



Kansas Register

Ron Thornburgh, Secretary of State

Vol. 29, No. 2

January 14, 2010

Pages 25-44

In this issue . . .	Page
Kansas Guardianship Program	
Notice of meeting	27
Kansas Water Authority	
Notice of meetings.....	27
Kansas Housing Resources Corporation	
Notice of hearing on the 2010 Weatherization State Plan	27
Kansas Children's Cabinet and Trust Fund	
Notice of meeting	27
Social and Rehabilitation Services	
Notice concerning parental fee program	27
Department of Administration—Division of Facilities Management	
Notice of commencement of negotiations for architectural services	28
Pittsburg State University	
Notices of commencement of negotiations for architectural services	28
State Conservation Commission	
Notice of meeting time change	29
Pooled Money Investment Board	
Notice of investment rates.....	29
Kansas Sentencing Commission	
Notice of 2010 meeting schedule	29
Kansas Department of Commerce	
Notice to private activity bond applicants.....	29
Notice of hearings on the 2011 CDBG Program.....	30
Kansas Department of Transportation	
Request for comments on the Statewide Transportation Improvement Program.....	30
Notice to consulting engineers	31
Kansas Board of Regents	
Notice of hearing on proposed administrative regulations	31
Kansas Commission on Peace Officers' Standards and Training	
Notice of meeting	32
Kansas Commission on Veterans' Affairs	
Notice of meeting	32
Department of Health and Environment	
Request for comments on proposed RCRA hazardous waste facility permit	32
Notice concerning water pollution control permits/applications	33
Notices of available funding for HIV prevention services/case management	34, 35
Notice of available grant funding for the Kansas Immunization Registry.....	35
Notice of hearing on the Kansas Water Pollution Control Revolving Loan Fund.....	35
Department of Administration	
Public notice.....	34

(continued on next page)

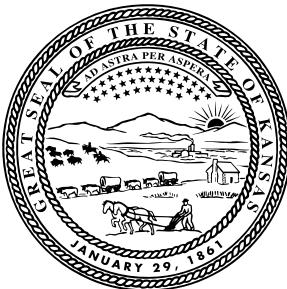
University of Kansas	
Notice to bidders.....	36
Kansas State University	
Notice to bidders.....	36
Wichita State University	
Notice to bidders.....	36
Department of Administration—Division of Purchases	
Notice to bidders for state purchases	36
Secretary of State	
Executive appointments.....	36
Notice of corporations forfeited.....	37
Temporary Administrative Regulations	
Home Inspectors Registration Board.....	38
Index to administrative regulations.....	39

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State of Kansas**Kansas Guardianship Program****Notice of Meeting**

The Kansas Guardianship Program will conduct its governing board meeting from 3 to 5 p.m. Wednesday, January 20, in the east end conference room, second floor, State Capitol, 300 S.W. 10th Ave., Topeka. For more information, call (785) 587-8555.

Jean Krahn
Executive Director

Doc. No. 037920

State of Kansas**Kansas Water Authority****Notice of Meetings**

The Kansas Water Authority will meet Wednesday and Thursday, January 27-28, in the Kansas Department of Transportation Auditorium in the Eisenhower State Office Building, 700 S.W. Harrison, Topeka. The meeting will begin at 1 p.m. January 27 and at 9:30 a.m. January 28.

The agenda is posted on the Kansas Water Office Web site, www.kwo.org, or an agenda may be requested by calling (785) 296-3185 or toll free (888) 526-9283 (KAN-WATER). If special accommodations are needed at the meeting site, please contact the Kansas Water Office at least two days in advance of the meeting.

Steve Irsik
Chairman

Doc. No. 037903

State of Kansas**Kansas Housing Resources Corporation****Notice of Hearing**

The Kansas Housing Resources Corporation will conduct a public hearing from 10 a.m. to noon Friday, January 29, at the KHRC office, 611 S. Kansas Ave., Suite 300, Topeka, to provide an opportunity for citizens to comment upon the draft of the 2010 Weatherization State Plan. The 2010 State of Kansas Weatherization State Plan draft includes only pages intended for public comment and can be found on the KHRC Web site at www.kshousingcorp.org. Limited hard copies will be available at the public hearing site and upon request. Written comments must be received by 5 p.m. January 27. The public hearing comment period ends not later than noon January 29.

Persons in need of a sign language interpreter, an assistive listening device, large print or other material for accommodations to attend the hearing must notify the KHRC at least one week prior to the meeting. Requests may be addressed to Al Dorsey, KHRC, 611 S. Kansas Ave., Suite 300, Topeka, 66603-3303, (785) 296-5865, or via the Kansas Relay Service at (800) 766-3777.

Gary Allsup
Executive Director

Doc. No. 037900

State of Kansas**Children's Cabinet and Trust Fund****Notice of Meeting**

The Kansas Children's Cabinet and Trust Fund will conduct a board meeting from 1 to 3 p.m. Tuesday, January 26, at the Children's Alliance of Kansas, conference room, 627 S.W. Topeka Blvd., Topeka. For more information, contact Dyogga Adegbore, program consultant, at (785) 368-7044.

Jim Redmon
Executive Director

Doc. No. 037902

State of Kansas**Social and Rehabilitation Services****Public Notice**

The Department of Social and Rehabilitation Services will be implementing a parental fee program February 1 that will include parents of children participating in the Autism Home and Community Based Services Waiver, the Physical Disability (PD) Waiver and the Traumatic Brain (TBI) Waiver. These waivers serve individuals under the age of 18 and as part of the eligibility determination process allow financial eligibility to be determined without considering the parent's income.

The parental fee program was created for waivers to increase fairness and shared responsibility by charging families who have the means a portion of the cost of services provided to their minor children. SRS was authorized to utilize parental fee programs by the 2002 Legislature through a proviso to the omnibus appropriations bill. The fee assessed the family is based on the parents' income according to a sliding scale. Persons caring for a child with a disability who would not have to pay a fee include:

- Grandparents and other relatives
- Adoptive parents and foster parents
- Biological parents with incomes below 200 percent of the federal poverty level (FPL)

In certain circumstances (i.e., the loss of income or an increase in family size), SRS may waive or reduce a family's parent fee. Parents must make an official request for the fee to be waived.

More information regarding the current parental fee program may be found at www.srsksansas.org/hcp/mo/MOParentalFeeInfo.htm. Comments should be sent by January 22 to Margaret Zillinger, Director of Community Supports and Services, Department of Social and Rehabilitation Services, 9th Floor East, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Comments also may be faxed to (785) 296-0557 or e-mailed to Margaret.Zillinger@srs.ks.gov.

Don Jordan
Secretary of Social and
Rehabilitation Services

Doc. No. 037904

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

Notice is hereby given of the commencement of negotiations for architectural/engineering design services for the reconstruction of portions of the Laundry Building at Larned State Hospital. The 1980, 12,183 sf pre-engineered steel structure with masonry construction was partially destroyed by fire in June 2009. The remaining salvaged portions of the building are intended to be reused and will be cleared of rubble and cleaned prior to design. The consultant will determine the extent of existing structure and systems that are of sound and reusable condition. The estimated construction cost is approximately \$750,000.

If you have any questions or need additional information, please contact Gary Grimes, Architect for Social and Rehabilitation Services, at (785) 296-3771.

To be considered, one (1) bound proposal and one (1).pdf file of the following should be provided: State of Kansas Capital Improvement Project Qualifications forms (051-054), information regarding similar projects, and a State of Kansas Professional Qualifications form (050) for each firm and consultant. Proposals should be concise and follow the 2010 State Building Advisory Commission guidelines. The guidelines and forms are available to firms at www.da.ks.gov/fp/ or by contacting Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, Phyllis.Fast@da.ks.gov. Submittals should be received by Phyllis Fast before noon January 29.

Marilyn L. Jacobson, Director
Division of Facilities Management

Doc. No. 037905

State of Kansas**Pittsburg State University****Notice of Commencement of Negotiations
for Architectural Services**

Notice is hereby given of the commencement of negotiations for architectural services for a comprehensive campus master plan for Pittsburg State University in Pittsburg, Kansas. The successful firm will lead in the solicitation of input from representatives of the faculty, staff, students, community and the city for use in a new comprehensive campus master plan that will update and extend the existing 1999 comprehensive master plan, support the university's academic goals, and guide future development of the campus according to the University Strategic Plan, currently under final review, and the University Enrollment Management Plan. The finished product will be approved by the Kansas Board of Regents.

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

To be considered, provide eight (8) bound hard copies and a CD with PDF of the proposal packet consisting of a one-page letter of interest, State of Kansas FPDC Forms

(050 through 054) and any additional photographs or information relevant to the advertised services. Submittals should be concise and limited to a maximum of 40 pages.

Only firms licensed to do business in Kansas and able to demonstrate professional licensing in the disciplines to be supplied will be considered.

Submittals should be received before noon February 11 by Paul Stewart, Director, Facilities Planning, Pittsburg State University, 1701 S. Broadway, 105 Whitesitt Hall, Pittsburg, 66762.

Paul Stewart
Director of Facilities Planning

Doc. No. 037918

State of Kansas**Pittsburg State University****Notice of Commencement of Negotiations
for Architectural Services**

Notice is hereby given of the commencement of negotiations for architectural services for a new Fine and Performing Arts Center on the Pittsburg State University campus in Pittsburg, Kansas. The new Fine and Performing Arts Center will be approximately 85,000 square feet and will include two performance venues, lobby, and back-of-house spaces. The construction budget is estimated at \$20,000,000. A draft program has been developed that will require review and evaluation as the first step in the design process. Once the program is finalized and approved by the Kansas Board of Regents, design will commence through Design Development. A Design Development submittal package will include an itemized cost estimate and 3D renderings to provide visual tools for use in fund-raising the remaining balance needed to proceed with the project. The design services contract will be executed only through Design Development. Once the funds are in place the design services contract may be amended to proceed with remaining services through construction administration.

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

To be considered, provide ten (10) bound hard copies and a CD with PDF of the proposal packet consisting of a one-page letter of interest, State of Kansas FPDC Forms (050 through 054) and any additional photographs or information relevant to the advertised services. Submittals should be concise and limited to a maximum of 40 pages.

Only firms licensed to do business in Kansas and able to demonstrate professional licensing in the disciplines to be supplied will be considered.

Submittals should be received before noon February 9 by Paul Stewart, Director, Facilities Planning, Pittsburg State University, 1701 S. Broadway, 105 Whitesitt Hall, Pittsburg, 66762.

Paul Stewart
Director of Facilities Planning

Doc. No. 037917

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

The State Conservation Commission will meet at 1 p.m. (previously scheduled at 9 a.m.) Tuesday, January 19, in the commission's conference room, 109 S.W. 9th, Suite 500, Topeka. To request a copy of the agenda, contact Cathy Thompson at the address above, (785) 296-3600. If special accommodations are needed, please contact the agency three days in advance of meeting date.

Greg A. Foley
Executive Director

Doc. No. 037919

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. 2009 Supp. 12-1675(b)(c)(d) and K.S.A. 2009 Supp. 12-1675a(g).

Effective 1-11-10 through 1-17-10

Term	Rate
1-89 days	0.11%
3 months	0.10%
6 months	0.16%
1 year	0.40%
18 months	0.70%
2 years	0.97%

Elizabeth B.A. Miller
Director of Investments

Doc. No. 037891

State of Kansas**Kansas Sentencing Commission****Notice of 2010 Meeting Schedule**

Meetings of the Kansas Sentencing Commission (KSC) and Kansas Sentencing Commission Proportionality of Sentencing Subcommittee are scheduled for January 22, February 12, March 26, April 22, May 20, June 24, July 22, August 26, September 23, October 21, November 18 and December 16 in the Senate Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka.

The Sentencing Commission Proportionality of Sentencing Subcommittee meetings will be held from 9:30 a.m. to noon.

The Sentencing Commission meetings will be held from 1:30 p.m. to approximately 3:30 p.m.

Any individual with a disability may request accommodation to attend a KSC meeting. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Brenda Harmon at (785) 296-0923.

Helen Pedigo
Executive Director

Doc. No. 027913

State of Kansas**Department of Commerce****Notice to Private Activity Bond Applicants**

Applications for allocation of 2010 Private Activity Bond (PAB) authority are now being accepted for qualified uses, as defined by the Internal Revenue Code of 1986, and amendments thereto.

The state of Kansas is projected to receive \$273,775,000 of federal authority for the issuance of PABs in calendar year 2010. Historically, the primary uses of this federal authority have included "qualified small issue bonds" used for construction and equipping of manufacturing facilities and beginning farmer programs; "exempt facility bonds" used by for-profit entities providing a public benefit, i.e., certain waste treatment facilities, qualified residential rental facilities, etc.; and "qualified mortgage bonds" issued to benefit first-time homebuyers. Allocations awarded by the Secretary of Commerce are subject to the provisions of K.S.A. 74-5060 et seq. and the limitations of the state volume cap.

Fees associated with PAB application and issuance are as follows:

(1) Application fee—A nonrefundable fee must accompany the application before the request can be processed. The application fee is determined as follows:

- \$250 for allocation requests up to \$5,000,000
- \$500 for allocation requests from \$5,000,001 to \$10,000,000
- \$1,000 for allocation requests from \$10,000,001 and above

(2) Issuance fee—An issuance fee for allocation amounts utilized, other than "Qualified Mortgage bonds" issued, shall be due and payable to the Kansas Department of Commerce at bond closing. Issuance fees shall be determined as follows:

Allocation Used	Fee
To \$2,000,000	5 basis points (.05%)
\$2,000,001 and above	10 basis points (.10%)

"Qualified Mortgage Bond" programs will be assessed a fee, upon issuance of each mortgage loan assisted through the program, equal to .5% of the PAB allocation used.

Issuance fees shall be remitted within 30 days of bond closing. Checks for both the application and issuance fees for non-housing issues should be made payable to the Kansas Department of Commerce Bond Fee Fund. Checks for the issuance fees for housing activities should be made out to the State Housing Trust Fund.

For more information or to obtain application materials, contact Ed Serrano or Steve Kelly, Kansas Department of Commerce, 1000 S.W. Jackson, Suite 100, Topeka, 66612-1354, (785) 296-5298 or TTY (785) 296-3487.

William R. Thornton
Secretary of Commerce

Doc. No. 037916

State of Kansas**Department of Transportation****Request for Comments**

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 2010-2013 by adding the following projects:

Project X-0001-01, Flashing Light Straight Post Traffic Signals with Gates, Union Pacific Railroad Crossing and Northeast 30th Avenue northeast of Pratt, Pratt County

Project X-0006-01, Flashing Light Straight Post Traffic Signals with Gates, South Kansas and Oklahoma Railroad Crossing and K-102 at Carona, Cherokee County

Project X-0007-01, Flashing Light Straight Post Traffic Signals with Gates, South Kansas and Oklahoma Railroad Crossing and 5100 Road (Sunflower Road) north of Coffeyville, Montgomery County

Project X-0008-01, Flashing Light Straight Post Traffic Signals with Gates, South Kansas and Oklahoma Railroad Crossing and Elm Street in Pittsburg, Crawford County

Project X-0009-01, Flashing Light Straight Post Traffic Signals with Gates, South Kansas and Oklahoma Railroad Crossing and 11th Street in Neodesha, Wilson County

Project X-0014-01, Flashing Light Straight Post Traffic Signals with Gates, Burlington Northern Santa Fe Railroad Crossing and Ellis Road northeast of El Dorado, Butler County

Project X-0015-01, Flashing Light Straight Post Traffic Signals with Gates, Burlington Northern Santa Fe Railroad Crossing and Southwest 120th Street southwest of Augusta, Butler County

Project X-0016-01, Flashing Light Straight Post Traffic Signals with Gates, Burlington Northern Santa Fe Railroad Crossing and Diamond Road southwest of Augusta, Butler County

Project X-0017-01, Flashing Light Straight Post Traffic Signals with Gates, Burlington Northern Santa Fe Railroad Crossing and 130th North Road southeast of Mulvane, Sumner County

Project X-0018-01, Flashing Light Straight Post Traffic Signals with Gates, Burlington Northern Santa Fe Railroad Crossing and 232 Road south of Hackney, Cowley County

Project X-0019-01, Flashing Light Straight Post Traffic Signals with Gates, Kansas City Southern Railroad Crossing and 110th Street south of Pittsburg, Cherokee County

Project X-0020-01, Flashing Light Straight Post Traffic Signals with Gates, Kansas City Southern Railroad Crossing and Weir Road south of Pittsburg, Cherokee County

Project X-0021-01, Flashing Light Straight Post Traffic Signals with Gates, Burlington Northern Santa Fe Railroad Crossing and Messer Road south of Columbus, Cherokee County

Project X-0022-01, Flashing Light Straight Post Traffic Signals with Gates, Burlington Northern Santa Fe Railroad Crossing and North 10th Road northwest of Baxter Springs, Cherokee County

Project X-0023-01, Flashing Light Straight Post Traffic Signals with Gates, Burlington Northern Santa Fe Railroad Crossing and 7th Street in Galena, Cherokee County

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

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Bureau of Transportation Information, (785) 296-3585 (Voice/Hearing Impaired-711).

The comment period regarding the STIP amendment will conclude February 15.

Deb Miller

Secretary of Transportation

Doc. No. 037914

State of Kansas**Department of Commerce****Notice of Hearings**

The Department of Commerce, Division of Rural Development, will conduct two public hearings on the proposed FFY 2011 Community Development Block Grant Program. The purpose of these hearings is to gain citizen input on the proposed changes to the federally funded CDBG Program, as well as take comments on the performance of past administration of this program. No pre-registration is required. All citizens are invited to attend the public hearings scheduled as follows:

Date	Time	Location
Wednesday, February 17	10:30 to 11:30 a.m.	Kansas Department of Commerce Curtis State Office Building 1000 S.W. Jackson, Suite 100, Topeka
Thursday, February 18	9 to 10 a.m.	Commerce Office Hays Workforce Center 332 E. 8th St., Hays

Anyone needing special accommodations should contact the Kansas Department of Commerce at least five business days in advance of the hearing at (785) 296-3737, fax (785) 296-3776 or TTY (785) 296-3487.

Proposed changes listed below will be discussed at the public hearings:

1. Housing—If the value of the home is less than the cost of rehabilitation, do we want that to become a part of our walk away policy? This would then be true no matter the source of the additional funds. Example: The value of the home is \$30,000; the cost to bring the home to livability standard is \$35,000. We can spend \$20,000 in CDBG funds, \$11,000 in Weatherization, and \$4,000 in additional source of funds. Should we continue with the rehabilitation or walk away?

2. KAN STEP—Move the KAN STEP application round to November or December of the previous year instead of April.

3. Economic Development—Reduce the match requirement for projects utilizing more than \$500,000 of CDBG funds from \$1 of matching funds for every \$1 of CDBG funds to only \$0.50 of matching funds per \$1 of CDBG funds.

William R. Thornton
Secretary of Commerce

Doc. No. 037892

State of Kansas**Department of Transportation****Notice to Consulting Engineers**

The Kansas Department of Transportation is seeking a qualified consulting engineering firm, prequalified in category 323, for the project listed below. Eight signed copies of the response can be mailed to David Nagy, P.E., Assistant to the Bureau Chief of Design/Contracts Engineer, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Interest responses shall be limited to four pages and must be received by noon February 2 for the consulting engineering firm to be considered.

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

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

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

**106 KA-1675-01
Statewide**

This project is to investigate and prepare reports for underwater bridge inspections in accordance with FHWA-DP-90-1 within calendar year 2010. The project has 21 locations, which includes four Missouri River crossings. The consultant will need to augment the underwater diving inspections with side-scan radar technology. The consultant also will be an "on-call" consultant for additional underwater inspections through 2014 as warranted by flood events.

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

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

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

- Valid, reliable and current costs must be available within the system to support cost and pricing data;
- capability to provide a means of measuring the reasonableness of incurred costs;
- capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger; and

- ability to provide supporting documentation of actual expenditures for each billing, based on costs.

Deb Miller
Secretary of Transportation

Doc. No. 037894

State of Kansas**Board of Regents****Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted from 2 to 4 p.m. Monday, March 15, in the Board of Regents board room, 1000 S.W. Jackson, Suite 520, Topeka, to consider the proposed amendments to the regulation dealing with the fees charged to private and out-of-state postsecondary educational institutions.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comment on the proposed regulation. All interested parties may submit written comments prior to the hearing to Jacqueline Johnson, Kansas Board of Regents, 1000 S.W. Jackson, Suite 520, Topeka, 66612-1368. All interested parties will be given a reasonable opportunity to present their views orally on the amendments of the regulation during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Naomi Adams at (785) 296-3422.

Copies of the amendments and the economic impact statement may be found at <http://www.kansasregents.org/institutions/career/index.html> or obtained by contacting Naomi Adams at the above-listed contact information. A summary of the proposed regulation and the economic impact follows:

K.A.R. 88-28-6 establishes fees that must be paid by private or out-of-state postsecondary institutions that operate in the state of Kansas. The proposed amendment will increase the fees paid by such institutions to the statutory maximums allowed by the authorizing statute, K.S.A. 2008 Supp. 74-32,181.

There is no anticipated economic impact on the board, as its duties will not expand with the promulgation of the amendment to this regulation. However, with the enhanced revenues that this regulatory change will bring about, KBOR will be better positioned to address and handle the increased workload. There is no anticipated economic impact upon other governmental agencies or entities, or private citizens. There will be an economic impact upon those private and out-of-state post-secondary educational institutions to which the Act applies.

Reginald L. Robinson
President and CEO

Doc. No. 037906

State of Kansas**Commission on Peace Officers' Standards and Training****Notice of Meeting**

The Kansas Commission on Peace Officers' Standards and Training will meet at 10 a.m. Thursday, January 28, at the commission office, 1999 N. Amidon, Suite 350, Wichita. The meeting is open to the public. For more information, call (316) 832-9906.

John Carmichael
Chairperson

Doc. No. 037915

State of Kansas**Commission on Veterans' Affairs****Notice of Meeting**

The Kansas Commission on Veterans' Affairs will meet at 10 a.m. Wednesday, January 20, in the Senate Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka. The public is invited to attend. For more information, call (785) 296-3976.

Jack Fowler
Executive Director

Doc. No. 037893

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

The Kansas Department of Health and Environment and the U.S. Environmental Protection Agency, Region VII, have received a Resource Conservation and Recovery Act (RCRA) hazardous waste Part A and Part B permit renewal applications from Clean Harbors PPM, LLC, located at 2474 Highway 169 North Industrial Park, Coffeyville. KDHE and the EPA are providing notice of their intent to renew a jointly issued RCRA hazardous waste treatment and storage permit to Clean Harbors PPM, LLC, the operator and owner of the facility.

The facility was originally permitted to store and incinerate hazardous wastes in 1991. The facility no longer burns hazardous waste. The facility clean closed the incinerator in 2005. The facility's assigned EPA identification number is KSD981506025.

In October 1985, the state of Kansas received final authorization from the EPA to implement its own hazardous waste management program in lieu of the federal program except for the portions covered by the Hazardous and Solid Waste Amendments (HSWA) of 1984. The KDHE portion of the permit (Part I) will be issued under the authority of K.S.A. 65-3430 et seq. and K.A.R. 28-31-9, and the EPA portion of the permit (Part II) will be issued under the authority of Sections 3001(g), 3001(h), 3002 (b), 3004(d), 3004 (u) and (v), 3005 and 6001 of the RCRA.

Part I of the permit will allow Clean Harbors PPM, LLC to receive hazardous waste in both bulk and containers

from off-site generators to store a total of 107,800 gallons of hazardous waste in 1960 55-gallon containers in the "A" Building. The materials stored at the facility will include corrosive, toxic and listed hazardous wastes. Container storage areas complies with 40 CFR Part 264 Subpart I, Subpart CC and Part 270 requirements for container storage areas. Emergency equipment is available at the facility and appropriate warning signs are posted on the perimeter fences. The EPA portion (Part II) of the joint permit will address the requirements of HSWA.

A copy of the administrative record, which includes the draft permit, the permit application and all information pertaining to this permit action, is available for public review January 21-March 9, Monday through Friday during normal business hours, at the following locations:

Kansas Department of Health and Environment
Hazardous Waste Permits Section
1000 S.W. Jackson, Suite 320
Topeka, 66612
Contact: Mostafa Kamal
(785) 296-1609

U.S. Environmental Protection Agency
Region VII Office - RCRA Branch
901 N. 5th St.
Kansas City, KS 66101
Contact: Ken Herstowski
(913) 551-7631

Coffeyville Public Library
311 W. 10th St.
Coffeyville, 67337
Contact: Jennifer Dalton
(620) 251-1370

Anyone wishing to comment on the draft permit should submit written comments postmarked not later than March 9 to Mostafa Kamal (KDHE) or Ken Herstowski (EPA) at the addresses above.

A public hearing has not been scheduled; however, if written requests are received that indicate a significant degree of public interest in the draft permit, a public hearing will be scheduled. After consideration of all comments received, the secretary of KDHE and the EPA director of the Air and Waste Management Division (AWMD) will make a final permit decision. Notice will be given to the applicant, to all persons who submitted written comments, to those who commented at the public hearing, and to those who requested notice of the final permit decision. If none of the comments received during the public comment period result in revisions to the draft permit, the permit will become effective immediately upon its issuance. If comments received during the public comment period result in revisions, the permit will become effective 30 days after service of notice of the final decision or at a later date, if a review is requested under 40 CFR 124.19.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037901

State of Kansas**Department of Health
and Environment****Notice Concerning Kansas/Federal Water
Pollution Control Permits and Applications**

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-10-005/009**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
JO Cattle Company, Inc. Larry C. Jones P.O. Box 7 Holcomb, KS 67851	NE/4 of Section 11, T24S, R34W, Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-B007

This is a reissuance of a permit with a modification for an existing facility for 2,000 head (2,000 animal units) of cattle weighing greater than 700 pounds. The modification includes a decrease from the previous permitted capacity to a new permitted capacity of 999 head (999 animal units) of cattle weighing greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Porter Cattle Company Richard W. Porter 3309 Road W7 Reading, KS 66868	S/2 of Section 20 & W/2 & SE/4 of Section 28 & SE/4 of Section 29, T16S, R13E, Lyon County	Marais des Cygnes River Basin

Kansas Permit No. A-MCLY-C004 Federal Permit No. KS0037966

This is a reissuance of a permit for an existing facility for 7,000 head (7,000 animal units) of cattle weighing greater than 700 pounds, 2,500 head (1,250 animal units) of cattle weighing less than 700 pounds and 7 head (14 animal units) of horses.

Name and Address of Applicant	Legal Description	Receiving Water
Geihsler Livestock Ed Geihsler 2022 CR 11 Levant, KS 67743	SE/4 of Section 27, T07S, R35W, Thomas County	Upper Republican River Basin

Kansas Permit No. A-URTH-B001

This permit is being reissued for an existing facility with a maximum capacity of 300 head (300 animal units) of beef cattle more than 700 pounds and 300 head (150 animal units) of beef cattle 700 pounds or less, for a total of 450 animal units. This represents a decrease of

25 animal units from the previous permit due to a facility change in ownership and operations.

Name and Address of Applicant	Legal Description	Receiving Water
Pruitt Farms, Inc. David Pruitt 650 KS 14 Highway Beloit, KS 67420	SE/4 of Section 17, T09S, R07W, Dickinson County	Solomon River Basin

Kansas Permit No. A-SOMC-B012

This permit is being reissued for an existing facility with a maximum capacity of 999 head (999 animal units) of beef cattle more than 700 pounds. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Frank Farms, Inc. 12955 Turkey Hollow Road Westmoreland, KS 66549	SE/4 of Section 12, T08S, R08E, Pottawatomie County	Kansas River Basin

Kansas Permit No. A-KSPT-S020

This permit is being reissued for an existing facility with a maximum capacity of 1,940 head (776 animal units) of swine more than 55 pounds, 1,260 head (126 animal units) of swine 55 pounds or less and 85 head (42.5 animal units) of beef cattle 700 pounds or less, for a total of 944.5 animal units. There is no change in the permitted animal units from the previous permit.

Notice of Intent to Terminate

Pursuant to the requirements of K.A.R. 28-16-60 and K.A.R. 28-16-62, the Kansas Department of Health and Environment hereby provides notice of intent to terminate the following KDHE-issued permits:

Project Name	Project City	Permit No.
Alan Query Waterway	Bird City	S-UR03-0003
Cedar Creek No. 2 Sanitary Sewer Interceptor	Olathe	S-KS52-0207
Central Plains Wind Farm (Marienthal)	Leoti	S-UA26-0010
Chadwick Place - Ph. I	Leawood	S-KS32-0024
Construct TUAU Runway	Junction City	S-KS97-0016
Crystal Ridge - Phase I	Kansas City	S-KS27-0014
Deer Creek Woods III	Overland Park	S-MO28-0079
Eastacre Subdivision	Topeka	S-KS72-0200
Eastgate Inn	Wichita	S-AR94-0612
Emporia Energy Center	Emporia	S-NE24-0027
Forsyth - Phase 1A (Ft. Riley)	Junction City	S-LR15-0025
Gleason Glen	Lenexa	S-KS34-0016
Greens of Chapel Creek (Cambridge Park)	Shawnee	S-KS68-0109
Hampton Place	Overland Park	S-MO28-0080
Herrington Park - 3th Plat	Shawnee	S-KS68-0180
Herrington Park - 5th Plat	Shawnee	S-KS68-0178
Herrington Park - 6th Plat	Shawnee	S-KS68-0177
Junction City Day Care Facility	Junction City	S-LR15-0034
KDOT 85 U-2042-01 (North Broadway Corridor)	Salina	S-SA20-0023
KU Boathouse	Lawrence	S-KS31-0143
Lawrence Energy Center (LEC) Ash Landfill	Lawrence	S-KS31-0113
Links of Prairie Highlands	Olathe	S-KS52-0110
Madison Avenue Residences	Wichita	S-AR94-0601
Meadowlark Hills Retirement Community Ph. 2	Manhattan	S-KS38-0030
Merriam Village	Merriam	S-KS44-0016

(continued)

Mesa Verde Addition	Wichita	S-AR94-0593
MHA Southern Hills Apartments	Wichita	S-AR94-0596
Millenia Productions	Wichita	S-AR94-0607
NIS Office Building	Olathe	S-KS52-0116
Park Place Residences - Axis Lofts	Leawood	S-KS32-0032
Prairie Hills - Phase I	Park City	S-AR69-0005
Remington Place	Wichita	S-AR94-0052
Shawnee Mission Northwest High School	Shawnee	S-KS68-0208
Spring Hill Self Storage	Spring Hill	S-MC45-0004
Stone Oaks	Stilwell	S-MO32-0017
Street Impv. Proj. #60468-05 - Southboro Subdivision	Topeka	S-KS72-0064
Street Impv. Proj. #60591-01 - Southboro Subdivision	Topeka	S-KS72-0065
The Coves at Tallgrass	Ottawa	S-MC31-0026
The Pines @ Sawmill Creek	Wichita	S-AR94-0600
The Reserve - 5th Plat	Lenexa	S-KS34-0091
Timber Hills - Ph. I	Tonganoxie	S-KS71-0009

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

All comments regarding the draft documents or application notices received on or before February 13 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-10-005/009) and name of the applicant/permittee when preparing comments.

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

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

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037907

State of Kansas Department of Administration

Public Notice

Under requirements of K.S.A. 2009 Supp. 65-34,117(c), records of the Division of Accounts and Reports show the unobligated balances are \$2,250,865.90 in the underground petroleum storage tank release trust fund and \$2,070,653.13 in the aboveground petroleum storage tank release trust fund at December 31, 2009.

Duane Goossen
Secretary of Administration

Doc. No. 037890

State of Kansas

Department of Health and Environment

Notice of Available Funding

Funds are available from the KDHE Bureau of Disease Control and Prevention, HIV/AIDS Section, HIV Prevention Program to provide HIV prevention services. Activities include an effective-based intervention and targeted HIV counseling and testing using the RESPECT model.

Eligibility: Community-based organizations (agencies must have proof of 501(c) 3 status).

A full application can be found at http://www.kdheks.gov/doc_lib/index.html. Applications are due by 5 p.m. March 15. Applications and requests for information can be e-mailed to hivfunds@kdheks.gov.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037910

State of Kansas

Department of Health and Environment

Notice of Available Funding

Funds are available from the KDHE Bureau of Disease Control and Prevention, HIV/AIDS Section, Ryan White Program to provide HIV medical case management in the state of Kansas. Activities include, but are not limited to, medication adherence, appointment adherence, psychosocial support and monitoring and resource referral.

Eligibility: Agencies with physical presence in Kansas. Specific eligibility information is discussed in the full application.

A full application can be found at http://www.kdheks.gov/doc_lib/index.html. Applications are due by 5 p.m. March 15. Applications and requests for information can be e-mailed to hivfunds@kdheks.gov.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037912

State of Kansas**Department of Health
and Environment****Notice of Available Funding**

Funds are available from the KDHE Bureau of Disease Control and Prevention, HIV/AIDS Section, HIV Prevention Program to provide HIV prevention services. Activities include an effective-based intervention and targeted HIV counseling and testing using the RESPECT model.

Eligibility: Agencies must be a local health department.

A full application can be found at http://www.kdheks.gov/doc_lib/index.html. Applications are due by 5 p.m. March 15. Applications and requests for information can be e-mailed to hivfunds@kdheks.gov.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037909

State of Kansas**Department of Health
and Environment****Notice of Available Funding**

Funds are available from the Kansas HIV Prevention Program for targeted HIV counseling and testing using the RESPECT model.

Eligibility: Community-based organization (agencies must have proof of 501(c) 3 status) and local health departments.

A full application can be found at http://www.kdheks.gov/doc_lib/index.html. Applications are due by 5 p.m. March 15. Applications and requests for information can be e-mailed to hivfunds@kdheks.gov.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037911

State of Kansas**Department of Health
and Environment****Notice of Available Grant Funding**

Funding for immunization providers that wish to apply for financial assistance to load or exchange immunization data with the Kansas Immunization Registry (KSWebIZ) is available upon listed requirements. The total amount available for Kansas providers is \$55,000. All funding is one-time funding and may be a partial or full award of requested funds. The number of awards and amounts of awards will be dependent on the number of applicants, volume of clinic and type of immunization service provided, giving priority to the two-way interface applicants and/or Vaccine for Children (VFC) providers.

A grantee must fall under one of the following options:

- 1) Funding will be made available for two-way interface enhancement for immunization provider site. This does not include the development of the inter-

face itself. It would only be for those practices to purchase the interface component once a vendor has an established two-way interface developed.

- 2) Funding will be made available for a one-time extract out of an electronic medical record (EMR) or a billing system that does not have the capability for a two-way interface if the provider intends to do direct entry into KSWebIZ thereafter.
- 3) Funding will be made available for data entry services for a provider to hire personnel to manually enter immunization historical data into KSWebIZ. This would primarily be for clinics that have no electronic source for data extract, and would eliminate clinic staff time from entering historical records while patient is waiting.

Applications may be obtained by contacting Nichole Lambrecht, KSWebIZ Project Manager, Kansas Immunization Program, KDHE, 1000 S.W. Jackson, Suite 210, Topeka, 66612-1274, (785) 296-8119 or toll free (877) 296-0464, by fax at (785) 291-3142, by e-mail at nlambrecht@kdheks.gov, or online at www.kdheks.gov/immunize/webiz.html. Providers that wish to apply should complete and return the application form by February 26 to Nichole Lambrecht at the address above.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037899

State of Kansas**Department of Health
and Environment****Notice of Hearing**

A public hearing will be conducted at 10 a.m. Wednesday, February 24, in the Azure Room of the Curtis State Office Building, fourth floor, 1000 S.W. Jackson, Topeka, to discuss the December 31, 2009 Updated Draft FY 2010 Project Priority List and the Intended Use Plan for the Kansas Water Pollution Control Revolving Loan Fund. The Kansas Department of Health and Environment, Bureau of Water has proposed these updated draft documents for the state fiscal year 2010.

The updated draft documents are available on the KDHE Web site at <http://www.kdheks.gov/muni/index.htm>. Comments on the Priority List and the Intended Use Plan are welcome and requested. Any questions should be directed to Rodney R. Geisler, P.E., Chief, Municipal Programs Section, KDHE, Bureau of Water, Suite 420, Curtis Building, 1000 S.W. Jackson, Topeka, 66612-1367, or by e-mail to rgeisler@kdhe.state.ks.us

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 037908

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

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

Barry K. Swanson
Associate Comptroller/
Director of Purchasing Services

Doc. No. 037757

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

Kansas State University encourages interested vendors to visit the Kansas State University Controller's Office/Purchasing Web site at <http://www.ksu.edu/purchasing/rfq> for a complete listing of all transactions for which Kansas State University Purchasing, or one of the consortia commonly utilized by K-State, is seeking competitive bids. Paper postings of Kansas State University Purchasing's bid transactions may be viewed at the Purchasing Office, 21 Anderson Hall, Manhattan, or persons may contact Purchasing at (785) 532-6214, by fax at (785) 532-5577, or by e-mail at cbishop@ksu.edu to request a copy of a current bid.

Carla Bishop
Director of Purchasing

Doc. No. 037624

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

Wichita State University encourages interested vendors to visit the Wichita State University Office of Purchasing Web site at wichita.edu/purchasing for a complete listing of all transactions for which Wichita State University, or one of the consortia commonly utilized by WSU, is seeking competitive bids. Paper postings of WSU Office of Purchasing bid transactions may be viewed at the Office of Purchasing, 1845 Fairmount, Room 021 Morrison Hall, Wichita, or persons may contact the Office of Purchasing at (316) 978-3080, by fax at (316) 978-3528, or by e-mail at steven.white@wichita.edu to request a copy of a current bid.

Steve White
Director of Purchasing

Doc. No. 037745

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

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

01/26/2010	12763	Agricultural Svcs — Mar des Cy
01/26/2010	12765	Agricultural Svcs — Mar des Cy
01/27/2010	12767	Demolish & Construct Wood Frame Metal Building
01/28/2010	12757	Consulting Svcs — Head Start
01/28/2010	12759	Advertising/Marketing
01/28/2010	12762	Asphaltic Materials, Liquid
02/02/2010	12764	Consulting Svcs—Child Care
02/12/2010	12620	Employment Svcs, Temporary

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

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

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

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

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

02/02/2010	A-011173	Tuckpointing, Cleaning and Sealing — Robinson Center, University of Kansas, Lawrence
02/18/2010	A-010737	Steam Distribution Piping Replacement, Kansas State University, Manhattan
02/18/2010	A-010718	HVAC System replacement, Phase I —Duerksen Fine Arts Center, Wichita State University, Wichita

Chris Howe

Director of Purchases

Doc. No. 037921

State of Kansas**Secretary of State****Executive Appointments**

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

State Representative, 105th District

Gene M. Suellentrop, 6813 W. Northwind Circle, Wichita, 67205. Succeeds Jason Watkins, resigned.

State Senator, 7th District

Terrie Huntington, 6264 Glenfield Drive, Fairway, 66205. Succeeds David Wysong, resigned.

Trego County Attorney

Tony A. Potter, 323 N. Pomeroy Ave., Hill City, 67642. Succeeds Jill Elliott, resigned.

Washington County Sheriff

William H. Dickson, 214 1st Ave., Clyde, 66968. Succeeds Bill Overbeck, deceased.

Kansas Partnership for Accessible Technology

Rep. Mike Burgess, 2610 S.W. Gainsboro Road, Topeka, 66614. Serves at the pleasure of the Governor.

Kansas Bar Foundation IOLTA Committee

Randall J. Pankratz, 720 E. 7th, Newton, 67114. Term expires Dec. 31, 2014. Succeeds Jeffery Mason.

Kansas Board of Barbering

James T. Holt, 1840 N. 29th St., Kansas City, KS 66104. Term expires April 30, 2012. Reappointed.

Coordinating Council on Early Childhood Developmental Services

Deborah K. Voth, 505 N. Tyler, #1309, Wichita, 67212. Serves at the pleasure of the Governor. Reappointed.

Kansas Hispanic and Latino American Affairs Commission

Maria C. Ysaac-Belmares, 7835 Elizabeth Ave., Kansas City, KS 66112. Term expires June 30, 2010. Succeeds James Terrones.

Regional System of Cooperating Libraries**North Central Kansas Regional Library System:**

Catherine S. DeForest, 1262 Wagon Wheel, Florence, 66851. Term expires June 30, 2013. Succeeds Mary Collette.

Northwest Kansas Regional Library System:

Darla L. Deeds, 390 Road 31, Bird City, 67731. Term expires June 30, 2013. Succeeds Daphne Roberts.

Bette James, 1777 N. Road 20 West, Hoxie, 67740. Term expires June 30, 2013. Succeeds Dorothy Jamison.

Southwest Kansas Regional Library System:

Charlene Kirkpatrick, 103 Day Road, Bucklin, 67834. Term expires June 30, 2013. Succeeds Liz Wetmore.

Joan K. Weaver, 1588 P Road, Lewis, 67547. Term expires June 30, 2013. Reappointed.

Kansas Military Advisory Board

Col. Scott Alan Dold, 972 E. 750th Road, Lawrence, 66047. Serves at the pleasure of the Governor. Succeeds Kenneth Gale.

Postsecondary Technical Education Authority

Wayne O. Carter, D.V.M., 1035 N.E. 43rd St., Topeka, 66617. Serves at the pleasure of the Governor. Succeeds Olga Koper.

Ron Thornburgh
Secretary of State

Doc. No. 037896

State of Kansas**Secretary of State****Notice of Corporations Forfeited**

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of December 2009 for failure to timely file an annual report and pay the annual report fee as required by the Kansas general corporation code:

Domestic Corporations

All Natural Beef Cooperative, Inc., Sabetha, KS.

Applejack's Restaurant, Ltd., Goodland, KS.

Astro Tune Up Center, Inc., Wichita, KS.

BBS Press Service, Inc., Bonita Springs, FL.

Bevan-Rabell, Inc., Wichita, KS.

Discount Windows Inc., Concordia, KS.

Douglas County Development, Inc., Lawrence, KS.

Friends of the Valley Center Library, Inc., Valley Center, KS.

Garden City Information Technologies Cooperative, Inc., Garden City, KS.

Hanlon Chemical Co., Inc., Kansas City, KS.

Hayward's Pit, Inc., Overland Park, KS.

Hepato-Gastroenterology Assoc., P.A., Leawood, KS.

Horizon Housing Foundation, Wichita, KS.

J. Herbster, Inc., Basehor, KS.

Jan Stenerud and Company, Inc., Lenexa, KS.

Kansas State Fire Fighters Association Auxiliary, Inc., Haysville, KS.

Kids 4 Kids Association, Shawnee, KS.

Leavenworth National Cemetery Memorial Day Committee Inc., Lansing, KS.

Leawood Village Homes Association, Inc., Leawood, KS.

Leo Peddicord Farm, Inc., Wamego, KS.

Little Foxx Leasing, Inc., Coldwater, KS.

M.T.D.F.J. LLC, Overland Park, KS.

Mercury Printing, Inc., Wichita, KS.

Merriam Organic Market, Inc., Merriam, KS.

Mid-America Concessions, Inc., Lawrence, KS.

Minority Contractors and Consultants, Incorporated, Wichita, KS.

Muslim Business Alliance Association, Overland Park, KS.

O'Donnell Construction Services, Inc., Mission, KS.

Olympus Health Services, Inc., Overland Park, KS.

Richard R. Knubley, D.D.S., P.A., Summerfield, FL.

Robert Jackson, Inc., Yates Center, KS.

Snell Harvesting, Inc., Ellinwood, KS.

Spectrum Sales, Inc., Overland Park, KS.

Sunrise Homes, Inc., Atchison, KS.

The Baldwin Community Maple Leaf Planning Association, Inc., Baldwin City, KS.

The Candle Nook, Inc., Wichita, KS.

The Famee Foundation, Lawrence, KS.

The Flower & Gift Gallery Inc., Hutchinson, KS.

Topeka Papa Murphy's Advertising Corporation, Salina, KS.

Whoa Inc., Kansas City, KS.

3 J Fuel Carriers, Inc., Emporia, KS.

Foreign Corporations

Available Construction, Inc., Riverside, MO.

Bettina Corp., Dallas, TX.

CMF of Kansas-LLC, Jackson, MS.

(continued)

Edward M. Amet, D.D.S., M.S., P.C., Overland Park, KS.
 ENV Services, Inc., Hatfield, PA.
 Magnifunding Capital, Inc., Topeka, KS.
 Misys Healthcare Systems, LLC, Raleigh, NC.
 Premion Finance Co., LLC, Kansas City, MO.

Ron Thornburgh
 Secretary of State

Doc. No. 037898

State of Kansas
Home Inspectors Registration Board
**Temporary Administrative
 Regulations**

**Article 1.—REGISTRATION, RENEWAL,
 AND EXAMINATION**

130-1-2. Registration renewal. Each person applying for annual renewal of registration shall provide the following to the board:

- (a) The applicant's full legal name and date of birth;
- (b) the applicant's residential, business, and mailing addresses;
- (c) the applicant's residential and business telephone numbers;
- (d) the applicant's electronic mail address;
- (e) proof that the applicant has obtained at least 16 credit hours of approved continuing education;
- (f) complete answers to all questions regarding conduct that might be grounds for denying an application for registration or imposing a disciplinary sanction against a registered home inspector;
- (g) documentation from an insurer authorized to do business in Kansas stating that the applicant is insured by a policy of liability insurance in the amount required by K.S.A. 58-4509, and amendments thereto;
- (h) documentation from an insurer or financial institution establishing that the applicant is financially responsible as required by K.S.A. 58-4509, and amendments thereto;
- (i) the renewal fee specified in K.A.R. 130-2-1; and
- (j) a declaration signed by the applicant under penalty of perjury under Kansas law stating that all information submitted is true and correct. (Authorized by K.S.A. 2008 Supp. 58-4504, as amended by L. 2009, Ch. 118, §3; implementing K.S.A. 2008 Supp. 58-4509, as amended by L. 2009, Ch. 118, §6; effective, T-130-1-4-10, Jan. 4, 2010.)

130-1-3. Examination. (a) To be approved by the board, each examination required for registration shall meet the following requirements:

- (1) Test the applicant's knowledge of and proficiency in methods of inspection, residential building systems, report writing, and professional practices; and
- (2) be psychometrically sound as evidenced by documented evaluation of the examination by an independent organization.
- (b) Each examination shall be administered at a location that is under the control of either the examination owner or an entity that has agreed by contract to administer the examination. Each examination shall be proc-

tored according to written policies and procedures that ensure the security and integrity of the examination.

(c) Each applicant shall determine, before taking an examination, whether both the examination and the entity proctoring the examination have been approved by the board.

(d) Each applicant shall pay all examination fees directly to the examination owner or administrator.

(e) Successful completion of the examination by an applicant shall mean that the applicant meets one of the following requirements:

(1) Achieved a scaled score of at least 500 on a range of 200 to 800 on the national home inspection exam offered by the examination board of professional home inspectors;

(2) achieved a raw score of 70% on the examination offered by the national association of home inspectors, inc.; or

(3) on or before July 1, 2008, received official notice of passing the examination offered by the American society of home inspectors, inc. (Authorized by K.S.A. 2008 Supp. 58-4504, as amended by L. 2009, Ch. 118, §3; implementing K.S.A. 2008 Supp. 58-4509, as amended by L. 2009, Ch. 118, §6; effective, T-130-1-4-10, Jan. 4, 2010.)

Article 3.—EDUCATION PROGRAMS

130-3-1. Approval of education providers. (a) Each application packet submitted by an education provider shall include sufficient documentation to establish that all of the requirements of this regulation have been met.

(b) The course of study of each educational program shall include at least 80 hours of instruction in the following topics:

- (1) Structural systems, including the following:
 - (A) Foundations, basements, and drainage;
 - (B) interior walls, windows, doors, stairways, ceilings, and floors;
 - (C) exterior walls, windows, doors, and stairways;
 - (D) exterior coatings, claddings, and glazing;
 - (E) roof structure, coverings, penetration, drainage, and attics;
 - (F) porches, decks, driveways, and walkways;
 - (G) railings and assistive devices; and
 - (H) thermal insulation, air penetration, and moisture barriers;

(2) environmental heating, cooling, and ventilation devices, controls, and distribution systems, including the following:

- (A) Solid, liquid, and gas fuel heating systems;
- (B) electrical heating and cooling systems; and
- (C) chimneys, ductwork, vents, fans, flues, and dryer vents;
- (3) plumbing systems, controls, and drain, vent, water, and gas components;
- (4) waste and sewage systems, but not including private waste systems;
- (5) water supply systems and components, but not including private water supplies;
- (6) electrical systems, controls, and components for heating, ventilation, and air conditioning;

(7) electrical systems, controls, and components for lighting and home appliance power;

(8) (A) Primary electrical service from the masthead to the main panel, which is also known as the electrical service entrance; and

(B) electrical panels, branch electrical circuits, connected devices, and fixtures;

(9) the Kansas home inspection laws and regulations;

(10) the Kansas code of ethics specified in K.A.R. 130-4-1 and the standards of practice specified in K.A.R. 130-4-2;

(11) home inspection documents, forms, and contracts; and

(12) report writing and the legal ramifications of report content.

(c) Instruction shall be on-site, except that an educational program may include as many as three field training experiences of no more than four hours each. Field training shall not include distance learning or any other type of instruction in a virtual classroom.

(d) Each instructor shall meet at least one of the following requirements:

(1) Have experience practicing as a home inspector for at least five of the seven years immediately before becoming an instructor;

(2) have experience teaching the subject matter now being taught for at least five of the seven years immediately before becoming an instructor in the program;

(3) have attained at least 12 credit hours in the subject being taught and have practiced in a field related to the subject being taught for at least 12 of the 24 months immediately before becoming an instructor;

(4) have successfully completed a postsecondary educational program in the subject being taught and have practiced in a field related to the subject matter being taught for at least 12 of the 24 months immediately before becoming an instructor; or

(5) have experience working in a field related to the subject being taught at least 1,000 hours each year for at least five of the seven years immediately before becoming an instructor.

(e) Each educational provider shall require 100 percent attendance during the course of study instruction.

(f) Each educational provider shall require successful completion of at least one comprehensive examination on the topics in the course of study.

(g) The provider of each educational program shall furnish a certificate or other official document verifying successful completion of the program to each student who has successfully completed the program. (Authorized by and implementing K.S.A. 2008 Supp. 58-4504, as amended by L. 2009, Ch. 118, §3; effective, T-130-1-4-10, Jan. 4, 2010.)

Article 4.—CODE OF ETHICS AND STANDARDS OF PRACTICE

130-4-1. Code of ethics. Each registrant shall conduct each home inspection in accordance with the Kansas home inspectors registration board's "code of ethics," as approved on April 17, 2009 and hereby adopted by reference. (Authorized by and implementing K.S.A. 2008 Supp. 58-4504, as amended by L. 2009, Ch. 118, §3; effective, T-130-1-4-10, Jan. 4, 2010.)

130-4-2. Standards of practice. Each registrant shall conduct each home inspection in accordance with the Kansas home inspectors registration board's "home inspection standards of practice," as approved on September 17, 2009 and hereby adopted by reference. (Authorized by and implementing K.S.A. 2008 Supp. 58-4504, as amended by L. 2009, Ch. 118, §3; effective, T-130-1-4-10, Jan. 4, 2010.)

Jeff Barnes
Chairman

Doc. No. 037895

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2006 Volumes and the 2008 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-64	New	V. 28, p. 1338
1-2-65	New	V. 28, p. 1338
1-7-3	Amended	V. 28, p. 1338
1-7-4	Amended	V. 28, p. 1338
1-7-6	Amended	V. 28, p. 1339
1-7-7	Amended	V. 28, p. 1339
1-7-10	Amended	V. 28, p. 1339
1-7-11	Amended	V. 28, p. 1340
1-7-12	Amended	V. 28, p. 1340
1-14-8	Amended	V. 28, p. 1341

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register		
3-3-1	Amended (T)	V. 27, p. 1091	4-13-21	Amended
3-3-1	Amended	V. 27, p. 1517	4-13-22	Amended
3-3-2	New (T)	V. 27, p. 1091	4-13-23	Amended
3-3-2	New	V. 27, p. 1517	4-13-33	Amended
3-4-1	Amended	V. 28, p. 1716	4-13-40	Amended
3-4-2	Amended	V. 28, p. 1716	4-13-41	Revoked
3-4-4	Amended	V. 28, p. 1716	4-13-42	Revoked
3-4-5	Amended	V. 28, p. 1717	4-13-60	Amended
3-4-6	Revoked	V. 28, p. 1717	4-13-64	Amended
3-4-7	Amended	V. 28, p. 1717	4-13-65	Amended
		V. 28, p. 1717	4-15-5	Amended
		V. 28, p. 1717	4-15-11	Amended
		V. 28, p. 1717	4-15-12	Revoked
		V. 28, p. 1717	4-15-13	Amended

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register		
4-6-1	Amended	V. 28, p. 1594	4-15-14	Amended
4-6-2	Amended	V. 28, p. 1594	4-16-1a	Amended
4-6-3	New	V. 27, p. 1741	4-16-1c	Amended
4-6-3	New	V. 27, p. 1741	4-16-7a	Amended
4-7-900	Amended	V. 27, p. 1022	4-16-300	Amended
4-7-901	Revoked	V. 27, p. 1022	4-16-301	Revoked
4-7-902	Amended	V. 27, p. 1022	4-16-302	Amended
4-7-903	Amended	V. 27, p. 1023	4-16-303	Amended
4-7-904	Amended	V. 27, p. 1023	4-16-304	Amended
4-7-904	Amended	V. 27, p. 1023	4-16-305	Amended
4-13-1	Amended	V. 27, p. 186	4-16-306	Amended
4-13-3	Amended	V. 27, p. 187	4-17-300	Amended
4-13-9	Amended	V. 27, p. 188	4-17-301	Revoked
4-13-11	Revoked	V. 27, p. 188	4-17-302	Amended
4-13-13	Amended	V. 27, p. 188	4-17-303	Amended
4-13-20	Amended	V. 27, p. 190		

(continued)

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES			112-104-1 through 112-104-33 New V. 27, p. 1378-1406			AGENCY 117: REAL ESTATE APPRAISAL BOARD		
Reg. No.	Action	Register	112-104-34 through 112-104-41 New V. 28, p. 1457-1459	112-104-41 New V. 27, p. 1406-1408	Reg. No.	Action	Register	
105-11-1	Amended (T)	V. 28, p. 1079			117-1-1	Amended	V. 28, p. 373	
105-11-1	Amended	V. 28, p. 1457			117-2-2a	Amended	V. 28, p. 373	
AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION			112-105-1 through 112-105-7 New V. 27, p. 1406-1408		117-3-1	Amended	V. 28, p. 1027	
Reg. No.	Action	Register	112-106-1 through 112-106-7 New V. 27, p. 1408-1411		117-3-2a	Amended	V. 28, p. 373	
108-1-4	Amended	V. 28, p. 1062			117-4-1	Amended	V. 28, p. 1028	
AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES			112-107-1 New V. 28, p. 424		117-4-2a	Amended	V. 28, p. 374	
Reg. No.	Action	Register	112-107-2 New V. 28, p. 424		117-5-2	Amended	V. 28, p. 374	
109-2-9	Amended	V. 28, p. 1030	112-107-3 New V. 28, p. 424		117-5-2a	Amended	V. 28, p. 375	
109-3-1	Amended	V. 28, p. 1030	112-107-5 New V. 28, p. 428		117-6-1	Amended	V. 28, p. 1029	
109-5-2	Amended	V. 28, p. 574	112-107-6 New V. 28, p. 428		117-7-1	Amended	V. 28, p. 375	
109-5-3	Amended	V. 28, p. 574	112-107-7 New V. 28, p. 428		117-10-1	New	V. 28, p. 375	
109-5-5	New	V. 27, p. 1548	112-107-9 New V. 28, p. 429		AGENCY 121: DEPARTMENT OF CREDIT UNIONS			
109-5-6	New	V. 28, p. 575	112-107-10 New V. 28, p. 429		Reg. No.	Action	Register	
109-6-3	Revoked	V. 28, p. 575	112-107-11 New V. 28, p. 430		121-9-1	Amended	V. 28, p. 457	
109-15-1	New	V. 28, p. 575	112-107-13 through 112-107-32 New V. 28, p. 430-440		121-10-1	New	V. 27, p. 1099	
109-15-2	New	V. 28, p. 576	112-107-34 New V. 28, p. 441		121-10-2	New	V. 27, p. 1099	
AGENCY 110: DEPARTMENT OF COMMERCE			112-108-1 through 112-108-57 New V. 28, p. 1766-1788		121-11-1	New	V. 28, p. 457	
Reg. No.	Action	Register	112-110-1 through 112-110-13 New V. 28, p. 464-470		121-11-2	New	V. 28, p. 457	
110-13a-1	New	V. 27, p. 1063	112-111-1 through 112-111-5 New V. 28, p. 470-472		121-12-1	New	V. 28, p. 459	
110-13a-2	New	V. 27, p. 1063	112-112-1 through 112-112-9 New V. 27, p. 1411-1413		AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION			
110-13a-3	New	V. 27, p. 1064	112-113-1 New V. 28, p. 382		Reg. No.	Action	Register	
110-19-1	through		112-114-1 through 112-114-6 New V. 28, p. 472		127-2-1	New	V. 28, p. 192	
110-19-4	New	V. 27, p. 1064, 1065	112-114-8 through 112-114-12 New V. 28, p. 472, 473		127-2-2	New	V. 28, p. 192	
110-20-1	through		112-114-14 New V. 28, p. 473		127-2-3	New	V. 28, p. 193	
110-20-4	New	V. 27, p. 1065, 1066	AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION					
AGENCY 111: KANSAS LOTTERY			Reg. No. Action Register					
A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 Kansas Register. The following regulations were filed after December 1, 2009:			128-1-1	New (T)	V. 27, p. 106			
Reg. No. Action Register			128-1-1	New	V. 27, p. 358			
111-4-2899	through		128-2-1	New	V. 27, p. 360			
111-4-2907	New	V. 29, p. 9-14	128-2-2	New (T)	V. 27, p. 107			
AGENCY 112: RACING AND GAMING COMMISSION			128-2-2	New	V. 27, p. 362			
Reg. No.	Action	Register	128-3-1	New				
112-12-15	New	V. 28, p. 797	128-4-1 through 128-4-9 New V. 27, p. 363-367					
112-13-6	New	V. 28, p. 376	128-4-1	New	V. 27, p. 367			
112-100-1	through		128-5-1	New	V. 27, p. 367			
112-100-7	New	V. 27, p. 1378	128-5-1	New	V. 27, p. 368			
112-101-1	through		128-5-2	New	V. 27, p. 368			
112-101-16	New	V. 28, p. 376-379	128-6-1	New	V. 27, p. 368			
112-102-1	through		128-6-2	New	V. 27, p. 371			
112-102-13	New	V. 28, p. 1161-1163	128-6-4	New	V. 27, p. 374			
112-103-1	through		AGENCY 129: KANSAS HEALTH POLICY AUTHORITY					
112-103-12	New	V. 28, p. 376-382	Reg. No. Action Register					
112-103-15	New	V. 28, p. 382	129-5-1	Amended	V. 27, p. 628			
112-103-16	New	V. 28, p. 382	129-5-78	Amended	V. 28, p. 1464			
			129-5-108	Amended	V. 27, p. 1346			
			129-10-15a	New	V. 27, p. 1346			
			129-10-15b	New	V. 27, p. 1348			
			129-10-17	New	V. 27, p. 1348			
			129-10-18	New	V. 27, p. 1350			
			129-10-23a	New	V. 27, p. 1353			
			129-10-23b	New	V. 27, p. 1353			
			129-10-25	New	V. 27, p. 1354			
			129-10-26	New	V. 27, p. 1355			
			129-10-27	New	V. 27, p. 1356			
			129-10-200	New	V. 27, p. 1356			
			129-10-210	New	V. 27, p. 1358			
AGENCY 130: HOME INSPECTORS REGISTRATION BOARD			Reg. No. Action Register					
130-1-1	New	V. 28, p. 1737	130-1-1	New	V. 28, p. 1737			
130-1-4	New	V. 28, p. 1737	130-1-5	New	V. 28, p. 1738			
130-2-1	New	V. 28, p. 1738	130-2-1	New	V. 28, p. 1738			

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