

Kansas Register

Ron Thornburgh, Secretary of State

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In this issue . . .	Page
State Board of Technical Professions	
Notice of meetings.....	965
Kansas Water Authority	
Notice of meeting.....	965
USDA-Natural Resources Conservation Service	
Notice of Kansas Technical Committee meeting.....	965
Behavioral Sciences Regulatory Board	
Notice of hearing on proposed administrative regulations.....	965
Legislative interim committee schedule.....	966
City of Wichita	
Notice to bidders.....	966
Social and Rehabilitation Services	
Request for proposals for therapeutic preschool programs.....	966
Request for proposals for consumer-run/youth initiative self-help special purpose grants.....	967
Kansas Department of Transportation	
Notice to bidders for transit vehicles.....	967
Request for comments on the Statewide Transportation Improvement Program.....	967
Kansas African-American Affairs Commission	
Notice of Racial Profiling Task Force meeting.....	967
Kansas Health Policy Authority	
Notice of meeting.....	967
Notice of hearing on proposed administrative regulations.....	968
Department of Health and Environment	
Notice of hearings on proposed administrative regulations.....	968
Notice concerning water pollution control permits/applications.....	972
Board of Emergency Medical Services	
Notice of meetings.....	976
Pooled Money Investment Board	
Notice of investment rates.....	976
City of Lenexa	
Notice to bidders.....	976
Secretary of State	
Notice of corporations forfeited.....	977
Mid-States Port Authority	
Invitation for bids.....	977
Kansas State University-Salina	
Notice to bidders.....	978

(continued on next page)

Notice of Bond Sale
 City of Lenexa 978
 City of Johnson City 979

Department of Administration—Division of Purchases
 Notice to bidders for state purchases 979

Temporary Administrative Regulations
 Attorney General..... 980
 Board of Indigents’ Defense Services 982
 State Corporation Commission..... 984
 Kansas State Treasurer..... 984
 Department of Health and Environment..... 985
 Behavioral Sciences Regulatory Board 987

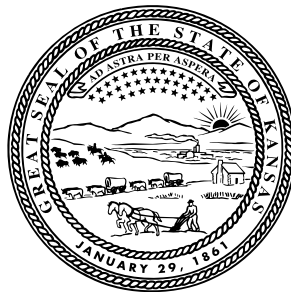
Index to administrative regulations..... 994

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State of Kansas

Board of Technical Professions

Notice of Meetings

The Kansas State Board of Technical Professions will conduct its complaint committee meeting at 3:15 p.m. Wednesday, July 26, in Room 507, Landon State Office Building, 900 S.W. Jackson, Topeka. The board will hold its regular board meeting at 8:30 a.m. Thursday, July 27, at the same location. All meetings are open to the public. For more information, call (785) 296-3054.

Betty L. Rose
Executive Director

Doc. No. 033381

State of Kansas

Kansas Water Authority

Notice of Meeting

The Kansas Water Authority will meet August 3-4 at the Prairie Land Electric, 1101 W. Highway 36, Norton. The meeting will convene at 9 a.m. both days.

Meeting information, including site maps, agendas and other materials, will be posted on the Kansas Water Office's Web page at www.kwo.org by July 28. Interested parties without Web access may call the Kansas Water Office at (888) KAN-WATER or (888) 526-9283 to request meeting materials.

Anyone needing special accommodations at the meeting may contact the Water Office before the meeting.

Steve Irsik
Chairman

Doc. No. 033396

(Published in the Kansas Register July 20, 2006.)

USDA-Natural Resources
Conservation Service

Notice of Kansas Technical Committee Meeting

The Kansas Technical Committee will meet from 10 a.m. to 3 p.m. Thursday, August 17, at the NRCS Conference Center, 747 S. Duvall, Salina, to discuss the following:

- * Fiscal Year 2007 Environmental Quality Incentives Program (EQIP) Delivery
- * Fiscal Year 2007 Wildlife Habitat Incentive Program (WHIP) Delivery
- * Conservation Security Program (CSP) Update
- * Wetlands Reserve Program (WRP) Update on Appraisal Process

To submit other agenda items, to request special accommodations, or to receive more information, contact Troy Munsch, Assistant State Conservationist for Programs, USDA-NRCS, 760 S. Broadway, Salina, 67401-4604, (785) 823-4580, fax (785) 823-4540, or e-mail: troy.munsch@ks.usda.gov.

Troy Munsch
Assistant State Conservationist
for Programs

Doc. No. 033384

State of Kansas

Behavioral Sciences Regulatory Board

Notice of Hearing on Proposed
Administrative Regulations

The Behavioral Sciences Regulatory Board will conduct a public hearing from 10 to 11 a.m. Wednesday, September 27, in the board conference room at 712 S. Kansas Ave., Topeka, to consider adopting proposed amendments to permanent rules and regulations for social work, professional counseling, master's level psychology, and marriage and family therapy.

This 60-day notice of the public hearing constitutes a public comment period for purposes of receiving written public comments on the proposed amendments. All interested parties may submit written comments prior to the hearing to Phyllis Gilmore, Executive Director, Behavioral Sciences Regulatory Board, 712 S. Kansas Ave., Topeka, 66603-3817. All interested parties will be given a reasonable opportunity to present their views orally at 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 proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Phyllis Gilmore at (785) 296-3240 or the Kansas Relay Center at (800) 766-3777. There is designated accessible parking on Kansas Avenue, and the front entrance of the board office is accessible.

A copy of the full text of each regulation and the economic impact statement may be reviewed or obtained at the board office or from the board's Web site at www.ksbsrb.org. The following is a summary of the proposed amendments and economic statement. The board does not have a less costly or less intrusive method for achieving the stated purpose of each regulation.

K.A.R. 102-2-2a, 102-3-4a, 102-4-4a and 102-5-4a contain application requirements for bachelor's, master's and clinical levels of social work licensure; master's and clinical levels of professional counseling licensure; master's level psychology and clinical psychotherapy licensure; and master's and clinical levels of marriage and family therapy licensure. The amendments implement SB 470, which is related to temporary licensure for the aforementioned professions. The amendments also clarify requirements for references for licensure applications.

Economic Impact: There would be no economic impact to any entity, except for a possible negative impact to the Kansas Behavioral Sciences Regulatory Board if it issues fewer temporary licenses. If there is a 50 percent reduction in the number of temporary licenses issued, there could be an approximate reduction in revenues for the board of \$6,000.

Phyllis Gilmore
Executive Director

Doc. No. 033380

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 24-August 4. 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
July 24	123-S	10:00 a.m.	Joint Committee on Pensions, Investments, and Benefits	a.m. — Review KPERS matters and actuarial valuation. p.m. — Review State Deferred Compensation Plan.
July 24 July 25	241-N 313-S	9:00 a.m. 9:00 a.m.	Kansas Criminal Justice Recodification, Rehabilitation, and Restoration Committee	Agenda not available.
July 25	123-S	2:00 p.m.	Legislative Coordinating Council	Legislative matters.

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 033393

(Published in the Kansas Register July 20, 2006.)

City of Wichita, Kansas

Notice to Bidders

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, August 18, for the following project:

**(KDOT Project No.
87N-0235-01/472-83858/204335/772512)
(OCA Code 706869/636115)
Paving—KDOT**

Pawnee, Washington to Hydraulic

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

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

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

Marty Murphy
Administrative Aide
City of Wichita—Engineering

Doc. No. 033385

State of Kansas

Social and Rehabilitation Services

Request for Proposals

The Department of Social and Rehabilitation Services announces the release of a request for proposals by Health Care Policy/Mental Health for fiscal year 2007 (October 1, 2006 through June 30, 2007). This is the Therapeutic Preschool Programs - Early Childhood Mental Health Consultation grant to assist early childhood professionals and families with understanding and incorporating a mental health perspective in their work and interactions with young children. Successful applicants will use recognized methods aimed at preventing, identifying, treating and reducing the impact of mental health problems among children from birth through age five. Further essential characteristics of successful applicants include use of capacity building intervention within a collaborative relationship between a professional consultant with mental health expertise and one or more individuals with other areas of expertise — primarily child care professionals, early education and child development professionals, and families.

Groups interested in receiving a request for proposal should contact Pam Raiman at SRS/HCP/MH, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, (785) 296-7272 or fax (785) 296-6142. Complete proposals must be received before 5 p.m. August 25.

Gary J. Daniels
Secretary of Social and
Rehabilitation Services

Doc. No. 033388

State of Kansas

Department of Transportation

Notice to Bidders

The Kansas Department of Transportation, Office of Public Transportation, announces that the Kansas Coordinated Transit District Council (KCTDC) is now accepting courtesy bids for Kansas' transit vehicles.

These courtesy bids will cover 12 types of 2007 model-year transit vehicles, including sedans, minivans, ramp minivans, 12-passenger raised-top extended vans, multi-functional school activity minibuses, and 13- and 20-passenger small transit buses with optional wheelchair lifts. The transit vehicles will be funded by the Federal Transit Administration and the state of Kansas, and must comply with all applicable federal (including FMVSS and ADA requirements) and state laws for passenger vehicles of this type. These vehicles will be used in the KDOT Public Transportation Program to transport the elderly, the disabled and the general public.

The closing date on this courtesy bid is October 13. Inquiries or requests for a bid package (on CD-ROM) should be made directly to Connie Shellhammer, Chairperson, Kansas Coordinated Transit District Council, P.O. Box 462, Anthony, 67003, (620) 842-5104.

Deb Miller
Secretary of Transportation

Doc. No. 033391

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 2006-2008 by adding the following project:

Project U-2116-01, Right-of-Way Acquisition, Grading and Surfacing, Wyatt Earp Boulevard from 14th Avenue west to the west city limits of Dodge City, Ford County

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

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

The comment period regarding the STIP amendment will conclude August 21.

Deb Miller
Secretary of Transportation

Doc. No. 033382

State of Kansas

African-American Affairs Commission

Notice of Meeting

The Racial Profiling Task Force will meet at 10 a.m. Tuesday, July 25, at the Kansas Law Enforcement Training Center, 1100 S. Hornet, Hutchinson. For more information, contact Joshanna Smart at (785) 296-1904.

Allen D. Smith
Jackie Williams
Co-Chairs

Doc. No. 033383

State of Kansas

Kansas Health Policy Authority

Notice of Meeting

The Kansas Health Policy Authority board and staff will conduct a townhall meeting from 4 to 6 p.m. Thursday, July 27, at the American Legion, 1305 Canterbury Drive, Hays, for the purpose of gaining the public's input on the direction of the Kansas health system.

The meeting will provide the public an opportunity to engage on the subjects of Kansas health policy initiatives and reforms. Public testimony will be presented, followed with a question and answer session. To view an agenda, check <http://www.da.ks.gov/hpf>.

Marcia Nielsen, Ph.D., MPH
Interim Executive Director

Doc. No. 033341

State of Kansas

Social and Rehabilitation Services

Request for Proposals

The Department of Social and Rehabilitation Services announces the release of a request for proposals by Health Care Policy/Mental Health to fund statewide Consumer-Run/Youth Initiative Self-Help (CRSH) Special Purpose Grants. All programs receiving funding under this initiative provide technical assistance, training and leadership development services that promote education and recovery for youth who experience serious emotional disturbances (SED) and their families. The state of Kansas recognizes the value of peer support methods in providing these services, and successful applicants for this grant will incorporate peer support services and philosophy into their grant-funded programs.

Groups interested in receiving a request for proposal will be able to access the RFP July 24 on the SRS Web site, www.srskansas.org. Complete proposals must be received before 5 p.m. August 25.

Gary J. Daniels
Secretary of Social and
Rehabilitation Services

Doc. No. 033386

State of Kansas

Kansas Health Policy Authority

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Friday, September 22, in Room 900-N, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of amendments to existing rules and regulations on a permanent basis effective 15 days after publication in the Kansas Register. Telephone conference is not available.

K.S.A. 2005 Supp. 75-7401 through 75-7405 and Section 42 of Chapter 187, 2005 Session Laws of Kansas transferred specific powers, duties and regulatory authority of the Division of Health Policy and Finance (DHPF) within the Department of Administration to the Kansas Health Policy Authority (KHPA), effective July 1, 2006. The statutes provide that KHPA will be the single state agency for Medicaid, Medikan and HealthWave in Kansas.

This 60-day notice of the public hearing shall constitute a public comment period for the proposed regulation as stated in K.S.A. 2005 Supp. 77-421(a)(3). All interested parties may submit written comments before the hearing to Rita Haverkamp, Kansas Health Policy Authority, Room 900-N, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1220, or by e-mail at rszh@srs.kansas.org. At the hearing, the Kansas Health Policy Authority will give all interested parties a reasonable opportunity to present their views, but 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 proposed regulation and economic impact statement in an accessible format. Please make any request for accommodation at least five working days before the hearing by contacting Rita Haverkamp at (785) 296-5107 or by calling the Kansas Relay Center at (800) 766-3777.

Copies of the regulation and the economic impact statement may be obtained by contacting Rita Haverkamp or from the KHPA Web site at www.da.state.ks.us/hpf. A summary of the regulation and the economic impact follows:

**Article 5.—PROVIDER PARTICIPATION,
SCOPE OF SERVICES, AND REIMBURSEMENT
FOR THE MEDICAID (MEDICAL
ASSISTANCE) PROGRAM**

30-5-108. Scope of services for durable medical equipment, medical supplies, orthotics, and prosthetics. This regulation is being revoked and replaced with the new proposed regulation.

129-5-108. Scope of services for durable medical equipment, medical supplies, orthotics, and prosthetics. The following changes will be made to K.A.R. 129-5-108 regarding scope of services for durable medical equipment, medical supplies, orthotics and prosthetics:

This regulation expands the requirements for parenteral nutrition.

Federal Mandate: This regulation change is not federally mandated.

Economic Impact: It is anticipated there would be no fiscal impact.

Bearer of Cost: Not applicable.

Affected Parties: Medicaid beneficiaries.

Other Methods: There were no other appropriate methods for the desired outcome.

Marcia Nielsen, Ph.D., MPH
Interim Executive Director

Doc. No. 033390

State of Kansas

Department of Health
and EnvironmentNotice of Hearings on Proposed
Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Bureau of Water, will conduct public hearings to consider the adoption of the following proposed amended, new and revoked regulations:

Water Pollution Control

K.A.R. 28-16-56c, K.A.R. 28-16-56d

Animal and Related Waste Control

K.A.R. 28-18-1, 28-18-2, 28-18-4, 28-18-8, 28-18-9, 28-18-11, 28-18-12, 28-18-13, 28-18-14, 28-18-16 (new), 28-18-17 (new)

Swine and Related Waste Control

K.A.R. 28-18a-1, 28-18a-2, 28-18a-4, 28-18a-8, 28-18a-9, 28-18a-11, 28-18a-12, 28-18a-19, 28-18a-21, 28-18a-22, 28-18a-26, 28-18a-32 (revoked), 28-18a-33 (new)

Before the start of each public hearing, KDHE staff will be available to answer questions. The hearings are scheduled as follows:

September 25, 7 p.m., Garden City

Garden City Community College
Beth Tedrow Student Center, Endowment Room
801 Campus Drive
(staff available for questions at 6 p.m.)

September 27, 7 p.m., Topeka

Memorial Hall Auditorium, 2nd Floor
120 S.W. 10th Ave.
(staff available for questions at 6 p.m.)

A summary of the proposed regulations, their environmental benefit and the estimated economic impact follows:

K.A.R. 28-16-56c and 56d. Sewage permit fees; definitions and schedules. The proposed amendments alphabetize the currently defined terms, replace animal unit and confined feeding facility definitions with statutory definitions, modify the terms "industrial wastewater treatment facility," and "storm water discharge," and define the new term "private truck-washing facility for animal wastes." The amendments also revise the permit fee schedule by adding specific types of facilities and associated fees defined by statute. Within the context of the regulatory impact statement, the proposed amendments will not have a direct impact on public health or the environment as they are primarily administrative in nature.

The proposed amendments do not subject the affected parties, the general public or any unit of government to additional direct costs.

K.A.R. 28-18-1 and 28-18a-1. Definitions. The proposed amendments update references to other existing regulations and define new terms that have been introduced as part of the proposed regulations and amendments. The revisions include definitions or changes to definitions for the following terms: "closure plan," "Equus beds," "groundwater," "impermeable synthetic membrane liner," "nutrient management plan," "public livestock market," "salt solution mining well," "sensitive groundwater areas," "truck-washing facility for animal wastes," "waste management plan" and "whole pond seepage test." Within the context of the regulatory impact statement, the proposed amendments will not have a direct impact on public health or the environment as they are primarily administrative in nature. The proposed amendments do not subject the affected parties, the general public or any unit of government to additional direct costs.

K.A.R. 28-18-2 and 28-18a-2. Registration and application requirements. The proposed amendments will clarify which public livestock markets are required to apply for a permit. The proposed amendments are a result of recent statutory changes (L. 2003, ch.18, sec. 2). Within the context of the regulatory impact statement, the proposed amendments will not have a direct impact on public health or the environment as they are primarily administrative in nature. The proposed amendments do not subject the affected parties, the general public or any unit of government to additional direct costs.

K.A.R. 28-18-4 and 28-18a-4. Filing of applications and payment of fees. The proposed amendments reflect proposed modifications to other regulations addressing closure of waste lagoons located over the Equus Beds for facilities with 1,000 or more animal units. Additionally, the contents of permit applications for confined feeding facilities have been modified to address current program requirements. Within the context of the regulatory impact statement, the proposed amendments will not have a direct impact on public health or the environment as they are primarily administrative in nature. The proposed amendments do not subject the affected parties, the general public or any unit of government to additional direct costs.

K.A.R. 28-18-8 and 28-18a-8. Permit; terms and conditions. The proposed amendments remove requirements having the same purpose or effect as requirements found in other sections of the existing regulations. Subsection (e) is eliminated since reporting of changes or modifications to individual farming plans is unnecessary. Agronomic use of wastes is required by other current regulations. Within the context of the regulatory impact statement, the proposed amendments will not have a direct impact on public health or the environment as they are primarily administrative in nature. The proposed amendments do not subject the affected parties, the general public or any unit of government to additional direct costs. The affected parties may realize some cost savings due to the elimination of the reporting requirement. The estimated cost savings are less than \$1 per facility.

K.A.R. 28-18-9 and 28-18a-9. Certification; terms and conditions. The proposed amendments address the terms and conditions to be included in each certification or permit. Modification has been made to clarify that the issuance of a permit is of itself not an enforcement action. Within the context of the regulatory impact statement, the proposed amendments will not have a direct impact on public health or the environment as they are primarily administrative in nature. The proposed amendments do not subject the affected parties, the general public or any unit of government to additional direct costs.

K.A.R. 28-18-11 and 28-18a-11. Confined feeding facilities; federal requirements. The proposed amendments adopt, by reference, some of the recently revised Environmental Protection Agency (EPA) concentrated animal feeding operation requirements that became effective nationwide April 12, 2003. A lawsuit was brought against the EPA challenging the 2003 requirements. The court reached a decision February 28, 2005. The court ruling vacated some of the 2003 EPA requirements. As a result of the court ruling, KDHE modified the proposed revisions to the regulations that KDHE proposed in January 2005. Instead of adopting all of the EPA requirements, KDHE is proposing to adopt only those portions not remanded. The final EPA regulations, proposed to be adopted by KDHE, are revisions and updates to the previous 1974 EPA requirements that KDHE had adopted and are currently implemented. The incorporation of the revised EPA rules will enable the state to continue to manage the federal water pollution control permitting program in Kansas rather than the federal government.

The primary revision to the 1974 EPA requirements address management and use of the manure from concentrated animal feeding operations. The new measures will provide an environmental benefit by requiring the facility operator to plan, in advance, for the agronomic use of animal wastes. Along with requiring the operator to implement the planned management practices designed to 1) minimize pollutant discharges from confined animal feeding facilities, and 2) to minimize contaminated runoff into Kansas surface waters from fields where the animal waste is used. The proposed amendments will increase capital and annual operating costs for the affected parties. When revising the 1974 regulations, the EPA worked closely and with the support of the United States Department of Agriculture. The Environmental Quality Incentives Program (EQIP) of the 2002 Farm Bill substantially increased the availability of funds to all confined animal feeding facilities, regardless of size, to assist them in complying with the revised EPA regulations. Capital and annual costs will vary considerably depending upon the size of confined feeding facility, local climate, current waste management capabilities, and availability of suitable crop, pasture and range land upon which to manage the collected wastes. Swine facilities are not expected to be impacted due to Kansas legislation created in 1998 requiring swine facilities to conduct nutrient utilization planning.

KDHE estimates of the capital costs for non-swine facilities (beef, dairy, poultry, etc.) to **develop** site-specific, detailed plans to manage and utilize the facility wastes
(continued)

will range from less than \$1,000 to more than \$40,000 depending on the range of variables previously described. Estimates of capital costs to make any necessary improvements to the land application system to distribute the wastes range from \$500 or less to several hundred thousand dollars or more, again depending on site-specific variables previously described. Estimates of the annual costs for non-swine facilities (beef, dairy, poultry, etc.) to **implement** their nutrient management plan range from \$325 to \$20,000 or more with the cost highly dependent upon the site-specific variables previously described. The proposed amendments do not subject the general public or any unit of government to additional direct costs.

K.A.R. 28-18-12 and 28-18a-12. Design and construction of animal waste and swine waste management and swine pollution control systems. The proposed amendments will: 1) correct references to other existing regulations; 2) clarify that only those changes made after KDHE approval that affect the scope, boundaries, collection, handling, treatment, use or disposal of the animal waste, require the facility to amend the construction plans and seek approval of the changes by the department prior to implementing the change; 3) incorporate minimum design standards that have been rewritten to distinguish between requirements and guidance; and 4) reduce construction reporting to allow KDHE to focus its review of post construction information to those facilities with site-specific concerns or risks. Within the context of the regulatory impact statement, the proposed amendments will not have a direct impact on public health or the environment. The proposed amendments do not subject the affected parties, the general public or any unit of government to additional direct costs, although the amendments are expected to create some efficiencies for the affected parties and KDHE by clarifying when KDHE approval is needed and providing flexibility in evaluating construction activities.

K.A.R. 28-18-13 and 28-18a-19. Operation of animal waste and swine waste management and swine pollution control systems. The proposed amendments address protection of groundwater resources in sensitive groundwater areas. The amendments affect facilities with less than 1,000 animal units. Similar requirements for facilities with more than 1,000 animal units are contained in the revised EPA regulations proposed for adoption in K.A.R. 28-18-11 and 28-18a-11. It is proposed that facilities with less than 1,000 animal units, with land application areas in sensitive groundwater areas, sample and test the soil of those areas, which have been used for animal waste disposal, at least once every five years. These fields, in sensitive groundwater areas, present an increased probability of affecting groundwater if animal wastes are applied at rates that exceed the ability of the crop to utilize the nutrients. The proposed modifications will provide an environmental benefit. Information on soil nutrient status can be monitored to determine if sub-soil nitrogen levels are increasing. If an upward trend is noted, then it will be apparent nitrates are being leached into the deeper soil layers and possibly into the groundwater thereby contaminating a source of drinking water. The information also can be monitored for elevated levels of phosphorus that can be eroded or carried into streams and

lakes creating eutrophication of the water bodies and leading to fish kills and taste and odor problems for public water supplies. There are no projected capital costs to the affected parties for them to be able to conduct the soil sampling. The projected annualized cost for the affected facilities, those with fewer than 1,000 animal units that have applied manure to a field in a sensitive groundwater area, to collect the samples, have the samples analyzed and send KDHE a copy of the test results, is projected to be \$5 to \$10 per year. The proposed amendments do not subject the general public or any unit of government to additional direct costs.

K.A.R. 28-18-14 and 28-18a-21. Inspections. The current regulations address the compliance of KDHE inspectors with the bio-security plans of those confined feeding facilities and swine facilities that implement a bio-security plan at their facility. The section has been amended to remove references to dates and deadlines that have passed. Within the context of the regulatory impact statement, the proposed amendments will not have a direct impact on public health or the environment as they are primarily administrative in nature. The proposed amendments do not subject the affected parties, the general public or any unit of government to additional direct costs.

K.A.R. 28-18-16 and 28-18a-22. Animal waste-retention lagoon and swine facility closure requirements. K.A.R. 28-18-16 is newly proposed and is similar to the currently effective K.A.R. 28-18a-22 that is specific to swine. K.A.R. 28-18a-22 requires the development and implementation of a closure plan for those swine facilities with 3,725 or more animal units. The proposed new regulation and the proposed amended regulation are similar to the current regulation for large swine facilities, but the requirement to develop a closure plan, to be implemented at such time the facility ceases operation, is proposed to be extended to Equus Bed-confined animal feeding facilities with 1,000 or more animal units. Bringing the closure planning requirement to the forefront for these facilities will ensure the owner is aware of requirements to manage the wastes until they have all been removed and that the contents of the closure plan have been accepted by KDHE. The requirement for facilities located in this significant groundwater resource area to plan in advance for closure and then follow through when the facility ceases operation will reduce the risk of any remaining waste to be left unmanaged and concentrated in one small area and to subsequently cause nitrate contamination of the groundwater. Capital costs to develop a closure plan for Equus Bed-confined animal feeding facilities with 1,000 or more animal units are estimated to range from \$480 to \$3,600 per facility and no projected annual costs. The proposed amendments do not subject the general public or any unit of government to additional direct costs.

K.A.R. 28-18-17 and 28-18a-33. Groundwater protection requirements for animal waste and swine waste-retention lagoons. The proposed new regulations will establish a siting requirement related to distance to groundwater and will establish a three-tiered approach to requirements for lining waste-retention lagoons. The tiers are based on the most commonly used terms to define groundwater systems in Kansas and the relative de-

gree of vulnerability and use of each groundwater system.

The proposed regulations will require the finished floor of each new or expanded portion of waste-retention lagoons and swine waste-retention lagoons to be a minimum of 10 feet above groundwater. Additionally, the proposed regulations establishes site-specific seepage rates that are not to be exceeded.

The proposed rules will have an environmental benefit by establishing requirements to reduce the level of seepage in proportion to the vulnerability and degree of use of the groundwater resource at the location of the waste-retention lagoons or swine waste-retention lagoons. The reduced levels of seepage will reduce the quantity of ammonium (in the environment, ammonium is readily converted to nitrate) moving into the soils surrounding the waste-retention lagoons. The reduced ammonium movement will limit the potential for its conversion into nitrate and thus reduce the risk of nitrate contamination of groundwater. Nitrate at relatively low levels is toxic to unborn children and infants and at slightly higher levels can cause toxicity problems for adults. The proposed amendments could create additional direct costs for the affected parties, but government units and the general public should not incur additional direct costs. The additional direct costs to affected parties, if any, will be primarily dependent upon the availability of alternative locations (those which would meet requirements) for the facility and the willingness of the facility owner to consider alternative locations. Capital costs could range from \$0 to several hundred thousand dollars depending on the site selected by the owner and availability of alternative sites. Annual costs to the affected parties, if any, are estimated to range from \$0 to \$120,000. Again, the cost is highly dependent on the owners' site selection and the availability of alternative sites.

K.A.R. 28-18a-26. Requirements for swine facility operator certification. This regulation currently implements the statutory requirement for swine facilities with 1,000 or more animal units to be operated by a certified swine facility operator. The proposed amendment removes references to dates and deadlines that have passed. Within the context of the regulatory impact statement, the proposed amendments will not have a direct impact on public health or the environment as they are primarily administrative in nature. The proposed amendments do not subject the affected parties, the general public or any unit of government to additional direct costs.

K.A.R. 28-18a-32. Swine waste-retention lagoons in sensitive groundwater areas. This existing regulation addresses swine waste-retention lagoon liner requirements. This regulation is proposed to be revoked. The terms defined in this existing regulation have been incorporated into 28-18a-1, definitions. Swine waste-retention lagoon liner requirements have been more clearly delineated in K.A.R. 28-18a-33. Within the context of the regulatory impact statement, this revocation will not have a direct impact on public health or the environment. The proposed revocation does not subject the affected parties, the general public or any unit of government to additional direct costs.

The time period between publication of this notice serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed amended, new and revoked regulations. At any time during the public comment period any interested parties may submit written comments to Claudia Elkins, Kansas Department of Health and Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367. Written comments also may be sent via e-mail to feedlots@kdhe.state.ks.us, with the request that the subject line indicate "proposed regulations" and that any text attachments be in Word or Word Perfect and any graphic attachments be in JPEG or JPG format.

All interested parties intending to provide oral comments will be given a reasonable opportunity to present their views of the proposed amended, new and revoked regulations during each hearing. In order to give each individual or entity an opportunity to present their views, it may be necessary for the hearing officer to request that each presenter limit their presentation to an appropriate time-frame.

Because of the expected level of public participation at the hearings, KDHE recommends that individuals intending to present oral comments at the hearings provide the hearing officer with a written copy of their comments during the hearing. This will ensure KDHE receives each presenter's comments in the event presentation times are limited.

Complete copies of the proposed regulations, corresponding regulatory impact statement, "Design Standards for Confined Feeding Facilities, July 1, 2006," "Kansas Sensitive Groundwater Areas for Wastewater Lagoons, January 1, 2005" and referenced EPA regulations may be obtained on the Bureau of Water's Web site at www.kdhe.state.ks.us/feedlots or by contacting the Bureau of Water, (785) 296-6432.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and regulatory impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Laura Johnson at (785) 296-6432 or by fax at (785) 296-5509.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 033389

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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

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

Name and Address of Applicant	Legal Description	Receiving Water
Haw Ranch Feedlot II, LLC Bill Haw P.O. Box 248 Potwin, KS 67123	SW/4 of Section 24 & W/2 of Section 25 & NE/4 of Section 26, T24S, R03E, Butler County	Walnut River Basin

Kansas Permit No.: A-WABU-C002 Federal Permit No.: KS0037567
This is a permit modification for an existing facility for 20,000 head (20,000 animal units) of beef cattle. Modifications will be made to existing waste control structures.

Name and Address of Applicant	Legal Description	Receiving Water
Post Feed Yard Danny D. Post 10629 Valley Road Dodge City, KS 67801	NW/4 of Section 19, T28S, R25W, Ford County	Upper Arkansas River Basin

Kansas Permit No.: A-UAFO-C019 Federal Permit No.: KS0088129
This is a renewal permit for an expanding facility for 2,500 head (2,500 animal units) of beef cattle. Two settling basins and an earthen wastewater retention structure will be built to collect run off from 17 acres of open lots and 58 acres of extraneous drainage area.

Name and Address of Applicant	Legal Description	Receiving Water
C.J. Feeders Danny Herrmann 11751 Highway 400 Dodge City, KS 67801	N/2 of Section 12, T27S, R24W, Ford County	Upper Arkansas River Basin

Kansas Permit No.: A-UAFO-C021 Federal Permit No.: KS0097781
This is a permit modification for the modification of the previous design and to reduce the maximum number of cattle from 4,000 head (4,000 animal units) to 1,800 head (1,800 animal units).

Name and Address of Applicant	Legal Description	Receiving Water
Condray Farms, Inc. Kent Condray 451 3rd Road Clifton, KS 66937	NE/4 of SW/4 of Section 22, T05S, R01E, Washington County	Lower Republican River Basin

Kansas Permit No.: A-LRWS-H008 Federal Permit No.: KS0095974
This is a renewal permit and expansion of an existing facility including a mortality composting building. The expansion was included and approved in the previous permit but not constructed. The expansion is for one building with a capacity of 2,000 head (800 animal units) for a total permitted capacity of 8,000 head (3,200 animal units) of swine weighing more than 55 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Amon Farms Larry Amon 202 Superior Netawaka, KS 66516	S/2 of Section 22, T05S, R15E, Jackson County	Kansas River Basin

Kansas Permit No.: A-KSJA-B004
This is a new permit for expansion of the cattle portion of a swine and cattle facility. The proposed cattle expansion consists of adding 1.36 acres of pens for 200 head (200 animal units) of cattle, and reconfiguring the existing cattle pens to hold an additional 100 head (50 animal units) of calves. One existing swine confinement building has been depopulated and will remain inactive. Another swine building has also been removed from service. The proposed capacity of the facility, after expansion of the cattle operation and reduction of the swine operation, is 200 head (200 animal units) of cattle greater than 700 pounds, 350 head (175 animal units) of cattle weighing 700 pounds or less, 180 head (72 animal units) of swine weighing more than 55 pounds, and 600 head (60 animal units) of swine weighing 55 pounds or less, for a total of 507 animal units.

Public Notice No. KS-AG-06-228/249
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Flaming Dairy Dwight Flaming 1561 K-15 Hwy. Hillsboro, KS 67063	NE/4 of Section 20, T20S, R01E, Marion County	Little Arkansas River Basin

Kansas Permit No.: A-LAMN-M002
This is a renewal permit for an existing facility for 132 head (184.8 animal units) of dairy cattle.

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

Kansas Permit No.: A-BBWS-S027
This is a renewal permit for a maximum of 40 head of swine weighing more than 55 pounds and 400 head of swine weighing less than 55 pounds, for a total of 440 head (56 animal units) of swine and 150 head (150 animal units) of cattle weighing more than 700 pounds. This renewal permit includes a seasonal cattle operation that has been in existence, but was not included in any previous permits.

Name and Address of Applicant	Legal Description	Receiving Water
Haverkamp Brothers, Inc. (NW) Alan Haverkamp 2964 L4 Road Bern, KS 66408	SW/4 of Section 01, T01S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No.: A-MONM-S050
This is a renewal permit with modification for an existing facility with a maximum of 143 head (57.2 animal units) of swine weighing more than 55 pounds and 1,430 head (143 animal units) of swine 55 pounds or less, for a total of 200.2 animal units. Modification is due to a change in operation from a nursery unit to a farrowing unit. Animal units did not change.

Name and Address of Applicant	Legal Description	Receiving Water
SCA New Look 2 Steven Cox Associates, LLC 504 West 1500 Road Long Island, KS 67647	W/2 of NW/4 of Section 21, T01S, R20W, Phillips County	Upper Republican River Basin

Kansas Permit No.: A-URPL-S010

This is a renewal permit for an existing facility for 1,150 head (115 animal units) of swine weighing 55 pounds or less and 2,190 head (876 animal units) of swine weighing more than 55 pounds, for a total capacity of 3,340 head (991 animal units) of swine.

Name and Address of Applicant	Legal Description	Receiving Water
Cedar Hill Inc. Terry & Dennis Schwarz 467 800 Avenue Carlton, KS 67448	SE/4 of Section 27, T15S, R01E, Dickinson County	Smoky Hill River Basin

Kansas Permit No.: A-SHDK-M011

This is a renewal permit for an existing facility for 500 head (610 animal units) of mature dairy cattle.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Foods LP Shore Farm #2 (AI) 9000 West 67th Street Suite 200 Shawnee Mission, KS 66202	NW/4 of Section 05, T31S, R40W, Morton County	Cimarron River Basin

Shawnee Mission, KS 66202

Kansas Permit No.: A-CIMT-S002

This is a renewal permit for an existing facility with modification for 440 head (176 animal units) of swine weighing more than 55 pounds. Permit modification is due to correction of the description of the anaerobic retention structure and evaporative structure.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Foods LP Schmidt Sow, Farms #12-16 9000 West 67th Street Suite 200 Shawnee Mission, KS 66202	N/2 of Section 33, NE/4 of Section 34, NW/4 of Section 25, T31S, R39W & SW/4 of Section 30, T31S, R38W, Morton & Stevens Counties	Cimarron River Basin

Kansas Permit No.: A-CISV-H001 Federal Permit No.: KS0091626

This is a renewal permit with modification for an existing facility for 77,310 head (19,086 animal units) of swine. Permit modification is due to a correction to the description of the anaerobic retention structure serving Farm #13.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Foods LP Feterita, Farms 221, 223 & 225 9000 West 67th Street Suite 200 Shawnee Mission, KS 66202	NE/4 of Section 36 & SE/4 of Section 25, T33S, R39W, SW/4 of Section 30, T34S, 38W, Stevens County	Cimarron River Basin

Kansas Permit No.: A-CISV-H003 Federal Permit No.: KS0092215

This is a renewal permit for an existing facility for 32,400 head (12,960 animal units) of swine weighing greater than 55 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Foods LP Tuttle #109-112, 115, & 128 9000 West 67th Street Suite 200 Shawnee Mission, KS 66202	SE/4 of Section 09, SW/4 of Section 16, NE/4 of Section 22, NW/4 of Section 22, SW/4 of Section 15, SE/4 of Section 15, T30S, R37W, Grant County	Cimarron River Basin

Kansas Permit No.: A-CIGT-H002 Federal Permit No.: KS0095788

This is a renewal permit for an existing facility for 64,800 head (6,480 animal units) of swine weighing 55 pounds or less.

Name and Address of Applicant	Legal Description	Receiving Water
Nicholas Holthaus 239 US Highway 36 Baileyville, KS 66404	SW/4 of Section 29, T02S, R11E, Nemaha County	Big Blue River Basin

Kansas Permit No.: A-BBNM-S046

This is a new permit for modification of an existing cattle and swine facility. Proposed modifications to the swine operation consist of adding a finishing building and a wastewater retention structure. Proposed modifications to the cattle operation consist of reducing the size of the cattle lots and adding a grass buffer area. The maximum animal capacity of the modified facility is 1,086 head (434.4 animal units) of swine greater than 55 pounds, 720 head (72 animal units) of swine 55 pounds or less, 125 head (125 animal units) of beef cattle greater than 700 pounds and 100 head (50 animal units) of beef cattle 700 pounds or less, for a total of 681.4 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Roger F. Murphy Irrevocable Trust 355 N.W. 30 Ave. Great Bend, KS 67530	NW/4 of Section 02, T19S, R14W, Barton County	Upper Arkansas River Basin

Kansas Permit No.: A-UABT-C005 Federal Permit No.: KS0088536

This is a renewal permit for an existing facility for 1,350 head (1,350 animal units) of cattle weighing greater than 700 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
Schwartz Feeders Nelson Bryce Schwartz 154 N. Gage Road Dighton, KS 67839	SE/4 of Section 18, T18S, R29W, Lane County	Upper Arkansas River Basin

Kansas Permit No.: A-UALE-B006

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

Name and Address of Applicant	Legal Description	Receiving Water
Handke Farms Inc. Terry & Paul Handke 16725 US Highway 159 Muscotah, KS 66058	NW/4 of Section 33, T05S, R17E, Atchison County	Kansas River Basin

Kansas Permit No.: A-KSAT-C001 Federal Permit No.: KS0087351

This is a renewal permit for an existing facility with a maximum capacity for 4,999 head (4,999 animal units) of cattle each weighing more than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Pine Lane Dairy Jonas A. Frantz 1025 320th Tampa, KS 67483	NW/4 of Section 34, T17S, R02E, Marion County	Neosho River Basin

Kansas Permit No.: A-NEMN-M017

This is a renewal permit for an existing facility for 60 head (84 animal units) of mature dairy cattle, 25 head (25 animal units) of replacement heifers and 10 head (5 animal units) of calves, for a total of 95 head (114 animal units) of dairy cattle.

Name and Address of Applicant	Legal Description	Receiving Water
4-R Farms Inc. Roger Becker Rt. 1, Box 57 Corning, KS 66417	SE/4 of NE/4 of Section 33, T04S, R12E, Nemaha County	Big Blue River Basin

Kansas Permit No.: A-BBNM-S001

This is a renewal permit with a modification for an existing facility for 370 head (148 animal units) of swine weighing more than 55 pounds. The modification is due to a decrease from 480 head (192 animal units) to 370 head (148 animal units) of swine.

(continued)

Name and Address of Applicant	Legal Description	Receiving Water
4-R Farms Inc. Roger Becker Rt. 1, Box 57 Corning, KS 66417	SE/4 of Section 22, T04S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No.: A-MONM-S026

This is a renewal permit with a modification for an existing facility for 370 head (148 animal units) of swine weighing more than 55 pounds and 60 head (30 animal units) of cattle weighing less than 700 pounds. The modification is due to accounting for the 60 head of beef cattle that have always been present, but not included in the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
4-R Farms Inc. Roger Becker Rt. 1, Box 57 Corning, KS 66417	NE/4 of Section 34, T04S, R12E, Nemaha County	Kansas River Basin

Kansas Permit No.: A-KSNM-S020

This is a renewal permit with a decrease in animal units for an existing facility with a maximum capacity of 150 head (60 animal units) of swine greater than 55 pounds and 540 head (54 animal units) of swine 55 pounds or less, for a total of 114 animal units. Previous permitted capacity was 220 head (88 animal units) and 500 head (50 animal units), for a total of 138 animal units of swine.

Public Notice No. KS-06-091/096

Name and Address of Applicant	Waterway	Type of Discharge
Kansas City Board of Public Utilities 540 Minnesota Avenue Kansas City, KS 66101	Missouri River	Process Wastewater & Cooling Water Discharge

Kansas Permit No. I-MO25-BO01 Federal Permit No. KS0119075

Legal: SW¼, S13, T10S, R24E, Wyandotte County

Facility Name: Nearman Creek Power Station

Facility Description: The proposed action is to modify an existing permit for an existing facility that has installed new cooling towers. This facility generates electric power with high pressure steam produced by fossil fuel. The recent facility modifications include the installation of a combustion turbine (#4) with about 50 gpm discharge during operation and an eight-cell cooling tower. The cooling system will be operated in two modes: once-through cooling using river water or the cooling tower using city water as make-up water. The average daily discharge excluding stormwater runoff is about 181 million gallons during summer and 148 mgd during winter months during once-through cooling operation, and 1.56 mgd when the newly installed cooling towers are operating. The proposed permit includes limits for total residual and free available oxidant, temperature, biochemical oxygen demand, total suspended solids, oil and grease, and pH, as well as monitoring of effluent flow. Contained in the permit is a schedule of compliance requiring the permittee to investigate the feasibility of using the drinking supply water prior to chlorination in the cooling tower. 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
Cherokee County RWD No. 3 P.O. Box 492 Columbus, KS 66725	Spring River via Brush Creek via Bitter Creek via Unnamed Tributary	Processed Wastewater

Kansas Permit No. I-NE06-PO04 Federal Permit No. KS0098558

Facility Description: SW¼, SW¼, SE¼, S17, T34S, R24E, Cherokee County

Facility Description: The proposed action is to issue a new permit for a new facility. This is a potable water treatment plant treating well

water. About 0.02 mgd of wastewater from the filter backwashing operation, miscellaneous drains and occasional blowdowns from, and an annual draining of the two detention basins is directed to a two-cell wastewater lagoon system. Domestic wastewater is directed to a septic tank/lateral system. The proposed permit contains limits for total suspended solids and pH. Monitoring for total recoverable copper, lead and zinc, as well as total residual chlorine, will also be required. Contained in the permit is a schedule of compliance requiring the permittee to become KDHE-field certified to field-test for total residual chlorine and pH or to make arrangements with a KDHE-certified laboratory to have these tests conducted within the 15-minute holding time allowed by 40 CFR Part 136 test requirements. 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
DeSoto, City of 32905 W. 84th Street DeSoto, KS 66018	Kansas River via Kill Creek	Process Wastewater

Kansas Permit No. I-KS12-PO07 Federal Permit No. KS0094536

Legal: NW¼, S17, T13S, R22E, Johnson County

Facility Name: DeSoto (SAAP) Water Treatment Plant

Facility Description: The proposed action is to reissue an existing permit for a wastewater discharge from a water treatment plant. This is a potable water treatment plant consisting of a two-cell wastewater treatment lagoon treating filter backwash and lime softening slurry. This permit is for the discharge of treated wastewater from the lagoon system. The proposed permit includes limits for total suspended solids, total residual chlorine and pH, as well as monitoring for total recoverable copper. Contained in the permit is a schedule of compliance requiring the permittee to become KDHE-field certified to field-test for total residual chlorine and pH or to make arrangements with a KDHE-certified laboratory to have these tests conducted within the 15-minute holding time allowed by 40 CFR Part 136 test requirements. 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
Jefferson County RWD No. 13 1951 Wellman Road Lawrence, KS 66044	Mud Creek	Process Wastewater

Kansas Permit No. I-KS31-PO20 Federal Permit No. KS0096814

Legal: SE¼, SE¼, SE¼, S8, T12S, R20E, Douglas County

Facility Description: The proposed action is to reissue an existing permit for a wastewater discharge from a water treatment plant. This is a potable water treatment plant consisting of a two-cell wastewater treatment lagoon treating filter backwash and lime softening slurry. This permit is for the discharge of treated wastewater from the lagoon system. The proposed permit includes limits for total suspended solids and pH as well as monitoring for total residual chlorine. Contained in the permit is a schedule of compliance requiring the permittee to become KDHE-field certified to field-test for total residual chlorine and pH or to make arrangements with a KDHE-certified laboratory to have these tests conducted within the 15-minute holding time allowed by 40 CFR Part 136 test requirements. 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
Lawrence, City of P.O. Box 708 Lawrence, KS 66044	Kansas River	Process Wastewater

Kansas Permit No. I-KS31-PO16 Federal Permit No. KS0088234

Facility Description: SW¼, SW¼, NW¼, S30, T12S, R20E, Douglas County

Facility Name: Kaw River Water Treatment Plant

Facility Description: The proposed action is to reissue an existing wastewater discharge permit for an existing facility. This facility is a water treatment plant with a design capacity of 17.5 mgd. The permit is for the discharge of treated filter backwash water, presedimentation basin and presettling basin blowdown and miscellaneous wastewater from the water treatment plant. The lime slurry is pumped to the municipal wastewater treatment plant and is discharged pursuant to the requirements of that permit. The proposed permit contains limits for total residual chlorine and pH, as well as monitoring for total recoverable copper. Contained in the permit is a schedule of compliance requiring the permittee to become KDHE-field certified to field-test for total residual chlorine and pH or to make arrangements with a KDHE-certified laboratory to have these tests conducted within the 15-minute holding time allowed by 40 CFR Part 136 test requirements. 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
Winfield, City of	Walnut River via	Process
200 E. Ninth	Timber Creek via	Wastewater
Winfield, KS 67156-0646	Unnamed Tributary	

Kansas Permit No. I-WA17-PO03 Federal Permit No. KS0097071

Facility Description: SW¹/₄, SW¹/₄, NW¹/₄, S14, T32S, R4E, Cowley County
Facility Name: Winfield Water Treatment Plant

Facility Description: The proposed action is to reissue an existing permit for a wastewater discharge from an existing potable water treatment plant. Wastewater from the sedimentation basins and filter backwashwater is discharged to an existing two-cell wastewater treatment lagoon system. The proposed permit includes limits for total suspended solid sand pH as well as monitoring for total residual chlorine. Contained in the permit is a schedule of compliance requiring the permittee to become KDHE-field certified to field-test for total residual chlorine and pH or to make arrangements with a KDHE-certified laboratory to have these tests conducted within the 15-minute holding time allowed by 40 CFR Part 136 test requirements. 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.

Public Notice No. KS-ND-06-017

Name and Address of Applicant	Legal Location	Type of Discharge
Olathe, City of	NW ¹ / ₄ , NW ¹ / ₄ ,	Nonoverflowing
P.O. Box 768	SW ¹ / ₄ , S4, T14S,	
Olathe, KS 66051	R23E, Johnson County, KS	

Kansas Permit No. M-KS52-NO01 Federal Tracking No. KSJ000398

Facility Name: Lakestone Estates Municipal Wastewater Treatment Facility

Facility Location: 14800 Lakeshore Drive, Olathe, KS 66061

Facility Description: The proposed action is to reissue an existing permit for operation of a nonoverflowing lagoon wastewater treatment facility treating primarily domestic wastewater. The permittee is allowed to irrigate using water from the final cell in the treatment system. Monitoring for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform, total phosphorus, pH and flow to irrigation system is required. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

Public Notice No. KS-EG-06-030

In accordance with K.A.R. 28-46-1 et seq. and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the State of Kansas:

Name and Address of Applicant

Morton International, Inc., Morton Salt Division
P.O. Box 1547
Hutchinson, KS 67504-1547
Facility Location: Reno County, KS

Well and Permit Number	Location
W-24	1680 feet from south line and 1100 feet from east
KS-03-155-052	line of SE Corner (SW ¹ / ₄ , NE ¹ / ₄ , SE ¹ / ₄ , S22, S23S, R6W) Reno County, KS

Facility Description: The proposed action is to reissue a permit for a Class III brine clarification well at the location described above. The fluids to be injected consist of saturated brine mixed with some solids. Injection is to be made into the Hutchinson Salt member of the Wellington formation. Cavity development shall not extend into the upper 40 feet of the salt member. The maximum operational injection pressure is not to exceed 165 pounds per square inch at the wellhead. The monitoring and operation of these wells shall meet the requirements that apply to Class III injection wells under K.A.R. 28-43-1 through 28-43-11 and the Kansas Underground Injection Control Regulations, K.A.R. 28-46-1 through 28-46-52.

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

All comments regarding the draft documents or application notices received on or before August 19 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-06-228/249, KS-06-091/096, KS-ND-06-017, KS-EG-06-030) and name of the applicant/permittee when preparing comments.

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

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

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 033392

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

Notice of Meetings

The Board of Emergency Medical Services will meet at 9 a.m. Friday, August 4, in Room 106, Landon State Office Building, 900 S.W. Jackson, Topeka. Committee meetings will be held at 10 a.m. Thursday, August 3, at the same location.

Items on the agenda for the board meeting can be found on the board's Web site, <http://www.ksbems.org>.

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

Robert Waller
Administrator

Doc. No. 033395

**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 7-17-06 through 7-23-06

Term	Rate
1-89 days	5.26%
3 months	5.10%
6 months	5.27%
1 year	5.19%
18 months	5.14%
2 years	5.09%

Derl S. Treff
Director of Investments

Doc. No. 033378

(Published in the Kansas Register July 20, 2006.)

City of Lenexa, Kansas

Notice to Bidders

Sealed bids for **Lackman Road Improvements, 105th Street to 107th Street** will be accepted by the city of Lenexa, Kansas, at the Planning Department, Lenexa City Hall, 12350 W. 87th St. Parkway, Lenexa, 66215, until 3:30 p.m. August 14, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Planning Department customer service staff (main level of City Hall) in sealed envelopes addressed to the City of Lenexa, Kansas, Attention: City Clerk, and marked "Bid for: Lackman Road Improvements, 105th Street to 107th Street." Copies of plans, specifications, bidding documents and other contract documents are on file at the Public Works Department (lower level), Lenexa City Hall.

Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above upon payment of \$150, which amount is non-refundable.

In lieu of picking up plans and specifications at Lenexa City Hall, bidders may download plans and specs free of charge from the city of Lenexa's Web site @ <http://www.ci.lenexa.ks.us/publicworks/index.html>.

Note: Davis-Bacon wage rates apply to this project.

Contractors should read and be fully familiar with all contract documents including addenda before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations, and shall include in its bid a sum to cover the cost of all items of the work as specified in the contract documents.

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

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

- a. Bid Form;
- b. 5% Bid Security—Bid Bond, Cashier's Check or Certified Check (see below).

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

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

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

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

A pre-bid conference will be held at 8:30 a.m. August 8 in the executive conference room, main level, Lenexa City Hall.

Mary Sue Fry, City Clerk
City of Lenexa, Kansas

Doc. No. 033373

State of Kansas

(Published in the Kansas Register July 20, 2006.)

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of June 2006 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

Domestic Corporations

Battle Portal, Inc., Fairway, KS.
 Bergstrom Livestock, Inc., Courtland, KS.
 Core Community Development Corporation, Wichita, KS.
 Daryl Yearout Farms, Inc., South Haven, KS.
 Disabled American Veterans, Department of Kansas Incorporated, Parsons, KS.
 Disabled American Veterans, Department of Kansas, Thrift Salvage Stores, Inc., Parsons, KS.
 E-Magine Music Association, Kansas City, MO.
 Equitable Enterprises, Inc., Overland Park, KS.
 Felix-American Products Company, Prairie Village, KS.
 HPD&S, Inc., Scott City, KS.
 J.G.P.T.A. Academy, Inc., Wichita, KS.
 Kansas Employer Coalition of Health, Inc., Topeka, KS.
 Michael R Mapes Inc., Wichita, KS.
 National Parts Distributing, Inc., Shawnee, KS.
 Northwest Community Housing, Inc., Dodge City, KS.
 Optimist Club of Wichita, Wichita, KS.
 Protection Plants, Inc., Protection, KS.
 Reid Farms, Inc., Goodland, KS.
 Rockford Feeders, Inc., Tribune, KS.
 Schuckman & Associates, Inc., Wichita, KS.
 The Enterprise Agency, Inc., Wichita, KS.
 The Farmers Cooperative Elevator Company, Altamont, KS.
 The Jewell Lumber Company, Jewell, KS.
 University of Kansas Medical Center Research Properties, Inc., Kansas City, KS.
 Western Hills Apartments, Limited Partnership, Kansas City, MO.
 Wholesale Trucking and Delivery Inc., Leawood, KS.
 Woodside Lawn & Maintenance, Inc., Prairie Village, KS.
 Yell-Bell Taxi, Inc., Junction City, KS.
 Youth Opportunities Unlimited, Inc., Kansas City, KS.
 21st Century Producers, Inc., Manhattan, KS.

Foreign Corporations

AD EFX of America, Inc., Toronto, Ontario.
 Aginfolink USA, Inc., Longmont, CO.
 Basic Phone, Inc., Bridgeport, TX.
 Borklund Farms, Inc., Overland Park, KS.
 Insulation Specialists of Tulsa, Inc., Tulsa, OK.
 J. G. Shull Co., Inc., Overland Park, KS.
 Mike J. Thiel, Inc., Midland, TX.
 NACO Industries, Inc., Logan, UT.
 Red Echo Group, Los Angeles, CA.
 Rite Way Milk, Inc., Elizabeth, KY.
 Winger, Inc., Denver, CO.

Ron Thornburgh
 Secretary of State

Doc. No. 033379

Mid-States Port Authority

Invitation for Bids

Notice is hereby given that sealed proposals for the construction of an outlet structure in Republic County, Kansas, said work known as Repair/Rehabilitation of Rocky Pond Dam, will be received at the office of Cook, Flatt & Strobel Engineers, P.A., 2930 S.W. Woodside Drive, Topeka, KS 66614, until 2 p.m. August 24, 2006, and then publicly opened. The project to be constructed is briefly described as follows:

Removal of existing structure, constructing a double 14'X14' R.F.B. and driving approximately 3,680 sq. ft. of sheet piling together with any incidental work on Rocky Pond Dam, located at the northeast edge of Belleville, Kansas.

Guaranty Required

Each proposal must be accompanied by a certified check, cashier's check on a solvent bank or a bid bond executed by a corporation authorized to contact as surety in the state of Kansas and made payable to Mid-States Port Authority, as a guarantee that if awarded the contract, the bidder will enter into a contract and give bond as required. The amount of the check or bond should be 5 percent of the amount bid.

Other Special Instructions

No bidder may withdraw his bid for a period of 30 days after the date of opening bids.

Further information on the work to be done may be obtained by an examination of the plans and specifications on file in the office of the general counsel of Mid-States Port Authority, 2101 S.W. 21st St., Topeka, KS 66604-3174. Examination of the plans and specifications shall be arranged by contacting W. Robert Alderson or Barbara Baker at (785) 232-0753.

Contract documents may be obtained from Cook, Flatt, & Strobel, Engineers, P.A., upon payment of a \$60 deposit. No refund will be made to the successful bidder. Twenty-five percent of the deposit will be refunded to all other plan holders upon receipt of the returned plans and specifications in good condition within 15 days after opening of bids.

All bidders must be prequalified with the Kansas Department of Transportation for the type and amount of work covered under this contract.

The Mid-States Port Authority reserves the right to reject any and all proposals and to waive any or all technicalities.

By Order of the Mid-States Port Authority
 W. Robert Alderson
 General Counsel

Doc. No. 033399

State of Kansas
Kansas State University-Salina
Notice to Bidders

Kansas State University-Salina is selling seven Beech Sundowner C23 aircraft due to restructuring of the university aircraft fleet. Aircraft will be sold by sealed bid, and the bid deadline dates and times and aircraft details can be viewed on the university Web site at <http://www.salina.k-state.edu/campusoffices/business/bid-items/index.html>.

For additional information, contact Pete Morris at (785) 826-2605.

Pete Morris
 Director of Fiscal Affairs, Grants &
 Contracts and Information Systems

Doc. No. 033343

(Published in the Kansas Register July 20, 2006.)

Summary Notice of Bond Sale
City of Lenexa, Kansas
\$13,655,000*

General Obligation Improvement Bonds, Series 2006C
(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated July 18, 2006, bids will be received on behalf of the city clerk of the city of Lenexa, Kansas, at the offices of Springsted Incorporated, 380 Jackson, Suite 300, St. Paul, MN 55101-2887, by delivery; by telephone at (651) 233-3000 or via facsimile at (651) 223-3046; or, in the case of electronic proposals, via PARITY electronic bid submission system, until 11 a.m. August 1, 2006, for the purchase of \$13,655,000* principal amount of General Obligation Improvement Bonds, Series 2006C. Only bids with a purchase price not less than 98.9 percent of the par value of the bonds, plus accrued interest 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 August 15, 2006, and will become due September 1 in the years as follows:

Year	Principal Amount*
2007	\$1,000,000
2008	1,050,000
2009	1,070,000
2010	1,150,000
2011	1,175,000
2012	575,000
2013	600,000
2014	625,000
2015	650,000
2016	675,000
2017	700,000
2018	725,000
2019	750,000

2020	800,000
2021	825,000
2022	225,000
2023	250,000
2024	250,000
2025	275,000
2026	285,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold as provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2007. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$273,100 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 15, 2006, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2005 is \$982,460,511. The total applicable general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$55,157,546.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from Doug Robinson, the city's finance director, at (913) 477-7544; from the city's financial advisor, Springsted Incorporated, (651) 223-3000; or from bond counsel, Kutak Rock LLP, 1010 Grand Blvd., Suite 500, Kansas City, MO 64106-2220, Attention: Dorothea Riley, (816) 960-0090.

Dated July 20, 2006.

City of Lenexa, Kansas
 By Mary Sue Fry
 City Clerk
 Lenexa City Hall
 12350 W. 87th St. Parkway
 Lenexa, KS 66215
 (913) 477-7500

*Subject to change.

Doc. No. 033394

**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) 296-2377:

07/31/2006	09616	Public Performance Licensing and Leasing (DVD Motion Pictures)
08/01/2006	09627	Ice and Snow Removal Chemicals
08/03/2006	09628	Newsletter Mailing Services
08/03/2006	09638	Flags — U.S.
08/07/2006	09591	Property Insurance
08/15/2006	09626	Digital FM Transmitter
08/23/2006	09629	Design, Develop and Implement Education Enterprise Information System

The above-referenced bid documents may 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>

Chris Howe
Director of Purchases

Doc. No. 033397

(Published in the Kansas Register July 20, 2006.)

**Summary Notice of Bond Sale
City of Johnson City, Kansas
\$520,000
General Obligation Bonds
Series 2006**

Details of the Sale

Subject to the terms and requirements of the official notice of bond sale dated July 3, 2006, of the city of Johnson City, Kansas, bids to purchase the city's General Obligation Bonds, Series 2006, will be received at the office of the city clerk at City Hall, 206 S. Main, Johnson City, KS 67855, or by telefacsimile at (620) 492-1392, until 3 p.m. Monday, August 7, 2006. The bids will be considered by the governing body at its meeting at 7:30 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 August 15, 2006, and will be issued as registered bonds in the denomination of \$5,000 or any integral multiple thereof. Interest on the bonds is

payable semiannually on March 1 and September 1 of each year, beginning March 1, 2007. Principal of the bonds becomes due on September 1 in the years and amounts as shown below:

Maturity Schedule

Principal Amount	Maturity Date
\$ 5,000	2008
50,000	2009
50,000	2010
55,000	2011
55,000	2012
55,000	2013
60,000	2014
60,000	2015
65,000	2016
65,000	2017

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 August 31, 2006, 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 \$7,899,031. As of August 15, 2006, the city's total outstanding general obligation debt, including the bonds, is \$820,000. The city's total indebtedness that is subject to debt limitation, as of August 15, 2006, is estimated to be \$617,133.91, which is 7.81 percent of the assessed valuation of the city.

Additional Information

For additional information, contact the city clerk at the address and telephone number shown below, or the financial advisor, Larry A. Kleeman, M&I Marshall & Ilsley Bank, 245 N. Waco, Suite 525, Wichita, KS 67202, (316) 265-9411.

City of Johnson City, Kansas
By Dayle Jeanne Lorenson
City Clerk
City Hall, 206 S. Main St.
Johnson City, KS 67855
(620) 492-1444
Fax (620) 492-1392

Doc. No. 033387

State of Kansas

Attorney General

Temporary Administrative
RegulationsArticle 11.—PERSONAL AND FAMILY
PROTECTION ACT

16-11-1. Definitions. As used in this article and in the act, the following terms shall have the meanings specified in this regulation:

(a) "Act" means the personal and family protection act, 2006 SB 418 and amendments thereto.

(b) "Church" or "temple" means any building owned or leased by a religious organization and used exclusively as a place for religious worship and other activities ordinarily conducted by a religious organization, whether that building is called a church, temple, mosque, synagogue, or chapel, or a similar name.

(c) "Completed application" means an application for a license to carry a concealed weapon, as required by the act, that contains a legible and fully responsive reply to every question and request for information and is accompanied by all required attachments. The timeline set forth in the act for issuance of a license shall not begin until the date that a completed application is received in the office of the attorney general.

(d) "Domestic violence misdemeanor" means a "misdemeanor crime of domestic violence" as that term is defined in K.S.A. 74-5602 and amendments thereto.

(e) "Full frontal-view photograph" means a passport photograph or a photograph that is equivalent to a passport photograph in the following respects:

(1) Fairly represents the physical appearance of the applicant's head and shoulders;

(2) is taken with the applicant directly facing the camera; and

(3) shows the applicant's head and shoulders in an area of the picture that is at least two square inches.

(f) "State office building" means the interior of any of the following buildings:

(1) Those buildings named in K.S.A. 21-4218 and amendments thereto;

(2) the following buildings located in Topeka, Kansas:

(A) the memorial building, 120 SW 10th;

(B) the Forbes office building #740;

(C) the division of printing plant, 201 NW MacVicar;

(D) the state office building located at 3440 SE 10th Street;

(E) the Dillon house, 404 SW 9th Street;

(F) the Curtis state office building, 1000 SW Jackson; and

(G) the state office building located at 700 SW Harrison; and

(3) all other state-owned or state-leased buildings in which firearm possession is prohibited by posting as provided in K.A.R. 1-49-11.

Concealed weapon possession may be prohibited in other public buildings as provided in 2006 SB 418, § 11, and amendments thereto. (Authorized by 2006 SB 418, § 16; implementing 2006 SB 418, § 4, as amended by 2006

HB 2118, § 2, 2006 SB 418, § 5, as amended by 2006 HB 2118, § 3, 2006 SB 418, § 10, as amended by 2006 HB 2118, § 7, and 2006 SB 418, § 16; effective, T-16-7-5-06, June 29, 2006.)

16-11-2. Instructor certification standards. (a) Each applicant for certification by the attorney general as an instructor of weapons safety and training courses shall apply on a form prescribed by the attorney general.

(b) General. Except as provided in subsection (e), each applicant shall meet all of the concealed carry license requirements of subsection (a) of 2006 HB 2118, § 2 and amendments thereto, except for those requirements in paragraphs (a)(1), (a)(8), and (a)(9) of § 2.

(c) Certification. In addition to meeting the requirements of subsection (b), each applicant shall meet one of the following certification requirements:

(1) Be currently certified as a law enforcement officer by the Kansas law enforcement training commission;

(2) be currently certified as a firearms trainer or firearms instructor by any of the following organizations:

(A) The attorney general, pursuant to K.S.A. 75-7b21 and amendments thereto;

(B) any state or federal law enforcement agency;

(C) the United States armed services;

(D) the Kansas law enforcement training center; or

(3) be currently certified by the national rifle association in any of the following firearms instructor certification categories:

(A) "Pistol instructor";

(B) "personal protection instructor";

(C) "police firearms instructor";

(D) "law enforcement security firearms instructor";

(E) "law enforcement tactical handgun instructor"; or

(F) "law enforcement handgun/shotgun instructor."

(d) Fee. Each applicant shall pay a certification application fee in the amount of \$100.

(e) Each applicant who holds a license issued by the attorney general to carry a concealed weapon pursuant to the act shall be certified by the attorney general to instruct weapons safety and training courses if the applicant has satisfied the requirements of both subsections (c) and (d).

(f) Any applicant who is currently certified as an instructor by the national rifle association to teach a weapons safety and training course described in 2006 S.B. 418, § 4(b)(1)(D)(ii), and amendments thereto, may be approved by the attorney general to instruct that course if a determination is made by the attorney general that the requirements for instructor certification established by the national rifle association meet or exceed the requirements of subsections (b) and (c). Approval granted pursuant to this provision shall be conditioned upon the instructor's compliance with the requirements of K.A.R. 16-11-3 and K.A.R. 16-11-6.

(g) If an instructor certified by the attorney general, or approved by the attorney general pursuant to subsection (f), fails to remain in compliance with the eligibility requirements set forth in either subsection (b) or subsection (c), the instructor's certification or approval may be withdrawn by the attorney general upon notice and an opportunity for a hearing. (Authorized by 2006 SB 418,

§4, as amended by 2006 HB 2118, §2, and 2006 SB 418, §16; implementing 2006 SB 418, §4, as amended by 2006 HB 2118, §2; effective, T-16-7-5-06, June 29, 2006.)

16-11-3. Weapons safety and training course; instructors. (a) Each instructor certified by the attorney general, or approved by the attorney general pursuant to K.A.R. 16-11-2(f), to instruct weapons safety and training courses shall comply with the following standards:

(1) Use only the weapons safety and training courses approved by the attorney general as provided in K.A.R. 16-11-4;

(2) use only examinations approved by the attorney general; and

(3) require trainees to display firing proficiency by successfully completing the shooting requirement established in K.A.R. 16-11-4.

(b) Upon the conclusion of each weapons safety and training course, the instructor of that course shall provide each trainee who successfully completes the course with one of the following documents:

(1) An affidavit signed by the instructor that attests to the successful completion of the course by the applicant; or

(2) a certificate of completion on a form approved by the attorney general.

(c) Each instructor shall forward a list of each trainee who successfully completed a training course taught by that instructor to the office of the attorney general by U.S. postal service within 10 days of the date on which the training course concludes.

(d) For each course an instructor teaches, the instructor shall retain the following records for a minimum of five years from the date on which the course concludes:

(1) A record of the date, the time, and the location of the course;

(2) a record of the name of each trainee enrolled in the course and of each trainee's Kansas driver's license number or Kansas nondriver's identification card number;

(3) for each trainee, documentation showing whether the trainee completed the training course specified in K.A.R. 16-11-4; and

(4) a record of the examination results for each trainee, including the results of the firing proficiency test.

(e) Each instructor shall notify the attorney general, in writing, of any change in the instructor's mailing address within 10 days of the change.

(f) If an instructor certified by the attorney general, or approved by the attorney general pursuant to K.A.R. 16-11-2(f), fails to comply with the requirements of this regulation, the instructor's certification or approval may be withdrawn by the attorney general upon notice and an opportunity for a hearing. (Authorized by 2006 SB 418, §4, as amended by 2006 HB 2118, §2, and 2006 S.B. 418, §16; implementing 2006 SB 418, §4, as amended by 2006 H.B. 2118, §2, and 2006 SB 418, §16; effective, T-16-7-5-06, June 29, 2006.)

16-11-4. Weapons safety and training course. (a) Except as provided in subsection (d), each applicant for a license to carry a concealed weapon, as defined in 2006 S.B. 418, § 2 and amendments thereto, shall successfully complete either of the following weapons safety and

training courses that have been approved by the attorney general when taught by one or more instructors certified by the attorney general, or approved by the attorney general pursuant to K.A.R. 16-11-2(f):

(1) The "concealed handgun license program lesson plan" dated June 19, 2006, and to be effective on and after July 1, 2006, which is hereby adopted by reference; or

(2) any weapons course described in 2006 S.B. 418, § 4(b)(1)(D)(ii), and amendments thereto, that is determined by the attorney general to be substantially equivalent to the course identified in paragraph (a)(1). Internet, online, correspondence, and self-study courses shall not be approved.

(b) To "successfully complete" means to obtain a passing score of 100% on an examination approved by the attorney general and to display proficiency with a weapon by shooting a minimum of 18 hits out of 25 rounds on a designated portion of an "FBI TQ-15" target or a target approved by either the Kansas commission on peace officers' standards and training or an equivalent body as determined by the attorney general.

(c) Each applicant shall provide to the sheriff of the county in which the applicant resides the documentation of completion of the weapons safety and training course provided to the applicant by the certified instructor as required by K.A.R. 16-11-3(b).

(d) A retired law enforcement officer as defined in K.S.A. 21-3110, and amendments thereto, shall not be subject to this regulation if the retired law enforcement officer was certified by the Kansas law enforcement training commission not more than eight years before the retired officer submits the application for licensure. (Authorized by 2006 SB 418, § 4, as amended by 2006 HB 2118, §2, and 2006 S.B. 418, §16; implementing 2006 SB 418, §4, as amended by 2006 HB 2118, §2, and 2006 SB 418, §5, as amended by 2006 HB 2118, § 3; effective, T-16-7-5-06, June 29, 2006.)

16-11-5. Application procedure. (a) Each applicant for a license to carry a concealed handgun pursuant to the act shall submit to the sheriff of the county in which the applicant resides a completed application in accordance with 2006 S.B. 418, § 5, and amendments thereto, and these regulations.

(b) Within seven days of receiving an application, each sheriff shall submit the following to the attorney general:

(1) A copy of the applicant's completed application for licensure; and

(2) the application fee established by 2006 SB 418, § 4, and amendments thereto.

(c) Within seven days of receiving an application, each sheriff shall submit one full set of the fingerprints of the applicant as follows:

(1) Electronically to the KBI, if the necessary equipment is available for this purpose; or

(2) to the attorney general using the applicant card provided by the federal bureau of investigation (FBI).

All fingerprint submissions, whether submitted electronically or using the applicant card, shall contain the originating agency identifier (ORI) assigned to the office of attorney general by the FBI.

(continued)

(d) A state and national criminal history records check shall be promptly completed by the KBI.

(e) The document titled "concealed handgun license sheriff's or chief's voluntary report pursuant to personal and family protection act," dated July 1, 2006, is hereby adopted by reference. In accordance with the voluntary report, within 45 days of the date on which a sheriff receives any application from a resident of that county, the sheriff or the chief law enforcement officer of any other law enforcement agency in that county may provide information which, when corroborated through public records and combined with another enumerated factor, establishes that the applicant poses a significantly greater threat to law enforcement or the public at large than the average citizen. (Authorized by 2006 SB 418, §16; implementing 2006 SB 418, § 4, as amended by 2006 HB 2118, §2, and 2006 SB 418, §5, as amended by 2006 HB 2118, §3; effective, T-16-7-5-06, June 29, 2006.)

16-11-6. Renewal of license; requalification weapons safety and training course. (a) Each applicant who applies to renew a license to carry a concealed weapon shall successfully complete a course taught by one or more instructors certified by the attorney general, or approved by the attorney general pursuant to K.A.R. 16-11-2(f).

(b) Each requalifying weapons safety and training course shall be a minimum of two hours in length and shall review the legal issues identified in the "concealed handgun license program lesson plan" adopted by reference in K.A.R. 16-11-4.

(c) Upon the conclusion of each requalification course, the instructor of that course shall provide each trainee who successfully completes the requalification course with one of the following documents:

(1) An affidavit signed by the instructor attesting to completion of the course; or

(2) a copy of a certification of completion on a form approved by the attorney general.

(d) Each instructor shall forward a list of each trainee who successfully completed a requalification course taught by that instructor to the office of the attorney general by U.S. postal service within 10 days of the date on which the requalification course concludes.

(e) Each applicant shall retain a copy of the affidavit or the certificate of completion for a minimum of five years from the date on which the course concluded.

(f) For each requalification course an instructor teaches, the instructor shall retain the following records for a minimum of five years from the date on which the course concludes:

(1) A record of the date, the time, and the location of the course; and

(2) a record of the name of each trainee enrolled in the course and of each trainee's Kansas driver's license number or Kansas nondriver's identification card number.

(g) If an instructor certified by the attorney general, or approved by the attorney general pursuant to K.A.R. 16-11-2(f), fails to comply with the requirements of this regulation, the instructor's certification or approval may be withdrawn by the attorney general upon notice and an opportunity for a hearing. (Authorized by 2006 SB 418, § 4, as amended by 2006 HB 2118, § 2, and 2006 SB 418, §

16; implementing 2006 SB 418, § 4, as amended by 2006 HB 2118, § 2; effective, T-16-7-5-06, June 29, 2006.)

Phill Kline
Attorney General

Doc. No. 033362

State of Kansas
Board of Indigents' Defense Services
Temporary Administrative
Regulations

Article 5.—ATTORNEY COMPENSATION

105-5-2. Rates of compensation. (a) Each assigned counsel shall be compensated at the rate of \$80 per hour.

(b) Contract counsel shall be compensated at the rate or rates specified in the contract between the board and the assigned counsel. (Authorized by and implementing K.S.A. 2005 Supp. 22-4507, as amended by 2006 HB 2129, sec. 1, and 22-4522; effective May 1, 1984; amended May 1, 1988; amended, T-105-6-13-88, July 1, 1988; amended Oct. 31, 1988; amended July 1, 1993; amended, T-105-6-15-93, July 1, 1993; amended Aug. 16, 1993; amended March 28, 1994; amended Aug. 20, 1999; amended, T-105-7-5-06, June 29, 2006.)

105-5-3. Appellate courts; compensation. (a) For services performed in appealing a case to the court of appeals or the Kansas supreme court, compensation shall be paid at the rate prescribed in K.A.R. 105-5-2.

(b) Compensation for attorneys' services in cases appealed to the Kansas supreme court or the court of appeals shall not exceed \$1,600. However, additional compensation may be approved by the board. (Authorized by and implementing K.S.A. 2005 Supp. 22-4507, as amended by 2006 HB 2129, sec. 1, and 22-4522; effective May 1, 1984; amended May 1, 1985; amended Aug. 20, 1999; amended, T-105-7-5-06, June 29, 2006.)

105-5-6. Reasonable compensation; nontried cases. (a) Each appointed and assigned attorney shall be compensated for time expended in representing indigent defendants and other indigent persons at the hourly rate prescribed in K.A.R. 105-5-2. Except as provided in K.A.R. 105-5-8, reasonable compensation shall not exceed \$1,600 in the following cases:

(1) Those felony cases in the trial court that are classified as non-drug offenses of severity levels 1 through 5 that are not submitted to a judge or jury, including services at a preliminary hearing and sentencing, if applicable; and

(2) those felony cases in the trial court that are classified as drug offenses, that have not been submitted to a judge or jury, and in which there have been six hours or more spent in court in defense of the indigent defendant, including services at a preliminary hearing and sentencing, if applicable.

(b) Except as provided in K.A.R. 105-5-8 and K.A.R. 105-5-6(a), reasonable compensation shall not exceed \$1,200 in the following cases:

(1) Those felony cases in the trial court that are not submitted to a judge or jury, including services at a pre-

liminary hearing and sentencing, if applicable, and are classified as severity levels 6 through 10 non-drug offenses; and

(2) those felony cases in the trial court that are not submitted to a judge or jury, that are classified as drug offenses, and in which there have been fewer than six hours spent in court in defense of the indigent defendant, including services at a preliminary hearing and sentencing, if applicable.

(c) Except as provided in K.A.R. 105-5-8, K.A.R. 105-5-6(a), and K.A.R. 105-5-6(b), reasonable compensation shall not exceed \$800 in the following types of cases:

(1) Habeas corpus cases as authorized by K.S.A. 22-4503 and K.S.A. 22-4506 and amendments thereto;

(2) cases filed pursuant to K.S.A. 60-1507 and K.S.A. 22-4506 and amendments thereto;

(3) habeas corpus cases as authorized by K.S.A. 22-2710 and amendments thereto;

(4) habeas corpus cases as authorized by K.S.A. 22-3428 and K.S.A. 22-3428a and amendments thereto; and

(5) habeas corpus cases as authorized by K.S.A. 59-2965 and amendments thereto.

(d) Except as provided in K.A.R. 105-5-8, reasonable compensation shall not exceed \$320 in the following types of cases:

(1) Representation of grand jury witnesses determined to be indigent and called to testify pursuant to K.S.A. 22-3009 and amendments thereto;

(2) representation of indigent persons committed to custody as material witnesses pursuant to K.S.A. 22-2805 and amendments thereto;

(3) probation revocation hearings; and

(4) motions to modify sentence pursuant to K.S.A. 21-4603 and amendments thereto. (Authorized by and implementing K.S.A. 2005 Supp. 22-4507, as amended by 2006 HB 2129, sec. 1, and 22-4522; effective May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended May 1, 1988; amended, T-105-6-13-88, July 1, 1988; amended Nov. 1, 1988; amended Oct. 30, 1989; amended July 1, 1993; amended, T-105-6-15-93, July 1, 1993; amended Aug. 16, 1993; amended Aug. 20, 1999; amended, T-105-7-5-06, June 29, 2006.)

105-5-7. Reasonable compensation; tried cases.

Each appointed and assigned attorney shall be compensated for time expended in representing indigent defendants at the hourly rate prescribed in K.A.R. 105-5-2. Except as provided in K.A.R. 105-5-8, reasonable compensation for felony cases tried on pleas of not guilty and submitted to a judge or jury for adjudication, including compensation for services at the preliminary hearing, sentencing, and motions to modify the sentence, shall not exceed the following:

(a) \$2,400 for felonies classified as non-drug offenses of severity levels 5 through 10;

(b) \$3,200 for felonies classified as non-drug offenses of severity level 4 and felonies classified as drug offenses of severity levels 2 through 4; and

(c) \$8,000 for felonies classified as non-drug offenses of severity levels 1 through 3, off-grid felonies, and felonies classified as drug offenses of severity level 1. (Authorized by and implementing K.S.A. 2005 Supp. 22-4507,

as amended by 2006 HB 2129, sec. 1, and 22-4522; effective May 1, 1984; amended, T-105-6-13-88, July 1, 1988; amended Nov. 1, 1988; amended Oct. 30, 1989; amended July 1, 1993; amended, T-105-6-15-93, July 1, 1993; amended Aug. 16, 1993; amended Aug. 20, 1999; amended, T-105-7-5-06, June 29, 2006.)

105-5-8. Compensation; exceptional cases. (a) Any compensation for attorneys' services in excess of the amounts set out in K.A.R. 105-5-6 and K.A.R. 105-5-7 may be approved only in exceptional cases. A finding by the court that a case is exceptional shall be subject to final approval by the board. An exceptional case shall mean any of the following:

(1) Any case involving a felony charge in the trial court that does not appear on the sentencing range grid;

(2) any felony case tried on a not guilty plea in which there have been 25 or more hours spent in court in defense of the indigent defendant;

(3) any felony case not submitted to a judge or jury in which there have been 10 hours or more of in-court time spent in defense of the indigent defendant;

(4) any case that has been declared an exceptional case by the court due to its complexity or other significant characteristics.

(b) Each claim for compensation in an exceptional case shall be accompanied by a specific finding in a court order setting forth the basis for the declaration that the case is exceptional.

(c) Reasonable compensation for attorneys' services in exceptional cases shall not exceed \$8,000 per case. However, additional compensation may be approved by the board if warranted by the extreme complexity of the case. (Authorized by and implementing K.S.A. 2005 Supp. 22-4507, as amended by 2006 HB 2129, sec. 1, and 22-4522; effective May 1, 1984; amended, T-105-6-13-88, July 1, 1988; amended Nov. 1, 1988; amended Oct. 30, 1989; amended July 1, 1993; amended, T-105-6-15-93, July 1, 1993; amended Aug. 16, 1993; amended Aug. 20, 1999; amended, T-105-7-5-06, June 29, 2006.)

Article 11.—ENTITLEMENT TO LEGAL REPRESENTATION

105-11-1. Defendant reimbursement of attorney fees. The document titled "attorney cost reimbursement tables: assigned counsel and public defender," as revised by the state board of indigents' defense services on June 2, 2006, is hereby adopted by reference. (Authorized by K.S.A. 2005 Supp. 22-4504; implementing K.S.A. 2005 Supp. 22-4522(e); effective, T-105-10-3-05, Oct. 3, 2005; effective Feb. 17, 2006; amended, T-105-7-5-06, June 29, 2006.)

Patricia A. Scalia
Executive Director

Doc. No. 033366

State of Kansas
State Corporation Commission
 Temporary Administrative
 Regulations

Article 15.—VIDEO SERVICE AUTHORIZATION

82-15-1. Application for a video service authorization certificate. (a) Each entity seeking to provide cable or video service on or after July 1, 2006 shall file an application with the commission for a video service authorization certificate. Each cable operator providing video service pursuant to a franchise that is in effect on July 1, 2006 shall file an application for a state-issued video service authorization certificate at least 30 days before the expiration of its franchise agreement in order to continue to provide video service.

(1) Each applicant shall use the application for video service authorization available from the commission, which shall include the information specified in the video competition act, 2006 SB 449, § 3(a)(1) through (5) and amendments thereto.

(2) Each applicant shall file the original and seven copies of the application with the commission, addressed to the executive director of the commission at its Topeka office.

(b)(1) Each entity that seeks statewide authorization to offer cable or video service on or after July 1, 2006 shall file an initial application.

(2) Each entity that holds a video service authorization certificate and wants to revise its original application shall file an amended application, except as provided in subsection (e).

(3) Each entity that holds a video service authorization certificate and wants to terminate its authority to provide cable or video service shall file a termination application.

(4) Each entity that holds a video service authorization certificate and wants to transfer its authority to provide cable or video service shall file a transfer application. Each entity to which the authority to provide cable or video service is transferred shall file an initial or amended application.

(c) Each applicant shall submit an electronic copy of the map of the area where the applicant will provide service, which is also known as the applicant's footprint. This map shall be provided on a compact disc and in the format specified in the application for video service authorization.

(d) Each applicant shall submit one or more of the following fees, as applicable:

(1) A filing fee of \$1,000 with an initial application; and
 (2) a filing fee of \$250 with each type of application specified in paragraphs (b)(2) and (4).

(e) Each entity holding a video service authorization certificate shall provide notice of any change in the name of the entity, contact personnel, mailing address, and phone number by sending a notification letter specifying the number of the docket in which the certificate was granted. The notice shall be provided within 14 business days after the effective date of the change.

(f)(1) Each applicant that submits an incomplete application shall be notified that its application is incomplete

within 14 calendar days after the date of filing. If the applicant does not provide a complete application within seven calendar days after the date of the notice, the application shall be dismissed without prejudice within 30 days after the date of filing.

(2) A video service authorization certificate shall be issued in the form of a commission order within 30 days after the date of filing a complete application, if the applicant meets all application requirements. (Authorized by 2006 SB 449, § 3; implementing 2006 SB 449, §§ 3 and 6; effective, T-82-7-5-06, June 29, 2006.)

Susan K. Duffy
 Executive Director

Doc. No. 033363

State of Kansas
Kansas State Treasurer
 Temporary Administrative
 Regulations

**Article 4.—LOW-INCOME FAMILY
 POSTSECONDARY SAVINGS ACCOUNTS
 INCENTIVE PROGRAM**

3-4-1. Definitions. In addition to the terms and definitions in K.S.A. 75-643 and 2006 SB 332, sec. 3, and amendments thereto, the following terms shall have the meanings specified in this regulation:

(a) "Contribution" means any deposit made by a participant to the participant's account during a calendar year, except any deposit that is one of the following:

(1) A rollover from another account in the Kansas post-secondary education savings program;

(2) a rollover from another state's qualified tuition program as defined in internal revenue code section 529;

(3) a transfer from a Coverdell education savings account as defined in internal revenue code section 530; or

(4) a transfer of proceeds from a qualified U.S. savings bond as described in internal revenue code section 135(c)(2)(C).

(b) "Household" means a group of individuals who are related by birth, marriage, or adoption and who share a residence.

(c) "Participant" has the meaning specified in 2006 SB 332, sec. 3 and amendments thereto. Each participant shall be an account owner. Each set of joint account owners shall be treated as one participant, but each joint account owner shall separately meet the program's eligibility requirements. (Authorized by and implementing 2006 SB 332, sec. 3; effective, T-3-6-29-06, June 29, 2006.)

3-4-2. Eligibility requirements. (a) Each applicant shall meet the following requirements:

(1) Be a resident of the state of Kansas;

(2) reside in a household with a combined federal adjusted gross income for all individuals residing in the household that is not more than 200 percent of the current federal poverty level; and

(3) be one of the individuals listed on an income tax return used to verify income.

(b) Any individual who files a joint income tax return may apply individually or jointly with the other individ-

ual listed on the income tax return if that other individual also meets the program's eligibility requirements. (Authorized by and implementing 2006 SB 332, sec. 3; effective, T-3-6-29-06, June 29, 2006.)

3-4-3. Applications. Each application shall be processed in the order received for awarding the number of matching grants authorized by 2006 SB 332, sec. 3, and amendments thereto. Each application shall be accompanied by a copy of the federal income tax return for the previous tax year for each individual residing in the household who is required to file an income tax return. (Authorized by and implementing 2006 SB 332, sec. 3; effective, T-3-6-29-06, June 29, 2006.)

3-4-4. Eligibility period. Each participant shall be entitled to a matching grant equal to the amount of the participant's contributions to the participant's account or accounts for the calendar year in which the participant's application is approved. Each participant shall reapply each year to remain eligible for the program. (Authorized by and implementing 2006 SB 332, sec. 3; effective, T-3-6-29-06, June 29, 2006.)

3-4-5. Matching grant accounts. The matching grant funds for each participant shall be deposited in a separate account in the participant's name, with the following restrictions:

(a) Only the participant shall be the account owner of the matching grant account. Joint applications shall be joint account owners of both their joint account and the corresponding matching grant account.

(b) No change in ownership of the participant's account or the corresponding matching grant account shall be allowed, except upon the participant's death, divorce, or incapacity.

(c) Any participant may change the designated beneficiary for that participant's account or accounts. However, the designated beneficiary for the matching grant account shall always be the same as the designated beneficiary for the participant's account.

(d) The investment portfolio for the corresponding matching grant account shall always be the same as the investment portfolio selected for the participant's account.

(e) Each request for a withdrawal from the matching grant account shall be submitted to the treasurer's office for approval. If the treasurer determines that the request is for qualified higher education expenses, then the request shall be approved. Each approved withdrawal from the matching grant account shall be paid either directly to the educational institution or to the participant or the designated beneficiary, upon presentation of documentation acceptable to the treasurer that the participant or designated beneficiary has paid qualified higher education expenses at least equal to the amount of the request withdrawal. Each approved withdrawal shall be equally funded from the participant's account and the corresponding matching grant account. (Authorized by and implementing 2006 SB 332, sec. 3; effective, T-3-6-29-06, June 29, 2006.)

3-4-6. Multiple accounts. Each participant with multiple accounts shall receive only one matching grant

and shall allocate the grant between or among the participant's corresponding matching grant accounts. The portion of the matching grant funds allocated to each corresponding matching grant account shall not exceed the participant's contributions to each of the participant's accounts for the applicable calendar year. (Authorized by and implementing 2006 SB 332, sec. 3; effective, T-3-6-29-06, June 29, 2006.)

3-4-7. Forfeit of matching grant funds. (a)(1) Except as specified in paragraphs (a)(2) and (a)(3), funds in a participant's matching grant account shall be forfeited in an amount equal to either of the following:

(A) Any nonqualified withdrawal from the participant's account; or

(B) any rollover distribution to another qualified tuition plan.

(2) If any nonqualified withdrawal or rollover distribution closes the participant's account, the corresponding matching grant account shall be closed and its entire balance shall be forfeited.

(3) Any participant who contributes more than the \$600 maximum matching grant amount may make a nonqualified withdrawal or rollover distribution of the excess contribution without forfeiting funds from the matching grant account.

(b) If the treasurer determines that a participant has made a material misrepresentation on the participant's application, all matching grant funds resulting from the application shall be forfeited.

(c) If a participant's account ever becomes reportable as unclaimed property under K.S.A. 58-3934 et seq. and amendments thereto or the laws of any other state, the remaining balance in the matching grant account shall be forfeited.

(d) All forfeited funds shall be returned to the Kansas postsecondary education savings trust fund. (Authorized by and implementing 2006 SB 332, sec. 3; effective, T-3-6-29-06, June 29, 2006.)

Lynn Jenkins
Kansas State Treasurer

Doc. No. 033353

State of Kansas

Department of Health and Environment

Temporary Administrative Regulations

Article 4.—MATERNAL AND CHILD HEALTH

28-4-501. Definitions. (a) "Applicable income" means the total monies received by all adult members of the family based on any of the following, with the addition of nontaxable benefits from any private, state, and federal funding sources:

(1) The total amount of adjusted gross income reported on one of the federal income tax forms 1040, 1040A, or 1040EZ, including a copy of all W-2 forms filed by each adult member of the family;

(2) the six most recent pay stubs; or

(continued)

(3) a letter of anticipated earnings from the employer of each adult member of the family if the most recent federal income tax form does not reflect current income.

(b) "Birth attendant" means the person assisting with an out-of-institution delivery of the infant, in the absence of a physician.

(c) "Borderline hypothyroid" means an abnormally low level of thyroxine and a higher than normal level of thyroid-stimulating hormone in the blood, the combination of which is not usually indicative of hypothyroidism.

(d) "Cash assets" means accessible money, including savings accounts, certificates of deposit, checking accounts, stocks, and bonds. This term shall not include individual retirement accounts and retirement plans.

(e) "Department" means the Kansas department of health and environment.

(f) "Eligible person" means an individual who qualifies for any necessary treatment products or medically necessary food treatment products, or both.

(g) "Family," for the purposes of these regulations, means an eligible person who meets one of the following conditions and all other persons who reside in the home with the eligible person:

(1) Resides with and is considered to be a dependent of the person's parents, stepparents, or legal guardian for income tax purposes; or

(2) establishes a separate residence and is no longer considered a dependent of the person's parents, stepparents, or legal guardian for income tax purposes.

The term "family" shall not include any person who leases or rents a portion of the residence or who lives with the other persons who are not responsible for the financial support of the eligible person.

(h) "Galactosemia" means the disease of genetic origin due to galactose uridyl transferase enzyme deficiency in which the individual is completely or partially incapable of normal metabolism of galactose, which results in an abnormal increase in the concentration of galactose in the blood.

(i) "Hemoglobin disease" means the presence of abnormal hemoglobin and the absence of adult hemoglobin, the combination of which is indicative of disease and requires ongoing medical treatment.

(j) "Hemoglobin trait" means the presence of abnormal hemoglobin, which is not indicative of disease and does not usually require ongoing medical treatment.

(k) "Hypothyroidism" means a congenital disease in which the individual is unable to produce thyroxine normally, which may be detected by an abnormally low serum level of thyroxine and abnormally high serum level of thyroid-stimulating hormone in the blood. For purposes of these newborn screening regulations, this term shall exclude diseases referred to as secondary hypothyroidism.

(l) "Institution" means a hospital or other organized agency providing obstetrical services.

(m) "Kit" means the multiple-page laboratory requisition with the attached filter paper to be used for blood collection and with a place for identifying the infant, physician, and sending agency data. The kits shall be provided by the department.

(n) "Laboratory" means the division of health and environmental laboratories, Kansas department of health and environment.

(o) "Maple syrup urine disease" and "MSUD" mean an inherited disease of amino acid metabolism that causes acidosis, central nervous system symptoms, and urine that can smell sweet like maple syrup.

(p) "Medical specialist" means a medical doctor who has training in the treatment of a specific disease entity and who has a contract with the department to serve as a consultant and to provide or direct diagnosis and treatment services.

(q) "Medically necessary food treatment product" means a specifically formulated product that has less than one gram of protein per serving and is intended to be used under the direction of a physician for the dietary treatment of any inherited metabolic disease. This term shall not include any foods that are naturally low in protein.

(r) "Necessary treatment product" means a medical protein source used under the direction of a physician to treat specific metabolic diseases in order to prevent, delay, or reduce medical complications.

(s) "Newborn screening coordinator" means the designee in the department providing the follow-up program activities.

(t) "Other genetic disease" means any condition inherited in a recognized pattern that can be detected in a filter paper blood specimen and that the secretary has designated as part of the newborn screening battery of tests.

(u) "Phenylketonuria" and "PKU" mean any disease, usually due to a single enzyme deficiency of genetic origin, in which the individual is completely or partially incapable of normal metabolism of phenylalanine, which results in an abnormal increase in the concentration of phenylalanine in the blood.

(v) "Presumptive positive" means a screening test result that indicates the possible presence of a disease, requiring further testing to confirm or not confirm the diagnosis.

(w) "Secretary" means the secretary of the Kansas department of health and environment.

(x) "Sending agency" means the agency or person identified on the kit to be the recipient of the report.

(y) "Specimen" means the saturated blood spots on the filter paper and the laboratory requisition with complete identifying data on the infant, physician, and sending agency. (Authorized by K.S.A. 65-101 and 65-180, as amended by 2006 SB 579, Sec. 1; implementing K.S.A. 65-180, as amended by 2006 SB 579, Sec. 1, and 65-181; effective, T-87-48, Dec. 19, 1986; effective May 1, 1987; amended April 14, 2000; amended, T-28-7-5-06, June 29, 2006.)

28-4-510. Diagnosis and monitoring. (a) Each person with a confirmed diagnosis of any of the diseases specified in K.S.A. 65-180, and amendments thereto shall be eligible to receive medical specialist monitoring upon the department's annual receipt of the person's current address, insurance data, and documentation of continued medical need from a medical specialist.

(b) Each medical specialist shall meet the following requirements:

(1) Provide consultation and diagnosis; and
 (2) provide and coordinate ongoing monitoring. (Authorized by K.S.A. 65-101; implementing K.S.A. 65-180, as amended by 2006 SB 579, Sec. 1; effective, T-87-48, Dec. 19, 1986; effective May 1, 1987; amended, T-28-7-5-06, June 29, 2006.)

28-4-514. MSUD and PKU; financial assistance availability for certain related expenses. (a) (1) The following factors shall be used to determine each family's eligibility for financial assistance for necessary treatment products or medically necessary food treatment products, or both:

(A) Applicable income; and
 (B) cash assets in excess of 25 percent of the applicable income.

(2) If a family seeking financial assistance under this regulation has more than one family member with MSUD or PKU, the family shall be considered eligible for financial assistance at a level that is 100 percent less than the eligibility level for a family with one family member.

(b) Each individual who applies for or who receives financial assistance under this regulation shall also meet the requirements in K.A.R. 28-4-401.

(c) The following eligibility requirements shall apply to each family:

(1) Each family with applicable income and cash assets totaling less than 300 percent of the federal poverty level shall be eligible to receive 100 percent of the cost of necessary treatment products. This family shall be eligible each year for up to \$1,500 of medically necessary food treatment products for family members who are 18 years of age and younger.

(2) Each family with applicable income and cash assets totaling between 301 percent and 500 percent of the federal poverty level shall be eligible to receive 50 percent of the cost of necessary treatment products.

(3) Each family with applicable income and cash assets totaling between 501 percent and 700 percent of the federal poverty level shall be eligible to receive 25 percent of the cost of necessary treatment products.

(4) No family with applicable income and cash assets totaling over 701 percent of federal poverty level shall be eligible to receive any of the cost of necessary treatment products.

(d) If a family's health insurance covers a portion of the cost of necessary treatment product, the family's financial responsibility for this cost shall be determined pursuant to subsection (c).

(e) If the department orders any necessary treatment products for a family that is responsible for part of the cost, that family shall receive a statement indicating the amount to be reimbursed to the department. If reimbursement is not received from the family within 60 days of the statement date, the placement of any future orders for necessary treatment products for that family shall no longer be processed by the department. (Authorized by K.S.A. 65-101 and 65-180, as amended by 2006 SB 579, Sec. 1; implementing K.S.A. 65-180, as amended by 2006 SB 579, Sec. 1; effective, T-28-7-5-06, June 29, 2006.)

Roderick L. Bremby
 Secretary of Health
 and Environment

State of Kansas

Behavioral Sciences Regulatory Board

Temporary Administrative Regulations

Article 2.—LICENSING OF SOCIAL WORKERS

102-2-2a. Application for licensure. (a) Each applicant for licensure as a social worker shall request licensure application forms from the director of the board and shall indicate the level of license desired.

(b) Each applicant for a baccalaureate social work license or a master social work license shall submit the completed application materials to the board and complete the following application procedures:

(1) Submit the full payment of the license application fee as provided in K.A.R. 102-2-3;

(2) submit, on board-approved forms, two professional references. Each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant;

(B) is licensed, or academically eligible for licensure, as a social worker at or above the applicant's intended level of licensure. Under extenuating circumstances, references from individuals other than social workers may be accepted by the board; and

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

(3) submit, on a board-approved form, a third professional reference from an individual who meets all of the following conditions:

(A) Is not related to the applicant; and

(B) except as provided in paragraphs (b)(3)(B)(i) and (b)(3)(B)(ii), has served as the applicant's social work practicum supervisor.

(i) If the practicum supervisor is unavailable, the practicum program director or any person who has knowledge of the applicant's practicum experience based on the applicant's practicum records shall submit the reference.

(ii) If the applicant's practicum supervisor is not licensed or academically eligible for licensure at or above the applicant's intended level of licensure, the applicant shall submit a reference from the academic supervisor of the applicant's social work practicum in addition to the social work practicum supervisor;

(4) arrange for the applicant's academic social work transcript or other official proof that the applicant has received the required degree and completed a qualified social work program to be provided directly to the board by the academic institution. 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

(5) demonstrate satisfactory completion of educational requirements as specified in K.A.R. 102-2-6.

(c) Each applicant for a specialist clinical social work license shall submit the completed application materials to the board and complete the following application procedures:

(continued)

(1) Submit the full payment of the license application fee as provided in K.A.R. 102-2-3;

(2) submit, on board-approved forms two professional references. Each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant;

(B) is licensed, or academically eligible for licensure, as a licensed specialist clinical social worker. Under extenuating circumstances, references from individuals other than social workers may be accepted by the board; and

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

(3) submit, on a board-approved form, a third professional reference from an individual who meets all of the following conditions:

(A) Is not related to the applicant; and

(B) served in one of the following roles:

(i) served as the applicant's employment supervisor at the worksite for the applicant's supervised postgraduate work experience; or

(ii) served as the applicant's employment supervisor during the applicant's most recent employment in a position requiring social work licensure;

(4) submit the supervisory attestation form and other supportive documentation on board-approved forms as required by K.A.R. 102-2-12;

(5) if not previously provided, arrange for the applicant's academic social work transcript or other official proof that the applicant has received the required degree and completed a qualified social work program to be provided directly to the board by the academic institution. 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

(6) demonstrate satisfactory completion of graduate educational requirements as specified in K.A.R. 102-2-6 and K.A.R. 102-2-12.

(d) The examination required for licensure as a social worker may be waived only as provided in K.A.R. 102-2-9.

(e) Any applicant who is determined by the board to meet the requirements of K.S.A. 65-6309, and amendments thereto, may be granted a temporary license if the applicant submits a written request for a temporary license on a form approved by the board and the temporary license fee as provided in K.A.R. 102-2-2. Except as provided in subsection (f), the temporary license shall remain in effect for six months.

(f) Any applicant whose six-month temporary license is due to expire may request that the temporary license remain in effect for a period of time not to exceed an additional six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the temporary license expires. If the request is approved by the board, the temporary license shall remain in effect for the period of time stipulated by the board in its approval, which shall not exceed six months.

(g)(1) If either of the following conditions applies to an applicant, the applicant's application shall expire one year from the date on which it was submitted to the board or on the date on which the applicant's temporary license expires, whichever date is later, except as provided by paragraph (g)(2):

(A) The applicant has not met the qualifications.

(B) The applicant has not submitted a complete application.

(2) Any applicant whose application will expire under paragraph (g)(1) may request that the application be kept open for a period of time not to exceed an additional six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the application shall remain open for the period of time stipulated by the board in its approval, which shall not exceed six months.

(3) Upon expiration of an application, the applicant may submit a new application, fee, and all supporting documents.

(h) 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.

(i) For purposes of this regulation, the term "extenuating circumstances" means any condition caused by events beyond a person's control that is sufficiently extreme in nature to result in either of the following:

(1) The person's inability to comply with the requirements of this regulation within the timeframes established by this regulation or K.S.A. 65-6309, and amendments thereto; or

(2) the inadvisability of requiring the applicant to comply with the requirements of this regulation within the timeframes established by this regulation and K.S.A. 65-6309, and amendments thereto. (Authorized by K.S.A. 2005 Supp. 74-7507 and K.S.A. 65-6314; implementing K.S.A. 65-6306, K.S.A. 2005 Supp. 65-6309, as amended by 2006 SB 470, §2, and K.S.A. 65-6314; 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, T-102-7-5-06, June 29, 2006.)

Article 3.—PROFESSIONAL COUNSELORS; FEES

102-3-4a. Applications for licensure. (a) Each applicant for licensure as a professional counselor or clinical professional counselor shall request the appropriate licensure application forms from the director of the board.

(b) Each applicant for licensure as a professional counselor 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. 102-3-2;

(2) submit, on board-approved forms, references from three individuals, one of whom shall have provided di-

rect clinical supervision of the applicant's graduate program practicum or internship. If this individual is unavailable, the graduate program director or any person who has knowledge of the applicant's practicum or internship experience on the basis of the applicant's practicum or internship records shall submit the reference. Except as specified below in paragraph (b)(2)(C), each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant;

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

(C) is authorized by law to practice professional counseling 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 supervisor of the practicum or internship is unavailable;

(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 graduate educational requirements as specified in K.S.A. 65-5804a, and amendments thereto, and in K.A.R. 102-3-3a.

(c) Each applicant for licensure as a clinical professional counselor 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. 102-3-2;

(2) demonstrate that the applicant is licensed by the board as a professional counselor or meets all requirements for licensure as a professional counselor;

(3) if not previously provided to the board, 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, or internship, or post graduate work experience. If the individual who provided the clinical supervision is unavailable, the graduate program director or any person who has knowledge of the applicant's practicum, internship, or postgraduate work experience on the basis of the applicant's records shall submit the reference. At least one reference shall be from a licensed clinical professional counselor. Each individual submitting a reference shall meet all of the following conditions:

(A) Is not related to the applicant; and

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

(4) if not previously provided to the board, 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;

(5) for persons earning a degree in professional counseling before July 1, 2003, demonstrate satisfactory completion of educational requirements as specified in K.S.A. 65-5804a, and amendments thereto, and in K.A.R. 102-3-3a, if this documentation has not been provided to the board previously;

(6) for any applicant earning a degree in professional counseling on or after July 1, 2003, demonstrate completion of graduate education requirements as specified in K.S.A. 65-5804a, and amendments thereto, and in K.A.R. 102-3-3a. If an applicant who earns a degree in professional counseling on or after July 1, 2003 has not completed the 350 hours of clinical practice required by K.S.A. 65-5804a(c)(1), and amendments thereto, as a part of a graduate-level practicum or internship, the applicant may complete this requirement through 350 hours of postgraduate, supervised experience as set out in K.A.R. 102-3-7a, in addition to the 4,000 hours of postgraduate, supervised experience required by K.S.A. 65-5804a(c)(1); and

(7) submit an attestation from the clinical supervisor that the applicant has satisfactorily 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. 102-3-7a.

(d) The following provisions shall apply to each applicant for licensure as a professional counselor and to each applicant for licensure as a clinical professional counselor:

(1) Upon the board's determination that the applicant has met the applicable educational requirements, each applicant shall pass the appropriate, nationally administered, standardized written examination approved by the board in accordance with K.A.R. 102-3-5a.

(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, each applicant shall submit the fee as provided in K.A.R. 102-3-2 for the original, two-year licensure period.

(4)(A) If any of the following conditions applies to the applicant, the applicant's application shall expire one year from the date on which the application was submitted to the board or on the date the applicant's temporary license expires, whichever date is later, except as provided by paragraph (d)(4)(B):

(i) The applicant has not met the qualifications.

(ii) The applicant has not submitted a complete application.

(iii) The applicant has not submitted the original license fee.

(B) Any applicant whose application will expire under paragraph (d)(4)(A) may request that the application be kept open for an additional period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written

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request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the application shall remain open for the period of time stipulated by the board in its approval, which shall not exceed six months.

(C) Upon expiration of the application, the applicant may submit a new application, the required fee, and all supporting documents, if the applicant wishes to reapply for licensure.

(e)(1) Any applicant who is determined by the board to meet the requirements of K.S.A. 65-5804a, and amendments thereto, may be granted a temporary license if the applicant submits a written request for a temporary license on a form approved by the board and the temporary license fee as provided in K.A.R. 102-3-2. Except as provided in paragraph (e)(2), the temporary license shall remain in effect for six months.

(2) Any applicant whose six-month temporary license is due to expire may request that the temporary license remain in effect for a period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the temporary license shall remain in effect for the period of time stipulated by the board in its approval, which shall not exceed six months.

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

(1) Submit the completed transition application materials;

(2) submit the full payment of the licensure application fee as provided in K.A.R. 102-3-2;

(3) demonstrate that the applicant held a Kansas license or registration as a professional counselor in good standing at any time during the five years immediately before July 1, 2000;

(4) demonstrate active engagement in the practice of professional counseling at any time during the five years immediately before July 1, 2000; and

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

(A)(i) Completion of at least nine graduate semester credit hours, or their academic equivalent, as documented on the transcript, which shall address clinical theory, assessment, and treatment issues, including three semester credit hours, or their academic equivalent, addressing psychopathology; or

(ii) passage of the national clinical examination in professional counseling as specified by K.A.R. 102-3-5a 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 any other setting in which the applicant engaged in clinical practice that included diagnosis or treatment of mental disorders; or

(C) one attestation, on a form provided by the board, from a person licensed by the board to diagnose and treat mental disorders at the independent level or a person licensed to practice medicine and surgery that the applicant has demonstrated competence in the diagnosis and treatment of mental disorders.

(g) For purposes of this regulation, the term "extenuating circumstances" means any condition caused by events beyond a person's control that is sufficiently extreme in nature to result in either of the following:

(1) The person's inability to comply with the requirements of this regulation within the timeframes established by this regulation or K.S.A. 65-5804a, and amendments thereto; or

(2) the inadvisability of requiring the applicant to comply with the requirements of this regulation within the timeframes established by this regulation and K.S.A. 65-5804a, and amendments thereto. (Authorized by K.S.A. 2005 Supp. 74-7507; implementing K.S.A. 65-5804a, as amended by 2006 SB 470, §1, and K.S.A. 65-5808; effective Dec. 19, 1997; amended Aug. 4, 2000; amended July 19, 2002; amended Aug. 12, 2005; amended, T-102-7-5-06, June 29, 2006.)

Article 4.—MASTER'S LEVEL PSYCHOLOGISTS

102-4-4a. Applications for licensure. (a) Each applicant for licensure as a master's level psychologist or clinical psychotherapist shall request the appropriate licensure application form from the director of 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 who has 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 all of 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 ar-

range 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 graduate educational requirements as specified in K.A.R. 102-4-3a.

(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) if not previously provided to the board, 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 who has 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 (c)(2)(B), each individual submitting a reference shall meet all of 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 (c)(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) 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;

(4) if not previously provided to the board, 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;

(5) demonstrate satisfactory completion of the graduate education requirements specified in K.A.R. 102-4-3a; and

(6) submit each supervisor's attestation that the applicant has satisfactorily 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. 102-4-7a.

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

(1) Upon the board's determination that the applicant has met the applicable educational requirements, each applicant shall take the appropriate, 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 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 as provided in K.A.R. 102-4-2 for the original, two-year licensure period.

(4)(A) If any of the following conditions applies to the applicant, the applicant's application shall expire one year from the date on which the application was submitted to the board or on the date the applicant's temporary license expires, whichever date is later, except as provided by paragraph (d)(4)(B):

(i) The applicant has not met the qualifications.

(ii) The applicant has not submitted a complete application.

(iii) The applicant has not submitted the original license fee.

(B) Any applicant whose application will expire under paragraph (d)(4)(A) may request that the application be kept open for a period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the application shall remain open for the period of time stipulated by the board in its approval, which shall not exceed six months.

(C) Upon expiration of the application, the applicant may submit a new application, the required fee, and all supporting documents, if the applicant wishes to reapply for licensure.

(e) Any applicant who is determined by the board to meet the requirements of K.S.A. 74-5367, and amendments thereto, may be granted a temporary license if the applicant submits a written request for a temporary license on a form approved by the board and the temporary license fee as provided in K.A.R. 102-4-2. Except as provided in paragraphs (e)(1) and (e)(2), the temporary license shall remain in effect for 24 months.

(1)(A) Except as provided in paragraph (e)(1)(B), the temporary license shall expire after 12 months if the applicant has not taken the examination at least one time.

(B) Any applicant who does not take the examination at least one time during the first 12 months in which the applicant's temporary license is in effect may request that the temporary license remain in effect for the full 24 months on the basis that extenuating circumstances preclude the applicant from taking the examination during the initial 12-month period. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the end of the initial 12-month period. If the request is approved by the board, the applicant's temporary license shall remain in effect for the remaining 12 months.

(2) Any applicant whose 24-month temporary license is due to expire may request that the temporary license remain in effect for a period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with

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a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the temporary license shall remain in effect for the period of time stipulated by the board in its approval, which shall not exceed six months.

(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 the 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 that the applicant held a Kansas license or registration as a master's level psychologist in good standing at any time during the five years immediately 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:

(A)(i) Completion of at least nine graduate semester credit hours of coursework, or their academic equivalent, as documented on the transcript, which shall address clinical theory, assessment, and treatment issues, including three semester credit hours, or their academic equivalent, addressing psychopathology; or

(ii) passage of the competency examination as specified by K.A.R. 102-4-5a 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 any other setting in which the applicant provided clinical services that included diagnosis or treatment of mental disorders; or

(C) one attestation, on a form provided by the board, from a person licensed by the board to diagnose and treat mental disorders at the independent level or a person licensed to practice medicine and surgery that the applicant has demonstrated competence in the diagnosis or treatment of mental disorders.

(g) For purposes of this regulation, the term "extenuating circumstances" means any condition caused by events beyond a person's control that is sufficiently extreme in nature to result in either of the following:

(1) The person's inability to comply with the requirements of this regulation within the timeframes established by this regulation or K.S.A. 74-5367, and amendments thereto; or

(2) the inadvisability of requiring the applicant to comply with the requirements of this regulation within the timeframes established by this regulation and K.S.A. 74-5367, and amendments thereto. (Authorized by K.S.A. 2005 Supp. 74-7507; implementing K.S.A. 74-5363 and K.S.A. 74-5367, as amended by 2006 SB 470, §5; effective Dec. 19, 1997; amended Aug. 4, 2000; amended Aug. 13, 2004; amended, T-102-7-5-06, June 29, 2006.)

Article 5.—LICENSING OF 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 appropriate 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;

(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 who has 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 all of 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 graduate 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) if not previously provided to the board, 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 who has 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 (c)(2)(B), each individual submitting a reference shall meet all of 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 (c)(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) 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;

(4) if not previously provided to the board, 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;

(5) demonstrate satisfactory completion of the graduate education requirements specified in K.A.R. 102-5-3; and

(6) submit each supervisor's attestation that the applicant has satisfactorily 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 each applicant for licensure as a marriage and family therapist and to each applicant for licensure as a clinical marriage and family therapist:

(1) Upon the board's determination that the applicant has met the applicable educational requirements, each applicant shall pass the appropriate, 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)(A) If any of the following conditions applies to the applicant, the applicant's application shall expire one year from the date on which it was submitted to the board or on the date the applicant's temporary license expires, whichever date is later, except as provided by paragraph (d)(4)(B):

(i) The applicant has not met the qualifications.

(ii) The applicant has not submitted a complete application.

(iii) The applicant has not submitted the original license fee.

(B) Any applicant whose application will expire under paragraph (d)(4)(A) may request that the application be kept open for a period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the ap-

plication shall remain open for the period of time stipulated by the board in its approval, which shall not exceed six months.

(C) Upon expiration of the application, the applicant may submit a new application, the required fee, and all supporting documents, if the applicant wishes to reapply.

(e) Any applicant who is determined by the board to meet the requirements of K.S.A. 65-6405, and amendments thereto, may be granted a temporary license if the applicant submits a written request for a temporary license on a form approved by the board and the temporary license fee as provided in K.A.R. 102-5-2. Except as provided in paragraphs (e)(1) and (e)(2), the temporary license shall remain in effect for 12 months.

(1)(A) Except as provided in paragraph (e)(1)(B), the temporary license shall expire after six months if the applicant has not taken the examination at least one time.

(B) Any applicant who does not take the examination at least one time during the first six months in which the applicant's temporary license is in effect may request that the temporary license remain in effect for the full 12 months on the basis that extenuating circumstances preclude the applicant from taking the examination during the initial six-month period. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the end of the initial six-month period. If the request is approved by the board, the applicant's temporary license shall remain in effect for the remaining six months.

(2) Any applicant whose 12-month temporary license is due to expire may request that the temporary license remain in effect for a period of time not to exceed six months on the basis of extenuating circumstances. The applicant shall submit a written request to the board with a detailed explanation of the extenuating circumstances that are the basis of the applicant's request. The written request shall be submitted no later than 30 days before the application expires. If the request is approved by the board, the temporary license shall remain in effect for the period of time stipulated by the board in its approval, which shall not exceed six months.

(f) Any 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 the 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 that the applicant held a Kansas license or registration as a marriage and family therapist in good standing at any time during the five years immediately 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:

(continued)

(A)(i) Completion of at least nine graduate semester credit hours of coursework, or their academic equivalent, as documented on the transcript, which shall address clinical theory, assessment, and treatment issues, including three semester credit hours, or their academic equivalent, addressing psychopathology; or

(ii) passage of the national marriage and family therapy competency examination as specified by K.A.R. 102-5-5 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 any other setting in which the applicant provided clinical services that included diagnosis or treatment of mental disorders; or

(C) one attestation, on a form provided by the board, from a person licensed by the board to diagnose and treat mental disorders at the independent level or a person licensed to practice medicine and surgery that the applicant has demonstrated competence in the diagnosis or treatment of mental disorders.

(g) For purposes of this regulation, the term "extenuating circumstances" means any condition caused by events beyond a person's control that is sufficiently extreme in nature to result in either of the following:

(1) The person's inability to comply with the requirements of this regulation within the timeframes established by this regulation or K.S.A. 65-6405, and amendments thereto; or

(2) the inadvisability of requiring the applicant to comply with the requirements of this regulation within the timeframes established by this regulation and K.S.A. 65-6405, and amendments thereto. (Authorized by K.S.A. 2005 Supp. 74-7507; implementing K.S.A. 65-6404, K.S.A. 65-6405, as amended by 2006 SB 470, §3, and K.S.A. 65-6411; effective Dec. 19, 1997; amended Aug. 4, 2000; amended Aug. 13, 2004; amended, T-102-7-5-06, June 29, 2006.)

Phyllis Gilmore
Executive Director

Doc. No. 033365

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 and 2005 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-1-1	Amended	V. 24, p. 848
1-2-9	Amended	V. 24, p. 849
1-2-25	Amended	V. 24, p. 849
1-2-25a	New	V. 24, p. 849
1-2-30	Revoked	V. 24, p. 849
1-2-31	Amended	V. 24, p. 849
1-2-43a	New	V. 24, p. 849
1-2-44	Amended	V. 24, p. 849
1-2-46	Amended	V. 24, p. 849
1-2-74	Amended	V. 24, p. 850
1-2-84a	Revoked	V. 24, p. 850
1-2-84b	Revoked	V. 24, p. 850
1-2-97	Amended	V. 24, p. 850
1-3-2	Revoked	V. 24, p. 850
1-4-2	Amended	V. 24, p. 850
1-4-3	Amended	V. 24, p. 850
1-4-5	Amended	V. 24, p. 850
1-4-7	Amended	V. 24, p. 850
1-4-8	Amended	V. 24, p. 851
1-5-8	Amended	V. 24, p. 851
1-5-9	Amended	V. 24, p. 852
1-5-14	Amended	V. 24, p. 852
1-5-15	Amended	V. 24, p. 852
1-5-19c	Amended	V. 24, p. 853
1-5-20	Amended	V. 24, p. 853
1-5-24	Amended	V. 24, p. 853
1-5-30	Amended	V. 24, p. 855
1-6-2	Amended	V. 24, p. 855
1-6-8	Amended	V. 24, p. 855
1-6-27	Amended	V. 24, p. 856
1-6-29	Amended	V. 24, p. 856
1-6-32	Amended	V. 24, p. 857
1-7-3	Amended	V. 24, p. 858
1-7-10	Amended	V. 24, p. 858
1-7-11	Amended	V. 24, p. 858

1-7-12	Amended	V. 24, p. 859
1-8-2	Amended	V. 24, p. 859
1-8-3	Amended	V. 24, p. 859
1-8-4	Amended	V. 24, p. 859
1-8-5	Revoked	V. 24, p. 860
1-8-6	Amended	V. 24, p. 860
1-9-1	Amended	V. 24, p. 860
1-9-2	Amended	V. 24, p. 860
1-9-13	Amended	V. 24, p. 861
1-9-14	Amended	V. 24, p. 861
1-9-19	Amended	V. 24, p. 861
1-9-19a	Amended	V. 24, p. 862
1-9-20	Amended	V. 24, p. 863
1-9-23	Amended	V. 24, p. 863
1-9-27	Revoked	V. 24, p. 865
1-10-6	Revoked	V. 24, p. 865
1-10-7	Revoked	V. 24, p. 865
1-10-10	Revoked	V. 24, p. 865
1-10-11	Revoked	V. 24, p. 865
1-11-1	Amended	V. 24, p. 865
1-11-3	Revoked	V. 24, p. 865
1-12-1	Amended	V. 24, p. 865
1-12-2	Amended	V. 24, p. 865
1-13-1a	Amended	V. 24, p. 866
1-13-1b	New	V. 24, p. 866
1-14-8	Amended	V. 24, p. 866
1-14-11	Amended	V. 24, p. 868

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-8-14a	Amended (T)	V. 25, p. 379
4-8-27	Amended (T)	V. 25, p. 380
4-8-33	Amended (T)	V. 25, p. 380
4-8-34	Amended (T)	V. 25, p. 380
4-8-42	Amended (T)	V. 25, p. 380
4-15-7	Amended	V. 24, p. 550
4-15-8	Amended	V. 24, p. 550
4-28-1		
through		
4-28-7	New	V. 24, p. 145, 146

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-16-1	Amended	V. 24, p. 1850
5-16-5	Amended	V. 24, p. 1850

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-34-2	New (T)	V. 24, p. 42
7-34-2	New	V. 24, p. 332
7-41-1	Amended	V. 24, p. 1244

7-41-14		
through		
7-41-33	New	V. 24, p. 1245-1249
7-42-1		
through		
7-42-5	New	V. 24, p. 1469, 1470
7-43-1		
through		
7-43-6	New	V. 24, p. 1829, 1830

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-2-32	Amended (T)	V. 24, p. 272
9-2-32	Amended	V. 24, p. 919
9-11-10	Amended (T)	V. 24, p. 272
9-11-10	Amended	V. 24, p. 919
9-18-1	Amended (T)	V. 24, p. 1144
9-18-1	Amended	V. 24, p. 1372
9-32-1		
through		
9-32-8	New (T)	V. 25, p. 46-48
9-32-1		
through		
9-32-8	New	V. 25, p. 375-378

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-22-1	Amended	V. 24, p. 962

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-3-1		
through		
11-3-10	Amended	V. 25, p. 250, 251
11-3-11	New	V. 25, p. 252
11-3-12	New	V. 25, p. 252
11-11-1		
through		
11-11-7	Revoked	V. 24, p. 1798

AGENCY 14: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
14-14-12	Revoked	V. 24, p. 798

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-1-7	Amended	V. 24, p. 95
16-4-2	New	V. 24, p. 95
16-4-3	New	V. 24, p. 95
16-4-4	New	V. 24, p. 96

16-6-1	Amended	V. 24, p. 96
16-10-1	New (T)	V. 24, p. 1176
16-10-2	New (T)	V. 24, p. 1176
16-10-3	New (T)	V. 24, p. 1176
16-10-1	New	V. 24, p. 1690
16-10-2	New	V. 24, p. 1690
16-10-3	New	V. 24, p. 1691

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-8-2	Amended	V. 25, p. 274
22-8-3	Amended	V. 25, p. 275
22-8-5	Amended	V. 25, p. 275
22-8-8		
through		
22-8-14	New	V. 25, p. 276, 277
22-8-17	New	V. 25, p. 277

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-39-144	New	V. 24, p. 1629
26-39-243	New	V. 24, p. 1631
26-39-278	New	V. 24, p. 1632
26-39-427	New	V. 24, p. 1632
26-39-438		
through		
26-39-441	New	V. 24, p. 1243

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-2	Amended	V. 25, p. 413
28-4-1400	New (T)	V. 24, p. 1142
28-4-1400	New	V. 24, p. 1531
28-16-28g	Amended	V. 24, p. 753
28-16-58	Amended	V. 24, p. 52
28-16-160		
through		
28-16-174	New	V. 24, p. 754-764
28-17-1	Amended	V. 24, p. 178
28-17-6	Amended	V. 24, p. 179
28-17-20	Amended	V. 24, p. 179
28-17-22	New	V. 24, p. 181
28-19-22	Revoked	V. 24, p. 1437
28-19-350	Amended	V. 25, p. 845
28-19-517	Amended	V. 24, p. 1437
28-19-542	Amended	v. 24, p. 1438
28-19-546	Amended	V. 24, p. 1438
28-19-561	Amended	V. 24, p. 1438
28-19-562	Amended	V. 24, p. 1439
28-19-563	Amended	v. 24, p. 1440
28-19-575		
through		
28-19-578	Revoked	V. 24, p. 1440
28-30-200		
through		
28-30-207	New	V. 24, p. 1470-1474
28-35-135	Revoked	V. 24, p. 1830
28-35-135a		
through		
28-35-135i	New	V. 24, p. 1830
28-35-135k		
through		
28-35-135y	New	V. 24, p. 1830
28-35-136	Revoked	V. 24, p. 1830
28-35-148	New	V. 24, p. 1830
28-35-154	Amended	V. 24, p. 1830
28-35-160	Amended	V. 24, p. 1830
28-35-162	Amended	V. 24, p. 1830
28-35-167	New	V. 24, p. 1830
28-35-168	New	V. 24, p. 1830
28-35-169	New	V. 24, p. 1830
28-35-175a	Amended	V. 24, p. 1830
28-35-176a	Amended	V. 24, p. 1830
28-35-177a	Amended	V. 24, p. 1830
28-35-178a	Amended	V. 24, p. 1830
28-35-178b	Amended	V. 25, p. 256
28-35-178j	New	V. 24, p. 1830
28-35-180a	Amended	V. 24, p. 1830
28-35-180b	New	V. 24, p. 1830
28-35-181e	Amended	V. 24, p. 1830
28-35-181g	Amended	V. 24, p. 1830
28-35-181h	Amended	V. 24, p. 1830
28-35-181i	Amended	V. 24, p. 1830

28-35-181m	Amended	V. 24, p. 1830
28-35-181s	New	V. 24, p. 1830
28-35-184a	Amended	V. 24, p. 1830
28-35-184b	Amended	V. 24, p. 1830
28-35-185a	Amended	V. 24, p. 1830
28-35-193b	Revoked	V. 24, p. 1830
28-35-195a	Amended	V. 24, p. 1830
28-35-199a	Revoked	V. 24, p. 1830
28-35-204	New	V. 24, p. 1830
28-35-205	New	V. 24, p. 1830
28-35-205a	New	V. 24, p. 1830
28-35-205b	New	V. 24, p. 1830
28-35-206	New	V. 24, p. 1830
28-35-211c	New	V. 24, p. 1831
28-35-211d	Amended	V. 24, p. 1831
28-35-212a	Amended	V. 24, p. 1831
28-35-212b	Amended	V. 24, p. 1831
28-35-212d	Amended	V. 24, p. 1831
28-35-212e	Amended	V. 24, p. 1831
28-35-213b	Amended	V. 24, p. 1831
28-35-216a	Amended	V. 24, p. 1831
28-35-217a	Amended	V. 24, p. 1831
28-35-219a	Amended	V. 24, p. 1831
28-35-220a	Amended	V. 24, p. 1831
28-35-222a	Amended	V. 24, p. 1831
28-35-223a	Amended	V. 24, p. 1831
28-35-224a	Amended	V. 24, p. 1831
28-35-227d	Amended	V. 24, p. 1831
28-35-227f	Amended	V. 24, p. 1831
28-35-227g	Amended	V. 24, p. 1831
28-35-227h	Amended	V. 24, p. 1831
28-35-227j	Amended	V. 24, p. 1831
28-35-228a	Amended	V. 24, p. 1831
28-35-230a	Amended	V. 24, p. 1831
28-35-230b	Revoked	V. 24, p. 1831
28-35-230d	Amended	V. 24, p. 1831
28-35-231a	Amended	V. 24, p. 1831
28-35-231b	New	V. 24, p. 1831
28-35-231c	New	V. 24, p. 1831
28-35-241	Amended	V. 24, p. 1831
28-35-242	Amended	V. 24, p. 1831
28-35-242a	New	V. 24, p. 1831
28-35-242b	New	V. 24, p. 1831
28-35-243	Revoked	V. 24, p. 1831
28-35-243a	New	V. 24, p. 1831
28-35-244	Revoked	V. 24, p. 1831
28-35-244a	New	V. 24, p. 1831
28-35-247	Revoked	V. 24, p. 1831
28-35-247a	New	V. 24, p. 1831
28-35-248a	New	V. 24, p. 1831
28-35-249	Revoked	V. 24, p. 1831
28-35-250a	Revoked	V. 24, p. 1831
28-35-251	Amended	V. 24, p. 1831
28-35-252	Revoked	V. 24, p. 1831
28-35-253	Revoked	V. 24, p. 1831
28-35-254	Revoked	V. 24, p. 1831
28-35-255	Amended	V. 24, p. 1831
28-35-256	New	V. 25, p. 116
28-35-261	Revoked	V. 24, p. 1831
28-35-262	Revoked	V. 24, p. 1831
28-35-263	Revoked	V. 24, p. 1831
28-35-264	New	V. 24, p. 1831
28-35-274	Amended	V. 24, p. 1831
28-35-276	Amended	V. 24, p. 1831
28-35-277	Revoked	V. 24, p. 1831
28-35-277a	New	V. 24, p. 1831
28-35-278	Amended	V. 24, p. 1831
28-35-279	Amended	V. 24, p. 1831
28-35-280	Amended	V. 24, p. 1831
28-35-281	Amended	V. 24, p. 1831
28-35-282	Amended	V. 24, p. 1831
28-35-282a	New	V. 24, p. 1831
28-35-282b	New	V. 24, p. 1831
28-35-282c	New	V. 24, p. 1831
28-35-282d	New	V. 24, p. 1831
28-35-283	Amended	V. 24, p. 1831
28-35-284	Amended	V. 24, p. 1831
28-35-285	Amended	V. 24, p. 1831
28-35-287	Amended	V. 24, p. 1831
28-35-288	Amended	V. 24, p. 1831
28-35-289	Amended	V. 24, p. 1831
28-35-290	Amended	V. 24, p. 1831
28-35-291	Amended	V. 24, p. 1831
28-35-292	New	V. 24, p. 1831
28-35-293	New	V. 24, p. 1831

28-35-298	Amended	V. 24, p. 1831
28-35-299	Amended	V. 24, p. 1831
28-35-308	Amended	V. 24, p. 1831
28-35-312	Revoked	V. 24, p. 1831
28-35-314	Amended	V. 24, p. 1831
28-35-316	Amended	V. 25, p. 116
28-35-318	Amended	V. 24, p. 1831
28-35-319	Amended	V. 24, p. 1831
28-35-333	Amended	V. 24, p. 1831
28-35-342	Amended	V. 24, p. 1831
28-35-343	Amended	V. 24, p. 1831
28-35-345	Amended	V. 24, p. 1831
28-35-346	Amended	V. 24, p. 1831
28-35-349	Amended	V. 24, p. 1831
28-35-350	Amended	V. 24, p. 1831
28-35-351	Amended	V. 24, p. 1831
28-35-352	Amended	V. 24, p. 1831
28-35-353	Amended	V. 24, p. 1831
28-35-354	Amended	V. 24, p. 1831
28-35-355	Amended	V. 24, p. 1831
28-35-357	Amended	V. 24, p. 1831
28-35-359	Amended	V. 24, p. 1831
28-35-359a	New	V. 24, p. 1831
28-35-360	Amended	V. 24, p. 1831
28-35-375	New	V. 24, p. 1832
28-35-400		
through		
28-35-411	New	V. 24, p. 1832
28-35-450	New	V. 24, p. 1832
28-35-500		
through		
28-35-505	New	V. 24, p. 1832
28-36-1	Revoked	V. 24, p. 146
28-36-32	Revoked	V. 24, p. 146
28-36-60	Revoked	V. 24, p. 146
28-36-120	Revoked	V. 24, p. 146
28-61-1	Amended	V. 24, p. 1242
28-70-1	Amended	V. 24, p. 1177
28-70-2	Amended	V. 24, p. 1177
28-70-3	Amended	V. 24, p. 1178
28-73-1		
through		
28-73-7	New	V. 25, p. 307-311

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-90	Amended	V. 25, p. 786
30-5-64	Revoked	V. 24, p. 1595
30-5-81u	Amended	V. 24, p. 271
30-5-118	Revoked	V. 25, p. 663
30-5-118b	Revoked	V. 25, p. 663
30-6-77	Revoked	V. 25, p. 847
30-10-1a	Amended	V. 24, p. 489
30-10-1b	Amended	V. 24, p. 491
30-10-1d	Amended	V. 24, p. 492
30-10-11	Amended	V. 24, p. 492
30-10-17	Amended	V. 24, p. 494
30-10-18	Amended (T)	V. 24, p. 23
30-10-18	Amended	V. 24, p. 334
30-10-19	Amended	V. 24, p. 495
30-10-20	Amended	V. 24, p. 496
30-10-23a	Amended	V. 24, p. 496
30-10-23b	Amended	V. 24, p. 497
30-14-27	Revoked	V. 25, p. 847

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-41-1		
through		
36-41-5	New (T)	V. 24, p. 273, 274
36-41-1		
through		
36-41-5	New	V. 24, p. 1111, 1112

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-42	Amended	V. 24, p. 1734
40-1-44	Amended	V. 24, p. 848
40-1-48	Amended	V. 25, p. 210
40-1-51	Amended	V. 24, p. 1735

(continued)

40-2-14a	Amended	V. 24, p. 1735
40-2-14b	Revoked	V. 24, p. 1735
40-3-5	Amended	V. 25, p. 182
40-3-12	Amended	V. 25, p. 182
40-3-13	Amended	V. 24, p. 1371
40-3-18	Amended	V. 24, p. 1371
40-3-22	Amended	V. 25, p. 210
40-3-24	Amended	V. 24, p. 1371
40-3-40	Amended	V. 25, p. 212
40-3-43	Amended	V. 25, p. 183
40-3-44	Amended	V. 25, p. 212
40-3-46	Revoked	V. 25, p. 183
40-3-47	Amended	V. 25, p. 183
40-3-48	Amended	V. 25, p. 212
40-3-53	New (T)	V. 24, p. 15
40-3-53	New	V. 24, p. 615
40-4-25	Amended	V. 25, p. 278
40-4-35	Amended	V. 24, p. 1264
40-7-5	Amended	V. 25, p. 844
40-7-7	Amended	V. 24, p. 1829
40-7-7a	Revoked	V. 24, p. 1829
40-7-9	Amended	V. 24, p. 1829
40-7-22	Amended	V. 24, p. 1371
40-7-23	Amended	V. 24, p. 1371

AGENCY 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-49-1	Amended	V. 25, p. 25
49-49-1a	Amended	V. 25, p. 25

**AGENCY 51: DEPARTMENT OF LABOR—
DIVISION OF WORKERS COMPENSATION**

Reg. No.	Action	Register
51-2-5	Amended	V. 24, p. 1647
51-9-7	Amended	V. 24, p. 1734

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-3-106a	Amended	V. 24, p. 1145
60-3-107	Amended	V. 24, p. 1145
60-3-108	Amended	V. 24, p. 1145
60-3-112	Amended	V. 24, p. 1145
60-11-113	Amended	V. 24, p. 1145
60-11-120	Amended	V. 24, p. 1145
60-11-121	Amended	V. 24, p. 1145
60-13-112	Amended	V. 24, p. 1146
60-15-101	Amended	V. 24, p. 1146
60-15-104	Amended	V. 24, p. 1147
60-16-103	Amended	V. 24, p. 1147
60-16-104	Amended	V. 24, p. 1148
60-17-111	Amended	V. 24, p. 1149

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-4-1	Amended	V. 24, p. 1629

**AGENCY 66: BOARD OF TECHNICAL
PROFESSIONS**

Reg. No.	Action	Register
66-6-4	Amended	V. 24, p. 79
66-8-4	Amended	V. 25, p. 44
66-8-8	New	V. 24, p. 80
66-9-4	Amended	V. 25, p. 73
66-9-6	Amended	V. 24, p. 80
66-9-7	New	V. 24, p. 80
66-10-1	Amended	V. 25, p. 44
66-10-9	Amended	V. 25, p. 44
66-10-11	Amended	V. 25, p. 44
66-10-12	Amended	V. 25, p. 45
66-10-14	Amended	V. 25, p. 45
66-11-5	Amended	V. 25, p. 45
66-14-3	Amended	V. 24, p. 80
66-14-5	Amended	V. 24, p. 81

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-2-22	Amended	V. 25, p. 661
68-5-16	New (T)	V. 24, p. 1377
68-5-16	New	V. 25, p. 643

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-1-4	Amended (T)	V. 24, p. 14
69-1-4	Amended	V. 24, p. 392

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-2-2	Amended	V. 24, p. 1828
71-8-1		
through		
71-8-9	New	V. 25, p. 99, 100

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-1a	Amended	V. 25, p. 609
74-4-7	Amended	V. 25, p. 610
74-4-8	Amended	V. 25, p. 610
74-5-2	Amended	V. 25, p. 611
74-5-101	Amended	V. 25, p. 612
74-5-102	Amended	V. 25, p. 612
74-5-103	Amended	V. 24, p. 796
74-5-104	Amended	V. 24, p. 796
74-5-201	Amended	V. 24, p. 796
74-5-202	Amended	V. 25, p. 613
74-5-203	Amended	V. 25, p. 613
74-5-205	Revoked	V. 24, p. 797
74-5-301	Amended	V. 24, p. 797
74-5-401	Amended	V. 24, p. 797
74-5-403	Amended	V. 24, p. 797
74-11-6	Amended	V. 25, p. 613
74-11-7	Amended	V. 25, p. 614
74-11-15	Amended	V. 24, p. 798

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

Reg. No.	Action	Register
75-6-30	Amended	V. 24, p. 1849
75-6-31	Amended	V. 24, p. 1849
75-6-35	New	V. 24, p. 1849

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

Reg. No.	Action	Register
81-4-4	New (T)	V. 24, p. 1372
81-4-4	New	V. 24, p. 1775
81-5-15	New (T)	V. 24, p. 1372
81-5-15	New	V. 24, p. 1775

**AGENCY 82: STATE CORPORATION
COMMISSION**

Reg. No.	Action	Register
82-4-3	Amended (T)	V. 24, p. 97
82-4-3	Amended	V. 24, p. 463
82-4-3a		
through		
82-4-3m	New (T)	V. 24, p. 97-122
82-4-3a		
through		
82-4-3m	New	V. 24, p. 463-488
82-4-3a	Amended (T)	V. 25, p. 378
82-4-3a	Amended	V. 25, p. 844

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-3-29	New (T)	V. 24, p. 959
86-3-29	New	V. 24, p. 1690

**AGENCY 91: DEPARTMENT OF
EDUCATION**

Reg. No.	Action	Register
91-1-203	Amended	V. 24, p. 1178
91-1-213	Revoked	V. 24, p. 1181
91-1-220	New	V. 24, p. 1181
91-1-221	New	V. 24, p. 1182
91-15-1	Amended	V. 24, p. 272
91-35-1		
through		
91-35-4	Revoked	V. 24, p. 272

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-4	Revoked	V. 25, p. 252
92-12-4a	New	V. 25, p. 252
92-12-5	Revoked	V. 25, p. 254
92-12-113	New	V. 24, p. 423
92-12-120	New	V. 25, p. 254
92-12-121	New	V. 25, p. 254

92-12-130	New	V. 25, p. 254
92-19-22a	Amended	V. 25, p. 254
92-19-49a	Revoked	V. 24, p. 798
92-19-49b	New	V. 24, p. 798
92-19-49c	New	V. 24, p. 799
92-19-49d	New	V. 24, p. 801
92-19-81	Amended	V. 24, p. 802
92-51-34a	Amended	V. 24, p. 423
92-51-41	Amended	V. 25, p. 255
92-51-41a	New	V. 25, p. 255

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

Reg. No.	Action	Register
99-25-1	Amended	V. 24, p. 1264
99-25-9	Amended	V. 24, p. 1265
99-25-10	New	V. 24, p. 1265

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-15-2	Revoked	V. 24, p. 1113
100-15-4		
through		
100-15-7	New	V. 24, p. 1113, 1114
100-25-1		
through		
100-25-5	New (T)	V. 24, p. 1874-1877
100-25-1		
through		
100-25-5	New	V. 25, p. 213-216
100-26-1	Amended (T)	V. 24, p. 1877
100-26-1	Amended	V. 25, p. 217
100-26-2	New (T)	V. 24, p. 1877
100-26-2	New	V. 25, p. 217
100-26-3	New (T)	V. 24, p. 1878
100-26-3	New	V. 25, p. 217
100-28a-14	Amended	V. 24, p. 1114
100-28a-17	New	V. 24, p. 1114
100-28a-18	New	V. 24, p. 1115
100-29-1	Amended	V. 25, p. 639
100-29-2	Amended	V. 25, p. 890
100-29-3	Amended	V. 25, p. 640
100-29-4	Amended	V. 25, p. 890
100-29-5	Revoked	V. 25, p. 640
100-29-6	Amended	V. 25, p. 640
100-29-8	Amended	V. 25, p. 640
100-29-9	Amended	V. 25, p. 640
100-29-10	Amended	V. 25, p. 641
100-29-12	Amended	V. 25, p. 642
100-29-13	Amended	V. 25, p. 643
100-29-14	Revoked	V. 25, p. 890
100-29-15	New	V. 25, p. 643
100-29-16	New	V. 25, p. 890
100-54-1	Amended	V. 24, p. 1441
100-54-6	Amended	V. 24, p. 1441
100-54-8	Amended	V. 24, p. 1441
100-54-10	New	V. 24, p. 1442
100-54-11	New	V. 24, p. 1442
100-69-1	Amended	V. 24, p. 1346
100-69-2	Amended	V. 24, p. 1347
100-69-3	Amended	V. 24, p. 1347
100-69-4	Revoked	V. 24, p. 1347
100-69-6	Amended	V. 24, p. 1347
100-69-7	Amended	V. 24, p. 1347
100-69-8	Revoked	V. 24, p. 1347
100-69-9	Amended	V. 24, p. 1347
100-69-10	Amended	V. 24, p. 1348
100-69-11	Amended	V. 24, p. 1349
100-72-6	Amended	V. 24, p. 1115
100-73-1		
through		
100-73-6	New (T)	V. 24, p. 1142-1144
100-73-1		
through		
100-73-6	New	V. 24, p. 1443, 1444

**AGENCY 102: BEHAVIORAL SCIENCES
REGULATORY BOARD**

Reg. No.	Action	Register
102-1-5a	Amended	V. 25, p. 183
102-1-12	Amended	V. 25, p. 184
102-1-13	Amended	V. 24, p. 424
102-1-18	Amended	V. 24, p. 424

102-2-3	Amended	V. 24, p. 424
102-2-8	Amended	V. 24, p. 424
102-2-12	Amended	V. 24, p. 426
102-2-14	Amended	V. 24, p. 427
102-3-2	Amended	V. 24, p. 428
102-3-3a	Amended (T)	V. 24, p. 330
102-3-4a	Amended	V. 24, p. 1211
102-3-15	Amended	V. 24, p. 428
102-4-2	Amended	V. 24, p. 428
102-4-15	Amended	V. 24, p. 428
102-5-2	Amended	V. 24, p. 428
102-5-5	Amended	V. 25, p. 187
102-5-14	Amended	V. 24, p. 429

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-4-1	Amended (T)	V. 24, p. 1597
105-4-1	Amended	V. 25, p. 101
105-11-1	New (T)	V. 24, p. 1598
105-11-1	New	V. 25, p. 101

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 24, p. 1846
108-1-4	Amended	V. 25, p. 180

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-9-1		
through		
110-9-8	New	V. 25, p. 373-375
110-11-1	New	V. 24, p. 429
110-11-2	New	V. 24, p. 429
110-11-3	New	V. 24, p. 429
110-12-1		
through		
110-12-6	New	V. 24, p. 371
110-13-1		
through		
110-13-10	New	V. 24, p. 1209-1211
110-13-4	Amended	V. 25, p. 447

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. A list of regulations filed by the Kansas Lottery from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. The following regulations were filed after January 1, 2006:

Reg. No.	Action	Register
111-2-30	Amended	V. 25, p. 414
111-2-187	New	V. 25, p. 381
111-4-2342		
through		
111-4-2349	New	V. 25, p. 217-221
111-4-2350		
through		
111-4-2362	New	V. 25, p. 311-319
111-4-2363		
through		
111-4-2382	New	V. 25, p. 339-351
111-4-2383		
through		
111-4-2387	New	V. 25, p. 381-384
111-4-2389		
through		
111-4-2393	New	V. 25, p. 385, 386
111-4-2394		
through		
111-4-2404	New	V. 25, p. 415-422
111-4-2405		
through		
111-4-2418	New	V. 25, p. 787-795
111-5-126		
through		
111-5-138	New	V. 25, p. 386-390

111-5-139	New	V. 25, p. 423
111-5-139a	New	V. 25, p. 795
111-5-140		
through		
111-5-149	New	V. 25, p. 795-797
111-5-150		
through		
111-5-154	New	V. 25, p. 842-844
111-6-1	Amended	V. 25, p. 222
111-7-81	Amended	V. 25, p. 319
111-9-130		
through		
111-9-133	New	V. 25, p. 351-353
111-11-1	Amended	V. 25, p. 223

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-1a	Amended	V. 24, p. 1851
112-10-5	Amended	V. 24, p. 1263
112-11-20	Amended	V. 24, p. 1852

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 25, p. 335
115-2-4	Amended	V. 25, p. 336
115-3-2	Amended	V. 24, p. 148
115-4-2	Amended	V. 24, p. 420
115-4-4	Amended	V. 25, p. 662
115-4-4a	New	V. 24, p. 422
115-4-6	Amended	V. 25, p. 336
115-4-6a	New	V. 24, p. 151
115-4-11	Amended	V. 24, p. 151
115-4-13	Amended	V. 24, p. 422
115-5-1	Amended	V. 24, p. 152
115-5-4	New	V. 24, p. 752
115-7-2	Amended	V. 24, p. 153
115-9-4	Amended	V. 24, p. 153
115-9-9	New	V. 24, p. 1112
115-11-1	Amended	V. 24, p. 752
115-11-2	Amended	V. 24, p. 153
115-15-1	Amended	V. 24, p. 154
115-15-2	Amended	V. 24, p. 155
115-18-1	Amended	V. 24, p. 156
115-18-7	Amended	V. 24, p. 159
115-18-10	Amended	V. 24, p. 753
115-18-14	Amended	V. 24, p. 1689
115-20-1	Amended	V. 24, p. 159
115-20-2	Amended	V. 24, p. 160
115-21-1	Revoked	V. 24, p. 1690
115-21-2	Revoked	V. 24, p. 1690
115-21-4	Revoked	V. 24, p. 1690

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-2-2a	New	V. 24, p. 1079
117-2-3	Amended (T)	V. 24, p. 1141
117-2-3	Amended	V. 24, p. 1595
117-3-2a	New	V. 24, p. 1079
117-3-3	Amended (T)	V. 24, p. 1141
117-3-3	Amended	V. 24, p. 1595
117-4-2a	New	V. 24, p. 1080
117-4-3	Amended (T)	V. 24, p. 1141
117-4-3	Amended	V. 24, p. 1595
117-5-2a	New	V. 24, p. 1080
117-6-3	Amended	V. 24, p. 77
117-7-1	Amended	V. 24, p. 78
117-8-1	Amended	V. 24, p. 78

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-5-10	Amended	V. 24, p. 1632

AGENCY 120: HEALTH CARE DATA GOVERNING BOARD

Reg. No.	Action	Register
120-1-1	Revoked (T)	V. 24, p. 1377
120-1-1	Revoked	V. 24, p. 1734
120-1-2	New (T)	V. 24, p. 1377
120-1-2	New	V. 24, p. 1734

AGENCY 123: JUVENILE JUSTICE AUTHORITY

Reg. No.	Action	Register
123-1-101	New	V. 24, p. 301
123-2-105	New	V. 24, p. 338
123-2-110	New	V. 24, p. 338
123-5-101	New	V. 24, p. 339
123-5-106	New	V. 24, p. 339
123-5-111	New	V. 24, p. 339
123-5-112	New	V. 24, p. 340
123-5-505	New	V. 24, p. 340
123-12-101		
through		
123-12-107	New	V. 24, p. 301, 302
123-12-201		
through		
123-12-210	New	V. 24, p. 302, 303
123-12-301		
through		
123-12-315	New	V. 24, p. 303-305
123-12-317	New	V. 24, p. 305
123-12-318	New	V. 24, p. 305
123-12-319	New	V. 24, p. 306
123-12-321		
through		
123-12-325	New	V. 24, p. 306
123-12-327	New	V. 24, p. 306
123-12-328	New	V. 24, p. 307
123-12-401	New	V. 24, p. 307
123-12-501		
through		
123-12-505	New	V. 24, p. 307, 308
123-12-505b	New	V. 24, p. 308
123-12-506	New	V. 24, p. 308
123-12-601	New	V. 24, p. 308
123-12-602	New	V. 24, p. 310
123-12-702	New	V. 24, p. 310
123-12-801	New	V. 24, p. 310
123-12-901	New	V. 24, p. 310
123-12-902	New	V. 24, p. 310
123-12-1001	New	V. 24, p. 311
123-12-1002	New	V. 24, p. 311
123-12-1101	New	V. 24, p. 311
123-12-1201	New	V. 24, p. 312
123-12-1202	New	V. 24, p. 312
123-12-1301	New	V. 24, p. 312
123-12-1302	New	V. 24, p. 312
123-12-1303	New	V. 24, p. 312
123-12-1306	New	V. 24, p. 312
123-12-1308	New	V. 24, p. 313
123-13-101	New	V. 24, p. 342
123-13-101a	New	V. 24, p. 343
123-13-103	New	V. 24, p. 343
123-13-105	New	V. 24, p. 343
123-13-106	New	V. 24, p. 343
123-13-201	New	V. 24, p. 343
123-13-201b	New	V. 24, p. 344
123-13-202	New	V. 24, p. 345
123-13-203	New	V. 24, p. 345
123-13-306	New	V. 24, p. 345
123-13-307	New	V. 24, p. 346
123-13-401		
through		
123-13-404	New	V. 24, p. 346-348
123-13-405a	New	V. 24, p. 349
123-13-406	New	V. 24, p. 349
123-13-408	New	V. 24, p. 350
123-13-409	New	V. 24, p. 350
123-13-501	New	V. 24, p. 350
123-13-502a	New	V. 24, p. 350
123-13-505		
through		
123-13-509	New	V. 24, p. 350, 351
123-13-601	New	V. 24, p. 351
123-13-602	New	V. 24, p. 351
123-13-603	New	V. 24, p. 351
123-13-610	New	V. 24, p. 351
123-13-701		
through		
123-13-704	New	V. 24, p. 352, 353
123-13-706	New	V. 24, p. 353
123-13-707	New	V. 24, p. 353
123-15-101	New	V. 24, p. 353

(continued)

123-15-101a	New	V. 24, p. 354
123-15-101b	New	V. 24, p. 354
123-15-102	New	V. 24, p. 354
123-15-104	New	V. 24, p. 355
123-15-105	New	V. 24, p. 355
123-15-105a	New	V. 24, p. 356
123-15-106	New	V. 24, p. 356
123-15-201	New	V. 24, p. 356
123-16-102	New	V. 24, p. 356
123-16-105	New	V. 24, p. 357

**AGENCY 127: KANSAS HOUSING
RESOURCES CORPORATION**

Reg. No.	Action	Register
127-1-1	New	V. 24, p. 848

**AGENCY 129: DEPARTMENT OF
ADMINISTRATION—DIVISION OF
HEALTH POLICY AND FINANCE**

Reg. No.	Action	Register
129-5-1	Amended	V. 25, p. 663
129-5-118	New	V. 25, p. 665

129-5-118b	New	V. 25, p. 665
129-6-77	New	V. 25, p. 847
129-6-151	New	V. 25, p. 848
129-6-152	New	V. 25, p. 848
129-7-65	New	V. 25, p. 848
129-14-27	New	V. 25, p. 849
129-14-51	New	V. 25, p. 849
129-14-52	New	V. 25, p. 849

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In this issue . . .

Kansas Department of Health and Environment Requests for comments on proposed air quality permits.....	34, 39
Annual Program Report for the Voluntary Cleanup and Property Redevelopment Program.....	35
Notice of hearing on proposed air quality permit.....	36
Notice concerning Kansas water pollution control permits.....	37
Pooled Money Investment Board Notice of investment rates.....	37
State Banking Board Notice of 2002 meeting schedule.....	37
Department of Administration Public notice.....	38
Wildlife and Parks Commission Notice of hearing on proposed administrative regulations.....	39
Attorney General Opinions 2001-48 through 2001-56.....	39
Information Network of Kansas Notice of meeting.....	40
City of Overland Park Notice to bidders.....	42
Department of Administration—Division of Purchases Notice to bidders for state purchases.....	42
	43

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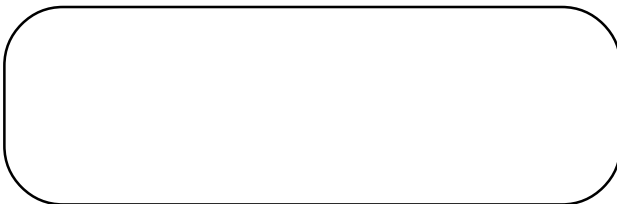
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