



Kansas Register

Kris W. Kobach, Secretary of State

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In this issue . . .	Page
Kansas Children’s Cabinet and Trust Fund	
Notice of meeting	1201
Board of Emergency Medical Services	
Notice of meeting	1201
Legislative interim committee schedule.....	1201
Social and Rehabilitation Services	
Notice of basic maximum daily rate of charge for state institutions.....	1202
Request for proposals for adult inpatient mental health treatment.....	1202
Kansas Water Authority	
Notice of hearing on the State Water Plan.....	1202
Kansas Judicial Council	
Notice of meetings.....	1202
Department of Administration—Office of Facilities and Property Management	
Notice of requested engineering services	1202
Notice of requested architectural services.....	1203
Request for bids for construction services	1203
Kansas Department of Transportation	
Request for bids for transit vehicles.....	1203
Notice to contractors.....	1204
Notice of public auction.....	1205
Kansas Guardianship Program	
Notice of meeting	1204
Kansas Board of Regents Universities	
Notice to bidders.....	1205
Kansas State Fair Board	
Notice of meeting	1206
Department of Labor—Division of Workers Compensation	
Notices of hearing on proposed administrative regulations.....	1206
Department of Health and Environment	
Notice concerning water pollution control permits/applications	1207
Kansas 911 Coordinating Council	
Notice of meeting	1208
Office of the Governor	
Executive Directive No. 11-423, authorizing expenditure of federal funds.....	1208
Kansas Development Finance Authority	
Notice of hearing on proposed revenue bonds	1208
Department of Administration—Division of Purchases	
Notice to bidders for state purchases	1209

(continued on next page)

Pottawatomie County
 Notice of intent to seek private placement of general obligation bonds..... 1209

Notice of Bond Sale
 City of Topeka..... 1209
 City of Wichita 1211

Kansas Department on Aging
 Request for proposals for the 2012 Workforce Enhancement Grant..... 1212

Pooled Money Investment Board
 Notice of investment rates..... 1213

Permanent Administrative Regulations
 Court of Tax Appeals..... 1213
 Board of Mortuary Arts 1215

Index to administrative regulations..... 1218

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**State of Kansas
Children’s Cabinet and Trust Fund**

Notice of Meeting

The Kansas Children’s Cabinet and Trust Fund will conduct a meeting from 9:30 a.m. to noon Thursday, September 15, at the Topeka-Shawnee County Public Library, 1515 S.W. 10th Ave., Topeka. More information may be obtained from the Cabinet’s website at www.kschildrenscabinet.org or by calling Dyogga Adegbore at (785) 368-7044.

Jim Redmon
Executive Director

Doc. No. 039756

**State of Kansas
Board of Emergency Medical Services**

Notice of Meeting

The Board of Emergency Medical Services will meet to discuss its budget on Tuesday, September 6, in the conference room of board’s office, Room 1031, Landon State Office Building, 900 S.W. Jackson, Topeka (time to be determined). All meetings of the board are open to the public. For more information, contact the executive director at the address above, (785) 296-7296.

Steven Sutton
Executive Director

Doc. No. 039767

State of Kansas

Legislature

Interim Committee Schedule

The Legislative Research Department gives notice that the following legislative committees plan to meet during the period of September 1-15, based on current information and subject to change. 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 711, or e-mail LegServ@las.ks.gov. The 2011 interim committee memberships and committee agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/Committees.htm>.

Date	Room	Time	Committee	Agenda
Sept. 1	548-S	1:00 p.m.	Senate Confirmation Oversight	Agenda not available.
Sept. 2	Lawrence Overland Park	9:00 a.m. 2:00 p.m.	Special Committee on Redistricting	Redistricting public hearings.
Sept. 8	144-S	10:00 a.m.	Joint Committee on State Building Construction	Agenda not available.
Sept. 9	144-S	9:00 a.m.	Joint Committee on State Building Construction	Agenda not available.
Sept. 8	TBA	TBA	Kansas Electric Transmission Authority	Agenda not available.
Sept. 9	152-S	8:00 a.m.	Joint Committee on Energy and Environmental Policy	Initial overviews on the Abandoned Oil and Gas Well Plugging Program, water availability, pore space ownership, innovative landfill programs, hydraulic fracturing, current research at Regents institutions on energy, water and general sustainability. Status updates on the smoke management plan, EPA regulations, and water litigation.
Sept. 13	144-S	10:00 a.m.	KAN-ED Study Committee	Agenda not available.
Sept. 14	346-S	10:00 a.m.	Joint Committee on Legislative Budget	Review the duties, functions and responsibilities of the State Fire Marshal. Study if merging with other state agencies is possible.
Sept. 15	546-S	9:00 a.m.	Special Claims Against the State	Agenda not available.

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 039758

**State of Kansas
Social and Rehabilitation Services**

Public Notice

In compliance with K.S.A. 59-2006b(a), the following per patient day costs for fiscal year 2012 will be the basic maximum daily rate of charge, effective July 1, 2011, for the following institutions:

Parsons State Hospital & Training Center	\$395.00
Kansas Neurological Institute	\$498.00

Robert Siedlecki
Secretary of Social and
Rehabilitation Services

Doc. No. 039763

**State of Kansas
Kansas Water Authority**

Notice of Hearing

The Kansas Water Authority will conduct a public hearing at 9:45 a.m. Tuesday, September 20, at the Hide-out Hunting Lodge, 1893 Road 360, Allen, on a proposed addition to the State Water Plan — the Marais des Cygnes Basin section, Volume III of the Reservoir Roadmap KS. Those wishing to speak should give notice at least seven days prior to the hearing to the Kansas Water Office.

If accommodations are needed for a person with disabilities, please notify the Kansas Water Office, 901 S. Kansas Ave., Topeka, 66612-1249, (785) 296-3185, at least five working days prior to the hearing.

Gary Harshberger
Chairman

Doc. No. 039751

**State of Kansas
Kansas Judicial Council**

Notice of Meetings

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

Date	Committee	Time	Location
Sept. 15	Pattern Instructions for Kansas-Criminal	1:00 p.m.	West Conference Room
Sept. 16	Pattern Instructions for Kansas-Criminal	9:30 a.m.	Room 269
Sept. 16	Probate Law	9:30 a.m.	West Conference Room
Sept. 21	Supreme Court Rules	9:30 a.m.	Fatzer Courtroom
Sept. 23	Criminal Law	9:30 a.m.	Room 269
Sept. 30	Lien Law - Subcommittee	9:30 a.m.	West Conference Room
Sept. 30	Juvenile Offender/ Child In Need of Care	9:30 a.m.	Room 269
Oct. 7	Family Law	9:30 a.m.	West Conference Room
Oct. 14	Commission on Judicial Performance	9:30 a.m.	West Conference Room
Oct. 20	Pattern Instructions for Kansas-Criminal	1:00 p.m.	West Conference Room
Oct. 21	Pattern Instructions for Kansas-Criminal	9:30 a.m.	Room 269
Oct. 21	Probate Law	9:30 a.m.	West Conference Room
Oct. 28	Civil Code	9:30 a.m.	West Conference Room

Hon. Lawton R. Nuss
Chairman

Doc. No. 039743

**State of Kansas
Social and Rehabilitation Services**

Request for Proposals

The state of Kansas is issuing a request for proposals for the Kansas Department of Social and Rehabilitation Services, Topeka, to obtain competitive responses from potential grantees to provide inpatient treatment for adults diverted from state mental health hospital admission to respond to critical census levels of state mental health hospitals (SMHHs) in Kansas. The term of the grant is from October 1, 2011 through June 30, 2012. Total available funding is up to \$408,000. Specifics of the RFP can be found at <http://www.srs.ks.gov/agency/procure/Pages/default.aspx>.

Robert Siedlecki
Secretary of Social and
Rehabilitation Services

Doc. No. 039762

**State of Kansas
Department of Administration
Office of Facilities and Property Management**

Notice of Requested "On-Call" Engineering Services

Notice is hereby given of the commencement of the selection process for "on-call" mechanical-electrical-plumbing engineering services for small projects for the University of Kansas Medical Center, Kansas City, Kansas, and the University of Kansas School of Medicine, Wichita. One or two firms may be selected. Contracts will be for three years.

For more information, contact Dave Roland at (913) 588-9011. Firms interested in providing these services should be familiar with the requirements of Chapter 9 of the Building Design and Construction Manual at the website below.

To be considered, one (1) .pdf file and one (1) bound proposal of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end. Proposals should be less than 5 MB and follow the current State Building Advisory Commission guidelines in Chapter 4 of the Building Design and Construction Manual, which is available at www.da.ks.gov/fp/ or by contacting Barbara Schilling, Office of Facilities and Property Management, Suite 600 South, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 291-3695, or Barb.Schilling@da.ks.gov. Both the .pdf and bound proposal submittals shall be delivered to the attention of Barbara Schilling before noon September 16.

Mark J. McGivern, Director
Office of Facilities and
Property Management

Doc. No. 039750

State of Kansas

Department of Transportation

Request for Bids

The Kansas Department of Transportation's Office of Public Transportation announces that the Kansas Coordinated Transit District Council is now accepting courtesy bids for Kansas' transit vehicles. This courtesy bid is for 2012 model-year minivan transit vehicles. The transit vehicles will be funded by the Federal Transit Administration and the state of Kansas, and must comply with all applicable federal law (including FMVSS and ADA requirements) and state law for passenger vehicles of this type. These vehicles will be used in the KDOT Public Transportation Program to transport the elderly, persons with disabilities, and the general public.

The bid opening is scheduled for 9:30 a.m. September 12 in Salina. Inquiries or requests for a bid package should be made directly to Sarah Krom, Chairperson, Kansas Coordinated Transit District Council, P.O. Box 838, Great Bend, 67530, (620) 792-1321.

Deb Miller
Secretary of Transportation

Doc. No. 039764

State of Kansas

Department of Administration
Office of Facilities and Property Management

Notice of Requested "On-Call" Architectural Services

Notice is hereby given of the commencement of the selection process for "on-call" architectural services for small projects for the University of Kansas Medical Center, Kansas City, Kansas, and the University of Kansas School of Medicine, Wichita. One or two firms may be selected. Contracts will be for three years.

For more information, contact Dave Roland at (913) 588-9011. Firms interested in providing these services should be familiar with the requirements of Chapter 9 of the Building Design and Construction Manual at the website below.

To be considered, one (1) .pdf file and one (1) bound proposal of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end. Proposals should be less than 5 MB and follow the current State Building Advisory Commission guidelines in Chapter 4 of the Building Design and Construction Manual, which is available at www.da.ks.gov/fp/ or by contacting Barbara Schilling, Office of Facilities and Property Management, Suite 600 South, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 291-3695, or Barb.Schilling@da.ks.gov. Both the .pdf and bound proposal submittals shall be delivered to the attention of Barbara Schilling before noon September 16.

Mark J. McGivern, Director
Office of Facilities and
Property Management

Doc. No. 039749

State of Kansas

Department of Administration
Office of Facilities and Property Management

Request for Bids for Construction Services

Notice is hereby given for the receipt of subcontractor bids for the University of Kansas Medical Center, Applegate Energy Center and Utility Distribution Systems, Kansas City, Kansas, Project Number A-010677(e). This project will be delivered under the construction management at-risk statute, K.S.A. 75-37,144. Turner Construction Company is the construction manager. All bidders shall agree to comply with the requirements of the American Recovery and Reinvestment Act of 2009, Public Law 111-5.

Electrical and mechanical subcontractor bids will be received for work as shown on the plans and specifications. The project includes the installation of a new economizer on an existing boiler and control work on another boiler. There will be structural steel, mechanical work, electrical work and control work. Special conditions for this project include, but are not limited to, special site conditions for parking and storage, usage and access, working hours, construction schedule requirements and phasing. Subcontractors and suppliers are encouraged to carefully review all of the bidding documents for the unique aspects of the project.

Subcontractor bids will be received until 2 p.m. September 15 at the office of Turner Construction Company. Fax and e-mail bids will be accepted. Contact Brian Kutter at Turner Construction Company, 2345 Grand Blvd., Suite 1000, Kansas City, MO 64108, (816) 283-0555, fax (816) 283-0348, Bkutter@tcco.com. Bidders not already on the Office of Facilities and Property Management's pre-qualified contractors list shall accompany their bid with a statement of qualifications indicating the organization's history and structure, past experience, claims and lawsuits, and, if applicable, bonding capacity. Alternatively, bidders may submit qualifications on either AIA Document A305 or AGC Document No. 221. Bidders who are not on the Turner Construction Company preapproved bidders list and wish to bid also must complete and submit a Turner Construction Prequalification Statement prior to submitting a bid. Please contact Brian Kutter to obtain a copy of the Prequalification Statement.

Plans and specifications will be available through the online planroom utilized by the Office of Facilities and Property Management at <http://kansasdfm.contractorsplanroom.com/secure/>. Free registration is required to view, download and/or print the documents.

A pre-bid conference and walk-through will be at 2 p.m. September 6 at the Applegate Energy Center, University of Kansas Medical Center, Kansas City, Kansas.

Mark J. McGivern, Director
Office of Facilities and Property Management

Doc. No. 039757

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, September 7, at the Kansas Guardianship office, 3248 Kimball Ave., Manhattan. For more information, call (785) 587-8555.

Jean Krahn
Executive Director

Doc. No. 039742

State of Kansas

Department of Transportation

Notice to Contractors

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

District One — Northeast

Douglas—59-23 K-7888-05 — U.S. 59 in Douglas County from the Franklin/Douglas county line north 7.3 miles, seeding. (Federal Funds)

Johnson—7-46 K-7925-05 — K-7 and Johnson Drive/55th Street interchange in Shawnee, seeding. (Federal Funds)

District Two — North Central

Cloud—15 C-4233-01 — 4 miles south and .75 mile east of Jamestown, grading and bridge. (Federal Funds)

McPherson—61-59 K-8253-03 — K-61 from the Reno/McPherson county line northeast to .2 mile northeast of Chisholm Road, 7.4 miles, seeding. (Federal Funds)

McPherson—61-59 K-8253-04 — K-61 from .2 mile northeast of Chisholm Road northeast to the 4-lane south of McPherson, 7 miles, seeding. (Federal Funds)

Ellsworth—70-27 KA-0729-02 — I-70 from 8.3 miles east of the Russell/Ellsworth county line to .75 mile west of the east K-14 junction, 7.9 miles, seeding. (Federal Funds)

Lincoln—70-53 KA-0731-02 — I-70 from the Ellsworth/Lincoln county line east to the Lincoln/Saline county line, 7.2 miles, seeding. (Federal Funds)

District Three — Northwest

Phillips—74 C-4070-01 — .3 mile south and 2 miles west of Phillipsburg, grading and bridge. (Federal Funds)

District Four — Southeast

Montgomery—169-63 K-8241-04 — U.S. 169, including U.S. 166 junction, north to the county road, 5.5 miles, seeding. (Federal Funds)

Montgomery—63 KA-2176-01 — SKO Railroad/Cherryvale yard at Cherryvale, railroad improvement. (Federal Funds)

Bourbon—54-6 KA-2593-01 — U.S. 54 from the PCCP .95 mile west to the north U.S. 54/U.S. 69 junction, and from the east city limits of Fort Scott east to the Kansas/

Missouri line, 3.4 miles, pavement marking. (Federal Funds)

Bourbon—69-6 KA-2594-01 — U.S. 69, .2 mile south of the north city limits of Fort Scott north to the Bourbon/Linn county line, 13 miles, pavement marking. (Federal Funds)

Linn—69-54 KA-2595-01 — U.S. 69, from the Bourbon/Linn county line north 3.7 miles, pavement marking. (Federal Funds)

District Five — South Central

Kingman—54-48 K-8244-11 — U.S. 54, from the Pratt/Kingman county line east 5.82 miles, seeding. (Federal Funds)

Cowley—160-18 KA-2223-01 — U.S. 160 bridge #032 located 9.52 miles northeast of east K-15 junction, bridge repair. (State Funds)

Cowley—166-18 KA-2224-01 — U.S. 166 bridge #089 located .67 mile east of U.S. 77/U.S. 166, bridge repair. (State Funds)

Reno—17-78 KA-2225-01 — K-17 bridge #094 located 7.66 miles north of the Kingman County line, bridge repair. (State Funds)

District Six — Southwest

Clark—183-13 KA-0387-02 — U.S. 183 bridge #18 and #19, 4.39 miles and 4.87 miles north of Oklahoma, seeding. (Federal Funds)

Gray—50-35 KA-0423-02 — U.S. 50 from the Finney/Gray county line east to west city limits of Cimarron, 18.1 miles, seeding. (Federal Funds)

Wichita—96-102 KA-0492-01 — Leoti: K-96 from Indian Street to Waters Street, grading and surfacing, .9 mile. (State Funds)

Wichita—25-102 KA-0848-01 — Leoti Geometric Improvement: K-25 from South Street north to A Street, curb/gutter repair and replacement, 1.2 miles. (State 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 affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

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

Deb Miller
Secretary of Transportation

Doc. No. 039719

State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale at public auction at 5 p.m. Tuesday, October 4, the following parcels located in northern Franklin County near the southeast corner of Stafford Road and US-59 Highway (access from Missouri Road). The sale will be conducted on Missouri Road, to the east of the premises.

**Franklin County – US-59 and Stafford Road
18.44-acre and 5.05-acre tracts**

Tract 3122-5,12 and Tract 3122-14

Vacant land with no improvements. Tract 3122-5,12 is 18.44 acres, east half in native grass and west half in tree and brush with pond. Tract 3122-14 is 5.05 acres. A complete legal description is available on request.

The bidding will begin at \$40,568 for Tract 3122-5,12 and at \$10,100 for Tract 3122-14. An inspection of property may be made by appointment.

Terms of Sale:

The land will be sold in two parcels. A cashier's check in the amount of \$4,056 (Tract 3122-5,12) and \$1,010 (Tract 3122-14), representing 10 percent of the minimum acceptable bid, is due at the time of the sale. The balance of the purchase price must be paid by cashier's check not later than 3 p.m. November 4, 2011. The successful bidder will receive a bill of sale on the day of the sale and a quit claim deed after the balance is paid. If the balance of the purchase price is not paid before 3 p.m. November 4, 2011, the 10 percent down payment will be forfeited to the seller.

For additional terms and information, contact the Bureau of Right of Way at (877) 461-6817.

The seller reserves the right to reject any and all bids and is not responsible for accidents. No further bids will be entertained or any offers considered after the formal bidding is called to a close.

Sold Subject to the Following:

The tracts will be sold subject to the easement for the right of ingress and egress, reconstruction and maintenance of all existing utilities and appurtenances thereto, as well as the following restrictive covenant: Grantees, for their heirs and assigns, do hereby covenant and agree, said covenant to run with the land, that the land conveyed herein shall not be used for billboards, signboards or other outdoor advertising purposes.

The prospective buyer is encouraged to research the chain of title of the tract.

The Kansas Department of Transportation makes no representations concerning the condition, value or suitability of use for this property or the improvements, attachments, fixtures, apparatuses and appliances thereof, if any. The property and said improvements, etc., will be sold in the present "as is" condition, without warranties or guarantees of any kind.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be with-

out discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

Deb Miller

Secretary of Transportation

Doc. No. 039745

State of Kansas

Board of Regents Universities

Notice to Bidders

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

Emporia State University – Bid postings: www.emporia.edu/busaff/. Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: thouse@emporia.edu. Mailing address: Emporia State University, Controller's Office/Purchasing, Campus Box 4021, 1200 Commercial, Emporia, KS 66801.

Fort Hays State University – Bid postings: www.fhsu.edu/bids. Additional contact info: phone: 785-628-4251, fax: 785-628-4046, email: purchasing@fhsu.edu. Mailing address: Fort Hays State Purchasing Office, 601 Park St., 318 Sheridan Hall, Hays, KS 67601.

Kansas State University – Bid postings: www.k-state.edu/purchasing/rfq. Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: kspurch@k-state.edu. Mailing address: Division of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

Pittsburg State University – Bid postings: www.pittstate.edu/office/purchasing. Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: jensch@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

University of Kansas – Electronic bid postings: <http://www.purchasing.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 30, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: purchasing@ku.edu.

University of Kansas Medical Center – Bid postings: <http://www2.kumc.edu/finance/purchasing/bids.html>. Additional contact info: phone: 913-588-1100, fax: 913-588-1102. Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

Wichita State University – Bid postings: www.wichita.edu/purchasing. Additional contact info: phone: 316-978-3080, fax: 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Carla K. Bishop

Chair of Regents Purchasing Group
Director of Purchasing
Kansas State University

Doc. No. 039551

State of Kansas

State Fair Board

Notice of Meetings

The Kansas State Fair Board will meet daily during the Kansas State Fair, September 9-18, in Hutchinson. For more information, contact Denny Stoecklein at (620) 669-3600 or denny@kansasstatefair.com.

Jeff Deeds
President

Doc. No. 039741

State of Kansas

Department of Labor
Division of Workers Compensation

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 2 p.m. Friday, November 4, in the seventh floor conference room, 800 S.W. Jackson, Topeka, to consider the adoption of an amendment to a permanent regulation of the Division of Workers Compensation.

The 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the director of the Division of Workers Compensation, 800 S.W. Jackson, Suite 600, Topeka, 66612-1227, or by email to Anne Haught at anne.haught@dol.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit oral presentation to 10 minutes.

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. Request for accommodation should be made at least five working days in advance of the hearing by contacting Anne Haught at (785) 296-0850 or anne.haught@dol.ks.gov. Parking for individuals with disabilities is located on the second level of 800 S.W. Jackson's enclosed parking. Also, the west entrance of the building is accessible to individuals with disabilities.

A complete copy of the regulation and the economic impact statement may be obtained by contacting Ann Haught at the contact information above. The following is a brief summary of the proposed regulation:

K.A.R. 51-9-7. Fees for medical and hospital services. The proposed change to this regulation is made in accordance with K.S.A. 44-510i(c)(2), which requires the schedule of maximum fees to be revised as necessary at least every two years by the director of Workers Compensation to assure that the schedule is current, reasonable and fair. The fee schedule establishes the maximum fees for medical, surgical, hospital, dental, nursing, vocational rehabilitation or any other treatment or services provided or ordered by health care providers and ren-

dered to employees under the Workers Compensation Act.

Larry Karns, Director
Division of Workers Compensation

Doc. No. 039747

State of Kansas

Department of Labor
Division of Workers Compensation

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, November 4, in the seventh floor conference room, 800 S.W. Jackson, Topeka, to consider the adoption of an amendment to a permanent regulation of the Division of Workers Compensation.

The 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the director of the Division of Workers Compensation, 800 S.W. Jackson, Suite 600, Topeka, 66612-1227, or by email to Anne Haught at anne.haught@dol.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit oral presentation to 10 minutes.

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. Request for accommodation should be made at least five working days in advance of the hearing by contacting Anne Haught at (785) 296-0850 or anne.haught@dol.ks.gov. Parking for individuals with disabilities is located on the second level of 800 S.W. Jackson's enclosed parking. Also, the west entrance of the building is accessible to individuals with disabilities.

A complete copy of the regulation and the economic impact statement may be obtained by contacting Ann Haught at the contact information above. The following is a brief summary of the proposed regulation:

K.A.R. 51-3-8. Pretrial stipulations. The 2011 Legislature modified the language of the Workers Compensation Act in House Bill 2134; the proposed changes to this regulation are made in accordance with those changes. The language has been changed to include changing "accidental injury" to "personal injury," removing the language "or physical restoration" and separating accident and repetitive trauma questions. The vocation rehabilitation question has been removed since it is no longer a requirement of the statute. This language does not extend benefits but clarifies existing language.

Larry Karns, Director
Division of Workers Compensation

Doc. No. 039761

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-11-164/168

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Tyler Remington 6698 County Road Z Quinter, KS 67752	SE/4 of Section 26,T11S, R27W, Gove County	Smoky Hill River Basin

Kansas Permit No. A-SHGO-B030

This is a new permit for an expanding facility with a maximum capacity of 800 head (400 animal units) of cattle weighing 700 pounds or less. Proposed modifications to the facility include the construction of a diversion, two collection channels, a sediment basin and a vegetative treatment area. A portion of the existing open lot pens will be abandoned.

Name and Address of Applicant	Legal Description	Receiving Water
Winter Feed Yard, Inc. Kenneth Winter 11431 E. Hwy. 400 Dodge City, KS 67801	NW/4 & E/2 of Section 33 & NW/4 of Section 34, T26S, R24W, Ford County	Upper Arkansas River Basin

Kansas Permit No. A-UAFO-C001 Federal Permit No. KS0040584

This is a permit modification and reissuance for an existing cattle facility with a maximum capacity of 35,000 head (35,000 animal units) of cattle weighing greater than 700 pounds. Surface runoff is collected by three sediment basins and 18 retention structures. There is no change in the permitted animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Darren McGhee 14406 W. 1300 Road Westphalia, KS 66093	NE/4 of Section 07, T22S, R18E, Anderson County	Marais des Cygnes River Basin

Kansas Permit No. A-MCAN-S028

This permit is being reissued for an existing facility for 300 head (120 animal units) of swine weighing more than 55 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Marc Newell 285 Prairie Road Wakefield, KS 67487	NE/4 of Section 28, T10S, R03E, Clay County	Smoky Hill River Basin

Kansas Permit No. A-SHCY-B001

This permit is being reissued for an existing facility with a maximum capacity of 600 head (600 animal units) of cattle more than 700 pounds and 390 head (195 animal units) of cattle 700 pounds or less, for a total of 990 head (795 animal units) of cattle. There is no change in the permitted animal units from the previous permit cycle.

Name and Address of Applicant	Legal Description	Receiving Water
Johnnie Rothlisberger 2776 10th Road Barnes, KS 66933	NE/4 of Section 16, T04S, R05E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S027

This existing facility has a maximum capacity of 40 head (16 animal units) of swine more than 55 pounds, 400 head (40 animal units) of swine 55 pounds or less and 150 head (150 animal units) of cattle 700 pounds or more, for a total of 206 animal units. There is no change in the permitted animal units from the previous permit cycle.

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

All comments regarding the draft documents or application notices received on or before October 1 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-11-164/168) 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.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 039755

State of Kansas

Kansas 911 Coordinating Council

Notice of Meeting

The Kansas 911 Coordinating Council will meet at 10 a.m. Friday, September 9, in Auditorium A of the Eisenhower State Office Building, 700 S.W. Harrison, Topeka.

Jennifer Cook
Governor's Grants Program Administrator

Doc. No. 039754

State of Kansas

Office of the Governor

Executive Directive No. 11-423

Authorizing Expenditure of Federal Funds

By virtue of the authority vested in the Governor as the head of the Executive Branch of the State of Kansas, the following transactions are hereby authorized:

Pursuant to the authority of the Secretary of Commerce to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 199 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Department of Commerce for expenditure in FY 2012 of monies in the federal account entitled "Energy Efficiency Revolving Loan ARRA—Federal Fund."

Pursuant to the authority of the Secretary of Commerce to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 199 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Department of Commerce for expenditure in FY 2012 of monies in the federal account entitled "State Small Business Credit Initiative—Federal Fund."

Pursuant to the authority of the Secretary of the Department of Health and Environment to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 199 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Department of Health and Environment for expenditure in FY 2012 of monies in the federal account entitled "Strengthen Public Health Immunization Infrastructure—Federal Fund."

Pursuant to the authority of the Attorney General to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 199 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Attorney General for expenditure in FY 2012 of monies in the federal account entitled "DOT Prohibit Racial Profiling—Federal Fund."

Pursuant to the authority of the Secretary of the Department of Revenue to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 199 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Department of Revenue for expenditure in FY 2012 of monies in the federal account entitled "16.751 Byrne Grant National Motor Vehicle Title Information Systems (NMVTIS) Fund—Federal Fund."

I have conferred with the Director of the Budget and members of my staff, and I have determined that the guidelines set forth in KSA 75-3711 and 75-3711c have

been applied and that none of the foregoing actions exceeds the limitations contained therein.

Dated August 22, 2011.

Sam Brownback
Governor

Doc. No. 039746

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, September 15, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 000817—Maximum Principal Amount: \$172,500. Owner/Operator: Jarrod A. and Kris Heinze. Description: Acquisition of 315 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Jarrod A. and Kris Heinze and is located at the South Half of the Southwest Quarter of Section 27, Township 12, Range 8, and the West Half of the Northeast Quarter and the East Half of the Southwest Quarter and the West Half of the Southeast Quarter of Section 13, Township 12, Range 8, Lincoln County, Kansas, approximately 2 miles southwest of Lincoln on Highway 14.

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

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

Tim Shallenburger
President

Doc. No. 039766

(Published in the Kansas Register September 1, 2011.)

(Published in the Kansas Register September 1, 2011.)

Pottawatomie County, Kansas

**Notice of Intent to Seek Private Placement
General Obligation Bonds, Series 2011A**

Notice is hereby given that Pottawatomie County, Kansas (the issuer), proposes to seek a private placement of the above-referenced general obligation bonds. The maximum aggregate principal amount of the bonds shall not exceed \$690,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds and the adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated August 22, 2011.

Nancy McCarter
County Clerk

Doc. No. 039748

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:

- 09/13/2011 EVT0000867 Abandoned Well Plugging — Dean Whitaker Lease — Allen County
- 09/14/2011 EVT0000844 Consultant Services — K-MED and MMIS Systems
- 09/06/2011 EVT0000850 Asphalt, Overlay, Independence
- 09/13/2011 EVT0000871 Aerial Device — Truck Mounted
- 09/19/2011 EVT0000864 S.A.F.E. Act Voter Education Media Campaign
- 09/20/2011 EVT0000865 Elevator Maintenance
- 09/29/2011 EVT0000866 Real ID Reenrollment Campaign

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

<http://www1.da.ks.gov/purch/contracts/bids.aspx>

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

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

Contractors wishing to bid on the projects 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/.

- 09/15/2011 A-011773 Window Replacement — Shirk Hall & Annex — Pittsburg State University, Pittsburg
- 09/22/2011 A-011259 Field Maintenance Shop — Wichita Readiness Center — Adjutant General's Department, Topeka

Chris Howe
Director of Purchases

Doc. No. 039765

Summary Notice of Bond Sale

**City of Topeka, Kansas
\$5,425,000***

**General Obligation Bonds, Series 2011-B
(Special Assessment Improvements)**

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

Bids

Subject to the Official Notice of Bond Sale and Preliminary Official Statement to be dated on or about September 6, 2011, sealed, facsimile and electronic bids will be received, in the case of sealed bids, by the city clerk of the city of Topeka, Kansas (as issuer), on behalf of the governing body of the city at City Hall, 215 S.E. 7th St., Topeka, KS 66603; in the case of facsimile bids, by the city's financial advisor on behalf of the governing body of the city at (913) 248-8900; and, in the case of electronic bids, by the city's financial advisor on behalf of the governing body of the city on the Columbia Capital Auction website, <http://www.columbiacapitalauction.com>, until 10:30 a.m. C.D.T. Tuesday, September 13, 2011, for the purchase of General Obligation Bonds, Series 2011-B (Special Assessment Improvements) in the aggregate principal amount of \$5,425,000*. No bid of less than 98.00 percent of the aggregate principal amount of the bonds, plus accrued interest, if any, thereon to the date of delivery will be considered, and no supplemental interest payments 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 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 bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated September 29, 2011, and will become due on August 15 in the years as follows:

Year (August 15)	Principal Amount*
2013	\$245,000
2014	250,000
2015	250,000
2016	250,000
2017	250,000
2018	255,000
2019	260,000
2020	265,000
2021	270,000
2022	275,000
2023	280,000
2024	290,000
2025	295,000
2026	305,000
2027	315,000
2028	325,000

(continued)

2029	335,000
2030	350,000
2031	360,000

The city reserves the right to modify the total amount of the bonds and the amount of any maturity in order to properly structure certain funds and accounts and substantially obtain annual debt service parameters determined by the city, based upon the interest rates and reoffering yields submitted by the successful bidder. In formulating bids, bidders should consider that bids generating significant premium may result in greater principal amortization in later years and bids generating significant discount may result in greater principal in earlier years. Upon notification of preliminary award, the successful bidder must transmit to the city within 20 minutes, by fax or email, its reoffering yields on the bonds. The successful bidder will be notified by means of telephone or facsimile transmission of any modification to such principal amount not later than 2 p.m. C.D.T. on the sale date. If the principal amounts are modified, the city will seek to modify the maturity schedule, or make other mutually agreeable changes, in a way that will neither increase nor reduce the successful bidder's spread as a percentage of the principal amount of the bonds issued after taking into account such adjustments. The successful bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of the bonds or principal of any maturity as described herein.

The bonds will be subject to mandatory and optional redemption prior to maturity as provided in the Official Notice of Bond Sale.

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 February 15 and August 15 in each year, beginning February 15, 2012.

Pre-Bid Revisions

The city reserves the right to issue a Supplemental Notice of Sale not later than 48 hours prior to the sale date via the electronic bidding website (<http://www.columbiacapitalauction.com>). If issued, the Supplemental Notice may modify (i) the maturity amounts of the bonds and/or (ii) such other terms of this notice as the city determines. Any such modifications will supersede the maturities and such other terms as set forth herein.

Paying Agent and Bond Registrar

The Kansas State Treasurer, Topeka, Kansas, is designated as the paying agent and bond registrar for the bonds.

Good Faith Deposit

Each bid shall be accompanied by either a cashier's or certified check drawn on a bank located in the United States, a qualified financial surety bond or wire transfer in the amount of \$108,500 (representing 2 percent of the principal amount of the bonds).

Delivery

The city will pay for printing the bonds and will deliver the same properly prepared, executed and registered to the facilities of the Depository Trust Company, New

York, New York, without cost to the successful bidder on or about September 29, 2011.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the city for the year 2011 is \$1,111,909,273. The total general obligation bonded indebtedness of the city is \$193,340,000, following the issuance of the bonds and the issuance on or about September 20, 2011, of the following obligations: The city's General Obligation Improvement and Refunding Bonds, Series 2011-A, in the principal amount of \$25,765,000; the City's Temporary Notes, Series 2011-A, in the principal amount of \$15,230,000; and the city's Full Faith and Credit STAR Refunding Bonds, Series 2011-A (Heartland Park), in the principal amount of \$9,855,000, less (i) the Series 2010-A Notes in the principal amount of \$2,950,000, and the Series 2010-B Notes in the principal amount of \$24,615,000 being redeemed and paid on October 1, 2011, (ii) a portion of the city's outstanding General Obligation Bonds, Series 2006-A Bonds and Series 2006-B Bonds in the aggregate principal amount of \$12,020,000, which are being refunded with proceeds of the General Obligation Improvement and Refunding Bonds, Series 2011-A, and (iii) all of the city's outstanding Full Faith and Credit STAR Bonds, Series 2006-A (Heartland Park), in the principal amount of \$9,610,000, which are being refunded with the proceeds of the Full Faith and Credit STAR Refunding Bonds, Series 2011-A (Heartland Park).

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city and delivered to the successful bidder when the bonds are delivered.

Additional Information

Electronic copies of the Preliminary Official Statement and Official Notice of Bond Sale may be found at www.columbiacapitalauction.com. Additional information regarding the bonds may be obtained from Pam Siemecka, city controller, at (785) 368-3970 or fax (785) 368-3975; or from the city's financial advisor, Columbia Capital Management, LLC, 6330 Lamar Ave., Suite 200, Overland Park, KS 66202, (913) 248-8500 or fax (913) 248-8900.

Dated August 24, 2011.

City of Topeka, Kansas
Brenda Younger, City Clerk
City Hall
215 S.E. 7th St.
Topeka, KS 66603
(785) 368-3940

***Subject to change.**

Doc. No. 039759

(Published in the Kansas Register September 1, 2011.)

**Summary Notice of Bond Sale
City of Wichita, Kansas
\$9,025,000* Principal Amount
General Obligation Sales Tax Bonds
Series 2011A**

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

Bids

Subject to the Notice of Sale dated August 23, 2011, bids will be received by the director of finance on behalf of the city of Wichita, Kansas, at the office of the Department of Finance, 12th Floor, City Hall, 455 N. Main, Wichita, KS 67202-1697, via PARITY electronic bid submission system, until 10 a.m. Tuesday, September 20, 2011, for the purchase of all of the city's \$9,025,000* principal amount of General Obligation Sales Tax Bonds, Series 2011A. All bids shall be publicly read and tabulated on said date and at said time and place. The bids will be considered and the bonds will be awarded by the City Council in the Council Chamber at City Hall at its earliest convenience following the bid opening.

No oral or auction bid for the bonds shall be considered, and no bid of less than the entire principal amount of the bonds, plus accrued interest to the date of delivery, will be considered.

Submission of Bids

Bids must be electronically submitted through PARITY. Each bidder shall be solely responsible for making the necessary arrangements to access PARITY for the purpose of submitting its electronic bid in a timely manner and in compliance with the Notice of Sale. To the extent any instructions or directions set forth in PARITY conflict with the Notice of Sale, the terms of the Notice of Sale shall control. The city shall not be responsible for any failure, misdirection or error in the transmission of a bid through PARITY. For further information about the electronic bidding services of PARITY, potential bidders may contact Ipreo, 1359 Broadway, 2nd Floor, New York, NY 10018, (212) 849-5021. Bidders may be required to be qualified in a manner established by the city before submitting a bid.

Principal Amounts Subject to Change

The city reserves the right to decrease the total principal amount of the bonds and the principal amount of any maturity in order to properly size the bond issue based on net bond proceeds received by the city as a result of any premium bid. Adjustments, if required, will be made proportionately to each maturity as permitted by the authorized denominations of the bonds. The successful bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of the bonds as described. If there is an adjustment in the final aggregate principal amount of the bonds or the schedule of principal payments as described above, any premium bid on the bonds will be proportionately adjusted. At the request of the city, the successful bidder agrees to resize the bond issue, adjust the premium and provide a revised maturity schedule to the city promptly after receipt of notification of such a request by the city.

Bond Details

The bonds will be in book-entry-only form. The bonds will be issued in the denomination of \$5,000 or any integral multiple thereof, will be dated October 1, 2011 (the dated date), and will become due in the years as follows:

Maturity Schedule

Maturing October 1	Principal Amount*
2012	\$450,000
2013	470,000
2014	485,000
2015	505,000
2016	530,000
2017	550,000
2018	570,000
2019	595,000
2020	615,000
2021	640,000
2022	670,000
2023	695,000
2024	720,000
2025	750,000
2026	780,000

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as provided in the Notice of Sale. Interest on the bonds will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2012.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid for the bonds shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the Notice of Sale in an amount equal to 2 percent of the principal amount of the bonds for which the bid is submitted.

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about October 6, 2011, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations is \$3,537,184,604. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$545,454,500.

Approval of Bonds

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

(continued)

Additional Information

Additional information regarding the bonds may be obtained from the city's Department of Finance, City Hall, 12th Floor, 455 N. Main, Wichita, KS 67202-1679 (Catherine Gilley, Debt Coordinator), (316) 268-4143; or from bond counsel, Kutak Rock LLP, 1010 Grand Blvd., Suite 500, Kansas City, MO 64106-2220, (816) 960-0090, Attention: Dorothea Riley.

Dated August 24, 2011.

City of Wichita, Kansas
By: Karen Sublett, City Clerk
City Hall, 13th Floor
455 N. Main
Wichita, KS 67202-1679
(316) 268-4529

***Subject to change.**

Doc. No. 039752

State of Kansas**Department on Aging****Request for Proposals**

The Kansas Department on Aging is accepting proposals for the 2012 Workforce Enhancement Grant. The grant program objective is to improve the quality of life and care for residents in both Medicare/Medicaid certified long-term care nursing facilities and long-term care units of hospitals by aiding in the development of ongoing statewide educational programs for unlicensed and licensed staff employed in these facilities. The educational program must be provided in at least two regions of the state (East, Central or West).

Grant funds shall not be used to train unemployed individuals, individuals employed in freestanding or attached assisted living facilities, residential health care facilities, home plus, boarding care facilities, hospitals, home health agencies or any other type of general employment. The grant also will not fund courses for certification as nurse aide, medication aide, home health aide, dietary manager or activity director. Training provided to ineligible persons will not be reimbursed. The educational programs should increase the basic knowledge of participants and assist them to present the information in their respective nursing facility or long-term unit.

Accepted program topics are as follows:

- Creating Home/Dignity
- Infection Control Practice
- Safe and Sanitary Practices of Food Handling and Preparation, and When Serving at Meals
- Care of Residents with Dementia/Challenging Behaviors
- Communication and Teamwork
- Alteration in Skin Integrity: Prevention & Intervention
- Individualized Activities
- Care of Resident at End of Life
- Restorative Care
- Prevention of Accidents (i.e. falls, entrapment)
- Prevention of Weight Loss/Dental Care

The program proposal shall include the following:

- course objectives
- course outline with time frame
- teaching strategies
- qualifications of presenters
- method(s) for evaluating effectiveness of the educational program
- copies of any handouts provided to attendees
- number of participants for each program
- number of times the program would be offered and location of each program
- itemized budget of the anticipated costs of the program and the cost per enrollee (including meals if reimbursement desired)

The program may be offered at no cost, or at a fee of not greater than \$10 per registrant to be paid for by the nursing facility/long-term care unit. The entity will be reimbursed based on the proposed cost per registrant multiplied times the actual number of persons attending the program. The ratio of attendance for reimbursement at a program is only one licensed staff for not less than two unlicensed staff. There is no limitation on the number of unlicensed staff attending a program for whom the entity may be reimbursed. Reimbursement shall not be provided for licensed staff that exceeds the ratio.

Successful applicants must comply with all state and federal regulations. To receive reimbursement the entity must submit complete, typed reports including the detailed invoices and attendance rosters of the initial program and incentive program. The attendance roster of the initial program with the participants' original signature also must be submitted. Upon receipt of all the information and approval of KDOA, the entity will be reimbursed. The entity also must submit a quarterly evaluation of the progress of the program and participants' response.

Grant applicants must submit an original application and three copies. The application is available online at http://www.agingkansas.org/LongTermCare/Workforce_Enhancement_Grant.html.

KDOA will review and approve proposals for appropriateness of course content and location at which the program will be offered. Acceptance of grant applicants is expressly contingent upon funds being available and designated for such use. Whether funds are available shall rest solely with the Secretary of Aging. Grant proposals must be submitted to KDOA by November 10 at the close of the business day. The grant period shall be between January 1, 2012 and December 31, 2012. Grant proposals must be submitted to the attention of Sue Schuster, LMSW, Kansas Department on Aging, 503 S. Kansas Ave., Topeka, 66603. For additional information, contact Sue Schuster at (785) 291-3090 or Sue.Schuster@aging.ks.gov.

Shawn Sullivan
Secretary of Aging

Doc. No. 039744

**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. 2010 Supp. 12-1675(b)(c)(d) and K.S.A. 2010 Supp. 12-1675a(g).

Effective 8-29-11 through 9-4-11

Term	Rate
1-89 days	0.09%
3 months	0.02%
6 months	0.03%
1 year	0.08%
18 months	0.14%
2 years	0.18%

Scott Miller
Director of Investments

Doc. No. 039740

**State of Kansas
Court of Tax Appeals
Permanent Administrative
Regulations**

**Article 3.—ECONOMIC DEVELOPMENT
REVENUE BONDS**

94-3-2. Filing, fees, and forms. Each informational statement required to be filed pursuant to the act shall be governed by the following procedures:

(a) Filing procedures.

(1) The informational statement, together with the fees required in paragraph (b)(1), shall be deemed filed and the requisite seven-day filing period shall commence upon the date the informational statement and fees are received in the office of the court. Each applicant shall address or deliver all communications, documents, information, and inquiries to the office of the secretary, court of tax appeals.

(2) Each applicant shall file one informational statement for each proposed issuance of bonds.

(3) If the informational statement is not complete as originally filed, the applicant shall be notified of the incomplete filing. The applicant shall correct the deficiency in writing within 14 days.

(4) If the chief judge finds, following a review of the informational statement, that all information and documents required to be filed are complete and, based upon the proposed date of issuance of the bonds, that the statement has been filed in a timely manner, an order or letter indicating that finding shall be rendered by the chief judge to the appropriate government officials and bond counsel.

(5) The following disclaimer shall appear in boldface type upon the second page of each preliminary offering document:

“THE CHIEF JUDGE OF THE KANSAS COURT OF TAX APPEALS HAS NOT REVIEWED ANY INFORMATION OR DOCUMENT FILED PURSUANT TO THIS INFOR-

MATIONAL FILING FOR THE ADEQUACY OR ACCURACY OF THE DISCLOSURE THEREIN. THIS INFORMATIONAL FILING DOES NOT CONSTITUTE A RECOMMENDATION OR AN ENDORSEMENT BY THE CHIEF JUDGE OR THE COURT.”

Evidence that this disclaimer appears in boldface type upon the second page of each preliminary offering document shall be filed contemporaneously with the certificate of issuance required by K.S.A. 12-1744c, and amendments thereto.

(6) The certificate of issuance required to be filed by K.S.A. 12-1744c, and amendments thereto, shall include the court of tax appeals' filing number.

(b) Fees.

(1) All fees shall accompany the application and shall be paid by check or money order made payable to the court of tax appeals. A cash remittance shall not be accepted. If the chief judge receives notice of refusal of payment of the check or money order presented in payment of these fees, the application shall be deemed to be incomplete and not timely filed as required by the act.

(2) Copies of documents filed and recorded in the office of the court of tax appeals shall be available upon request. Postage and copy fees shall be paid in advance and in conformity with K.S.A. 45-219, and amendments thereto.

(c) Forms. The informational statement shall be submitted on forms approved by the chief judge. (Authorized by K.S.A. 2010 Supp. 12-1744a, K.S.A. 2010 Supp. 12-1744b, and K.S.A. 2010 Supp. 74-2437; implementing K.S.A. 2010 Supp. 12-1744a and K.S.A. 2010 Supp. 74-2437; effective May 1, 1983; amended, T-85-38, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended Aug. 15, 1997; amended May 24, 2002; amended, T-94-6-25-08, July 1, 2008; amended Oct. 24, 2008; amended Sept. 16, 2011.)

Article 5.—PROCEEDINGS BEFORE THE COURT

94-5-8. Filing fees. (a) Subject to subsections (f) and (g), the following fees shall apply to applications and appeals filed with the regular division of the court:

(1) Economic development exemption applications filed pursuant to Kansas constitution article 11, §13 for property with a total valuation in excess of \$1,000,000	\$1,000.00
(2) Economic development exemption applications filed pursuant to Kansas constitution article 11, §13 for property with a total valuation of \$1,000,000 or less	\$500.00
(3) Industrial revenue bond exemption applications filed pursuant to K.S.A. 79-201a Second, and amendments thereto, for property with a total valuation in excess of \$1,000,000	\$1,000.00
(4) Industrial revenue bond exemption applications filed pursuant to K.S.A. 79-201a Second, and amendments thereto, for property with a total valuation of \$1,000,000 or less	\$500.00
(5) Industrial revenue bond information statements filed pursuant to K.S.A. 12-1744a, and amendments thereto	\$500.00
(6) Tax exemption applications for real property and tax exemption applications for oil leases filed pursuant to K.S.A. 79-201t, and amendments thereto	\$400.00
(7) Tax exemption applications for personal property except tax exemption applications for oil leases filed pursuant to K.S.A. 79-201t, and amendments thereto	\$100.00
(8) Tax grievance applications filed pursuant to K.S.A. 79-332a, 79-1422, 79-1427a, or 79-1702, and amendments thereto	\$25.00

(continued)

- (9) Equalization appeals filed pursuant to K.S.A. 79-1609, and amendments thereto, and payment-under-protest appeals filed pursuant to K.S.A. 79-2005, and amendments thereto, involving real estate other than single-family residential properties and farmsteads for the following valuations:
 - \$250,000 or less \$125.00 per parcel
 - \$250,001 through \$1,000,000 \$200.00 per parcel
 - \$1,000,001 through \$5,000,000 \$300.00 per parcel
 - \$5,000,001 through \$10,000,000 \$400.00 per parcel
 - more than \$10,000,000 \$500.00 per parcel
- (10) Equalization appeals filed in the regular division of the court pursuant to K.S.A. 79-1609, and amendments thereto, and payment-under-protest appeals filed in the regular division of the court pursuant to K.S.A. 79-2005, and amendments thereto, involving single-family residential properties and farmsteads \$25.00 per parcel
- (11) Equalization appeals filed pursuant to K.S.A. 79-1609, and amendments thereto, and payment-under-protest appeals filed pursuant to K.S.A. 79-2005, and amendments thereto, involving personal property \$150.00
- (12) Appeals of mortgage registration fees filed pursuant to K.S.A. 79-3107c, and amendments thereto \$25.00
- (13) Appeals from final decisions of the director, or the director's designee, of the Kansas department of revenue, division of property valuation, involving real estate other than single-family residential properties and farmsteads for the following valuations:
 - \$250,000 or less \$125.00 per parcel
 - \$250,001 through \$1,000,000 \$200.00 per parcel
 - \$1,000,001 through \$5,000,000 \$300.00 per parcel
 - \$5,000,001 through \$10,000,000 \$400.00 per parcel
 - more than \$10,000,000 \$500.00 per parcel
- (14) Appeals from final decisions of the secretary, or the secretary's designee, of the Kansas department of revenue, excluding homestead property tax refund appeals under K.S.A. 79-4501 et seq., and amendments thereto, and food sales tax refund appeals under K.S.A. 79-3632 et seq., and amendments thereto, for the following amounts in controversy:
 - \$1,000 or less \$100.00
 - \$1,001 through \$10,000 \$150.00
 - \$10,001 through \$100,000 \$300.00
 - more than \$100,000 \$500.00
- (15) No-fund warrants, temporary notes or bond applications, requests to exceed the adopted budget, and mill levy disagreements filed pursuant to K.S.A. 79-2938, 79-2939, 79-2941, 79-2951, 79-5023, 12-110a, 12-1662 et seq., or 19-2752a, and amendments thereto, or any other related statute \$150.00
- (16) Applications by school districts to levy an ad valorem tax pursuant to K.S.A. 72-6441 or 72-6451, and amendments thereto No fee
- (17) Requests for reappraisal and complaints filed pursuant to K.S.A. 79-1413a, 79-1479, or 79-1481, and amendments thereto \$2,000.00
- (18) Appeals by board of county commissioners of any county of the final ratios determined for the county by the director, or the director's designee, of the Kansas department of revenue, division of property valuation, filed pursuant to K.S.A. 79-1489, and amendments thereto \$2,000.00

(b) Subject to subsections (f) and (g), the following fees shall apply to applications and appeals filed with the small claims and expedited hearings division of the court:

- (1) Equalization appeals filed pursuant to K.S.A. 79-1609, and amendments thereto, and payment-under-protest appeals filed pursuant to K.S.A. 79-2005, and amendments thereto, involving appeals of the valuation or classification of single-family residential properties and farmsteads No fee
- (2) All other equalization appeals filed pursuant to K.S.A. 79-1609, and amendments thereto, and payment-under-protest appeals filed pursuant to K.S.A. 79-2005, and amendments thereto, for the following valuations:

- \$250,000 or less \$100.00 per parcel
- \$250,001 through \$1,000,000 \$150.00 per parcel
- \$1,000,001 through \$1,999,999 \$200.00 per parcel
- (3) Appeals from final decisions of the secretary, or the secretary's designee, of the Kansas department of revenue, excluding those final decisions addressed in paragraph (b)(5), for the following amounts in controversy:
 - Less than \$500 No fee
 - at least \$500 but less than \$10,001 \$50.00
 - \$10,001 through \$14,999 \$150.00
- (4) Appeals from final decisions of the director, or the director's designee, of the Kansas department of revenue, division of property valuation, involving real estate other than single-family residential properties and farmsteads for the following valuations:
 - Less than \$500 No fee
 - at least \$500 but less than \$250,001 \$100.00 per parcel
 - \$250,001 through \$1,000,000 \$150.00 per parcel
 - \$1,000,001 through \$1,999,999 \$200.00 per parcel
- (5) Appeals from final decisions of the secretary, or the secretary's designee, of the Kansas department of revenue involving homestead property tax refund appeals under K.S.A. 79-4501 et seq., and amendments thereto, and food sales tax refund appeals under K.S.A. 79-3632 et seq., and amendments thereto No fee

(c) For purposes of this regulation, the following definitions shall apply:

(1) "Single-family residential property" means any parcel containing a residential structure or any portion of the structure that is designed for occupancy by no more than one family, regardless of whether the boundary of the parcel is ground, shared walls, or other structural elements. A parcel containing a structure designed to accommodate more than one family, including an apartment building, is not single-family residential property.

(2) "Valuation" means the value shown on the county notice of valuation or the value at the time of the filing of the appeal if the value has been reduced by the county appraiser at the informal hearing, by a local hearing officer panel, or by the small claims division of the court.

(d) Except as specified in this subsection, each application and appeal listed in subsections (a) and (b) shall be accompanied by the applicable filing fee in the form of a check or money order made payable to the "Court of Tax Appeals." If the fee does not accompany the filed application or appeal, the fee shall be received by the court within seven business days of the receipt of the application or appeal. If the fee is not received within this time period, the application or appeal shall be considered not properly filed with the court, and the application or appeal shall be dismissed.

(e)(1) A filing fee may be waived by the court if an applicant or taxpayer by reason of financial hardship is unable to pay the fee and has filed an affidavit stating this reason, with any accompanying supporting documentation that may be deemed appropriate by the court.

(2) Filing fees may be abated by the court as prescribed in this paragraph upon written motion demonstrating that multiple appeals or applications involving multiple properties filed by a taxpayer or applicant should be consolidated into a single matter. For multiple applications or appeals involving contiguous parcels owned by the same person or entity that together comprise a single economic unit, the consolidated filing fee shall be the fee for the parcel with the highest valuation plus \$25.00 for each additional parcel within the economic unit. If mul-

multiple applications or appeals do not involve contiguous parcels but involve substantially similar issues that, in the interest of administrative economy, should be heard and decided together, the filing fee may be abated by the court to reflect the administrative cost savings anticipated from consolidating the multiple filings for decision. If, after a filing fee has been remitted, the court determines that abatement is appropriate under this paragraph, the abated portion of the fee shall be refunded by the court.

(f) Public school districts No fee
(g) Each not-for-profit organization shall be charged a fee of \$10 for any appeal if the valuation of the property that is the subject of the controversy does not exceed \$100,000, excluding all governmental entities except as provided in subsection (f). There shall be no filing fee reduction under this subsection (g) for property owned by a not-for-profit organization with a valuation exceeding \$100,000. (Authorized by and implementing K.S.A. 2010 Supp. 74-2438a; effective Oct. 29, 2010; amended Sept. 16, 2011.)

Janis K. Lee
Chief Hearing Officer

Doc. No. 039753

State of Kansas
Board of Mortuary Arts
Permanent Administrative
Regulations

Article 1.—EMBALMING; CONTINUING
EDUCATION OF EMBALMERS AND
FUNERAL DIRECTORS

63-1-6. General requirements relating to the practice of embalming, cremation, and funeral directing. (a) Following the loss or destruction of the license of any embalmer, funeral director, assistant funeral director, crematory operator, or establishment or branch establishment, a duplicate license shall be issued by the board upon the licensee’s written request and payment of the duplicate license fee specified in K.A.R. 63-4-1.

(b) Each licensee shall promptly notify the board of all changes in the licensee’s address.

(c) Each licensee shall promptly and fully cooperate at all times with the state department of health and environment and with the board in all matters pertaining to the general practice of embalming and cremation.

(d) Any licensee’s name may be used in the form of an endorsement of a preneed funeral plan if the recommendation is genuine and representative of the current opinion of the licensee. The endorsement shall apply to the preneed funeral plan advertised. The licensee making the recommendation shall disclose to the public any financial interest in the preneed funeral plan or a related entity, or any direct or indirect benefit as a stockholder, officer, or employee.

(e) A licensee shall not be connected in any way with an insurance company if either of the following conditions is met:

(1) Policies are payable in merchandise or require the service of a designated funeral director or a member of a designated group of funeral directors.

(2) The certificate or policy of that company provides for a reduction on the value of merchandise or services furnished or the price to be paid for them. (Authorized by K.S.A. 65-1730, K.S.A. 2010 Supp. 74-1704, K.S.A. 74-1707, and K.S.A. 2010 Supp. 65-1774; implementing K.S.A. 65-1701, K.S.A. 65-1730, K.S.A. 74-1707; effective Jan. 1, 1966; modified, L. 1979, ch. 345, May 1, 1979; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended May 1, 1988; amended June 26, 1989; amended Jan. 12, 2001; amended Sept. 16, 2011.)

Article 4.—FEES

63-4-1. Payment of fees. The following shall be charged by the Kansas state board of mortuary arts:

Embalmer’s reciprocity application fee	\$350.00
Embalmer’s reciprocity application and funeral director’s reciprocity application fee, if submitted simultaneously	\$350.00
Embalmer’s endorsement application fee	\$350.00
Embalmer’s biennial license and renewal fee	\$168.00
Apprentice embalmer’s registration fee	\$100.00
Funeral director’s examination fee	\$200.00
Funeral director’s reciprocity application fee	\$350.00
Funeral director’s biennial license and renewal fee	\$228.00
Assistant funeral director’s examination fee	\$50.00
Assistant funeral director’s application fee	\$150.00
Assistant funeral director’s biennial license and renewal fee	\$180.00
Crematory operator’s biennial license and renewal fee	\$50.00
Funeral establishment and branch establishment biennial license and renewal fee	\$650.00
Funeral establishment and branch establishment license and crematory license fee, if submitted simultaneously	\$950.00
Funeral establishment and branch establishment license renewal and crematory license renewal fee, if submitted simultaneously	\$950.00
Crematory license and renewal fee	\$650.00
Duplicate license	\$15.00
Rule book	\$5.00

(Authorized by and implementing K.S.A. 2010 Supp. 65-1727, as amended by L. 2010, ch. 131, sec. 7; effective May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended, T-88-43, Jan. 1, 1988; amended May 1, 1988; amended Jan. 6, 1992; amended June 7, 1993; amended Jan. 1, 1994; amended Jan. 1, 1996; amended Jan. 1, 2000; amended May 17, 2002; amended Nov. 4, 2005; amended Feb. 8, 2008; amended Sept. 16, 2011.)

Article 6.—CONTINUING EDUCATION

63-6-2. Standards for approval. (a) A continuing education course or workshop shall be qualified for approval if the board determines that the course or workshop meets the following conditions:

(1) Constitutes an organized program of learning, including a symposium, that contributes directly to the professional competency of the licensee;

(2) is related to the profession of mortuary science, funeral directing, cremation, or embalming with content in-

(continued)

tended to enhance the licensee's knowledge, skill, values, ethics, or ability to practice as an embalmer, crematory operator, or funeral director;

(3) is conducted by individuals considered experts in the subject matter of the program by reason of education, training, or experience; and

(4) is accompanied by a paper, a manual, or written outline that substantially describes the subject matter and the length of the program.

(b) Continuing education credit not exceeding three credit hours of the annual total required hours for embalmers and funeral directors and one credit hour for crematory operators may be approved by the board for any of the following:

(1) Correspondence work;

(2) video, sound-recorded, or television programs;

(3) information transmitted by other similar means as authorized by the board; or

(4) community service programs that are related to the profession of mortuary science, funeral directing, or embalming.

(c) Continuing education credit for service as a lecturer, presenter, or discussion leader may be approved by the board if this activity contributes to the professional competence of the applicant. Repetitions of an initial presentation shall not be counted. Not more than 50 percent of the total required hours for embalmers and funeral directors may be satisfied in this manner.

(d) The maximum number of credit hours that shall be granted for any single continuing education course or workshop single topic is six.

(e) Lists of approved continuing education programs shall be available on the board's web site.

(f) A person, licensed embalmer, licensed funeral director, crematory operator, or organization requesting approval for a continuing education course or a workshop shall make application at least 30 days before the date of each proposed course or workshop. Applications filed but not meeting this deadline shall be reviewed by the board or the continuing education committee at its next regularly scheduled meeting. (Authorized by and implementing K.S.A. 65-1702, K.S.A. 65-1716, and K.S.A. 2010 Supp. 65-1772; effective May 1, 1988; amended April 3, 1995; amended Jan. 12, 2001; amended Sept. 16, 2011.)

63-6-3. Post approval and review. (a) Each licensed embalmer, crematory operator, or funeral director and each organization seeking continuing education credit for prior attendance or participation in a program or activity that has not already been approved shall submit, on forms provided by the board, the following information to the board:

(1) The dates;

(2) the subject matter;

(3) the names of the instructors and their qualifications, if applicable;

(4) a description of the program or activity; and

(5) the number of credit hours requested.

A complete written outline describing the subject matter or activity and the time of the program shall accompany all requests. Within 90 days after receipt of the application, the licensee seeking credit shall be advised by

the board, in writing and by mail, whether the activity is approved and the number of credit hours allowed. Any licensee may be denied credit if the licensee fails to comply with the requirements of this subsection.

(b) Any continuing education program already approved by the board may be monitored or reviewed by the board. Upon evidence of variation in the program presented from the program approved, all or any part of the program may be disapproved. (Authorized by and implementing K.S.A. 65-1702, K.S.A. 65-1716, and K.S.A. 2010 Supp. 65-1772; effective May 1, 1988; amended June 26, 1989; amended April 3, 1995; amended Jan. 12, 2001; amended Sept. 16, 2011.)

Article 7.—CREMATORIES

63-7-1. Definitions. (a) "Board" means the Kansas state board of mortuary arts.

(b) "Change of ownership" means the transfer of more than 25 percent of the stock or assets of a licensed crematory.

(c) "Closed container" means any container in which cremated remains can be placed and closed in a manner that prevents both the leakage or spillage of remains and the entrance of foreign material.

(d) "Coroner's permit to cremate" means the document that is required to be issued by a Kansas coroner before the act of cremation.

(e) "Cremation container" means the container in which human remains are transported to the crematory and placed in the cremation chamber for a cremation. A cremation container shall meet all of the following requirements:

(1) Be composed of readily combustible or consumable materials suitable for cremation;

(2) be able to be closed in order to provide a complete covering for the human remains;

(3) be resistant to leakage or spillage;

(4) be rigid enough for handling with ease; and

(5) be able to provide protection for the health, safety, and personal integrity of crematory personnel.

(f) "Cremation interment container" and "urn vault" mean a rigid outer container that meets both of the following requirements, subject to each cemetery's policies:

(1) Is composed of concrete, steel, fiberglass, or a similar material in which an urn is placed before being interred in the ground; and

(2) is designed to withstand prolonged exposure to the elements and to support the earth above the urn.

(g) "Crematory act" means K.S.A. 65-1760 through K.S.A. 65-1774, and amendments thereto.

(h) "Final disposition" means the burial or other disposition on a permanent basis of a dead human body, cremated remains, or parts of a dead human body.

(i) "Niche" means a compartment or cubicle for the memorialization or permanent placement of an urn containing cremated remains.

(j) "Person" means an individual, partnership, association, or corporation.

(k) "Processing" means the reduction of identifiable bone fragments after the completion of the cremation pro-

cess to unidentifiable bone fragments by manual or mechanical means.

(l) "Pulverization" means the reduction of identifiable bone fragments after the completion of the cremation and processing to granulated particles by manual or mechanical means.

(m) "Scattering area" means a designated area for the scattering of cremated remains usually in a cemetery and on dedicated cemetery property where cremated remains that have been removed from their container can be mixed with, or placed on top of, the soil or ground cover or can be buried in an underground receptacle on a commingled basis. (Authorized by and implementing K.S.A. 65-1766, as amended by L. 2010, ch. 131, sec. 13, and K.S.A. 2010 Supp. 65-1774; effective May 17, 2002; amended Sept. 16, 2011.)

63-7-2. Crematory operator in charge; crematory operator; recordkeeping. (a) The crematory operator in charge or crematory operator shall furnish to each person who delivers human remains to the crematory a receipt showing the date and time of the delivery, the name of the person from whom the human remains were received, the name of the person who received the human remains on behalf of the crematory, and the name of the decedent. The crematory operator or crematory operator in charge shall retain a copy of this receipt in its permanent records.

(b) Upon the release of cremated remains, the crematory operator or crematory operator in charge shall furnish to the person who receives the cremated remains from the crematory a receipt signed by the person who receives the cremated remains and showing the date of the release, the identification number of the deceased, and the name of the decedent. The crematory operator in charge shall retain a copy of this receipt in its permanent records.

(c) Each crematory operator in charge or crematory operator shall create and maintain on the premises an accurate record of every cremation provided. The records shall include all of the following information for each cremation:

(1) The name of the person, funeral establishment, or branch establishment delivering the body for cremation;

(2) the name of the deceased and the identification number assigned to the body;

(3) the time and date of acceptance of delivery;

(4) the date that the body was placed in the cremation chamber;

(5) the date and the name of the individual receiving the cremated remains;

(6) the name and address of the person who signed the authorization to cremate; and

(7) all supporting documentation, including the coroner's permit to cremate and the authorizing agent's authorization to cremate.

(d) The records required under subsection (c) shall be maintained for five calendar years after the release of the cremated remains. Following this period, the crematory operator in charge or crematory operator may then place the records in storage or reduce them to microfilm, microfiche, laser disc, or any other method that can produce an accurate reproduction of the original record, for reten-

tion for seven calendar years from the date of the release of the cremated remains. At the end of this period, the crematory operator in charge may destroy the records by shredding, incineration, or any other manner that protects the privacy of the individuals identified.

(e) The crematory operator in charge or crematory operator shall maintain a permanent record of the name of the deceased and the date the deceased's body was cremated.

(f) The crematory operator in charge or crematory operator shall maintain a permanent record of all cremated remains disposed of by the crematory. (Authorized by and implementing K.S.A. 65-1723, K.S.A. 2010 Supp. 65-1762, as amended by L. 2010, ch. 131, sec. 9; effective May 17, 2002; amended Sept. 16, 2011.)

63-7-6. Licensure applications for crematories. (a) Each crematory operator in charge shall submit a completed application for a crematory license for each crematory that the individual currently supervises. The application shall be submitted in writing on forms provided by the board and shall contain the following information:

(1) The name, address, and location of the crematory;

(2) a roster of all crematory operators employed at the crematory;

(3) the name and form of ownership of the business;

(4) the names and titles of all individual owners or, if a corporation, all officers;

(5) evidence confirming the date the crematory desires to be licensed;

(6) a description of the type of structure, equipment, and process being used in the operation of the crematory;

(7) verification of compliance with all applicable local and state building codes, zoning laws, ordinances, and environmental standards, including those guidelines adopted by the center for disease control and prevention regarding biosafety; and

(8) any further information that the board may require regarding compliance with the crematory act.

(b) A crematory operator in charge may be in charge of not more than one licensed crematory. (Authorized by K.S.A. 2010 Supp. 65-1774; implementing K.S.A. 2010 Supp. 65-1771; effective May 17, 2002; amended Sept. 16, 2011.)

63-7-7. Inspection of crematories. (a) Each crematory shall be subject to routine inspections at least once a year by the board or its designee, to determine compliance with the crematory act and the board's regulations adopted under this act.

(b) A crematory may be subject to additional inspections if any of the following conditions exists:

(1) The crematory incurred a violation in a previous inspection.

(2) A change occurred in ownership or in the crematory operator in charge.

(3) The crematory operator in charge did not timely renew the crematory license.

(4) The board has information that violations could exist or could have occurred.

(c) Inspections shall be made between the hours of 8:00 a.m. and 6:00 p.m. or at any time business is being conducted, unless otherwise agreed by both parties.

(continued)

(d) Inspections shall be made by the board or its designee.

(e) Inspections of crematories may be authorized by the board or its executive secretary.

(f) Any authorized inspection may be conducted without notice to the crematory operator in charge. (Authorized by and implementing K.S.A. 65-1723; effective May 17, 2002; amended Sept. 16, 2011.)

63-7-9. Crematory operator's license; application requirements. (a) Each person seeking licensure as a crematory operator shall meet the requirements of K.S.A. 65-1771, and amendments thereto, and shall pay the fee specified in K.A.R. 63-4-1. For purposes of the training, the following requirements shall apply:

- (1) Fifty minutes of training shall constitute one hour.
- (2) Proof of completion of training shall be provided to the board by the provider of the program on a form approved by the board.
- (3) A list of approved programs shall be listed on the board's web site.

(b) All licenses issued shall be signed by the president and the secretary of the board and attested by its seal. Each crematory operator shall at all times prominently display the crematory operator's license in the crematory operator's place of employment. (Authorized by K.S.A. 2010 Supp. 65-1774; implementing K.S.A. 2010 Supp. 65-1771; effective Sept. 16, 2011.)

63-7-10. Crematory operator's initial license; biennial renewal. (a) The initial licensure fee for crematory operators shall be charged on a pro rata basis in order to place new licensees according to the expiration dates specified in subsection (c).

(b) Each crematory operator license renewal fee shall be paid on a biennial basis. Each renewal fee shall be initially prorated to the nearest whole month, to establish the biennial renewal process.

(c) Each expiration date shall be assigned alphabetically according to the first letter of the applicant's or licensee's surname, as follows:

- (1) A and M shall expire on January 31.
- (2) B and N shall expire on February 28.
- (3) C and O shall expire on March 31.
- (4) D and P shall expire on April 30.
- (5) E and Q shall expire on May 31.

- (6) F and R shall expire on June 30.
- (7) G and S shall expire on July 31.
- (8) H and T shall expire on August 31.
- (9) I and U shall expire on September 30.
- (10) J and V shall expire on October 31.
- (11) K and W shall expire on November 30.
- (12) L, X, Y, and Z shall expire on December 31.

Each licensee whose surname begins with a letter from A through L shall renew in even-numbered years. Each licensee whose surname begins with a letter from M through Z shall renew in odd-numbered years.

(d) Each licensee shall make up all past continuing education hours accrued during the expiration period within one year of reinstatement.

(e) Each licensee changing the licensee's surname shall notify the board of the change, and the expiration date shall be adjusted to the month designated in subsection (c). (Authorized by K.S.A. 2010 Supp. 65-1772 and K.S.A. 2010 Supp. 65-1774; implementing K.S.A. 2010 Supp. 65-1772; effective Sept. 16, 2011.)

63-7-11. Continuing education. (a) Each crematory operator shall submit with the license renewal application satisfactory proof of completion of at least two board-approved clock-hours of continuing education related to cremation per biennial licensure period. Each crematory operator shall file proof of completion of continuing education credit with the board on forms approved by the board.

(b) Any licensee may obtain continuing education credit by attending and participating in continuing education courses or workshops that meet the requirements of K.A.R. 63-6-2.

(c) The continuing education requirements for each individual newly licensed shall be waived for the first-time renewal of that individual's license.

(d) Compliance with this regulation shall be a requirement for each crematory operator that is separate from the continuing education requirements for embalmers and funeral directors. (Authorized by K.S.A. 2010 Supp. 65-1774; implementing K.S.A. 2010 Supp. 65-1772; effective Sept. 16, 2011.)

Mack Smith
Executive Director

Doc. No. 039760

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 2009 Volumes of the *Kansas Administrative Regulations* and the 2010 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-9-5a	New (T)	V. 30, p. 983
1-16-8	Amended	V. 29, p. 676

1-16-15	Amended	V. 29, p. 677
1-16-18	Amended	V. 29, p. 677
1-16-18a	Amended	V. 29, p. 678
1-16-20	Amended	V. 29, p. 680
1-65-1	New	V. 30, p. 44
1-66-1	New	V. 30, p. 44
1-66-2	New	V. 30, p. 45
1-66-3	New	V. 30, p. 45
1-67-1	New	V. 30, p. 45
1-67-2	New	V. 30, p. 45
1-67-3	New	V. 30, p. 45
1-68-1	New	V. 30, p. 45
1-68-2	New	V. 30, p. 46

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-3-2	Amended (T)	V. 29, p. 702
3-3-2	Amended	V. 30, p. 9

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-1-2	Amended	V. 30, p. 635
4-1-5	Amended	V. 30, p. 635

4-1-6	Revoked	V. 30, p. 636
4-1-8	Revoked	V. 30, p. 636
4-1-9	Amended	V. 30, p. 636
4-1-9a	New	V. 30, p. 636
4-1-9b	New	V. 30, p. 637
4-1-11	Revoked	V. 30, p. 637
4-1-13	Amended	V. 30, p. 637
4-1-14	Amended	V. 30, p. 637
4-1-17	Amended	V. 30, p. 638
4-3-47	Amended (T)	V. 30, p. 25
4-3-47	Amended	V. 30, p. 411
4-3-48	Revoked	V. 30, p. 411
4-3-49	Amended	V. 30, p. 1179
4-3-50	Amended	V. 30, p. 411
4-3-51	Amended	V. 30, p. 1179
4-7-213	Amended	V. 29, p. 1023
4-7-716	Amended	V. 29, p. 1023
4-10-1	Amended	V. 29, p. 254
4-10-1a	New	V. 29, p. 255
4-10-1b	New	V. 29, p. 255
4-10-2a		
4-10-2a	through	
4-10-2d	Revoked	V. 29, p. 255

48-3-1 Amended V. 29, p. 18
 48-3-2 Amended V. 29, p. 18
 48-3-4 Amended V. 29, p. 18
 48-3-5 Amended V. 29, p. 18
 48-4-1 Amended V. 29, p. 18
 48-4-2 Amended V. 29, p. 18

AGENCY 49: DEPARTMENT OF LABOR

Reg. No. Action Register
 49-55-1 through
 49-55-12 New V. 29, p. 675, 676

AGENCY 50: DEPARTMENT OF LABOR—DIVISION OF EMPLOYMENT

Reg. No. Action Register
 50-2-21a New (T) V. 29, p. 701
 50-2-21a New V. 29, p. 1214

AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION

Reg. No. Action Register
 51-9-7 Amended V. 29, p. 1508

AGENCY 60: BOARD OF NURSING

Reg. No. Action Register
 60-16-105 Revoked V. 29, p. 1115

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No. Action Register
 65-4-3 Amended V. 29, p. 990

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No. Action Register
 66-8-6 Amended V. 29, p. 794
 66-10-1 Amended V. 29, p. 794
 66-12-1 Amended V. 29, p. 794
 66-14-10 Amended V. 29, p. 794

AGENCY 68: BOARD OF PHARMACY

Reg. No. Action Register
 68-1-1b Amended V. 29, p. 465
 68-2-22 Amended V. 30, p. 537
 68-7-11 Amended V. 29, p. 1053
 68-7-21 New V. 29, p. 465
 68-20-10a Amended V. 30, p. 538
 68-20-24 New (T) V. 30, p. 357
 68-20-25 New (T) V. 30, p. 357
 68-20-26 New (T) V. 30, p. 357
 68-20-27 New (T) V. 30, p. 357
 68-20-28 New (T) V. 30, p. 635
 68-20-29 New (T) V. 30, p. 635
 68-21-1 through
 68-21-7 New V. 29, p. 1417-1420
 68-21-2 Amended V. 30, p. 370

AGENCY 71: KANSAS DENTAL BOARD

Reg. No. Action Register
 71-5-1 through
 71-5-6 Revoked V. 29, p. 1593
 71-5-7 through
 71-5-13 New V. 29, p. 1593-1597

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No. Action Register
 74-4-8 Amended V. 29, p. 1636
 74-4-9 Amended V. 29, p. 1638
 74-5-2 Amended V. 29, p. 1638
 74-5-101 Amended V. 29, p. 1639
 74-5-202 Amended V. 29, p. 1639
 74-5-203 Amended V. 29, p. 1639
 74-6-2 Amended V. 29, p. 1640
 74-11-6 Amended V. 29, p. 1640
 74-11-7 Amended V. 29, p. 1640
 74-12-1 Amended V. 29, p. 1641
 74-15-2 Revoked V. 29, p. 1641

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No. Action Register
 81-2-1 Amended V. 30, p. 1048
 81-5-21 New V. 30, p. 1049

81-20-1 Revoked V. 30, p. 866
 81-20-2 Revoked V. 30, p. 866
 81-22-1 Amended V. 30, p. 866
 81-22-2 Revoked V. 30, p. 866
 81-23-1 Revoked V. 30, p. 867
 81-23-2 Revoked V. 30, p. 867
 81-24-1 Revoked V. 30, p. 867
 81-25-1 Revoked V. 30, p. 867
 81-25-2 Revoked V. 30, p. 867
 81-25-3 Revoked V. 30, p. 867
 81-26-3 Revoked V. 30, p. 867
 81-28-1 Revoked V. 30, p. 867
 81-28-2 Revoked V. 30, p. 867
 81-30-1 Revoked V. 30, p. 867

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No. Action Register
 82-1-219 Amended V. 29, p. 1099
 82-3-101a New V. 29, p. 1508
 82-3-311a New V. 29, p. 181

82-3-1100 through
 82-3-1120 New V. 29, p. 182-190
 82-4-2 Amended V. 29, p. 1443
 82-4-3a Amended V. 29, p. 1443
 82-4-3d Amended V. 29, p. 1444
 82-4-3f Amended V. 29, p. 1390
 82-4-3n New V. 29, p. 1444
 82-4-3o New V. 29, p. 1445
 82-4-6a Amended V. 29, p. 1446
 82-4-8h Amended V. 29, p. 1446
 82-4-21 Amended V. 29, p. 1446
 82-4-22 Amended V. 29, p. 1446
 82-4-23 Amended V. 29, p. 1447
 82-4-24a Amended V. 29, p. 1447
 82-4-26 Amended V. 29, p. 1447
 82-4-26a Amended V. 29, p. 1447
 82-4-27 Amended V. 29, p. 1447
 82-4-27a Amended V. 29, p. 1448
 82-4-27c Amended V. 29, p. 1448
 82-4-27e Amended V. 29, p. 1449
 82-4-28 Revoked V. 29, p. 1449
 82-4-28a Revoked V. 29, p. 1449
 82-4-28b Revoked V. 29, p. 1449
 82-4-30a Amended (T) V. 29, p. 702
 82-4-30a Amended V. 29, p. 1392
 82-4-31 Revoked V. 29, p. 1450
 82-4-32 Amended V. 29, p. 1450
 82-4-33 Amended V. 29, p. 1450
 82-4-35 Amended V. 29, p. 1450
 82-4-35a Amended V. 29, p. 1450
 82-4-37 Revoked V. 29, p. 1450
 82-4-40 Amended V. 29, p. 1450
 82-4-42 Amended V. 29, p. 1450
 82-4-48 Amended V. 29, p. 1451
 82-4-48a Amended V. 29, p. 1451
 82-4-53 Amended V. 29, p. 1451
 82-4-54 Amended V. 29, p. 1452
 82-4-55 Amended V. 29, p. 1452
 82-4-56a Amended V. 29, p. 1452
 82-4-57 Amended V. 29, p. 1453
 82-4-58 Amended V. 29, p. 1453
 82-4-62 Revoked V. 29, p. 1453
 82-4-63 Amended V. 29, p. 1453
 82-4-65 Amended V. 29, p. 1453
 82-4-77 Amended V. 29, p. 1454
 82-11-4 Amended V. 30, p. 1026
 82-11-10 Amended V. 30, p. 1030
 82-12-7 Amended V. 30, p. 1085
 82-16-1 through
 82-16-6 New V. 29, p. 1598-1601
 82-17-1 through
 82-17-5 New V. 29, p. 1136, 1137

AGENCY 88: BOARD OF REGENTS

Reg. No. Action Register
 88-24-1 Amended V. 29, p. 1415
 88-28-1 Amended V. 30, p. 193
 88-28-6 Amended V. 29, p. 408
 88-28-6 Amended (T) V. 30, p. 1047
 88-29-1 Amended V. 30, p. 946
 88-29-3 through
 88-29-7 Amended V. 30, p. 947, 948
 88-29-7a New V. 30, p. 949
 88-29-8 Amended V. 30, p. 949

88-29-8c New V. 30, p. 949
 88-29-9 through
 88-29-12 Amended V. 30, p. 949-952
 88-29-18 Amended V. 30, p. 953
 88-29-19 Amended V. 30, p. 953
 88-29a-5 New V. 30, p. 954
 88-29a-6 New V. 30, p. 955
 88-29a-7 New V. 30, p. 955
 88-29a-7a New V. 30, p. 956
 88-29a-8 New V. 30, p. 956
 88-29a-8c New V. 30, p. 956
 88-29a-9 New V. 30, p. 956
 88-29a-10 New V. 30, p. 957
 88-29a-11 New V. 30, p. 958
 88-29a-18 New V. 30, p. 959
 88-29a-19 New V. 30, p. 960
 88-30-1 Amended V. 30, p. 194

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No. Action Register
 91-1-200 through
 91-1-204 Amended V. 30, p. 1050-1057
 91-1-230 Amended V. 30, p. 1060
 91-1-231 Amended V. 30, p. 1060
 91-1-232 Amended V. 30, p. 1061
 91-1-235 Amended V. 30, p. 1062
 91-1-236 Amended V. 30, p. 1063
 91-40-1 Amended V. 29, p. 1093
 91-40-27 Amended V. 29, p. 1098

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No. Action Register
 92-19-3 Revoked V. 30, p. 280
 92-19-3a New V. 30, p. 280
 92-19-3b New V. 30, p. 283
 92-19-3c New V. 30, p. 285
 92-19-10 Revoked V. 30, p. 285
 92-19-16a Amended V. 30, p. 285
 92-19-16b Revoked V. 30, p. 286
 92-19-40 Revoked V. 30, p. 286
 92-19-42 Revoked V. 30, p. 286
 92-19-49b Amended V. 30, p. 286
 92-19-55b New V. 30, p. 287
 92-19-59 Amended V. 30, p. 289
 92-19-73 Amended V. 30, p. 289
 92-24-23 Amended V. 29, p. 1633
 92-51-25a New V. 29, p. 1281

AGENCY 94: COURT OF TAX APPEALS

Reg. No. Action Register
 94-2-1 through
 94-2-21 Revoked V. 29, p. 1478, 1479
 94-5-1 through
 94-5-25 New V. 29, p. 1479-1485

Agency 97: COMMISSION ON VETERANS' AFFAIRS

Reg. No. Action Register
 97-7-1 through
 97-7-6 New V. 29, p. 252-254

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

Reg. No. Action Register
 99-25-1 Amended V. 29, p. 1242
 99-25-5 Amended V. 29, p. 1242
 99-25-12 New V. 29, p. 1242

AGENCY 100: BOARD OF HEALING ARTS

Reg. No. Action Register
 100-11-1 Amended V. 29, p. 650
 100-29-1 Amended V. 29, p. 598
 100-49-4 Amended V. 29, p. 651
 100-55-1 Amended V. 29, p. 704
 100-55-7 Amended V. 29, p. 651
 100-69-12 New V. 29, p. 704
 100-72-2 Amended V. 29, p. 705
 100-73-2 Amended V. 29, p. 598

(continued)

111-201-1 through		
111-201-17	New	V. 29, p. 73-79
111-301-1 through		
111-301-6	New	V. 29, p. 79, 80
111-301-6	Amended	V. 30, p. 1187
111-301-7 through		
111-301-12	New	V. 30, p. 244-248
111-301-11	Amended	V. 30, p. 1189
111-301-13 through		
111-301-20	New	V. 30, p. 366-368
111-302-1 through		
111-302-6	New	V. 29, p. 82-86
111-302-4	Amended	V. 30, p. 249
111-303-1 through		
111-303-5	New	V. 29, p. 87-89
111-304-1 through		
111-304-6	New	V. 29, p. 89-91
111-305-1 through		
111-305-6	New	V. 29, p. 474, 475
111-306-1 through		
111-306-6	New	V. 29, p. 1185-1187
111-306-4	Amended	V. 29, p. 1260
111-306-6	Amended	V. 29, p. 1219
111-307-1 through		
111-307-7	New	V. 29, p. 1189-1191
111-308-1 through		
111-308-7	New	V. 29, p. 1261-1263
111-309-1 through		
111-309-6	New	V. 29, p. 1528-1530
111-310-1 through		
111-310-6	New	V. 29, p. 1530-1532
111-311-1 through		
111-311-7	New	V. 29, p. 1532-1535
111-312-1 through		
111-312-8	New	V. 30, p. 239, 240
111-312-6	Amended	V. 30, p. 368
111-312-7	Amended	V. 30, p. 1096
111-312-8	Amended	V. 30, p. 368
AGENCY 112: RACING AND GAMING COMMISSION		
Reg. No.	Action	Register
112-101-6	Amended	V. 30, p. 290
112-102-8	Amended	V. 30, p. 290
112-103-2	Amended	V. 30, p. 291

112-103-4	Amended	V. 30, p. 292
112-103-5	Amended	V. 30, p. 292
112-103-8	Amended	V. 30, p. 292
112-103-15	Amended	V. 30, p. 292
112-104-1	Amended	V. 30, p. 293
112-104-8	Amended	V. 30, p. 294
112-104-13	Amended	V. 30, p. 295
112-104-14	Amended	V. 30, p. 297
112-104-15	Amended	V. 30, p. 297
112-104-16	Amended	V. 30, p. 298
112-104-32	Amended	V. 30, p. 300
112-105-1	Amended	V. 30, p. 301
112-105-2	Amended	V. 30, p. 301
112-105-3	Amended	V. 30, p. 301
112-106-1	Amended	V. 30, p. 301
112-106-2	Amended	V. 30, p. 303
112-106-5	Amended	V. 30, p. 303
112-106-6	Amended	V. 30, p. 304
112-107-3	Amended	V. 30, p. 304
112-107-5	Amended	V. 30, p. 307
112-107-10	Amended	V. 30, p. 308
112-107-21	Amended	V. 30, p. 309
112-107-22	Amended	V. 30, p. 310
112-108-18	Amended	V. 30, p. 311
112-108-36	Amended	V. 30, p. 312
112-108-55	Amended	V. 30, p. 313
112-110-3	Amended	V. 30, p. 313
112-112-1	Amended	V. 30, p. 314
112-112-3	Amended	V. 30, p. 314
112-112-4	Amended	V. 30, p. 314
112-112-7	Amended	V. 30, p. 315
112-112-9	Amended	V. 30, p. 315
AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS		
Reg. No.	Action	Register
115-1-1	Amended	V. 30, p. 943
115-2-1	Amended	V. 29, p. 1602
115-2-2	Amended	V. 30, p. 331
115-2-3	Amended	V. 30, p. 331
115-2-3a	Revoked	V. 30, p. 1180
115-4-2	Amended	V. 29, p. 408
115-4-4	Amended	V. 29, p. 658
115-4-4a	Amended	V. 29, p. 659
115-4-6	Amended	V. 29, p. 409
115-4-6b	New	V. 30, p. 332
115-4-11	Amended	V. 30, p. 332
115-5-1	Amended	V. 30, p. 944
115-5-2	Amended	V. 30, p. 945
115-7-1	Amended	V. 29, p. 1606
115-7-8	Revoked	V. 29, p. 1607
115-7-9	Amended	V. 30, p. 536
115-8-1	Amended	V. 29, p. 1092
115-8-13	Amended	V. 30, p. 1180
115-16-3	Amended	V. 30, p. 1180
115-16-5	Amended	V. 30, p. 334
115-18-7	Amended	V. 29, p. 659
115-18-20	Amended	V. 29, p. 1608
115-20-7	New	V. 29, p. 659

AGENCY 117: REAL ESTATE APPRAISAL BOARD		
Reg. No.	Action	Register
117-2-1	Amended	V. 29, p. 412
117-2-2	Amended	V. 29, p. 413
117-3-1	Amended	V. 29, p. 414
117-3-2	Amended	V. 29, p. 415
117-4-1	Amended	V. 29, p. 416
117-4-2	Amended	V. 29, p. 417
117-6-1	Amended	V. 29, p. 656
117-6-3	Amended	V. 29, p. 656
117-7-1	Amended	V. 30, p. 92
117-8-1	Amended	V. 29, p. 418
AGENCY 120: KANSAS HEALTH POLICY AUTHORITY (FORMERLY HEALTH CARE DATA GOVERNING BOARD)		
Reg. No.	Action	Register
120-1-2	Revoked	V. 30, p. 1024
AGENCY 121: DEPARTMENT OF CREDIT UNIONS		
Reg. No.	Action	Register
121-10-1	Amended	V. 29, p. 675
AGENCY 123: JUVENILE JUSTICE AUTHORITY		
Reg. No.	Action	Register
123-2-111	New (T)	V. 29, p. 1115
123-2-111	New	V. 29, p. 1415
AGENCY 129: KANSAS HEALTH POLICY AUTHORITY		
Reg. No.	Action	Register
129-5-118	Amended	V. 29, p. 293
129-5-118a	New	V. 29, p. 294
129-5-118b	Amended	V. 29, p. 296
129-10-31	New	V. 30, p. 92
AGENCY 130: HOME INSPECTORS REGISTRATION BOARD		
Reg. No.	Action	Register
130-1-2	New (T)	V. 29, p. 38
130-1-2	New	V. 29, p. 567
130-1-3	New (T)	V. 29, p. 38
130-1-3	New	V. 29, p. 567
130-1-4	Amended	V. 29, p. 567
130-3-1	New (T)	V. 29, p. 38
130-3-1	New	V. 29, p. 568
130-4-1	New (T)	V. 29, p. 39
130-4-1	New	V. 29, p. 794
130-4-2	New (T)	V. 29, p. 39
130-4-2	New	V. 29, p. 794
130-5-2	New	V. 29, p. 569
AGENCY 131: COMMITTEE ON SURETY BONDS AND INSURANCE		
Reg. No.	Action	Register
131-1-1	New	V. 30, p. 195

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