



# Kansas Register

Ron Thornburgh, Secretary of State

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## State of Kansas

**Kansas Sentencing Commission****Notice of Meeting**

The meeting of the Kansas Sentencing Commission (KSC) is scheduled for Thursday, August 26, in the Senate Room of the Jayhawk Tower Building, 700 S.W. Jackson, Topeka. The meeting will be held from 1:30 p.m. to approximately 3:30 p.m.

Patricia Biggs  
Executive Director

Doc. No. 030964

## State of Kansas

**Social and Rehabilitation Services****Notice of Basic Maximum Daily Rate  
for State Institutions**

In compliance with K.S.A. 59-2006b (a), the following per patient day costs for fiscal year 2005 will be the basic maximum daily rate of charge, effective July 1, 2004, for the following state institutions:

Parsons State Hospital and Training Center	\$327
Kansas Neurological Institute	\$429

In compliance with K.S.A. 59-2006b (b), the following state institutions are hereby authorized to compute an individual patient charge on the basis of rates for services based on costs incurred by such state institutions determined by application of generally acceptable hospital accounting principles: Osawatomie State Hospital; Larned State Hospital, including the State Security Hospital; and Rainbow Mental Health Facility.

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 030968

## State of Kansas

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

The Kansas Children's Cabinet and Trust Fund's Executive Committee will be conducting a meeting Thursday, July 29, from 2 p.m. to 4 p.m. The purpose of the meeting will be to review the current year projects and plan for the retreat in September. The meeting will be held in the Conference Room of the Kansas Children's Cabinet, Landon State Office Building, 900 S.W. Jackson, Room 152, Topeka.

Jim Redmon  
Interim Executive Director

Doc. No. 030965

## State of Kansas

**Social and Rehabilitation Services****Request for Proposals**

The Department of Social and Rehabilitation Services, Health Care Policy-Addiction and Prevention Services announces the release of a request for proposals to provide out-patient alcohol and drug treatment services to those identified with substance abuse and addiction problems in the Franklin and Miami County area. Service providers interested in receiving a request for proposals should contact Judy Hinman or Billie Fuller at SRS-Addiction and Prevention Services, 915 S.W. Harrison, 10th Floor North, Topeka, 66612, (785) 296-6807.

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 030962

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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. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

**Effective 7-26-04 through 8-1-04**

Term	Rate
1-89 days	1.25%
3 months	1.35%
6 months	1.68%
1 year	2.03%
18 months	2.40%
2 years	2.66%

Derl S. Treff  
Director of Investments

Doc. No. 030960

State of Kansas

**Department of Administration  
Division of Purchases**

**Notice to Bidders**

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

08/09/2004	07620	Motor Vehicles
08/09/2004	07632	Refuse Collection Services
08/13/2004	07638	Furnish and Install Cabinets and Vanities
08/09/2004	07632	Refuse Collection Services
08/13/2004	07640	Remote Siren System
08/18/2004	07470	Teleconferencing Services
08/19/2004	07636	Wireless Voice and Data Communications Service and Equipment
08/24/2004	07639	Cherry Creek Reclamation

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

<http://da.state.ks.us/purch/rfq/>

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

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

Contractors wishing to bid on the projects listed below must be prequalified. For more information about the prequalification process or to obtain the following bid documents call (785) 296-8899:

08/19/2004	A-9717(B)	Sanitary Sewer Modifications
08/19/2004	A-9884	HVAC System Renovation
08/25/2004	A-9573	Medical Chemistry Laboratory Remodel
08/31/2004	A-9603	Armory Building Renovation
08/31/2004	A-9605	Armory Building Renovation

Keith Meyers  
Director of Purchases

Doc. No. 030983

(Published in the Kansas Register July 29, 2004.)

**City of Wichita, Kansas**

**Notice to Bidders**

The City of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, until 10 a.m. Friday, September 17, 2004 for the following project:

**(KDOT Project No. 87N-0160-01/472-84071242235**

**(OCA Code 715235)**

**Paving**

**Central Rail Corridor: Heavy Rail, including Paving, Storm Water, Sanitary Sewer and Water (between Waterman and 21st Street North).**

Requests for the bid documents and plans can be purchased from City Blue Print at (316) 265-6224. Other questions should be directed to the engineer at (866) 862-6893.

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

Marty Murphy  
Administrative Aids  
City of Wichita—Engineering

Doc. No. 030980

State of Kansas

**Department of Health  
and Environment**

**Request for Comments**

Notice is hereby given that the Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit and amending previously issued construction approval. Iola Municipal Power Plant #2 has applied for a Class I operating permit 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. Notice is also given that certain requirements in the construction approval dated August 22, 2001 are being modified by a modification of approval conditions.

Iola Municipal Power Plant #2, 1300 S. Washington, Iola, KS 66749, owns and operates a municipal power plant located at 1300 S. Washington, Iola, KS 66749.

A copy of the proposed permit, permit application, all supporting documentation, all information relied upon during the permit application review process, and a copy of the modification of approval conditions are available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation (BAR), 1000

(continued)

S.W. Jackson, Suite 310, Topeka, KS 66612-1366. Also a copy of the proposed permit can only be reviewed at the KDHE/Southeast District Office, 1500 W. 7th St., Chanute, KS 66720. To obtain or review either document, contact William Stone, (785) 296-6427 at the central office of the KDHE, and to review the proposed permit only, contact David Stutt, (620) 431-2390 at the KDHE/Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the documents to William Stone, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, KS 66612-1366, (785) 296-6427. In order to be considered in formulating final document decisions written comments must be received no later than the close of business on August 30.

A person may request a public hearing be held on the proposed documents. 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 Brienne Wilkins, Bureau of Air and Radiation, KDHE, 1000 S.W. Jackson, Suite 310, Topeka, KS 66612-1366, not later than the close of business on August 30, 2004 in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency (USEPA) has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed Class I permit. If the USEPA 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 USEPA to review the permit. The 60-day public petition period will directly follow the USEPA 45-day review period. If the USEPA waives their 45-day review period, the 60-day public petition period will start directly after the 30-day public comment period. Interested parties may contact KDHE to determine if the USEPA 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 Harriet Jones, USEPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day USEPA review period ends and the 60-day petition period commences.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030979

## State of Kansas

### Department of Health and Environment

#### Request for Proposals

Grant funds are available in a competitive, request for proposal process (RFP) from the Epidemiology Section of the Kansas Department of Health and Environment. The purpose of these funds is to (1) fund new creative, innovative and cost-effective ways to educate the public on West Nile Virus (WNV), and (2) fund methods to minimize exposure to mosquitoes that can potentially transmit WNV.

#### Eligibility

Local county health departments or their agents are eligible to apply for these funds through this RFP.

#### Grant Process

Grant applications are available upon request or can be accessed online at [www.kdhe.state.ks.us/epi/index.html](http://www.kdhe.state.ks.us/epi/index.html) or by contacting the Epidemiology Section at (785) 296-2951. Final applications must be received by Tuesday, August 31, at the close of business. No applications will be accepted after that date. Grant applications may be sent to the Kansas Department of Health and Environment, Epidemiology Section/Competitive RFP, 1000 S.W. Jackson, Suite 210, Topeka, 66612.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030971

## State of Kansas

### Department of Health and Environment

#### Request for Comments

Notice is hereby given that the Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Iola Municipal Power Plant #1 has applied for a Class I operating permit 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.

Iola Municipal Power Plant #1, P.O. Box 308, Iola, KS 66749, owns and operates a municipal power plant located at 1220 West 54 Hwy, Iola, KS 66749.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation (BAR), 1000 S.W. Jackson, Suite 310, Topeka, KS 66612-1366. Also a copy of the proposed permit only can be reviewed at the KDHE/Southeast District Office, 1500 West 7th St., Chanute, KS 66720. To obtain or review the

proposed permit and supporting documentation, contact William Stone, (785) 296-6427 at the central office of the KDHE and to review the proposed permit only, contact David Stutt, (620) 431-2390 at the KDHE/Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to William Stone, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, KS 66612-1366, (785) 296-6427. In order to be considered in formulating a final permit decision written comments must be received no later than the close of business on (Draft date of August 16, 2004).

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 Brie Wilkins, Bureau of Air and Radiation, KDHE, 1000 S.W. Jackson, Suite 310, Topeka, KS 66612-1366, not later than the close of business on (Draft date of August 16, 2004) in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency (USEPA) has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the USEPA 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 USEPA to review the permit. The 60-day public petition period will directly follow the USEPA 45-day review period. If the USEPA waives their 45-day review period, the 60-day public petition period will start directly after the 30-day public comment period. Interested parties may contact KDHE to determine if the USEPA 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, USEPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th, Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day USEPA review period ends and the 60-day petition period commences.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030978

## State of Kansas

### Department of Health and Environment

#### Notice Concerning Kansas Water Pollution Control Permits

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

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

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

#### Public Notice No. KS-AG-04-227/232 Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Alan Kramer Rt. 2 Box 90 Goff, KS 66428	NE/4 of Section 16, T04S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No.: A-MONM-S063

This is a new permit for a facility expanding from a previously registered capacity of 440 head (176 animal units) of swine greater than 55 pounds and 1,200 head (120 animal units) of swine 55 pounds or less to a maximum capacity of 460 head (184 animal units) of swine greater than 55 pounds, 1,200 head (120 animal units) of swine 55 pounds or less, 60 head (60 animal units) of cattle greater than 700 pounds, and 60 head (30 animal units) of cattle 700 pounds or less for a new total of 394 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
James Harrison 2550 Road 29 Wallace, KS 67761	W/2 of Section 34, T11S, R38W, Wallace County	Smoky Hill River Basin

Kansas Permit No.: A-SHWA-B001

This is a new permit for an existing facility for a decrease in head capacity from 1,200 head (1,200 animal units) of beef cattle weighing more than 700 pounds to a maximum of 85 head (85 animal units) of beef cattle weighing greater than 700 pounds and 765 head (382.5 animal units) beef cattle weighing less than 700 pounds for a total of 850 head (467.5 animal units), and construction of a new earthen wastewater retention structure.

Name and Address of Applicant	Legal Description	Receiving Water
Rokeyroad Holsteins Dwight & Anita Rokey RR 4 Box 94 Sabetha, KS 66534	SE/4 of Section 30, T02S, R14E, Nemaha County	Kansas River Basin

Kansas Permit No.: A-KSNM-M011

This is a renewal permit for an existing facility for 100 head (140 animal units) of dairy cows and 65 head (65 animal units) of dry dairy cows  
(continued)

over 700 pounds and 65 head (32.5 animal units) of dairy calves 700 pounds or less for a total of 237.5 animal units. There are no changes to this facility. However, previously existing structures have been included in the facility description of this permit that were not included in the facility description of past permits. Also, dry dairy cows and dairy calves were not accounted for on past permits.

Name and Address of Applicant	Legal Description	Receiving Water
Cline Farm and Cattle Rick Cline 455 Road 9 Weskan, KS 67762	SW/4 of Section 18, T15S, R41W, Wallace County	Smoky Hill River Basin

Kansas Permit No.: A-SHWA-B002

This is a renewal permit for an existing facility for a decrease in head capacity from 950 head (950 animal units) of beef cattle weighing greater than 700 pounds each to a maximum of 400 head (400 animal units) of beef cattle weighing greater than 700 pounds. The permit also includes a description of the east sediment basin which was existing but not described in previous permits.

Name and Address of Applicant	Legal Description	Receiving Water
Morgan Creek Farms, LLC Jeff Morgan 877 Quail Road Hope, KS 67451	NE/4 of Section 25, T15S, R03E, Dickinson County	Smoky Hill River Basin

Kansas Permit No.: A-SHDK-B021

This is a renewal permit for an existing facility for 950 head (950 animal units) of cattle weighing more than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Nemaha Valley Holstein Farm Mike Gudenkauf Rt. 1 Box 19A Seneca, KS 66538	SE/4 of Section 10 & SW/4 of Section 11, T02S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No.: A-MONM-M020

This is a renewal permit for an existing facility for 150 head (210 animal units) of dairy cows, 30 head (30 animal units) of replacement heifers and 50 head (25 animal units) of dairy calves for a total of 265 animal units. This includes replacement heifers and dairy calves that were not described in the previous permit. There is no facility expansion.

**Public Notice No. KS-04-155/159**

Name and Address of Applicant	Waterway	Type of Discharge
LaCygne, City of P.O. Box 600 LaCygne, KS 66040	Marais des Cygnes River	Treated Domestic Wastewater

Kansas Permit No. M-MC18-OO01 Federal Permit No. KS0030546  
Legal: NE¼, NW¼, NW¼, S9, T20S, R24E, Linn County, KS

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

Name and Address of Applicant	Waterway	Type of Discharge
Miami County Sewer District No. 2 201 S. Pearl, Suite 201 Paola, KS 66071	Bull Creek via 10 Mile Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-MC63-OO01 Federal Permit No. KS0095290  
Legal: SE¼, NW¼, NW¼, S23, T15S, R24E, Miami County, KS

Facility name: Bucyrus Sewer Treatment Plant

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

Name and Address of Applicant	Waterway	Type of Discharge
Paxico, City of P.O. Box 27 Paxico, KS 66526	Mill Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-KS57-OO01 Federal Permit No. KS0046469

Legal: SE¼, NE¼, NW¼, S26, T11S, R11E, Wabaunsee County, KS

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

Name and Address of Applicant	Waterway	Type of Discharge
Triple D, Inc. c/o Warren Diehl 7559 South 127th Street East Derby, KS 67037	Polecat Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. C-WA22-TO01 Federal Permit No. KS0081191

Legal: N½, SW¼, S2, T29S, R2E, Sedgwick County, KS

Facility name: Triple "D" Mobile Home Park

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

Name and Address of Applicant	Waterway	Type of Discharge
Continental Coal, Inc. 10801 Mastin, Suite 920 Overland Park, KS 66210	Mine Creek via Unnamed Tributaries	Stormwater Runoff

Kansas Permit No. I-MC35-PO02 Federal Permit No. KS0097624  
Legal: NE¼, S35, T21S, R25E, Linn County, KS

Facility Name: Lucky Strike Mine

Facility Description: The proposed action is to issue a new permit for operation of a new facility. This is a surface bituminous coal mine. Coal processing consists of sizing only; no water is utilized in the coal processing. Storm water and groundwater infiltration from the active mining areas, coal preparation plant and associated areas, and post mining areas is discharged through settling ponds to Mine Creek via unnamed tributaries. The proposed permit includes limits for settleable solids, total suspended solids, iron, and pH and monitoring for flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water quality based.

Persons wishing to comment on or object to the draft permits 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 or objections considered in the decision making process.

Comments or objections should be submitted to the attention of April Romero for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before August 28, 2004, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-04-227/232, KS-04-155/159) and name of applicant/application as listed when preparing comments.

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

For Agricultural permits and applications a copy of the permit application, supporting documentation, and a KDHE developed fact sheet, if appropriate, is available for anyone to review at the appropriate District Office.

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

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

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

Southwest District Office, 302 W. McArtor Road,  
Dodge City, 67801-6098, (620) 225-0596

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

Southeast District Office, 1500 W. 7th, Chanute, 66720,  
(620) 431-2390

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

For all other proposed permits, the draft permit(s), including, proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas.

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

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030972

## State of Kansas

### Department of Health and Environment

#### Notice Concerning Draft General Stormwater Permits

The Kansas Department of Health and Environment has prepared two draft general stormwater permits for small municipalities with separate storm sewer systems (MS4). Each permit is a combined Kansas Water Pollution Control general stormwater permit and National Pollutant Discharge Elimination System general stormwater permit. The permits are written for non-urban (General Permit No. G-NUA-0604-S001) and urbanized (General Permit No. G-UA-0604-S001) areas in Kansas based on the 2000 U.S. Census and the designation criteria in 40 CFR Parts 122 and 123.

A general stormwater permit is provided for those entities engaged in similar activities and discharging stormwater of similar quality. A general permit is placed on public notice once during the life of the permit and then is made available, without further public notice, to all qualified entities which meet the requirements of the permit. The permittees also are required to meet all other federal, state and local requirements.

The small MS4 general permit program addresses MS4s that generally serve populations less than 100,000 in urbanized areas, and those MS4s located outside of urbanized areas that have or may have the potential to negatively impact surface water quality as a result of their discharges. Individual MS4 permits have previously been issued to the medium-sized municipalities (Topeka and Unified Government of Kansas City/Wyandotte County) and one large municipality (Wichita) in Kansas.

The general permits require the permittee to develop, implement and enforce a stormwater management plan (SMP) designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act. The SMP covers the six minimum stormwater control measures and also requires implementation of Best Management Practices (BMP) for discharges of stormwater to designated high priority Total Maximum Daily Load (TMDL) streams and lakes in the immediate area downstream of the municipality. The SMP document must address the BMPs to be implemented by the permittee, provide measurable goals for each BMP, designate the municipality or municipalities responsible for implementing the control measures and provide a map illustrating the permitted area as defined by the requirements in the permit. The draft permits contain schedules of compliance requiring the submittal of the various documents to KDHE and implementation of practices to control stormwater pollution from the MS4.

Copies of the Designation Criteria and Procedures, a list of the municipalities in each category (urbanized or non-urbanized), the draft permits, the designated high priority TMDLs, maps for the urbanized areas, fact sheet, the Notice of Intent application and instructions, basin

(continued)

drainage maps and other supporting documents may be downloaded from www.kdhe.state.ks/muni by accessing MS4 Stormwater General Permits. These documents and copies of the NOIs received from the municipalities may be obtained by writing the Kansas Department of Health and Environment, Bureau of Water - Municipal Programs Section, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

Persons wishing to comment on the draft permit must submit written comments to the address above by August 28.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 030973

**State of Kansas  
Kansas Development Finance Authority**

**Notice of Hearing**

A public hearing will be held at 9 a.m. Thursday, August 12, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, in Topeka, on the proposal for the Kansas Development Finance Authority to issue approximately \$3,200,000 principal amount Housing Development Revenue Bonds (the bonds) for Santa Fe Trail Apartments, L.P., a Kansas Limited Partnership company, or an affiliated entity (the developer). The bonds will be issued, pursuant to K.S.A. 74-8901 et seq., to finance the costs of acquisition and rehabilitation of an existing 48 unit multifamily housing complex to be operated as Santa Fe Trail Apartments and located in Leavenworth, Leavenworth County, Kansas and related improvements and equipment to be used for public housing purposes (the Project).

The bonds, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the authority, nor will the bonds constitute an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bonds will be payable solely from amounts received from the developer, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds when they shall become due.

At the time and place fixed for the hearing, all individuals who appear will be given an opportunity to express their views for or against the proposal to issue any specific bonds for the purpose of financing the project, and all written comments previously filed with the authority at its offices at 555 S. Kansas Ave., Suite 202, Topeka, Kansas, 66603, will be considered. Additional information regarding the project described above may be obtained by contacting the authority.

Steven R. Weatherford  
President

Doc. No. 030963

(Published in the Kansas Register July 29, 2004.)

**Notice of Partial Redemption  
To the Holders of  
City of Concordia, Kansas  
Industrial Revenue Bonds  
(Medical Arts Building)  
Series A1979  
Dated September 1, 1979**

Notice is hereby given by UMB Bank, N.A., as fiscal agent, on behalf of the City of Concordia, Kansas, that the City of Concordia, Kansas, Industrial Revenue Bonds (Medical Arts Building), Series A1979, dated September 1, 1979, specified hereinafter in the aggregate principal amount of \$30,000, have been irrevocably designated for redemption pursuant to mandatory sinking fund provisions of Ordinance No. 2161. The bonds shall be redeemed on September 1, 2004, at a redemption price equal to 100 percent of the principal amount thereof, together with the interest accrued on such principal amount to, but not including the date fixed for redemption.

Bearer Bond	Cusip	Interest Rate	Maturity Date	Call Amount
33	2065339A1	8.50%	9-1-2005	\$5,000
35	2065339A1	8.50%	9-1-2005	\$5,000
66	2065339A1	8.50%	9-1-2005	\$5,000
70	2065339A1	8.50%	9-1-2005	\$5,000
71	2065339A1	8.50%	9-1-2005	\$5,000
85	2065339A1	8.50%	9-1-2005	\$5,000

The bonds shall be payable upon presentation and surrender at the principal office of UMB Bank, N.A., Attn: Corporate Trust Division, 2401 Grand Blvd., 2nd Floor, Kansas City, MO, 64108. Inquiries or requests for additional information should be directed to the principal office of UMB Bank, N.A. or by telephone at (816) 860-3020.

The holder of any bond, only a portion of which is to be redeemed, shall surrender such bond for payment of the portion redeemed and will receive a replacement bond for the unredeemed principal amount of the bond so surrendered. Interest on the bonds designated for redemption in this notice shall cease to accrue on and after September 1, 2004.

Under the provisions of the Jobs and Growth Tax Relief Reconciliation Act of 2003, paying agents may be obligated to withhold that percentage of the redemption price designated in the act for this current year from any bondholder who has failed to furnish that paying agent with a valid taxpayer identification number or a certification that such bondholder is not subject to backup withholding under the act. Bondholders who wish to avoid the application of these provisions should submit a completed IRS Form W-9 when presenting their bonds.

Any CUSIP numbers appearing herein are included solely for the convenience of the holders of the certificates. The trustee is not responsible for the use or the selection of the CUSIP numbers, nor is any representation made as to the correctness of such CUSIP numbers on the certificates or as indicated in any notice of redemption.

Dated July 29, 2004

UMB Bank, N.A.  
as Fiscal Agent

Doc. No. 030967



(Published in the Kansas Register July 29, 2004.)

(Published in the Kansas Register July 29, 2004.)

**Notice of Redemption  
City of Kansas City, Kansas  
Utility System Refunding and Improvement  
Revenue Bonds Series 1994  
Dated May 10, 1994**

Notice is hereby given that, pursuant to the redemption provisions of the indenture authorizing the issuance, sale and delivery of the above-captioned bonds, \$118,640,000 principal amount of the bonds have been called for redemption on September 1, 2004 at the redemption price of 102 percent of the principal amount thereof, together with interest thereon, to the date of redemption. Interest on the bonds called for redemption will cease to accrue from and after September 1, 2004. The bonds called for redemption are further described as follows:

Bond Number	Stated Maturity	Interest Rate	Amount of Bond	Called Amount	CUSIP Number
R-1	09/01/2014	6.25%	\$34,700,000	\$34,700,000	484790-FV-7
R-4	09/01/2023	6.375%	\$83,940,000	\$83,940,000	484790-KC-3

The redemption of the bonds listed above is conditional upon the issuance, sale, and delivery of the Unified Government of Wyandotte County, Kansas City, Kansas (the Unified Government) of its Utility System Refunding Revenue Bonds Series 1994 (the refunding bonds) on or about August 26, 2004. If the issuance of the Refunding Bonds does not close, this notice shall be void and the Unified Government shall have no obligation to redeem and pay the bonds as described above.

In order for bondholders to receive payment for the principal amount of called bonds, the bonds should be presented for payment as follows:

- |  |  |
|--|--|
| <p><b>Via US Mail</b><br/>Security Bank of Kansas City<br/>Corporate Trust Department<br/>P. O. Box 171297<br/>Kansas City, KS 66117</p> | <p><b>Via Courier or Hand Delivery</b><br/>Security Bank of Kansas City<br/>Corporate Trust Department<br/>701 Minnesota Ave., Suite 206<br/>Kansas City, KS 66101</p> |
|--|--|

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, as amended, paying agents making payments of principal on municipal bonds may be obligated to withhold 28 percent of any such remittance to individuals who have failed to furnish the paying agent with a certified taxpayer identification number. In order to avoid the application of these provisions, bondholders should submit a completed IRS Form W-9 to the paying agent.

If you have any questions regarding this redemption, please direct them to Pete Gardner, (913) 279-7948.

The CUSIP Number is included solely for the convenience of the bondholders. Security Bank of Kansas City shall not be responsible for the selection or use of the CUSIP number, nor is any representation made as to its correctness on this notice or any certificate.

Dated July 29, 2004.

Security Bank of Kansas City  
as Paying Agent

Doc. No. 030981

**Notice of Partial Redemption to the Holders of  
Elwood, Kansas  
First Mortgage Revenue Bonds  
(Section 8 Assisted Housing Project)  
Series 1978  
Dated March 1, 1978**

Notice is hereby given pursuant to the applicable provisions of the governing documents of the above captioned bonds (the bonds), that the herein described bonds are called for redemption prior to their maturity and will be redeemed on September 1, 2004 (the redemption date). Redemption will be made by payment of the principal amount of each such bond, together with interest accrued to the redemption date plus applicable premium, if any. From and after September 1, 2004, interest on the bonds shall cease to accrue and any lien or interest in or to any pledge of security or collateral for the bonds hereby called shall also cease and become null on the Redemption Date.

The following bonds will be redeemed and paid upon presentation to the office(s) shown below.

**\*CUSIP Number: None Assigned, 7.40%,  
Due: 09/01/2008, Redemption Price: 100%  
Principal Amount of Redemption: \$35,000**

*Registered Bonds called in the amounts indicated below  
all with the prefix:*

73.....	\$5,000	83.....	\$5,000	95.....	\$5,000
100.....	\$5,000	105.....	\$5,000	107.....	\$5,000
112.....	\$5,000				

Payment of the bonds called for redemption will be made upon presentation and surrender of said bonds. In the case of any registered bonds to be redeemed in part only upon presentation of such bond for redemption, there will be issued in lieu of the unredeemed principal portion a new bond equal to such unredeemed portion.

Called bonds should be presented as follows:

**The Commerce Trust Company  
c/o JP Morgan Chase Bank  
Institutional Trust Services  
P.O. Box 2320  
Dallas, Texas 75221-2320**

**The Commerce Trust Company  
c/o JP Morgan Chase Bank  
Institutional Trust Services  
2001 Bryan Street, 9th Floor  
Dallas, Texas 75201**

**The Commerce Trust Company  
c/o JP Morgan Chase Bank  
Institutional Trust Securities Window  
4 New York Plaza, 1st Floor  
Dallas, Texas 10004-2413**

Registered or certified insured mail is suggested when submitting bonds for payment.

When inquiring about this redemption, please have the bond number available. Please inform the customer service representative of the CUSIP numbers of the affected bonds. Customer Service 1-800-524-9472.

*(continued)*

Under the provisions of the Economic Growth and Tax Relief Reconciliation Act of 2001 (the act), the Paying Agent making payment of interest or principal on municipal securities may be obligated to withhold a percentage of the principal of a holder who has failed to furnish the payer a valid taxpayer identification number, certification that the number supplied is correct, and that the holder is not subject to backup withholding under the act. Holders of bonds who wish to avoid the application of these provisions should submit a completed IRS Form W-9 (or Form W-8 if neither a U.S. person or resident alien), when presenting bonds for payment.

\* The issuer and trustee shall not be responsible for the use of the CUSIP numbers selected, nor is any representation made as to their correctness indicated in the notice or as printed on any Bond. They are included solely for the convenience of the holders.

Dated August 2, 2004.

By: The Commerce Trust Company  
A Division of Commerce Bank, N.A.  
as Trustee

Doc. No. 030985

(Published in the Kansas Register July 29, 2004.)

**Notice of Redemption  
City of Kansas City, Kansas  
Water and Electric Light Plant  
Revenue Bonds  
Series 1977**

Notice is hereby given that, pursuant to Section 2 of Ordinance No. 56857 of the City of Kansas City, Kansas passed on September 15, 1977, \$1,385,000 principal amount of the Bonds is being called for redemption on September 1, 2004 at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

The certificate numbers of the bonds to be redeemed are as follows:

**Bearer Bonds  
Due September 1, 2007  
(CUSIP Number: 484800 LE5)**

**Bearer Bonds called in denomination of \$5,000 each**

1639	1647	1649	1651	1652	1658	1666	1673	1675	1682	1701
1702	1712	1722	1732	1735	1757	1765	1793	1794	1797	1811
1838	1862	1868	1869	1871	1873	1877	1879	1883	1885	1897
1919	1940	1944	1955	1958	1978	1983	1985	1996	2014	2016
2035	2056	2068	2071	2073	2075	2080	2090	2092	2102	2104
2115	2116	2125	2146	2149	2154	2187	2201	2210	2228	2231
2267	2273	2274	2287	2293	2296	2297	2298	2306	2307	2324
2331	2340	2344	2349	2350	2367	2375	2382	2392	2409	2410
2430	2451	2452	2458	2478	2486	2489	2493	2494	2496	2498
2500	2504	2505	2525	2528	2544	2549	2553	2558	2566	2585
2593	2601	2604	2634	2643	2679	2684	2687	2688	2694	2706
2708	2709	2710	2715	2719	2731	2733	2736	2757	2768	2770
2790	2817	2828	2829	2853	2858	2861	2866	2895	2900	2903
2904	2908	2909	2920	2931	2935	2939	2960	2963	2964	2967
2998	3003	3004	3012	3015	3028	3047	3074	3086	3093	3101
3116	3126	3128	3131	3134	3144	3151	3156	3159	3163	3178
3186	3189	3201	3217	3225	3236	3257	3267	3269	3273	3299
3317	3321	3323	3325	3327	3328	3339	3344	3349	3364	3369

3387	3394	3398	3409	3422	3423	3429	3465	3467	3494	3503
3507	3556	3557	3559	3566	3570	3571	3573	3583	3590	3604
3605	3610	3615	3623	3648	3651	3704	3707	3742	3744	3746
3759	3761	3762	3766	3768	3782	3783	3791	3806	3815	3838
3843	3854	3855	3859	3863	3870	3899	3908	3922	3923	3924
3934	3945	3999	4000	4001	4005	4007	4020	4022	4034	4048
4052	4055	4064	4068	4076	4091	4105	4106	4114	4128	4147
4157	4169									

Coupons due subsequent to September 1, 2004 must be attached to bonds called for redemption. Payment of the redemption price of the bonds to be redeemed will be made at Security Bank of Kansas City as follows:

**Via U.S. Mail**

Security Bank of Kansas City  
Corporate Trust Department  
P.O. Box 171297  
Kansas City, KS 66117

**Via Courier or Hand Delivery**

Security Bank of Kansas City  
Corporate Trust Department  
701 Minnesota Ave., Suite 206  
Kansas City, KS 66101

In order to avoid a 28 percent backup withholding required by the Jobs and Growth Tax Relief Reconciliation Act of 2003 (the Act), bondholders should submit Certified Taxpayer Identification Numbers on IRS Form W-9 when presenting their certificates for redemption.

Notice is hereby given that on and after September 1, 2004, interest on the bonds hereby called for redemption shall cease to accrue.

Dated July 29, 2004

Security Bank of Kansas City  
Paying Agent

Doc. No. 030982

(Published in the Kansas Register July 29, 2004.)

**Hutchinson Community College and  
Area Vocational School  
Reno County, Kansas**

**Notice of Determination to Issue  
Revenue Bonds**

You are hereby notified that the Board of Trustees (the board) of the Hutchinson Community College and Area Vocational School, Reno County, Kansas (the college), did on July 22, 2004 duly adopt a resolution (the resolution) declaring it to be necessary to construct, and authorizing the construction of additions and improvements to the college's existing Student Union and Dormitory System (the system) by renovating and constructing additions to the existing student dormitory facilities on the college's campus in the City of Hutchinson, Kansas (the project) at an estimated cost not to exceed \$6,000,000 and to refund the college's outstanding Student Union and Dormitory System Revenue Bonds, Series 1995 (the 1995 Bonds), at an estimated cost not to exceed \$1,600,000, all under the authority of K.S.A. 76-6a12 to 76-6a25, inclusive, as amended and supplemented (the act).

You are hereby further notified that the resolution declares it to be necessary to issue, and authorizes the issuance and sale of, the College's Student Union and Dor-

mitory System Refunding and Improvement Revenue Bonds, Series 2004 in the principal amount not to exceed \$7,600,000, in order to pay the costs of the project, to refund and redeem the outstanding 1995 Bonds, to fund a reasonably required bond reserve fund and to pay the related costs of issuance.

You are hereby further notified that unless an action to contest the legality of the proposed 2004 Bonds shall be filed in a court of law within 30 days of the date of publication of this notice, the right to contest the legality of any revenue bonds issued in compliance with the aforesaid resolution and other proceedings duly and legally had and taken by the board prior to the date of publication of this notice, and the right to contest the validity of the provisions of such proceedings, shall cease to exist, and no court shall thereafter have the authority to inquire into such matters; and that after the expiration of said 30 days from the date of publication of this notice, no one shall have any right to commence an action contesting the validity of such revenue bonds or the provisions of such proceedings of the board and all such revenue bonds shall be conclusively presumed to be legal and no court shall thereafter have the authority to inquire into such matters.

Dated July 22, 2004.

Board of Trustees  
Hutchinson Community College and  
Area Vocational School  
Reno County, Kansas  
By: Bob Snyder, Chairman  
ATTEST: Bill Warner, Secretary

Doc. No. 030984

(Published in the Kansas Register July 29, 2004.)

**Summary Notice of Bond Sale**  
**City of Garden City, Kansas**  
**\$614,000**  
**General Obligation Bonds**  
**Series 2004**

**Details of the Sale**

Subject to the terms and requirements of the official notice of bond sale dated July 13, 2004, of the City of Garden City, Kansas, bids to purchase the city's General Obligation Bonds, Series 2004, will be received at the office of the city clerk at City Hall, 301 N. 8th, Garden City, KS 67846, or by telefacsimile at (620) 276-1169, until 11 a.m. Tuesday, August 10, 2004. The bids will be considered by the governing body at its meeting at 1 p.m. on the sale date.

No oral or auction bids for the bonds shall be considered, and no bids for less than 100 percent of the total principal amount of the bonds and accrued interest to the date of delivery shall be considered.

**Good Faith Deposit**

Each bidder must submit a good faith deposit in the form of a certified or cashier's check made payable to the order of the city, or a financial surety bond in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Bonds**

The bonds are dated September 1, 2004, and will be issued as registered bonds in denominations of \$5,000, or any integral multiple thereof, except for one bond in the denomination of \$4,000. Interest on the bonds is payable

semiannually on May 1 and November 1 of each year, beginning May 1, 2005. Principal of the bonds becomes due on November 1 in the years and amounts as shown below:

Maturity Schedule	
Principal Amount	Maturity Date
\$44,000	2005
55,000	2006
55,000	2007
60,000	2008
60,000	2009
60,000	2010
65,000	2011
70,000	2012
70,000	2013
75,000	2014

**Payment of Principal and Interest**

The Kansas State Treasurer will serve as the bond registrar and paying agent for the bonds.

**Book-Entry Bonds**

The bonds will be issued and registered under a book-entry-only system administered by the Depository Trust Company, New York, New York (DTC).

**Delivery of the Bonds**

The city will prepare the bonds at its expense and will deliver the registered bonds to the successful bidder, on or about September 7, 2004, at such bank or trust company or other qualified depository in the contiguous United States, specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

**Legal Opinion**

The bonds will be sold subject to the legal opinion of Triplett, Woolf & Garretson, LLC, Wichita, Kansas, bond counsel, whose fees will be paid by the city.

**Financial Matters**

The city's current assessed valuation for purposes of calculating statutory debt limitations is \$151,541,409. As of September 1, 2004, the city's total outstanding general obligation debt (including the bonds), is \$10,724,000, which excludes temporary notes outstanding in the amount of \$975,062.50, which will be retired with proceeds of the bonds and other available funds.

**Additional Information**

For additional information, contact the city clerk at the address and telephone number shown below or the financial advisor, Chuck Bouilly, George K. Baum & Co., 100 N. Main, Wichita, KS 67202, (316) 264-9351.

City of Garden City, Kansas  
By Jean E. Payne  
City Clerk  
City Hall, 301 N. 8th  
Garden City, KS 67846  
(620) 276-1234  
Fax (620) 276-1169

Doc. No. 030975

(Published in the Kansas Register July 29, 2004.)

**Summary Notice of Bond Sale  
City of Atchison, Kansas**

**\$500,000**

**General Obligation Bonds  
Series 2004-A**

**\$2,360,000\***

**General Obligation Water and Sewer System  
Refunding Bonds  
Series 2004-B**

**(General Obligation Bonds Payable from  
Unlimited Ad Valorem Taxes)**

**Bids**

Subject to the notice of bond sale dated July 19, 2004, separate written and electronic bids will be received on behalf of the director of finance of the City of Atchison, Kansas (the issuer), in the case of written bids, on behalf of the governing body at City Hall, 515 Kansas Ave., Atchison, KS 66002, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 2 p.m., August 16, 2004, for the purchase of \$500,000 principal amount of General Obligation Bonds, Series 2004-A. 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 September 1, 2004, and will become due on September 1 in the years as follows:

**Series 2004-A**

Year	Principal Amount
2005	\$40,000
2006	45,000
2007	45,000
2008	45,000
2009	50,000
2010	50,000
2011	55,000
2012	55,000
2013	55,000
2014	60,000

**Series 2004-B**

Year	Principal Amount
2005	\$390,000
2006	400,000
2007	415,000
2008	425,000
2009	435,000
2010	295,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 2005.

**Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

The 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 of America or a qualified financial surety bond in an amount equal to 2 percent of the principal amount of each series of bonds.

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about September 1, 2004, 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 2003, is \$62,533,985. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$15,720,000.

**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 at the address set forth below, or by phone (913) 367-5500, fax (913) 367-3654 or e-mail: kellyd@cityofatchison.com or from the financial advisor, George K. Baum & Company, 435 Nichols Road, Kansas City, MO 64112, Attention: Dave Arteberry, (816) 474-1100, fax (816) 283-5326, e-mail: arteberry@gkbaum.com.

**Written Bid and Good Faith Deposit**

**Delivery Address**

Kelly DeMeritt, Director of Finance, City Hall, 515 Kansas Ave., Atchison, KS 66002.

**Facsimile Bid Delivery Address**

George K. Baum & Company, Attn: Dave Arteberry, fax (816) 283-5326.

Dated July 19, 2004.

City of Atchison, Kansas

Doc. No. 030969

(Published in the Kansas Register July 29, 2004.)

**Summary Notice of Bond Sale**  
**\$4,083,000**  
**City of Haysville, Kansas**  
**General Obligation Bonds, Series 2004**  
**(General obligation bonds payable from**  
**unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated July 12, 2004, sealed, facsimile and electronic bids will be received by the clerk of the City of Haysville, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at City Hall, 200 W. Grand, P.O. Box 404, Haysville, KS 67060, and in the case of electronic bids, through i-Deal's BiDCOMP/PARITY electronic bid submission system, until 2 p.m. August 9, 2004, for the purchase of \$4,083,000 principal amount of General Obligation Bonds, Series 2004. 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, except one bond in the denomination of \$8,000 (or such amount added to \$5,000 or any integral multiple thereof). The bonds will be dated September 1, 2004, and will become due on October 1 in the years as follows:

Year	Principal Amount
2005	\$178,000
2006	205,000
2007	210,000
2008	220,000
2009	235,000
2010	245,000
2011	255,000
2012	270,000
2013	280,000
2014	295,000
2015	310,000
2016	320,000
2017	335,000
2018	355,000
2019	370,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning October 1, 2005.

**Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

The Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial

surety bond in the amount of \$81,660 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about September 7, 2004, 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 2003 is \$48,167,602. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, but excluding temporary notes to be retired in conjunction therewith, is \$13,843,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the financial advisor, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, Attention: Charles M. Bouilly, (316) 264-9351, fax (316) 264-9370, e-mail: bouilly@gkbaum.com.

Dated July 12, 2004.

City of Haysville, Kansas

Doc. No. 030966

**State of Kansas**

**Board of Pharmacy**

**Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 9 a.m. Tuesday, November 30, in the conference/meeting room at the Clubhouse Inn, 924 S.W. Henderson Road, Topeka, to consider the amendment to a rule and regulation of the Kansas Pharmacy Board.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendment of the rule and regulation. All parties may submit written comments prior to the hearing to Debra Billingsley, Executive Director, Kansas Board of Pharmacy, Room 560, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1231. All interested parties will be given a reasonable opportunity to present their views orally on the amendment of the regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation proposed for amendment in an accessible format. Requests for accommodation should

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be made at least five working days in advance of the hearing by contacting the Debra Billingsley at (785) 296-4056. Handicapped parking is available, and the main entrance to the building is accessible to individuals with disabilities.

A summary of the proposed amendment is as follows:

**K.A.R. 68-1-3a. Qualifying pharmaceutical experience.** This amendment limits to two the number of pharmacy students or registered intern a preceptor may supervise at any one time.

Copies of the regulation and the economic impact statement may be obtained by contacting the board at the address and phone number given above or by accessing the board's web site at <http://www.accesskansas.org/pharmacy/proposedregs.html>.

Debra L. Billingsley  
Executive Director

Doc. No. 030976

## State of Kansas

### Board of Healing Arts

#### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Tuesday, September 28, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider four proposed new rules and regulations (K.A.R. 100-15-2a, 100-15-2b, 100-15-2c, and 100-15-2d) and the revocation of one existing rule and regulation (K.A.R. 100-15-2), all dealing with continuing education for the healing arts.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the above referenced rules and regulations. All interested parties may submit comments prior to the hearing to the Board of Healing Arts at the address above. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the adoption of the regulations during the hearing. In order to give all persons an opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulations being considered and the economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Tammy Farr at (785) 296-8558. Handicapped parking is located at the west end of the Hutton Building, and the northwest entrance to the building is accessible.

The proposed amended rules and regulations to be considered at the hearing and the respective economic impact is as follows:

**K.A.R. 100-15-2a. Continuing education requirement.** This regulation indicates the minimum number of hours required for each person who applies for renewal of a license to practice a branch of the healing arts. Additionally, this regulation has a provision for a licensee who

may require an extension of time for submitting proof of continuing education.

**K.A.R. 100-15-2b. Documentation of continuing education.** This regulation specifies what type of proof is required to document completion of continuing education.

**K.A.R. 100-15-2c. Requirements for continuing education credit.** This regulation defines content requirements for each continuing education activity.

**K.A.R. 100-15-2d. Continuing education using distance-learning media.** This regulation explains the qualifiers for continuing education credit when the continuing education activity is offered using the internet or other distance-learning media.

**K.A.R. 100-15-2. Continuing education.** This regulation dealing with continuing education has been in effect since 1977 and last amended in 1979. Four new regulations dealing with continuing education have now been developed and this regulation is being considered for revocation as it has become obsolete.

The regulation is not mandated by any federal law.

No other persons or entities will bear any costs or be affected by these proposed amended rule and regulations.

Copies of the proposed amended regulations and the associated economic impact statement may be obtained from the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66603; by visiting the board's Web site at [www.ksbha.org/pubic.html](http://www.ksbha.org/pubic.html); or by calling Betty Johnson at (785) 296-3680 or e-mail at [bjohnson@ink.org](mailto:bjohnson@ink.org).

Lawrence T. Buening, Jr.  
Executive Director

Doc. No. 030970

## State of Kansas

### Department of Agriculture Division of Water Resources

#### Permanent Administrative Regulations

#### Article 3.—APPROPRIATION RIGHTS

**5-3-50. Amending water use reports.** (a) Except as specified in this subsection, each annual water use report submitted to the chief engineer pursuant to K.S.A. 82a-732, and amendments thereto, shall be considered the official report of water use information filed in the office of the chief engineer. Each person who files a request to correct a water use report shall ensure that the water use report is corrected in accordance with all of the following procedures, in order for the corrected report to be considered the official report:

(1) A written request to correct the report is submitted to the chief engineer on a form prescribed by the chief engineer.

(2) Each requested change in the water use report is documented by independent, verifiable supporting information, including fuel records, power records, crop production records, county appraiser records, natural resource conservation service records, crop insurance records, other similar types of records, and any combi-

nation of these records. The independent, verifiable supporting information may be supported by an affidavit from one or more competent, disinterested persons who have actual personal knowledge of the facts.

(3) The written request, including the supporting documentation, is verified upon oath or affirmation to be accurate and complete to the best knowledge of the person filing the request.

(4) The person filing the request to change a water use report sustains the burden to show the following:

(A) How the water use report on file in the office of the chief engineer is erroneous or incomplete; and

(B) that the proposed changes are the most complete and accurate water use information available.

(b) The right to perform the following shall be reserved by the chief engineer:

(1) Contest the accuracy and completeness of any water use report filed with the chief engineer, or corrected in accordance with this regulation, to show that the water use report is inaccurate, incomplete, false, or fraudulent; and

(2) make a determination of the actual water use based on the best available information. (Authorized by K.S.A. 82a-706a; implementing K.S.A. 82a-706a and K.S.A. 82a-732; effective Aug. 13, 2004.)

#### Article 17.—WATER BANKING

**5-17-1. Definitions for water banking.** As used in these water banking regulations, in the Kansas water banking act, K.S.A. 82a-761 et seq. and amendments thereto, and by the chief engineer in the administration of this act, unless the context clearly requires otherwise, the following words and phrases shall have the meanings ascribed to them in this regulation:

(a) “Bankable water right” means a water right, or portion of a water right, that meets the requirements of the following:

- (1) K.S.A. 82a-764, and amendments thereto; and
- (2) the water bank charter.

In calculating the portion of a water right that is bankable, credit shall be given for any water conservation practices implemented according to this regulation. The bankable portion of linked water rights shall be determined on a case-by-case basis. For a surface water right that has water available from a water assurance district, the quantity of water available from the water assurance district may be considered when determining how much of the water right is bankable.

(b) “Good standing,” only for the purposes of the Kansas water banking act and regulations, means a water right, or portion of a water right, that meets all of the following criteria:

(1) Except as set forth in paragraph (b)(2), the water right, or portion of a water right, has been lawfully put to beneficial use within the past five years.

(2) For a water right that has been enrolled in the water right conservation program (WRCP) or a water right whose authorized place of use has been enrolled in the conservation reserve program (CRP), the water right has been put to lawful beneficial use within the five-calendar-year period before enrollment in the program. A water

right that is currently enrolled in the WRCP shall not be deposited in a water bank. If the authorized place of use is currently enrolled in the CRP, the water right shall not be deposited in a water bank, unless the authorized place of use has been changed to a place of use that is not enrolled in the CRP and water has actually been applied to beneficial use on the newly authorized place of use for at least one calendar year.

(3) All of the following conditions regarding the water right are met:

(A) In the five calendar years before the water right is deposited or placed in a safe deposit account, there has not been a conviction associated with that water right pursuant to K.S.A. 82a-728, and amendments thereto.

(B) No civil penalty has been assessed pursuant to K.S.A. 82a-737, and amendments thereto, against anyone for violations relating to the water right.

(C) The water right has not been suspended pursuant to K.S.A. 82a-737, and amendments thereto.

(D) No order of the chief engineer relating to the water right has been disobeyed.

(E) The applicant who is applying to deposit the water right into, or lease water from, a water bank or to withdraw water from a safe deposit account has a history of compliance with contracts with the water bank and term permits used to withdraw water from a water bank or from a safe deposit account.

(c) “Long-term rolling average,” only for the purposes of the Kansas water banking act, means a five-year running average of the net consumptive use of all the participating rights. This average shall be calculated by adding together the average net consumptive use for each participating right in a hydrologic unit.

The average shall first be computed after the water bank has been in operation for three years. For each year after the third year, another year’s data shall be added until five years of data are available. After the water bank has been in operation for five years or more, the last five years of data shall be used to calculate the average. The resulting number shall then be compared against the average annual net consumptive use of participating rights in that hydrologic unit for the representative past period.

(d) “Net consumptive use” means the gross diversion of water for beneficial use, minus the following:

- (1) Waste of water, as defined in K.A.R. 5-1-1; and
- (2) return flows to the source of water supply through surface water that is not waste and by deep percolation.

For irrigation use, only as used in the water banking act and regulations, net consumptive use shall be calculated as 85 percent of the actual legal gross diversions in any one calendar year or calculated using some other methodology approved by the chief engineer as complying with standard engineering practices. Net consumptive use for all other types of water use shall be calculated in accordance with a methodology approved by the chief engineer as complying with standard engineering practices.

The average annual net consumptive use for the representative past period shall be calculated by first calculating the average annual net consumptive use for each participating right for the representative past period and

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then adding those averages together. If a participating right did not legally divert water during any year in the representative past period or was not authorized to divert water, that year shall be counted as zero in computing the average annual consumptive use for that water right for the representative past period.

(e) "Participating rights" means all of the water rights in a hydrologic unit that are under contract to be deposited in a water bank or safe deposit account.

(f) "Representative past period" means a period of at least 10 consecutive years occurring entirely before the date on which the water bank is chartered and having a reasonable balance of years with above-normal and below-normal precipitation. For a water right not permitted during the entire representative past period, for the sole purpose of determining the portion of that water right that is bankable pursuant to K.S.A. 82a-765(b)(9) and amendments thereto, the water bank may select a different representative past period, but the bankable portion of each water right shall be the lesser of either of the following:

- (1) The annual quantity of water perfected; or
- (2) the average percentage of water rights determined to be bankable, for all water rights in that hydrologic unit that were permitted for the representative past period occurring entirely before the date on which the bank was chartered.

(g) "Severely depleted groundwater aquifer" means an aquifer that meets any of the following criteria:

(1) The chief engineer has declared the aquifer to be an aquifer in need of recovery pursuant to K.S.A. 2-1919, and amendments thereto.

(2) The average static water level decline in the hydrologic unit, based on a representative sample of wells distributed throughout the hydrologic unit, in the 20 calendar years immediately preceding the calendar year in which the water bank was chartered is substantially greater than the average annual variability in the static water level in the hydrologic unit.

(3) The average yield of the groundwater aquifer is not sufficient to meet the 50 percent chance net irrigation requirements (N.I.R.) for crops typically grown in the hydrologic unit using methods of irrigation typically used in that hydrologic unit.

(h) "Severely depleted stream course" means a stream reach that has been declared by the chief engineer to be a stream reach in need of stream recovery pursuant to K.S.A. 2-1919, and amendments thereto.

(i) "Water conservation practices" means actual physical changes in a water distribution system or management practices that were made to improve water use efficiency during the representative past period, including the following:

- (1) Conversion from flood irrigation to center pivot irrigation with a nozzle package designed to improve water use efficiency;
- (2) irrigation scheduling;
- (3) conversion to subsurface drip irrigation; and
- (4) removal of an end gun, resulting in a reduction in the number of irrigated acres.

The applicant shall have the burden of documenting the implementation of water conservation practices that

could have altered the results of the calculation of the portion of the water right that is bankable, to the detriment of the applicant. (Authorized by and implementing K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-2. Application to deposit a water right into a water bank or withdraw a deposit.** (a) Each water right owner proposing to deposit all or a portion of a water right into a water bank shall complete an application on a form prescribed by the water bank and approved by the chief engineer. The application shall be filed with the water bank on or before December 31 of the year preceding the first calendar year in which the deposit will be made. A water right, or a portion of a water right, may be deposited only in increments of full calendar years. The application shall contain the following information concerning the water right, or portion of the water right, that is proposed to be deposited:

- (1) The file number of the water right to be deposited;
- (2) if the water right is a vested right or an appropriation right that has been certified by the chief engineer, specification of that status;
- (3) the hydrologic unit from which the water right is authorized to withdraw water;
- (4) the calendar years during which the water right will be on deposit. This period shall not exceed five years; and
- (5) any CRP contracts that were in effect for any part of the representative past period.

(b) A water right may be withdrawn from deposit only if both of the following conditions are met:

- (1) The water right has not been leased in whole or part.
- (2) An application to withdraw the water right from deposit is made before July 1 of the calendar year for which the deposit has been made. Withdrawal of a water right during one calendar year also shall withdraw the water right from deposit in any subsequent years for which the water right may have been deposited. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-763, K.S.A. 2003 Supp. 82a-764, and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-3. Contract for deposit of a water right.** (a) Each water right owner that has an application approved for the deposit of all or a portion of a water right into a water bank and that desires to deposit all or a portion of the water right into the water bank shall enter into a contract with the water bank that includes the following provisions and information:

- (1) The file number of the water right to be deposited;
- (2) the hydrologic unit from which the water is authorized to be withdrawn;
- (3) the calendar years during which the water right will be on deposit, which shall not exceed five years;
- (4) the quantity of water to be deposited;
- (5) the terms of payment for the deposit;
- (6) if a portion of a water right is deposited, an agreement that the quantity of water pumped under the portion of the water right that is not deposited shall not exceed the difference between the bankable portion of the water right and the amount deposited; and
- (7) an acknowledgment of the specific fines or suspension penalties that will be imposed for violation of the contract.



(b) The water bank shall notify the chief engineer of each water right deposit before the deposit is leased. This notice shall include a determination of the annual quantity of water that is bankable for each water right and the portion of the bankable quantity of the water right that has been deposited. If an entire water right is deposited, no water may be pumped under that water right, except under the authority of a lease from a water bank and a term permit issued by the chief engineer to exercise that lease. If a portion of a water right is deposited, the annual quantity of water pumped under the portion of the water right that is not deposited shall not exceed the difference between the bankable portion of the water right and the amount deposited. An order may be issued by the chief engineer after the deposit notifying the owner of the annual quantity of water, if any, that may be diverted under the original water right to prevent the net consumptive use of the water right from being increased. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-763 and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-4. Application to lease water.** (a) Each person proposing to lease water from a water bank shall complete an application for a contract to lease water on a form prescribed by the water bank and approved by the chief engineer and an application for a term permit. The application for the contract shall be filed with the water bank. Each application shall include the following information concerning the water proposed to be leased:

- (1) The quantity of water to be leased;
- (2) the proposed maximum rate of diversion;
- (3) the calendar years during which water is proposed to be leased, which shall not exceed the length of the water bank charter plus three calendar years;
- (4) the location of the proposed point of diversion, including the hydrologic unit;
- (5) the proposed place of use;
- (6) the proposed use made of water;
- (7) the water flowmeter reading from the proposed point of diversion, if the water will be diverted from an existing point of diversion, at the time the application is filed;
- (8) the file numbers of the other water rights and approvals of applications that authorize use of water from the proposed point of diversion; and
- (9) if the proposed use is for irrigation, the number of acres that will be irrigated and the number of acres of each type of crop that will be grown.

(b) Any water bank may enter into a lease extending beyond the length of the water bank charter only if both of the following conditions are met:

- (1) The water bank charter has a procedure approved by the chief engineer that sets forth how the leases will be administered if the water bank is dissolved.
- (2) The bank charter assigns the responsibility and cost of administering the leases after the water bank is dissolved to a responsible person or entity.

(c) Any applicant whose application meets all the criteria in subsections (a) and (b) may enter into a contract to lease water from the water bank if sufficient water rights have been deposited in the same hydrologic unit

where the point of diversion and the place of use are proposed to be located to cover the lease. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-763 and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-5. Contract to lease water.** Any person who has an application approved by the water bank for the lease of water from the water bank may enter into a contract with the water bank to lease water. The contract shall be entered into before a term permit can be issued by the chief engineer and shall include the following information and provisions:

- (a) The quantity of water to be leased;
- (b) the maximum rate of diversion at which the leased water will be diverted;
- (c) the calendar years during which water will be leased, which shall not exceed the length of the water bank charter plus three calendar years;
- (d) the location of the point of diversion where the leased water will be diverted, including the hydrologic unit;
- (e) the use made of the water to be leased;
- (f) the place of use of the water to be leased. The place of use shall be identical to a place of use authorized by an existing water right or approval of application, or shall be an entirely new place of use;
- (g) the terms of payment for the lease of water;
- (h) the penalties for breach of the lease, including those set forth in K.A.R. 5-17-13; and
- (i) a provision that if the term permit is not obtained by a certain date or the term permit is dismissed for any reason, the contract shall not be exercised. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-763 and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-6. Conditions on the term permit to exercise a contract to lease water.** (a) A contract to lease water may be exercised only if the chief engineer approves an application for a term permit to divert the leased water.

(b) The following conditions shall be imposed by the chief engineer on the term permit authorizing the use of water leased from a water bank:

- (1) The maximum reasonable quantity of water that may be diverted per calendar year, as set forth in K.A.R. 5-17-17, and the maximum quantity of water that may be diverted during the term of the permit;
- (2) the maximum rate of diversion;
- (3) the term of the permit, which shall not exceed the length of the water bank charter plus three calendar years;
- (4) the authorized point of diversion;
- (5) the authorized place of use;
- (6) the authorized use made of the leased water;
- (7) a provision that the diversion shall not cause the impairment of any existing water rights;
- (8) a provision that the diversion shall not cause an increase in depletion to any severely depleted groundwater aquifer or severely depleted stream course;
- (9) a provision that the leased water shall be diverted from, and used within, the same hydrologic unit where the water rights were deposited; and

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(10) a provision that any violation of a term permit used to exercise a lease shall make the permittee subject to the penalty provisions of K.A.R. 5-17-13. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-763 and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-7. Contract to deposit water in a safe deposit account.** (a) Each person proposing to deposit water into a safe deposit account shall enter into a contract with the water bank on a form prescribed by the water bank and approved by the chief engineer. The contract shall include the following information and provisions and any other provision needed to ensure that the deposit complies with the provisions of the Kansas water banking act and regulations:

(1) The term of the contract, which shall be for a specific number of calendar years and shall not exceed the length of the water bank charter plus three years;

(2) the proposed deposit of water, which shall be from a water right that is bankable;

(3) the water right from which water is being deposited. The water right shall be in good standing and shall be vested or certified;

(4) the hydrologic unit from which water is being deposited;

(5) the terms of payment for the deposit and a provision that any fees paid are not refundable if the water user voids the contract, or causes it to be void, for any reason;

(6) the location of the point of diversion authorized by the water right that is proposed to be deposited;

(7) the water right file numbers of any linked water rights that are proposed to be deposited; and

(8) a provision that the contract shall be entered into by December 31 of the year preceding the first year for which the owner desires to make a deposit in the safe deposit account.

(b) The amount of water that may be deposited in any year shall not exceed 25 percent of the quantity of unused water from the preceding year.

(c) At the end of the term of the contract to deposit water in a safe deposit account, including any extensions of time, all water in the account shall be forfeited.

(d) There shall not be multiple safe deposit accounts for any point of diversion.

(e) The term of a safe deposit account may be extended by the chief engineer upon request of the owner for a period not to exceed the length of the water bank charter plus three calendar years. Any water bank may extend a safe deposit account beyond the length of the water bank charter only if both of the following conditions are met:

(1) The water bank charter has a procedure approved by the chief engineer that sets forth how the safe deposit accounts will be administered if the water bank is dissolved.

(2) The bank charter assigns the responsibility and costs of administering the accounts after the water bank is dissolved to a responsible person or entity. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-763 and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-8. Depositing water in a safe deposit account.** (a) Each calendar year in which water is deposited, the

depositor shall file a deposit slip, on a form prescribed by the water bank and approved by the chief engineer, with the water bank indicating the quantity of water that was unused and the quantity of water that the depositor proposes to deposit.

(b) Water shall be deposited in an existing safe deposit account no later than March 1 of the year following the calendar year in which the water was not used.

(c) When the deposit is made, the depositor shall furnish the water bank with the following information:

(1) The water flowmeter readings at the beginning and end of the calendar year in which the water was not used under the water right; and

(2) the quantity of water proposed to be deposited.

(d) The water bank shall accept for deposit the quantity of water that meets the provisions of the water bank charter and the Kansas water banking act and regulations. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-763 and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-9. Term permit to use water that was deposited in a safe deposit account.** (a) Before approval of a term permit to use water deposited in a safe deposit account, the water bank shall certify to the chief engineer the quantity of water that is in the safe deposit account.

(b) Before any water that has been deposited into a safe deposit account may be used, the applicant shall apply for a term permit, submit the appropriate filing fee, and receive approval from the chief engineer. Each term permit shall contain the following conditions:

(1) The maximum rate of diversion of water;

(2) the maximum quantity of water that may be diverted the remainder of that calendar year, which shall not exceed the quantity of water certified by the water bank to be in the safe deposit account;

(3) the length of the term permit, which shall not exceed December 31 of the year in which the term permit was issued by the chief engineer. No extensions of time shall be granted for this type of term permit;

(4) a provision that the use of water under the term permit shall not impair any existing water rights;

(5) a provision that the use of water under the term permit shall not cause an increase in the depletion of a severely depleted groundwater aquifer or severely depleted stream course; and

(6) a provision that violation of any of the terms of the term permit shall subject the owner to the penalty provisions of K.A.R. 5-17-13. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-763 and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-10. Water bank charter proposal.** (a) Each proposed water bank charter submitted to the chief engineer shall contain all of the following:

(1) Information showing that the proposed operations and policies of the water bank are consistent with the Kansas water banking act, the Kansas water appropriation act and regulations, the Kansas state water plan, the policies of any groundwater management district that is located within the boundaries of the proposed water bank, and the water assurance district operation agree-

ments of any water assurance district located within the boundaries of the proposed water bank;

(2) information that demonstrates that there is sufficient participation to make the water bank's operations practical and feasible, including economically;

(3) a petition declaring an intent to establish a water bank that is signed by at least five percent of the water right owners within the water bank's proposed boundaries;

(4) the names of at least five members of the proposed governing body of the water bank, their addresses, and the public and private interests that each represents;

(5) the proposed boundaries of the water bank, including information showing that the boundaries of the proposed water bank do not overlap the boundaries of another water bank;

(6) for groundwater banks, an enumeration of all the hydrologic units and sources of water supply within the water bank boundaries, including alluviums, terrace deposits, and regional aquifers, both confined and unconfined, that have similar aquifer properties. The aquifer properties shall include the saturated thickness and water level changes over the representative past period;

(7) for a water bank that includes surface water, a list of the streams and their tributaries that are to comprise the water bank and a methodology to limit the leasing of surface water so that it does not impair senior surface water rights and minimum desirable streamflow;

(8) the designation of a representative past period;

(9) a comprehensive method to account for the following:

(A) The amount of water deposited and the length of the contracts for deposit;

(B) the amount of water leased from the water bank and the length of the lease contracts; and

(C) the identification of the hydrologic units from which deposits and leases are being made;

(10) for a water bank that includes the use of groundwater, a proposed plan to ensure that the net amount of water consumed by the deposited water rights will be at least 10 percent less than the average net amount of water consumed by the deposited water rights for the representative past period. The proposed plan shall require the comparison of the average annual net consumption for the deposited water rights for the five-year period after a water bank is chartered or rechartered with the average net consumptive use for the deposited water rights for the representative past period;

(11) a list of any severely depleted groundwater aquifers or severely depleted stream courses;

(12) a plan to ensure that there will be no increase in the depletion of severely depleted groundwater aquifers or severely depleted stream courses;

(13) a method for determining the water rights that are bankable and the portion that is bankable;

(14) a procedure for dissolution of the water bank;

(15) for a bank using groundwater, a methodology for ensuring that the total quantity of groundwater leased each year does not exceed 90 percent of the average annual quantity collectively diverted pursuant to all deposited water rights or portions of water rights from each hydrologic unit for the representative past period;

(16) for a water bank that authorizes safe deposit accounts, a methodology to ensure that the users of safe deposit accounts will not increase the consumption of groundwater; and

(17) for a water bank that authorizes safe deposit accounts, a provision setting the maximum percentage of unused water from the previous year that may be deposited in a safe deposit account.

(b) After the body wishing to charter the water bank submits the proposed water bank charter to the chief engineer, it shall be circulated by the chief engineer to any groundwater management districts and water assurance districts located within the boundaries of the proposed water banks and to the Kansas water office for comments as to whether the proposed water bank charter complies with the provisions of K.S.A. 82a-765, and amendments thereto. Comments regarding the proposed water bank charter shall be due within 30 days after comments are requested by the chief engineer, unless an extension of time is requested within the time allowed and granted by the chief engineer for good cause shown. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-765 and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-11. Annual reports of water banks.** Each water bank shall file an accounting report with the chief engineer each calendar year containing the following information: (a) The file numbers of the water rights, or portion of the water rights, deposited in the water bank; (b) the annual quantity of water authorized for diversion for each water right deposited and a determination of the bankable quantity of water associated with each deposited water right; (c) the term of each deposit; (d) the hydrologic unit from which each water right was deposited; (e) the file number of each term permit authorizing a lease of water; (f) the term of the lease; (g) the annual quantity of water that has been leased from each hydrologic unit; (h) the hydrologic units where the leased water was diverted; (i) the net year-end balance of water deposited versus water leased in each hydrologic unit within the water bank's boundaries; (j) the annual quantity of water deposited into safe deposit accounts; (k) the annual quantity of water used from safe deposit accounts; (l) the hydrologic unit in which water was deposited in a safe deposit account; (m) the total year-end balance of water remaining in safe deposit accounts after the 10 percent year-end reduction for all individual accounts; (n) the total quantity of water diverted during the last three calendar years, by type of use; (o) the total number of acres irrigated and the number of acres of each crop grown during the last three calendar years;

(continued)

(p) any contracts that were breached, the nature of the breaches, and the enforcement actions taken by the water bank; and

(q) the average annual quantity of water diverted during the representative past period of each water right that has been deposited in the water bank. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-766 and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-12. Water use reports.** (a) Each owner of a water right authorized for irrigation use that deposits a water right in a water bank or deposits water in a safe deposit account, and each person that leases water for irrigation use and any linked water rights, shall file the water use report required by K.S.A. 82a-732, and amendments thereto, on or before December 1 of the year for which water use is being reported.

(b) Each owner of a water right authorized for non-irrigation use that deposits a water right in a water bank or deposits water in a safe deposit account, and each person that leases water for non-irrigation use and any linked water rights, shall file the water use report required by K.S.A. 82a-732, and amendments thereto, on or before January 10 of the year following the year for which water use is being reported.

(c) The failure of a water right owner to submit a complete and accurate water use report, including water flowmeter readings, as required by this regulation shall result in civil fines in the amounts set forth in K.A.R. 5-14-11.

(d) If a water use report is inadequate to accurately determine the actual water use during any calendar year, then that year shall be counted as having had no water use for the purpose of determining the extent to which a water right is bankable pursuant to K.S.A. 82a-764, and amendments thereto, unless the water use report is corrected as set forth in K.A.R. 5-3-5o. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-766 and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-13. Enforcement.** If any person violates any of the following, enforcement action may be taken by the chief engineer as specified in K.A.R. 5-14-1 and K.A.R. 5-14-10:

(a) A term, condition, or limitation of a term permit issued to authorize the diversion of leased water;

(b) a term, condition, or limitation of a term permit issued to withdraw water from a safe deposit account;

(c) a term, condition, or limitation of a water right that has been deposited in the water bank or a safe deposit account;

(d) any order of the chief engineer concerning the deposit or lease of a water right; or

(e) any order or condition placed on the use of the remainder of a water right that was partially deposited in the water bank or a safe deposit account. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-769 and K.S.A. 2003 Supp. 82a-770; effective Aug. 13, 2004.)

**5-17-14. Water flowmeters.** (a) The following points of diversion shall meet the requirements specified in subsection (b):

(1) Within a groundwater bank, all non-domestic, non-temporary wells within the boundaries of the water bank;

(2) within a surface water bank, all non-domestic, non-temporary surface water points of diversion within the boundaries of the water bank; and

(3) within a groundwater and surface water bank, all non-domestic, non-temporary points of diversion within boundaries of the water bank.

(b) While a water bank is operating, each of the points of diversion described in subsection (a) shall meet one of the following requirements:

(1) Be equipped with a water flowmeter meeting the requirements of K.A.R. 5-1-4 through K.A.R. 5-1-12;

(2) be sealed by the chief engineer; or

(3) be approved by the chief engineer as having another objectively verifiable means of determining that water has not been pumped, including capping the well, removal of the pump, or removal of a permanent power source.

(c) If a water flowmeter does not function properly whenever water is being diverted, it shall be assumed, for the purpose of determining compliance with the water right and the term permit issued to withdraw leased water or water deposited in a safe deposit account, that the diversion works have been operated continuously at the tested rate of diversion since the last time the waterflow meter was confirmed by the chief engineer or a groundwater management district to have been operating properly. If the diversion works have not been tested by the chief engineer or a groundwater management district, it shall be assumed that the diversion works have been operated continuously at the authorized rate of diversion during the entire time the water flowmeter was out of compliance. Either of the assumptions specified in this subsection may be rebutted if the water right owner submits objective documentation of the actual quantity of water diverted while the water flowmeter was out of compliance. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-766 and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-15. Private sale or lease of water right facilitated by a water bank.** If a water bank provides services to facilitate the sale or lease of water rights, the owner of the water rights that are bought, sold, or leased between private parties shall be required to comply with all applicable statutes and regulations, including any regulation of the chief engineer limiting the distance that a point of diversion may be moved. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-763 and K.S.A. 2003 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-16. Priority of use of water rights and permits.** (a) If multiple water rights or permits authorize the use of water from a single point of diversion, the water shall be considered to be used in the order of priority with the earliest priority first.

(b) If the water used exceeds the total quantity of water authorized by the water rights and permits described in subsection (a) that authorize water use from that point of diversion, all water rights and permits under which the water was lawfully diverted shall be deemed to be violated unless this presumption is rebutted by one or more

of the water right owners. (Authorized by K.S.A. 2003 Supp. 82a-769; implementing K.S.A. 2003 Supp. 82a-769 and K.S.A. 2003 Supp. 82a-770; effective Aug. 13, 2004.)

**5-17-17. Waste of leased water and safe deposit account water.** For using leased water or water withdrawn from a safe deposit account, the quantity not considered to be waste for irrigation use shall be 150 percent of the value specified in K.A.R. 5-3-24 for the county where the point of diversion is located. (Authorized by K.S.A. 2002 Supp. 82a-769; implementing K.S.A. 2002 Supp. 82a-763 and K.S.A. 2002 Supp. 82a-769; effective Aug. 13, 2004.)

**5-17-18. Reimbursable and non-reimbursable costs.** (a) The following costs incurred by the chief engineer for assistance and services to implement the Kansas water banking act shall be reimbursable by a water bank:

(1) The cost of reviewing and approving a proposed water bank charter;

(2) the cost of determining the extent to which a water right is bankable and in good standing;

(3) the cost of reviewing an annual report filed by a water bank and conducting the analysis necessary to determine if the water bank has complied with the terms of the Kansas water banking act;

(4) extra costs incurred to require water use reports to be filed earlier than March 1, the tracking of that information, and reporting that information to a water bank;

(5) increased costs incurred to provide other water use and water right information to water banks or water bank customers;

(6) the costs to monitor and enforce the provisions of the Kansas water banking act;

(7) the costs of meetings and other discussions with water bank officials and employees;

(8) the cost of enforcement of terms, conditions, and limitations of term permits issued to allow withdrawal of leased water and water from safe deposit accounts;

(9) if additional enforcement of water rights and permits is requested by a water bank, enforcement costs that would not have been incurred by the chief engineer in the ordinary course of business against all water rights diverting water from within the boundaries of the water bank to prevent overpumping; and

(10) the cost incurred if a water bank or a water bank customer requests the chief engineer to hold an abandonment hearing necessary to determine whether a water right is bankable that would not have been done in the ordinary course of business by the chief engineer at that time.

(b) The following costs incurred by the chief engineer for assistance and services to implement the Kansas water banking act shall not be reimbursable by a water bank:

(1) The cost of issuing a term permit to allow diversion of leased water;

(2) the cost of issuing a term permit to allow withdrawal of water from a safe deposit account;

(3) enforcement costs that the chief engineer would have incurred in the ordinary course of business to take action against all water rights diverting water from within the boundaries of the water bank to prevent overpumping; and

(4) the cost of adopting regulations to implement the act. (Authorized by K.S.A. 2002 Supp. 82a-769; implementing K.S.A. 2002 Supp. 82a-769 and K.S.A. 2002 Supp. 82a-771; effective Aug. 13, 2004.)

Adrian J. Polansky  
Secretary of Agriculture

Doc. No. 030945

## State of Kansas

### Behavioral Sciences Regulatory Board

#### Permanent Administrative Regulations

#### Article 2.—LICENSING OF SOCIAL WORKERS

**102-2-8. Supervision.** (a) Supervision of nonlicensed social work service providers who participate in the delivery of social work services.

(1) Social work consultation shall not meet the supervision requirements for any nonlicensed social work service provider.

(2) Each licensee supervising one or more nonlicensed individuals who participate in the delivery of social work services shall specifically delineate the duties of each nonlicensed individual and provide a level of supervision that is consistent with the training and ability of the nonlicensed social work service provider.

(3) Each licensee supervising one or more nonlicensed persons who participate in the delivery of social work services shall develop a written agreement. The agreement shall consist of specific goals and objectives, the means to attain the goals, and the manner in which the goals relate to the overall objective for supervision of the nonlicensed social work service provider. The licensee shall maintain the following documentation associated with the written agreement:

(A) A copy of the written agreement signed by both the licensee and the nonlicensed person;

(B) a summary of the types of clients and situations dealt with at each supervisory session;

(C) a written explanation of the relationship of the goals and objectives of supervision to each supervisory session; and

(D) the length of time spent in each supervisory session.

(4) The supervisor shall provide no fewer than four hours of supervision per month for each supervisee.

(5) The supervisor shall not have a dual relationship with the supervisee.

(b) Supervision of nonlicensed student social work service providers.

(1) Social work consultation shall not meet the supervision requirements for any nonlicensed student social work service provider.

(2) Each licensee supervising one or more nonlicensed students in the delivery of social work services shall specifically delineate each student's duties and provide a level of supervision consistent with the training and ability of each student.

(3) Each licensee supervising one or more nonlicensed students who participate in the delivery of social work

*(continued)*

services shall develop a written agreement for each student that is consistent with the requirements of the student's academic social work program.

(4) The supervisor shall not have a dual relationship with the supervisee.

(c) Supervision of holders of temporary social work licenses.

(1) Social work consultation shall not meet the supervision requirements for any holder of a temporary social work license.

(2) Each licensee supervising one or more individuals who hold a temporary social work licensure permit shall specifically delineate the duties of each temporary license holder and provide a level of supervision consistent with the training and ability of each individual.

(3) Each licensee supervising a temporary social work license holder and that individual shall develop a written agreement. This agreement shall consist of specific goals and objectives, the means to attain the goals, and the manner in which the goals relate to the overall objective for supervision of that person. The licensee shall maintain the following documentation associated with the written agreement:

(A) A copy of the written agreement signed by both the licensee and the temporary social work license holder;

(B) a summary of the types of clients and situations dealt with at each supervisory session;

(C) a written explanation of the relationship of the goals and objectives of supervision to each supervisory session; and

(D) the length of time spent in each supervisory session.

(4) A minimum of one hour of supervision shall be provided for each 40 hours of service delivery.

(5) The supervisor shall not have a dual relationship with the supervisee.

(d) Supervision of persons engaged in private practice or persons seeking licensure as a specialist clinical social worker.

(1) A licensed specialist clinical social worker shall supervise the practice or delivery of social work services by the following persons:

(A) Any licensee who is attaining the two years of supervised experience required for licensure as a specialist clinical social worker; and

(B) any licensee who is not a licensed specialist clinical social worker and who is engaged in private practice.

(2) Any person attaining the supervised experience required for licensure as a specialist clinical social worker may be supervised by a social worker who is licensed as a clinical social worker authorized to engage in the private, independent practice of social work in another state and who is otherwise qualified.

(3) Supervisor qualifications. To qualify as a supervisor, a licensed specialist clinical social worker shall fulfill these requirements:

(A) Have, in full or in part, professional responsibility for the supervisee's practice of social work or delivery of social work services;

(B) not have a dual relationship with the supervisee;

(C) not be under sanction from a disciplinary proceeding, unless this prohibition is waived by the board for good cause shown by the proposed supervisor;

(D) have knowledge of and experience with the supervisee's client population;

(E) have knowledge of and experience with the methods of practice that the supervisee employs;

(F) have an understanding of the organization and administrative policies and procedures of the supervisee's practice setting; and

(G) be a member of the staff for that practice setting or meet the requirements of paragraph (d)(4).

(4) If a qualified supervisor is not available from among staff in the supervisee's practice setting, the supervisee may secure an otherwise qualified supervisor outside of the practice setting if all of the following conditions are met:

(A) The supervisor has a complete understanding of the practice setting's mission, policy, and procedures.

(B) The extent of the supervisor's responsibility for the supervisee is clearly defined with respect to client cases to be supervised, the supervisor's role in personnel evaluation within the practice setting, and other aspects of the clinical supervision training plan.

(C) The responsibility for payment for supervision is clearly defined.

(D) If the supervisee pays the supervisor directly for the supervision, the supervisor maintains responsibility to the client and to the practice setting.

(E) The parameters of client confidentiality are clearly defined and agreed to by the client.

(5) Supervisor requirements. Each social work practice supervisor shall perform these duties:

(A) Meet in person with the supervisee and provide at least 1.5 hours of supervision for every 20 hours of direct, face-to-face client contact;

(B) meet with not more than four supervisees at a time in the supervisory meetings;

(C) provide oversight, guidance, and direction of the supervisee's practice of social work or delivery of social work services by assessing and evaluating the supervisee's performance;

(D) conduct supervision as a process distinct from personal therapy, didactic instruction, or social work consultation;

(E) ensure that the scope of the supervisor's own responsibility and authority in the practice setting has been clearly and expressly defined;

(F) provide documentation of supervisory qualifications to the supervisee;

(G) periodically evaluate the supervisee's role, use of a theoretical base, and use of social work principles;

(H) provide supervision in accordance with the written clinical supervision training plan;

(I) maintain documentation of supervision;

(J) provide the documentation required by the board upon a supervisee's application for licensure in sufficient detail to enable the board to evaluate the extent and quality of the supervisee's supervised experience;

(K) provide a level of supervision that is consistent with the education, training, experience, and ability of the supervisee; and

(L) ensure that each client knows that the supervisee is practicing social work or participating in the delivery of social work services under supervision.

(6) Clinical supervision training plan. Each supervisor and supervisee shall develop and co-sign a written clinical supervision training plan at the beginning of the supervisory relationship. The supervisee shall submit the training plan to the board and shall receive board approval of the plan before any supervised professional experience hours for clinical licensure can begin to accrue. This plan shall clearly define and delineate the following items:

(A) The supervisory context, which shall include the purpose of supervision;

(B) a summary of the types of clients with whom and the situations in which the supervisee will typically work;

(C) a plan that describes the supervision goals and objectives, the means to attain and evaluate progress towards the goals, and the manner in which the goals relate to the overall objective of supervision;

(D) the format and schedule for supervision;

(E) the supervisor's responsibilities;

(F) the supervisee's responsibilities;

(G) the plans for documenting the date, length, and content of each supervisory meeting and the supervisee's progress toward the learning goals;

(H) the plan for notifying clients of the following information:

(i) the fact that the supervisee is practicing social work or participating in the delivery of social work services under supervision;

(ii) the limits of client confidentiality within the supervisory process; and

(iii) the name, address, and telephone number of the supervisor or other person with administrative authority over the supervisee;

(I) a plan to address and remedy circumstances in which there is a conflict between the supervisor and the supervisee;

(J) the date on which the supervisor and supervisee entered into the clinical supervision training plan, the time frame that the plan is intended to encompass, and the process for termination of the supervisory relationship by either party;

(K) the steps for amending or renegotiating the clinical supervision training plan, if warranted, including written notification of these changes to the board office as provided in paragraph (d)(7); and

(L) a statement identifying the person who is responsible for payment, the terms of payment, and the mutual obligations and rights of each party with respect to compensation, if there is any compensation for supervisory services.

(7) Revision of the clinical supervision training plan. All changes to the clinical supervision training plan shall be submitted by the supervisee to the board for its approval. The changes shall be submitted no more than 45 days after the date on which the changes took effect. If the supervisee fails to submit the changes to the board within that 45-day period, no supervised hours of practice shall be accrued or credited for any practice, beginning on the date the changes took effect through the date on which the changes to the plan are approved by the board. (Authorized by K.S.A. 74-7507; implementing K.S.A. 65-6303, 65-6306, 65-6308, K.S.A. 2003 Supp. 65-

6309, and K.S.A. 74-7507; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended Feb. 25, 1991; amended Oct. 24, 1997; amended Aug. 4, 2000; amended Aug. 13, 2004.)

### Article 3.—PROFESSIONAL COUNSELORS

**102-3-7a. Postgraduate supervised professional experience requirement to be licensed as a clinical professional counselor.** In order to be approved by the board for licensure as a clinical professional counselor, the applicant's postgraduate supervised professional experience of professional counseling shall meet all of the following standards. (a) Except as provided in subsection (b), clinical supervision shall be provided throughout the entirety of the postgraduate supervised professional experience at a ratio of one hour of clinical supervision for each 15 hours of direct client contact, specified as follows:

(1) At least 50 hours of one-on-one, individual supervision occurring with the supervisor and supervisee in the same physical space;

(2) at least 100 hours of supervision with one supervisor and no more than six supervisees in the same physical space, except when not practical due to an emergency or other exigent circumstances, at which time person-to-person contact by interactive video or other telephonic means maintaining confidentiality shall be allowed; and

(3) at least two separate clinical supervision sessions per month, at least one of which shall be one-on-one, individual supervision.

(b) Each applicant with a doctor's degree in professional counseling shall complete a minimum of one-half of the postgraduate supervised professional experience requirements as follows:

(1) At least 25 hours of one-on-one, individual supervision occurring with the supervisor and supervisee in the same physical space;

(2) at least 50 hours of supervision with one supervisor and no more than six supervisees in the same physical space, except when not practical due to an emergency or other exigent circumstances, at which time person-to-person contact by interactive video or other telephonic means maintaining confidentiality shall be allowed; and

(3) at least two separate supervisory sessions per month, one of which shall be one-on-one, individual supervision.

(c) The clinical supervisor of a person attaining the 4,000 hours of postgraduate supervised professional experience required for licensure as a clinical professional counselor, at the time of providing supervision, shall meet one of the following qualifying provisions:

(1) The clinical supervisor shall be a clinical professional counselor who is licensed in Kansas or is registered or licensed in another jurisdiction and who has practiced as a clinical professional counselor for two years beyond the supervisor's licensure date.

(2) If a licensed clinical professional counselor is not available, the clinical supervisor may be a person who is qualified by educational coursework and degree for licensure as a clinical professional counselor in Kansas and who has at least five years of postgraduate professional experience in clinical professional counseling.

(continued)

(3) If a licensed clinical professional counselor is not available, the clinical supervisor may be a person who is licensed at the graduate level to practice in one of the behavioral sciences, and whose authorized scope of practice permits the independent practice of counseling, therapy, or psychotherapy. The qualifying individual shall not have had less than two years of clinical practice beyond the qualifying licensure date at the time the individual provided the clinical supervision.

(d) In addition to the requirements of subsection (c), each clinical supervisor shall meet these requirements:

(1) Have professional authority over and responsibility for the supervisee's clinical functioning in the practice of professional counseling;

(2) not have a dual relationship with the supervisee;

(3) not be under any sanction from a disciplinary proceeding, unless this prohibition is waived by the board for good cause shown by the proposed supervisor;

(4) have knowledge of and experience with the supervisee's client population;

(5) have knowledge of and experience with the methods of practice that the supervisee employs;

(6) have an understanding of the organization and the administrative policies and procedures of the supervisee's practice setting; and

(7) be a staff member of the supervisee's practice setting or meet the requirements of subsection (e).

(e) If a qualified clinical supervisor is not available from among staff in the supervisee's practice setting, the supervisee may secure an otherwise qualified clinical supervisor outside the practice setting if all of the following conditions are met:

(1) The supervisor has a solid understanding of the practice setting's mission, policies, and procedures.

(2) The extent of the supervisor's responsibility for the supervisee is clearly defined in terms of client cases to be supervised, role in personnel evaluation within the practice setting, and other aspects of the clinical supervision training plan.

(3) The responsibility for payment for supervision is clearly defined.

(4) If the supervisee pays the supervisor directly for the supervision, the supervisor maintains responsibility to the client and to the practice setting.

(f) Each professional counseling clinical supervisor shall perform the following duties:

(1) Provide oversight, guidance, and direction of the supervisee's clinical practice of professional counseling by assessing and evaluating the supervisee's performance;

(2) conduct supervision as a process distinct from personal therapy, didactic instruction, or professional counseling consultation;

(3) provide documentation of supervisory qualifications to the supervisee;

(4) periodically evaluate the supervisee's clinical functioning;

(5) provide supervision in accordance with the clinical supervision training plan;

(6) maintain documentation of supervision in accordance with the clinical supervision training plan;

(7) provide the documentation required by the board when a supervisee completes the postgraduate supervised professional experience. The supervisor shall submit this documentation on board-approved forms and in a manner that will enable the board to evaluate the extent and quality of the supervisee's professional experience and assign credit for that experience;

(8) provide a level of supervision that is commensurate with the education, training, experience, and ability of both the supervisor and the supervisee; and

(9) ensure that each client knows that the supervisee is practicing professional counseling under supervision.

(g) Clinical supervision training plan. Each supervisor and supervisee shall develop and co-sign a written clinical supervision training plan on forms provided by the board at the beginning of the supervisory relationship. The supervisee shall submit this plan to the board for and shall receive board approval of the plan before any supervised professional experience hours can begin to accrue. This plan shall clearly define and delineate the following items:

(1) The supervisory context;

(2) a summary of the anticipated types of clients and the services to be provided;

(3) the format and schedule of supervision;

(4) a plan for documenting the following information:

(A) The date of each supervisory meeting;

(B) the length of each supervisory meeting;

(C) a designation of each supervisory meeting as an individual or group meeting;

(D) a designation of each supervisory meeting as conducted in the same physical space or otherwise, in the case of emergency; and

(E) an evaluation of the supervisee's progress under clinical supervision;

(5) a plan for notifying clients of the following information:

(A) The fact that the supervisee is practicing professional counseling under supervision;

(B) the limits of client confidentiality within the supervisory process; and

(C) the name, address, and telephone number of the clinical supervisor;

(6) the date on which the parties entered into the clinical supervision training plan and the time frame that the plan is intended to encompass;

(7) an agreement to amend or renegotiate the terms of the clinical supervision training plan, if warranted, including written notification of these changes to the board office as provided in subsection (h);

(8) the supervisee's informed consent for the supervisor to discuss supervision or performance issues with the supervisee's clients, the supervisee's other professional counseling or employment supervisors, the board, or any other individual or entity to which either the supervisee or the supervisor is professionally accountable; and

(9) a statement signed by each supervisor and supervisee acknowledging that each person has read and agrees to the postgraduate supervised professional experience requirements set forth in this regulation.

(h) All changes to the clinical supervision training plan shall be submitted by the supervisee to the board for its



approval. The changes shall be submitted no more than 45 days after the date on which the changes took effect. If the supervisee fails to submit the changes to the board within that 45-day period, no supervised hours of practice shall be accrued or credited for any practice, beginning on the date the changes took effect through the date on which the changes to the plan are approved by the board. (Authorized by K.S.A. 74-7507; implementing K.S.A. 65-5804a; effective April 17, 1998; amended Aug. 4, 2000; amended July 7, 2003; amended Aug. 13, 2004.)

#### Article 4.—MASTER'S LEVEL PSYCHOLOGISTS

**102-4-3a. Educational requirements.** To academically qualify for licensure as a master's level psychologist or clinical psychotherapist, the applicant's educational qualifications and background shall meet the applicable requirements specified in the following subsections:

(a) Degree requirements. At the time of application, the applicant shall have fulfilled one of the following requirements.

(1) The applicant received a master's degree in psychology based on a program of studies that is substantially equivalent to the coursework requirements provided in subsection (b) if the degree was earned before July 1, 2003 or subsection (d) if the degree was earned on or after July 1, 2003.

(2) The applicant received a master's degree in psychology and has completed the coursework requirements provided in either subsection (b) if the degree was earned before July 1, 2003 or subsection (d) if the degree was earned on or after July 1, 2003.

(3) The applicant passed comprehensive examinations or equivalent final examinations in a doctoral program in psychology and has completed the coursework requirements provided in either subsection (b) if the program was completed before July 1, 2003 or subsection (d) if the program was completed on or after July 1, 2003.

(b) Coursework requirements for applicants who earned a psychology degree before July 1, 2003.

(1) As a part of or in addition to the coursework completed for the graduate degree requirements, each applicant shall have satisfactorily completed at least 36 discrete and unduplicated semester hours of formal, didactic academic coursework that is distributed across the coursework areas as specified in this subsection, subject to the restrictions set out in subsection (c).

At the time of application, each applicant shall have completed the following coursework requirements, subject to the restrictions set out in subsection (c):

(A) A minimum of six semester hours or their academic equivalent in psychotherapy that includes an in-depth study of the major theories, principles, and clinical methods and techniques of psychotherapy with individuals, groups, or families;

(B) a minimum of six semester hours or their academic equivalent in psychological testing that includes studies in the selection, administration, scoring, and interpretation of objective and projective diagnostic tests as indicators of intelligence and scholastic abilities or as screening devices for organic pathology, learning disability, and personality disturbance;

(C) a minimum of 12 semester hours or their academic equivalent in the following psychological foundation courses:

(i) Philosophy of psychology, which may include studies that introduce the fundamental philosophical, conceptual, theoretical, or applied processes of psychology, and the issues central to professional orientation, role development, ethical and legal standards, and professional responsibility;

(ii) psychology of perception, which may include studies of memory, language, speech, sensory functioning, motor functioning, reasoning, decision making, problem solving, and other cognitive processes;

(iii) learning theory, which may include studies pertaining to the fundamental theoretical assumptions and applied principles of learning, conditioning, concept formation, and behavior;

(iv) history of psychology, which may include studies that trace and analyze the historical development and contemporary evolution of the concepts and theories in psychology;

(v) motivation, which may include studies of the concepts, principles, and empirical findings concerning the innate, biological, and acquired factors that underlie human motivation; or

(vi) statistics, which may include studies in the theory, analysis, interpretation, and the manual or computer application of statistical measures; and

(D) a minimum of 12 semester hours or their academic equivalent in the following professional core courses:

(i) Psychopathology, which may include studies that examine the theories, definitions, dynamics, and differentiations in diagnostic classifications. This subcategory may also include studies in abnormal psychology or studies that examine the etiological factors, clinical course, and clinical and psychopharmacological approaches to the treatment of mental, behavioral, and personality disorders;

(ii) personality theories, which may include studies that seek to explain or to compare and contrast the major theories of normal and abnormal personality development, functioning, adaptation, and assessment;

(iii) developmental psychology, which may include psychological or biologically based studies that provide a comprehensive overview of the biopsychosocial factors, determinants, and stages that pertain to and impact the physical, emotional, intellectual, and social development and adaptation of humans from infancy through senescence;

(iv) research methods, which may include studies in the principles, techniques, and ethics of research, as well as the identification of research problems, selection of research designs, measurement strategies, sampling techniques, and methods of evaluating the results;

(v) social psychology, which may include studies of the interactive and influencing effects of social, cultural, and ecological factors upon the emotions, beliefs, attitudes, expectations, roles, behaviors, and interactional dynamics of individuals, families, groups, organizations, and the larger society; or

*(continued)*

(vi) additional coursework in psychotherapy or psychological testing as specified in this subsection.

(2) In addition to or as a part of the 36 semester hours specified in paragraph (b)(1), each applicant for a clinical psychotherapist license shall have completed 15 graduate semester hours supporting diagnosis or treatment of mental disorders using the "diagnostic and statistical manual of mental disorders" as specified in K.A.R. 102-4-15. Three of the 15 semester hours shall consist of a discrete academic course with the primary and explicit focus of psychopathology and the diagnosis and treatment of mental disorders as classified in the "diagnostic and statistical manual of mental disorders." The remaining 12 graduate semester hours shall consist of academic courses with the primary and explicit focus of diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches, and professional ethics or coursework that specifically contains identifiable, equivalent instruction. The 15 graduate semester hours shall be subject to the restrictions set out in subsection (c) and shall be earned from an educational institution meeting the requirements described in subsection (f) and the program requirements described in subsection (e).

(c) The following activities shall not be substituted for or counted toward any of the educational coursework requirements set out in subsection (b):

(1) Academic courses that the applicant completed as a part of or in conjunction with the undergraduate degree requirements;

(2) independent study courses, whether or not such coursework is taken for academic credit, unless the independent study course clearly occurred as a didactic course formally established and designed by the program to provide the student with specifically identified, organized, and integrated course content;

(3) thesis or independent research courses;

(4) academic courses that, by their experiential rather than didactic nature and content, are designed to precede, satisfy, or augment the practicum, internship, or residency field training activities required for the graduate psychology degree;

(5) academic coursework that has been audited rather than graded;

(6) academic coursework for which the applicant received an incomplete or failing grade;

(7) graduate or postgraduate coursework or training provided by colleges, universities, institutes, or training programs that do not meet the requirements in subsections (e) and (f); and

(8) continuing education, in-service, or on-the-job training activities or experience.

(d) Coursework requirements for applicants who earn a psychology degree on or after July 1, 2003.

(1) As a part of or in addition to the coursework completed for the graduate degree requirements, each applicant shall have satisfactorily completed at least 60 discrete and unduplicated semester hours of formal, didactic academic coursework in psychology or a related field.

(2) Thirty-six of the 60 required semester hours shall be distributed across the coursework areas as specified in paragraph (b)(1).

(3) Of the remaining 24 required hours, a maximum of six hours may be attained through independent study courses or independent research courses, and a maximum of 10 hours may be attained through thesis preparation.

(4) In addition to or as a part of the 60 semester hours specified in paragraph (d)(1), each applicant for a clinical psychotherapist license shall have completed 15 graduate credit hours supporting diagnosis or treatment of mental disorders using the "diagnostic and statistical manual of mental disorders," as specified in K.A.R. 102-4-15. Three of the 15 semester hours shall consist of a discrete academic course with the primary and explicit focus of psychopathology and the diagnosis and treatment of mental disorders as classified in the "diagnostic and statistical manual of mental disorders." The remaining 12 graduate semester hours shall consist of academic courses with the primary and explicit focus of diagnostic assessment, interdisciplinary referral and collaboration, treatment approaches, and professional ethics or coursework that specifically contains identifiable, equivalent instruction. The 15 graduate credit hours shall be earned from an educational institution meeting the requirements described in subsection (f) and the program requirements described in subsection (e).

(5) The following activities shall not be substituted for or counted toward any of the educational coursework requirements set out in this subsection:

(A) Academic courses that the applicant completed as a part of or in conjunction with the undergraduate degree requirements;

(B) academic coursework that has been audited rather than graded;

(C) academic coursework for which the applicant received an incomplete or failing grade;

(D) graduate or postgraduate coursework or training provided by colleges, universities, institutes, or training programs that do not meet the requirements in subsections (e) and (f); and

(F) continuing education, in-service, or on-the-job training activities or experience.

(e) Program requirements. In order for the applicant to qualify for licensure, the educational program completed by the applicant shall meet all of the following conditions:

(1) The program has formally established program admission requirements that are based, in part or in full, upon objective measures or standardized achievement test results.

(2) The program requires and provides an established curriculum that encompasses a minimum of two years of graduate study and that includes at least one academic year attended and completed by the student on-site at the college or university granting the degree.

(3) The program has clear authority and formal responsibility for the core and specialty areas of training in psychology.

(4) The program has an established, organized, and comprehensive sequence of study that is planned by responsible administrators to provide an integrated educational experience in psychology.

(5) The program is chaired or directed by an identifiable person who holds a graduate degree that was conferred by a regionally accredited college or university fol-

lowing that person's actual completion of a formal academic training program in psychology.

(6) The program has an identifiable, full-time, professional faculty whose members hold conferred graduate degrees in psychology.

(7) The program has an identifiable and formally enrolled body of students that attends and completes at least one academic year of the required coursework on-site at the college or university where the program is housed.

(8) The program conducts an ongoing, objective review and evaluation of each student's learning and progress, and reports this evaluation in the official student transcripts.

(f) College or university requirement. In order for the applicant to qualify for licensure, the college or university at which the applicant completed the degree requirements shall meet all of the following requirements.

(1) The college or university is institutionally accredited to award the graduate degree in psychology.

(2) The college or university is regionally accredited by an accrediting body acceptable to the board.

(3) The college or university documents in its official publications, including course catalogs and announcements, the description, standards, and admission requirements of the psychology education and training program.

(4) The college or university identifies and clearly describes in pertinent institutional catalogs the coursework, experiential, and other academic program requirements that must be satisfied before the conferral of the graduate degree in psychology.

(5) The college or university clearly identifies and specifies in pertinent institutional catalogs its intent to educate and train psychologists.

(6) The college or university has clearly established as a coherent entity within the college or university a psychology education and training program that, at the time the applicant's degree requirements were satisfied, met the program standards as provided in subsection (e).

(7) The college or university has conferred the graduate degree in psychology to the applicant, or has advanced the applicant to doctoral candidacy status, following the applicant's successful completion of an established and required formal program of studies. (Authorized by K.S.A. 74-7507; implementing K.S.A. 74-5363; effective Dec. 19, 1997; amended Aug. 13, 2004.)

**102-4-4a. Applications for licensure.** (a) Each applicant for licensure as a master's level psychologist or clinical psychotherapist shall submit the licensure application on a form approved by the board.

(b) Each applicant for licensure as a licensed master's level psychologist shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-4-2;

(2) submit, on board-approved forms, references from three individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum. If the practicum supervisor is unavailable, the graduate program director or any person with

knowledge of the applicant's practicum experience on the basis of the applicant's practicum records shall submit the reference. Except as specified below in paragraph (b)(2)(B), each individual submitting a reference shall meet the following conditions:

(A) Is not related to the applicant;

(B) is authorized by law to practice master's level psychology or to practice in a related field. However, this paragraph shall not apply to the individual specified above in paragraph (b)(2) who submits the reference if the practicum supervisor is unavailable; and

(C) can address the applicant's professional conduct, competence, and merit of the public trust;

(3) arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board; and

(4) demonstrate satisfactory completion of educational requirements as specified in K.A.R. 102-4-3.

(c) Each applicant for licensure as a clinical psychotherapist shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-4-2;

(2) demonstrate that the applicant is licensed by the board as a master's level psychologist or meets all requirements for licensure as a master's level psychologist;

(3) arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board;

(4) for persons earning a master's degree in psychology or a qualifying related field before July 1, 2003, demonstrate completion of graduate education requirements as specified in K.A.R. 102-4-3a; and

(5) submit each supervisor's attestation that the applicant has completed the postgraduate supervised professional experience requirements in accordance with a clinical supervision plan approved by the board as specified in K.A.R. 102-4-7a.

(d) The following provisions shall apply to applicants for licensure as a master's level psychologist or clinical psychotherapist:

(1) Upon board approval of the educational requirements, each applicant shall take a nationally administered, standardized written examination approved by the board in accordance with K.A.R. 102-4-5.

(2) An applicant or prospective applicant shall not be given a judgment on the applicant's eligibility for licensure until all application materials are received and all application procedures are completed.

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(3) Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall submit the fee as provided in K.A.R. 102-4-2 for the original two-year licensure period.

(4) If the applicant fails to qualify for and obtain licensure, the applicant's application may, for lack of qualifications or for incompleteness, be suspended for a period not to exceed one year. At the end of one year, the application shall expire if the applicant has not met the qualifications, has not submitted a complete application, or has not submitted the original license fee.

(5) Upon expiration, the applicant may submit a new application, the required fee, and all supporting documents.

(e) If the applicant qualifies for and obtains a temporary license, the applicant's application shall remain active until the temporary license expires.

(f) Any person who has been engaged in the practice of master's level psychology as a licensed or registered master's level psychologist in Kansas at any time within five years before July 1, 2000, may apply for a license as a clinical psychotherapist by submitting transition application materials to the board and completing the following application procedures:

(1) Submit the completed transition application form;

(2) submit the full payment of the licensure application fee as provided in K.A.R. 102-4-2;

(3) demonstrate Kansas licensure or registration as a master's level psychologist in good standing at any time before July 1, 2000; and

(4) demonstrate competence to diagnose and treat mental disorders by documenting completion of at least two of the three following requirements acceptable to the board:

(A)(i) At least nine graduate semester hours of coursework addressing clinical theory, assessment, and treatment issues, inclusive of three semester hours addressing psychopathology; or

(ii) passage of the competency examination approved by regulation at the time of taking the examination;

(B) three years of clinical practice, including at least eight hours of client contact per week for at least nine months of each year in a community mental health center or its affiliate, a state mental hospital, or a setting in which the applicant offered services that included diagnosis or treatment of mental disorders; or

(C) one attestation, on a form provided by the board, from a licensed psychologist, a licensed specialist clinical social worker, or a person licensed to practice medicine and surgery that the applicant has demonstrated competence in diagnosis or treatment of mental disorders. (Authorized by K.S.A. 74-7507; implementing K.S.A. 74-5363 and 74-5367; effective Dec. 19, 1997; amended Aug. 4, 2000; amended Aug. 13, 2004.)

**102-4-7a. Postgraduate supervised professional work experience requirement.** In order to be approved by the board for licensure as a clinical psychotherapist, the applicant's postgraduate supervised professional experience of master's level psychology shall meet all of the following standards. (a) Clinical supervision shall be provided throughout the entirety of the postgraduate super-

vised professional experience at a ratio of one hour of clinical supervision for each 15 hours of direct client contact, specified as follows:

(1) At least 50 hours of one-on-one, individual supervision occurring with the supervisor and supervisee in the same physical space;

(2) at least 100 hours of supervision with one supervisor and no more than six supervisees in the same physical space, except when not practical due to an emergency or other exigent circumstances, at which time person-to-person contact by interactive video or other telephonic means maintaining confidentiality shall be allowed; and

(3) at least two separate clinical supervision sessions per month, at least one of which shall be one-on-one, individual supervision.

(b) The clinical supervisor of a person attaining the postgraduate supervised professional experience required for licensure as a clinical psychotherapist, at the time of providing supervision, shall meet one of the following qualifying provisions:

(1) The clinical supervisor shall be a person licensed as a psychologist.

(2) The clinical supervisor shall be a person who is currently licensed in the state of Kansas as a clinical psychotherapist and, beginning July 1, 2003, who has practiced as a clinical psychotherapist for two years beyond the supervisor's licensure date.

(3) The clinical supervisor shall be a person with qualifications substantially equivalent to the requirements for licensure in the state of Kansas as a clinical psychotherapist with no fewer than two years of experience in the practice of master's level psychology beyond the date of the supervisor's registration, certification, or licensure that is acceptable to the board.

(c) In addition to the requirements of subsection (b), each clinical supervisor shall meet these requirements:

(1) Have professional authority over and responsibility for the supervisee's clinical functioning in the practice of master's level psychology;

(2) not have a dual relationship with the supervisee;

(3) not be under any sanction from a disciplinary proceeding, unless the board waives this prohibition for good cause shown by the proposed supervisor;

(4) have knowledge of and experience with the supervisee's client population;

(5) have knowledge of and experience with the methods of practice that the supervisee employs;

(6) have an understanding of the organization and the administrative policies and procedure of the supervisee's practice setting; and

(7) be a member of the practice setting staff or meet the requirements of subsection (d).

(d) If a qualified clinical supervisor is not available from among staff in the supervisee's practice setting, the supervisee may secure an otherwise qualified clinical supervisor outside the practice setting if all of the following conditions are met:

(1) The supervisor has a sound understanding of the practice setting's mission, policies, and procedures.

(2) The extent of the supervisor's responsibility for the supervisee is clearly defined in terms of client cases to be supervised, role in personnel evaluation within the prac-

tice setting, and other aspects of the clinical supervision training plan.

(3) The responsibility for payment for supervision is clearly defined.

(4) If the supervisee pays the supervisor directly for the supervision, the supervisor maintains responsibility to the client and to the practice setting.

(e) Each clinical supervisor shall perform the following duties:

(1) Provide oversight, guidance, and direction of the supervisee's clinical practice of master's level psychology by assessing and evaluating the supervisee's performance;

(2) conduct supervision as a process distinct from personal therapy, didactic instruction, or marriage and family therapy consultation;

(3) provide documentation of supervisory qualifications to the supervisee;

(4) periodically evaluate the supervisee's clinical functioning;

(5) provide supervision in accordance with the clinical supervision training plan;

(6) maintain documentation of supervision in accordance with the clinical supervision training plan;

(7) provide the documentation required by the board when a supervisee completes the postgraduate supervised professional experience. The supervisor shall submit this documentation on a board-approved form and in a manner that will enable the board to evaluate the extent and quality of the supervisee's professional experience and assign credit for that experience;

(8) provide a level of supervision that is commensurate with the education, training, experience, and ability of both the supervisor and the supervisee; and

(9) ensure that each client knows that the supervisee is practicing master's level psychology under supervision.

(f) Each supervisor and supervisee shall develop and co-sign a written clinical supervision training plan on forms provided by the board at the beginning of the supervisory relationship. The supervisee shall submit this plan to the board and shall receive board approval of the plan before any supervised professional experience hours can begin to accrue. This plan shall clearly define and delineate the following items:

(1) The supervisory context;

(2) a summary of the anticipated types of clients and the services to be provided;

(3) the format and schedule of supervision;

(4) a plan for documenting the following information:

(A) The date of each supervisory meeting;

(B) the length of each supervisory meeting;

(C) a designation of each supervisory meeting as an individual or group meeting;

(D) a designation of each supervisory meeting as conducted in the same physical space or otherwise, in the case of emergency; and

(E) an evaluation of the supervisee's progress under clinical supervision;

(5) a plan to notify clients of the following information:

(A) The fact that the supervisee is practicing master's level psychology under supervision;

(B) the limits of client confidentiality within the supervisory process; and

(C) the name, address, and telephone number of the clinical supervisor;

(6) the date on which the parties entered into the clinical supervision training plan and the time frame that the plan is intended to encompass;

(7) an agreement to amend or renegotiate the terms of the clinical supervision training plan, if warranted, including written notification of these changes to the board office as provided in subsection (h);

(8) the supervisee's informed consent for the supervisor to discuss supervision or performance issues with the supervisee's clients, the supervisee's other clinical or employment supervisors, the board, or any other individual or entity to which either the supervisee or the supervisor is professionally accountable; and

(9) a statement signed by each supervisor and supervisee acknowledging that each person has read and agrees to the postgraduate supervised professional experience requirements set forth in this regulation.

(g) Supervised practicum hours completed in a doctoral program of study that is primarily psychological in content may be approved by the board toward the postgraduate supervised professional experience requirements for licensure as a clinical psychotherapist if the applicant meets both of the following qualifications:

(1) The applicant received a master's degree in psychology or clinical psychology and met the coursework, program, and college or university requirements provided in K.A.R. 102-4-3a before completing the doctoral practicum hours.

(2) The applicant's doctoral-level practicum fully met the requirements provided in subsections (a), (b), (c), and (e).

(h) All changes to the clinical supervision training plan shall be submitted by the supervisee to the board for its approval. The changes shall be submitted no more than 45 days after the date on which the changes took effect. If the supervisee fails to submit the changes to the board within that 45-day period, no supervised hours of practice shall be accrued or credited for any practice, beginning on the date the changes took effect through the date on which the changes to the plan are approved by the board. (Authorized by K.S.A. 74-7507; implementing K.S.A. 74-5363; effective March 27, 1998; amended Aug. 4, 2000; amended Aug. 13, 2004.)

## Article 5.—MARRIAGE AND FAMILY THERAPISTS

**102-5-4a. Applications for licensure.** (a) Each applicant for licensure as a marriage and family therapist or a clinical marriage and family therapist shall request the licensure application forms from the director of the board.

(b) Each applicant for licensure as a marriage and family therapist shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-5-2;

(continued)

(2) submit on board-approved forms, references from three individuals, one of whom shall have provided direct clinical supervision of the applicant's graduate program practicum. If the practicum supervisor is unavailable, the graduate program director or any person with knowledge of the applicant's practicum experience on the basis of the applicant's practicum records shall submit the reference. Except as specified below in paragraph (b)(2)(B), each individual submitting a reference shall meet the following conditions:

(A) Is not related to the applicant;

(B) is authorized by law to practice marriage and family therapy or to practice in a related field. However, this paragraph shall not apply to the individual specified above in paragraph (b)(2) who submits the reference if the practicum supervisor is unavailable; and

(C) can address the applicant's professional conduct, competence, and merit of the public trust;

(3) arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board; and

(4) demonstrate satisfactory completion of educational requirements as specified in K.A.R. 102-5-3.

(c) Each applicant for licensure as a clinical marriage and family therapist shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the licensure application fee as provided in K.A.R. 102-5-2;

(2) demonstrate that the applicant is licensed by the board as a marriage and family therapist or meets all requirements for licensure as a licensed marriage and family therapist;

(3) arrange for the applicant's transcripts covering all applicable graduate college or university coursework to be sent directly from each academic institution to the board office. Each applicant who graduated from a college or university outside the United States also shall arrange for the applicant's transcript to be translated and evaluated for degree equivalency by a source and in a manner that are acceptable to the board;

(4) for persons earning a degree in marriage and family therapy or a qualifying related field before July 1, 2003, demonstrate completion of the graduate education requirements specified in K.A.R. 102-5-3; and

(5) submit each supervisor's attestation that the applicant has completed the postgraduate supervised professional experience requirements in accordance with a clinical supervision training plan approved by the board as specified in K.A.R. 102-5-7a.

(d) The following provisions shall apply to applicants for licensure as a marriage and family therapist or a clinical marriage and family therapist:

(1) Upon board approval of the educational requirements, each applicant shall pass a nationally administered, standardized written examination approved by the board in accordance with K.A.R. 102-5-5.

(2) An applicant or prospective applicant shall not be given a judgment on the applicant's eligibility for licensure until the board receives all application materials and the applicant completes all application procedures.

(3) Upon notification from the board that all eligibility requirements have been satisfied, the applicant shall submit the fee required in K.A.R. 102-5-2 for the original two-year licensure period.

(4) If the applicant fails to qualify for and obtain licensure, the applicant's application may, for lack of qualifications or for incompleteness, be suspended for a period not to exceed one year. At the end of one year, the application shall expire under the following conditions:

(A) If the applicant has not met the qualifications;

(B) if the applicant has not submitted a complete application; or

(C) if the applicant has not submitted the original license fee.

(5) Upon expiration, the applicant may submit a new application, the required fee, and all supporting documents.

(e) If the applicant qualifies for and obtains a temporary license, the applicant's application shall remain active until the temporary license expires.

(f) A person who has been engaged in the practice of marriage and family therapy as a licensed or registered marriage and family therapist in Kansas at any time within five years before July 1, 2000, may apply for a license as a clinical marriage and family therapist by submitting transition application materials to the board and completing the following application procedures:

(1) Submit the completed transition application form;

(2) submit the full payment of the licensure application fee as provided in K.A.R. 102-5-2;

(3) demonstrate Kansas licensure or registration as a marriage and family therapist in good standing at any time before July 1, 2000; and

(4) demonstrate competence to diagnose and treat mental disorders by documenting completion of at least two of the three following requirements acceptable to the board:

(A)(i) At least nine graduate semester hours of coursework addressing clinical theory, assessment, and treatment issues, inclusive of three semester hours addressing psychopathology; or

(ii) passage of the national marriage and family therapy competency examination as specified by regulation at the time of taking the examination;

(B) three years of clinical practice, including at least eight hours of client contact per week for at least nine months of each year in a community mental health center or its affiliate, a state mental hospital, or a setting in which the applicant offered services that included diagnosis or treatment of mental disorders; or

(C) one attestation, on a form provided by the board, from a licensed psychologist, a licensed specialist clinical social worker, or a person licensed to practice medicine and surgery that the applicant has demonstrated competence in diagnosis or treatment of mental disorders. (Authorized by K.S.A. 74-7507; implementing K.S.A. 65-6404, 65-6405, 65-6411; effective Dec. 19, 1997; amended Aug. 4, 2000; amended Aug. 13, 2004.)

**102-5-7a. Postgraduate supervised professional experience requirement for a clinical marriage and family therapist.** In order to be approved by the board for licensure as a clinical marriage and family therapist, the applicant's postgraduate supervised professional experience of marriage and family therapy, totaling 4,000 hours of professional experience inclusive of 1,500 hours of direct client contact, shall meet all of the following standards: (a) Except as provided in subsection (b), clinical supervision shall be provided throughout the entirety of the postgraduate supervised professional experience, as specified below:

(1) At least 50 hours of one-on-one, individual clinical supervision occurring with the supervisor and supervisee in the same physical space;

(2) at least 100 hours of clinical supervision with one supervisor and no more than six supervisees in the same physical space, except when not practical due to an emergency or other exigent circumstances, at which time person-to-person contact by interactive video or other telephonic means maintaining confidentiality shall be allowed;

(3) at least one hour of clinical supervision during each week in which the applicant has 15 or more hours of direct client contact; and

(4) at least two separate clinical supervision sessions per month, at least one of which shall be one-on-one, individual supervision.

(b) Each applicant with a doctor's degree in marriage and family therapy or a related field as defined in K.A.R. 102-5-1 shall complete a minimum of one-half of the postgraduate supervised professional experience requirements as specified below:

(1) At least 25 hours of one-on-one, individual supervision occurring with the supervisor and supervisee in the same physical space;

(2) at least 50 hours of supervision with one supervisor and no more than six supervisees in the same physical space, except when not practical due to an emergency or other exigent circumstances, at which time person-to-person contact by interactive video or other telephonic means maintaining confidentiality shall be allowed; and

(3) at least two separate supervisory sessions per month, at least one of which shall be one-on-one, individual supervision.

(c) The clinical supervisor of a person attaining the 4,000 hours of postgraduate supervised professional experience required for licensure as a clinical marriage and family therapist, at the time of providing supervision, shall meet one of the following qualifying provisions:

(1) The clinical supervisor shall be a clinical marriage and family therapist who is licensed in Kansas or is registered, certified, or licensed in another jurisdiction and, beginning July 1, 2003, who has engaged in the independent practice of clinical marriage and family therapy, including the diagnosis and treatment of mental disorders, for at least two years beyond the supervisor's registration, certification, or licensure date as a clinical marriage and family therapist.

(2) If a licensed clinical marriage and family therapist is not available, the clinical supervisor may be a person who is registered, certified, or licensed at the graduate level to practice in one of the behavioral sciences, and

whose authorized scope of practice permits the diagnosis and treatment of mental disorders. The qualifying individual shall not have had less than two years of professional experience in the independent practice of clinical marriage and family therapy beyond the date of the supervisor's registration, certification, or licensure.

(d) In addition to the requirements of subsection (c), each clinical supervisor shall meet these requirements:

(1) Have professional authority over and responsibility for the supervisee's clinical functioning in the practice of marriage and family therapy;

(2) not have a dual relationship with the supervisee;

(3) not be under any sanction from a disciplinary proceeding, unless the board waives this prohibition for good cause shown by the proposed supervisor;

(4) have knowledge of and experience with the supervisee's client population;

(5) have knowledge of and experience with the methods of practice that the supervisee employs;

(6) have an understanding of the organization and the administrative policies and procedures of the supervisee's practice setting; and

(7) be a member of the practice setting staff or meet the requirements of subsection (e).

(e) If a qualified clinical supervisor is not available from among staff in the supervisee's practice setting, the supervisee may secure an otherwise qualified clinical supervisor outside the practice setting if all of the following conditions are met:

(1) The supervisor has a solid understanding of the practice setting's mission, policies, and procedures.

(2) The extent of the supervisor's responsibility for the supervisee is clearly defined in terms of client cases to be supervised, role in personnel evaluation within the practice setting, and other aspects of the clinical supervision training plan.

(3) The responsibility for payment for supervision is clearly defined.

(4) If the supervisee pays the supervisor directly for the supervision, the supervisor maintains responsibility to the client and to the practice setting.

(f) Each clinical supervisor shall perform the following duties:

(1) Provide oversight, guidance, and direction of the supervisee's clinical practice of marriage and family therapy by assessing and evaluating the supervisee's performance;

(2) conduct supervision as a process distinct from personal therapy, didactic instruction, or marriage and family therapy consultation;

(3) provide documentation of supervisory qualifications to the supervisee;

(4) periodically evaluate the supervisee's clinical functioning;

(5) provide supervision in accordance with the clinical supervision training plan;

(6) maintain documentation of supervision in accordance with the clinical supervision training plan;

(7) provide the documentation required by the board when a supervisee completes the postgraduate supervised professional experience. The supervisor shall sub-

*(continued)*

mit this documentation on board-approved forms and in a manner that will enable the board to evaluate the extent and quality of the supervisee’s professional experience and assign credit for that experience;

(8) provide a level of supervision that is commensurate with the education, training, experience, and ability of both the supervisor and the supervisee; and

(9) ensure that each client knows that the supervisee is practicing marriage and family therapy under supervision.

(g) Each supervisor and supervisee shall develop and co-sign a written clinical supervision training plan on forms provided by the board at the beginning of the supervisory relationship. The supervisee shall submit this plan to the board and shall receive board approval of the plan before any supervised professional experience hours can begin to accrue. This plan shall clearly define and delineate the following items:

- (1) The supervisory context;
- (2) a summary of the anticipated types of clients and the services to be provided;
- (3) the format and schedule of supervision;
- (4) a plan for documenting the following information:
  - (A) The date of each supervisory meeting;
  - (B) the length of each supervisory meeting;
  - (C) a designation of each supervisory meeting as an individual or group meeting;
  - (D) a designation of each supervisory meeting as conducted in the same physical space or otherwise, in the case of emergency; and
  - (E) an evaluation of the supervisee’s progress under clinical supervision;

(5) a plan to notify clients of the following information:

- (A) The fact that the supervisee is practicing marriage and family therapy under supervision;
- (B) the limits of client confidentiality within the supervisory process; and
- (C) the name, address, and telephone number of the clinical supervisor;

(6) the date on which the parties entered into the clinical supervision training plan and the time frame that the plan is intended to encompass;

(7) an agreement to amend or renegotiate the terms of the clinical supervision training plan, if warranted, including written notification of these changes to the board office, as provided in subsection (h);

(8) the supervisee’s informed consent for the supervisor to discuss supervision or performance issues with the supervisee’s clients, the supervisee’s other marriage and family therapy or employment supervisors, the board, or any other individual or entity to which either the supervisee or the supervisor is professionally accountable; and

(9) a statement signed by each supervisor and supervisee acknowledging that each person has read and agrees to the postgraduate supervised professional experience requirements set forth in this regulation.

(h) All changes to the clinical supervision training plan shall be submitted by the supervisee to the board for its approval. The changes shall be submitted no more than 45 days after the date on which the changes took effect. If the supervisee fails to submit the changes to the board within that 45-day period, no supervised hours of practice shall be accrued or credited for any practice, begin-

ning on the date the changes took effect through the date on which the changes to the plan are approved by the board. (Authorized by K.S.A. 74-7507; implementing K.S.A. 65-6404; effective April 17, 1998; amended Oct. 22, 1999; amended Aug. 4, 2000; amended July 7, 2003; amended Aug. 13, 2004.)

Phyllis Gilmore  
Executive Director

Doc. No. 030931

State of Kansas

Board of Healing Arts

Permanent Administrative  
Regulations

Article 49.—PODIATRY

**100-49-4. Fees.** The following fees shall be collected by the board:

(a) Application for license .....	\$300.00
(b) Examination .....	\$450.00
(c) (1) Annual renewal of active or federally active license:	
(A) Paper renewal .....	\$230.00
(B) On-line renewal .....	\$222.50
(2) Annual renewal of inactive license:	
(A) Paper renewal .....	\$115.00
(B) On-line renewal .....	\$110.75
(3) Annual renewal of exempt license:	
(A) Paper renewal .....	\$130.00
(B) On-line renewal .....	\$125.25
(d) (1) Conversion from exempt to active license .....	\$100.00
(2) Conversion from inactive to active license .....	\$115.00
(e) (1) Late renewal of active or federally active license:	
(A) Paper late renewal .....	\$290.00
(B) On-line late renewal .....	\$281.00
(2) Late renewal of inactive license:	
(A) Paper late renewal .....	\$145.00
(B) On-line late renewal .....	\$140.00
(3) Late renewal of exempt license:	
(A) Paper late renewal .....	\$160.00
(B) On-line late renewal .....	\$154.50
(f) Temporary license .....	\$40.00
(g) Duplicate license .....	\$15.00
(h) Reinstatement of license .....	\$300.00
(i) Temporary permit .....	\$40.00
(j) Certified statement of license .....	\$15.00
(k) Postgraduate permit .....	\$40.00
(l) Reinstatement of revoked license .....	\$1,000.00
(m) Reinstatement of canceled license .....	\$300.00

(Authorized by K.S.A. 65-2012, as amended by 2004 HB 2813, Sec. 16, and K.S.A. 65-2013; implementing K.S.A. 65-2012, as amended by 2004 HB 2813, Sec. 16; effective May 1, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended April 24, 1989; amended Aug. 21, 1989; amended, T-100-12-28-89, Dec. 28, 1989; amended April 9, 1990; amended Dec. 27, 1993; amended May 1, 1998; amended Aug. 4, 2000; amended, T-100-6-27-02, Aug. 1, 2002; amended Nov. 15, 2002; amended Aug. 13, 2004.)

Lawrence T. Buening, Jr.  
Executive Director

Doc. No. 030974



## State of Kansas

## Legislature

## Interim Committee Schedule

The following committee meetings have been scheduled during the period of August 4-13. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://kslegislature.org/klrd>.

Date	Room	Time	Committee	Agenda
Aug. 4	514-S	9:00 a.m.	Kansas Systems Review Team	Printing Plant services to the Legislature; Legislative Branch Strategic Computer Plan.
Aug. 5	313-S	10:00 a.m.	Joint Committee on Children's Issues	Roundtable discussion on programs for children from zero to five years.
Aug. 5 Aug. 6	123-S 123-S	10:00 a.m. 9:00 a.m.	Legislative Budget Committee	Review the coordination and communication of state budget information; timely reporting of State General Fund revenues; compliance with the ending balance statutes; and the use of state building funds to pay insurance for state buildings.
Aug. 5 Aug. 6	526-S 526-S	10:00 a.m. 9:00 a.m.	Joint Committee on Information Technology	<b>5th a.m.</b> —Post Audit Report on CITO approval and notification requirements. <b>p.m.</b> —Review KAN-ED and agency information technology projects. <b>6th a.m./p.m.</b> —Review agency information technology projects and plans.
Aug. 9	519-S	10:00 a.m.	Joint Committee on Arts & Cultural Resources	Presentations: Kansas Arts Commission; Kansas Film Commission; and State Historical Society. Tour of <i>Brown v. Board of Education</i> national historic site.
Aug. 12 Aug. 13	123-S 123-S	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	<b>12th:</b> Tour of Kansas Neurological Institute (KNI); review of agency five-year capital improvement plans. <b>13th:</b> Lease and change orders; review of health insurance requirements for contractors; leasing database; agency six-year capital improvement plans; and tour of Harrison Center.

Jeffrey M. Russell  
Director of Legislative  
Administrative Services

Doc. No. 030977

**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 2003 Volumes of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-6-21	Amended	V. 22, p. 1968
1-6-23	Amended (T)	V. 22, p. 466
1-6-23	Amended	V. 22, p. 1230
1-9-4	Amended	V. 23, p. 718
1-45-1 through 1-45-7	Revoked	V. 22, p. 226
1-45-7a	Revoked	V. 22, p. 226
1-45-8 through 1-45-14	Revoked	V. 22, p. 226
1-45-15	Revoked	V. 22, p. 226
1-45-16	Revoked	V. 22, p. 226
1-45-17	Revoked	V. 22, p. 226
1-45-18 through 1-45-24	New	V. 22, p. 226-228
1-45-18	Amended (T)	V. 23, p. 424
1-45-18	Amended	V. 23, p. 1044
1-45-19	Amended (T)	V. 23, p. 424
1-45-19	Amended	V. 23, p. 1044
1-45-20	Amended (T)	V. 23, p. 424
1-45-20	Amended	V. 23, p. 1045
1-45-23	Amended (T)	V. 23, p. 425
1-45-23	Amended	V. 23, p. 1045
1-45-24	Amended (T)	V. 23, p. 425
1-45-24	Amended	V. 23, p. 1045
1-47-1	Amended	V. 22, p. 850
1-49-1	Amended	V. 22, p. 851
1-49-12	New	V. 22, p. 851

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-4-900	Amended	V. 22, p. 1191
4-4-956	Amended	V. 22, p. 1192
4-4-982	Amended	V. 22, p. 1192
4-4-983	Amended	V. 22, p. 1192
4-4-985	New	V. 22, p. 1193
4-4-986	New	V. 22, p. 1194
4-8-14a	Amended (T)	V. 23, p. 900
4-8-14a	Amended	V. 23, p. 1102
4-8-27 through 4-8-37	Amended	V. 23, p. 1102, 1103
4-8-39	Amended	V. 23, p. 1103
4-8-40	Amended (T)	V. 23, p. 901
4-8-40	Amended	V. 23, p. 1103
4-8-42	Amended	V. 23, p. 1103
4-8-43	New (T)	V. 22, p. 82
4-8-43	New	V. 22, p. 432
4-11-2	Amended	V. 23, p. 895
4-11-3	Amended	V. 23, p. 895
4-11-6	Revoked	V. 23, p. 896
4-11-7	Revoked	V. 23, p. 896
4-11-8	Amended	V. 23, p. 896
4-11-9	Amended	V. 23, p. 896
4-11-14	Amended	V. 23, p. 896
4-13-1	Amended	V. 22, p. 1194
4-13-2	Amended	V. 22, p. 1195
4-13-4a	Amended	V. 22, p. 1195
4-13-6	Amended	V. 22, p. 1196
4-13-7	Amended	V. 22, p. 1196
4-13-26	Amended	V. 22, p. 1196
4-20-5	Amended	V. 22, p. 1747

4-20-11	Amended	V. 22, p. 385
4-20-15	Amended	V. 22, p. 385
4-21-1	Amended	V. 22, p. 385
4-21-3	Amended	V. 22, p. 386
4-21-4	Amended	V. 22, p. 386
4-21-5	Amended	V. 22, p. 387
4-21-6	Amended	V. 22, p. 387
4-21-7	New	V. 22, p. 387
4-25-16	Amended (T)	V. 22, p. 2176
4-25-16	Amended	V. 23, p. 95

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

Reg. No.	Action	Register
5-1-1	Amended	V. 22, p. 1747
5-1-4	Amended	V. 22, p. 1751
5-1-6	Amended	V. 22, p. 1752
5-1-9	Amended	V. 22, p. 1753
5-1-12	Amended	V. 22, p. 1753
5-3-1	Amended	V. 22, p. 1753
5-3-1b	New	V. 22, p. 1754
5-3-3a	New	V. 22, p. 1754
5-3-4c	Amended	V. 22, p. 1754
5-3-4d	Amended	V. 22, p. 1754
5-3-5c	Amended	V. 22, p. 1755
5-3-7	Amended	V. 22, p. 1755
5-3-16a	New	V. 22, p. 1755
5-3-19	Amended	V. 22, p. 1756
5-5-2a	New	V. 22, p. 1756
5-5-16	Amended	V. 22, p. 1757
5-6-13a	New	V. 22, p. 1758
5-6-15	Amended	V. 22, p. 1758
5-7-1	Amended	V. 22, p. 1758
5-9-1	Amended	V. 22, p. 1759
5-9-6	Amended	V. 22, p. 1759
5-14-10	New	V. 22, p. 1759
5-14-11	New	V. 22, p. 1760
5-23-1	Amended	V. 23, p. 181
5-23-3	Amended	V. 23, p. 181
5-23-3a	Amended	V. 23, p. 182
5-23-4	Amended	V. 22, p. 1933
5-23-4a	Amended	V. 22, p. 1933
5-23-4b	Amended	V. 22, p. 1934
5-23-5	Revoked	V. 22, p. 1935
5-24-1	Amended	V. 23, p. 65
5-24-2	Amended	V. 23, p. 65
5-24-3	Amended	V. 23, p. 66
5-24-4	Amended	V. 23, p. 68
5-24-6	Amended	V. 23, p. 68
5-24-8	Amended	V. 23, p. 68
5-24-11	New	V. 23, p. 69
5-25-1	Amended	V. 22, p. 1819
5-25-2	Amended	V. 22, p. 1819
5-25-2a	New	V. 22, p. 1819
5-25-3	Amended	V. 22, p. 1820
5-25-4	Amended	V. 22, p. 1820
5-25-5	Amended	V. 22, p. 1820
5-25-8	Amended	V. 22, p. 1821
5-25-10	Amended	V. 22, p. 1821
5-25-11	Amended	V. 22, p. 1821
5-25-12 through 5-25-20	New	V. 22, p. 1821-1824

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-16-1	New (T)	V. 22, p. 1226
7-16-1	New	V. 22, p. 1650
7-16-2	New (T)	V. 22, p. 1226
7-16-2	New	V. 22, p. 1650

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

Reg. No.	Action	Register
9-18-1	Amended	V. 22, p. 794
9-18-2	New (T)	V. 22, p. 1260
9-18-2	New	V. 22, p. 1850
9-18-3	New (T)	V. 22, p. 1260
9-18-3	New	V. 22, p. 1850
9-19-1 through 9-19-11	Revoked (T)	V. 22, p. 1261

9-19-1 through 9-19-11	Revoked	V. 22, p. 1816
9-19-11	New (T)	V. 22, p. 1261
9-19-12	New	V. 22, p. 1816
9-19-12	New	V. 22, p. 1816
9-22-4	Amended (T)	V. 22, p. 1261
9-22-4	Amended	V. 22, p. 1507
9-22-5	Amended (T)	V. 22, p. 1262
9-22-5	Amended	V. 22, p. 1508
9-25-2	Amended (T)	V. 22, p. 1264
9-25-3	Amended (T)	V. 22, p. 1264
9-25-5	Amended (T)	V. 22, p. 1265
9-25-5	Amended	V. 22, p. 1817
9-25-6	Amended (T)	V. 22, p. 1266
9-25-6	Amended	V. 22, p. 1818
9-25-12	Amended (T)	V. 22, p. 1267
9-25-12	Amended	V. 22, p. 1850
9-26-1	Amended (T)	V. 22, p. 1267
9-26-1	Amended	V. 22, p. 1818

**AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

Reg. No.	Action	Register
14-13-9	Amended	V. 22, p. 1929
14-15-1	New	V. 22, p. 123
14-15-2	New	V. 22, p. 123

**AGENCY 17: STATE BANK COMMISSIONER (see Agency 75, this index)**

Reg. No.	Action	Register
17-8-1	New	V. 22, p. 1574
17-11-18	Amended	V. 22, p. 798
17-24-1	Amended	V. 22, p. 1574
17-24-4	New	V. 22, p. 1816

**AGENCY 19: GOVERNMENTAL ETHICS COMMISSION**

Reg. No.	Action	Register
19-2-2	Amended	V. 23, p. 41
19-20-4	New	V. 23, p. 42
19-60-3	Amended	V. 23, p. 42
19-63-6	Amended	V. 23, p. 43

**AGENCY 22: STATE FIRE MARSHAL**

Reg. No.	Action	Register
22-1-2	Amended	V. 23, p. 978
22-1-7	New	V. 23, p. 978

**AGENCY 26: DEPARTMENT ON AGING**

Reg. No.	Action	Register
26-2-3	Amended	V. 22, p. 1258
26-2-9	Amended	V. 22, p. 1259

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

Reg. No.	Action	Register
28-1-2	Amended (T)	V. 22, p. 2030
28-1-2	Amended	V. 23, p. 202
28-1-4	Amended (T)	V. 22, p. 2031
28-1-4	Amended	V. 23, p. 203
28-1-20	Amended	V. 23, p. 360
28-4-576	Amended (T)	V. 23, p. 389
28-4-577	Amended (T)	V. 23, p. 390
28-4-578	Amended (T)	V. 23, p. 391
28-4-583	Amended (T)	V. 23, p. 392
28-4-585	Amended (T)	V. 23, p. 392
28-4-587	Amended (T)	V. 23, p. 394
28-4-590	Amended (T)	V. 23, p. 396
28-4-591	Amended (T)	V. 23, p. 397
28-4-600 through 28-4-613	New	V. 23, p. 957-962
28-4-700 through 28-4-705	New (T)	V. 23, p. 398-400
28-15-35	Amended	V. 23, p. 305
28-15-36	Amended	V. 23, p. 309
28-16-28b	Amended	V. 22, p. 1760
28-16-28d	Amended	V. 23, p. 39
28-16-28e	Amended	V. 22, p. 1763
28-17-6	Amended (T)	V. 22, p. 1225
28-17-6	Amended	V. 22, p. 1711
28-19-202	Amended	V. 23, p. 70

28-29-3	Amended	V. 22, p. 798
28-29-20	Amended	V. 22, p. 801
28-29-75		
through		
28-29-82	Amended	V. 23, p. 203-205
28-29-101	Revoked	V. 22, p. 802
28-29-109	Amended	V. 22, p. 802
28-29-300	New	V. 22, p. 2131
28-29-302	New	V. 22, p. 2131
28-29-304	New	V. 22, p. 2133
28-29-308	New	V. 22, p. 2134
28-29-321	New	V. 22, p. 2137
28-29-325	New	V. 22, p. 2137
28-36-30	Amended	V. 22, p. 1771
28-38-18	Amended	V. 22, p. 1575
28-38-19	Amended	V. 22, p. 1575
28-39-164		
through		
28-39-168	Amended	V. 22, p. 2094-2096
28-39-169	Revoked	V. 22, p. 2096
28-39-169a	New	V. 22, p. 2096
28-39-169b	New	V. 22, p. 2097
28-39-169c	New	V. 22, p. 2098
28-39-170		
through		
28-39-174	Revoked	V. 22, p. 2099
28-45-2	Revoked (T)	V. 22, p. 531
28-45-2	Revoked	V. 22, p. 1304
28-45-2a	New (T)	V. 22, p. 531
28-45-2a	New	V. 22, p. 1304
28-45-3	Revoked (T)	V. 22, p. 532
28-45-3	Revoked	V. 22, p. 1305
28-45-3a	New (T)	V. 22, p. 532
28-45-3a	New	V. 22, p. 1305
28-45-4	Revoked (T)	V. 22, p. 533
28-45-4	Revoked	V. 22, p. 1306
28-45-4a	New (T)	V. 22, p. 533
28-45-4a	New	V. 22, p. 1306
28-45-5	Revoked (T)	V. 22, p. 533
28-45-5	Revoked	V. 22, p. 1306
28-45-5a	New (T)	V. 22, p. 533
28-45-5a	New	V. 22, p. 1306
28-45-6	Revoked (T)	V. 22, p. 534
28-45-6	Revoked	V. 22, p. 1306
28-45-6a	New (T)	V. 22, p. 534
28-45-6a	New	V. 22, p. 1306
28-45-7	Revoked (T)	V. 22, p. 535
28-45-7	Revoked	V. 22, p. 1308
28-45-7a	New (T)	V. 22, p. 535
28-45-7a	New	V. 22, p. 1308
28-45-8	Revoked (T)	V. 22, p. 536
28-45-8	Revoked	V. 22, p. 1309
28-45-8a	New (T)	V. 22, p. 536
28-45-8a	New	V. 22, p. 1309
28-45-9	Revoked (T)	V. 22, p. 536
28-45-9	Revoked	V. 22, p. 1309
28-45-9a	New (T)	V. 22, p. 536
28-45-9a	New	V. 22, p. 1309
28-45-10	Revoked (T)	V. 22, p. 536
28-45-10	Revoked	V. 22, p. 1309
28-45-10a	New (T)	V. 22, p. 536
28-45-10a	New	V. 22, p. 1309
28-45-11	Revoked (T)	V. 22, p. 537
28-45-11	Revoked	V. 22, p. 1310
28-45-11a	New (T)	V. 22, p. 537
28-45-11a	New	V. 22, p. 1310
28-45-12		
through		
28-45-30	New (T)	V. 22, p. 537-548
28-45-12		
through		
28-45-30	New	V. 22, p. 1310-1321
28-45a-1		
through		
28-45a-19	New (T)	V. 22, p. 548-557
28-45a-1		
through		
28-45a-19	New	V. 22, p. 1321-1331
28-51-100	Amended	V. 22, p. 2099
28-51-108	Amended	V. 22, p. 2100
28-51-113		
through		
28-51-116	New	V. 22, p. 2100-2102

<b>AGENCY 30: SOCIAL AND REHABILITATION SERVICES</b>		
Reg. No.	Action	Register
30-4-39	Amended	V. 22, p. 1533
30-4-50	Amended	V. 23, p. 894
30-4-55	Amended	V. 22, p. 1533
30-4-90	Amended (T)	V. 23, p. 897
30-4-90	Amended	V. 23, p. 1104
30-4-96	Revoked	V. 22, p. 249
30-4-110	Amended	V. 22, p. 1534
30-5-59	Amended	V. 22, p. 2087
30-5-64	Amended	V. 23, p. 694
30-5-78	Amended	V. 22, p. 2090
30-5-81u	Amended (T)	V. 22, p. 83
30-5-81u	Amended	V. 22, p. 432
30-5-89	Amended	V. 22, p. 1355
30-5-89a	Amended	V. 22, p. 1355
30-5-102	Amended (T)	V. 22, p. 83
30-5-102	Amended	V. 22, p. 2090
30-5-105	Amended (T)	V. 22, p. 83
30-5-105	Amended	V. 22, p. 2091
30-5-107	Amended	V. 22, p. 1043
30-5-107a	Amended	V. 22, p. 1044
30-5-116	Amended	V. 22, p. 2091
30-5-300	Amended	V. 22, p. 2091
30-6-65	Amended	V. 22, p. 1044
30-6-91	New	V. 23, p. 894
30-6-103	Amended (T)	V. 22, p. 84
30-6-103	Amended	V. 22, p. 433
30-6-106	Amended	V. 22, p. 249
30-6-108	Amended	V. 22, p. 1045
30-6-109	Amended	V. 22, p. 1045
30-10-14	Revoked	V. 22, p. 1355
30-10-15a	Amended	V. 22, p. 1355
30-10-17	Amended (T)	V. 22, p. 990
30-10-17	Amended	V. 22, p. 1233
30-10-18	Amended (T)	V. 22, p. 991
30-10-18	Amended	V. 22, p. 1234
30-10-19	Amended (T)	V. 22, p. 994
30-10-19	Amended	V. 22, p. 1236
30-10-21	Amended	V. 22, p. 1357
30-10-23b	Amended	V. 22, p. 1357
30-14-28	Amended (T)	V. 22, p. 84
30-14-28	Amended	V. 22, p. 434
30-44-5	New	V. 22, p. 1047
30-46-10	Amended	V. 23, p. 977
30-46-13	Amended	V. 23, p. 978
30-46-15	Amended	V. 23, p. 978
30-46-16	Amended	V. 23, p. 978
30-46-17	Amended	V. 23, p. 978
30-60-1	Amended	V. 22, p. 1090
30-60-2	Amended	V. 22, p. 1090
30-60-5	Amended	V. 22, p. 1090
30-60-6	Amended	V. 22, p. 1091
30-60-7	Amended	V. 22, p. 1092
30-60-8	New	V. 22, p. 1092
30-60-10	Amended	V. 22, p. 1093
30-60-11	Amended	V. 22, p. 1093
30-60-12	Amended	V. 22, p. 1093
30-60-13	New	V. 22, p. 1094
30-60-14	New	V. 22, p. 1094
30-60-15	New	V. 22, p. 1094
30-60-16	New	V. 22, p. 1094
30-60-17	Amended	V. 22, p. 1095
30-60-18	Amended	V. 22, p. 1095
30-16-19	Amended	V. 22, p. 1096
30-60-25	Amended	V. 22, p. 1096
30-60-26	Amended	V. 22, p. 1097
30-60-27	Amended	V. 22, p. 1097
30-60-28	Amended	V. 22, p. 1097
30-60-29	New	V. 22, p. 1097
30-60-30	New	V. 22, p. 1098
30-60-40	Amended	V. 22, p. 1098
30-60-41	Amended	V. 22, p. 1098
30-60-45	Amended	V. 22, p. 1099
30-60-46	Amended	V. 22, p. 1099
30-60-47	Amended	V. 22, p. 1099
30-60-48	New	V. 22, p. 1099
30-60-49	New	V. 22, p. 1100
30-60-50	Amended	V. 22, p. 1100
30-60-51	New	V. 22, p. 1101
30-60-55	Amended	V. 22, p. 1102
30-60-56	New	V. 22, p. 1103
30-60-57	New	V. 22, p. 1103

30-60-60	Revoked	V. 22, p. 1103
30-60-61	Revoked	V. 22, p. 1103
30-60-62	Amended	V. 22, p. 1103
30-60-63	New	V. 22, p. 1104
30-60-64	New	V. 22, p. 1105
30-60-70	Amended	V. 22, p. 1108
30-60-71	Amended	V. 22, p. 1108
30-60-72	Amended	V. 22, p. 1108
30-60-73	Amended	V. 22, p. 1108
30-60-74	Amended	V. 22, p. 1109
30-60-75	Revoked	V. 22, p. 1109
30-60-76	Amended	V. 22, p. 1109
30-61-1	Amended	V. 22, p. 1109
30-61-2	Amended	V. 22, p. 1109
30-61-5	Amended	V. 22, p. 1109
30-61-6	Amended	V. 22, p. 1110
30-61-10	Amended	V. 22, p. 1110
30-61-11	New	V. 22, p. 1110
30-61-15	Amended	V. 22, p. 1110
30-61-16	Revoked	V. 22, p. 1111

<b>AGENCY 36: DEPARTMENT OF TRANSPORTATION</b>		
Reg. No.	Action	Register
36-40-1		
through		
36-40-9	New	V. 22, p. 1806, 1807

<b>AGENCY 40: KANSAS INSURANCE DEPARTMENT</b>		
Reg. No.	Action	Register
40-1-48	Amended	V. 23, p. 426
40-1-50	New (T)	V. 23, p. 244
40-1-50	New	V. 23, p. 951
40-1-51	New	V. 23, p. 361
40-2-26	Amended	V. 23, p. 151
40-2-27	New	V. 23, p. 825
40-3-20	Revoked	V. 23, p. 693
40-3-48	Amended	V. 22, p. 2008
40-4-1	Amended	V. 22, p. 1709
40-4-36	Amended	V. 22, p. 465
40-5-110	Amended	V. 22, p. 1709

<b>AGENCY 44: DEPARTMENT OF CORRECTIONS</b>		
Reg. No.	Action	Register
44-5-115	Amended (T)	V. 23, p. 384
44-5-115	Amended	V. 23, p. 952
44-6-115a	Amended (T)	V. 22, p. 383
44-6-115a	Amended	V. 22, p. 1231
44-7-104	Amended (T)	V. 23, p. 385
44-7-104	Amended	V. 23, p. 953
44-7-113	Amended (T)	V. 23, p. 386
44-7-113	Amended	V. 23, p. 955
44-12-313	Amended (T)	V. 23, p. 386
44-12-313	Amended	V. 23, p. 955
44-12-601	Amended (T)	V. 23, p. 387
44-12-601	Amended	V. 23, p. 955
44-12-1002	Amended (T)	V. 22, p. 384
44-12-1002	Amended	V. 22, p. 1232
44-13-201b	Amended (T)	V. 22, p. 384
44-13-201b	Amended	V. 22, p. 1232

<b>AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS COMPENSATION</b>		
Reg. No.	Action	Register
51-9-7	Amended	V. 22, p. 1804
51-9-17	New	V. 22, p. 2031

<b>AGENCY 61: BOARD OF BARBERING</b>		
Reg. No.	Action	Register
61-4-2	Amended (T)	V. 22, p. 1304
61-7-1	Amended (T)	V. 22, p. 1304

<b>AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY</b>		
Reg. No.	Action	Register
65-4-3	Amended	V. 23, p. 893
65-5-6	Amended	V. 22, p. 1575
65-5-11	New	V. 23, p. 893
65-8-5	Revoked	V. 23, p. 893

(continued)

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Table with 3 columns: Reg. No., Action, Register. Row: 66-8-5 Amended V. 23, p. 95

AGENCY 68: BOARD OF PHARMACY

Table with 3 columns: Reg. No., Action, Register. Rows: 68-2-9 Amended V. 22, p. 118; 68-2-10 Amended V. 22, p. 118; 68-2-11 Amended V. 22, p. 118; 68-2-12a Amended V. 22, p. 118; 68-2-15 Amended V. 22, p. 430; 68-2-20 Amended V. 22, p. 119; 68-7-12 Amended V. 22, p. 119; 68-7-12a Amended V. 22, p. 120; 68-7-12b New V. 22, p. 120; 68-7-20 New V. 23, p. 382; 68-8-1 Amended V. 22, p. 431; 68-9-2 Amended V. 22, p. 121; 68-11-1 Amended V. 22, p. 122; 68-11-2 Amended V. 22, p. 122; 68-12-2 Amended V. 22, p. 122; 68-13-1 Amended V. 22, p. 122

AGENCY 70: BOARD OF VETERINARY EXAMINERS

Table with 3 columns: Reg. No., Action, Register. Row: 70-5-1 Amended V. 23, p. 360

AGENCY 71: KANSAS DENTAL BOARD

Table with 3 columns: Reg. No., Action, Register. Rows: 71-1-1 Revoked V. 23, p. 151; 71-1-2 Revoked V. 23, p. 151; 71-1-3 Revoked V. 23, p. 151; 71-1-8 Revoked V. 23, p. 151; 71-1-10 Revoked V. 23, p. 151; 71-1-11 Revoked V. 23, p. 151; 71-1-15 Amended V. 23, p. 151; 71-2-1 Revoked V. 23, p. 151; 71-2-4 Revoked V. 23, p. 151; 71-2-5 Amended V. 23, p. 717; 71-2-6 Revoked V. 23, p. 718; 71-2-7 Amended V. 23, p. 718; 71-2-9 Revoked V. 23, p. 151; 71-2-12 Revoked V. 23, p. 151; 71-3-5 Revoked V. 23, p. 151; 71-4-1 Amended V. 23, p. 151; 71-4-3 Revoked V. 23, p. 152; 71-6-1 Amended V. 23, p. 383; 71-6-5 Amended V. 23, p. 718; 71-7-1 New V. 23, p. 152

AGENCY 74: BOARD OF ACCOUNTANCY

Table with 3 columns: Reg. No., Action, Register. Rows: 74-1-1 Amended V. 22, p. 1894; 74-1-2 Amended V. 22, p. 1894; 74-1-3 Amended V. 22, p. 1894; 74-1-6 Amended V. 22, p. 1895; 74-1-8 New V. 22, p. 1895; 74-2-1 Amended V. 22, p. 1896; 74-2-4 Revoked V. 22, p. 1896; 74-4-7 Amended V. 22, p. 1896; 74-4-8 Amended V. 22, p. 1896; 74-4-9 Amended V. 22, p. 1897; 74-5-20 Amended V. 22, p. 1898; 74-11-6 Amended V. 22, p. 1898; 74-11-7 Amended V. 22, p. 1898; 74-12-1 Amended V. 22, p. 1898

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

Table with 3 columns: Reg. No., Action, Register. Rows: 75-6-33 New V. 22, p. 1815; 75-6-34 New V. 22, p. 1454

AGENCY 82: STATE CORPORATION COMMISSION

Table with 3 columns: Reg. No., Action, Register. Rows: 82-1-201 Revoked V. 22, p. 1650; 82-1-202 Amended V. 22, p. 1650; 82-1-204 Amended V. 22, p. 1650; 82-1-204a New V. 22, p. 1652

Table with 3 columns: Reg. No., Action, Register. Rows: 82-1-205 Amended V. 22, p. 1652; 82-1-206 Amended V. 22, p. 1652; 82-1-207 Amended V. 22, p. 1652; 82-1-208 Amended V. 22, p. 1652; 82-1-212 Amended V. 22, p. 1652; 82-1-214 Amended V. 22, p. 1653; 82-1-215 Amended V. 22, p. 1653; 82-1-216 Amended V. 22, p. 1653; 82-1-218 Amended V. 22, p. 1653; 82-1-219 Amended V. 22, p. 1654; 82-1-220 Amended V. 22, p. 1655; 82-1-221 Amended V. 22, p. 1655; 82-1-221b Revoked V. 22, p. 1656; 82-1-222 Amended V. 22, p. 1656; 82-1-224 Amended V. 22, p. 1656; 82-1-225 Amended V. 22, p. 1656; 82-1-226 Amended V. 22, p. 1657; 82-1-227 Amended V. 22, p. 1657; 82-1-228 Amended V. 22, p. 1657; 82-1-229 Amended V. 22, p. 1658; 82-1-230 Amended V. 22, p. 1659; 82-1-230a New V. 22, p. 1659; 82-1-231 Amended V. 22, p. 1660; 82-1-231a Amended V. 22, p. 1663; 82-1-231b Amended V. 22, p. 1664; 82-1-232 Amended V. 22, p. 1665; 82-1-235 Amended V. 22, p. 1666; 82-1-237 Amended V. 22, p. 1666; 82-1-238 Amended V. 22, p. 1666; 82-1-239 Amended V. 22, p. 1667; 82-3-101 Amended V. 23, p. 426; 82-3-600 Amended V. 23, p. 429; 82-3-600a Amended V. 23, p. 430; 82-3-600b Revoked V. 23, p. 430; 82-3-601a Amended V. 23, p. 430; 82-3-601b Amended V. 23, p. 431; 82-3-602 Amended V. 23, p. 431; 82-3-603 Amended V. 23, p. 431; 82-3-604 Amended V. 23, p. 432; 82-3-605 Revoked V. 23, p. 432; 82-3-606 Amended V. 23, p. 432; 82-3-607 New V. 23, p. 433; 82-3-700 through 82-3-704 Amended (T) V. 23, p. 152-155; 82-3-700 through 82-3-704 Amended V. 23, p. 538-541; 82-3-705 through 82-3-710 New (T) V. 23, p. 155-158; 82-3-705 through 82-3-710 New V. 23, p. 541-544; 82-4-2 Amended V. 22, p. 86; 82-4-3a New (T) V. 23, p. 578; 82-4-20 Amended V. 22, p. 86; 82-4-21 Amended V. 22, p. 87; 82-4-23 Amended V. 22, p. 87; 82-4-26 Amended V. 22, p. 87; 82-4-26a Amended V. 22, p. 88; 82-4-27 Amended V. 22, p. 88; 82-4-27a Amended V. 22, p. 88; 82-4-27e Amended V. 22, p. 89; 82-4-28 Amended V. 22, p. 89; 82-4-28a Amended V. 22, p. 89; 82-4-29 Amended V. 22, p. 90; 82-4-29a Amended V. 22, p. 90; 82-4-30a Amended V. 22, p. 90; 82-4-32 Amended V. 22, p. 90; 82-4-35 Amended V. 22, p. 91; 82-4-46 Amended V. 22, p. 91; 82-4-49b through 82-4-49e Revoked V. 22, p. 91; 82-7-2 through 82-7-5 Revoked V. 22, p. 91; 82-8-1 Amended V. 22, p. 91; 82-8-2 Amended V. 22, p. 91; 82-8-3 Amended V. 22, p. 92; 82-11-1 Amended V. 22, p. 1078; 82-11-3 Amended V. 22, p. 1079; 82-11-4 Amended V. 22, p. 1079; 82-11-8 Amended V. 22, p. 1084

Table with 3 columns: Reg. No., Action, Register. Rows: 82-11-10 Amended V. 22, p. 1084; AGENCY 88: BOARD OF REGENTS; 88-23-2 Amended V. 23, p. 276; 88-23-2a New V. 23, p. 278; 88-23-3 Revoked V. 23, p. 279; 88-23-3a New V. 23, p. 279; 88-23-7 New V. 22, p. 1709

AGENCY 91: DEPARTMENT OF EDUCATION

Table with 3 columns: Reg. No., Action, Register. Rows: 91-1-201 Amended V. 22, p. 2125; 91-1-203 Amended V. 22, p. 2126; 91-1-206 Amended V. 22, p. 2129; 91-1-213 Amended V. 22, p. 2130; 91-1-230 New V. 23, p. 1106; 91-1-231 New V. 23, p. 1107; 91-1-232 New V. 23, p. 1108; 91-1-235 New V. 23, p. 1108; 91-1-236 New V. 23, p. 1109; 91-1-68a through 91-1-68e Revoked V. 23, p. 1111; 91-18-24 Revoked V. 23, p. 280; 91-18-27 Revoked V. 23, p. 280; 91-18-29 Revoked V. 23, p. 280; 91-18-34 Revoked V. 23, p. 280; 91-18-40 Revoked V. 23, p. 280; 91-31-16 through 91-31-30 Revoked V. 22, p. 124; 91-31-31 through 91-31-42 New V. 22, p. 124-128; 91-38-1 Amended V. 22, p. 356; 91-38-2 Amended V. 22, p. 356; 91-38-3 Amended V. 22, p. 357; 91-38-5 Amended V. 22, p. 357; 91-38-6 Amended V. 22, p. 358; 91-38-7 Amended V. 22, p. 360

AGENCY 92: DEPARTMENT OF REVENUE

Table with 3 columns: Reg. No., Action, Register. Rows: 92-19-200 through 92-19-203 New V. 22, p. 431; 92-51-24 Amended V. 23, p. 40; 92-51-25 Amended V. 23, p. 40; 92-51-28 New V. 23, p. 40; 92-51-29 New V. 23, p. 41; 92-51-34a New V. 23, p. 41; 92-52-9 Amended V. 23, p. 41

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Table with 3 columns: Reg. No., Action, Register. Rows: 93-6-4 Amended V. 22, p. 666; 93-6-7 New V. 22, p. 666

AGENCY 94: BOARD OF TAX APPEALS

Table with 3 columns: Reg. No., Action, Register. Rows: 94-2-4 Amended (T) V. 22, p. 1504; 94-2-4 Amended V. 22, p. 2009; 94-2-19 Amended (T) V. 22, p. 1504; 94-2-19 Amended V. 22, p. 2009; 94-2-20 Amended (T) V. 22, p. 1504; 94-2-20 Amended V. 22, p. 2010; 94-2-21 New V. 22, p. 2010; 94-2-21 Amended (T) V. 23, p. 896

AGENCY 100: BOARD OF HEALING ARTS

Table with 3 columns: Reg. No., Action, Register. Rows: 100-11-1 Amended (T) V. 23, p. 580; 100-11-1 Amended V. 23, p. 1042; 100-22-4 New V. 22, p. 690; 100-29-9 Amended V. 22, p. 1892; 100-29-10 Amended V. 22, p. 1893; 100-54-2 through 100-54-8 Amended V. 22, p. 1926-1929; 100-54-4 Amended (T) V. 23, p. 383; 100-54-4 Amended V. 23, p. 1042

100-55-4	Amended (T)	V. 23, p. 383
100-55-4	Amended	V. 23, p. 1042
100-55-5	Amended	V. 22, p. 690
100-55-9	Amended	V. 22, p. 690
100-72-1		
through		
100-72-7	New (T)	V. 22, p. 79-81
100-72-1		
through		
100-72-6	New	V. 22, p. 691, 692
100-72-7	New	V. 22, p. 1893
100-75-1	New (T)	V. 22, p. 82
100-75-1	New	V. 22, p. 693

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-1-3a	Amended (T)	V. 22, p. 1267
102-1-3a	Amended	V. 22, p. 1808
102-1-3b	New (T)	V. 22, p. 1268
102-1-3b	New	V. 22, p. 1809
102-1-8	Amended	V. 22, p. 1148
102-1-10a	Amended	V. 22, p. 2179
102-1-15	Amended	V. 22, p. 1149
102-2-2b	New (T)	V. 22, p. 1269
102-2-2b	New	V. 22, p. 1810
102-2-2c	New (T)	V. 22, p. 1270
102-2-2c	New	V. 22, p. 1811
102-2-4a	Amended	V. 22, p. 1150
102-2-7	Amended	V. 22, p. 2182
102-2-9	Amended	V. 22, p. 1151
102-2-11	Amended	V. 22, p. 1151
102-2-12	Amended	V. 22, p. 1084
102-3-3a	Amended	V. 22, p. 1302
102-3-4b	New (T)	V. 22, p. 1271
102-3-4b	New	V. 22, p. 1811
102-3-7a	Amended	V. 22, p. 1085
102-3-9a	Amended	V. 22, p. 1151
102-3-10a	Amended	V. 22, p. 1152
102-3-12a	Amended	V. 22, p. 2184
102-4-4b	New (T)	V. 22, p. 1272
102-4-4b	New	V. 22, p. 1812
102-4-6a	Amended	V. 22, p. 2186
102-4-9a	Amended	V. 22, p. 1153
102-4-10a	Amended	V. 22, p. 1153
102-4-12	Amended	V. 22, p. 2187
102-5-3	Amended	V. 22, p. 1087
102-5-4b	New (T)	V. 22, p. 1273
102-5-4b	New	V. 22, p. 1813
102-5-7a	Amended	V. 22, p. 1088
102-5-9	Amended	V. 22, p. 1155
102-5-10	Amended	V. 22, p. 1155
102-5-12	Amended	V. 22, p. 2189
102-5-16	New	V. 22, p. 1158
102-6-9	Amended	V. 22, p. 1159
102-6-10	Amended	V. 22, p. 1159

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

Reg. No.	Action	Register
108-1-4	Amended	V. 23, p. 823

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

Reg. No.	Action	Register
109-3-2	New	V. 23, p. 202
109-5-4	Amended	V. 22, p. 1805

109-7-1	Amended	V. 22, p. 1805
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**AGENCY 110: DEPARTMENT OF COMMERCE**

Reg. No.	Action	Register
110-8-1		
through		
110-8-6	New	V. 22, p. 2032, 2033
110-8-8		
through		
110-8-11	New	V. 22, p. 2033, 2034
110-10-1	New (T)	V. 22, p. 1815
110-10-1	New	V. 23, p. 180

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed by the Kansas Lottery from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. The following regulations were filed after January 1, 2004:

Reg. No.	Action	Register
111-2-151		
through		
111-2-156	New	V. 23, p. 95, 96
111-2-154	Amended	V. 23, p. 261
111-2-155	Amended	V. 23, p. 262
111-2-156	Amended	V. 23, p. 262
111-2-157	New	V. 23, p. 262
111-2-158	New	V. 23, p. 459
111-2-159	New	V. 23, p. 901
111-3-22	Amended	V. 23, p. 97
111-4-881	Amended	V. 23, p. 97
111-4-1448	Amended	V. 23, p. 98
111-4-2052	Amended	V. 23, p. 262
111-4-2055	Amended	V. 23, p. 263
111-4-2057	Amended	V. 23, p. 263
111-4-2074	Amended	V. 23, p. 98
111-4-2093	Amended	V. 23, p. 309
111-4-2094	New	V. 23, p. 100
111-4-2095		
through		
111-4-2115	New	V. 23, p. 264-275
111-4-2097	Amended	V. 23, p. 310
111-4-2098	Amended	V. 23, p. 310
111-4-2116		
through		
111-4-2125	New	V. 23, p. 311-318
111-4-2126		
through		
111-4-2146	New	V. 23, p. 459-471
111-4-2147		
through		
111-4-2160	New	V. 23, p. 901-909
111-4-2161		
through		
111-4-2173	New	V. 23, p. 1025-1033
111-4-2174	New	V. 23, p. 1074
111-4-2175	New	V. 23, p. 1075
111-4-2176	New	V. 23, p. 1076
111-5-96	Amended	V. 23, p. 101
111-5-111		
through		
111-5-115	New	V. 23, p. 245, 246
111-5-113	Amended	V. 23, p. 472

111-5-114	Amended	V. 23, p. 472
111-7-188		
through		
111-7-192	New	V. 23, p. 319, 320
111-7-190	Amended	V. 23, p. 473
111-7-192	Amended	V. 23, p. 473
111-9-122	New	V. 23, p. 910
111-9-123	New	V. 23, p. 910
111-1-1		
through		
111-11-11	New	V. 23, p. 911-914
111-11-1	Amended	V. 23, p. 1077
111-12-1	New	V. 23, p. 914

**AGENCY 112: RACING AND GAMING COMMISSION**

Reg. No.	Action	Register
112-3-11	Amended	V. 22, p. 1427
112-4-1	Amended	V. 22, p. 2057
112-4-1a	New	V. 22, p. 278
112-4-1b	New	V. 22, p. 279
112-6-4	Amended	V. 22, p. 85
112-8-4	Amended	V. 22, p. 1428
112-8-5	Amended	V. 22, p. 1428
112-9-44	Amended	V. 22, p. 279
112-10-2	Amended	V. 22, p. 85
112-10-3	Amended	V. 23, p. 93
112-10-5	Amended	V. 23, p. 1073
112-10-6	Amended	V. 23, p. 1073
112-10-6a	New	V. 23, p. 1074
112-10-13	New	V. 23, p. 495
112-11-20	Amended	V. 22, p. 281
112-12-10	Amended	V. 22, p. 86
112-13-2	Amended	V. 23, p. 94
112-18-9	Amended	V. 22, p. 1710
112-18-11	Amended	V. 22, p. 1710
112-18-18	Amended	V. 22, p. 1710

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

Reg. No.	Action	Register
115-1-1	Amended	V. 22, p. 1930
115-2-1	Amended	V. 22, p. 1932
115-3-2	Amended	V. 23, p. 1043
115-4-6	Amended	V. 22, p. 1227
115-4-11	Amended	V. 22, p. 436
115-17-6		
through		
115-17-9	Amended	V. 22, p. 437-439
115-18-8	Amended	V. 22, p. 1229
115-18-10	Amended	V. 23, p. 1043
115-21-1	Amended	V. 22, p. 1506
115-21-2	Amended	V. 22, p. 1507

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-1-1	Amended	V. 22, p. 684
117-2-1	Amended	V. 22, p. 684
117-3-1	Amended	V. 22, p. 685
117-4-1	Amended	V. 22, p. 686
117-5-2	Amended	V. 22, p. 2007
117-6-1	Amended	V. 22, p. 687
117-6-2	Amended	V. 22, p. 688
117-6-3	Amended	V. 22, p. 688
117-8-1	Amended	V. 23, p. 337
117-9-1	Amended	V. 23, p. 150



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