



Kansas Register

Kris W. Kobach, Secretary of State

Vol. 34, No. 21

May 21, 2015

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State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced May 7-13 by the 2015 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 58-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, 785-296-4096. Full texts of bills, bill tracking and other information may be accessed at <http://www.kslegislature.org/li/>.

House Bills

HB 2432, AN ACT concerning hazardous waste; relating to fees and taxes for the thermal treatment of hazardous waste for energy recovery; powers and duties of the secretary of health and environment, by Committee on Taxation.

House Resolutions

HR 6025, by Representatives Davis, Bruchman, Campbell, Lunn, Ryckman and Schwab, A RESOLUTION congratulating and commending the Olathe Public Schools ProStart Culinary Team for winning first place at the 2015 National ProStart Invitational.

Senate Bills

SB 304, AN ACT concerning abortion; relating to the administration of abortifacient drugs; amending K.S.A. 2014 Supp. 65-4a10 and repealing the existing section, by Committee on Ways and Means.

SB 305, AN ACT concerning the Kansas bioscience authority; relating to the termination and dissolution of the authority and transferring its powers, functions, assets and liabilities to the department of commerce; amending K.S.A. 2014 Supp. 12-1770a, as amended by section 25 of 2015 House Substitute for Senate Bill No. 7, 12-1771, 12-1772, 48-3502, 65-1,249, 74-50,211, 74-8004, 74-8132, 74-8964, 74-99b03, 74-99b06, 74-99b09, 74-99b18 and 74-99b35 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 74-99b01, 74-99b02, 74-99b04, 74-99b05, 74-99b07, 74-99b08, 74-99b10, 74-99b11, 74-99b12, 74-99b13, 74-99b14, 74-99b15,

74-99b16, 74-99b17, 74-99b19, 74-99b20, 74-99b31, 74-99b32, 74-99b33, 74-99b34, 74-99b34a, 74-99b41, 74-99b42, 74-99b43, as amended by section 71 of 2015 House Substitute for Senate Bill No. 7, 74-99b44, 74-99b45, 74-99b51, 74-99b52, 74-99b53, 74-99b61, 74-99b62, 74-99b63, 74-99b64, 74-99b65, 74-99b66, 74-99b67, 74-99b68, 74-99b81, 74-99b82, 74-99b83, 74-99b84, 74-99b85, 74-99b86, 74-99b87, 74-99b88 and 74-99b89, by Committee on Ways and Means.

Senate Resolutions

SR 1741, by Senator Baumgardner, A RESOLUTION congratulating the Johnson County Community College women's basketball team on winning the 2015 NJCAA Division II National Championship.

SR 1742, by Senators Lynn, Melcher and Olson, A RESOLUTION congratulating and commending the Olathe Public Schools ProStart Culinary Team for winning first place at the 2015 National ProStart Invitational.

SR 1743, by Senators Wolf and Smith, A RESOLUTION congratulating the Shawnee Mission East High School men's swimming and diving teams on winning the Kansas State Swimming and Diving Championship.

SR 1744, by Senator Holland, A RESOLUTION congratulating and commending the Tonganoxie High School Science Olympiad Team on winning its first state championship on April 4, 2015.

SR 1745, by Senators Masterson and Knox, A RESOLUTION congratulating and commending Dahlia Crook for her national archery accomplishments.

SR 1746, by Senators Arpke, Abrams, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, O'Donnell, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn and Wolf, A RESOLUTION designating October 14, 2015, as Eisenhower Day and encouraging the state-wide celebration of Dwight D. Eisenhower's 125th birthday.

SR 1747, by Senators Pettey, Kelly and Powell, A RESOLUTION congratulating and commending the Kansas recipients of the 2015 Gates Millennium Scholarship.

Doc. No. 043554

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**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. 2014 Supp. 12-1675(b)(c)(d) and K.S.A. 2014 Supp. 12-1675a(g).

Effective 5-18-15 through 5-24-15

| Term | Rate |
|-------------|-------------|
| 1-89 days | 0.13% |
| 3 months | 0.08% |
| 6 months | 0.11% |
| 12 months | 0.27% |
| 18 months | 0.43% |
| 2 years | 0.57% |

Scott Miller
Director of Investments

Doc. No. 043543

(Published in the Kansas Register May 21, 2015.)

**North Central Regional
Planning Commission**

Notice to Bidders

Sealed bids for a stop movement trailer will be accepted by the North Central Regional Planning Commission, 109 N. Mill St., Beloit, KS 67420, until 4 p.m. Thursday, June 4, 2015, at which time they will be publicly opened and read aloud at the same address. Copies of the Request for Bid and project specifications can be accessed by going to <http://procurement.ncrpc.org/HS/projects.html> or by contacting the NCRPC at 785-738-2218 or lcspeters@nckcn.com. This action is being taken on behalf of the Northeast Kansas Regional Homeland Security Council. The estimated project value exceeds \$25,000.

Lisa Peters
Homeland Security Clerk

Doc. No. 043550

**State of Kansas
Department of Agriculture
Division of Conservation**

Notice to Contractors (Revised)

Sealed bids for the construction of a low water crossing for the Wakarusa Watershed Joint District 35 will be received by the Wakarusa WJD 35, 305 Maple St., P.O. Box 139, Overbrook, KS 66524, until 11 a.m. June 4, 2015, and then opened.

Copies of the contract documents are on file at the office of Amec Foster Wheeler Environment & Infrastructure Inc., 100 S.E. 9th St., Topeka, 66612 (785-272-6830 or larry.sample@amecfw.com), or at the Wakarusa WJD office (785-665-7231 or wakarusa-watershed35@embarqmail.com). Digital copies will be provided via email upon request at no charge. Hardcopies may be purchased from the Wakarusa WJD for \$35.

Greg A. Foley
Executive Director

Doc. No. 043546

**State of Kansas
Board of Regents Universities**

Notice to Bidders

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

Emporia State University — Bid postings: www.emporia.edu/busaff/. Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: tshepher@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801-5415.

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

Kansas State University — Bid postings: www.k-state.edu/purchasing/rfq. Additional contact info: phone: 785-532-5214, fax: 785-532-5577, email: kspurch@k-state.edu. Mailing address: Division of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

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

University of Kansas — Electronic bid postings: <http://www.procurement.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 20, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: purchasing@ku.edu.

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

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

Steve White
Chair of Regents Purchasing Group
Director of Purchasing
Wichita State University

Doc. No. 042813

State of Kansas

Department of Administration
Procurement and Contracts

Notice to Bidders

Sealed bids for items listed will be received by the director of Procurement and Contracts until 2 p.m. on the date indicated. For more information call 785-296-2376:

| | | |
|------------|------------|--|
| 06/10/2015 | EVT0003794 | Dark Fiber Installation – Wichita Metro Area |
| 06/12/2015 | EVT0003792 | Services, Security Guard |
| 06/25/2015 | EVT0003784 | Medicare Advantage Plan |

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

<http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations>

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

<http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations>

| | | |
|------------|----------|---|
| 06/09/2015 | A-012566 | KDOT Subarea Reroof at Lindsborg |
| 06/16/2015 | A-012745 | KDOT Park City Rest Area Renovation at Park City |
| 06/17/2015 | A-012824 | Fire Rated Window Replacement – Phase 6 Landon State Office Bldg. |

Information regarding prequalification, projects and bid documents can be obtained by calling 785-296-8899 or online at <http://admin.ks.gov/offices/ofpm/dcc>.

Tracy T. Diel, Director
Procurement and Contracts

Doc. No. 043556

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the KDOT website at <http://www.ksdot.org/burconsmain/contracts/proposal.asp>. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid not later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject the bid. The secretary of transportation reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2007 edition of the Kansas Department of Transportation's *Standard Specifications for State Road and Bridge Construction*.

KDOT will only accept electronic proposals using the Bid Express website at <http://www.bidx.com> until 1 p.m. local time June 17, 2015. KDOT will open and read these proposals at the Eisenhower State Office Building, 700

S.W. Harrison, Topeka, at 1:30 p.m. local time June 17, 2015. An audio broadcast of the bid letting is available at <http://www.ksdot.org/burconsmain/audio.asp>.

Each bidder shall certify 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 certification shall be in the form of a required contract provision provided by the state to each prospective bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid nonresponsive and not eligible for award consideration.

District One — Northeast

Johnson—69-46 KA-3600-01 — U.S. 69 in Kansas City, intelligent transportation system, 3.7 miles. (State Funds)

Johnson—46 KA-4023-01 — Kansas City metro area, intelligent transportation system. (State Funds)

Johnson—35-46 KA-4135-01 — I-35, patching and overlay northbound from 95th Street to U.S. 69 overpass, southbound from Southwest Blvd. to Lamar, patching and concrete grinding from U.S. 96 overpass to I-635 and from Lamar to Southwest Blvd., southbound from I-635 to 95th Street, pavement patching, 9.8 miles. (State Funds)

Marshall—9-58 KA-2101-01 — K-9, bridge #021 located 2.30 miles east of Washington County line (Coon Creek), bridge replacement. (Federal Funds)

Shawnee—70-89 KA-4136-01 — I-70, 0.6 mile west of Urish Road to east KTA toll plaza, overlay, 12.6 miles. (State Funds)

Shawnee—89 TE-0394-01 — Pedestrian/bicycle infrastructure; citywide implementation of Phase 1 of the Topeka Bikeways Plan, pedestrian and bicycle paths. (Federal Funds)

Wyandotte—70-105 KA-4020-01 — I-70, 10th Street to James Street lighting, 1.0 mile. (Federal Funds)

District Two — North Central

Geary—77-31 KA-2367-03 — K-18/Spring Valley Road intersection and U.S. 77 from 0.13 mile north of U.S. 77/ Lacy Drive/Goldenbelt Blvd., north to 0.1 mile north of McFarland Road, grading and surfacing, 1.6 miles. (Federal Funds)

Jewell—36-45 KA-2191-01 — U.S. 36, 4.4 miles east of east U.S. 36/K-128 junction east to 1.6 miles west of west U.S. 36/K-14 junction, pavement reconstruction, 1.4 miles. (Federal Funds)

Saline—135-85 KA-4140-01 — I-135, Saline/McPherson county line to I-135/U.S. 81 interchange, pavement marking, 18.8 miles. (Federal Funds)

District Three — Northwest

Graham—283-33 KA-3858-01 — U.S. 283, bridge #023 (over south fork Solomon River), located 1.06 miles south of the U.S. 283/U.S. 24 junction, bridge repair. (State Funds)

Sheridan—83-90 KA-0751-01 — Thomas-Sheridan county line east to junction U.S. 83/K-23, grading and surfacing, 11.3 miles. (Federal Funds)

Sheridan—383-90 KA-2198-01 — K-383, K-383/U.S. 83 junction, east to Decatur/Sheridan county line, milling and overlay, 1.3 miles. (State Funds)

Statewide—106 KA-4156-01 — Milling for RAP samples in Cheyenne, Decatur, Graham and Thomas counties in District Three, milling. (State Funds)

District Four — Southeast

Crawford—19 TE-0393-01 — Pedestrian/bicycle path; Broadway and 12th Street east to Michigan and 12th Street, to Schlanger Park and through to 4th Street, pedestrian and bicycle paths. (Federal Funds)

Franklin—35-30 KA-4157-01 — I-35, beginning at the north side of the Eisenhower interchange north to the Franklin/Miami county line, pavement marking, 17.1 miles. (Federal Funds)

Miami—35-61 KA-4158-01 — I-35, Miami/Franklin county line to Miami/Johnson county line, pavement marking, 2.8 miles. (Federal Funds)

District Five — South Central

Barton—281-5 KA-3051-01 — Intersection of U.S. 281 and Railroad Avenue, intersection improvement, 0.2 mile. (State Funds)

Butler—8 K-2831-07 — El Dorado State Park, state park road. (State Funds)

Butler—54-8 KA-2212-03 — U.S. 54, from 800 feet east of Andover Road east to 400 feet west of existing Dike Road near Augusta, seeding, sodding, 7.8 miles. (State Funds)

Harvey—50-40 KA-1827-06 — U.S. 50, from 0.5 mile east of U.S. 50/K-89 junction, east for 0.5 mile (west end of existing passing lanes), grade and surfacing, 0.5 mile. (Federal Funds)

Harvey—50-40 KA-1827-07 — U.S. 50, from 1.3 miles east of U.S. 50/RS-304 junction east for 1.2 miles, grade and surfacing, 1.2 miles. (Federal Funds)

Sedgwick—135-87 KA-0733-02 — I-135, from the junction of I-135/K-96 (37th Street North) north to north city limits of Park City, seeding, sodding, 6.9 miles. (State Funds)

Sedgwick—87 KA-2949-01 — Wichita metro, intelligent transportation system. (Federal Funds)

Sedgwick—54-87 KA-3862-01 — U.S. 54 bridges; bridge #375 westbound and bridge #376 eastbound over the Arkansas River, bridge #381 eastbound over Southwest Blvd., bridge #383 eastbound over Meridian Avenue, bridge #385 eastbound over Seneca Avenue, and bridge #387 eastbound over Sycamore Street, bridge repair, 0.0 mile. (State Funds)

Sedgwick—96-87 KA-4145-01 — K-96 eastbound exit ramp at the K-96/Greenwich Road interchange, signing. (State Funds)

Sumner—55-96 KA-3854-01 — K-55, bridge #116 (over Arkansas River), located 7.63 miles east of the U.S. 81/K-55 junction, bridge repair, 0.0 mile. (State Funds)

District Six — Southwest

Haskell—83-41 KA-1008-07 — U.S. 83/U.S. 56 intersection near city of Sublette, grading and surfacing, 0.3 mile. (Federal Funds)

Mike King
Secretary of Transportation

Doc. No. 043545

(Published in the Kansas Register May 21, 2015.)

**Summary Notice of Bond Sale
Unified School District No. 342
Jefferson County, Kansas (McLouth)
\$3,425,000
General Obligation Bonds
Series 2015**

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the Notice of Bond Sale dated May 11, 2015, written and electronic bids will be received on behalf of the clerk of Unified School District No. 342, Jefferson County, Kansas (McLouth) ((the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 11 a.m. (CDT) June 8, 2015, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

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

| Year | Principal Amount |
|------|------------------|
| 2016 | \$ 40,000 |
| 2017 | 120,000 |
| 2018 | 150,000 |
| 2019 | 150,000 |
| 2020 | 155,000 |
| 2021 | 155,000 |
| 2022 | 160,000 |
| 2023 | 165,000 |
| 2024 | 165,000 |
| 2025 | 170,000 |
| 2026 | 175,000 |
| 2027 | 180,000 |
| 2028 | 185,000 |
| 2029 | 190,000 |
| 2030 | 195,000 |
| 2031 | 200,000 |
| 2032 | 205,000 |
| 2033 | 215,000 |
| 2034 | 220,000 |
| 2035 | 230,000 |

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2016.

Adjustment of Issue Size

The issuer reserves the right to decrease the total principal amount of the bonds, depending on the purchase price and interest rates bid and the offering prices specified by the successful bidder. The principal amount of any maturity may be adjusted by the issuer in order to prop-

(continued)

erly size the bond issue. The successful bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of the bonds or principal of any maturity as described herein. If there is a decrease in the final aggregate principal amount of the bonds or the schedule of principal payments as described above, the issuer will notify the successful bidder by means of telephone or facsimile transmission, subsequently confirmed in writing, not later than 2 p.m. (CDT) on the sale date. The actual purchase price for the bonds shall be calculated by applying the percentage of par value bid by the successful bidder against the final aggregate principal amount of the bonds, as adjusted, plus accrued interest from the date of the bonds to the date of delivery.

Book-Entry-Only System

The bonds shall be registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States, a qualified financial surety bond or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$68,500.

Delivery

The issuer will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 24, 2015, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2014 is \$33,313,701. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$3,425,000, or such other amount, established as described in "Adjustment of Issue Size."

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the undersigned, or from the financial advisor, at the addresses set forth below.

Written Bid and Good Faith Deposit

Delivery Address:

Lorie Patterson, Clerk
Unified School District No. 342
217 Summit St., P.O. Box 40
McLouth, KS 66054-0040
913-796-2201
Fax: 913-796-6440

pattersonl@mclouth.org

Financial Advisor — Facsimile Bid

Delivery Address:

Piper Jaffray & Co.
11635 Rosewood St.
Leawood, KS 66211
Attn: Greg Vahrenberg
913-345-3374
Fax: 913-345-3393
gregory.m.vahrenberg@pjc.com

Dated May 11, 2015.

Unified School District No. 342
Jefferson County, Kansas (McLouth)

Doc. No. 043555

State of Kansas

Board of Emergency Medical Services

Notice of Meetings

The Board of Emergency Medical Services will meet at 9 a.m. Friday, June 5, in Room 509 of the Landon State Office Building, 900 S.W. Jackson, Topeka. Meetings for the Planning and Operations Committee, the Education, Examination, Certification and Training Committee, the Investigation Committee and the Executive Committee will be held Thursday, June 4, starting at 9 a.m. at the same location. Items on the agenda for the board meeting can be found on the board's website at <http://www.ksebms.org>.

All meetings of the board are open to the public. For more information contact the executive director, Room 1031, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1228, 785-296-7296.

Joseph House
Executive Director

Doc. No. 043544

State of Kansas

Board of Indigents' Defense Services

Notice of Hearing

The State Board of Indigents' Defense Services will conduct a public hearing at 1:30 p.m. Friday, June 12, in the board's office, Suite 500, Jayhawk Tower, 700 S.W. Jackson, Topeka, to receive comments regarding the effect that continued proration of the hourly rate paid to assigned counsel will have on the quality of the representation afforded to indigent defendants and the availability of sufficient numbers of attorneys available in the judicial district, pursuant to K.A.R. 105-9-5. Additionally, comments regarding this issue may be sent in writing and they will become part of the record.

The building is accessible for disabled persons. Persons who require an accommodation to participate in the public hearing may contact Patricia Scalia at the address above, 785-368-6295.

Patricia A. Scalia
State Director

Doc. No. 043552

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. Globe Engineering Company, Inc. has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. 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.

Globe Engineering Company, Inc., 1539 S. Saint Paul, Wichita, KS 67213, owns and operates an aircraft parts and auxiliary equipment manufacturing facility located at the same address.

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 public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the Wichita Department of Environmental Health, 1900 E. 9th St., Wichita. To obtain or review the proposed permit and supporting documentation contact Ashley Eichman, 785-296-1713, at the KDHE central office, or Randy Owen, 316-268-8353, at the Wichita Department of Environmental Health. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Ashley Eichman, 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 not later than noon June 22.

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 Ashley Eichman, KDHE, Bureau of Air, not later than noon June 22 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 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 Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043548

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, June 4, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 000925 – Maximum Principal Amount: \$118,781.73. Owner/Operator: Cody and Ashley Bornholdt. Description: Acquisition of 120 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Cody and Ashley Bornholdt and is located at part of the East Half of the Southeast Quarter and part of the South Half of the Northeast Quarter of Section 7, Township 21, Range 4 West, McPherson County, Kansas, approximately 7 miles west of Inman on Cherokee Road.

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

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

Tim Shallenburger
President

Doc. No. 043557

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. Coffeyville Resources Nitrogen Fertilizer, LLC has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. 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.

Coffeyville Resources Nitrogen Fertilizer, LLC, 701 E. Martin St., Coffeyville, KS 67337, owns and operates a fertilizer manufacturing company located at the same address.

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 public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southeast District Office, 1500 W. 7th St., Chanute. To obtain or review the proposed permit and supporting documentation contact Ashley Eichman, 785-296-1713, at the KDHE central office, or Doug Cole, 620-431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Ashley Eichman, 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 not later than noon June 22.

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 Ashley Eichman, KDHE, Bureau of Air, not later than noon June 22 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 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 Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043549

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas/Federal Water
Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 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-15-173/175
Application(s) for New or Expansion of
Existing Swine FacilitiesName and Address
of Applicant

Jennifer A. Gerety and/or
John A. Kramer
Barnes #1
604 Nemaha St.
Seneca, KS 66538

Owner of Property Where
Facility Will Be Located

J-Six Enterprises, LLC –
Five Star Land Series
604 Nemaha St.
Seneca, KS 66538

Legal Description

NE/4 of Section 26,
T04S, R05E,
Washington County
Kansas Permit No. A-BBWS-S062

Receiving Water

Big Blue River Basin

This is an application for a permit for new construction of a proposed swine facility with the maximum capacity of 2,490 head (996 animal units) of swine weighing greater than 55 pounds. The proposed facility consists of two enclosed swine buildings with underground concrete pits. A new or modified permit will not be issued without additional public notice.

Name and Address
of Applicant

Seaboard Foods LLC

Owner of Property Where
Facility Will Be Located

Seaboard Foods LLC

Holcomb #258
2801 Hurliman Road
Guymon, OK 73942

2801 Hurliman Road
Guymon, OK 73942

Legal Description

SE/4 of Section 09,
T34S, R38W,
Stevens County

Receiving Water

Cimarron River Basin

Kansas Permit No. A-CISV-H006

Federal Permit No. KS0092711

This is an application for a permit modification for an existing swine facility with the proposed maximum capacity of 30,000 head (3,000 animal units) of swine weighing 55 pounds or less. Proposed modifications include converting the facility from a finishing site into a nursery site. This will reduce the total number of animal units from the previous permit. A new or modified permit will not be issued without additional public notice.

Name and Address of Applicant

Jennifer Gerety and/or
John Kramer
604 Nemaha St.
Seneca, KS 66538

Owner of Property Where Facility Will Be Located

J-Six Enterprises, LLC –
J-Six Land Holding Series
604 Nemaha St.
Seneca, KS 66538

Legal Description

SW/4 of Section 33,
T05S, R13E,
Nemaha County

Receiving Water

Kansas River Basin

Kansas Permit No. A-KSNM-S041

This is notification KDHE has received a complete permit application for the construction and operation of a swine waste management facility capable of housing 2,490 head (996 animal units) of swine weighing more than 55 pounds each. The complete application can be viewed on the Internet at http://www.kdheks.gov/feedlots/swine_application.htm and at the office of the Nemaha County clerk, the KDHE Northeast District Office in Lawrence, or the KDHE central office in Topeka. A permit to operate the proposed swine waste management system will not be issued without additional public notice.

modity areas, manure storage/composting areas, drainage channels, six sediment basins and five earthen retention control structures. The permit is being modified to reflect recent changes that have been made to the facility's waste management system and to adjust the required operating levels. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant

Greg Goering
Goering Land & Cattle
1066 18th Ave.
McPherson, KS 67460

Legal Description

NW/4 of Section 07,
T20S, R02W,
McPherson County

Receiving Water

Little Arkansas
River Basin

Kansas Permit No. A-LAMP-B003

This is a permit renewal for an existing facility with the maximum capacity for 150 head (150 animal units) of cattle weighing greater than 700 pounds, 300 head (150 animal units) of cattle weighing 700 pounds or less and 1 head (2 animal units) of horses, for a total of 302 animal units of livestock. The facility consists of approximately 2.5 acres of open lot pens. Surface runoff is collected and stored by a single-cell earthen wastewater retention structure and a two-cell earthen wastewater retention structure.

Name and Address of Applicant

Mike Berkgren
Midway Feeders, LLC
P.O. Box 99
Oakley, KS 67748

Legal Description

SE/4 of Section 29,
T10S, R32W,
Thomas County

Receiving Water

Saline River Basin

Kansas Permit No. A-SATH-C001

Federal Permit No. KS0115339

This is a permit modification and reissuance for an existing facility with a proposed maximum capacity of 1,800 animal units of cattle, which may include a combination of cattle weighing 700 pounds or less (0.5 animal unit each) and cattle weighing greater than 700 pounds (1.0 animal unit each). The facility currently consists of approximately 9.7 acres of open lot pens and feed roads, plus a feed storage area. Surface runoff is collected and stored in an earthen retention structure. The facility is proposing to construct approximately 5.4 acres of open lot pens and feed roads, with a sedimentation channel. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No. KS-AG-15-176/198

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant

Jennifer A. Gerety and/or
John A. Kramer
Barnes #1
604 Nemaha St.
Seneca, KS 66538

Legal Description

NE/4 of Section 26,
T04S, R05E,
Washington County

Receiving Water

Big Blue River
Basin

Kansas Permit No. A-BBWS-S062

This is a new permit for a proposed swine facility with the maximum capacity for 2,490 head (996 animal units) of swine weighing greater than 55 pounds. The proposed facility consists of two enclosed swine buildings. Manure and accumulated waste will be collected and stored in two underground concrete pits.

Name and Address of Applicant

Steve Stratford
Stratford Angus –
North Site
90453 N.W. 70th St.
Pratt, KS 67124

Legal Description

SE/4 of Section 23,
T26S, R15W,
Pratt County

Receiving Water

Lower Arkansas
River Basin

Kansas Permit No. A-ARPR-B011

This is a new permit for a new confined feeding facility for 720 head (720 animal units) of cattle weighing greater than 700 pounds. 4.5 acres of feeding pens will drain to a new proposed earthen wastewater retention structure.

Name and Address of Applicant

Algene Jay Houtsma
Syracuse Dairy
751 S.E. County Road 36
Syracuse, KS 67878

Legal Description

SE/4 of Section 25 &
E/2 & NW/4 of
Section 36, T26S,
R41W & SW/4 of
Section 30 & NW/4
of Section 31, T26S,
R40W, Hamilton
County

Receiving Water

Cimarron River
Basin

Kansas Permit No. A-CIHM-D001

Federal Permit No. KS0090638

This is a permit modification and reissuance for an existing dairy facility with a maximum capacity of 9,000 head (12,600 animal units) of mature dairy cows and 3,000 head (3,000 animal units) of dairy heifers weighing greater than 700 pounds, totaling 15,600 animal units of dairy cattle. The facility consists of two milking parlors, a hospital barn, a maternity barn, open lot pens, feed roads and alleys, com-

Name and Address of Applicant

Steve Stratford
Stratford Angus –
South Site
90453 N.W. 70th St.
Pratt, KS 67124

Legal Description

SW/4 of Section 36,
T26S, R15W,
Pratt County

Receiving Water

Lower Arkansas
River Basin

Kansas Permit No.: A-ARPR-B012

This is a new permit for a new confined feeding facility for 500 head (500 animal units) of cattle weighing greater than 700 pounds. 3.29 acres of feeding pens will drain to a new proposed two-cell earthen wastewater retention system.

Name and Address of Applicant

CAJ Dairy Farms LLC
CAJ Dairy
16733 K16 Hwy.
Oskaloosa, KS 66066

Legal Description

NW/4 of Section 11,
T10S, R19E,
Jefferson County

Receiving Water

Kansas River Basin

Kansas Permit No. A-KSJF-M011

(continued)

This permit is being modified to add 40 additional head (56 animal units) of mature dairy cattle to bring the facility capacity to 400 head (560 animal units) of mature dairy cattle, 160 head (80 animal units) of cattle weighing less than 700 pounds and 60 head (60 animal units) of cattle weighing greater than 700 pounds, for a total capacity of 700 animal units, and construct a 156-foot addition on to the west end of the existing freestall building for equipment storage and indoor flush tank storage. There are no other changes to the permit. Only the portions of the permit being modified are subject to comment.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|---|-----------------------|
| Ronald Bloom Bloom Farms 564 R Road Goff, KS 66428 | NW/4 of Section 12, T05S, R13E, Nemaha County | Kansas River Basin |
| Kansas Permit No. A-KSNM-C001 Federal Permit No.: KS0098736 | | |

A permit is being reissued to the existing confined animal feeding facility for 1,450 head (1,450 animal units) of beef cattle weighing more than 700 pounds. The animal unit capacity has not changed since the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|---|---------------------------------|
| J. L. Livengood Farms Inc. 6020 Road #3 Kanorado, KS 67741 | N/2 of Section 08, T09S, R42W, Sherman County | Upper Republican River Basin |
| Kansas Permit No. A-URSH-C006 Federal Permit No. KS0094005 | | |

A permit is being reissued to the existing confined animal feeding facility for 4,999 head (4,999 animal units) of beef cattle weighing more than 700 pounds. The animal unit capacity has not changed since the previous permit.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|---|------------------------|
| Brian Taylor Taylor Dairy 207 E. Jade Road Phillipsburg, KS 67661 | SW/4 of Section 18, T02S, R17W, Phillips County | Solomon River Basin |
| Kansas Permit No. A-SOPL-M003 | | |

A permit is being reissued to the existing inactive confined animal feeding facility for 150 head (210 animal units) of mature dairy cattle and 75 head (75 animal units) of dairy heifers weighing more than 700 pounds. The animal unit capacity has not changed since the previous permit.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|--|-------------------------------|
| Brian Vulgamore Dry Lake Feed Yard 1550 W. Road 70 Scott City, KS 67871 | SE/4 of Section 10 & SW/4 of Section 11, T20S, R31W, Scott County | Upper Arkansas River Basin |
| Kansas Permit No. A-UASC-C020 Federal Permit No. KS0095761 | | |

This is a permit reissuance for an existing facility for 3,500 head (3,500 animal units) of cattle weighing greater than 700 pounds. This facility has an approved Nutrient Management Plan on file with KDHE.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|---|-------------------------|
| Douglas and Deborah Rethman Rethman Farms, Inc. 1157 120th Road Seneca, KS 66538 | SE/4 of Section 14, T03S, R12E, Nemaha County | Missouri River Basin |
| Kansas Permit No. A-MONM-S001 | | |

This permit is being reissued for an existing facility with a maximum capacity of 1,720 head (688 animal units) of swine more than 55 pounds and 840 head (84 animal units) of swine 55 pounds or less,

for a total of 772 animal units. There is no change in the permitted animal units.

| Name and Address of Applicant | Legal Description | Receiving Water |
|---|---|---------------------------------|
| Ward Sumner Ward Sumner Feedlot 907 Westridge Norton, KS 67654 | NW/4 of Section 09, T01S, R25W, Norton County | Upper Republican River Basin |
| Kansas Permit No. A-URNT-B005 | | |

This permit is being reissued for an existing facility with a maximum capacity of 999 head (499.5 animal units) of cattle 700 pounds or less. There is no change in the permitted animal units from the previous permit cycle.

| Name and Address of Applicant | Legal Description | Receiving Water |
|---|--|------------------------|
| Ronald Holling 2105 W. 70th Drive Alton, KS 67623 | NE/4 of Section 09, T07S, R14W, Osborne County | Solomon River Basin |
| Kansas Permit No. A-SOQB-S004 | | |

This permit is being reissued for an existing facility with a maximum capacity of 80 head (32 animal units) of swine more than 55 pounds and 30 head (3 animal units) of swine 55 pounds or less, for a total of 35 animal units. There is no change in the permitted animal units.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|--|-----------------------|
| Clif Heiniger Heinco, Inc. 307 180th St. Fairview, KS 66425 | SE/4 of Section 21, T03S, R15E, Brown County | Kansas River Basin |
| Kansas Permit No. A-KSBR-S025 | | |

This permit is being reissued for an existing facility with a maximum capacity of 600 head (240 animal units) of swine more than 55 pounds and 300 head (30 animal units) of swine 55 pounds or less, for a total of 270 animal units. There is no change in the permitted animal units from the previous permit cycle.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|---|-----------------------|
| Kevin Winter Rock-Home Holsteins 2364 Hwy. K-15 Hillsboro, KS 67063 | NW/4 of Section 09, T19S, R02E, Marion County | Neosho River Basin |
| Kansas Permit No. A-NEMN-M026 | | |

This permit is being reissued for an existing facility with maximum capacity of 245 head (240 animal units) of cattle more than 700 pounds and 90 head (45 animal units) of cattle 700 pounds or less, for a total of 290 animal units. This represents a decrease in permitted animal units from the previous permit cycle.

| Name and Address of Applicant | Legal Description | Receiving Water |
|---|---|-----------------------|
| Mark or Heather Faye Faye Farms 4790 11th Road Udall, KS 67146 | SW/4 of Section 20, T30S, R03E, Cowley County | Walnut River Basin |
| Kansas Permit No. A-WACL-M005 | | |

This is a reissuance of a permit for an existing facility for 60 (84 animal units) of mature dairy cattle. There is no change in the permitted animal units.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|---|------------------------|
| Troy Tremblay Rock Creek Cattle Co. 1955 U.S. Hwy. 24 Penokee, KS 67659 | NE/4 of Section 15, T08S, R24W, Graham County | Solomon River Basin |
| Kansas Permit No. A-SOGH-B003 | | |

This is a reissuance of a permit for an existing facility with a maximum capacity of 450 head (450 animal units) of beef cattle weighing more than 700 pounds and 450 head (225 animal units) of beef cattle

weighing 700 pounds or less, for a total of 675 animal units. There is no change in the permitted animal units from the previous permit.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|--|-------------------------------|
| Travis McGuire Wilroads Feed Yard 11449 Lariat Way Dodge City, KS 67801 | W/2 of Section 09, T27S, R24W, Ford County | Upper Arkansas River Basin |

Kansas Permit No. A-UAFO-C014 Federal Permit No. KS0080373

This is a reissuance of a permit with a maximum capacity of 12,800 head (12,800 animal units) of cattle weighing greater than 700 pounds. There is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

| Name and Address of Applicant | Legal Description | Receiving Water |
|---|---|-----------------------|
| Dwight Busenitz Four Mile Farm 6698 N.W. Indianola Road Whitewater, KS 67154 | NW/4 of Section 04, T25S, R04E, Butler County | Walnut River Basin |

Kansas Permit No. A-WABU-S043

This is a reissuance for an existing swine facility consisting of two enclosed buildings with concrete pits for 2,400 head (960 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units.

| Name and Address of Applicant | Legal Description | Receiving Water |
|--|---|-----------------------|
| Ed Wait 15160 S.W. 10th Benton, KS 67017 | SE/4 of Section 05, T26S, R03E, Butler County | Walnut River Basin |

Kansas Permit No. A-WABU-S041

This is a reissuance of a permit for an existing facility with the maximum capacity of 1,150 head (460 animal units) of swine weighing more than 55 pounds and 200 head (20 animal units) of swine weighing 55 pounds or less, for a total capacity of 1,350 head (480 animal units). There is no change in the permitted animal units.

| Name and Address of Applicant | Legal Description | Receiving Water |
|---|---|-------------------------------|
| Tim Schweizer Schweizer Dairy, Inc. 24216 W. 43rd Sterling, KS 67579 | SE/4 of Section 27, T22S, R09W, Reno County | Lower Arkansas River Basin |

Kansas Permit No. A-ARRN-B002

This is a reissuance of a permit for an existing facility for 650 head (650 animal units) of cattle weighing greater than 700 pounds. There is no change in the permitted animal units.

| Name and Address of Applicant | Legal Description | Receiving Water |
|---|--|-------------------------------|
| Preston Withers Withers Feed Yard 2257 100th Road Copeland, KS 67837 | SW/4 of Section 10, T28S, R31W, Haskell County | Upper Arkansas River Basin |

Kansas Permit No. A-UAHS-C012 Federal Permit No. KS0096971

This is a reissuance of a permit for an existing facility for 4,999 head (4,999 animal units) of cattle weighing greater than 700 pounds. There is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No. KS-AG-R-15-013/014

Per K.S.A. 65-171d, the following registrations have been received for proposed confined feeding facilities:

| Name and Address of Registrant | Legal Description | County |
|---|-----------------------------------|---------|
| Scott Roesch 12216 Road G Colby, KS 67701 | NW/4 of Section 01, T05S, R35W | Rawlins |

| Name and Address of Registrant | Legal Description | County |
|---|--|------------|
| Jennifer A. Gerety and/or John A. Kramer 604 Nemaha St. Seneca, KS 66538 | W/2 of the NE/4 of Section 17, T04S, R01E | Washington |

Public Notice No. KS-Q-15-066/068

The requirements of the draft permits public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria:

| Name and Address of Applicant | Receiving Stream | Type of Discharge |
|--|-------------------|--------------------------------|
| Geary County Public Works Department 310 E. 8th St. Junction City, KS 66441 | Milford Reservoir | Treated Domestic Wastewater |

Kansas Permit No. M-LR15-0004 Federal Permit No. KS0079197
Legal Description: NE¼, NW¼, NW¼, S14, T11S, R4E, Geary County, KS

Facility Name: Geary County Sewer District #4 (Laurel Canyon)
Facility Location: 7000 Laurel Canyon Road, Junction City, KS 66441

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, total residual chlorine and pH, as well as total phosphorus, monitoring for nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, dissolved oxygen and flow. Contained in the permit is a schedule of compliance requiring the permittee to upgrade the facility.

| Name and Address of Applicant | Receiving Stream | Type of Discharge |
|--|---|--------------------------------|
| Horton, City of P.O. Box 30 Horton, KS 66439 | Delaware River via Grasshopper Creek | Treated Domestic Wastewater |

Kansas Permit No. M-KS24-0001 Federal Permit No. KS0047465
Legal Description: E½, NW¼, NE¼, S5, T5S, R17E, Atchison County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli and pH, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, total recoverable copper and zinc, and flow. Contained in the permit is a schedule of compliance requiring the permittee to submit an engineering report addressing the facility's ability to meet current and proposed effluent limits.

| Name and Address of Applicant | Receiving Stream | Type of Discharge |
|--|--|--|
| OR-AL Quarries Inc. 1974 All American road Hanover, KS 66945 | Tuttle Creek Lake via Little Blue River via Fawn Creek | Pit Dewatering & Stormwater Runoff |

Kansas Permit No. I-BB22-PO01 Federal Permit No. KS0095125
Legal Description: NE¼, S35, T4S, R6E, Marshall County, KS

Facility Name: Hanover Quarry

The proposed action consists of reissuing an existing permit for discharge of wastewater during quarry operations. This is a limestone quarrying and crushing operation with no washing. Outfall 001 consists of pit water and stormwater runoff that is treated with settling ponds. The proposed permit contains generic water-quality language to protect waters of the state.

Public Notice No. KS-PT-15-010/012

The requirements of the draft permits public noticed
(continued)

below are pursuant to Kansas Administrative Regulations 26-16-82 through 28-16-98 and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403:

| Name and Address of Applicant | Receiving Facility | Type of Discharge |
|---|--------------------|-----------------------|
| Peerless Products, Inc. 2403 S. Main Fort Scott, KS 66701 | Fort Scot MWWTP | Process Wastewater |

Kansas Permit No. P-MC11-002 Federal Tracking No. KSP000010

The proposed action consists of reissuing an existing pretreatment permit for an existing facility. This facility extrudes aluminum from billets and performs conversion coating operations on aluminum parts, to prepare them for paint and/or provide corrosion resistance. Aluminum parts are then fabricated and in some cases painted, prior to shipment. Outfall 001 consists of process wastes (treated rinse water) from the aluminum cleaning/etching operation. Outfall 002 consists of treated wastes from the die cleaning operation. The proposed permit contains limits for total toxic organics, chromium, oil and grease, zinc, total cyanide and pH, as well as monitoring of flow.

| Name and Address of Applicant | Receiving Facility | Type of Discharge |
|--|--------------------|-----------------------|
| SFK USA Inc. 840 Forty Foot Road Lansdale, PA 19446-0352 | Seneca MWWTP | Process Wastewater |

Kansas Permit No. P-MO19-0001 Federal Tracking No. KSP000009

Facility Name: SFK Sealing Solutions

Facility Location: 31 E. Amador, Seneca, KS 66538

The proposed action consists of reissuing an existing pretreatment permit for an existing facility. This facility manufactures shaft oil seals for appliances, automobiles and industrial equipment. Metal parts are processed in a zinc phosphating operation, which is a conversion coating operation. This facility also extrudes rubber seals and discharges cooling water. Outfall 001 consists of treated effluent from the on-site DMP treatment system. The proposed permit contains limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of flow.

| Name and Address of Applicant | Receiving Facility | Type of Discharge |
|---|--------------------|-----------------------|
| Wilde Tool Company, Inc. 1210 Pottawatomie St. Hiawatha, KS 66434 | Hiawatha MWWTP | Process Wastewater |

Kansas Permit No. P-MO08-0001 Federal Tracking No. KSP000071

The proposed action consists of reissuing an existing pretreatment permit for an existing facility. This facility manufactures metal hand tools such. Outfall 001 consists of process wastewater from the rinse tanks in the metal coloring operation. Outfall 002 consists of heat treat rinse water. The proposed permit contains limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of flow.

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 June 20 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-15-173-198, KS-AG-R-

013/014, KS-Q-15-066/068, KS-PT-15-010/012) 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.

Susan Mosier, M.D.
Secretary of Health
and Environment

Doc. No. 043551

State of Kansas

Board of Pharmacy

Permanent Administrative Regulations

Article 20.—CONTROLLED SUBSTANCES

68-20-31. 2,5-dimethoxy-4-methyl-n-(2-methoxybenzyl)phenethylamine included in schedule I. 2,5-dimethoxy-4-methyl-n-(2-methoxybenzyl)phenethylamine, including its salts, isomers, and salts of isomers, shall be classified as a schedule I controlled substance. (Authorized by and implementing K.S.A. 2014 Supp. 65-4102; effective, T-68-1-23-15, Jan. 23, 2015; effective June 5, 2015.)

Debra Billingsley
Executive Secretary

Doc. No. 043547

State of Kansas

Board of Examiners in Optometry

Permanent Administrative Regulations

Article 5.—LICENSES

65-5-6. Continuing education. (a) Each licensed optometrist shall earn annually 24 hours of documented and approved continuing education during each license renewal period.

(b) No more than eight hours of the 24 annually required hours of documented and approved continuing education may be obtained through courses that do not include a live presentation. No more than four of the 24 annually required hours of documented and approved continuing education may be obtained through observing ophthalmic surgery. No more than four of the 24 annually required hours of documented and approved continuing education may be in the subject area of practice management.

Courses including those presented through the internet, by correspondence, in journals or other publications, and by presentation that is remote or recorded, or both, shall be subject to the limitations specified in this subsection.

(c) Each academic credit hour shall be equivalent to 15 hours of continuing education. Credit for auditing an academic course shall be given for actual hours attended during which instruction was given and shall not exceed the number of hours allowed for academic credit.

(d) The following educational programs may be used to meet the annual educational requirement:

(1) Educational meetings of the American optometric association;

(2) educational meetings of the Kansas optometric association;

(3) scientific sections of the American academy of optometry;

(4) postgraduate courses offered at any accredited school of optometry; and

(5) other educational programs approved by the board.

(e) Each provider seeking board approval for a continuing education offering shall submit a copy of the continuing education program, schedule, or outline to the secretary-treasurer at least 60 days before the date of the program.

(f) Each licensee shall submit a certificate of attendance to the secretary-treasurer with or before the licensee's application for renewal. The certificate of attendance shall contain the following:

(1) The name of the sponsoring organization;

(2) the name, signature, and address of the licensee;

(3) the number of hours attended;

(4) the subject of the approved education program;

(5) the date of the educational program; and

(6) any other evidence of attendance required by the board.

(g) The certificate of attendance shall be on a form approved by the board and shall be signed by the licensee and an appropriate representative of the sponsoring organization. (Authorized by K.S.A. 74-1504(a)(6); implementing K.S.A. 2014 Supp. 65-1509a; effective May 18, 1992; amended March 7, 1997; amended June 9, 2000; amended Oct. 3, 2003; amended June 5, 2015.)

65-5-10. (Authorized by K.S.A. 74-1504(a)(6); implementing K.S.A. 1998 Supp. 65-1501, K.S.A. 1998 Supp. 65-1501a, K.S.A. 1998 Supp. 65-1505, K.S.A. 1998 Supp. 65-4915(b), and K.S.A. 65-1525; effective Feb. 28, 1997; amended Nov. 29, 1999; revoked June 5, 2015.)

65-5-11. (Authorized by and implementing K.S.A. 74-1504 and K.S.A. 2003 Supp. 65-1509; effective June 25, 2004; revoked June 5, 2015.)

65-5-13. Professional liability insurance. Each person licensed by the board shall, before rendering professional services within the state, obtain and maintain professional liability insurance coverage of at least \$1,000,000 for each claim. (Authorized by K.S.A. 74-1504; implementing K.S.A. 2014 Supp. 65-1505; effective June 5, 2015.)

Jan Murray
Executive Officer

Doc. No. 043553

State of Kansas

Secretary of State

Certification of New State Laws

I, Kris W. Kobach, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

Kris W. Kobach
Secretary of State

(Published in the Kansas Register May 21, 2015.)

Senate Substitute for HOUSE BILL No. 2043

AN ACT concerning the secretary for aging and disability services; powers, duties and functions; relating to programs for all-inclusive care for the elderly; amending K.S.A. 75-5308d and 76-12a24 and K.S.A. 2014 Supp. 8-2,144, 8-1025, 39-923, 59-29a24, 65-6233, 75-53,105 and 75-6524 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2014 Supp. 75-53,105 is hereby amended to read as follows: 75-53,105. (a) *As used in this section, "secretary" means the secretary for children and families or the secretary for aging and disability services.*

(b) ~~The secretary for children and families shall upon request receive from the Kansas bureau of investigation such criminal history record information as necessary for the purpose of determining initial and continuing qualification for employment or for participation in any program administered by the secretary for the placement, safety, protection or treatment of vulnerable children or adults.~~

~~(b)(c)~~ (c) The secretary shall have access to any court orders or adjudications of any court of record, any records of such orders, adjudications, arrests, nonconvictions, convictions, expungements, juvenile records, juvenile expungements, diversions and any criminal history record information in the possession of the Kansas bureau of investigation concerning such employee or individual.

~~(c)(d)~~ (d) If a nationwide criminal records check of all records noted above is necessary, as determined by the secretary, the secretary's request will be based on the submission of fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for the identification of the individual and to obtain criminal history record information, including arrest and nonconviction data.

~~(d)(e)~~ (e) Fees for such records checks shall be assessed to the secretary.

~~(e)(f)~~ (f) Disclosure or use of any such information received by the secretary or a designee of the secretary or of any record containing such information, for any purpose other than that provided by this act is a class A misdemeanor and shall constitute grounds for removal from office or termination of employment. Nothing in this act shall be construed to make unlawful or prohibit the disclosure of any such information in a hearing or court proceeding involving programs administered by the secretary or prohibit the disclosure of any such information to the post auditor in accordance with and subject to the provisions of the legislative post audit act.

Sec. 2. K.S.A. 2014 Supp. 8-2,144 is hereby amended to read as follows: 8-2,144. (a) Driving a commercial motor vehicle under the influence is operating or attempting to operate any commercial motor vehicle, as defined in K.S.A. 8-2,128, and amendments thereto, within this state while:

(1) The alcohol concentration in the person's blood or breath, as shown by any competent evidence, including other competent evidence, as defined in ~~paragraph (1) of subsection (f) of~~ K.S.A. 8-1013(f)(1), and amendments thereto, is 0.04 or more;

(2) the alcohol concentration in the person's blood or breath, as measured within three hours of the time of driving a commercial motor vehicle, is 0.04 or more; or

(3) committing a violation of ~~subsection (a) of~~ K.S.A. 8-1567(a), and amendments thereto, or the ordinance of a city or resolution of a county which prohibits any of the acts prohibited thereunder.

(b) (1) Driving a commercial motor vehicle under the influence is:

(A) On a first conviction a class B, nonperson misdemeanor. The person convicted shall be sentenced to not less than 48 consecutive hours nor more than six months' imprisonment, or in the court's dis-

(continued)

cretion, 100 hours of public service, and fined not less than \$750 nor more than \$1,000. The person convicted shall serve at least 48 consecutive hours' imprisonment or 100 hours of public service either before or as a condition of any grant of probation, suspension or reduction of sentence or parole or other release;

(B) on a second conviction a class A, nonperson misdemeanor. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250 nor more than \$1,750. The person convicted shall serve at least five consecutive days' imprisonment before the person is granted probation, suspension or reduction of sentence or parole or is otherwise released. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2014 Supp. 21-6609, and amendments thereto, to serve the five days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 120 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours; and

(C) on a third or subsequent conviction a nonperson felony. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2014 Supp. 21-6609, and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours.

(2) In addition, for any conviction pursuant to subsection (b)(1)(C), at the time of the filing of the judgment form or journal entry as required by K.S.A. 22-3426 or K.S.A. 2014 Supp. 21-6711, and amendments thereto, the court shall cause a certified copy to be sent to the officer having the offender in charge. The court shall determine whether the offender, upon release from imprisonment, shall be supervised by community correctional services or court services based upon the risk and needs of the offender. The risk and needs of the offender shall be determined by use of a risk assessment tool specified by the Kansas sentencing commission. The law enforcement agency maintaining custody and control of a defendant for imprisonment shall cause a certified copy of the judgment form or journal entry to be sent to the supervision office designated by the court and upon expiration of the term of imprisonment shall deliver the defendant to a location designated by the supervision office designated by the court. After the term of imprisonment imposed by the court, the person shall be placed on supervision to community correctional services or court services, as determined by the court, for a mandatory one-year period of supervision, which such period of supervision shall not be reduced. During such supervision, the person shall be required to participate in a multidisciplinary model of services for substance use disorders facilitated by a Kansas department of social and rehabilitation for aging and disability services designated care coordination agency to include assessment and, if appropriate, referral to a community based substance use disorder treatment including

recovery management and mental health counseling as needed. The multidisciplinary team shall include the designated care coordination agency, the supervision officer, the department of social and rehabilitation aging and disability services department designated treatment provider and the offender. Any violation of the conditions of such supervision may subject such person to revocation of supervision and imprisonment in jail for the remainder of the period of imprisonment, the remainder of the supervision period, or any combination or portion thereof.

(3) In addition, prior to sentencing for any conviction pursuant to subsection (b)(1)(A) or (b)(1)(B), the court shall order the person to participate in an alcohol and drug evaluation conducted by a provider in accordance with K.S.A. 8-1008, and amendments thereto. The person shall be required to follow any recommendation made by the provider after such evaluation, unless otherwise ordered by the court.

(c) Any person convicted of a violation of this section, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, who had one or more children under the age of 14 years in the vehicle at the time of the offense shall have such person's punishment enhanced by one month of imprisonment. This imprisonment shall be served consecutively to any other minimum mandatory penalty imposed for a violation of this section, or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section. Any enhanced penalty imposed shall not exceed the maximum sentence allowable by law. During the service of the enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.

(d) If a person is charged with a violation of this section involving drugs, the fact that the person is or has been entitled to use the drug under the laws of this state shall not constitute a defense against the charge.

(e) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessment and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.

(f) In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

(g) Prior to filing a complaint alleging a violation of this section, a prosecutor shall request and shall receive from the: (1) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and (2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(h) The court shall electronically report every conviction of a violation of this section and every diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of this section to the division. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the: (1) Division a record of all prior convictions obtained against such person for any violation of any of the motor vehicle laws of this state; and (2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(i) Upon conviction of a person of a violation of this section or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, the division, upon receiving a report of conviction, shall: (1) Disqualify the person from driving a commercial motor vehicle under K.S.A. 8-2,142, and amendments thereto; and (2) suspend, restrict or suspend and restrict the person's driving privileges as provided by K.S.A. 8-1014, and amendments thereto.

(j) (1) Nothing contained in this section shall be construed as preventing any city from enacting ordinances, or any county from adopting resolutions, declaring acts prohibited or made unlawful by this section as unlawful or prohibited in such city or county and prescribing penalties for violation thereof.

(2) The minimum penalty prescribed by any such ordinance or resolution shall not be less than the minimum penalty prescribed by this section for the same violation, and the maximum penalty in any such ordinance or resolution shall not exceed the maximum penalty prescribed for the same violation.

(3) Any such ordinance or resolution shall authorize the court to order that the convicted person pay restitution to any victim who suffered loss due to the violation for which the person was convicted.

(k) (1) Upon the filing of a complaint, citation or notice to appear alleging a person has violated a city ordinance prohibiting the acts prohibited by this section, and prior to conviction thereof, a city attorney shall request and shall receive from the: (A) Division of vehicles a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and (B) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(2) If the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony, the city attorney shall refer the violation to the appropriate county or district attorney for prosecution. The county or district attorney shall accept such referral and pursue a disposition of such violation, and shall not refer any such violation back to the city attorney.

(l) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargaining agreement entered into for the purpose of permitting a person charged with a violation of this section, or a violation of any ordinance of a city or resolution of any county in this state which prohibits the acts prohibited by this section, to avoid the mandatory penalties established by this section or by the ordinance or resolution.

(m) The alternatives set out in subsections (a)(1), (a)(2) and (a)(3) may be pleaded in the alternative, and the state, city or county may, but shall not be required to, elect one or two of the three prior to submission of the case to the fact finder.

(n) For the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section:

(1) Convictions for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring on or after July 1, 2001. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offense;

(2) any convictions for a violation of the following sections occurring during a person's lifetime shall be taken into account: (A) This section; (B) refusing to submit to a test to determine the presence of alcohol or drugs, K.S.A. 2014 Supp. 8-1025, and amendments thereto; (C) operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto; (D) involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or ~~subsection (a)(3) of K.S.A. 2014 Supp. 21-5405(a)(3), and amendments thereto;~~ (E) aggravated battery as described in ~~subsection (b)(3) of K.S.A. 2014 Supp. 21-5413(b)(3), and amendments thereto;~~ and (F) aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) "conviction" includes: (A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a crime described in subsection (n)(2); (B) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another state which would constitute a crime described in subsection (n)(1) or (n)(2); and (C) receiving punishment under the uniform code of military justice or Kansas code of military justice for an act which was committed on a military reservation and which would constitute a crime described in subsection (n)(1) or (n)(2) if committed off a military reservation in this state;

(4) it is irrelevant whether an offense occurred before or after conviction for a previous offense; and

(5) multiple convictions of any crime described in subsection (n)(1) or (n)(2) arising from the same arrest shall only be counted as one conviction.

(o) For the purpose of this section:

(1) "Alcohol concentration" means the number of grams of alcohol per 100 milliliters of blood or per 210 liters of breath;

(2) "imprisonment" shall include any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city; and

(3) "drug" includes toxic vapors as such term is defined in K.S.A. 2014 Supp. 21-5712, and amendments thereto.

(p) On and after July 1, 2011, the amount of \$250 from each fine imposed pursuant to this section shall be remitted by the clerk of the

district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2014 Supp. 75-52,113, and amendments thereto.

Sec. 3. K.S.A. 2014 Supp. 8-1025 is hereby amended to read as follows: 8-1025. (a) Refusing to submit to a test to determine the presence of alcohol or drugs is refusing to submit to or complete a test or tests deemed consented to under ~~subsection (a) of K.S.A. 8-1001(a), and amendments thereto,~~ if such person has:

(1) Any prior test refusal as defined in K.S.A. 8-1013, and amendments thereto, which occurred: (A) On or after July 1, 2001; and (B) when such person was 18 years of age or older; or

(2) any prior conviction for a violation of K.S.A. 8-1567 or 8-2,144, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, which occurred: (A) On or after July 1, 2001; and (B) when such person was 18 years of age or older.

(b) (1) Refusing to submit to a test to determine the presence of alcohol or drugs is:

(A) On a first conviction a class A, nonperson misdemeanor. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,250 nor more than \$1,750. The person convicted shall serve at least five consecutive days' imprisonment before the person is granted probation, suspension or reduction of sentence or parole or is otherwise released. The five days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 120 hours of confinement. Such 120 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2014 Supp. 21-6609, and amendments thereto, to serve the five days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 120 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 120 hours;

(B) on a second conviction a class A, nonperson misdemeanor, except as provided in subsection (b)(1)(C). The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2014 Supp. 21-6609, and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours;

(C) on a second conviction a nonperson felony if the person has a prior conviction which occurred within the preceding 10 years, not including any period of incarceration. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined not less than \$1,750 nor more than \$2,500. The person con-

(continued)

victed shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 48 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 48 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2014 Supp. 21-6609, and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 48 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours; and

(D) on a third or subsequent conviction a nonperson felony. The person convicted shall be sentenced to not less than 90 days nor more than one year's imprisonment and fined \$2,500. The person convicted shall not be eligible for release on probation, suspension or reduction of sentence or parole until the person has served at least 90 days' imprisonment. The 90 days' imprisonment mandated by this subsection may be served in a work release program only after such person has served 72 consecutive hours' imprisonment, provided such work release program requires such person to return to confinement at the end of each day in the work release program. The person convicted, if placed into a work release program, shall serve a minimum of 2,160 hours of confinement. Such 2,160 hours of confinement shall be a period of at least 72 consecutive hours of imprisonment followed by confinement hours at the end of and continuing to the beginning of the offender's work day. The court may place the person convicted under a house arrest program pursuant to K.S.A. 2014 Supp. 21-6609, and amendments thereto, to serve the 90 days' imprisonment mandated by this subsection only after such person has served 72 consecutive hours' imprisonment. The person convicted, if placed under house arrest, shall be monitored by an electronic monitoring device, which verifies the offender's location. The offender shall serve a minimum of 2,160 hours of confinement within the boundaries of the offender's residence. Any exceptions to remaining within the boundaries of the offender's residence provided for in the house arrest agreement shall not be counted as part of the 2,160 hours.

(2) The court may order that the term of imprisonment imposed pursuant to subsection (b)(1)(C) or (b)(1)(D) be served in a state facility in the custody of the secretary of corrections in a facility designated by the secretary for the provision of substance abuse treatment pursuant to the provisions of K.S.A. 2014 Supp. 21-6804, and amendments thereto. The person shall remain imprisoned at the state facility only while participating in the substance abuse treatment program designated by the secretary and shall be returned to the custody of the sheriff for execution of the balance of the term of imprisonment upon completion of or the person's discharge from the substance abuse treatment program. Custody of the person shall be returned to the sheriff for execution of the sentence imposed in the event the secretary of corrections determines: (A) That substance abuse treatment resources or the capacity of the facility designated by the secretary for the incarceration and treatment of the person is not available; (B) the person fails to meaningfully participate in the treatment program of the designated facility; (C) the person is disruptive to the security or operation of the designated facility; or (D) the medical or mental health condition of the person renders the person unsuitable for confinement at the designated facility. The determination by the secretary that the person either is not to be admitted into the designated facility or is to be transferred from the designated facility is not subject to review. The sheriff shall be responsible for all transportation expenses to and from the state correctional facility.

(3) In addition, for any conviction pursuant to subsection (b)(1)(B), (b)(1)(C) or (b)(1)(D), at the time of the filing of the judgment form or journal entry as required by K.S.A. 22-3426 or K.S.A. 2014 Supp. 21-6711, and amendments thereto, the court shall cause a certified copy to be sent to the officer having the offender in charge. The court shall determine whether the offender, upon release from imprisonment, shall be supervised by community correctional services or court services based upon the risk and needs of the offender. The risk and needs of the offender shall be determined by use of a risk assessment tool spec-

ified by the Kansas sentencing commission. The law enforcement agency maintaining custody and control of a defendant for imprisonment shall cause a certified copy of the judgment form or journal entry to be sent to the supervision office designated by the court and upon expiration of the term of imprisonment shall deliver the defendant to a location designated by the supervision office designated by the court. After the term of imprisonment imposed by the court, the person shall be placed on supervision to community correctional services or court services, as determined by the court, for a mandatory one-year period of supervision, which such period of supervision shall not be reduced. During such supervision, the person shall be required to participate in a multidisciplinary model of services for substance use disorders facilitated by a Kansas department of social and rehabilitation for aging and disability services designated care coordination agency to include assessment and, if appropriate, referral to a community based substance use disorder treatment including recovery management and mental health counseling as needed. The multidisciplinary team shall include the designated care coordination agency, the supervision officer, the social and rehabilitation aging and disability services department designated treatment provider and the offender. Any violation of the conditions of such supervision may subject such person to revocation of supervision and imprisonment in jail for the remainder of the period of imprisonment, the remainder of the supervision period, or any combination or portion thereof.

(4) In addition, prior to sentencing for any conviction pursuant to subsection (b)(1)(A), the court shall order the person to participate in an alcohol and drug evaluation conducted by a provider in accordance with K.S.A. 8-1008, and amendments thereto. The person shall be required to follow any recommendation made by the provider after such evaluation, unless otherwise ordered by the court.

(c) Any person convicted of violating this section or an ordinance which prohibits the acts that this section prohibits who had one or more children under the age of 14 years in the vehicle at the time of the offense shall have such person's punishment enhanced by one month of imprisonment. This imprisonment must be served consecutively to any other minimum mandatory penalty imposed for a violation of this section or an ordinance which prohibits the acts that this section prohibits. Any enhanced penalty imposed shall not exceed the maximum sentence allowable by law. During the service of the enhanced penalty, the judge may order the person on house arrest, work release or other conditional release.

(d) The court may establish the terms and time for payment of any fines, fees, assessments and costs imposed pursuant to this section. Any assessments and costs shall be required to be paid not later than 90 days after imposed, and any remainder of the fine shall be paid prior to the final release of the defendant by the court.

(e) In lieu of payment of a fine imposed pursuant to this section, the court may order that the person perform community service specified by the court. The person shall receive a credit on the fine imposed in an amount equal to \$5 for each full hour spent by the person in the specified community service. The community service ordered by the court shall be required to be performed not later than one year after the fine is imposed or by an earlier date specified by the court. If by the required date the person performs an insufficient amount of community service to reduce to zero the portion of the fine required to be paid by the person, the remaining balance of the fine shall become due on that date.

(f) Prior to filing a complaint alleging a violation of this section, a prosecutor shall request and shall receive from the:

(1) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(2) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(g) The court shall electronically report every conviction of a violation of this section and every diversion agreement entered into in lieu of further criminal proceedings on a complaint alleging a violation of this section to the division. Prior to sentencing under the provisions of this section, the court shall request and shall receive from the division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state.

(h) For the purpose of determining whether a conviction is a first, second, third, fourth or subsequent conviction in sentencing under this section:

(1) Convictions for a violation of K.S.A. 8-1567, and amendments thereto, or a violation of an ordinance of any city or resolution of any county which prohibits the acts that such section prohibits, or entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging any such violations, shall be taken into account, but only convictions or diversions occurring: (A) On or after July 1, 2001;

and (B) when such person was 18 years of age or older. Nothing in this provision shall be construed as preventing any court from considering any convictions or diversions occurring during the person's lifetime in determining the sentence to be imposed within the limits provided for a first, second, third, fourth or subsequent offense;

(2) any convictions for a violation of the following sections which occurred during a person's lifetime shall be taken into account, but only convictions occurring when such person was 18 years of age or older: (A) This section; (B) driving a commercial motor vehicle under the influence, K.S.A. 8-2,144, and amendments thereto; (C) operating a vessel under the influence of alcohol or drugs, K.S.A. 32-1131, and amendments thereto; (D) involuntary manslaughter while driving under the influence of alcohol or drugs, K.S.A. 21-3442, prior to its repeal, or ~~subsection (a)(3) of K.S.A. 2014 Supp. 21-5405(a)(3), and amendments thereto;~~ (E) aggravated battery as described in ~~subsection (b)(3) of K.S.A. 2014 Supp. 21-5413(b)(3), and amendments thereto;~~ and (F) aggravated vehicular homicide, K.S.A. 21-3405a, prior to its repeal, or vehicular battery, K.S.A. 21-3405b, prior to its repeal, if the crime was committed while committing a violation of K.S.A. 8-1567, and amendments thereto;

(3) "conviction" includes: (A) Entering into a diversion agreement in lieu of further criminal proceedings on a complaint alleging a violation of a crime described in subsection (h)(2); (B) conviction of a violation of an ordinance of a city in this state, a resolution of a county in this state or any law of another state which would constitute a crime described in subsection (h)(1) or (h)(2); and (C) receiving punishment under the uniform code of military justice or Kansas code of military justice for an act which was committed on a military reservation and which would constitute a crime described in subsection (h)(1) or (h)(2) if committed off a military reservation in this state;

(4) it is irrelevant whether an offense occurred before or after conviction for a previous offense;

(5) multiple convictions of any crime described in subsection (h)(1) or (h)(2) arising from the same arrest shall only be counted as one conviction;

(6) the prior conviction that is an element of the crime of refusing to submit to a test to determine the presence of alcohol or drugs shall not be used for the purpose of determining whether a conviction is a first, second, third or subsequent conviction in sentencing under this section and shall not be considered in determining the sentence to be imposed within the limits provided for a first, second, third or subsequent offense; and

(7) a person may enter into a diversion agreement in lieu of further criminal proceedings for a violation of this section, or an ordinance which prohibits the acts of this section, only once during the person's lifetime.

(i) Upon conviction of a person of a violation of this section or a violation of a city ordinance or county resolution prohibiting the acts prohibited by this section, the division, upon receiving a report of conviction, shall suspend, restrict or suspend and restrict the person's driving privileges as provided by K.S.A. 8-1014, and amendments thereto.

(j) (1) Nothing contained in this section shall be construed as preventing any city from enacting ordinances, or any county from adopting resolutions, declaring acts prohibited or made unlawful by this act as unlawful or prohibited in such city or county and prescribing penalties for violation thereof.

(2) The minimum penalty prescribed by any such ordinance or resolution shall not be less than the minimum penalty prescribed by this section for the same violation, and the maximum penalty in any such ordinance or resolution shall not exceed the maximum penalty prescribed for the same violation.

(3) An ordinance may grant to a municipal court jurisdiction over a violation of such ordinance which is concurrent with the jurisdiction of the district court over a violation of this section, notwithstanding that the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony.

(4) Any such ordinance or resolution shall authorize the court to order that the convicted person pay restitution to any victim who suffered loss due to the violation for which the person was convicted.

(k) (1) Upon the filing of a complaint, citation or notice to appear alleging a person has violated a city ordinance prohibiting the acts prohibited by this section, and prior to conviction thereof, a city attorney shall request and shall receive from the:

(A) Division a record of all prior convictions obtained against such person for any violations of any of the motor vehicle laws of this state; and

(B) Kansas bureau of investigation central repository all criminal history record information concerning such person.

(2) If the elements of such ordinance violation are the same as the elements of a violation of this section that would constitute, and be punished as, a felony, the city attorney shall refer the violation to the appropriate county or district attorney for prosecution.

(l) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargaining agreement entered into for the purpose of permitting a person charged with a violation of this section, or a violation of any ordinance of a city or resolution of any county in this state which prohibits the acts prohibited by this section, to avoid the mandatory penalties established by this section or by the ordinance. For the purpose of this subsection, entering into a diversion agreement pursuant to K.S.A. 12-4413 et seq. or 22-2906 et seq., and amendments thereto, shall not constitute plea bargaining.

(m) As used in this section, "imprisonment" shall include any restrained environment in which the court and law enforcement agency intend to retain custody and control of a defendant and such environment has been approved by the board of county commissioners or the governing body of a city.

(n) On and after July 1, 2012, the amount of \$250 from each fine imposed pursuant to this section shall be remitted by the clerk of the district court to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall credit the entire amount to the community corrections supervision fund established by K.S.A. 2014 Supp. 75-52,113, and amendments thereto.

Sec. 4. K.S.A. 2014 Supp. 59-29a24 is hereby amended to read as follows: 59-29a24. (a) Any patient in the custody of the secretary of social and rehabilitation for aging and disability services pursuant to K.S.A. 59-29a01 et seq., and amendments thereto, prior to filing any civil action naming as the defendant pursuant to the rules of civil procedure, the state of Kansas, any political subdivision of the state of Kansas, any public official, the secretary of social and rehabilitation for aging and disability services or an employee of the Kansas department of social and rehabilitation for aging and disability services, while such employee is engaged in the performance of such employee's duty, shall be required to have exhausted such patient's administrative remedies, established by procedures adopted pursuant to ~~subsection (d) of K.S.A. 59-29a22(d), and amendments thereto,~~ concerning such civil action. Upon filing a petition in a civil action, such patient shall file with such petition proof that the administrative remedies have been exhausted.

(b) Notwithstanding any filing fee, or any portion thereof, that may have been paid, the court shall dismiss the case at any time if the court determines that:

(1) The allegation of poverty is untrue, notwithstanding the fact that a filing fee, or any portion thereof has been paid; or

(2) the action or appeal:

(A) Is frivolous or malicious;

(B) fails to state a claim on which relief may be granted; or

(C) seeks monetary relief against a defendant who is immune from such relief.

(c) In no event shall such patient bring a civil action or appeal a judgment in a civil action or proceeding under this section if such patient has, on three or more prior occasions, while in the custody of the secretary of social and rehabilitation for aging and disability services pursuant to K.S.A. 59-29a01 et seq., and amendments thereto, brought an action or appeal in a court of the state of Kansas or of the United States that was dismissed on the grounds that it was frivolous, malicious or failed to state a claim upon which relief may be granted, unless the patient is under imminent danger of serious physical injury.

(d) The provisions of this section shall not apply to a writ of habeas corpus.

Sec. 5. K.S.A. 2014 Supp. 65-6233 is hereby amended to read as follows: 65-6233. (a) The department of health and environment, in conjunction with the Kansas department of social and rehabilitation for aging and disability services, shall review and update its rules and regulations establishing eligibility requirements for the Kansas program of medical assistance established in accordance with title XIX of the federal social security act, 42 U.S.C. § 1396 et seq. Such review shall include the establishment of a procedure which permits the holder of a life insurance policy which has a cash surrender value to give the Kansas program of medical assistance established in accordance with title XIX of the federal social security act a collateral assignment of the proceeds of such life insurance policy. The collateral assignment may be used by the insured in lieu of any requirement that such life insurance policy be sold in order for the insured to meet any property ownership limitation contained in any eligibility requirement for participation in the Kansas program of medical assistance established in accordance with title XIX of the federal

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social security act. The collateral assignment shall be for an amount not to exceed the proceeds of such policy necessary to reimburse the Kansas program of medical assistance established in accordance with title XIX of the federal social security act for any amount paid by such program for medical benefits provided to the insured. The collateral assignment shall be irrevocable as established by a written agreement binding on the holder of the life insurance policy to not affect or otherwise use the cash surrender value of such policy after the irrevocable assignment pursuant to rules and regulations promulgated by the secretary of the department of health and environment.

(b) The department of health and environment is hereby directed to seek any necessary waivers from program requirements of the federal government as may be needed to carry out the provisions of this section and to maximize federal matching and other funds with respect to the provisions of this section. If the department of health and environment determines that one or more waivers from program requirements of the federal government are needed to carry out the provisions of this section, the department of health and environment shall implement the provisions of this section only if such waivers to federal program requirements have been obtained from the federal government.

(c) (1) Except as provided in paragraph (2), the review and update of the rules and regulations establishing eligibility requirements for the Kansas program of medical assistance established in accordance with title XIX of the federal social security act, 42 U.S.C. § 1396 et seq., shall be completed and the revisions of such rules and regulations shall be adopted in accordance with the rules and regulations filing act no later than 12 calendar months following the date of receipt of the waivers required under subsection (b).

(2) If the department of health and environment determines that no waivers are required to implement the provisions of subsection (a), the review and update of the rules and regulations establishing eligibility requirements for the Kansas program of medical assistance established in accordance with title XIX of the federal social security act, 42 U.S.C. § 1396 et seq., shall be completed and the revisions of such rules and regulations shall be adopted in accordance with the rules and regulations filing act no later than 12 calendar months following the effective date of this act.

Sec. 6. K.S.A. 75-5308d is hereby amended to read as follows: 75-5308d. Mental health and retardation services created by the provisions of K.S.A. 75-5308b is hereby abolished and all of the powers, duties and functions of such division are transferred to and conferred and imposed upon mental health and developmental disabilities established pursuant K.S.A. 75-5308e, and amendments thereto, under the supervision of the secretary of social and rehabilitation for aging and disability services as part of the Kansas department of social and rehabilitation for aging and disability services. The commissioner of mental health and retardation services created by K.S.A. 75-5308b is hereby abolished and all of the powers, duties and functions of such commissioner are transferred to and conferred and imposed upon the commissioner of mental health and developmental disabilities appointed pursuant to K.S.A. 75-5308e, and amendments thereto.

Sec. 7. K.S.A. 2014 Supp. 75-6524 is hereby amended to read as follows: 75-6524. (a) In the coverage for the next health plan coverage year commencing on January 1, 2011, the state employees health care commission shall provide for the coverage of services for the diagnosis and treatment of autism spectrum disorder in any covered individual whose age is less than 19 years. Such coverage shall be subject to the following terms and conditions:

(1) Such coverage shall be provided in a manner determined in consultation with the autism services provider and the patient. Services provided by an autism services provider under this section shall include applied behavioral analysis when required by a licensed physician, licensed psychologist or licensed specialist clinical social worker but otherwise shall be limited to those services prescribed or ordered by a licensed physician, licensed psychologist or licensed specialist clinical social worker. Services provided pursuant to this paragraph shall be those services which are or have been recognized by peer reviewed literature as providing medical benefit to the patient based upon the patient's particular autism spectrum disorder.

(2) Such coverage may be subject to appropriate annual deductibles and coinsurance provisions as are consistent with those established for other physical illness benefits under the state employees health plan.

(3) Coverage for benefits for any covered person diagnosed with one or more autism spectrum disorders and whose age is between birth and less than seven years shall not exceed \$36,000 per year.

(4) Coverage for benefits for any covered person diagnosed with one or more autism spectrum disorders and whose age is at least seven years and less than 19 years shall not exceed \$27,000 per year.

(5) Coverages required under paragraphs (3) and (4) shall be subject to the same copays, deductibles and dollar limits as benefits for physical illness; and such other utilization or benefit limits as the state employees health care commission may determine.

(6) Reimbursement shall be allowed only for services provided by a provider licensed, trained and qualified to provide such services or by an autism specialist or an intensive individual service provider as such terms are defined by the Kansas department of social and rehabilitation for aging and disability services Kansas autism waiver as it exists on July 1, 2010.

(7) Any insurer or other entity which administers claims for services provided for the treatment of autism spectrum disorder under this section, and amendments thereto, shall have the right and obligation to:

(A) Review utilization of such services; and

(B) deny any claim for services based upon medical necessity or a determination that the covered individual has reached the maximum medical improvement for the covered individual's autism spectrum disorder.

(b) For the purposes of this section:

(1) "Applied behavior analysis" means the design, implementation and evaluation of environmental modifications, using behavioral stimuli and consequences, to produce socially significant improvement in human behavior, including the use of direct observation, measurement and functional analysis of the relationship between environment and behavior.

(2) "Autism spectrum disorder" means the following disorders within the autism spectrum: Autistic disorder, Asperger's syndrome and pervasive developmental disorder not otherwise specified, as such terms are specified in the diagnostic and statistical manual of mental disorders, fourth edition, text revision (DSM-IV-TR), of the American psychiatric association, as published in May, 2000, or later versions as established in rules and regulations adopted by the behavioral sciences regulatory board pursuant to K.S.A. 74-7507, and amendments thereto.

(3) "Diagnosis of autism spectrum disorder" means any medically necessary assessment, evaluation or test to determine whether an individual has an autism spectrum disorder.

(c) (1) Pursuant to the provisions of K.S.A. 40-2249a, and amendments thereto, on or before March 1, 2012, the state employees health care commission shall submit to the president of the senate and to the speaker of the house of representatives, a report including the following information pertaining to the mandated coverage for autism spectrum disorder provided during the plan year commencing on January 1, 2011, and ending on December 31, 2011:

(A) The impact that the mandated coverage for autism spectrum disorder required by subsection (a) has had on the state health care benefits program;

(B) data on the utilization of coverage for autism spectrum disorder by covered individuals and the cost of providing such coverage for autism spectrum disorder; and

(C) a recommendation whether such mandated coverage for autism spectrum disorder should continue for the state health care benefits program or whether additional utilization and cost data is required.

(2) At the next legislative session following receipt of the report required in paragraph (1), the legislature may consider whether or not to require the coverage for autism spectrum disorder required by subsection (a) to be included in any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization which provides coverage for accident and health services and which is delivered, issued for delivery, amended or renewed in this state on or after July 1, 2013.

Sec. 8. K.S.A. 76-12a24 is hereby amended to read as follows: 76-12a24. The secretary of social and rehabilitation for aging and disability services is authorized to enter into an agreement with the secretary of corrections concerning the management and utilization of buildings and land currently not being used at state institutions under the authority of the secretary of social and rehabilitation for aging and disability services for the placement of persons in the custody of the secretary of corrections. The secretary of corrections shall provide supervision and security for persons placed under any such agreement.

Sec. 9. K.S.A. 2014 Supp. 39-923 is hereby amended to read as follows: 39-923. (a) As used in this act:

(1) "Adult care home" means any nursing facility, nursing facility for mental health, intermediate care facility for people with intellectual disability, assisted living facility, residential health care facility, home plus, boarding care home and adult day care facility; all of which are classifications of adult care homes and are required to be licensed by the secretary for aging and disability services.

(2) "Nursing facility" means any place or facility operating 24 hours a day, seven days a week, caring for six or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who, due to functional impairments, need skilled nursing care to compensate for activities of daily living limitations.

(3) "Nursing facility for mental health" means any place or facility operating 24 hours a day, seven days a week, caring for six or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who, due to functional impairments, need skilled nursing care and special mental health services to compensate for activities of daily living limitations.

(4) "Intermediate care facility for people with intellectual disability" means any place or facility operating 24 hours a day, seven days a week, caring for four or more individuals not related within the third degree of relationship to the administrator or owner by blood or marriage and who, due to functional impairments caused by intellectual disability or related conditions, need services to compensate for activities of daily living limitations.

(5) "Assisted living facility" means any place or facility caring for six or more individuals not related within the third degree of relationship to the administrator, operator or owner by blood or marriage and who, by choice or due to functional impairments, may need personal care and may need supervised nursing care to compensate for activities of daily living limitations and in which the place or facility includes apartments for residents and provides or coordinates a range of services including personal care or supervised nursing care available 24 hours a day, seven days a week, for the support of resident independence. The provision of skilled nursing procedures to a resident in an assisted living facility is not prohibited by this act. Generally, the skilled services provided in an assisted living facility shall be provided on an intermittent or limited term basis, or if limited in scope, a regular basis.

(6) "Residential health care facility" means any place or facility, or a contiguous portion of a place or facility, caring for six or more individuals not related within the third degree of relationship to the administrator, operator or owner by blood or marriage and who, by choice or due to functional impairments, may need personal care and may need supervised nursing care to compensate for activities of daily living limitations and in which the place or facility includes individual living units and provides or coordinates personal care or supervised nursing care available on a 24-hour, seven-days-a-week basis for the support of resident independence. The provision of skilled nursing procedures to a resident in a residential health care facility is not prohibited by this act. Generally, the skilled services provided in a residential health care facility shall be provided on an intermittent or limited term basis, or if limited in scope, a regular basis.

(7) "Home plus" means any residence or facility caring for not more than 12 individuals not related within the third degree of relationship to the operator or owner by blood or marriage unless the resident in need of care is approved for placement by the secretary for children and families, and who, due to functional impairment, needs personal care and may need supervised nursing care to compensate for activities of daily living limitations. The level of care provided to residents shall be determined by preparation of the staff and rules and regulations developed by the Kansas department for aging and disability services. An adult care home may convert a portion of one wing of the facility to a not less than five-bed and not more than 12-bed home plus facility provided that the home plus facility remains separate from the adult care home, and each facility must remain contiguous. Any home plus that provides care for more than eight individuals after the effective date of this act shall adjust staffing personnel and resources as necessary to meet residents' needs in order to maintain the current level of nursing care standards. Personnel of any home plus who provide services for residents with dementia shall be required to take annual dementia care training.

(8) "Boarding care home" means any place or facility operating 24 hours a day, seven days a week, caring for not more than 10 individuals not related within the third degree of relationship to the operator or owner by blood or marriage and who, due to functional impairment, need supervision of activities of daily living but who are ambulatory and essentially capable of managing their own care and affairs.

(9) "Adult day care" means any place or facility operating less than 24 hours a day caring for individuals not related within the third degree of relationship to the operator or owner by blood or marriage and who, due to functional impairment, need supervision of or assistance with activities of daily living.

(10) "Place or facility" means a building or any one or more complete floors of a building, or any one or more complete wings of a building, or any one or more complete wings and one or more complete floors

of a building, and the term "place or facility" may include multiple buildings.

(11) "Skilled nursing care" means services performed by or under the immediate supervision of a registered professional nurse and additional licensed nursing personnel. Skilled nursing includes administration of medications and treatments as prescribed by a licensed physician or dentist; and other nursing functions which require substantial nursing judgment and skill based on the knowledge and application of scientific principles.

(12) "Supervised nursing care" means services provided by or under the guidance of a licensed nurse with initial direction for nursing procedures and periodic inspection of the actual act of accomplishing the procedures; administration of medications and treatments as prescribed by a licensed physician or dentist and assistance of residents with the performance of activities of daily living.

(13) "Resident" means all individuals kept, cared for, treated, boarded or otherwise accommodated in any adult care home.

(14) "Person" means any individual, firm, partnership, corporation, company, association or joint-stock association, and the legal successor thereof.

(15) "Operate an adult care home" means to own, lease, establish, maintain, conduct the affairs of or manage an adult care home, except that for the purposes of this definition the word "own" and the word "lease" shall not include hospital districts, cities and counties which hold title to an adult care home purchased or constructed through the sale of bonds.

(16) "Licensing agency" means the secretary for aging and disability services.

(17) "Skilled nursing home" means a nursing facility.

(18) "Intermediate nursing care home" means a nursing facility.

(19) "Apartment" means a private unit which includes, but is not limited to, a toilet room with bathing facilities, a kitchen, sleeping, living and storage area and a lockable door.

(20) "Individual living unit" means a private unit which includes, but is not limited to, a toilet room with bathing facilities, sleeping, living and storage area and a lockable door.

(21) "Operator" means an individual registered pursuant to the operator registration act, K.S.A. 2014 Supp. 39-973 et seq., and amendments thereto, who may be appointed by a licensee to have the authority and responsibility to oversee an assisted living facility or residential health care facility with fewer than 61 residents, a home plus or adult day care facility.

(22) "Activities of daily living" means those personal, functional activities required by an individual for continued well-being, including, but not limited to, eating, nutrition, dressing, personal hygiene, mobility and toileting.

(23) "Personal care" means care provided by staff to assist an individual with, or to perform activities of daily living.

(24) "Functional impairment" means an individual has experienced a decline in physical, mental and psychosocial well-being and as a result, is unable to compensate for the effects of the decline.

(25) "Kitchen" means a food preparation area that includes a sink, refrigerator and a microwave oven or stove.

(26) The term "intermediate personal care home" for purposes of those individuals applying for or receiving veterans' benefits means residential health care facility.

(27) "Paid nutrition assistant" means an individual who is paid to feed residents of an adult care home, or who is used under an arrangement with another agency or organization, who is trained by a person meeting nurse aide instructor qualifications as prescribed by 42 C.F.R. § 483.152, 42 C.F.R. § 483.160 and ~~paragraph (h) of~~ 42 C.F.R. § 483.35(h), and who provides such assistance under the supervision of a registered professional or licensed practical nurse.

(28) "Medicaid program" means the Kansas program of medical assistance for which federal or state moneys, or any combination thereof, are expended, or any successor federal or state, or both, health insurance program or waiver granted thereunder.

(29) "Licensee" means any person or persons acting jointly or severally who are licensed by the secretary for aging and disability services pursuant to the adult care home licensure act, K.S.A. 39-923 et seq., and amendments thereto.

(b) The term "adult care home" shall not include institutions operated by federal or state governments, except institutions operated by the director of the Kansas commission on veterans affairs office, hospitals or institutions for the treatment and care of psychiatric patients, child care facilities, maternity centers, hotels, offices of physicians or hospices which are certified to participate in the medicare program under 42 code of federal regulations, chapter IV, ~~section~~ § 418.1 et seq.

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and amendments thereto, and which provide services only to hospice patients, or centers approved by the centers for medicare and medicaid services as a program for all-inclusive care for the elderly (PACE) under 42 code of federal regulations, chapter IV, part 460 et seq., and amendments thereto, which provides services only to PACE participants.

(c) Nursing facilities in existence on the effective date of this act changing licensure categories to become residential health care facilities shall be required to provide private bathing facilities in a minimum of 20% of the individual living units.

(d) Facilities licensed under the adult care home licensure act on the day immediately preceding the effective date of this act shall continue to be licensed facilities until the annual renewal date of such license and may renew such license in the appropriate licensure category under the adult care home licensure act subject to the payment of fees and other conditions and limitations of such act.

(e) Nursing facilities with less than 60 beds converting a portion of the facility to residential health care shall have the option of licensing for residential health care for less than six individuals but not less than 10% of the total bed count within a contiguous portion of the facility.

(f) The licensing agency may by rule and regulation change the name of the different classes of homes when necessary to avoid confusion in terminology and the agency may further amend, substitute, change and in a manner consistent with the definitions established in this section, further define and identify the specific acts and services which shall fall within the respective categories of facilities so long as the above categories for adult care homes are used as guidelines to define and identify the specific acts.

Sec. 10. K.S.A. 75-5308d and 76-12a24 and K.S.A. 2014 Supp. 8-2,144, 8-1025, 39-923, 59-29a24, 65-6233, 75-53,105 and 75-6524 are hereby repealed.

Sec. 11. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 21, 2015.)

HOUSE BILL No. 2240

AN ACT concerning taxation; relating to the board of tax appeals; small claims and expedited hearing division, hearing officers; members, qualifications and salary; amending K.S.A. 2014 Supp. 74-2433, 74-2433f and 74-2434 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2014 Supp. 74-2433f is hereby amended to read as follows: 74-2433f. (a) There shall be a division of the state board of tax appeals known as the small claims and expedited hearings division. Hearing officers appointed by the chief hearing officer shall have authority to hear and decide cases heard in the small claims and expedited hearings division. ~~The chief hearing officer shall not appoint as a hearing officer any person employed by the board, including, but not limited to, any person employed by the board as an attorney.~~

(b) The small claims and expedited hearings division shall have jurisdiction over hearing and deciding applications for the refund of protested taxes under the provisions of K.S.A. 79-2005, and amendments thereto, and hearing and deciding appeals from decisions rendered pursuant to the provisions of K.S.A. 79-1448, and amendments thereto, and of article 16 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, with regard to single-family residential property. The filing of an appeal with the small claims and expedited hearings division shall be a prerequisite for filing an appeal with the state board of tax appeals for appeals involving single-family residential property.

(c) At the election of the taxpayer, the small claims and expedited hearings division shall have jurisdiction over: (1) Any appeal of a decision, finding, order or ruling of the director of taxation, except an appeal, finding, order or ruling relating to an assessment issued pursuant to K.S.A. 79-5201 et seq., and amendments thereto, in which the amount of tax in controversy does not exceed \$15,000; (2) hearing and deciding applications for the refund of protested taxes under the provisions of K.S.A. 79-2005, and amendments thereto, where the value of the property, other than property devoted to agricultural use, is less than \$3,000,000 as reflected on the valuation notice; and (3) hearing and deciding appeals from decisions rendered pursuant to the provisions of K.S.A. 79-1448, and amendments thereto, and of article 16 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, other than those relating to land devoted to agricultural use, wherein the value of the property is less than \$3,000,000 as reflected on the valuation notice.

(d) In accordance with the provisions of K.S.A. 74-2438, and amendments thereto, any party may elect to appeal any application or decision referenced in subsection (b) to the state board of tax appeals. Except as provided in subsection (b) regarding single-family residential property, the filing of an appeal with the small claims and expedited hearings division shall not be a prerequisite for filing an appeal with the state board of tax appeals under this section. Final decisions of the small claims and expedited hearings division may be appealed to the state board of tax appeals. An appeal of a decision of the small claims and expedited hearings division to the state board of tax appeals shall be de novo. The county bears the burden of proof in any appeal filed by the county pursuant to this section.

(e) A taxpayer shall commence a proceeding in the small claims and expedited hearings division by filing a notice of appeal in the form prescribed by the rules of the state board of tax appeals which shall state the nature of the taxpayer's claim. The notice of appeal may be signed by the taxpayer, any person with an executed declaration of representative form from the property valuation division of the department of revenue or any person authorized to represent the taxpayer in subsection (f). Notice of appeal shall be provided to the appropriate unit of government named in the notice of appeal by the taxpayer. In any valuation appeal or tax protest commenced pursuant to articles 14 and 20 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto, the hearing shall be conducted in the county where the property is located or a county adjacent thereto. In any appeal from a final determination by the secretary of revenue, the hearing shall be conducted in the county in which the taxpayer resides or a county adjacent thereto.

(f) The hearing in the small claims and expedited hearings division shall be informal. The hearing officer may hear any testimony and receive any evidence the hearing officer deems necessary or desirable for a just determination of the case. A hearing officer shall have the authority to administer oaths in all matters before the hearing officer. All testimony shall be given under oath. A party may appear personally or may be represented by an attorney, a certified public accountant, a certified general appraiser, a tax representative or agent, a member of the taxpayer's immediate family or an authorized employee of the taxpayer. A county or unified government may be represented by the county appraiser, designee of the county appraiser, county attorney or counselor or other representatives so designated. No transcript of the proceedings shall be kept.

(g) The hearing in the small claims and expedited hearings division shall be conducted within 60 days after the appeal is filed in the small claims and expedited hearings division unless such time period is waived by the taxpayer. A decision shall be rendered by the hearing officer within 30 days after the hearing is concluded and, in cases arising from appeals described by subsections (b) and (c)(2) and (3), shall be accompanied by a written explanation of the reasoning upon which such decision is based. Documents provided by a taxpayer or county or district appraiser shall be returned to the taxpayer or the county or district appraiser by the hearing officer and shall not become a part of the board's permanent records. Documents provided to the hearing officer shall be confidential and may not be disclosed, except as otherwise specifically provided.

(h) With regard to any matter properly submitted to the division relating to the determination of valuation of property for taxation purposes, it shall be the duty of the county appraiser to initiate the production of evidence to demonstrate, by a preponderance of the evidence, the validity and correctness of such determination. No presumption shall exist in favor of the county appraiser with respect to the validity and correctness of such determination. With regard to leased commercial and industrial property, the burden of proof shall be on the taxpayer unless the taxpayer has furnished the county or district appraiser, within 30 calendar days following the informal meeting required by K.S.A. 79-1448, and amendments thereto, or within 30 calendar days following the informal meeting required by K.S.A. 79-2005, and amendments thereto, a complete income and expense statement for the property for the three years next preceding the year of appeal. Such income and expense statement shall be in such format that is regularly maintained by the taxpayer in the ordinary course of the taxpayer's business. If the taxpayer submits a single property appraisal with an effective date of January 1 of the year appealed, the burden of proof shall return to the county appraiser.

Sec. 2. K.S.A. 2014 Supp. 74-2433 is hereby amended to read as follows: 74-2433. (a) There is hereby created a state board of tax appeals, referred to in this act as the board. The board shall be composed of three members who shall be appointed by the governor, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto. For members appointed after June 30, 2014, one of such members shall have been regularly admitted to practice law in the state of

Kansas and for a period of at least five years, have engaged in the active practice of law as a lawyer, judge of a court of record or any other court in this state; one of such members shall have engaged in active practice as a certified public accountant for a period of at least five years and one such member shall be a licensed certified general real property appraiser. In addition, the governor shall also appoint a chief hearing officer, subject to confirmation by the senate as provided in K.S.A. 75-4315b, and amendments thereto, who, in addition to other duties prescribed by this act, shall serve as a member pro tempore of the board. No successor shall be appointed for any judge of the court of tax appeals appointed before July 1, 2014. Such persons shall continue to serve as members on the board of tax appeals until their terms expire. Except as provided by K.S.A. 46-2601, and amendments thereto, no person appointed to the board, including the chief hearing officer, shall exercise any power, duty or function as a member of the board until confirmed by the senate. Not more than two members of the board shall be of the same political party. Members of the board, including the chief hearing officer, shall be residents of the state. Subject to the provisions of K.S.A. 75-4315c, and amendments thereto, no more than one member shall be appointed from any one of the congressional districts of Kansas unless, after having exercised due diligence, the governor is unable to find a qualified replacement within 90 days after any vacancy on the board occurs. The members of the board, including the chief hearing officer, shall be selected with special reference to training and experience for duties imposed by this act and shall be individuals with legal, tax, accounting or appraisal training and experience. State board of tax appeals members shall be subject to the supreme court rules of judicial conduct applicable to all judges of the district court. The board shall be bound by the doctrine of stare decisis limited to published decisions of an appellate court. Members of the board, including the chief hearing officer, shall hold office for terms of four years. A member may continue to serve for a period of 90 days after the expiration of the member's term, or until a successor has been appointed and confirmed, whichever is shorter. Except as otherwise provided, such terms of office shall expire on January 15 of the last year of such term. If a vacancy occurs on the board, or in the position for chief hearing officer, the governor shall appoint a successor to fill the vacancy for the unexpired term. Nothing in this section shall be construed to prohibit the governor from reappointing any member of the board, including the chief hearing officer, for additional four-year terms. The governor shall select one of its members to serve as chairperson. The votes of two members shall be required for any final order to be issued by the board. Meetings may be called by the chairperson and shall be called on request of a majority of the members of the board and when otherwise prescribed by statute.

(b) Any member appointed to the state board of tax appeals and the chief hearing officer may be removed by the governor for cause, after public hearing conducted in accordance with the provisions of the Kansas administrative procedure act.

(c) The state board of tax appeals shall appoint, subject to approval by the governor, an executive director of the board, to serve at the pleasure of the board. The executive director shall: (1) Be in the unclassified service under the Kansas civil service act; (2) devote full time to the executive director's assigned duties; (3) receive such compensation as determined by the board, subject to the limitations of appropriations thereof; and (4) have familiarity with the tax appeals process sufficient to fulfill the duties of the office of executive director. The executive director shall perform such other duties as directed by the board.

(d) Appeals decided by the state board of tax appeals shall be made available to the public and shall be published by the board on the board's website within 30 days after the decision has been rendered. The board shall also publish a monthly report that includes all appeals decided that month as well as all appeals which have not yet been decided and are beyond the time limitations as set forth in K.S.A. 74-2426, and amendments thereto. Such report shall be made available to the public and transmitted by the board to the members of the Kansas legislature.

(e) After appointment, members of the state board of tax appeals that are not otherwise a state certified general real property appraiser shall complete the following course requirements: (1) A tested appraisal course of not less than 30 clock hours of instruction consisting of the fundamentals of real property appraisal with an emphasis on the cost and sales approaches to value; (2) a tested appraisal course of not less than 30 clock hours of instruction consisting of the fundamentals of real property appraisal with an emphasis on the income approach to value; (3) a tested appraisal course of not less than 30 clock hours of instruction with an emphasis on mass appraisal; (4) an appraisal course with an emphasis on Kansas property tax laws and; (5) an appraisal course on the techniques and procedures for the valuation of state assessed properties with an emphasis on unit valuation; and (6) a tested appraisal

course on the techniques and procedures for the valuation of land devoted to agricultural use pursuant to K.S.A. 79-1476, and amendments thereto. Any member appointed to the board who is a certified real property appraiser shall only be required to take such educational courses as are required to maintain the appraisal license. The executive director shall adopt rules and regulations prescribing a timetable for the completion of the course requirements and prescribing continued education requirements for members of the board.

(f) The state board of tax appeals shall have no capacity or power to sue or be sued.

(g) It is the intent of the legislature that proceedings in front of the board of tax appeals be conducted in a fair and impartial manner and that all taxpayers are entitled to a neutral interpretation of the tax laws of the state of Kansas. The provisions of the tax laws of this state shall be applied impartially to both taxpayers and taxing districts in cases before the board. Cases before the board shall not be decided upon arguments concerning the shifting of the tax burden or upon any revenue loss or gain which may be experienced by the taxing district.

Sec. 3. K.S.A. 2014 Supp. 74-2434 is hereby amended to read as follows: 74-2434. (a) Each member of the board, including the chairperson and chief hearing officer, shall receive an annual salary as provided in this section. Each of the members of the board, including the chief hearing officer, shall devote full time to the duties of such office.

(b) For members, including the chief hearing officer, who are appointed prior to July 1, 2014:

(1) The annual salary of the ~~chief judge~~ chairperson shall be an amount equal to the annual salary paid by the state to a district judge designated as chief judge; and

(2) the annual salary of each ~~judge member~~ other than the ~~chief judge~~ chairperson, including the chief hearing officer, shall be an amount which is \$2,465 less than the annual salary of the ~~chief judge~~ chairperson.

(c) For members, including the chief hearing officer, who are not state certified real property appraisers who are appointed after June 30, 2014, the annual salary shall be an amount equal to the annual salary paid by the state to an administrative law judge, except that once such member or chief hearing officer completes the course requirements listed in K.S.A. 74-2433(e), and amendments thereto, then the annual salary shall be an amount which is \$2,465 less than the annual salary paid by the state to a district court judge designated as a chief judge.

Sec. 4. K.S.A. 2014 Supp. 74-2433, 74-2433f and 74-2434 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 21, 2015.)

HOUSE BILL No. 2097

AN ACT concerning search and rescue and hazardous material response matters; dealing with tort claims immunity; amending K.S.A. 2014 Supp. 75-6102 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) The state fire marshal may enter into contracts to establish regional search and rescue teams to provide a response to search and rescue incidents.

(b) (1) The state fire marshal shall appoint a search and rescue advisory committee to provide input and assistance to the search and rescue program and act as advisors to the state fire marshal and director of the emergency response division.

(2) The search and rescue advisory committee shall be comprised of one member from each search and rescue region, one representative from the Kansas division of emergency management, one representative from the Kansas national guard/crisis city, one representative from the Kansas fire and rescue training institute and one representative from the Kansas search and rescue dog association.

(3) The committee shall meet periodically as determined by the state fire marshal. Advisory committee members attending committee meetings shall be paid per diem compensation and subsistence allowances, mileage and other reasonable and necessary expenses as provided in K.S.A. 75-3223, and amendments thereto.

(c) The state fire marshal may adopt rules and regulations governing the composition, training requirements, response and operations of the regional search and rescue teams.

(continued)

New Sec. 2. (a) The hazardous materials emergency fund of the state fire marshal is hereby redesignated as the emergency response fund of the state fire marshal. In addition to any other purposes for which expenditures may be made by the state fire marshal from the moneys appropriated from the emergency response fund, expenditures shall be made by the state fire marshal from the moneys appropriated from the emergency response fund to establish and maintain regional emergency response teams to provide a response to hazardous materials or search and rescue incidents.

(b) In the event the balance of the emergency response fund of the state fire marshal falls below \$500,000, the state fire marshal may certify to the director of accounts and reports an amount to be transferred from the fire marshal fee fund to the emergency response fund of the state fire marshal, which amount shall not exceed the amount necessary to bring the balance of the emergency response fund to \$500,000. The director of accounts and reports shall transfer the amount certified by the state fire marshal from the fire marshal fee fund to the emergency response fund of the state fire marshal.

Sec. 3. K.S.A. 2014 Supp. 75-6102 is hereby amended to read as follows: 75-6102. As used in K.S.A. 75-6101 through 75-6118, and amendments thereto, unless the context clearly requires otherwise:

(a) "State" means the state of Kansas and any department or branch of state government, or any agency, authority, institution or other instrumentality thereof.

(b) "Municipality" means any county, township, city, school district or other political or taxing subdivision of the state, or any agency, authority, institution or other instrumentality thereof.

(c) "Governmental entity" means state or municipality.

(d) (1) "Employee" means: (A) Any officer, employee, servant or member of a board, commission, committee, division, department, branch or council of a governmental entity, including elected or appointed officials and persons acting on behalf or in service of a governmental entity in any official capacity, whether with or without compensation and a charitable health care provider;

(B) any steward or racing judge appointed pursuant to K.S.A. 74-8818, and amendments thereto, regardless of whether the services of such steward or racing judge are rendered pursuant to contract as an independent contractor;

(C) employees of the United States marshal's service engaged in the transportation of inmates on behalf of the secretary of corrections;

(D) a person who is an employee of a nonprofit independent contractor, other than a municipality, under contract to provide educational or vocational training to inmates in the custody of the secretary of corrections and who is engaged in providing such service in an institution under the control of the secretary of corrections provided that such employee does not otherwise have coverage for such acts and omissions within the scope of their employment through a liability insurance contract of such independent contractor;

(E) a person who is an employee or volunteer of a nonprofit program, other than a municipality, who has contracted with the commissioner of juvenile justice or with another nonprofit program that has contracted with the ~~commissioner of juvenile justice~~ *secretary of corrections* to provide a juvenile justice program for juvenile offenders in a judicial district provided that such employee or volunteer does not otherwise have coverage for such acts and omissions within the scope of their employment or volunteer activities through a liability insurance contract of such nonprofit program;

(F) a person who contracts with the Kansas guardianship program to provide services as a court-appointed guardian or conservator;

(G) an employee of an indigent health care clinic;

(H) former employees for acts and omissions within the scope of their employment during their former employment with the governmental entity;

(I) any member of a regional medical emergency response team, created under the provisions of K.S.A. 48-928, and amendments thereto, in connection with authorized training or upon activation for an emergency response; ~~and~~

(J) *any member of a regional search and rescue team or regional hazardous materials response team contracting with the state fire marshal pursuant to K.S.A. 31-133, and amendments thereto, or section 1, and amendments thereto, in connection with authorized training or upon activation for an emergency response; and*

(K) medical students enrolled at the university of Kansas medical center who are in clinical training, on or after July 1, 2008, at the university of Kansas medical center or at another health care institution.

(2) "Employee" does not include: (A) An individual or entity for actions within the scope of K.S.A. 60-3614, and amendments thereto; or

(B) any independent contractor under contract with a governmental entity except those contractors specifically listed in paragraph (1) of this subsection.

(e) "Charitable health care provider" means a person licensed by the state board of healing arts as an exempt licensee or a federally active licensee, a person issued a limited permit by the state board of healing arts, a physician assistant licensed by the state board of healing arts, a mental health practitioner licensed by the behavioral sciences regulatory board, an ultrasound technologist currently registered in any area of sonography credentialed through the American registry of radiology technologists, the American registry for diagnostic medical sonography or cardiovascular credentialing international and working under the supervision of a person licensed to practice medicine and surgery, or a health care provider as the term "health care provider" is defined under K.S.A. 65-4921, and amendments thereto, who has entered into an agreement with:

(1) The secretary of health and environment under K.S.A. 75-6120, and amendments thereto, who, pursuant to such agreement, gratuitously renders professional services to a person who has provided information which would reasonably lead the health care provider to make the good faith assumption that such person meets the definition of medically indigent person as defined by this section or to a person receiving medical assistance from the programs operated by the department of health and environment, and who is considered an employee of the state of Kansas under K.S.A. 75-6120, and amendments thereto;

(2) the secretary of health and environment and who, pursuant to such agreement, gratuitously renders professional services in conducting children's immunization programs administered by the secretary;

(3) a local health department or indigent health care clinic, which renders professional services to medically indigent persons or persons receiving medical assistance from the programs operated by the department of health and environment gratuitously or for a fee paid by the local health department or indigent health care clinic to such provider and who is considered an employee of the state of Kansas under K.S.A. 75-6120, and amendments thereto. Professional services rendered by a provider under this paragraph (3) shall be considered gratuitous notwithstanding fees based on income eligibility guidelines charged by a local health department or indigent health care clinic and notwithstanding any fee paid by the local health department or indigent health care clinic to a provider in accordance with this paragraph (3); or

(4) the secretary of health and environment to provide dentistry services defined by K.S.A. 65-1422 et seq., and amendments thereto, or dental hygienist services defined by K.S.A. 65-1456, and amendments thereto, that are targeted, but are not limited to, medically indigent persons, and are provided on a gratuitous basis: (A) At a location sponsored by a not-for-profit organization that is not the dentist or dental hygienist office location; ~~or~~ (B) at the office location of a dentist or dental hygienist provided the care be delivered as part of a program organized by a not-for-profit organization and approved by the secretary of health and environment; or (C) as part of a charitable program organized by the dentist that has been approved by the secretary of health and environment upon a showing that the dentist seeks to treat medically indigent patients on a gratuitous basis, except that such dentistry services and dental hygienist services shall not include "oral and maxillofacial surgery" as defined by K.A.R. 71-2-2, or use sedation or general anesthesia that result in "deep sedation" or "general anesthesia" as defined by K.A.R. 71-5-7.

(f) "Medically indigent person" means a person who lacks resources to pay for medically necessary health care services and who meets the eligibility criteria for qualification as a medically indigent person established by the secretary of health and environment under K.S.A. 75-6120, and amendments thereto.

(g) "Indigent health care clinic" means an outpatient medical care clinic operated on a not-for-profit basis which has a contractual agreement in effect with the secretary of health and environment to provide health care services to medically indigent persons.

(h) "Local health department" shall have the meaning ascribed to such term under K.S.A. 65-241, and amendments thereto.

(i) "Fire control, fire rescue or emergency medical services equipment" means any vehicle, firefighting tool, protective clothing, breathing apparatus and any other supplies, tools or equipment used in firefighting or fire rescue or in the provision of emergency medical services.

Sec. 4. K.S.A. 2014 Supp. 75-6102 is hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 21, 2015.)

HOUSE BILL No. 2051

AN ACT concerning crimes, punishment and criminal procedure; relating to the secretary of corrections; good time and program credits; community corrections; use of risk assessment tool; amending K.S.A. 2014 Supp. 21-6821 and 75-5291 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2014 Supp. 21-6821 is hereby amended to read as follows: 21-6821. (a) The secretary of corrections is hereby authorized to adopt rules and regulations providing for a system of good time calculations. Such rules and regulations shall provide circumstances upon which an inmate may earn good time credits and for the forfeiture of earned credits. Such circumstances may include factors related to program and work participation and conduct and the inmate's willingness to examine and confront past behavioral patterns that resulted in the commission of the inmate's crimes.

(b) For purposes of determining release of an inmate, the following shall apply with regard to good time calculations:

(1) Good behavior by inmates is the expected norm and negative behavior will be punished; and

(2) the amount of good time which can be earned by an inmate and subtracted from any sentence is limited to:

(A) For a crime committed on or after July 1, 1993, an amount equal to 15% of the prison part of the sentence;

(B) for a nondrug severity level 7 through 10 crime committed on or after January 1, 2008, an amount equal to 20% of the prison part of the sentence; or

(C) for a drug severity level 3 or 4 crime committed on or after January 1, 2008, but prior to July 1, 2012, or a drug severity level ~~4 or 3~~ through 5 crime committed on or after July 1, 2012, an amount equal to 20% of the prison part of the sentence.

(c) The postrelease supervision term of a person sentenced to a term of imprisonment that includes a sentence for a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, a sexually motivated crime in which the offender has been ordered to register pursuant to ~~subsection (d)(1)(D)(vii) of~~ K.S.A. 22-3717(d)(1)(D)(vii), and amendments thereto, electronic solicitation, K.S.A. 21-3523, prior to its repeal, or K.S.A. 2014 Supp. 21-5509, and amendments thereto, or unlawful sexual relations, K.S.A. 21-3520, prior to its repeal, or K.S.A. 2014 Supp. 21-5512, and amendments thereto, shall have any time which is earned and subtracted from the prison part of such sentence and any other consecutive or concurrent sentence pursuant to good time calculation added to such inmate's postrelease supervision term.

(d) An inmate shall not be awarded good time credits pursuant to this section for any review period established by the secretary of corrections in which a court finds that the inmate has done any of the following while in the custody of the secretary of corrections:

(1) Filed a false or malicious action or claim with the court;

(2) brought an action or claim with the court solely or primarily for delay or harassment;

(3) testified falsely or otherwise submitted false evidence or information to the court;

(4) attempted to create or obtain a false affidavit, testimony or evidence; or

(5) abused the discovery process in any judicial action or proceeding.

(e) (1) For purposes of determining release of an inmate who is serving only a sentence for a nondrug severity level 4 through 10 crime or a drug severity level 3 or 4 crime committed on or after January 1, 2008, but prior to July 1, 2012, or an inmate who is serving only a sentence for a nondrug severity level 4 through 10 crime or a drug severity level ~~4 or 3~~ through 5 crime committed on or after July 1, 2012, the secretary of corrections is hereby authorized to adopt rules and regulations regarding program credit calculations. Such rules and regulations shall provide circumstances upon which an inmate may earn program credits and for the forfeiture of earned credits and such circumstances may include factors substantially related to program participation and conduct. In addition to any good time credits earned and retained, the following shall apply with regard to program credit calculations:

(A) A system shall be developed whereby program credits may be earned by inmates for the successful completion of requirements for a general education diploma, a technical or vocational training program, a substance abuse treatment program or any other program designated by the secretary which has been shown to reduce offender's risk after release; and

(B) the amount of time which can be earned and retained by an inmate for the successful completion of programs and subtracted from any sentence is limited to not more than ~~60~~ 90 days.

(2) Any time which is earned and subtracted from the prison part of the sentence of any inmate pursuant to program credit calculation shall not be added to such inmate's postrelease supervision term, if applicable, except that the postrelease supervision term of a person sentenced to a term of imprisonment that includes a sentence for a sexually violent crime as defined in K.S.A. 22-3717, and amendments thereto, a sexually motivated crime in which the offender has been ordered to register pursuant to ~~subsection (d)(1)(D)(vii) of~~ K.S.A. 22-3717(d)(1)(D)(vii), and amendments thereto, electronic solicitation, K.S.A. 21-3523, prior to its repeal, or K.S.A. 2014 Supp. 21-5509, and amendments thereto, or unlawful sexual relations, K.S.A. 21-3520, prior to its repeal, or K.S.A. 2014 Supp. 21-5512, and amendments thereto, shall have any time which is earned and subtracted from the prison part of such sentence and any other consecutive or concurrent sentence pursuant to program credit calculation added to such inmate's postrelease supervision term.

(3) When separate sentences of imprisonment for different crimes are imposed on a defendant on the same date, a defendant shall only be eligible for program credits if such crimes are a nondrug severity level 4 through 10, a drug severity level 3 or 4 committed prior to July 1, 2012, or a drug severity level ~~4 or 3~~ through 5 committed on or after July 1, 2012.

(4) Program credits shall not be earned by any offender successfully completing a sex offender treatment program.

(5) The secretary of corrections shall report to the Kansas sentencing commission and the Kansas reentry policy council the data on the program credit calculations.

(f) *The state of Kansas, the secretary of corrections and the secretary's agents or employees shall not be liable for damages caused by any negligent or wrongful act or omission in making the good time and program credit calculations authorized by this section.*

(g) *The secretary of corrections shall make the good time and program credit calculations authorized by the amendments to this section by this act no later than January 1, 2016.*

(h) *The amendments to this section by this act shall be construed and applied retroactively.*

Sec. 2. K.S.A. 2014 Supp. 75-5291 is hereby amended to read as follows: 75-5291. (a) (1) The secretary of corrections may make grants to counties for the development, implementation, operation and improvement of community correctional services that address the criminogenic needs of felony offenders including, but not limited to, adult intensive supervision, substance abuse and mental health services, employment and residential services, and facilities for the detention or confinement, care or treatment of offenders as provided in this section except that no community corrections funds shall be expended by the secretary for the purpose of establishing or operating a conservation camp as provided by K.S.A. 75-52,127, and amendments thereto.

(2) Except as otherwise provided, placement of offenders in a community correctional services program by the court shall be limited to placement of adult offenders, convicted of a felony offense:

(A) ~~Whose offense is classified in grid blocks 5-H, 5-I or 6-G of the sentencing guidelines grid for nondrug crimes, in grid blocks 3-C, 3-D, 3-E, 3-F, 3-G, 3-H or 3-I of the sentencing guidelines grid for drug crimes for crimes committed prior to July 1, 2012, or in grid blocks 4-C, 4-D, 4-E, 4-F, 4-G, 4-H or 4-I of the sentencing guidelines grid for drug crimes for crimes committed on or after July 1, 2012. In addition, the court may place in a community correctional services program adult offenders, convicted of a felony offense, whose offense is classified in grid blocks 6-H, 6-I, 7-C, 7-D, 7-E, 7-F, 7-G, 7-H or 7-I of the sentencing guidelines grid for nondrug crimes. Who, on or after July 1, 2014, are determined to be moderate risk, high risk or very high risk by use of a statewide, mandatory, standardized risk assessment tool or instrument which shall be specified by the Kansas sentencing commission;~~

(B) whose severity level and criminal history score designate a presumptive prison sentence on either sentencing guidelines grid but receive a nonprison sentence as a result of departure;

(C) all offenders convicted of an offense which satisfies the definition of offender pursuant to K.S.A. 22-4902, and amendments thereto, and which is classified as a severity level 7 or higher offense and who receive a nonprison sentence, regardless of the manner in which the sentence is imposed;

(D) any offender for whom a violation of conditions of release or assignment or a nonprison sanction has been established as provided in K.S.A. 22-3716, and amendments thereto, prior to revocation resulting in the offender being required to serve any time for the sentence im-

(continued)

posed or which might originally have been imposed in a state facility in the custody of the secretary of corrections;

(E) on and after January 1, 2011, for offenders who are expected to be subject to supervision in Kansas, who are determined to be "high risk or needs, or both" by the use of a statewide, mandatory, standardized risk assessment tool or instrument which shall be specified by the Kansas sentencing commission;

(F)(E) placed in a community correctional services program as a condition of supervision following the successful completion of a conservation camp program;

(G)(F) who have been sentenced to community corrections supervision pursuant to K.S.A. 21-4729, prior to its repeal, or K.S.A. 2014 Supp. 21-6824, and amendments thereto; or

(H)(G) who have been placed in a community correctional services program for supervision by the court pursuant to K.S.A. 8-1567, and amendments thereto.

(3) Notwithstanding any law to the contrary and subject to the availability of funding therefor, adult offenders sentenced to community supervision in Johnson county for felony crimes that occurred on or after July 1, 2002, but before July 1, 2013, shall be placed under court services or community corrections supervision based upon court rules issued by the chief judge of the 10th judicial district. The provisions contained in this subsection shall not apply to offenders transferred by the assigned agency to an agency located outside of Johnson county. The provisions of this paragraph shall expire on July 1, 2013.

(4) Nothing in this act shall prohibit a community correctional services program from providing services to juvenile offenders upon approval by the local community corrections advisory board. Grants from community corrections funds administered by the secretary of corrections shall not be expended for such services.

(5) The court may require an offender for whom a violation of conditions of release or assignment or a nonprison sanction has been established, as provided in K.S.A. 22-3716, and amendments thereto, to serve any time for the sentence imposed or which might originally have been imposed in a state facility in the custody of the secretary of corrections without a prior assignment to a community correctional services program if the court finds and sets forth with particularity the reasons for finding that the safety of the members of the public will be jeopardized or that the welfare of the inmate will not be served by such assignment to a community correctional services program.

(b) (1) In order to establish a mechanism for community correctional services to participate in the department of corrections annual budget planning process, the secretary of corrections shall establish a community corrections advisory committee to identify new or enhanced correctional or treatment interventions designed to divert offenders from prison.

(2) The secretary shall appoint one member from the southeast community corrections region, one member from the northeast community corrections region, one member from the central community corrections region and one member from the western community corrections region. The deputy secretary of community and field services shall designate two members from the state at large. The secretary shall have final appointment approval of the members designated by the deputy secretary. The committee shall reflect the diversity of community correctional services with respect to geographical location and average daily population of offenders under supervision.

(3) Each member shall be appointed for a term of three years and such terms shall be staggered as determined by the secretary. Members shall be eligible for reappointment.

(4) The committee, in collaboration with the deputy secretary of community and field services or the deputy secretary's designee, shall routinely examine and report to the secretary on the following issues:

- (A) Efficiencies in the delivery of field supervision services;
- (B) effectiveness and enhancement of existing interventions;
- (C) identification of new interventions; and
- (D) statewide performance indicators.

(5) The committee's report concerning enhanced or new interventions shall address:

- (A) Goals and measurable objectives;
- (B) projected costs;
- (C) the impact on public safety; and
- (D) the evaluation process.

(6) The committee shall submit its report to the secretary annually on or before July 15 in order for the enhanced or new interventions to be considered for inclusion within the department of corrections budget request for community correctional services or in the department's enhanced services budget request for the subsequent fiscal year.

Sec. 3. K.S.A. 2014 Supp. 21-6821 and 75-5291 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the Kansas Register issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the Kansas Administrative Regulations and the 2014 Supplement of the Kansas Administrative Regulations.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 1-9-22 | Amended | V. 33, p. 885 |
| 1-14-11 | Amended | V. 33, p. 886 |

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 5-7-1 | Amended | V. 33, p. 325 |
| 5-7-4 | Amended | V. 33, p. 325 |
| 5-7-4b | New | V. 33, p. 326 |

AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

| Reg. No. | Action | Register |
|------------------------|---------|-------------------|
| 9-3-6 through 9-3-17 | New | V. 33, p. 922-926 |
| 9-29-1 through 9-29-15 | Revoked | V. 33, p. 927 |

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

| Reg. No. | Action | Register |
|----------|-------------|---------------|
| 10-10-5 | Amended (T) | V. 33, p. 627 |
| 10-10-5 | Amended | V. 33, p. 921 |

AGENCY 16: ATTORNEY GENERAL

| Reg. No. | Action | Register |
|----------|-------------|----------------|
| 16-11-7 | Amended (T) | V. 33, p. 730 |
| 16-11-7 | Amended | V. 33, p. 1047 |
| 16-13-1 | New (T) | V. 33, p. 731 |
| 16-13-1 | New | V. 33, p. 1048 |

AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 17-11-18 | Amended | V. 33, p. 684 |
| 17-11-21 | Amended | V. 33, p. 684 |
| 17-24-2 | Amended | V. 33, p. 946 |
| 17-25-1 | Amended | V. 33, p. 946 |

AGENCY 22: STATE FIRE MARSHAL

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 22-8-4 | Revoked | V. 33, p. 371 |
| 22-8-7 | Revoked | V. 33, p. 371 |
| 22-8-11 | Amended | V. 33, p. 371 |
| 22-8-12 | Amended | V. 33, p. 371 |

AGENCY 26: DEPARTMENT FOR AGING AND DISABILITY SERVICES

| Reg. No. | Action | Register |
|-----------------------------|---------|---------------------|
| 26-39-500 through 26-39-506 | New (T) | V. 33, p. 956-959 |
| 26-39-500 through 26-39-506 | New | V. 33, p. 1171-1174 |

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

| Reg. No. | Action | Register |
|-----------------------------|---------|-------------------|
| 28-1-23 | New | V. 33, p. 309 |
| 28-4-94 | New | V. 34, p. 420 |
| 28-4-550 | Amended | V. 33, p. 200 |
| 28-4-552 | Revoked | V. 33, p. 202 |
| 28-4-556 | Revoked | V. 33, p. 202 |
| 28-4-564 | Amended | V. 33, p. 202 |
| 28-4-565 | Amended | V. 33, p. 203 |
| 28-4-568 | Amended | V. 33, p. 203 |
| 28-4-569 | Amended | V. 33, p. 204 |
| 28-4-573 | New | V. 33, p. 204 |
| 28-4-1250 through 28-4-1269 | New (T) | V. 33, p. 8-24 |
| 28-4-1250 through 28-4-1269 | New | V. 33, p. 262-278 |
| 28-14-1 | Amended | V. 33, p. 518 |
| 28-14-2 | Amended | V. 33, p. 518 |
| 28-16-28b | Amended | V. 34, p. 190 |
| 28-16-28c | Amended | V. 34, p. 194 |
| 28-16-28d | Amended | V. 34, p. 196 |
| 28-16-28e | Amended | V. 34, p. 197 |
| 28-16-28f | Amended | V. 34, p. 199 |
| 28-16-28g | Amended | V. 33, p. 643 |
| 28-16-58 | Amended | V. 34, p. 200 |
| 28-19-720 | Amended | V. 33, p. 1125 |
| 28-19-750 | Amended | V. 33, p. 1126 |

AGENCY 30: DEPARTMENT FOR CHILDREN AND FAMILIES

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 30-6-34 | Revoked | V. 33, p. 142 |
| 30-6-35 | Revoked | V. 33, p. 142 |
| 30-6-36 | Revoked | V. 33, p. 142 |
| 30-6-39 | Revoked | V. 33, p. 142 |
| 30-6-40 | Revoked | V. 33, p. 142 |

| | | |
|----------|---------|--------------------|
| 30-6-41 | Revoked | V. 33, p. 142 |
| 30-6-50 | | |
| through | | |
| 30-6-56 | Revoked | V. 33, p. 142, 143 |
| 30-6-60 | Revoked | V. 33, p. 143 |
| 30-6-63 | Revoked | V. 33, p. 143 |
| 30-6-65 | Revoked | V. 33, p. 143 |
| 30-6-70 | Revoked | V. 33, p. 143 |
| 30-6-78 | Revoked | V. 33, p. 143 |
| 30-6-80 | Revoked | V. 33, p. 143 |
| 30-6-81 | Revoked | V. 33, p. 143 |
| 30-6-82 | Revoked | V. 33, p. 143 |
| 30-6-85 | | |
| through | | |
| 30-6-89 | Revoked | V. 33, p. 143 |
| 30-6-91 | Revoked | V. 33, p. 143 |
| 30-6-94 | Revoked | V. 33, p. 143 |
| 30-6-95 | Revoked | V. 33, p. 143 |
| 30-6-103 | Revoked | V. 33, p. 144 |
| 30-6-106 | | |
| through | | |
| 30-6-113 | Revoked | V. 33, p. 144, 145 |
| 30-6-120 | Revoked | V. 33, p. 145 |
| 30-6-140 | Revoked | V. 33, p. 145 |
| 30-6-150 | Revoked | V. 33, p. 145 |
| 30-14-1 | Revoked | V. 33, p. 145 |
| 30-14-2 | Revoked | V. 33, p. 145 |
| 30-14-3 | Revoked | V. 33, p. 145 |
| 30-14-20 | Revoked | V. 33, p. 145 |
| 30-14-21 | Revoked | V. 33, p. 145 |
| 30-14-23 | | |
| through | | |
| 30-14-26 | Revoked | V. 33, p. 145 |
| 30-14-28 | | |
| through | | |
| 30-14-31 | Revoked | V. 33, p. 145 |
| 30-14-50 | Revoked | V. 33, p. 145 |

AGENCY 40: KANSAS INSURANCE DEPARTMENT

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 40-1-28 | Amended | V. 34, p. 216 |
| 40-1-37 | Amended | V. 34, p. 120 |
| 40-1-48 | Amended | V. 34, p. 120 |
| 40-3-59 | New | V. 33, p. 68 |
| 40-4-37e | Amended | V. 34, p. 120 |
| 40-9-118 | Amended | V. 34, p. 103 |
| 40-9-126 | New | V. 34, p. 103 |
| 40-16-1 | New | V. 33, p. 69 |
| 40-16-2 | New | V. 33, p. 69 |

AGENCY 44: DEPARTMENT OF CORRECTIONS

| Reg. No. | Action | Register |
|-----------|---------|---------------|
| 44-12-211 | Amended | V. 33, p. 577 |
| 44-12-212 | Amended | V. 33, p. 577 |
| 44-12-601 | Amended | V. 33, p. 577 |

AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 51-9-7 | Amended | V. 33, p. 1253 |

AGENCY 54: STATE LIBRARY OF KANSAS

| Reg. No. | Action | Register |
|----------|--------|---------------|
| 54-4-1 | New | V. 33, p. 225 |

AGENCY 60: BOARD OF NURSING

| Reg. No. | Action | Register |
|-----------|---------|---------------|
| 60-4-101 | Amended | V. 33, p. 580 |
| 60-4-103 | Amended | V. 34, p. 260 |
| 60-8-101 | Amended | V. 33, p. 580 |
| 60-11-119 | Amended | V. 33, p. 580 |
| 60-13-101 | Amended | V. 33, p. 580 |

AGENCY 61: BOARD OF BARBERING

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 61-3-7 | Amended | V. 34, p. 190 |
| 61-3-22 | Amended | V. 34, p. 190 |

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

| Reg. No. | Action | Register |
|----------|-------------|---------------|
| 66-6-1 | Amended (T) | V. 33, p. 627 |
| 66-6-1 | Amended | V. 33, p. 950 |

| | | |
|-----------|-------------|---------------|
| 66-6-4 | Amended (T) | V. 33, p. 628 |
| 66-6-4 | Amended | V. 33, p. 950 |
| 66-6-6 | Amended | V. 33, p. 951 |
| 66-6-10 | New | V. 33, p. 951 |
| 66-8-4 | Amended | V. 33, p. 952 |
| 66-8-6 | Amended | V. 33, p. 952 |
| 66-8-7 | Amended (T) | V. 33, p. 629 |
| 66-8-7 | Amended | V. 33, p. 952 |
| 66-8-8 | Amended | V. 33, p. 952 |
| 66-9-5 | Amended | V. 33, p. 952 |
| 66-9-6 | Amended (T) | V. 33, p. 629 |
| 66-9-6 | Amended | V. 33, p. 953 |
| 66-9-7 | Amended | V. 33, p. 953 |
| 66-10-1 | Amended | V. 33, p. 953 |
| 66-10-10 | Amended | V. 33, p. 953 |
| 66-10-10a | Amended | V. 33, p. 953 |
| 66-10-11 | Revoked | V. 33, p. 953 |
| 66-10-12 | Amended | V. 33, p. 953 |
| 66-10-13 | Amended (T) | V. 33, p. 629 |
| 66-10-13 | Amended | V. 33, p. 954 |
| 66-10-14 | Amended (T) | V. 33, p. 629 |
| 66-10-14 | Amended | V. 33, p. 954 |
| 66-11-1a | Amended (T) | V. 33, p. 630 |
| 66-11-1a | Amended | V. 33, p. 954 |
| 66-11-1b | Amended | V. 33, p. 955 |
| 66-11-4 | Amended (T) | V. 33, p. 630 |
| 66-11-4 | Amended | V. 33, p. 955 |
| 66-11-5 | Amended | V. 33, p. 955 |
| 66-12-1 | Amended (T) | V. 33, p. 630 |
| 66-12-1 | Amended | V. 33, p. 955 |
| 66-14-6 | Amended | V. 33, p. 955 |

AGENCY 68: BOARD OF PHARMACY

| Reg. No. | Action | Register |
|-----------|---------|----------------|
| 68-2-22 | Amended | V. 34, p. 70 |
| 68-11-1 | Amended | V. 33, p. 493 |
| 68-11-2 | Amended | V. 33, p. 493 |
| 68-16-1 | | |
| through | | |
| 68-16-9 | Revoked | V. 34, p. 70 |
| 68-20-10a | Amended | V. 34, p. 70 |
| 68-20-31 | New (T) | V. 34, p. 103 |
| 68-21-1 | Amended | V. 33, p. 493 |
| 68-21-2 | Amended | V. 33, p. 494 |
| 68-21-7 | Amended | V. 33, p. 1150 |

AGENCY 69: BOARD OF COSMETOLOGY

| Reg. No. | Action | Register |
|----------|---------|-------------------|
| 69-3-27 | Amended | V. 33, p. 108 |
| 69-3-29 | New | V. 33, p. 108 |
| 69-11-1 | Amended | V. 33, p. 108 |
| 69-11-2 | Amended | V. 33, p. 108 |
| 69-12-5 | Amended | V. 33, p. 108 |
| 69-15-1 | Amended | V. 33, p. 517 |
| 69-15-3 | Amended | V. 33, p. 108 |
| 69-15-4 | Amended | V. 33, p. 109 |
| 69-15-5 | Amended | V. 33, p. 109 |
| 69-15-7 | Amended | V. 33, p. 109 |
| 69-15-12 | | |
| through | | |
| 69-15-15 | Amended | V. 33, p. 109-111 |
| 69-15-17 | Amended | V. 33, p. 111 |
| 69-15-30 | Amended | V. 33, p. 518 |

AGENCY 71: KANSAS DENTAL BOARD

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 71-4-1 | Amended | V. 33, p. 492 |

AGENCY 74: BOARD OF ACCOUNTANCY

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 74-2-1 | Amended | V. 33, p. 241 |
| 74-2-7 | Amended | V. 33, p. 242 |
| 74-4-9 | Amended | V. 33, p. 242 |
| 74-5-2 | Amended | V. 33, p. 243 |
| 74-5-101 | Amended | V. 33, p. 244 |
| 74-5-202 | Amended | V. 33, p. 244 |
| 74-5-406 | Amended | V. 33, p. 244 |
| 74-5-407 | Amended | V. 33, p. 245 |
| 74-6-2 | Amended | V. 33, p. 245 |
| 74-11-6 | Amended | V. 33, p. 245 |
| 74-11-7 | Amended | V. 33, p. 246 |
| 74-11-15 | Revoked | V. 33, p. 246 |

AGENCY 82: STATE CORPORATION COMMISSION

| Reg. No. | Action | Register |
|----------|-------------|----------------|
| 82-4-3a | Amended (T) | V. 34, p. 373 |
| 82-11-1 | Amended | V. 33, p. 1308 |
| 82-11-4 | Amended | V. 33, p. 1308 |
| 82-11-11 | Amended | V. 33, p. 1313 |

AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 85-4-1 | Amended | V. 34, p. 177 |
| 85-7-1 | Amended | V. 34, p. 177 |

AGENCY 88: BOARD OF REGENTS

| Reg. No. | Action | Register |
|-----------|---------|-------------------|
| 88-24-2 | Amended | V. 34, p. 247 |
| 88-26-1 | | |
| through | | |
| 88-26-8 | Amended | V. 34, p. 247-250 |
| 88-26-9 | | |
| through | | |
| 88-26-16 | Revoked | V. 34, p. 250 |
| 88-28-6 | Amended | V. 34, p. 250 |
| 88-29-1 | Amended | V. 34, p. 313 |
| 88-29-5 | Amended | V. 34, p. 314 |
| 88-29-6 | Amended | V. 34, p. 314 |
| 88-29-7 | Amended | V. 34, p. 315 |
| 88-29-7a | Amended | V. 34, p. 315 |
| 88-29-11 | Amended | V. 34, p. 315 |
| 88-29a-1 | Amended | V. 34, p. 316 |
| 88-29a-5 | Amended | V. 34, p. 318 |
| 88-29a-6 | Amended | V. 34, p. 318 |
| 88-29a-7 | Amended | V. 34, p. 318 |
| 88-29a-7a | Amended | V. 34, p. 319 |
| 88-29b-1 | Amended | V. 34, p. 319 |
| 88-29b-4 | Amended | V. 34, p. 320 |
| 88-29b-5 | Amended | V. 34, p. 321 |
| 88-29b-6 | Amended | V. 34, p. 322 |
| 88-29b-7 | Amended | V. 34, p. 323 |
| 88-29b-7a | Amended | V. 34, p. 324 |

AGENCY 91: DEPARTMENT OF EDUCATION

| Reg. No. | Action | Register |
|----------|-------------|---------------------|
| 91-1-200 | | |
| through | | |
| 91-1-204 | Amended (T) | V. 33, p. 764-772 |
| 91-1-200 | | |
| through | | |
| 91-1-204 | Amended | V. 33, p. 1049-1057 |
| 91-1-214 | Amended | V. 33, p. 1081 |
| 91-1-220 | Amended (T) | V. 33, p. 775 |
| 91-1-220 | Amended | V. 33, p. 1060 |

AGENCY 92: DEPARTMENT OF REVENUE

| Reg. No. | Action | Register |
|-----------|---------|--------------------|
| 92-12-146 | | |
| through | | |
| 92-12-149 | New | V. 33, p. 1194 |
| 92-14-6 | Amended | V. 33, p. 1028 |
| 92-14-9 | Revoked | V. 33, p. 1028 |
| 92-56-1 | Amended | V. 33, p. 371 |
| 92-56-2 | Amended | V. 33, p. 372 |
| 92-56-4 | Amended | V. 33, p. 374 |
| 92-56-5 | Amended | V. 33, p. 375 |
| 92-56-6 | | |
| through | | |
| 92-56-9 | New | V. 33, p. 375, 376 |

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

| Reg. No. | Action | Register |
|----------|---------|--------------------|
| 93-4-2 | | |
| through | | |
| 93-4-6 | Amended | V. 33, p. 974, 975 |
| 93-9-1 | New | V. 34, p. 260 |

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 102-3-3a | Amended | V. 33, p. 1219 |

(continued)

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 105-11-1 | Amended | V. 33, p. 1253 |

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 108-1-1 | Amended | V. 33, p. 1284 |
| 108-1-3 | Amended | V. 33, p. 1286 |
| 108-1-4 | Amended | V. 33, p. 1288 |

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

| Reg. No. | Action | Register |
|-----------|---------|----------------|
| 109-2-7 | Amended | V. 33, p. 644 |
| 109-2-8 | Amended | V. 34, p. 71 |
| 109-2-11 | Amended | V. 33, p. 644 |
| 109-2-13 | Amended | V. 33, p. 646 |
| 109-3-5 | Amended | V. 33, p. 849 |
| 109-10-1 | Revoked | V. 34, p. 344 |
| 109-10-1c | Amended | V. 34, p. 344 |
| 109-10-1e | Amended | V. 34, p. 345 |
| 109-10-2 | Revoked | V. 34, p. 345 |
| 109-10-7 | Amended | V. 34, p. 345 |
| 109-11-3a | Amended | V. 34, p. 345 |
| 109-11-4a | Amended | V. 34, p. 346 |
| 109-11-6a | Amended | V. 34, p. 346 |
| 109-11-10 | Revoked | V. 34, p. 347 |
| 109-15-1 | Amended | V. 33, p. 1283 |

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. A list of regulations filed from December 1, 2009 through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 Kansas Register. A list of regulations filed from December 22, 2011 through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 Kansas Register. The following regulations were filed after December 15, 2013:

| Reg. No. | Action | Register |
|------------|---------|-------------------|
| 111-2-62 | Amended | V. 34, p. 376 |
| 111-2-314 | New | V. 33, p. 59 |
| 111-2-315 | New | V. 33, p. 758 |
| 111-2-316 | New | V. 33, p. 1101 |
| 111-2-317 | New | V. 33, p. 1101 |
| 111-4-3295 | through | |
| 111-4-3305 | New | V. 33, p. 35-44 |
| 111-4-3306 | through | |
| 111-4-3310 | New | V. 33, p. 60-64 |
| 111-4-3311 | through | |
| 111-4-3316 | New | V. 33, p. 395-397 |
| 111-4-3317 | through | |
| 111-4-3325 | New | V. 33, p. 646-653 |
| 111-4-3326 | through | |
| 111-4-3333 | New | V. 33, p. 685-688 |
| 111-4-3334 | New | V. 33, p. 709 |
| 111-4-3335 | New | V. 33, p. 710 |
| 111-4-3336 | through | |
| 111-4-3340 | New | V. 33, p. 732-736 |
| 111-4-3341 | New | V. 33, p. 758 |
| 111-4-3342 | New | V. 33, p. 759 |
| 111-4-3343 | New | V. 33, p. 760 |
| 111-4-3344 | New | V. 33, p. 887 |

| | | |
|-------------|---------|---------------------|
| 111-4-3345 | New | V. 33, p. 761 |
| 111-4-3346 | through | |
| 111-4-3355 | New | V. 33, p. 888-898 |
| 111-4-3356 | through | |
| 111-4-3362 | New | V. 33, p. 998-1003 |
| 111-4-3363 | through | |
| 111-4-3368 | New | V. 33, p. 1101-1106 |
| 111-4-3369 | New | V. 33, p. 1195 |
| 111-4-3370 | New | V. 34, p. 6 |
| 111-4-3371 | New | V. 34, p. 7 |
| 111-4-3372 | through | |
| 111-4-3379 | New | V. 34, p. 90-93 |
| 111-4-3380 | through | |
| 111-4-3383 | New | V. 34, p. 121-123 |
| 111-4-3384 | New | V. 34, p. 244 |
| 111-4-3385 | through | |
| 111-4-3394 | New | V. 34, p. 376-383 |
| 111-5-23 | Amended | V. 33, p. 397 |
| 111-5-25 | Amended | V. 33, p. 398 |
| 111-5-26 | Amended | V. 33, p. 398 |
| 111-5-28 | Amended | V. 33, p. 399 |
| 111-5-31 | Amended | V. 33, p. 400 |
| 111-5-200 | Amended | V. 33, p. 400 |
| 111-5-212a | New | V. 33, p. 688 |
| 111-5-213 | through | |
| 111-5-217 | New | V. 33, p. 689, 690 |
| 111-5-218 | New | V. 33, p. 898 |
| 111-7-66 | Amended | V. 34, p. 383 |
| 111-7-261 | New | V. 33, p. 654 |
| 111-7-262 | New | V. 33, p. 898 |
| 111-7-263 | New | V. 33, p. 1196 |
| 111-7-264 | Amended | V. 34, p. 384 |
| 111-9-199 | through | |
| 111-9-203 | New | V. 33, p. 45-47 |
| 111-9-204 | New | V. 33, p. 690 |
| 111-9-205 | New | V. 33, p. 691 |
| 111-9-206 | New | V. 33, p. 737 |
| 111-9-207 | New | V. 33, p. 737 |
| 111-9-208 | through | |
| 111-9-211 | New | V. 33, p. 1196-1198 |
| 111-9-212 | New | V. 34, p. 246 |
| 111-9-213 | New | V. 34, p. 246 |
| 111-15-1 | Amended | V. 33, p. 1004 |
| 111-15-2 | Amended | V. 33, p. 1004 |
| 111-15-3 | Amended | V. 33, p. 1005 |
| 111-15-5 | Amended | V. 33, p. 1006 |
| 111-15-8 | Amended | V. 33, p. 1006 |
| 111-15-21 | Amended | V. 33, p. 1007 |
| 111-17-9 | Amended | V. 33, p. 48 |
| 111-17-10 | Amended | V. 33, p. 48 |
| 111-17-12 | New | V. 33, p. 65 |
| 111-17-13 | New | V. 33, p. 403 |
| 111-17-14 | New | V. 33, p. 738 |
| 111-17-15 | Amended | V. 33, p. 899 |
| 111-17-16 | New | V. 33, p. 1007 |
| 111-17-17 | New | V. 34, p. 93 |
| 111-301-17 | Amended | V. 34, p. 123 |
| 111-301-18 | Amended | V. 33, p. 900 |
| 111-301-19 | Amended | V. 34, p. 124 |
| 111-301-22 | Amended | V. 33, p. 473 |
| 111-301-26 | Amended | V. 33, p. 473 |
| 111-301-28 | Amended | V. 33, p. 474 |
| 111-301-29 | Amended | V. 33, p. 474 |
| 111-301-45 | New | V. 33, p. 901 |
| 111-301-46 | Amended | V. 33, p. 1107 |
| 111-312-5 | Amended | V. 33, p. 763 |
| 111-312-7 | Amended | V. 33, p. 763 |
| 111-401-129 | Amended | V. 34, p. 94 |
| 111-401-195 | Amended | V. 34, p. 96 |
| 111-401-196 | through | |
| 111-401-200 | New | V. 34, p. 97, 98 |
| 111-501-6 | Amended | V. 33, p. 65 |
| 111-501-101 | Amended | V. 33, p. 67 |

AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

| Reg. No. | Action | Register |
|-----------|---------|----------------|
| 115-2-1 | Amended | V. 33, p. 1126 |
| 115-2-3 | Amended | V. 33, p. 1127 |
| 115-4-2 | Amended | V. 33, p. 708 |
| 115-4-4 | Amended | V. 33, p. 921 |
| 115-4-13 | Amended | V. 34, p. 312 |
| 115-4-15 | Amended | V. 33, p. 90 |
| 115-7-2 | Amended | V. 34, p. 103 |
| 115-7-3 | Amended | V. 33, p. 1128 |
| 115-7-10 | Amended | V. 33, p. 1128 |
| 115-8-1 | Amended | V. 33, p. 709 |
| 115-9-6 | Amended | V. 34, p. 104 |
| 115-15-1 | Amended | V. 33, p. 1129 |
| 115-15-2 | Amended | V. 33, p. 1130 |
| 115-18-21 | Revoked | V. 33, p. 1131 |
| 115-30-1 | Amended | V. 34, p. 104 |

AGENCY 117: REAL ESTATE APPRAISAL BOARD

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 117-2-1 | Amended | V. 33, p. 1253 |
| 117-2-2 | Amended | V. 33, p. 1254 |
| 117-2-2a | Amended | V. 33, p. 1255 |
| 117-2-3 | Amended | V. 33, p. 1256 |
| 117-3-1 | Amended | V. 33, p. 1256 |
| 117-3-2 | Amended | V. 33, p. 1257 |
| 117-3-2a | Amended | V. 33, p. 1258 |
| 117-3-3 | Amended | V. 33, p. 1258 |
| 117-4-1 | Amended | V. 33, p. 1259 |
| 117-4-2 | Amended | V. 33, p. 1260 |
| 117-4-2a | Amended | V. 33, p. 1261 |
| 117-4-3 | Amended | V. 33, p. 1261 |
| 117-5-1 | Amended | V. 33, p. 1261 |
| 117-5-2 | Amended | V. 33, p. 1261 |
| 117-5-2a | Amended | V. 33, p. 1262 |
| 117-6-1 | Amended | V. 33, p. 1262 |
| 117-6-2 | Amended | V. 33, p. 1263 |
| 117-6-3 | Amended | V. 33, p. 1264 |
| 117-7-1 | Amended | V. 34, p. 420 |
| 117-20-4 | Amended | V. 33, p. 834 |

AGENCY 123: DEPARTMENT OF CORRECTIONS—DIVISION OF JUVENILE SERVICES

| Reg. No. | Action | Register |
|------------|-------------|---------------|
| 123-6-105 | Amended (T) | V. 33, p. 732 |
| 123-6-105a | New (T) | V. 33, p. 732 |

AGENCY 125: KANSAS AGRICULTURAL REMEDIATION BOARD

| Reg. No. | Action | Register |
|----------|---------|--------------|
| 125-1-7 | Amended | V. 34, p. 17 |

AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 127-2-2 | Amended | V. 34, p. 347 |

AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 128-2-1 | Amended | V. 33, p. 946 |
| 128-2-3 | Amended | V. 33, p. 947 |
| 128-2-4 | Amended | V. 33, p. 947 |
| 128-2-12 | Amended | V. 33, p. 947 |
| 128-2-13 | Amended | V. 33, p. 948 |
| 128-3-1 | Amended | V. 33, p. 949 |

AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT—DIVISION OF HEALTH CARE FINANCE

| Reg. No. | Action | Register |
|----------|-------------|---------------|
| 129-1-1 | New | V. 33, p. 146 |
| 129-2-1 | New | V. 33, p. 146 |
| 129-2-2 | New | V. 33, p. 146 |
| 129-5-1 | Amended (T) | V. 34, p. 100 |
| 129-5-1 | Amended | V. 34, p. 340 |
| 129-6-30 | New | V. 33, p. 146 |
| 129-6-34 | New | V. 33, p. 146 |
| 129-6-35 | New | V. 33, p. 148 |
| 129-6-36 | New | V. 33, p. 148 |

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| 129-6-38 | Revoked | V. 33, p. 148 | 129-6-91 | New | V. 33, p. 161 | 129-14-21 | New | V. 33, p. 175 |
| 129-6-39 | New | V. 33, p. 148 | 129-6-94 | | | 129-14-22 | Revoked | V. 33, p. 175 |
| 129-6-41 | New | V. 33, p. 149 | through | | | 129-14-23 | New | V. 33, p. 176 |
| 129-6-42 | New | V. 33, p. 149 | 129-6-97 | New | V. 33, p. 161, 162 | 129-14-25 | New | V. 33, p. 176 |
| 129-6-50 | | | 129-6-103 | New | V. 33, p. 162 | 129-14-26 | New | V. 33, p. 176 |
| through | | | 129-6-106 | | | 129-14-27 | Amended | V. 33, p. 177 |
| 129-6-57 | New | V. 33, p. 149-154 | through | | | 129-14-28 | New | V. 33, p. 177 |
| 129-6-60 | New | V. 33, p. 156 | 129-6-113 | New | V. 33, p. 163-171 | 129-14-30 | | |
| 129-6-63 | New | V. 33, p. 157 | 129-6-120 | New | V. 33, p. 172 | through | | |
| 129-6-65 | New | V. 33, p. 157 | 129-6-140 | New | V. 33, p. 173 | 129-14-37 | New | V. 33, p. 178-180 |
| 129-6-70 | | | 129-6-150 | New | V. 33, p. 173 | 129-14-40 | New | V. 33, p. 180 |
| through | | | 129-6-151 | Amended | V. 33, p. 173 | 129-14-50 | New | V. 33, p. 180 |
| 129-6-74 | New | V. 33, p. 157, 158 | 129-6-152 | Amended | V. 33, p. 174 | 129-14-51 | Amended | V. 33, p. 180 |
| 129-6-77 | Revoked | V. 33, p. 159 | 129-6-153 | New | V. 33, p. 174 | 129-14-52 | Amended | V. 33, p. 180 |
| 129-6-80 | | | 129-14-2 | New | V. 33, p. 174 | | | |
| through | | | 129-14-3 | New | V. 33, p. 175 | | | |
| 129-6-89 | New | V. 33, p. 159-161 | 129-14-20 | New | V. 33, p. 175 | | | |

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