Amended	V. 20, p. 140
50-2-17	Amended	V. 20, p. 140
50-2-18	Amended	V. 20, p. 140
50-2-19	Amended	V. 20, p. 140
50-2-21	Amended	V. 20, p. 141
50-2-26	Amended	V. 20, p. 143
50-3-1 through		
50-3-5	Amended	V. 20, p. 143-145
50-4-2	Amended	V. 20, p. 146

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-4-101	Amended	V. 20, p. 449
60-6-101	Amended	V. 19, p. 344
60-7-102	Amended	V. 20, p. 449
60-7-108	Amended	V. 20, p. 449
60-8-101	Amended	V. 20, p. 449
60-9-105	Amended	V. 20, p. 449
60-9-106	Amended	V. 20, p. 450
60-11-101	Amended	V. 19, p. 344
60-11-103	Amended	V. 19, p. 345
60-11-104a	Amended	V. 19, p. 346
60-11-106	Amended	V. 19, p. 346
60-11-108	Revoked	V. 19, p. 346
60-11-119	Amended	V. 20, p. 451
60-13-101	Amended	V. 20, p. 451
60-16-104	Amended	V. 20, p. 451
60-17-101 through		
60-17-111	New	V. 19, p. 346-350

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-1-3	Amended	V. 19, p. 2024
63-1-4	Amended	V. 19, p. 2024

(continued)

63-1-5	Amended	V. 19, p. 2025
63-1-6	Amended	V. 19, p. 2025
63-1-12	Amended	V. 19, p. 2025
63-2-7	Amended	V. 19, p. 2025
63-2-10	Amended	V. 19, p. 2026
63-2-11	Amended	V. 19, p. 2026
63-2-12	Amended	V. 19, p. 2026
63-3-17	Amended	V. 19, p. 2027
63-3-18	Amended	V. 19, p. 2027
63-3-20	Amended	V. 19, p. 2027
63-5-1	Amended	V. 19, p. 2028
63-6-1	Amended	V. 19, p. 2028
63-6-2	Amended	V. 19, p. 2028
63-6-3	Amended	V. 19, p. 2029
63-6-6	Amended	V. 19, p. 2029

**AGENCY 65: BOARD OF EXAMINERS  
IN OPTOMETRY**

Reg. No.	Action	Register
65-5-6	Amended	V. 19, p. 839
65-8-5	New	V. 20, p. 944

**AGENCY 66: BOARD OF TECHNICAL  
PROFESSIONS**

Reg. No.	Action	Register
66-6-4	Amended	V. 20, p. 102
66-6-6	Amended	V. 19, p. 70
66-7-2	Amended	V. 19, p. 70
66-8-7	New	V. 19, p. 70
66-9-4	Amended	V. 19, p. 71
66-9-6	New	V. 19, p. 71
66-10-1	Amended	V. 20, p. 103
66-10-4	Amended	V. 20, p. 103
66-10-11	Amended	V. 20, p. 104
66-10-12	Amended	V. 20, p. 104
66-10-13	Amended	V. 20, p. 104
66-11-4	New	V. 19, p. 72
66-12-1	Amended	V. 19, p. 72
66-14-1	Amended	V. 19, p. 72
66-14-6	Amended	V. 19, p. 72
66-14-10	Amended	V. 20, p. 104

**AGENCY 67: BOARD OF HEARING  
AID EXAMINERS**

Reg. No.	Action	Register
67-2-4	Amended	V. 19, p. 626
67-3-2	Amended	V. 19, p. 626
67-4-7	Amended	V. 19, p. 626
67-4-10	Amended	V. 19, p. 626
67-4-13	New	V. 19, p. 626
67-5-3	Amended	V. 19, p. 626
67-5-4	Amended	V. 19, p. 626
67-6-4	Amended	V. 19, p. 626
67-7-4	Amended	V. 19, p. 627

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-5-1	Amended	V. 19, p. 501
68-7-11	Amended	V. 19, p. 501
68-7-14	Amended	V. 19, p. 502
68-7-18	Amended	V. 19, p. 503
68-9-2	New	V. 20, p. 1020
68-14-8	Amended	V. 19, p. 1830

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-1-20	New	V. 19, p. 573
71-1-21	New	V. 19, p. 573
71-3-8	New	V. 19, p. 1336

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-1-2	Amended	V. 19, p. 1791
74-1-7	New	V. 19, p. 1792
74-2-1	Amended	V. 19, p. 1792
74-2-3	Amended	V. 19, p. 1792
74-2-4	Amended	V. 19, p. 1792
74-3-8	Amended	V. 19, p. 1792
74-4-1	Revoked	V. 19, p. 1792
74-4-1a	New	V. 19, p. 1792
74-4-2a	New	V. 19, p. 1792
74-4-3a	New	V. 19, p. 1793
74-4-4	Amended	V. 19, p. 1793
74-4-7	Amended	V. 19, p. 1793
74-4-10	Amended	V. 19, p. 1793

74-5-2	Amended	V. 19, p. 1793
74-5-202	Amended	V. 19, p. 1794
74-5-203	Amended	V. 19, p. 1794
74-5-205	New	V. 19, p. 1795
74-5-405	Amended	V. 19, p. 1795
74-6-1	Amended	V. 19, p. 1795
74-6-2	Amended	V. 19, p. 1795
74-7-2	Amended	V. 19, p. 1795
74-11-6	Amended	V. 19, p. 1796
74-12-1	Amended	V. 19, p. 1796
74-15-1	New	V. 19, p. 1797
74-15-2	New	V. 19, p. 1797

**AGENCY 75: STATE BANKING DEPARTMENT**

Reg. No.	Action	Register
75-6-2	Revoked	V. 19, p. 1082
75-6-6	Revoked	V. 19, p. 1082
75-6-24	Revoked	V. 19, p. 1082
75-6-26	Amended	V. 19, p. 1082
75-6-30	New	V. 19, p. 1082
75-6-31	New	V. 19, p. 1083
75-6-32	New	V. 20, p. 175

**AGENCY 82: STATE CORPORATION  
COMMISSION**

Reg. No.	Action	Register
82-3-133	Amended	V. 20, p. 771
82-3-133a	New	V. 20, p. 771
82-3-201	Amended	V. 20, p. 771
82-3-206	Amended	V. 20, p. 771
82-3-300	Amended	V. 20, p. 772
82-3-306	Amended	V. 20, p. 772
82-3-307	Amended	V. 20, p. 773
82-3-310	Amended	V. 20, p. 773
82-3-312	Amended	V. 20, p. 773
82-4-1	Amended	V. 19, p. 1158
82-4-3	Amended	V. 19, p. 1159
82-4-6d	Amended	V. 19, p. 1083
82-4-8a	Amended	V. 19, p. 1084
82-4-8h	New	V. 19, p. 1085
82-4-20	Amended	V. 19, p. 1085
82-4-23	Amended	V. 19, p. 1085
82-4-24a	Amended	V. 19, p. 1085
82-4-27c	Amended	V. 19, p. 1085
82-4-27e	Amended	V. 19, p. 1086
82-4-27f	Revoked	V. 19, p. 1087
82-4-27g	Amended	V. 19, p. 1087
82-4-30a	Amended	V. 19, p. 1087
82-4-31	Amended	V. 19, p. 1087
82-4-32	Amended	V. 19, p. 1087
82-4-33	Amended	V. 19, p. 1087
82-4-35a	Amended	V. 19, p. 1088
82-4-37	Amended	V. 19, p. 1088
82-4-42	Amended	V. 19, p. 1088
82-4-57	Amended	V. 19, p. 1088

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-23-1	through	
88-23-6	New	V. 19, p. 41-43

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-26	Revoked	V. 19, p. 1435
91-1-27	Revoked	V. 19, p. 1435
91-1-27a	through	
91-1-27d	Revoked	V. 19, p. 1435
91-1-28	Revoked	V. 19, p. 1435
91-1-30	Revoked	V. 19, p. 1435
91-1-30a	Revoked	V. 19, p. 1435
91-1-31	through	
91-1-35	Revoked	V. 19, p. 1435
91-1-37	Revoked	V. 19, p. 1435
91-1-39	through	
91-1-58	Revoked	V. 19, p. 1435, 1436
91-1-60	Revoked	V. 19, p. 1436
91-1-61	Revoked	V. 19, p. 680
91-1-63	Revoked	V. 19, p. 1436
91-1-65	Revoked	V. 19, p. 1436
91-1-67	Revoked	V. 19, p. 1436

91-1-68a	through	
91-1-68e	Amended	V. 19, p. 1588-1592
91-1-70	Revoked	V. 19, p. 1436
91-1-70b	Revoked	V. 19, p. 1593
91-1-71	through	
91-1-83	Revoked	V. 19, p. 1436, 1437
91-1-84a	Revoked	V. 19, p. 1437
91-1-85	through	
91-1-91	Revoked	V. 19, p. 1437
91-1-91a	Revoked	V. 19, p. 1437
91-1-92	Revoked	V. 19, p. 1437
91-1-93a	Revoked	V. 19, p. 1437
91-1-101a	Revoked	V. 19, p. 1437
91-1-101b	Revoked	V. 19, p. 1437
91-1-102a	Revoked	V. 19, p. 1437
91-1-104b	Revoked	V. 19, p. 1437
91-1-104c	Revoked	V. 19, p. 1437
91-1-105	Revoked	V. 19, p. 1437
91-1-106	Revoked	V. 19, p. 1437
91-1-106a	through	
91-1-106m	Revoked	V. 19, p. 1437, 1438
91-1-107a	Revoked	V. 19, p. 1438
91-1-108a	Revoked	V. 19, p. 1438
91-1-108b	Revoked	V. 19, p. 1438
91-1-108c	Revoked	V. 19, p. 1438
91-1-109a	Revoked	V. 19, p. 1438
91-1-110a	Revoked	V. 19, p. 1438
91-1-110c	Revoked	V. 19, p. 1438
91-1-111a	Revoked	V. 19, p. 1438
91-1-112c	Revoked	V. 19, p. 1438
91-1-112d	Revoked	V. 19, p. 1438
91-1-113b	Revoked	V. 19, p. 1438
91-1-114a	Revoked	V. 19, p. 1438
91-1-115a	Revoked	V. 19, p. 1438
91-1-117a	Revoked	V. 19, p. 1438
91-1-118a	Revoked	V. 19, p. 1438
91-1-119a	through	
91-1-119g	Revoked	V. 19, p. 1438, 1439
91-1-120	Revoked	V. 19, p. 1439
91-1-121	Revoked	V. 19, p. 1439
91-1-122	Revoked	V. 19, p. 1439
91-1-123a	Revoked	V. 19, p. 1439
91-1-125	Revoked	V. 19, p. 1439
91-1-127a	Revoked	V. 19, p. 1439
91-1-128b	Revoked	V. 19, p. 1439
91-1-129a	Revoked	V. 19, p. 1439
91-1-130	Revoked	V. 19, p. 1439
91-1-131	Revoked	V. 19, p. 1439
91-1-132a	Revoked	V. 19, p. 1439
91-1-135a	Revoked	V. 19, p. 1439
91-1-137a	Revoked	V. 19, p. 1439
91-1-138a	Revoked	V. 19, p. 1439
91-1-140a	Revoked	V. 19, p. 1439
91-1-141	Revoked	V. 19, p. 1439
91-1-143	Revoked	V. 19, p. 1439
91-1-144	Revoked	V. 19, p. 1439
91-1-145	Revoked	V. 19, p. 1439
91-1-146a	Amended	V. 19, p. 1593
91-1-146e	Amended	V. 19, p. 1593
91-1-148a	Revoked	V. 19, p. 1439
91-1-149	Revoked	V. 19, p. 1439
91-1-150	Revoked	V. 19, p. 1439
91-1-153	Revoked	V. 19, p. 1439
91-1-200	through	
91-1-211	New	V. 19, p. 1439-1449
91-5-14	Amended	V. 20, p. 108
91-12-22	Revoked	V. 19, p. 680
91-12-23	Revoked	V. 19, p. 680
91-12-24a	Revoked	V. 19, p. 680
91-12-25	Revoked	V. 19, p. 680
91-12-27	Revoked	V. 19, p. 680
91-12-28	Revoked	V. 19, p. 680
91-12-30	through	
91-12-33	Revoked	V. 19, p. 680
91-12-35	through	
91-12-42	Revoked	V. 19, p. 680, 681

91-12-44 through		
91-12-69	Revoked	V. 19, p. 681
91-12-71 through		
91-12-74	Revoked	V. 19, p. 682
91-22-1a	New	V. 19, p. 682
91-22-2	Amended	V. 19, p. 683
91-22-3	Revoked	V. 19, p. 683
91-22-4	Amended	V. 19, p. 683
91-22-5a	Amended	V. 19, p. 683
91-22-7	Amended	V. 19, p. 683
91-22-8	Revoked	V. 19, p. 683
91-22-9	Amended	V. 19, p. 683
91-22-10 through		
91-22-18	Revoked	V. 19, p. 684
91-22-19	Amended	V. 19, p. 684
91-22-21	Revoked	V. 19, p. 684
91-22-22	Amended	V. 19, p. 684
91-22-23	Revoked	V. 19, p. 684
91-22-24	Revoked	V. 19, p. 684
91-22-25	Amended	V. 19, p. 684
91-22-26	Revoked	V. 19, p. 685
91-37-2	Amended	V. 20, p. 724
91-37-3	Amended	V. 20, p. 724
91-37-4	Amended	V. 20, p. 724
91-40-1 through		
91-40-5	New	V. 19, p. 685-691
91-40-2	Amended	V. 20, p. 541
91-40-7 through		
91-40-12	New	V. 19, p. 692-695
91-40-7	Amended	V. 20, p. 541
91-40-9	Amended	V. 20, p. 542
91-40-10	Amended	V. 20, p. 542
91-40-16 through		
91-40-19	New	V. 19, p. 695-697
91-40-17	Amended	V. 20, p. 543
91-40-18	Amended	V. 20, p. 544
91-40-21	New	V. 19, p. 697
91-40-22	New	V. 19, p. 697
91-40-24 through		
91-40-31	New	V. 19, p. 698-700
91-40-27	Amended	V. 20, p. 544
91-40-33 through		
91-40-39	New	V. 19, p. 700-702
91-40-33	Amended	V. 20, p. 544
91-40-36	Amended	V. 20, p. 545
91-40-37	Amended	V. 20, p. 545
91-40-38	Amended	V. 20, p. 545
91-40-41 through		
91-40-48	New	V. 19, p. 702-704
91-40-50 through		
91-40-53	New	V. 19, p. 705, 706
91-40-52	Amended	V. 20, p. 545
91-40-53	Amended	V. 20, p. 546
91-41-1 through		
91-41-4	New (T)	V. 20, p. 137
91-41-1 through		
91-41-4	New	V. 20, p. 546, 547

**AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-1-1 through		
93-1-4	Revoked	V. 20, p. 452
93-4-6	Amended	V. 20, p. 452
93-6-1 through		
93-6-4	Amended	V. 20, p. 452, 453

**AGENCY 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES**

Reg. No.	Action	Register
99-26-1	Amended	V. 19, p. 840
99-27-1	Amended	V. 19, p. 840

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-6-2	Amended	V. 19, p. 241
100-7-1	Amended	V. 19, p. 1044
100-10a-1	Amended	V. 19, p. 241
100-10a-3	Amended	V. 19, p. 241
100-11-1	Amended	V. 19, p. 1190
100-22-3	New	V. 19, p. 571
100-27-1	New	V. 20, p. 773
100-28a-1 through		
100-28a-16	New (T)	V. 20, p. 247-251
100-28a-1 through		
100-28a-16	New	V. 20, p. 774-778
100-29-7	Amended	V. 19, p. 1547
100-49-4	Amended	V. 19, p. 1190
100-54-4	Amended	V. 19, p. 1547
100-55-1 through		
100-55-9	Amended	V. 19, p. 1017-1020
100-55-4	Amended	V. 19, p. 1547
100-55-11	New	V. 19, p. 1020
100-60-1	Revoked (T)	V. 20, p. 251
100-60-1	Revoked	V. 20, p. 778
100-60-2	Revoked (T)	V. 20, p. 251
100-60-2	Revoked	V. 20, p. 778
100-60-4	Revoked (T)	V. 20, p. 251
100-60-4	Revoked	V. 20, p. 778
100-60-5	Revoked (T)	V. 20, p. 251
100-60-5	Revoked	V. 20, p. 778
100-60-6	Revoked (T)	V. 20, p. 251
100-60-6	Revoked	V. 20, p. 779
100-60-8 through		
100-60-15	Revoked (T)	V. 20, p. 251
100-60-8 through		
100-6-15	Revoked	V. 20, p. 779
100-60-10	Amended	V. 19, p. 571
100-60-13	Amended	V. 19, p. 572
100-69-5	Amended	V. 19, p. 1547

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-1-3	Revoked	V. 19, p. 1681
102-1-3a	New	V. 19, p. 1681
102-1-5	Revoked	V. 19, p. 1683
102-1-5a	New	V. 19, p. 1683
102-1-12	Amended	V. 19, p. 1684
102-1-15	Amended	V. 19, p. 1686
102-1-17	New	V. 19, p. 1687
102-1-18	New	V. 19, p. 1687
102-1-19	New	V. 20, p. 572
102-2-1a	Amended	V. 19, p. 1192
102-2-2a	Amended	V. 19, p. 1194
102-2-3	Amended	V. 19, p. 1194
102-2-4a	Amended	V. 19, p. 1195
102-2-5	Amended	V. 19, p. 1196
102-2-7	Amended	V. 19, p. 1196
102-2-8	Amended	V. 19, p. 1198
102-2-11	Amended	V. 19, p. 1200
102-2-12	Amended	V. 19, p. 1201
102-2-13	New	V. 19, p. 1202
102-2-14	New	V. 19, p. 1202
102-2-15	New	V. 20, p. 572
102-3-1a	Amended	V. 19, p. 1202
102-3-2	Amended	V. 19, p. 1204
102-3-5a	Amended	V. 19, p. 1205
102-3-7a	Amended	V. 19, p. 1206
102-3-14	New	V. 19, p. 1207
102-3-15	New	V. 19, p. 1207
102-3-16	New	V. 20, p. 572
102-4-1a	Amended	V. 19, p. 1208
102-4-2	Amended	V. 19, p. 1209
102-4-4a	Amended	V. 19, p. 1209
102-4-5a	Amended	V. 19, p. 1211
102-4-7a	Amended	V. 19, p. 1211
102-4-14	New	V. 19, p. 1212
102-4-15	New	V. 19, p. 1213
102-4-16	New	V. 20, p. 572
102-5-1	Amended	V. 19, p. 1213
102-5-2	Amended	V. 19, p. 1214

102-5-4a	Amended	V. 19, p. 1215
102-5-5	Amended	V. 19, p. 1216
102-5-7a	Amended	V. 19, p. 1216
102-5-13	New	V. 19, p. 1218
102-5-14	New	V. 19, p. 1218
102,5-15	New	V. 20, p. 572

**AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION**

Reg. No.	Action	Register
108-1-1	Amended	V. 19, p. 2022
108-1-3	New	V. 19, p. 68

**AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES**

Reg. No.	Action	Register
109-2-2	Amended	V. 19, p. 1949
109-5-1	Amended	V. 19, p. 1749
109-5-4	Amended	V. 19, p. 1750
109-6-2	Amended	V. 19, p. 1750
109-6-3	New	V. 19, p. 1751
109-7-1	Amended	V. 19, p. 1751
109-10-1	Amended	V. 19, p. 1751
109-11-6	Amended	V. 19, p. 1753
109-13-1	Amended	V. 19, p. 1754

**AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING**

Reg. No.	Action	Register
110-4-1	Amended (T)	V. 20, p. 934
110-6-1	Amended	V. 20, p. 177
110-6-1a	Amended	V. 20, p. 178
110-6-2	Amended	V. 20, p. 178
110-6-3	Amended	V. 20, p. 178
110-6-4	Amended	V. 20, p. 179
110-6-5	Amended	V. 20, p. 180

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. The regulations listed below were published after December 31, 2000.

Reg. No.	Action	Register
111-2-119 through		
111-2-124	New	V. 20, p. 416-419
111-2-125	New	V. 20, p. 573
111-2-126	New	V. 20, p. 573
111-2-127	Amended	V. 20, p. 937
111-3-12	Amended	V. 20, p. 40
111-3-35	Amended	V. 20, p. 574
111-4-1795 through		
111-4-1813	New	V. 20, p. 40-47
111-4-1814 through		
111-4-1823	New	V. 20, p. 419-427
111-4-1818	Amended	V. 20, p. 575
111-4-1824	New	V. 20, p. 575
111-4-1825 through		
111-4-1839	New	V. 20, p. 937-942
111-5-23	Amended	V. 20, p. 428
111-5-24	Amended	V. 20, p. 428
111-5-27	Amended	V. 20, p. 429
111-7-123	Amended	V. 20, p. 48
111-7-134	Amended	V. 20, p. 429
111-7-152	Amended	V. 20, p. 49
111-7-158 through		
111-7-162	New	V. 20, p. 577
111-7-159	Amended	V. 20, p. 943
111-7-162	Amended	V. 20, p. 944

**AGENCY 112: KANSAS RACING AND GAMING COMMISSION**

Reg. No.	Action	Register
112-4-1	Amended	V. 20, p. 765
112-7-19	Amended	V. 20, p. 547
112-7-21	Amended	V. 19, p. 118
112-10-38	Amended	V. 19, p. 119
112-11-20	Amended	V. 20, p. 945
112-18-21	Amended	V. 19, p. 1308

(continued)

Reg. No.	Action	Register	Reg. No.	Action	Register	Reg. No.	Action	Register
112-18-22	Amended	V. 19, p. 119	115-4-3	Revoked	V. 20, p. 768	115-18-13	Amended	V. 19, p. 1475
AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS			115-4-4	New	V. 20, p. 768	115-18-16	New	V. 19, p. 1475
115-2-2	Amended	V. 19, p. 1875	115-4-5	Revoked	V. 20, p. 769	AGENCY 117: REAL ESTATE APPRAISAL BOARD		
115-3-1	Amended	V. 20, p. 766	115-4-6	Amended	V. 19, p. 1140	117-6-3	Amended	V. 20, p. 862
115-3-2	Amended	V. 20, p. 767	115-4-7	through		117-6-4	New	V. 20, p. 863
115-4-1	Revoked	V. 20, p. 767	115-4-11	Amended	V. 20, p. 769	117-7-1	Amended	V. 20, p. 863
115-4-2	New	V. 20, p. 767	115-4-12	Revoked	V. 20, p. 770	117-8-1	Amended	V. 20, p. 1020
			115-4-13	Amended	V. 20, p. 770	117-9-1	Amended	V. 19, p. 41
			115-7-1	Amended	V. 19, p. 1876			
			115-18-10	Amended	V. 19, p. 1474			

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



**In this issue**

Kansas Technology Enterprise Corporation	Page
Notice of meeting	259
Kansas Inc.	259
Notice of meeting	259
Kansas Advisory Committee on Hispanic Affairs	259
Notice of meeting	259
Kansas Judicial Council	259
Notice of meetings	260
State Board of Indigent's Defense Services	261
Notice of meeting	261
Real Estate Appraisal Board	261
Notice of hearing on proposed administrative regulations	261
State Emergency Response Commission	261
Notice of meeting	261
Legislative bills introduced February 16-22	261
Kansas Law Enforcement Training Commission	261
Notice of meeting	261
Social and Rehabilitation Services	261
Notice of meeting	261
Request for proposals	261

Custom-made Kansas Register binders are now available. These binders will attractively hold up to a year's worth of your copies of the Kansas Register for permanent use. They are high quality, durable casebound Swing Hinge® binders made by McBee Loose Leaf Binder Products. (A Swing Hinge® binder has more capacity and allows for easier interfiling than standard ring binders.) The three-inch binders feature dark blue supported vinyl covering and gold imprinting.

**\$12 each, includes shipping and handling.**  
 (Kansas residents must include an additional \$.82 state and local sales tax.)

-----  
 Clip and mail

Please send \_\_\_\_\_

**Kansas Register Binders @ \$12 each**  
 (Note: Kansas residents must include an additional \$.82 state and local sales tax.)

Total enclosed \_\_\_\_\_

**Ship to:**  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

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

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

---

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

\_\_\_\_\_ **One-year subscription @ \$80 ea.**  
**(Kansas residents must include**  
**\$5.44 state and local sales tax.)**

**Total Enclosed** \_\_\_\_\_  
**(Make check payable to the Kansas Register)**

**Send to:**

(Please, no  
more than  
4 address  
lines.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Zip code must be included

This space for Register office use only.
Rec. No. _____
Exp. _____
Code _____

---

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

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

Indicate change of name or address here:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

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