



# Kansas Register

Chris Biggs, Secretary of State

Vol. 29, No. 39

September 30, 2010

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**State of Kansas  
Social and Rehabilitation Services**

**Public Notice**

The following ICFsMR cost center limits are being set forth for public comment. Comments should be sent to Pam Keller, Program Administrator, Community Supports and Services, 9th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. The comment period will expire 30 days from the publication of this notice.

K.A.R. 30-10-214 provides for the annual review and adjustment of Class II ICFsMR cost center limits, approved by the secretary of SRS or designee, based on current cost information supplied by the enrolled, licensed providers of ICF-MR services, and formula set forth in the Kansas State Medicaid Plan (Attachment 4.19-D, Part II, Subpart O, page 1). The formula is as follows: Total allowable costs, including an inflation factor, are compared to the amount to be reimbursed under the current limits. The formula threshold requires that 60 percent of all ICFsMR are reimbursed 90 percent of their allowable costs. If less than 60 percent of the facilities are reimbursed 90 percent of their allowable costs, then the cost center limits are adjusted until the threshold is met. The inflation factor is based on the Global Insight Health-Care Cost Review (formerly Data Resources, Inc. (DRI) — WEFA), National Skilled Nursing Facility Total Market Basket Index.

To determine where to make the adjustments, two major cost centers are analyzed according to the following prescription:

- Administrative costs are based on facility size.

- Habilitation costs are based on facility size and level of care (LOC).

The preliminary cost analysis for 2011 showed that 52 percent of the Class II ICFsMR were being reimbursed 90 percent or more of their allowable costs. Per the state plan the analysis indicates that adjustments were required. Adjustments were made to increase the Administrative and Habilitation cost center limits 9 percent. After adjustments, the cost analysis for 2011 showed that 62 percent of the Class II ICFsMR were being reimbursed 90 percent or more of their allowable costs.

**Recommendations**

Based on cost report analysis and available funding, cost center limits for Class II ICFsMR are as follows:

Facility Size	Level I	Level II	Level III	Level IV	Level V
A. +16 beds	\$162.86	\$154.71	\$146.98	\$139.64	\$132.65
B. 9-16 beds	\$204.61	\$194.40	\$184.68	\$175.46	\$166.67
C. 4-8 beds	\$239.39	\$227.42	\$216.04	\$205.24	\$194.98

Administrative per diem limits are based on the size of the facility, using the same classes as referred to above.

**Administrative Per Diem Limits**

- A. \$12.92
- B. \$30.68
- C. \$36.18

**Fiscal Impact**

Due to the increase in limits and changes to inflation factors, the estimated annual cost increase is \$319,680.

Don Jordan  
Secretary of Social and  
Rehabilitation Services

Doc. No. 038754

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**State of Kansas  
Department of Revenue  
Division of Alcoholic Beverage Control**

**Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted by the Department of Revenue at 9 a.m. Monday, November 29, in the secretary's conference room, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the revocation of an alcoholic beverage control regulation.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulation. All interested parties may submit written public comments on the proposed regulation prior to the hearing to Kathleen Smith, Tax Specialist, Office of Policy and Research, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, or through e-mail at kathleen\_smith@kdor.state.ks.us.

All interested parties will be given a reasonable opportunity to present their views, either orally or in writing or both, concerning the adoption of the proposed regulation. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for ac-

commodation should be made at least five working days in advance of the hearing by contacting Kathleen Smith at (785) 296-3081 or TTY (785) 296-6461. Disabled parking is located in State Parking Lot No. 2, south of the Docking Building facing Harrison Street. The east entrance to the Docking Building is accessible.

This regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and the economic impact follows:

**Article 11.—FARM WINERIES**

**Revocation of K.A.R. 14-11-27.** This regulation requires a farm winery to use at least 60 percent Kansas product in the manufacture of each bottle of domestic wine and domestic fortified wine unless the director allows a lesser amount, but in no case shall there be less than 51 percent Kansas product. The regulation also provides factors for the director to consider in making the determination as to whether a lesser amount shall be allowed.

**Economic Impact:** The Department of Revenue does not anticipate any impact on the department, other government agencies, or private businesses or individuals.

A copy of this regulation and the economic impact statement may be obtained from the Kansas Department of Revenue, Office of Policy and Research, or via the department's Web site at [www.ksrevenue.org](http://www.ksrevenue.org).

Joan Wagnon  
Secretary of Revenue

Doc. No. 038753

**State of Kansas**

**Legislature**

**Interim Committee Schedule**

The following committee meetings have been scheduled during the period of September 30-October 14. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. The 2010 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. 30	144-S	9:30 a.m.	Legislative Post Audit	Discussion on personnel issues (in executive session); performance audits on state universities and K-12 education; summary of post audit operations for FY 2010; and consideration of FY 2010 budget request.
Oct. 7	152-S	10:00 a.m.	Joint Committee on Energy and Environmental Policy	Kansas water supply issues, including the nature of the supply, where and whom it serves, and what it will look like in 10-20 years; and conservation as a beneficial use in areas not closed to new appropriation.
Oct. 8	152-S	9:00 a.m.		
Oct. 8	346-S	9:00 a.m.	Kansas DUI Commission	Discussion of final report draft.
Oct. 14	548-S	10:00 a.m.	Legislative Budget	Selected budget updates; update on KPERS valuation; and review of state rainy day funds.

Jeffrey M. Russell  
Director of Legislative  
Administrative Services

Doc. No. 038761

## State of Kansas

## Pooled Money Investment Board

## Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 2009 Supp. 12-1675(b)(c)(d) and K.S.A. 2009 Supp. 12-1675a(g).

## Effective 9-27-10 through 10-3-10

Term	Rate
1-89 days	0.21%
3 months	0.13%
6 months	0.19%
1 year	0.27%
18 months	0.33%
2 years	0.44%

Elizabeth B.A. Miller  
Director of Investments

Doc. No. 038743

## State of Kansas

## Kansas Housing Resources Corporation

## Notice of Hearing

The state of Kansas will conduct a public hearing from 10:30 a.m. to noon Monday, October 18, in the Kansas Housing Resources Corporation's main conference room, Suite 300, 611 S. Kansas Ave., Topeka, to provide an opportunity for citizens to review and comment upon the preliminary draft of the 2011 Action Plan of the 2009 — 2013 Kansas Consolidated Plan and the 2011 Analysis of Impediments to Fair Housing Choice. The Consolidated Plan is the state's policy framework for federal community development and housing programs. The Analysis of Impediments to Fair Housing Choice (AI) is an evaluation of fair housing barriers in the state.

The proposed Action Plan and AI will be available for public examination beginning October 1 at [www.kshousingcorp.org](http://www.kshousingcorp.org). Limited hard copies will be available at the public hearing site and upon request. The public comment period ends October 30.

Estimated resources available in 2011 will include approximately \$18,250,000 from the Community Development Block Grant (CDBG); \$8,557,000 from the HOME Investment Partnerships (HOME); \$897,000 from the Emergency Shelter Grant (ESG); and \$384,000 from the Housing Opportunities for Persons with AIDS (HOPWA) programs.

Individuals with disabilities or limited English proficiency are welcome to attend and participate in the public hearing. Persons in need of a sign language interpreter, an assistive listening device, large print or Braille material, or other accommodation to attend this hearing should notify the KHRC, 611 S. Kansas Ave., Suite 300, Topeka, 66603-3803, (785) 296-5865, or via the Kansas Relay Service at (800) 766-3777, at least one week prior to the hearing.

Gary Allsup  
Executive Director

Doc. No. 038759

## State of Kansas

## Department of Wildlife and Parks

## Public Notice

The Kansas Department of Wildlife and Parks has reached agreement for the purchase of a tract of land in Johnson County. The parcel consists of an office building on Part of Lot Fourteen (14) of Perimeter Park, Seventh Plat, a subdivision in the city of Shawnee, Kansas. This tract was appraised at \$1,350,000, and will be purchased for \$1,350,000 from bond proceeds through the Kansas Development Finance Authority. This tract will be known as the Kansas Department of Wildlife and Parks Kansas City Office and will remain on the county tax rolls.

J. Michael Hayden  
Secretary of Wildlife and Parks

Doc. No. 038758

## State of Kansas

## Secretary of State

## Executive Appointments

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

## Judge of the Kansas Court of Appeals

**G. Gordon Atcheson**, 3rd Floor, Kansas Judicial Center, 301 S.W. 10th Ave., Topeka, 66612. Succeeds Jerry G. Elliott, deceased.

## Mitchell County Commissioner

**Tom Claussen**, 3667 K Road, Beloit, 67420. Succeeds Charles Heidrick, resigned.

## Republic County Register of Deeds

**Margaret Frint**, 1414 K St., Belleville, 66935. Succeeds Ruth Rahe, resigned.

## Kansas Arts Commission

**Lon R. Frahm**, 18 Cottonwood Drive, Box F, Colby, 67701. Term expires June 30, 2013. Reappointed.

**Grant Glenn**, Secretary-Treasurer, 4000 W. 12th St., Lawrence, 66049. Term expires June 30, 2013. Reappointed.

**Ellen Neufeld**, P.O. Box 114, Inman, 67546. Term expires June 30, 2013. Succeeds Christine Downey-Schmidt.

**Dr. Henry Schwaller IV**, Chair, 220 W. 12th, Hays, 67601. Term expires June 30, 2013. Succeeds John Divine.

## Citizens Utility Ratepayers Board

**Kenneth A. Baker**, 610 W. 24th Ave., Hutchinson, 67502. Term expires June 30, 2013. Succeeds Laura McClure.

## State Board of Cosmetology

**Charles V. Householder Jr.**, 12820 Sewell Ave., Kansas City, KS 66109. Term expires June 30, 2012. Succeeds James George.

Coordinating Council on Early Childhood  
Developmental Services

**Dr. Eva Horn**, Chair, 4633 Muirfield Drive, Lawrence, 66047.

**Fire Service Training Commission**

**Kathy L. Elkins**, 2001 Rhode Island St., Lawrence, 66046. Term expires July 1, 2014. Reappointed.

**Lt. Kevin L. Flory**, 4935 N.W. Brickyard Road, Topeka, 66618. Term expires July 1, 2014. Succeeds Andrew Moffitt.

**Brenda McNorton**, 6749 N.E. Meriden Road, Topeka, 66617. Term expires July 1, 2012. Succeeds Karl McNorton.

**Larry J. Pander**, 2302 N. Commanche, Garden City, 67846. Term expires July 1, 2014. Reappointed.

**Rodney E. Redinger**, 619 S. Harvey, Burrton, 67020. Term expires July 1, 2014. Reappointed.

**Mark Sweany**, 9153 Shady Bend Road, Lenexa, 66227. Term expires July 1, 2014. Succeeds John Mattox.

**Kansas Food Security Task Force**

(Established by Executive Order 10-11.

Members serve at the pleasure of the Governor.)

**Gary Brunk**, 3121 Longhorn Drive, Lawrence, 66049.

**Jennifer Church**, 1030 S.W. Frazier Ave., Topeka, 66604.

**Susan Craig**, 4336 S.E. 25th Terrace, Topeka, 66605.

**Joe Hendrixson**, 2830 S.W. Arvonian Place, Topeka, 66614.

**Dr. Mary Meck Higgins**, 3507 Stonehenge Court, Manhattan, 66503.

**Dr. John Holzhuter**, 734 S. Cedar, Ottawa, 66067.

**Karen S. Hudson**, 101 S. Dartmouth Drive, Manhattan, 66503.

**Pam Jacob**, 1613 Merion Circle, Lawrence, 66047.

**Cheryl Johnson**, Kansas Department of Education, 120 S.E. 10th Ave., Topeka, 66612.

**Debi Kreutzman**, 2416 N. Bramblewood St., Wichita, 67226.

**Barbara LaClair**, 228 S.W. Courtland Ave., Topeka, 66606.

**Jodi L. Mackey**, 7307 S.W. Falcon, Topeka, 66610.

**Jane Metzger**, 3256 27th St., Topeka, 66617.

**Daniel L. Nagengast**, 966 E. 800 Road, Lawrence, 66047.

**Anne Nugent**, 15820 W. 61st St., Shawnee, 66217.

**Natascha Phillip**, 905 Yuma St., Manhattan, 66502.

**Dr. Sandra B. Proctor**, 3108 Sam's Trail, Manhattan, 66502.

**Anita Raghaven**, 2675 N. Dellrose St., Wichita, 67220.

**Karen Siebert**, 5108 W. 72nd St., Prairie Village, 66208.

**Tawny Stottlemire**, 3219 S.W. Kent St., Topeka, 66614.

**David Thomason**, 1902 S.W. 66th St., Topeka, 66619.

**Tamara Tiemann**, 144 S.W. 27th St., Topeka, 66611.

**Brian Walker**, 1919 E. Douglas, Wichita, 67211.

**Governor's Mental Health Planning Council**

**Bradley A. Luthe**, 1224 Cramer, Wichita, 67212. Term expires June 30, 2013. Reappointed.

**Kansas Health Information Exchange, Inc.**

(Established by Executive Order 10-06.)

**Dr. Andrew Allison**, Executive Director, Kansas Health Policy Authority, Room 900-N, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. Term expires Sept. 1, 2012.

**Dr. Michael Atwood**, 5401 S.W. 40th Terrace, Topeka, 66610. Term expires Sept. 1, 2012.

**Tom Bell**, 215 S.E. 8th Ave., Topeka, 66603. Term expires Sept. 1, 2012.

**Brian Black**, 11616 W. 18th St. North, Wichita, 67212. Term expires Sept. 1, 2012.

**Karen S. Braman**, 911 N. 1484 Road, Lawrence, 66049. Term expires Sept. 1, 2012.

**Roderick L. Bremby**, Secretary of Health and Environment, Suite 540, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612. Term expires Sept. 1, 2012.

**Dr. Jennifer L. Brull**, P.O. Box 147, Plainville, 67663. Term expires Sept. 1, 2012.

**Cindy Chrisman-Smith**, 125 N. Spruce, Kingman, 67068. Term expires Sept. 1, 2012.

**Dr. Joe Davidson**, 1200 S. 119th West, Wichita, 67235. Term expires Sept. 1, 2012.

**Jacqueline A. John**, Route 2, Box 506, Phillipsburg, 67661. Term expires Sept. 1, 2012.

**Jerry Slaughter**, 623 S.W. 10th Ave., Topeka, 66612. Term expires Sept. 1, 2012.

**Dr. Jonalan Smith**, 6403 Outlook Drive, Mission, 66202. Term expires Sept. 1, 2012.

**Janet Stanek**, 1500 S.W. 10th Ave., Topeka, 66604. Term expires Sept. 1, 2012.

**Maren Turner**, 555 S. Kansas Ave., Suite 201, Topeka, 66603. Term expires Sept. 1, 2012.

**Kansas Hispanic and Latino American Affairs Commission**

**Lucila Corley**, 615 S. 11th, Salina, 67401. Term expires June 30, 2012. Succeeds Shala Perez.

**State Holocaust Commission**

**Alice Bertels**, 3026 Arvonian Place, Topeka, 66614. Serves at the pleasure of the Governor. Succeeds Bruce Levine.

**Kansas Advisory Group on Juvenile Justice and Delinquency Prevention**

**Timothy H. Bacon**, 6023 S.E. 77th, Berryton, 66409. Term expires June 30, 2014. Reappointed.

**Regional System of Cooperating Libraries South-Central Kansas Regional Library System:**

**Donna Surprise**, 616 S. Purdy, Lyons, 67554. Term expires June 30, 2014. Reappointed.

**Southeast Kansas Regional Library System:**

**Beverly J. Carter Tongier**, P.O. Box 67, Altamont, 67330. Term expires June 30, 2014. Succeeds Lorraine Davis.

**Suzanne Vining**, 3721 Highway 169, Cherryvale, 67335. Term expires June 30, 2014. Reappointed.

**Kansas Propane Education and Research Council**

**Jason Pivonka**, 521 E. 6th, LaCrosse, 67548. Term expires Aug. 30, 2013. Reappointed.

**State Rehabilitation Council**

**Kimberly Anderson**, 408 Holiday Drive, Lansing, 66043. Term expires Oct. 31, 2011. Succeeds David Rosenthal.

**Heather R. Sasse**, 18062 L Road, Athol, 66932. Term expires Oct. 31, 2011. Succeeds Barbara Crooks.

**Kathleen A. Wilson**, 827 S.W. Cambridge Ave., Topeka, 66606. Term expires Oct. 31, 2011. Succeeds Anita Trainer.

**State Board of Veterinary Medical Examiners**

**Dr. Verle D. Carlson**, 618 S. Douglas Ave., Lyons, 67554. Term expires June 30, 2014. Reappointed.

**Dr. Mark R. Olson**, 878 S. Road 10 West, Hoxie, 67740. Term expires June 30, 2014. Reappointed.

Chris Biggs  
Secretary of State

Doc. No. 038755

## State of Kansas

## Office of the Governor

## Notice of Available Grant Funding

Grant funds are available from the Federal S.T.O.P. Violence Against Women Act Grant Program for calendar year 2011. The purpose of this grant program is to fund units of state or local government; Native American Tribes; and nonprofit, community and faith-based organizations in developing strategies and enhancing victim services in cases involving violent crimes against women.

The allocation of grant funds will be made to each of the following areas: at least 25 percent for law enforcement; at least 25 percent for prosecution; at least 5 percent for courts; at least 30 percent for nonprofit, community and faith-based victim service organizations (with 10 percent to be distributed to culturally specific community-based organizations); and 15 percent for discretionary grant projects. Federal S.T.O.P. Violence Against Women Act Grant funds cannot be used to supplant state and local funds that would otherwise be available for targeting violent crimes against women.

For more information, see the Grant Application Portal Instructions link at <https://www.accesskansas.org/ssrv-ksgrants/index.do>. All grant applications must be submitted via the Governor's Grant Portal by 11:59 p.m. November 1. To quickly locate the grant in the grant portal, use "crimes against women" for the keywords in your search.

Juliene Maska  
Governor's Grants Program Administrator

Doc. No. 038749

## State of Kansas

## State Conservation Commission

## Notice of 2010 WTAP Program Enrollment

The State Conservation Commission will accept applications under the Water Right Transition Assistance Pilot Project Program (WTAP) during the fall 2010 enrollment period (October 1-November 15).

WTAP is a voluntary, incentive-based program that permanently retires privately held irrigation water rights in exchange for payment by the state of Kansas. WTAP is a pilot program passed by the 2006 Legislature and first funded in FY 2008 that is intended to help restore aquifers and recover stream flows in critically depleted target areas. The designated target areas include Rattlesnake Creek Sub-basin, Prairie Dog Creek Basin and six "High Priority Areas" of Northwest Kansas Groundwater Management District No. 4. The WTAP rules and regulations, target area maps, application forms and other details are posted on the SCC Web site at [www.scc.ks.gov](http://www.scc.ks.gov).

Approximately \$500,000 is currently available for WTAP grants received during the fall 2010 enrollment. WTAP bids cannot exceed \$2,000 per acre-foot of the calculated historic consumptive water use over the last six years of annual water use of the water right(s) proposed for acceptance. Applications to accept partial water rights also can be considered. The award of WTAP grants for

water-right retirements is based on a competitive bidding process. Applications that propose a financial contribution from a local entity may increase the priority of an application.

More information about WTAP may be obtained by contacting the program administrator electronically at [steve.frost@scc.ks.gov](mailto:steve.frost@scc.ks.gov) or by phone at (785) 296-8964.

Greg A. Foley  
Executive Director

Doc. No. 038751

## 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' Web sites 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.

**Emporia State University** — Bid postings: [www.emporia.edu/busaff/purchasing/vendor-procedures.htm](http://www.emporia.edu/busaff/purchasing/vendor-procedures.htm). Additional contact info: Phone 620-341-5145, fax 620-341-5073, e-mail [thouse@emporia.edu](mailto: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/purchasing/bids](http://www.fhsu.edu/purchasing/bids). Additional contact info: Phone 785-628-4251, fax 785-628-4046, e-mail [purchasing@fhsu.edu](mailto:purchasing@fhsu.edu). Mailing address: Fort Hays State Purchasing Office, 601 Park St., Sheridan Hall 318, Hays, KS 67601.

**Kansas State University** — Bid postings: [www.k-state.edu/purchasing/rfq](http://www.k-state.edu/purchasing/rfq). Additional contact info: Phone 785-532-6214, fax 785-532-5577, e-mail [kspurch@k-state.edu](mailto:kspurch@k-state.edu). Mailing address: Controller's Office/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

**Pittsburg State University** — Bid postings: [www.pittstate.edu/office/purchasing](http://www.pittstate.edu/office/purchasing). Additional contact info: Phone 620-235-4169, fax 620-235-4166, e-mail [jensch@pittstate.edu](mailto: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 7, Lawrence, KS 66045. Additional contact info: Phone 785-864-5971, fax 785-864-3454, e-mail [purchasing@ku.edu](mailto: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](http://www.wichita.edu/purchasing). Additional contact info: Phone 316-978-3030, fax 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Barry Swanson  
Chair of Regents Purchasing Group  
Director of Purchasing  
and Strategic Sourcing  
University of Kansas

Doc. No. 038494

(Published in the Kansas Register September 30, 2010.)

**City of Wichita, Kansas**

**Notice to Bidders**

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, October 29, for the following project:

**(KDOT Project No. 87N-0394-01/472-84296/  
205401/770627)**

**(OCA Code 706935/636239)**

**Paving**

47th Street South, Meridian to Seneca

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

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

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

Marty Strayer  
Administrative Aide  
City of Wichita—Engineering

Doc. No. 038744

**State of Kansas**

**Department of Administration  
Division of Purchases**

**Notice to Bidders**

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

- 10/12/2010 0000134 Vehicles, Law Enforcement, SUV
- 10/12/2010 0000157 Clothing, Uniform
- 10/12/2010 0000160 Retrofit Sallyport Gates
- 10/14/2010 0000161 Vehicles, Police, Charger
- 10/14/2010 0000163 Labor Only to Install Fire Alarm Equipment
- 10/18/2010 0000142 Environmental Professional Services
- 10/19/2010 0000155 Park Facility ADA Upgrades — Cedar Bluff State Park
- 10/19/2010 0000158 Star Valley Reclamation Project
- 10/20/2010 0000152 Plumbing/Pipe Fitting — On Call
- 10/20/2010 0000153 Epoxy Seamless Flooring — On Call
- 10/21/2010 0000150 General Construction — On Call
- 10/26/2010 0000120 Dairy Products
- 10/29/2010 0000162 Janitorial Services - Topeka

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

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

Additional files may be located at the following Web

site (please monitor this Web site on a regular basis for any changes/addenda):

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

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

- 10/13/2010 A-011493 Dome Roofing Repairs — Beach Hall, Fort Hays State University, Hays
- 10/14/2010 A-011359 Concrete and Masonry Repairs — Smith Hall, University of Kansas, Lawrence
- 10/19/2010 A-011454 Spencer Chilled Water Loop, University of Kansas, Lawrence
- 10/28/2010 A-011467 Retrofit Metal Roof — A Dorm, Training Bldg. and A & D Bldg., Winfield Correctional Facility, Winfield

Chris Howe  
Director of Purchases

Doc. No. 038764

(Published in the Kansas Register September 30, 2010.)

**City of Lenexa, Kansas**

**Notice to Bidders**

Sealed bids for 95th Street Multi-Use Trail will be accepted by the city of Lenexa, Kansas, at the Community Development Department, Lenexa City Hall, 12350 W. 87th St. Parkway, Lenexa, 66215, until 2 p.m. (local time) November 2, 2010, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Community Development Department Customer Service staff (main level) in sealed envelopes addressed to the City of Lenexa, Kansas, Attention: City Clerk, and marked "Bid for: 95th Street Multi-Use Trail." Copies of plans, specifications, bidding documents and other contract documents are on file at the Community Development Department (upper level), Lenexa City Hall.

Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above upon payment of \$100, which amount is non-refundable.

Plans and specifications may be downloaded free of charge from the city of Lenexa Web site (see below for document download registration page address) at <https://www.ci.lenexa.ks.us/vsnPWBids/ProjectList.aspx>.

Note: Davis Bacon wage rates apply to this project

Each bidder will be responsible for ensuring that it has received any and all addenda issued by the city in accordance with IB-10 of the instructions to bidders.

Contractors should read and be fully familiar with all contract documents including addenda before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully

*(continued)*

inform itself as to all existing conditions and limitations, and shall include in its bid a sum to cover the cost of all items of the work as specified in the contract documents.

No oral, telegraphic, telephonic proposals or alterations will be considered. Facsimile transmissions will not be accepted.

The following items must be included in the sealed envelope with the Bid:

- a. Bid form;
- b. 5 percent bid security—bid bond, cashier's check or certified check (see below); and
- c. Acknowledgment of addenda issued by city.

Each bidder shall file with its bid a bid bond, a cashier's check or a certified check drawn on an acceptable bank, made payable to city of Lenexa, Kansas, in an amount equal to 5 percent of the total bid, which shall be retained by the city of Lenexa until a contract for the project has been executed. Bid bonds will be returned to the bidders, with the exception of the best and lowest and second best and second lowest responsible bidders, within 21 days after their bids are rejected. The bid deposit of the lowest and the second lowest responsible bidders will be returned when the performance bond, maintenance bond and statutory bond, each in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been furnished and the contract documents have been executed by the successful bidder.

In the event the low bidder is unable to execute the contract, for whatever reason, within the time provided in the notice of award, the city may annul the notice of award and the bid deposit may be forfeited, and the city shall exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security or specific performance.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of city clerk, prior to the time and date for bid opening.

From and after the release of this notice, any party intending to bid on the above-referenced project, including their officers, employees, agents or contractors, are specifically prohibited from communicating with any elected or appointed official of the city, directly or indirectly, with regard to the award of the contract for the project listed above, except as specifically authorized by the instructions to bidders. Any such unauthorized communication may result in the automatic disqualification of such bidder.

All bidders agree that rejection shall create no liability on the part of the city because of such rejection, and the filing of any bid in response to this notice shall constitute an agreement of the bidder to these conditions.

A pre-bid conference will be conducted at 1 p.m. October 27 in the Community Development Conference Room (upper level), Lenexa City Hall.

David F. Bryant III, City Clerk  
City of Lenexa, Kansas

Doc. No. 038757

## State of Kansas

### Department of Transportation

#### Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 1 p.m. October 20 and then publicly opened:

#### District One — Northeast

**Douglas**—59-23 K-7888-02 — U.S. 59 from the Franklin-Douglas county line, north 7.3 miles, surfacing. (Federal Funds)

**Wyandotte**—105 C-4465-01 — 142nd Street bridge over I-70, grading, bridge and surfacing, 0.1 mile. (Federal Funds).

#### District Two — Northcentral

**Dickinson**—43-21 KA-1958-01 — K-43 in Dickinson County, seal, 19.6 miles. (State Funds)

**Dickinson**—21 KA-1962-01 — K-4 and K-218 in Dickinson County, milling and overlay, 10.1 miles. (State Funds)

**Dickinson**—4-21 KA 2124-01 — K-4 railroad crossing removal in the city of Hope. (State Funds)

**Ellsworth**—27 C-4585-01 — County Route 1002 from 1.8 miles east of the east city limits of Kanopolis to K-140, surfacing, 1.5 miles. (State Funds)

**Geary-Morris-Dickinson**—106 KA-1964-01 — K-157 in Geary County; U.S. 77 in Morris County; U.S. 56 in Dickinson County; U.S. 77 in Dickinson County and U.S. 56B in Dickinson County, seal, 25.2 miles (State Funds)

**Marion**—50-57 KA-1949-01 — U.S. 50 in Marion County, overlay, 15.3 miles. (State Funds)

**Marion-Chase**—50-106 KA-196601 — U.S. 50 in Marion County and U.S. 50 in Chase County, overlay, 14.5 miles. (State Funds)

**Marion-McPherson**—106 KA-1963-01 — K-168 and U.S. 56 in Marion County and U.S. 56 in McPherson County, milling and overlay, 35.2 miles. (State Funds)

**McPherson**—56-59 KA-1942-01 — U.S. 56 in McPherson County, overlay, 1.7 miles. (State Funds)

**McPherson**—135-59 KA-1914-01 — I-135 beginning 1 mile south of the junction of K-61 north to the Saline-McPherson county line, seal. 19.6 miles. (State Funds)

**Washington**—36-101 KA-1948-01 — U.S. 36 in Washington County, seal, 4.1 miles. (State Funds)

#### District Three — Northwest

**Decatur**—83-20 KA-1977-01 — U.S. 83 in Decatur County, milling and overlay, 8 miles. (State Funds)

**Decatur**—383-20 KA-1981-01 — K-383 in Decatur County, seal, 14.1 miles. (State Funds)

**Decatur**—83-20 M-0001-01 — U.S. 83 KDOT mix-strip, 1 mile west of the junction of U.S. 36, stockpile bituminous material. (State Funds)

**Decatur**—20 C-4359-01 — County road 8.5 miles north and 4.4 miles west of Norcatur, grading and bridge, 0.2 mile. (Federal Funds)

**Decatur-Sheridan**—106 KA-1450-01 — K-9 and K-123 in Decatur County and K-9 and K-123 in Sheridan County, milling and overlay, 19.1 miles. (State Funds)



**Gove**—23-32 M-0011-01 — K-23 in Gove County, stockpile bituminous material. (State Funds)

**Gove**—32 KA-1987-01 — K-23 in Gove County, recycle and overlay, 15 miles; K-23 in Gove County, 0.3 mile, milling and overlay. (State Funds)

**Norton**—9-69 KA-1969-01 — K-9 in Norton County, seal, 12.7 miles. (State Funds)

**Norton**—36-69 KA-1975-01 — U.S. 36 in Norton County, milling and overlay, 9.1 miles. (State Funds)

**Sheridan**—90 KA-1988-01 — U.S. 83 and K-383 in Sheridan County, milling and overlay, 12.6 miles. (State Funds)

**Thomas**—24-97 KA-1731-01 — U.S. 24 from the I-70 junction east to Colby, milling and overlay, 8.4 miles. (State Funds)

**Thomas**—70-97 KA-1837-01 — I-70 from the junction of K-25 southeast to Mingo exit (62), overlay, 8 miles. (State Funds)

**Thomas**—24-97 M-0004-01 — U.S. 24 KDOT mix-strip, 1 mile south of the junction of K-25, stockpile bituminous material. (State Funds)

#### District Four — Southeast

**Linn**—69-54 KA-1909-01 — Multiple mudjacking on U.S. 69 in Miami and Linn counties. (State Funds)

#### District Five — Southcentral

**Barber-Harper**—106 KA-2020-01 — K-2 and K-8 in Barber County and K-2 and U.S. 160 in Harper County, milling and overlay, 43.8 miles. (State Funds)

**Butler**—8 U-2285-01 — Westbound lane of 7th Street in Augusta, surfacing, 0.4 mile. (State Funds)

**Edwards**—50-24 KA-2002-01 — U.S. 50 in Edwards County, milling and overlay, 23 miles. (State Funds)

**Edwards-Pawnee**—56-106 KA-2017-01 — U.S. 56 in Edwards County and U.S. 56 in Pawnee County, milling and overlay, 24.9 miles. (State Funds)

**Kingman**—54-48 K-8244-06 — U.S. 54 from the Pratt-Kingman county line east 5.8 miles, seeding and sodding. (Federal Funds)

**Pawnee**—183-73 KA-1770-01 — U.S. 183 from the U.S. 56 north junction north to the K-156 junction, recycle and overlay, 12.3 miles. (State Funds)

**Pratt**—54-76 K-8243-05 — Permanent seeding project in Pratt County on U.S. 54, seeding and sodding, 4 miles. (Federal Funds)

**Pratt**—281-76 KA-2009-01 — U.S. 281 in Pratt County, overlay, 5 miles. (State Funds)

**Pratt-Reno**—61-106 KA-2019-01 — K-61 in Pratt County and K-61 in Reno County, seal, 35.3 miles. (State Funds)

**Rush**—96-83 KA-2008-01 — K-96 in Rush County, milling and overlay, 30.1 miles. (State Funds)

#### District Six — Southwest

**Finney**—156-28 K-9877-01 — Intersection of K-156, Mary Street and Jennie Barker Road in Garden City, grading and surfacing, 0.5 mile. (Federal Funds)

**Finney**—50-28 KA-1781-01 — U.S. 50 from the Kearney-Finney county line east 4.9 miles, milling and overlay. (State Funds)

**Gray**—23-35 U-0014-01 — K-23 in the city of Cimarron, milling and overlay, 1.1 miles. (State Funds)

**Gray-Finney**—23-106 KA-1789-01 — K-23 from the north city limits of Cimarron north to the Gray-Finney county line, milling and overlay, 12.9 miles; K-23 from the Gray-Finney county line north to the east junction of U.S. 156, milling and overlay, 4 miles. (State Funds)

**Hamilton-Stanton**—27-106 KA-2038-01 — K-27 in Hamilton County, milling and overlay, 16.9 miles; K-27 in Stanton County, milling and overlay, 12 miles. (State Funds)

**Meade**—54-60 M-0008-01 — U.S. 54 KDOT mix-strip, 1 mile west of the junction of K-23, stockpile bituminous material. (State Funds)

**Scott-Wichita**—96-106 KA-2036-01 — K-96 in Scott County, milling and overlay, 11.8 miles; K-96 in Wichita County, milling and overlay, 12.5 miles. (State Funds)

**Seward**—83-88 KA-1672-01 — U.S. 83 Liberal bypass north connector into city, grading and surfacing, 0.3 mile. (State Funds)

**Seward**—83-88 KA-2027-01 — U.S. 83 in Seward County, overlay, 7.9 miles. (State Funds)

**Stevens-Seward**—51-106 KA-2039-01 — K-51 in Stevens County, milling and overlay, 14.9 miles; K-51 in Seward County, milling and overlay, 8 miles. (State Funds)

**Wichita**—25-102 M-0007-01 — K-25 KDOT mixstrip, 2 miles south of the junction of K-96, stockpile bituminous material. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

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

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

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

Deb Miller  
Secretary of Transportation

Doc. No. 038732

(Published in the Kansas Register September 30, 2010.)

**Jefferson County, Kansas****Notice of Intent to Seek Private Placement  
General Obligation Bonds, Series 2010**

Notice is hereby given that Jefferson County, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$170,000. 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 September 20, 2010.

Linda Buttron  
County Clerk

Doc. No. 038746

**State of Kansas****Department of Administration  
Division of Facilities Management****Notice of Requested Engineering Services**

Notice is hereby given of the commencement of the selection process for engineering services for an electrical service upgrade for the Docking State Office Building, in the Capitol Complex, Topeka. This project will be divided into the following phases:

Phase 1 will be a feasibility study of upgrading the existing 13.2kV electrical distribution system with a new 480V electrical distribution system while keeping the 13.2kV system in service as the new system is being constructed with minimal scheduled power outages and prepare a probable construction cost for the project.

Phase 2 will be the engineering design of the project based on the approved feasibility study.

For more information, contact George Werth at (785) 296-0159.

To be considered, one (1) .pdf proposal of the following should be provided: State of Kansas Professional Qualifications forms (051-054 inclusive) and information regarding similar projects. State of Kansas Professional Qualifications form(s) (050) for each firm and consultant should be provided at the end. Proposals shall be less than 5 MB and follow the current State Building Advisory Commission guidelines in Chapter 4 of the Building Design and Construction Manual at [www.da.ks.gov/fp/manual.htm](http://www.da.ks.gov/fp/manual.htm). Planning forms and the SBAC schedule are available to firms at [www.da.ks.gov/fp/](http://www.da.ks.gov/fp/). Any questions regarding the guidelines should be directed to [phylis.fast@da.ks.gov](mailto:phylis.fast@da.ks.gov). Submittals shall be delivered to [phylis.fast@da.ks.gov](mailto:phylis.fast@da.ks.gov) before noon October 15. All nominated firms, and the selected firm(s), will be identified on the DFM webpage whenever the contract with the selected firm is signed by all parties.

Marilyn L. Jacobson, Director  
Division of Facilities Management

Doc. No. 038762

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

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

Clay Center Municipal Power Plant, 427 Court St., P.O. Box 117, Clay Center, 67432, owns and operates a municipal power plant located at 4th and Clay St., Clay Center.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Jessica Webb, (785) 296-1578, at the KDHE central office; and to review the proposed permit only, contact Stan Marshall, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Jessica Webb, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business November 1.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air, not later than the close of business November 1 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or

unless the grounds for such objection arose after such period. Contact Patricia Scott, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 038750

## State of Kansas

### Department of Health and Environment

#### Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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

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

#### Public Notice No. KS-AG-10-163/165 Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Triple Smith Farms, LLC Steven K. Smith 13011 S.W. 72nd Halstead, KS 67056	NW/4 of Section 22, T24S, R02W, Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-S039

This permit is being reissued for an existing facility for 360 head (144 animal units) of swine weighing more than 55 pounds, 100 head (10 animal units) of swine weighing 55 pounds or less and 40 head (40 animal units) of cattle weighing more than 700 pounds, for a total permitted capacity of 500 head (194 animal units). There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Sandhill Ranch Eldon Alexander 13990 S. Sandhill Garden City, KS 67846	NW/4 of Section 33, T26S, R33W, Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-B004

This permit is being reissued for an existing facility for 999 head (999 animal units) of cattle weighing more than 700 pounds. This represents an increase in the permitted capacity from the previous per-

mitted capacity of 990 animal units of cattle weighing more than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Thielenhaus Brothers, Inc. Lukes J. Thielenhaus 3190 Ave. 6 Bison, KS 67520	NE/4 of Section 03, T17S, R17W, Rush County	Smoky Hill River Basin

Kansas Permit No. A-SHRH-B007

This permit is being reissued for an existing facility with a maximum capacity of 300 head (150 animal units) of beef cattle 700 pounds or less. There is no change in the permitted animal units from the previous permit.

#### Notice of Intent to Terminate

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

Project Name	Project City	Permit No.
Cedar Glen	Manhattan	S-KS38-0067

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 30 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-10-163/165) and name of the applicant/permittee when preparing comments.

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

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

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 038756

## State of Kansas

Department of Health  
and EnvironmentNotice of Hearing on Proposed  
Administrative Regulations

The Kansas Department of Health and Environment, Bureau of Waste Management (BWM), will conduct a public hearing at 1:30 p.m. Tuesday, December 7, in the Crumline Room on the fifth floor of the Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the proposed revocation of K.A.R. 28-31-1, 28-31-2, 28-31-3, 28-31-5, 28-31-7, 28-31-8, 28-31-8b, 28-31-9, 28-31-14, 28-31-15 and 28-31-16; proposed amendments to K.A.R. 28-31-4, 28-31-6, 28-31-10, 28-31-12 and 28-31-13; and the adoption of proposed new regulations K.A.R. 28-31-100, 28-31-100a, 28-31-100d, 28-31-100e, 28-31-100f, 28-31-100p, 28-31-100q, 28-31-100r, 28-31-100s, 28-31-124, 28-31-124a, 28-31-124b, 28-31-124c, 28-31-124d, 28-31-124e, 28-31-260, 28-31-260a, 28-31-261, 28-31-261a, 28-31-262, 28-31-262a, 28-31-263, 28-31-263a, 28-31-264, 28-31-264a, 28-31-265, 28-31-265a, 28-31-266, 28-31-267, 28-31-267a, 28-31-268, 28-31-270, 28-31-270a, 28-31-273, 28-31-279 and 28-31-279a, all related to hazardous waste. A summary of the proposed regulations and the estimated economic impact follows.

**Summary of the Regulations:**

The proposed revocations, amendments and adoptions are primarily needed to maintain federal authorization for KDHE to administer the hazardous waste management program. The regulations have been reorganized to avoid redundancy and make it easier for the regulated community to find and compare federal and state requirements.

**K.A.R. 28-31-1, 28-31-2, 28-31-3, 28-31-5, 28-31-7, 28-31-8, 28-31-8b, 28-31-9, 28-31-14, 28-31-15 and 28-31-16. Revoked.** In general, provisions contained in revoked regulations are moved to proposed new regulations.

**K.A.R. 28-31-4. EPA identification numbers; notification requirement for hazardous waste, universal waste, and used oil activities.** Most requirements are deleted from this regulation and moved to proposed new regulations. The amended regulation imposes 60-day deadlines for obtaining an EPA ID number if a generator is newly regulated due to a change in law or regulation and for updating information related to EPA ID numbers.

**K.A.R. 28-31-6. Registration and insurance requirements for transporters of hazardous waste and used oil.** Most requirements are deleted from this regulation and moved to proposed new regulations. The amended regulation imposes a 60-day deadline for updating information related to the transporter's registration.

**K.A.R. 28-31-10. Hazardous waste monitoring fees.** The fee structure is revised to conform to the new generator categories. There is no change in fees; each facility, transporter, and generator will pay the same fees that they paid under the old regulation.

**K.A.R. 28-31-12. Inspections.** Amendments clarify that the department has the authority to test and analyze waste-like materials.

**K.A.R. 28-31-13. Variances.** Amendments clarify that Kansas may only grant a variance to requirements that

are broader in scope or more stringent than the Federal requirements. Redundant language concerning emergency variances is deleted.

**K.A.R. 28-31-100 through 28-31-100s. Substitution of state terms for federal terms.** These proposed new regulations contain the provisions for substituting state terms for federal terms in the regulations that are adopted by reference.

**Adoptions by Reference:**

The following proposed new regulations adopt federal regulations by reference: K.A.R. 28-31-124, -260, -261, -262, -263, -264, -265, -266, -267, -268, -270, -273 and -279. The proposed adoptions contain detailed exclusions and modifications and change the adoption date from July 1, 2000 to July 1, 2006.

**K.A.R. 28-31-124. Procedures for permitting; adoption and modification of federal regulations.** This proposed new regulation adopts the provisions of 40 CFR 124.11 through 124.17 and Part 124 Subparts B and G that apply to the hazardous waste program. Subpart G, concerning standardized permits, was added after the date of the last Kansas adoption of the federal regulations. This regulation imposes no new requirements.

**K.A.R. 28-31-124a through 28-31-124e.** The following proposed new regulations contain the provisions of 40 CFR 124 Subpart A that apply to the Kansas hazardous waste program but are not adopted by reference in addition to provisions from regulations that are proposed for revocation. These regulations impose no new requirements.

- **K.A.R. 28-31-124a. Procedures for permitting; application for a permit.**
- **K.A.R. 28-31-124b. Procedures for permitting; modification, revocation and reissuance, or termination of permits.**
- **K.A.R. 28-31-124c. Procedures for permitting; draft permits.**
- **K.A.R. 28-31-124d. Procedures for permitting; fact sheet.**
- **K.A.R. 28-31-124e. Procedures for permitting; public notice of permit actions and public comment period.**

**K.A.R. 28-31-260. General provisions and definitions; adoption and modification of federal regulations.** This proposed new regulation adopts 40 CFR Part 260 by reference and imposes no new requirements. The federal definition of "small quantity generator" (SQG) is replaced with a more detailed definition that corresponds to the federal SQG definition. This new definition is part of the restructuring of the generator classes discussed under K.A.R. 28-31-260a.

**K.A.R. 28-31-260a. General provisions and definitions; additional state definitions.** This proposed new regulation contains definitions specific to the Kansas hazardous waste program.

The current Kansas regulations address three classes of generators: small quantity generators, Kansas generators, and EPA generators. Due to stringency and consistency issues concerning how Kansas generators have been regulated, the proposed generator regulations are structured around four classes of generators. This regulation adds the following new definitions: "conditionally exempt

small quantity generator" (CESQG); "Kansas small quantity generator" (KSQG); and "large quantity generator" (LQG). These definitions, together with the modified definition of "small quantity generator" (SQG) adopted by K.A.R. 28-31-260a, define the new structure of the hazardous waste generator classes.

The term "conditionally-exempt small quantity generator" replaces the term "small quantity generator." The "Kansas generator" category is divided into two new categories: "Kansas small quantity generator" and "small quantity generator." The term "large quantity generator" replaces the term "EPA generator." The change in names for the generator groups will make it easier for the regulated community to understand the relationship between the federal and Kansas generator groups.

The regulation also adds the definitions "Kansas hazardous waste facility permit," "Kansas hazardous waste program," "Kansas licensed geologist," "Kansas professional engineer," and definitions that address the difference in effective dates for HSWA provisions (authorized by the Hazardous and Solid Waste Amendments) and non-HSWA provisions.

**K.A.R. 28-31-261. Identification and listing of hazardous waste; adoption and modification of federal regulations.** This proposed new regulation adopts 40 CFR Part 261 by reference. Where possible, provisions concerning generation and accumulation limits have been modified to ease the regulatory burden; where necessary, provisions have been strengthened to ensure the KDHE regulations are as stringent as the federal regulations and to simplify compliance with the regulations.

**K.A.R. 28-31-261a. Identification and listing of hazardous waste; additional state requirements.** This proposed new regulation defines "commercial chemical product."

**K.A.R. 28-31-262. Generators of hazardous waste; adoption and modification of federal regulations.** This proposed new regulation adopts 40 CFR Part 262 by reference. Changes address EPA's concerns about less stringent provisions and remove provisions that were either redundant or in conflict with the federal regulations. Changes in quantity determinations could reduce costs for some generators. Exception reporting for KSQGs and SQGs and the Biennial Report require less paperwork. Closure requirements for KSQGs and tank inspection requirements for SQGs are reduced. The SQG accumulation time limit is 180 days (or 270 days in certain cases) and the quantity limit is 6,000 kg. If an SQG exceeds the accumulation amount or time, the facility must obtain a permit.

**K.A.R. 28-31-262a. Generators of hazardous waste; additional state requirements.** This proposed new regulation contains requirements for hazardous waste generators beyond those addressed in 40 CFR 262. Changes reflect more clearly how reporting requirements are implemented. Specific language regarding CESQG disposal options provides more information to the regulated community and makes the regulation easier to comply with.

SQGs and KSQGs have new requirements concerning when hazardous waste training must be provided to employees and how the records of the training must be kept. This training will take about two hours each year per em-

ployee and is estimated to cost the regulated community approximately \$280,000/yr.

Reduced manifesting requirements for KSQGs, decreased inspection frequencies for KSQGs and CESQGs, and reduced requirements for KSQGs that exceed the 1000 kg accumulation limit will retain standards that are at least as stringent as federal requirements while providing the regulated community an estimated \$880,000/yr in savings.

**K.A.R. 28-31-263. Transporters of hazardous waste; adoption and modification of federal regulations.** This proposed new regulation adopts 40 CFR Part 263 by reference. It results in no substantive changes to the requirements for transporters.

**K.A.R. 28-31-263a. Transporters of hazardous waste; additional state requirements.** This proposed new regulation contains requirements for hazardous waste transporters beyond those addressed in 40 CFR 263. The revised applicability retains standards that meet the statutory requirements of K.S.A. 65-3431(o) while providing the regulated community an opportunity for reducing operating costs.

**K.A.R. 28-31-264. Hazardous waste treatment storage and disposal facilities; adoption and modification of federal regulations.** This proposed new regulation adopts 40 CFR Part 264 by reference. The proposed modification requires facilities to continue to adjust post-closure care cost estimates for inflation during the post-closure period, ensuring that enough money is available to monitor, maintain and remediate hazardous waste sites. This change will apply to 10 hazardous waste facilities in Kansas. The estimated fiscal impact of approximately \$5,000 per year for the regulated community as a whole is not evenly distributed and will vary according to each company's cost estimates and inflation. This amount would increase each year with continued inflation. Since four of the 10 facilities are already voluntarily adjusting for inflation, the actual increase in cost would be even less than the estimate.

**K.A.R. 28-31-264a. Hazardous waste treatment storage and disposal facilities; additional state requirements.** Standards in this proposed new regulation ensure that each financial institution providing financial assurance meets industry standards for a facility doing business in Kansas. The financial institution that provides a purchased financial instrument must not have any ownership of or any controlling interest in the hazardous waste facility. Insurance companies may not be a captive insurance company. The new financial assurance requirements will not have any impact on the financial assurance instruments that hazardous waste facilities currently have on file with KDHE.

**K.A.R. 28-31-265. Interim status hazardous waste treatment storage and disposal facilities; adoption and modification of federal regulations.** This proposed new regulation adopts 40 CFR Part 265 by reference. Facilities are required to adjust postclosure care cost estimates for inflation during the post-closure period. There are no economic impacts beyond those discussed under 28-31-264.

**K.A.R. 28-31-265a. Interim status hazardous waste treatment storage and disposal facilities; additional**

*(continued)*

**state requirements.** This proposed new regulation states that interim status facilities are subject to the proposed requirements of K.A.R. 28-31-264a. There is no economic impact beyond that discussed under 28-31-264a.

**K.A.R. 28-31-266. Specific hazardous wastes and specific types of hazardous waste management facilities; adoption and modification of federal regulations.** This proposed new regulation adopts 40 CFR 266 by reference. It imposes no new requirements and will not have any economic impact.

**K.A.R. 28-31-267. Hazardous waste facilities operating under a standardized permit; adoption and modification of federal regulations.** This proposed new regulation adopts 40 CFR Part 267, which did not exist at the time the federal regulations were last adopted by reference in Kansas. A standardized permit is a special kind of permit that will be available to certain facilities that manage hazardous waste in tanks, containers and containment buildings. Adding standardized permits to the Kansas program should help to streamline the permitting process for these facilities, reducing costs both to facilities seeking a permit and to KDHE in developing these permits.

**K.A.R. 28-31-267a. Hazardous waste facilities operating under a standardized permit; additional state requirements.** This proposed new regulation states that facilities that operate under a standardized permit are subject to the proposed requirements of K.A.R. 28-31-264a. There will be no economic impact beyond that discussed under 28-31-264a.

**K.A.R. 28-31-268. Land disposal restrictions; adoption and modification of federal regulations.** This proposed new regulation adopts 40 CFR 268 by reference. It imposes no new requirements and will not have any economic impact.

**K.A.R. 28-31-270. Hazardous waste permits; adoption and modification of federal regulations.** This proposed new regulation adopts 40 CFR 270 by reference. It adopts Subpart H which addresses Remedial Action Plans (RAPs), a form of permit that accommodates the special needs of facilities that must treat, store or dispose of remediation waste. The availability of RAPs should reduce the compliance costs for these facilities as well as reduce permit approval costs for KDHE.

**K.A.R. 28-31-270a. Hazardous waste permits; petition to be granted an exception to the prohibition against underground burial of hazardous waste.** This proposed new regulation contains the provisions that had been in K.A.R. 28-31-5, which is proposed to be revoked. Any exception from the prohibition against underground burial of hazardous waste must be obtained prior to applying for a permit. This regulation imposes no new requirements.

**K.A.R. 28-31-273. Universal waste; adoption and modification of federal regulations.** This proposed new regulation adopts 40 CFR 273 by reference, adding mercury-containing equipment (MCE) as a new universal waste. In general, the universal waste handling requirements are less burdensome than those for hazardous waste. The addition of MCE to Kansas' universal waste program will facilitate MCE collection and will likely reduce the amount of mercury going to landfills and incinerators.

**K.A.R. 28-31-279. Used oil; adoption and modification of federal regulations.** This proposed new regulation adopts 40 CFR 279 by reference. Spill response requirements are modified to require cleanup regardless of when the spill occurred, removing language that contradicts state statutes.

**K.A.R. 28-31-279a. Used oil; additional state prohibitions and requirements.** This proposed new regulation contains Kansas' additional used oil prohibitions. The regulation no longer requires sellers of use oil to display a sign concerning used oil collection and recycling. This proposed new regulation imposes no new requirements.

#### **Economic Impact:**

Changes to the regulations will impose increased costs to the regulated community of approximately \$285,000 per year, which are more than offset by savings of at least \$880,000 per year. Therefore, these regulations will result in a net savings to the regulated community of \$595,000 per year or more. The proposed regulations are not anticipated to result in any additional costs to KDHE or other state agencies.

The time period between the publication of this notice and December 17 serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to 5 p.m. December 17 to Christine Mennicke, Kansas Department of Health and Environment, Bureau of Waste Management, 1000 S.W. Jackson, Suite 320, Topeka, 66612, by fax to (785) 296-8909, or by e-mail to [cmennicke@kdheks.gov](mailto:cmennicke@kdheks.gov). All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulatory action during the hearing on December 7. In order to give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

Copies of the proposed regulations and the corresponding regulatory impact statement may be obtained on the BWM Web site at [www.kdheks.gov/waste/](http://www.kdheks.gov/waste/) or by contacting Christine Mennicke at (785) 296-0724 or [cmennicke@kdheks.gov](mailto:cmennicke@kdheks.gov). Questions pertaining to the proposed regulation should be directed to Christine Mennicke.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and the corresponding regulatory statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Christine Mennicke.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 038745

## State of Kansas

## Juvenile Justice Authority

Permanent Administrative  
Regulations

## Article 2.—FACILITIES MANAGEMENT

**123-2-111. Trafficking in contraband.** (a) No person shall engage in any of the following without the prior consent of the superintendent:

(1) Introducing or attempting to introduce any item into or upon the grounds of a juvenile correctional facility or institution;

(2) taking, sending, or attempting to take or send any item from any juvenile correctional facility or institution;

(3) possessing any item while in any juvenile correctional facility or institution; or

(4) distributing any item within a juvenile correctional facility or institution.

(b) The phrase "any item," as used in subsection (a), shall include the following:

(1) Guns, firearms of any type, and the components, diagrams, and plans thereof, except as authorized by K.S.A. 75-7c10(b)(1) and amendments thereto;

(2) ammunition, explosives, and the diagrams, formulas, and plans thereof;

(3) knives, tools, and materials including sandpaper, whetstones, and any similar items used to make knives and tools;

(4) hazardous or poisonous chemicals, flammable liquids and gases, and formulas thereof;

(5) escape paraphernalia, including ropes, grappling hooks, hacksaw blades, jeweler's wire, bar spreaders, maps, lock picks, handcuff keys, wire cutters, and any similar devices that could be used in an escape;

(6) identification documents and individual photographs of the juvenile offender of the style suitable for the production of identification documents;

(7) documents, plans, diagrams, and schematics that refer to electrical systems, escape alarms, overhead lighting, facility power supply, gate operations, body alarms, radio communications, and any similar systems;

(8) narcotics and any other controlled substances, including any synthetic narcotic, drug, stimulant, sleeping pill, barbiturate, and medicine, prescription or nonprescription, that was not dispensed or approved by the facility health authority. Medicines dispensed or approved by the health authority shall be considered contraband if not consumed or utilized in the manner prescribed;

(9) intoxicants, including liquor and alcoholic beverages;

(10) currency, in the form of paper, checks, money orders, coins, stamps, and any similar instruments with monetary value;

(11) hypodermic needles, hypodermic syringes, nasal inhalers, any other similar devices, and any component that could be used to inject or spray substances into the body;

(12) food items;

(13) cameras, recording devices, one-way or two-way transmitting devices, and any similar devices and com-

ponents thereof, including tapes, batteries, memory cards, and film;

(14) letters, notes, books, and any other forms of written communication;

(15) portable electronic devices used, in any combination, for storing music, video, or data or for mobile telecommunications, telephone calls, text messaging, or data transmission over a cellular network and their accessories, and any similar devices and the components of these devices;

(16) tobacco, including cigars, cigarillos, cigarettes, smokeless or electronic cigarettes, chewing tobacco, snuff, and any other tobacco products; and

(17) matches and any other portable devices used to create a flame. (Authorized by and implementing K.S.A. 2009 Supp. 21-3826, as amended by L. 2010, ch. 147, sec. 4, K.S.A. 2009 Supp. 75-7024, and K.S.A. 2009 Supp. 76-3203; effective, T-123-7-1-10, July 1, 2010; effective Oct. 15, 2010.)

J. Russell Jennings  
Commissioner

Doc. No. 038748

## State of Kansas

## Board of Regents

Permanent Administrative  
RegulationsArticle 24.—GENERAL EDUCATION  
DEVELOPMENT (GED) TEST

**88-24-1. Eligibility to take GED test.** (a) Each applicant to take the general education development (GED) test shall meet the following requirements:

(1) Be neither currently enrolled at nor graduated from an accredited public, private, denominational, or parochial high school in the United States or Canada; and

(2) be 16 years of age or older.

(b) In addition to meeting the requirements specified in subsection (a), each applicant who is 16 or 17 years old shall meet the following requirements:

(1) Provide one of the following:

(A) Written permission from a parent or legal guardian; or

(B) written proof of legal emancipation; and

(2) provide proof of meeting one of the following requirements:

(A) Have participated in a final counseling session conducted by the school district where the applicant currently resides and signed a disclaimer pursuant to K.S.A. 72-1111(b)(2), and amendments thereto;

(B) have disenrolled from an alternative education program approved by a Kansas unified school district;

(C) have graduated or disenrolled from a program of instruction approved by the state board of education pursuant to K.S.A. 72-1111(g), and amendments thereto; or

(D) be exempt from compulsory attendance pursuant to a court order. (Authorized by and implementing K.S.A. 2009 Supp. 72-4530; effective Oct. 18, 2002; amended July 27, 2007; amended Oct. 15, 2010.)

Andy Tompkins  
President and CEO

Doc. No. 038747

## State of Kansas

## Department of Transportation

Permanent Administrative  
RegulationsArticle 39.—RAIL SERVICE ASSISTANCE  
PROGRAM

**36-39-2. Definitions.** As used in this article, the following terms shall have the meanings specified in this regulation.

(a) "Applicant" means any qualified entity that submits an application to the secretary for a loan guarantee, a loan, or a grant.

(b) "Board" means the surface transportation board.

(c) "Equipment" means any type of new or rebuilt standard gauge locomotive or general service railroad freight car. General service railroad freight cars may include a boxcar, gondola, open-top or covered hopper car, and flatcar.

(d) "Facilities" means the following:

(1) The track, roadbed, and related structures, including rail, ties, ballast, other track materials, grading, tunnels, bridges, trestles, culverts, repair shops, connecting tracks, and public improvements used or usable for rail service operations;

(2) signals and interlockers; and

(3) terminal or yard facilities, including trailer-on-flatcar and container-on-flatcar terminals, railroad terminal and switching facilities, and service to express companies and railroads and their shippers.

(e) "F.R.A." means federal railroad administration of the United States department of transportation.

(f) "Governmental unit" means any town, city, district, county, commission, agency, authority, board, or other instrumentality of the state or of any of its political subdivisions, including any combination thereof, or a port authority established in accordance with Kansas law.

(g) "Lender" means the obligee, holder, or creditor under an obligation, except that when a bank or trust company is acting as agent or trustee for such an obligee, holder, or creditor, pursuant to an agreement to which the obligor is a part, the term shall refer to the bank or trust company.

(h) "Loan guarantee" means a guarantee by the state of Kansas to pay off the remaining principal of a specific loan under the terms of K.A.R. 36-39-3.

(i) "Obligation" means a loan, note, conditional sale agreement, security agreement, or other obligation issued or granted to finance or refinance facilities or equipment acquisition, construction, rehabilitation, or improvement.

(j) "Obligor" means the debtor under an obligation, including the original debtor and any successor or assignee of the debtor who is approved by the secretary.

(k) "Qualified entity" means any of the following:

(1) Any class II railroad or class III railroad, as defined in 49 C.F.R. 1201.1-1(a), holding a certificate of public convenience from the surface transportation board. 49 C.F.R. 1201.1-1(a), as in effect on August 5, 2010, is hereby adopted by reference;

(2) any class I railroad, as defined in 49 C.F.R. 1201.1-1(a), which is adopted by reference in paragraph (k)(1),

that holds a certificate of public convenience from the surface transportation board and is engaged in the construction and maintenance of railroads, facilities and equipment in Kansas in conjunction with the development of an intermodal facility, as defined in K.S.A. 75-5082 and amendments thereto; or

(3) any governmental unit or Kansas shipper in coordination with a railroad that seeks to facilitate the financing, acquisition, or rehabilitation of railroads, facilities, equipment, and rolling stock in the state of Kansas.

(l) "Secretary" means the secretary of the Kansas department of transportation or the secretary's designee. (Authorized by K.S.A. 2009 Supp. 75-5046 and K.S.A. 75-5050; implementing K.S.A. 2009 Supp. 75-5046, K.S.A. 75-5047, K.S.A. 2009 Supp. 75-5048, as amended by L. 2010, ch. 156, sec. 30, and K.S.A. 2009 Supp. 75-5049; effective Aug. 30, 1993; amended July 11, 1997; amended, T-36-6-29-10, June 29, 2010; amended Oct. 15, 2010.)

**36-39-4. Forms.** Each applicant for a loan guarantee shall file an application on the forms provided by the Kansas department of transportation labeled and assembled using the following format:

(a) Application summary;

(b) exhibit "A," description of applicant;

(c) exhibit "B," description of project;

(d) exhibit "C," description of the ratio of benefit to cost;

(e) exhibit "D," pro forma cash flow statement;

(f) exhibit "E," rehabilitation, repair, and construction cost estimate;

(g) exhibit "F," historic and current financial statements; and

(h) exhibit "G," identification of officers and directors. (Authorized by and implementing K.S.A. 2009 Supp. 75-5046; effective Aug. 30, 1993; amended, T-36-6-29-10, June 29, 2010; amended Oct. 15, 2010.)

**36-39-6. Rail service financial assistance; loans and grants.** (a) Compliance with the criteria in K.A.R. 36-39-1(a) shall increase the priority standing of an application for a loan or grant to be used to facilitate the financing, acquisition, or rehabilitation of railroads, facilities, equipment, and rolling stock in the state of Kansas.

(b) Monies to be loaned or granted shall originate from the rail service improvement fund.

(c) All funds loaned shall be repaid to the department of transportation within 10 years or less of the notice of acceptance of the project. The repayment shall include an interest rate established in the loan agreement between the secretary and applicant.

(d) Each application shall be submitted in the form prescribed by the Kansas department of transportation. (Authorized by K.S.A. 75-5050; implementing K.S.A. 2009 Supp. 75-5048, as amended by L. 2010, ch. 156, sec. 30, and K.S.A. 2009 Supp. 75-5049; effective Aug. 30, 1993; amended July 11, 1997; amended, T-36-6-29-10, June 29, 2010; amended Oct. 15, 2010.)

Deb Miller  
Secretary of Transportation

Doc. No. 038752



## State of Kansas

**Board of Pharmacy**  
**Permanent Administrative**  
**Regulations****Article 21.—PRESCRIPTION MONITORING PROGRAM**

**68-21-1. Definitions.** As used in these regulations, the following terms shall have the meanings specified in this regulation:

(a) "Authentication" means the provision of information, an electronic device, or a certificate by the board or its designee to a dispenser or prescriber that allows the dispenser or prescriber to electronically access prescription monitoring information. The authentication may include the provision of a user name, a password, or an electronic identification device or certificate.

(b) "Board" means the state board of pharmacy.

(c) "Dispenser identification number" means the drug enforcement administration (DEA) number if available or, if not available, the national provider identifier (NPI).

(d) "Drug enforcement administration number" means a unique registration number issued to an authorized prescriber of controlled substances by the drug enforcement administration, United States department of justice.

(e) "National provider identifier" and "NPI" mean a unique 10-digit number issued by the national provider identifier registry and used to identify each health care provider whose services are authorized by medicaid or medicare.

(f) "Patient identification number" means a unique number that a dispenser uses to identify a particular person.

(g) "Prescriber identification number" means the DEA number if available or, if not available, the NPI.

(h) "Program" means the Kansas prescription monitoring program.

(i) "Report" means a compilation of data concerning a dispenser, patient, drug of concern, or schedule II through IV drugs.

(j) "Stakeholder" means a person, group, or organization that could be affected by the program's actions, objectives, and policies.

(k) "Valid photographic identification" means any of the following:

(1) An unexpired permanent or temporary driver's license or instruction permit issued by any U.S. state or Canadian province;

(2) an unexpired state identification card issued by any U.S. state or Canadian province;

(3) an unexpired official passport issued by any nation;

(4) an unexpired United States armed forces identification card issued to any active duty, reserve, or retired member and the member's dependents;

(5) an unexpired merchant marine identification card issued by the United States coast guard;

(6) an unexpired state liquor control identification card issued by the liquor control authority of any U.S. state or Canadian province; or

(7) an unexpired enrollment card issued by the governing authority of a federally recognized Indian tribe lo-

cated in Kansas, if the enrollment card incorporates security features comparable to those used by the Kansas department of revenue for drivers' licenses. (Authorized by and implementing K.S.A. 2009 Supp. 65-1692; effective Oct. 15, 2010.)

**68-21-2. Electronic reports.** (a) Each dispenser shall file a report with the board for schedule II through IV drugs and any drugs of concern dispensed in this state or to an address in this state. On and after January 1, 2013, this report shall be submitted within 24 hours of the time that the substance is dispensed, unless the board grants an extension as specified in subsection (d). During the implementation period following the effective date of this regulation and before January 1, 2013, each dispenser shall submit the report within seven days of dispensing the substance.

(b) In addition to the requirements of K.S.A. 65-1683 and amendments thereto, each dispenser shall submit the prescriber's name, the patient's telephone number, and the number of refills for the dispensed drug on the report to the board. As an alternative to reporting the dispenser identification number, any dispenser may report the pharmacy DEA number.

(c) Except as specified in K.A.R. 68-21-3, the report shall be submitted by secure file transfer protocol in the electronic format established by the American society for automation in pharmacy, dated no earlier than 2007, version 4, release 1.

(d) An extension may be granted by the board to a dispenser for the submission of a report if both of the following conditions are met:

(1)(A) The dispenser suffers a mechanical or electronic failure; or

(B) the dispenser cannot meet the deadline established by subsection (a) because of circumstances beyond the dispenser's control.

(2) The dispenser files a written application for extension on a form provided by the board within 24 hours of discovery of the circumstances necessitating the extension request or on the next day the board's administrative office is open for business.

(e) An extension for the filing of a report shall be granted to a dispenser if the board is unable to receive electronic reports submitted by the dispenser. (Authorized by K.S.A. 2009 Supp. 65-1683 and 65-1692; implementing K.S.A. 2009 Supp. 65-1683; effective Oct. 15, 2010.)

**68-21-3. Waivers for electronic reports.** (a) A waiver may be granted by the board to a dispenser who does not have an automated recordkeeping system capable of producing an electronic report as specified in K.A.R. 68-21-2(c) if the following conditions are met:

(1) The dispenser files a written application for a waiver on a form provided by the board.

(2) The dispenser agrees in writing to immediately begin filing a paper report on a form provided by the board for each drug of concern and each schedule II through IV drug dispensed in this state or dispensed to an address in this state.

(continued)

(b) A waiver may be granted by the board to a dispenser who has an automated recordkeeping system capable of producing an electronic report as specified in K.A.R. 68-21-2(c) if both of the following conditions are met:

(1) The dispenser files a written application for a waiver on a form provided by the board.

(2)(A) A substantial hardship is created by natural disaster or other emergency beyond the dispenser's control; or

(B) the dispenser is dispensing in a controlled research project approved by a regionally accredited institution of higher education.

(c) If a medical care facility dispenses an interim supply of a drug of concern or a schedule II through IV drug to an outpatient on an emergency basis when a prescription cannot be filled as authorized by K.A.R. 68-7-11, that facility shall be exempt from the reporting requirements. The interim quantity shall not exceed a 48-hour supply and, as described in K.A.R. 68-7-11(d)(2)(B), shall be limited to an amount sufficient to supply the outpatient's needs until a prescription can be filled. (Authorized by K.S.A. 2009 Supp. 65-1692; implementing K.S.A. 2009 Supp. 65-1683; effective Oct. 15, 2010.)

**68-21-4. Notice of requests for information.** Each dispenser who may access information maintained by the board on each drug of concern and schedule II through IV drug dispensed to one of the dispenser's patients for the purpose of providing medical or pharmaceutical care shall notify the patient of this access to prescription monitoring information by performing either of the following:

(a) Posting an easily viewable sign at the place where prescription orders are issued or accepted for dispensing; or

(b) providing written material about the dispenser's access to prescription monitoring information. (Authorized by K.S.A. 2009 Supp. 65-1692; implementing K.S.A. 2009 Supp. 65-1685; effective Oct. 15, 2010.)

**68-21-5. Access to information.** All requests for, uses of, and disclosures of prescription monitoring information by authorized persons shall meet the requirements of K.S.A. 65-1685, and amendments thereto, and this article.

(a) By patients or patient's personal representative.

(1) Any patient or that patient's personal representative may obtain a report listing all program information that pertains to the patient, in accordance with this regulation and K.S.A. 65-1685 and amendments thereto.

(2) Each patient or the patient's personal representative seeking access to the information described in paragraph (a)(1) shall submit a written request for information in person to the board. The written request shall be in a format established by the board and shall include the following elements:

(A) The patient's name and, if applicable, the full name of the patient's personal representative;

(B) the patient's residential address and, if applicable, the complete residential address of the patient's personal representative;

(C) the patient's telephone number, if any, and, if applicable, the telephone number of the personal representative; and

(D) the time period for which information is being requested.

(3) The patient or the patient's personal representative shall produce two forms of valid photographic identification before obtaining access to the patient's information obtained by the program. The patient or the patient's personal representative shall allow photocopying of the identification.

(4) Before access to the patient's information obtained by the program is given, one of the following shall be produced if the requester is not the patient:

(A) For a personal representative, an official attested copy of the judicial order granting authority to gain access to the health care records of the patient;

(B) for a parent of a minor child, a certified copy of the birth certificate of the minor child or other official documents establishing legal guardianship; or

(C) for a person holding power of attorney, the original document establishing the power of attorney.

(5) The patient's personal representative shall allow the photocopying of the documents described in this subsection.

(6) The patient authorization may be verified by the board by any reasonable means before providing the information to the personal representative.

(b) By dispensers.

(1) Any dispenser may obtain any program information relating to a patient of the dispenser for the purpose of providing pharmaceutical care to that patient, in accordance with this regulation and K.S.A. 65-1685 and amendments thereto. The information shall be provided in a format established by the board, which may include delivery by electronic means, facsimile transmission, or telephone.

(2) Each dispenser who seeks access to the information described in paragraph (b)(1) shall submit a written request to the board by mail, hand delivery, or electronic means in a manner established by the board, using authentication. If the authentication is lost or missing or the security of the authentication is compromised, the dispenser shall cause the board to be notified by telephone and in writing as soon as reasonably possible. Information regarding more than one patient may be submitted in a single request.

Each request shall be submitted in a format established by the board and shall include the following elements for each patient:

(A) The patient's name and birth date;

(B) if known to the dispenser, the patient's address and telephone number;

(C) the time period for which information is being requested;

(D) the dispenser's name;

(E) if applicable, the name and address of the dispenser's pharmacy;

(F) the dispenser identification number; and

(G) the dispenser's signature.

(3) The authentication and identity of the dispenser shall be verified by the board before allowing access to any prescription monitoring information.

(c) By prescribers.

(1) Any prescriber or health care practitioner authorized by a prescriber may obtain any program information relating to a patient under the prescriber's care, in accordance with this regulation and K.S.A. 65-1685 and amendments thereto. The information shall be provided in a format established by the board, which may include delivery by electronic means, facsimile, or telephone.

(2) Each prescriber or health care practitioner authorized by a prescriber who seeks access to program information shall submit a written request to the board by mail, hand delivery, or electronic means in a manner established by the board, using authentication. If the authentication is lost or missing or the security of the authentication is compromised, the prescriber shall cause the board to be notified by telephone and in writing as soon as reasonably possible. Information regarding more than one patient may be submitted in a single request.

Each request shall be submitted in a format established by the board and shall include the following elements for each patient:

- (A) The patient's name and birth date;
- (B) if known to the prescriber, the patient's address and telephone number;
- (C) the time period for which information is being requested;
- (D) the prescriber's name;
- (E) the name and address of the prescriber's medical practice;
- (F) the prescriber identification number; and
- (G) the prescriber's signature.

(3) The authentication and identity of the dispenser shall be verified before allowing access to any program information.

(d) By director or board investigator of a health professional licensing, certification, or regulatory agency or entity.

(1) Any director or board investigator of a health professional licensing, certification, or regulatory agency or entity may obtain any program information needed in carrying out that individual's business, in accordance with this regulation and K.S.A. 65-1685 and amendments thereto. The information shall be provided in a format established by the board, which may include delivery by electronic means, facsimile, or telephone.

(2) Each director or board investigator of a licensing board with jurisdiction over a dispenser or prescriber who seeks access to program information shall submit a written request by mail, facsimile, or electronic means to a location specified by the board. The written request shall contain a statement of facts from which the board can make a determination of reasonable cause for the request.

(e) By local, state, and federal law enforcement or prosecutorial officials.

(1) Any local, state, or federal law enforcement officer or prosecutorial official may obtain any program information as required for an ongoing case, in accordance with this regulation and K.S.A. 65-1685 and amendments thereto. The information shall be provided in a format established by the board, which may include delivery by electronic means, facsimile, or telephone.

(2) Each local, state, or federal law enforcement officer or prosecutorial official who seeks access to program information shall register with the board. Once registration is approved, the requester may submit a written request by mail, facsimile, or electronic means to the board. All requests for, uses of, and disclosures of prescription monitoring information by authorized persons under this subsection shall meet the requirements of K.S.A. 65-1685 (c)(4), and amendments thereto.

(f) By the Kansas health policy authority for purposes of the Kansas medicaid and state children's health insurance program (SCHIP).

(1) An authorized representative of the Kansas health policy authority may obtain any program information regarding medicaid or SCHIP program recipients, in accordance with this regulation and K.S.A. 65-1685 and amendments thereto. The information shall be provided in a format established by the board.

(2) Each authorized representative of the Kansas health policy authority seeking program information regarding medicaid or SCHIP program recipients who seeks access to program information shall submit a request to the board.

(g) By any other state's prescription monitoring program.

(1) Any authorized representative from any other state's prescription monitoring program may obtain any program information for requests from within that state that do not violate the authentication and security provisions of the prescription monitoring program act, in accordance with this regulation and K.S.A. 65-1685 and amendments thereto. The information shall be provided in a format established by the board, which may include delivery by electronic means, facsimile, or telephone.

(2) Any authorized representative from another state's prescription monitoring program seeking access to program information shall first establish a data-sharing agreement with the board in which the states agree to share prescription monitoring information with one another. The agreement shall specify what information will be made available and to whom, how requests will be made, how quickly requests will be processed, and in which format the information will be provided.

(h) By public or private entities for statistical, research, or educational purposes.

(1) Any public or private entity may obtain program information, in accordance with this regulation and K.S.A. 65-1685(d) and amendments thereto. The information shall be provided in a format established by the board.

(2) Each public or private entity who seeks access to program information shall submit a written request by mail, facsimile, or electronic means to the board. The written request shall contain a statement of facts from which the board can make a determination of reasonable cause for the request. (Authorized by K.S.A. 2009 Supp. 65-1692; implementing K.S.A. 2009 Supp. 65-1685; effective Oct. 15, 2010.)

**68-21-6. Reciprocal agreements with other states to share information.** (a) Reciprocal agreements with one

*(continued)*

or more states in the United States may be entered into by the board to share program information if the other state's prescription monitoring program is compatible with the program. If the board elects to evaluate the prescription monitoring program of another state, priority shall be given to a state that is contiguous to Kansas.

(b) In determining the compatibility of the other state's prescription monitoring program, the following may be considered by the board:

- (1) The safeguards for privacy of patient records and the other state's success in protecting patient privacy;
(2) the persons authorized in the other state to view the data collected by the program;
(3) the schedules of controlled substances monitored in the other state;
(4) the data required by the other state to be submitted on each prescription; and
(5) the costs and benefits to the board of mutually sharing information with the other state.

(c) Each reciprocal agreement shall be reviewed annually by the board to determine its continued compatibility with the program.

(Authorized by K.S.A. 2009 Supp. 65-1692; implementing K.S.A. 2009 Supp. 65-1685; effective Oct. 15, 2010.)

68-21-7. Drugs of concern. (a) Each of the following shall be classified as a drug of concern:

- (1) Any product containing all three of these drugs: butalbital, acetaminophen, and caffeine;
(2) carisoprodol; and
(3) tramadol.

(b) The stakeholders of the program shall be notified by the board if a drug is to be considered by the board for classification as a drug of concern.

(c) Any individual who wants to have a drug added to the program for monitoring may submit a written request to the board. (Authorized by K.S.A. 2009 Supp. 65-1682 and 65-1692; implementing K.S.A. 2009 Supp. 65-1682; effective Oct. 15, 2010.)

Debra Billingsley
Executive Secretary

Doc. No. 038760

INDEX TO ADMINISTRATIVE REGULATIONS

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

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AGENCY 3: KANSAS STATE TREASURER

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AGENCY 4: DEPARTMENT OF AGRICULTURE

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28-23-9	Revoked	V. 29, p. 726	28-46-34	Amended	V. 29, p. 1145	30-10-25	Revoked	V. 27, p. 1346
28-23-10	Revoked	V. 29, p. 726	28-46-35	Amended	V. 29, p. 1145	30-10-26	Revoked	V. 27, p. 1346
28-23-16	Revoked	V. 27, p. 191	28-46-40	Amended	V. 29, p. 1145	30-10-27	Revoked	V. 27, p. 1346
28-23-20			28-46-41	Amended	V. 29, p. 1145	30-10-200	Revoked	V. 27, p. 1346
through			28-46-44	Amended	V. 29, p. 1145	30-10-210	Revoked	V. 27, p. 1346
28-23-24	Revoked	V. 29, p. 726	28-46-45	New	V. 29, p. 1145	30-45-20	New	V. 28, p. 966
28-23-26			28-53-1			30-46-10	Amended	V. 28, p. 966
through			through			30-46-17	Amended	V. 28, p. 967
28-23-32	Revoked	V. 29, p. 726	28-53-5	Amended	V. 28, p. 240, 241	30-63-10	Amended	V. 28, p. 1806
28-23-34			28-59-5	Amended	V. 27, p. 462	30-63-11	Amended	V. 28, p. 1807
through			28-61-1	Amended	V. 29, p. 419	30-63-12	Amended	V. 28, p. 1807
28-23-36	Revoked	V. 29, p. 727	28-61-2	Amended	V. 29, p. 419	30-63-32	New	V. 27, p. 664
28-23-41			28-61-5	Amended	V. 29, p. 420	30-64-24	Revoked	V. 27, p. 665
through			28-61-8	Amended	V. 29, p. 422			
28-23-55	Revoked	V. 29, p. 727	28-61-11	Amended	V. 27, p. 464			
28-23-70	Revoked	V. 29, p. 727	28-70-4	New	V. 28, p. 800	<b>AGENCY 36: DEPARTMENT OF</b>	<b>TRANSPORTATION</b>	
28-23-71	Revoked	V. 29, p. 727	28-72-1	Revoked	V., 29, p. 357	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-23-73	Revoked	V. 29, p. 727	28-72-1a	New	V. 29, p. 357	36-39-2	Amended (T)	V. 29, p. 1090
28-23-75	Revoked	V. 29, p. 727	28-72-1c	New	V. 29, p. 357	36-39-4	Amended (T)	V. 29, p. 1091
28-23-78			28-72-1d	New	V. 29, p. 358	36-39-6	Amended (T)	V. 29, p. 1091
through			28-72-1e	New	V. 29, p. 358	36-42-1		
28-23-80	Revoked	V. 29, p. 727	28-72-1g	New	V. 29, p. 358	through		
28-29-501	New	V. 28, p. 1809	28-72-1h	New	V. 29, p. 358	36-42-9	New	V. 29, p. 502-504
28-32-1	Revoked	V. 27, p. 247	28-72-1i	New	V. 29, p. 359			
28-32-2	Revoked	V. 27, p. 247	28-72-1k	New	V. 29, p. 359	<b>AGENCY 40: KANSAS INSURANCE</b>	<b>DEPARTMENT</b>	
28-32-4	Revoked	V. 27, p. 247	28-72-1l	New	V. 29, p. 359	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-32-5	Revoked	V. 27, p. 247	28-72-1m	New	V. 29, p. 360	40-1-37	Amended	V. 28, p. 966
28-32-6	Revoked	V. 27, p. 247	28-72-1n	New	V. 29, p. 360	40-1-38	Amended	V. 28, p. 1593
28-32-7	Revoked	V. 27, p. 247	28-72-1o	New	V. 29, p. 360	40-1-48	Amended	V. 27, p. 1709
28-32-8			28-72-1p	New	V. 29, p. 360	40-2-28	New	V. 28, p. 273
through			28-72-1r	New	V. 29, p. 361	40-3-30	Amended	V. 28, p. 112
28-32-14	New	V. 27, p. 247-249	28-72-1s	New	V. 29, p. 361	40-3-43	Amended	V. 29, p. 1337
28-36-30	Revoked	V. 29, p. 727	28-72-1t	New	V. 29, p. 361	40-3-52	New	V. 27, p. 133
28-36-31	Revoked	V. 29, p. 727	28-72-1v	New	V. 29, p. 361	40-3-56	New	V. 28, p. 1518
28-36-33			28-72-1x	New	V. 29, p. 361	40-3-57	New	V. 28, p. 1518
through			28-72-2	Amended	V. 29, p. 361	40-3-58	New	V. 28, p. 1518
28-36-49	Revoked	V. 27, p. 73	28-72-3	Amended	V. 29, p. 362	40-4-35	Amended	V. 28, p. 915
28-36-70			28-72-4	Amended	V. 29, p. 362	40-4-36	Amended	V. 28, p. 1252
through			28-72-4a	Amended	V. 29, p. 366	40-4-37v	New	V. 28, p. 643
28-36-89	Revoked	V. 29, p. 727	28-72-4b	Revoked	V. 29, p. 368			

40-4-41 Amended V. 27, p. 434  
 40-4-41a through  
 40-4-41j Revoked V. 27, p. 434, 435  
 40-4-43 New V. 29, p. 703  
 40-7-20a Amended V. 28, p. 604

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-6-101	Amended	V. 27, p. 1126
44-6-114e	Amended	V. 27, p. 1128
44-6-115a	Amended	V. 27, p. 1134
44-6-125	Amended	V. 27, p. 1135
44-6-127 through 44-6-132	New	V. 27, p. 1135-1138

**AGENCY 48: DEPARTMENT OF LABOR—EMPLOYMENT SECURITY BOARD OF REVIEW**

Reg. No.	Action	Register
48-1-1 through 48-1-6 48-2-1 through 48-2-5	Amended	V. 29, p. 15-17
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
49-45-1	Amended	V. 27, p. 1466
49-45-2	Amended	V. 27, p. 1466
49-45-3	Amended	V. 27, p. 1466
49-45-4	Amended	V. 27, p. 1466
49-45-4a	Amended	V. 27, p. 1466
49-45-5	Amended	V. 27, p. 1466
49-45-6	Amended	V. 27, p. 1466
49-45-7	Amended	V. 27, p. 1467
49-45-8	Amended	V. 27, p. 1467
49-45-9	Amended	V. 27, p. 1467
49-45-20	Amended	V. 27, p. 1467
49-45-28	Amended	V. 27, p. 1467
49-45-29	Amended	V. 27, p. 1467
49-45-29b	New	V. 27, p. 1467
49-45-31	Amended	V. 27, p. 1467
49-45-34	Amended	V. 27, p. 1467
49-45-35	Amended	V. 27, p. 1467
49-45-37	Amended	V. 27, p. 1467
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. 28, p. 1536

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-1-103	Amended	V. 27, p. 1603
60-1-104	Amended	V. 27, p. 1603
60-2-101	Amended	V. 27, p. 1604
60-2-102	Amended	V. 27, p. 1605, 1670
60-2-104	Amended	V. 27, p. 1606
60-2-105	Amended	V. 28, p. 197
60-2-106	Amended	V. 28, p. 197
60-2-107	Amended	V. 27, p. 1606
60-2-108	Amended	V. 27, p. 1607
60-3-106	Amended	V. 27, p. 1607
60-3-106a	Amended	V. 27, p. 1608
60-3-113	New	V. 27, p. 1608

60-3-114 New V. 27, p. 1608  
 60-7-111 New V. 27, p. 1609  
 60-9-105 Amended V. 28, p. 197  
 60-9-107 Amended V. 28, p. 198

60-11-101 through  
 60-11-105 Amended V. 28, p. 1252-1254  
 60-11-107 Amended V. 28, p. 1254  
 60-13-103 Amended V. 28, p. 200  
 60-13-104 Amended V. 28, p. 200  
 60-15-101 Amended V. 28, p. 200  
 60-15-102 Amended V. 28, p. 201  
 60-15-104 Amended V. 28, p. 202  
 60-16-105 Revoked V. 29, p. 1115

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-2-26	New	V. 27, p. 108
63-4-1	Amended	V. 27, p. 108

**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
66-6-1	Amended	V. 27, p. 315
66-6-4	Amended	V. 27, p. 316
66-6-6	Amended	V. 28, p. 1536
66-6-8	Revoked	V. 28, p. 1537
66-6-9	Revoked	V. 28, p. 1537
66-7-2	Amended	V. 28, p. 1537
66-8-1	Revoked	V. 28, p. 1537
66-8-3	Amended	V. 28, p. 1537
66-8-4	Amended	V. 28, p. 1537
66-8-6	Amended	V. 29, p. 794
66-8-7	Amended	V. 28, p. 1537
66-9-4	Amended	V. 28, p. 1538
66-10-1	Amended	V. 29, p. 794
66-10-9	Amended	V. 28, p. 1538
66-10-14	Amended	V. 28, p. 1538
66-11-1	Amended	V. 28, p. 1539
66-11-1a	Amended	V. 28, p. 1539
66-11-1b	Amended	V. 28, p. 1539
66-11-4	Amended	V. 28, p. 1539
66-11-5	Amended	V. 28, p. 44
66-12-1	Amended	V. 29, p. 794
66-14-1	Amended	V. 28, p. 44
66-14-2	Amended	V. 28, p. 45
66-14-3	Amended	V. 28, p. 45
66-14-4	Revoked	V. 28, p. 45
66-14-5	Amended	V. 28, p. 45
66-14-7	Amended	V. 28, p. 45
66-14-10	Amended	V. 29, p. 794

**AGENCY 67: BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS**

Reg. No.	Action	Register
67-3-5	New	V. 28, p. 1187

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-1-1b	Amended	V. 29, p. 465
68-1-1h	New	V. 28, p. 1491
68-1-3a	Amended	V. 28, p. 1491
68-2-20	Amended	V. 28, p. 1765
68-2-22	Amended	V. 28, p. 1491
68-7-11	Amended	V. 29, p. 1053
68-7-12b	Amended	V. 27, p. 1518
68-7-14	Amended	V. 28, p. 1492
68-7-20	Amended	V. 27, p. 435
68-7-21	New	V. 29, p. 465
68-11-2	Amended	V. 27, p. 1518
68-16-3	Amended	V. 28, p. 342
68-18-1	New	V. 27, p. 1857
68-18-2	New	V. 27, p. 1857
68-18-3	New	V. 27, p. 1858
68-19-1	New	V. 28, p. 342
68-20-10a	Amended	V. 29, p. 466
68-20-16	Amended	V. 28, p. 1561
68-20-23	New (T)	V. 27, p. 1709

68-20-23 New V. 28, p. 192

**AGENCY 69: BOARD OF COSMETOLOGY**

Reg. No.	Action	Register
69-3-8	Amended (T)	V. 28, p. 923
69-11-1	Amended	V. 28, p. 298

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-9-1 through 71-9-4	New	V. 27, p. 1878
71-10-1 through 71-10-4	New	V. 27, p. 1879
71-11-1	New	V. 28, p. 1187

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-4-7	Amended	V. 28, p. 643
74-4-8	Amended	V. 28, p. 644
74-4-9	Amended	V. 27, p. 627
74-4-10	Amended	V. 27, p. 627
74-5-2	Amended	V. 28, p. 645
74-5-2a	New	V. 28, p. 646
74-5-101	Amended	V. 28, p. 646
74-5-102	Amended	V. 28, p. 646
74-5-103	Amended	V. 28, p. 646
74-5-201	Amended	V. 28, p. 646
74-5-202	Amended	V. 28, p. 646
74-5-301	Amended	V. 28, p. 647
74-5-302	Amended	V. 28, p. 647
74-5-401	Amended	V. 28, p. 647
74-5-403	Amended	V. 28, p. 647
74-5-405a	Amended	V. 28, p. 647
74-5-406	Amended	V. 28, p. 647
74-7-4	Amended	V. 28, p. 648
74-11-6	Amended	V. 28, p. 648

**AGENCY 75: OFFICE OF THE STATE BANK COMMISSIONER—CONSUMER AND MORTGAGE LENDING DIVISION**

Reg. No.	Action	Register
75-6-1	Amended	V. 28, p. 1367
75-6-9	Amended	V. 28, p. 1367
75-6-31	Amended	V. 28, p. 1367
75-6-33	Revoked	V. 28, p. 1368
75-6-34	Revoked	V. 28, p. 1368
75-6-36	New	V. 28, p. 1368
75-6-37	New	V. 28, p. 1368
75-6-38	New	V. 28, p. 1368

**AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER**

Reg. No.	Action	Register
81-3-2	Amended	V. 27, p. 1801
81-3-6	Amended	V. 28, p. 606
81-5-7	Amended	V. 27, p. 1156
81-5-14	Amended	V. 28, p. 571
81-7-2	Amended	V. 27, p. 1156
81-14-1	Amended	V. 27, p. 1157
81-14-2	Amended	V. 27, p. 1801
81-14-5	Amended	V. 28, p. 610
81-14-9	Amended	V. 27, p. 1163

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-1-219	Amended	V. 29, p. 1099
82-3-107	Amended	V. 27, p. 1518
82-3-108	Amended	V. 27, p. 1519
82-3-111	Amended	V. 27, p. 1520
82-3-311a	New	V. 29, p. 181
82-3-135a	Amended	V. 27, p. 1521
82-3-135b	Amended	V. 27, p. 1521
82-3-138	Amended	V. 27, p. 1521
82-3-402	Amended	V. 27, p. 1521
82-3-1100 through 82-3-1120	New	V. 29, p. 182-190
82-4-3a through 82-4-3d	Amended	V. 28, p. 1373-1385

(continued)

82-4-3e	Revoked	V. 28, p. 1386
82-4-3f		
through		
82-4-3m	Amended	V. 28, p. 1386-1397
82-4-3f	Amended	V. 29, p. 1390
82-4-20	Amended	V. 28, p. 1397
82-4-30a	Amended (T)	V. 29, p. 702
82-4-30a	Amended	V. 29, p. 1392
82-11-4	Amended	V. 28, p. 917
82-11-10	Amended	V. 28, p. 922
82-14-1		
through		
82-14-5	Amended	V. 28, p. 967-971
82-14-6	New	V. 28, p. 972
82-17-1		
through		
82-17-5	New	V. 29, p. 1136, 1137

**AGENCY 84: PUBLIC EMPLOYEE RELATIONS BOARD**

Reg. No.	Action	Register
84-2-1	Amended	V. 28, p. 872

**AGENCY 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-3-19	Amended (T)	V. 27, p. 1090
86-3-19	Amended	V. 27, p. 1517
86-3-30	New (T)	V. 27, p. 1091
86-3-30	New	V. 27, p. 1517

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-28-6	Amended	V. 29, p. 408
88-29-1	Amended (T)	V. 28, p. 1101
88-29-1	Amended	V. 28, p. 1561
88-29-4	Amended (T)	V. 28, p. 1102
88-29-4	Amended	V. 28, p. 1562
88-29-5	Amended (T)	V. 28, p. 1103
88-29-5	Amended	V. 28, p. 1563
88-29-7	Amended (T)	V. 28, p. 1103
88-29-7	Amended	V. 28, p. 1563
88-29-8	Amended (T)	V. 28, p. 1103
88-29-8	Amended	V. 28, p. 1563
88-29-8a	New (T)	V. 28, p. 1103
88-29-8a	New	V. 28, p. 1563
88-29-8b	New (T)	V. 28, p. 1104
88-29-8b	New	V. 28, p. 1564
88-29-9	Amended (T)	V. 28, p. 1104
88-29-9	Amended	V. 28, p. 1564
88-29-11	Amended (T)	V. 28, p. 1105
88-29-11	Amended	V. 28, p. 1565
88-29-12	Amended (T)	V. 28, p. 1106
88-29-12	Amended	V. 28, p. 1566
88-29-18	Amended (T)	V. 28, p. 1107
88-29-18	Amended	V. 28, p. 1567
88-29-19	Amended (T)	V. 28, p. 1108
88-29-19	Amended	V. 28, p. 1568

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-200	Amended	V. 28, p. 1222
91-1-201	Amended	V. 27, p. 1028
91-1-202	Amended	V. 28, p. 1223
91-1-203	Amended	V. 28, p. 1225
91-1-204	Amended	V. 28, p. 1229
91-1-205	Amended	V. 28, p. 1232
91-1-207	Amended	V. 27, p. 1037
91-1-209	Amended	V. 27, p. 1037
91-1-210	Amended	V. 27, p. 1038
91-1-216	Amended	V. 28, p. 1233
91-1-220	Amended	V. 27, p. 1038
91-1-221	Amended	V. 27, p. 1040
91-19-1	Amended	V. 27, p. 1041
91-19-6	Amended	V. 27, p. 1041
91-40-1	Amended	V. 29, p. 1093
91-40-2	Amended	V. 27, p. 279
91-40-3	Amended	V. 27, p. 279
91-40-5	Amended	V. 27, p. 280
91-40-7		
through		
91-40-12	Amended	V. 27, p. 281-284
91-40-16	Amended	V. 27, p. 285
91-40-17	Amended	V. 27, p. 285

91-40-21	Amended	V. 27, p. 286
91-40-22	Amended	V. 27, p. 287
91-40-26		
through		
91-40-31	Amended	V. 27, p. 287-289
91-40-27	Amended	V. 29, p. 1098
91-40-33	Amended	V. 27, p. 290
91-40-34	Amended	V. 27, p. 290
91-40-35	Amended	V. 27, p. 290
91-40-37	Revoked	V. 27, p. 291
91-40-38	Amended	V. 27, p. 291
91-40-39	Revoked	V. 27, p. 291
91-40-41	Amended	V. 27, p. 291
91-40-42	Amended	V. 27, p. 291
91-40-42a	New	V. 27, p. 292
91-40-43	Amended	V. 27, p. 293
91-40-44	Amended	V. 27, p. 293
91-40-45	Amended	V. 27, p. 293
91-40-46	Amended	V. 27, p. 294
91-40-48	Amended	V. 27, p. 294
91-40-50	Amended	V. 27, p. 294
91-40-51	Amended	V. 27, p. 295

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-12-114	New	V. 27, p. 865
92-12-140		
through		
92-12-145	New	V. 27, p. 866, 867
92-12-145	Amended	V. 28, p. 604
92-19-70	Revoked	V. 27, p. 868
92-26-1	Amended	V. 28, p. 170
92-26-4	Amended	V. 28, p. 170
92-28-1		
through		
92-28-4	New	V. 28, p. 113
92-51-25a	New	V. 29, p. 1281
92-52-14	New	V. 27, p. 1214
92-52-15	New	V. 27, p. 1214
92-52-16	New	V. 27, p. 1215

**AGENCY 94: COURT OF TAX APPEALS**

Reg. No.	Action	Register
94-2-1		
through		
94-2-5	Amended (T)	V. 27, p.1091-1093
94-2-1		
through		
94-2-5	Amended	V. 27, p.1522-1524
94-2-8		
through		
94-2-16	Amended (T)	V. 27, p. 1093-1095
94-2-8		
through		
94-2-16	Amended	V. 27, p. 1524-1526
94-2-19	Amended (T)	V. 27, p. 1095
94-2-19	Amended	V. 27, p. 1527
94-2-20	Amended (T)	V. 27, p. 1096
94-2-20	Amended	V. 27, p. 1527
94-2-21	Amended (T)	V. 27, p. 1096
94-2-21	Amended	V. 27, p. 1528
94-3-1	Amended (T)	V. 27, p. 1097
94-3-1	Amended	V. 27, p. 1529
94-3-2	Amended (T)	V. 27, p. 1098
94-3-2	Amended	V. 27, p. 1529
94-4-1	Amended (T)	V. 27, p. 1098
94-4-1	Amended	V. 27, p. 1530
94-4-2	Amended (T)	V. 27, p. 1098
94-4-2	Amended	V. 27, p. 1530

**Agency 97: COMMISSION ON VETERANS' AFFAIRS**

Reg. No.	Action	Register
97-1-1	Revoked	V. 28, p. 459
97-1-1a	New	V. 28, p. 459
97-1-2	Revoked	V. 28, p. 460
97-1-2a	New	V. 28, p. 460
97-1-3	Revoked	V. 28, p. 460
97-1-3a	New	V. 28, p. 460
97-1-4	Revoked	V. 28, p. 460
97-1-4a	New	V. 28, p. 460
97-1-5	Revoked	V. 28, p. 461
97-1-5a	New	V. 28, p. 461
97-1-6a	New	V. 28, p. 461

97-2-1	Revoked	V. 28, p. 462
97-2-1a	New	V. 28, p. 462
97-2-2	Revoked	V. 28, p. 462
97-2-2a	New	V. 28, p. 462
97-2-3		
through		
97-2-8	Revoked	V. 28, p. 462
97-3-1	Revoked	V. 28, p. 462
97-3-1a	New	V. 28, p. 462
97-3-2	Revoked	V. 28, p. 462
97-3-2a	New	V. 28, p. 462
97-3-3	Revoked	V. 28, p. 463
97-3-3a	New	V. 28, p. 463
97-3-4		
through		
97-3-9	Revoked	V. 28, p. 463
97-4-1a	New	V. 28, p. 463
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
99-25-9	Amended	V. 27, p. 108
99-25-11	New	V. 27, p. 109
99-25-12	New	V. 29, p. 1242
99-26-1	Amended	V. 28, p. 522
99-27-2	Amended	V. 27, p. 1019
99-27-3	Revoked	V. 27, p. 1019
99-27-4	Amended	V. 27, p. 1019
99-27-5	Amended	V. 27, p. 1019

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-11-1	Amended	V. 29, p. 650
100-22-8	Revoked	V. 27, p. 357
100-22-8a	New	V. 27, p. 357
100-28a-1	Amended	V. 28, p. 112
100-28a-2	Amended	V. 28, p. 1736
100-28a-10	Amended	V. 28, p. 572
100-29-1	Amended	V. 29, p. 598
100-29-3a	Amended	V. 28, p. 1737
100-29-16	Amended	V. 27, p. 1060
100-49-4	Amended	V. 29, p. 651
100-54-1	Amended	V. 28, p. 1594
100-54-4	Amended	V. 27, p. 209
100-54-8	Amended	V. 28, p. 1595
100-55-1	Amended	V. 29, p. 704
100-55-4	Amended	V. 27, p. 209
100-55-7	Amended	V. 29, p. 651
100-55-9	Amended	V. 28, p. 572
100-69-1	Amended	V. 27, p. 1672
100-69-2	Revoked	V. 27, p. 1672
100-69-10	Amended	V. 28, p. 572
100-69-12	New	V. 29, p. 704
100-72-1	Amended	V. 28, p. 112
100-72-2	Amended	V. 29, p. 705
100-72-7	Amended	V. 28, p. 273
100-73-1	Amended (T)	V. 28, p. 923
100-73-1	Amended	V. 28, p. 1282
100-73-2	Amended	V. 29, p. 598
100-73-9	Amended	V. 27, p. 315

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-1-8a	New	V. 28, p. 114
102-1-12	Amended	V. 27, p. 407
102-1-13	Amended (T)	V. 28, p. 1101
102-1-13	Amended	V. 28, p. 1426
102-2-3	Amended	V. 29, p. 340
102-2-7	Amended	V. 27, p. 1801
102-2-8	Amended	V. 28, p. 114
102-2-11a	New	V. 28, p. 116
102-2-12	Amended	V. 28, p. 116
102-3-9b	New	V. 28, p. 117
102-3-12a	Amended	V. 27, p. 1117
102-4-1a	Amended	V. 27, p. 1803
102-4-6a	Amended	V. 27, p. 1805
102-4-6b	New	V. 27, p. 1806



102-4-9b	New	V. 28, p. 117
102-4-10a	Amended	V. 27, p. 1806
102-4-12	Amended	V. 27, p. 1120
102-5-9a	New	V. 28, p. 118
102-5-12	Amended	V. 27, p. 1122
102-6-9a	New	V. 28, p. 118
102-6-12	Amended	V. 27, p. 1124

**AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-4-1	Amended (T)	V. 29, p. 1338
105-5-2	Amended (T)	V. 29, p. 1339
105-5-3	Amended (T)	V. 29, p. 1339
105-5-6	Amended (T)	V. 29, p. 1339
105-5-7	Amended (T)	V. 29, p. 1339
105-5-8	Amended (T)	V. 29, p. 1340
105-11-1	Amended	V. 28, p. 1457
105-11-1	Amended (T)	V. 29, p. 1340

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

Reg. No.	Action	Register
108-1-1	Amended	V. 29, p. 1055
108-1-1	Amended (T)	V. 29, p. 1340
108-1-3	Amended	V. 29, p. 1057
108-1-3	Amended (T)	V. 29, p. 1342
108-1-4	Amended	V. 29, p. 1059
108-1-4	Amended (T)	V. 29, p. 1344

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

Reg. No.	Action	Register
109-2-9	Amended	V. 28, p. 1030
109-3-1	Amended	V. 28, p. 1030
109-5-1	Amended	V. 29, p. 1281
109-5-2	Amended	V. 28, p. 574
109-5-3	Amended	V. 29, p. 1282
109-5-4	Revoked	V. 29, p. 113
109-5-5	New	V. 27, p. 1548
109-5-6	New	V. 28, p. 575
109-6-1	Amended	V. 29, p. 113
109-6-2	Amended	V. 29, p. 113
109-6-3	Revoked	V. 28, p. 575
109-10-7	New	V. 29, p. 113
109-11-1	Amended	V. 29, p. 1283
109-11-3	Amended	V. 29, p. 1284
109-11-4	Amended	V. 29, p. 1284
109-11-6	Amended	V. 29, p. 1285
109-15-1	New	V. 28, p. 575
109-15-2	Amended	V. 29, p. 1285

**AGENCY 110: DEPARTMENT OF COMMERCE**

Reg. No.	Action	Register
110-13a-1	New	V. 27, p. 1063
110-13a-2	New	V. 27, p. 1063
110-13a-3	New	V. 27, p. 1064
110-19-1 through 110-19-4	New	V. 27, p. 1064, 1065
110-20-1 through 110-20-4	New	V. 27, p. 1065, 1066

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 Kansas Register. The following regulations were filed after December 1, 2009:

Reg. No.	Action	Register
111-2-30	Amended	V. 29, p. 215
111-2-232	Amended	V. 29, p. 215
111-2-233	Amended	V. 29, p. 215

111-2-234	New	V. 29, p. 746
111-2-235 through 111-2-240	New	V. 29, p. 1214, 1215
111-2-241	New	V. 29, p. 1247
111-2-242	New	V. 29, p. 1247
111-4-2899 through 111-4-2907	New	V. 29, p. 9-14
111-4-2908 through 111-4-2911	New	V. 29, p. 149-152
111-4-2911a	New	V. 29, p. 152
111-4-2912 through 111-4-2923	New	V. 29, p. 153-157
111-4-2924 through 111-4-2930	New	V. 29, p. 216-222
111-4-2931 through 111-4-2938	New	V. 29, p. 467-473
111-4-2939 through 111-4-2948	New	V. 29, p. 569-575
111-4-2949 through 111-4-2984	New	V. 29, p. 746-769
111-4-2949 through 111-4-2984	New	V. 29, p. 746-769
111-4-2985 through 111-4-2988	New	V. 29, p. 1180-1183
111-4-2989	New	V. 29, p. 1216
111-4-2990	New	V. 29, p. 1217
111-4-2991	New	V. 29, p. 1218
111-4-2992 through 111-4-3011	New	V. 29, p. 1248-1259
111-5-175 through 111-5-179	New	V. 29, p. 157-159
111-5-180 through 111-5-194	New	V. 29, p. 222-228
111-9-162	New	V. 29, p. 229
111-9-163	New	V. 29, p. 229
111-9-164	New	V. 29, p. 230
111-9-165	New	V. 29, p. 769
111-9-166	New	V. 29, p. 1184
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
111-302-1 through 111-302-6	New	V. 29, p. 82-86
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

**AGENCY 112: RACING AND GAMING COMMISSION**

Reg. No.	Action	Register
112-12-15	New	V. 28, p. 797
112-13-6	New	V. 28, p. 376

112-100-1 through 112-100-7	New	V. 27, p. 1378
112-101-1 through 112-101-16	New	V. 28, p. 376-379
112-102-1 through 112-102-13	New	V. 28, p. 1161-1163
112-103-1 through 112-103-12	New	V. 28, p. 376-382
112-103-15	New	V. 28, p. 382
112-103-16	New	V. 28, p. 382
112-104-1 through 112-104-33	New	V. 27, p. 1378-1406
112-104-34 through 112-104-41	New	V. 28, p. 1457-1459
112-105-1 through 112-105-7	New	V. 27, p. 1406-1408
112-106-1 through 112-106-7	New	V. 27, p. 1408-1411
112-107-1	New	V. 28, p. 424
112-107-2	New	V. 28, p. 424
112-107-3	New	V. 28, p. 424
112-107-5	New	V. 28, p. 428
112-107-6	New	V. 28, p. 428
112-107-7	New	V. 28, p. 428
112-107-9	New	V. 28, p. 429
112-107-10	New	V. 28, p. 429
112-107-11	New	V. 28, p. 430
112-107-13 through 112-107-32	New	V. 28, p. 430-440
112-107-34	New	V. 28, p. 441
112-108-1 through 112-108-57	New	V. 28, p. 1766-1788
112-110-1 through 112-110-13	New	V. 28, p. 464-470
112-111-1 through 112-111-5	New	V. 28, 470-472
112-112-1 through 112-112-9	New	V. 27, p. 1411-1413
112-113-1	New	V. 28, p. 382
112-114-1 through 112-114-6	New	V. 28, p. 472
112-114-8 through 112-114-12	New	V. 28, p. 472, 473
112-114-14	New	V. 28, p. 473

**AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS**

Reg. No.	Action	Register
115-2-1	Amended	V. 29, p. 1091
115-2-3	Amended	V. 27, p. 1264
115-2-3a	Amended	V. 28, p. 1596
115-2-5	Amended	V. 27, p. 1265
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
115-4-6a	Revoked	V. 27, p. 112
115-4-11	Amended	V. 29, p. 67
115-4-13	Amended	V. 27, p. 404
115-4-14	Revoked	V. 27, p. 112
115-5-1	Amended	V. 28, p. 1250
115-5-2	Amended	V. 28, p. 1251
115-6-1	Amended	V. 28, p. 1251
115-7-1	Amended	V. 29, p. 411
115-7-2	Amended	V. 27, p. 1708
115-7-3	Amended	V. 28, p. 1599
115-7-8	Amended	V. 27, p. 405
115-7-9	Amended	V. 27, p. 406

(continued)

115-7-10	New	V. 28, p. 1600
115-8-1	Amended	V. 29, p. 1092
115-8-6	Amended	V. 28, p. 1600
115-8-9	Amended	V. 27, p. 1265
115-8-10	Amended	V. 27, p. 1265
115-8-13	Amended	V. 27, p. 112
115-15-1	Amended	V. 28, p. 1079
115-15-2	Amended	V. 28, p. 1080
115-18-7	Amended	V. 29, p. 659
115-18-21	New	V. 27, p. 1708
115-20-7	New	V. 29, p. 659

**AGENCY 117: REAL ESTATE  
APPRAISAL BOARD**

Reg. No.	Action	Register
117-1-1	Amended	V. 28, p. 373
117-2-1	Amended	V. 29, p. 412
117-2-2	Amended	V. 29, p. 413
117-2-2a	Amended	V. 28, p. 373
117-3-1	Amended	V. 29, p. 414
117-3-2	Amended	V. 29, p. 415
117-3-2a	Amended	V. 28, p. 373
117-4-1	Amended	V. 29, p. 416
117-4-2	Amended	V. 29, p. 417
117-4-2a	Amended	V. 28, p. 374
117-5-2	Amended	V. 28, p. 374
117-5-2a	Amended	V. 28, p. 375
117-6-1	Amended	V. 29, p. 656
117-6-3	Amended	V. 29, p. 656
117-7-1	Amended	V. 28, p. 375
117-8-1	Amended	V. 29, p. 418
117-10-1	New	V. 28, p. 375

**AGENCY 121: DEPARTMENT OF  
CREDIT UNIONS**

Reg. No.	Action	Register
121-9-1	Amended	V. 28, p. 457
121-10-1	Amended	V. 29, p. 675
121-10-2	New	V. 27, p. 1099

121-11-1	New	V. 28, p. 457
121-11-2	New	V. 28, p. 457
121-12-1	New	V. 28, p. 459

**AGENCY 123: JUVENILE JUSTICE  
AUTHORITY**

Reg. No.	Action	Register
123-2-111	New (T)	V. 29, p. 1115

**AGENCY 127: KANSAS HOUSING  
RESOURCES CORPORATION**

Reg. No.	Action	Register
127-2-1	New	V. 28, p. 192
127-2-2	New	V. 28, p. 192
127-2-3	New	V. 28, p. 193

**AGENCY 128: DEPARTMENT OF COMMERCE—  
KANSAS ATHLETIC COMMISSION**

Reg. No.	Action	Register
128-1-1	New (T)	V. 27, p. 106
128-1-1	New	V. 27, p. 358
128-2-1	New	V. 27, p. 360
128-2-3		
128-2-13	New	V. 27, p. 360-362
128-2-12	New (T)	V. 27, p. 107
128-3-1	New	V. 27, p. 362
128-4-1		
128-4-9	New	V. 27, p. 363-367
128-4a-1	New	V. 27, p. 367
128-5-1	New	V. 27, p. 367
128-5-2	New	V. 27, p. 368
128-6-1	New	V. 27, p. 368
128-6-2	New	V. 27, p. 371
128-6-4	New	V. 27, p. 374

**AGENCY 129: KANSAS HEALTH  
POLICY AUTHORITY**

Reg. No.	Action	Register
129-5-1	Amended	V. 27, p. 628
129-5-78	Amended	V. 28, p. 1464
129-5-108	Amended	V. 27, p. 1346
129-5-118	Amended	V. 29, p. 293
129-5-118a	New	V. 29, p. 294
129-5-118b	Amended	V. 29, p. 296
129-10-15a	New	V. 27, p. 1346
129-10-15b	New	V. 27, p. 1348
129-10-17	New	V. 27, p. 1348
129-10-18	New	V. 27, p. 1350
129-10-23a	New	V. 27, p. 1353
129-10-23b	New	V. 27, p. 1353
129-10-25	New	V. 27, p. 1354
129-10-26	New	V. 27, p. 1355
129-10-27	New	V. 27, p. 1356
129-10-200	New	V. 27, p. 1356
129-10-210	New	V. 27, p. 1358

**AGENCY 130: HOME INSPECTORS  
REGISTRATION BOARD**

Reg. No.	Action	Register
130-1-1	New	V. 28, p. 1737
130-1-2	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
130-1-5	New	V. 28, p. 1738
130-2-1	New	V. 28, p. 1738
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

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