



Kansas Register

Ron Thornburgh, Secretary of State

Vol. 25, No. 30 July 27, 2006 Pages 1001-1038

In this issue . . .	Page
Kansas Water Authority	
Notice of meeting	1003
Heartland Works, Inc.	
Request for proposals for Web-based learning management system	1003
State Board of Healing Arts	
Notice of hearing on proposed administrative regulations	1003
Pooled Money Investment Board	
Notice of investment rates.....	1004
State Conservation Commission	
Notice to contractors.....	1004
Legislative interim committee schedule.....	1004
Wichita State University	
Notice to bidders	1005
Social and Rehabilitation Services	
Request for proposals	1005
Office of the Governor	
Notice of available grant funding	1005
Executive Order 06-07.....	1006
Kansas Department of Labor	
Notices of hearing on proposed administrative regulations.....	1005, 1006
Kansas Housing Resources Corporation	
Notice of hearing on the Community Services Block Grant State Plan	1007
Notice of hearing on the 2007 Kansas Consolidated Plan	1007
City of Wichita	
Notices to bidders	1007
Behavioral Sciences Regulatory Board	
Notice of hearing on proposed administrative regulations	1008
Kansas Department of Transportation	
Request for comments on proposed DBE methodology.....	1008
Notice to contractors.....	1008
Request for comments on the Statewide Transportation Improvement Program.....	1009
Notice of Bond Redemption	
City of Kansas City.....	1010
Department of Administration—Division of Purchases	
Notice to bidders for state purchases	1010
Kansas State Treasurer	
Notice of hearing on proposed administrative regulations	1011

(continued on next page)

City of Lenexa
 Notice to bidders 1011

Notice of Bond Sale
 Douglas County 1012
 City of Cheney 1013

Governmental Ethics Commission
 Opinions 2006-11 through 2006-13..... 1014

Department of Health and Environment
 Notice concerning water pollution control permits/applications 1016

Kansas State University-Salina
 Notice to bidders..... 1019

Temporary Administrative Regulations
 Correction notice concerning effective dates..... 1019
 Kansas Lottery 1019

Permanent Administrative Regulations
 Social and Rehabilitation Services..... 1027
 Kansas Health Policy Authority 1028

Index to administrative regulations..... 1031

The KANSAS REGISTER (USPS 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594. One-year subscriptions are \$80 (Kansas residents must include applicable state and local sales tax). Single copies may be purchased, if available, for \$2 each. **Periodicals postage paid at Topeka, KS.**

POSTMASTER: Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

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PUBLISHED BY
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Secretary of State
 1st Floor, Memorial Hall
 120 S.W. 10th Ave.
 Topeka, KS 66612-1594
 (785) 296-4564
 www.kssos.org



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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 27, 2006.)

Heartland Works, Inc.

Request for Proposals

Heartland Works, Inc. is accepting proposals for the purchase and installation of a Web-based learning management system that can deliver, test and track training components for its employees and other customers. To receive a request for proposals packet that includes all specifications, contact the Heartland Works office, 610 S.W. 10th Ave., Suite 210, Topeka, 66612-1616, (785) 234-0500. Proposals must be received not later than 3 p.m. Friday, August 25. Heartland Works, Inc. welcomes all interested companies to submit a proposal.

Nancy Leonard
Executive Assistant

Doc. No. 033424

State of Kansas

Board of Healing Arts

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Tuesday, September 26, at the office of the Kansas State Board of Healing Arts, 235 S. Topeka Blvd., Topeka, to consider the adoption of three proposed new rules and regulations (K.A.R. 100-73-7, K.A.R. 100-73-8 and K.A.R. 100-73-9), concerning radiologic technologists, and the revocation of one rule and regulation (K.A.R. 100-29-11), concerning physical therapy.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the above referenced rules and regulations. All interested parties may submit comments prior to the hearing to the Board of Healing Arts, 235 S. Topeka Blvd., Topeka, 66603. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the adoption of the regulations during the hearing. In order to give all persons an opportunity to present their views, it may be

necessary to request each participant to limit any oral presentations to five minutes.

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

A summary of the three proposed new radiologic technologist rules and regulations and the proposed revocation of one physical therapy rule and regulation to be considered at the hearing and the respective economic impact follows:

K.A.R. 100-73-7. License renewal; continuing education. This regulation specifies the continuing education requirements that shall be submitted with a license renewal and defines terms used within the regulation.

K.A.R. 100-73-8. Reinstatement; canceled and revoked licenses. This regulation specifies continuing education and other requirements necessary for reinstatement of a canceled or revoked radiologic technologist license.

K.A.R. 100-73-9. Continuing education; persons exempt from licensure. This regulation establishes continuing education requirements for certain persons who are exempt from licensure as a radiologic technologist.

K.A.R. 100-29-11. Complaint; institution of proceedings; hearings. The board is requesting that this regulation be revoked because it determined that this regulation deals with internal management issues and is not appropriate as a rule and regulation. Therefore, the board adopted policy #05-06 to take the place of this regulation.

These regulations are not mandated by any federal law.

There are no foreseen costs to the board to implement K.A.R. 100-73-7, K.A.R. 100-73-8 and K.A.R. 100-73-9 for fiscal year 2007. For FY 2008, the board foresees costs associated with auditing continuing education compliance. The board would incur costs of mailing audit requests to approximately 250 licensees. These costs would be less than \$100 and will be included in the FY 2008 budget request. No additional full-time employees will be required to perform the audit. To renew their license as a radiologic technologist (LRT) in the state of Kansas, each LRT may incur costs to enroll in and attend continuing education classes prior to annual renewal. The amount of the cost of coverage is not known.

There is no foreseen cost to either the board or the public if K.A.R. 100-29-11 is revoked.

No other methods were considered.

Copies of the proposed regulations and the associated economic impact statements may be obtained by contacting Cathy Brown at the address above, (785) 296-3680, or from the board's Web site at www.ksbha.org/pub-info.html.

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 033404

**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 7-24-06 through 7-30-06

Term	Rate
1-89 days	5.24%
3 months	5.11%
6 months	5.23%
1 year	5.18%
18 months	5.13%
2 years	5.07%

Derl S. Treff
Director of Investments

Doc. No. 033401

**State of Kansas
State Conservation Commission**

Notice to Contractors

Sealed bids for the construction of a 35,000 cubic yard detention dam, Site 153, in Wabaunsee County, will be received by the Mill Creek Watershed Joint District No. 85 at the residence of Duane Hund, 33291 E. Spring Creek Road, Paxico, 66526, (785) 636-5477, until noon August 15. Bids will be opened at 7:30 p.m. August 15 at the USDA Service Center, 107 E. 6th St., Alma (no telephone available). Bids may be hand delivered prior to bid opening. A copy of the invitation for bids and the plans and specifications can be reviewed at and obtained from the King C. O. Services, 24298 M Road, Holton, 66436, (785) 364-3408. A \$25 nonrefundable deposit will be required for each set of plans requested.

Greg A. Foley
Executive Director

Doc. No. 033412

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of August 7-11. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://kslegislature.org/klrd>.

Date	Room	Time	Committee	Agenda
Aug. 7	123-S	10:00 a.m.	Legislative Budget Committee	Overview of pay plan and other state employee issues, report on state vehicles, updates on Level V and VI group home issues, veterans' service organization grant program, Dept. of Revenue tax collections, social welfare deferrals and audits, and state general fund finances.
Aug. 8	123-S	9:00 a.m.		
Aug. 7	514-S	9:00 a.m.	At-Risk Education Council	Committee discussion of final report.
Aug. 7	526-S	10:00 a.m.	Joint Committee on Information Technology	Agenda not available.
Aug. 8	526-S	9:00 a.m.		
Aug. 9	123-S	10:00 a.m.	Joint Committee on State Building Construction	9th: Leases, leasing shared services, KU building projects, Kansas Board of Regents rehabilitation and repair funds distribution, and five-year capital improvement plans for Comm. on Veterans' Affairs and Insurance Dept.
Aug.. 10	Manhattan	9:00 a.m.		10th: Tour KSU — campus deferred maintenance and Biosecurity Research Institute, and tour Dept. of Wildlife and Parks' Tuttle Creek State Park and Rocky Ford.
Aug. 10	514-S	10:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Agenda not available.
Aug. 11	514-S	9:00 a.m.		
Aug. 11	KSU	10:00 a.m.	Joint Committee on Kansas Security	Overview and tour of Biosecurity Research Institute.

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 033418

State of Kansas

Wichita State University

Notice to Bidders

Sealed bids for the item listed below will be received by the Wichita State University Purchasing Office, Wichita, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (316) 978-3080 or fax (316) 978-3528 for additional information:

Wednesday, August 16, 2006

B0000111-2

Nano-Indenter

Steven W. White
Director of Purchasing

Doc. No. 033427

State of Kansas

Office of the Governor

Notice of Available Grant Funding

Grant funds are available from the Federal Victims of Crime Act (VOCA) for the funding period of October 1, 2006 through September 30, 2007, to eligible applicants. The purpose of this grant program is to fund state and local units of government and not-for-profit, community and faith-based organizations that provide direct assistance to crime victims. For the purposes of this grant program, a crime victim is a person who has suffered physical, sexual, financial or emotional harm as a result of the commission of a crime. Direct services are defined as those efforts that (1) respond to the emotional and physical needs of crime victims; (2) assist primary and secondary victims of crime to stabilize their lives after a victimization; (3) assist victims to understand and participate in the criminal justice system; and (4) provide victims of crime with a measure of safety such as boarding up broken windows and replacing or repairing locks.

Priority shall be given to victims of sexual assault, domestic violence and child abuse. Thus, a minimum of 10 percent of each federal fiscal year grant (30 percent total) will be allocated to each of these categories of crime victims. Current VOCA subgrantees will be given priority in receiving grant awards. In addition, priority will be given to VOCA grant projects that provide on-going direct services to victims of crime.

There is a 20 percent nonfederal cash or in-kind match requirement of the total VOCA grant project (VOCA grant award plus match). Native American tribes/organizations located on reservations are only required to provide a 5 percent match.

Grant applications may be obtained by contacting the Governor's Grants Program at (785) 291-3205 or may be accessed via the Internet at <http://www.governor.ks.gov/grants/default.htm>. This is to obtain a printed copy only; applications cannot be submitted online.

All grant applications must be received by 5 p.m. Tuesday, August 22.

Juliene Maska
Governor's Grants Program Administrator

Doc. No. 033408

State of Kansas

Social and Rehabilitation Services

Request for Proposals

The Department of Social and Rehabilitation Services announces the request for proposals by the Division of Health Care Policy. The purpose of this request is to seek a vendor who will provide a 24 hours a day, structured, safe, residential setting for individuals in the sexual violent predator program (as determined by K.S.A. 59-29a01) requiring assisted living or nursing home level of care.

Vendors interested in receiving the request for proposal should contact Leslie Huss, SRS-Health Care Policy, 10th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, (785) 296-1809 or lxh@srskansas.org.

Gary Daniels
Secretary of Social and
Rehabilitation Services

Doc. No. 033430

State of Kansas

Department of Labor

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Kansas Department of Labor at 10 a.m. Friday, September 29, at the Kansas Department of Labor, third floor conference room, 401 S.W. Topeka Blvd., Topeka, to consider the adoption of an unemployment insurance program regulation. This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulation.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least 10 working days in advance of the hearing by contacting Darren E. Root, Staff Attorney, Kansas Department of Labor, 401 S.W. Topeka Blvd., Topeka, 66603, (785) 296-4902.

A copy of the full text of the regulation and the economic impact statement may be obtained by contacting Darren Root. A summary of the regulation and the economic impact follows:

K.A.R. 50-3-2a—In accordance with K.S.A. 44-705(a), the department is proposing adoption of a regulation that exempts certain unemployment benefits claimants from registering at a work force center.

Economic Impact: The adoption of this regulation will have no appreciable economic impact on the unemployment insurance program.

Jim Garner
Secretary of Labor

Doc. No. 033407

State of Kansas

Department of Labor

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Kansas Department of Labor at 10 a.m. Friday, September 29, at the Kansas Department of Labor, third floor conference room, 401 S.W. Topeka Blvd., Topeka, to consider the adoption of and changes to boiler specifications and inspections regulations. This 60-day notice constitutes a public comment period for the purposes of receiving written public comment on the proposed regulations.

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 10 working days in advance of the hearing by contacting Darren E. Root, Staff Attorney, Kansas Department of Labor, 401 S.W. Topeka Blvd., Topeka, 66603, (785) 296-4902.

A copy of the full text of the regulations and the economic impact statements may be obtained by contacting Darren Root. A summary of the regulations and the economic impact follows:

The regulations subject to this hearing notice are K.A.R. 49-45a-1, K.A.R. 49-45-1, K.A.R. 49-45-2, K.A.R. 49-45-3, K.A.R. 49-45-4, K.A.R. 49-45-4a, K.A.R. 49-45-4b, K.A.R. 49-45-5, K.A.R. 49-45-6, K.A.R. 49-45-7, K.A.R. 49-45-8, K.A.R. 49-45-9, K.A.R. 49-45-20, K.A.R. 49-45-21 through 49-45-26, K.A.R. 49-45-28, K.A.R. 49-45-29, K.A.R. 49-45-30, K.A.R. 49-45-31, K.A.R. 49-45-32, K.A.R. 49-45-34, K.A.R. 49-45-35, K.A.R. 49-45-37, K.A.R. 49-45-38, K.A.R. 49-47-2, K.A.R. 49-50-3, K.A.R. 49-50-7, K.A.R. 49-50-9, K.A.R. 49-50-10, K.A.R. 49-50-13, K.A.R. 49-50-17, K.A.R. 49-50-19, K.A.R. 49-50-22, K.A.R. 49-50-23, K.A.R. 49-50-24, K.A.R. 49-51-3a, K.A.R. 49-51-6, K.A.R. 49-51-11, K.A.R. 49-51-12, K.A.R. 49-52-6, K.A.R. 49-52-10, K.A.R. 49-52-14, K.A.R. 49-52-17, K.A.R. 49-52-18 and K.A.R. 49-52-19.

The proposed changes to existing regulations and the adoption of new regulations will update the boiler specifications and inspections regulations to conform to the standards currently used by the industry. This will assure uniformity in applicable standards for the safe operation of covered boilers.

Economic Impact: Except for the following regulations, there is no appreciable economic impact by the changes or adoption of these regulations.

The proposed change to K.A.R. 49-47-2 will have at the most a minimal cost of a corrosion-resistant metal tag adhering to the specifications the regulation set forth.

The proposed adoption of K.A.R. 49-50-23 will have minimal economic impact on the operation of boilers subject to the Kansas Boiler Safety Act, K.S.A. 44-913 et seq. The department foresees that the cost will be for the posting of a certificate of inspection under a covering that conforms to the regulation's specification.

The proposed adoption of K.A.R. 49-52-18 will have some economic impact on the operation of boilers subject to the Kansas Boiler Safety Act, K.S.A. 44-913 et seq. The

department foresees that the cost will be for the installation of conforming boilers or repair of existing boilers to conform to the standards stated in the regulation.

The proposed adoption of K.A.R. 49-52-19 will have some economic impact on the installation and operation of boilers subject to the Kansas Boiler Safety Act, K.S.A. 44-913 et seq. The department foresees that the cost will be for the installation of conforming boilers or repair of existing boilers to conform to the standards stated in the regulation.

Jim Garner
Secretary of Labor

Doc. No. 033415

State of Kansas

Office of the Governor

Executive Order 06-07

WHEREAS, the State of Kansas must continue to be fiscally responsible as we enter the new fiscal year; and

WHEREAS, the moratorium placed on employee bonuses for the Executive Branch agencies in Fiscal Years 2003 through 2006 resulted in fiscal savings; and

WHEREAS, the State of Kansas has an Award and Recognition Program that authorizes state agencies to recognize and reward employees based on designated program criteria.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby continue the moratorium on employee bonuses for Fiscal Year 2007 and maintain the dollar amount limit that was established in Fiscal Year 2006 to continue to provide for flexibility when awards are given through the State of Kansas Award and Recognition Program.

This moratorium applies to any bonus issued by contracted agreements, Memorandums of Agreement, Executive Directives, awards authorized by the Award and Recognition Program and Program Guidelines in excess of \$1,000 per employee per fiscal year, and unclassified bonuses in excess of \$1,000 per employee per fiscal year. No new contracted agreements and Memorandums of Agreement should include bonus provisions.

This moratorium does not apply to the longevity bonus, any cash award based on agency savings authorized by the Employee Suggestion Program, and Memorandums of Agreement involving the Regent institutions' university police officers.

Any exceptions to this moratorium must be approved by the Governor's Office.

This document shall be filed with the Secretary of State as Executive Order No. 06-07 and shall be effective June 18, 2006.

Dated July 18, 2006.

Kathleen Sebelius
Governor
Attest: Ron Thornburgh
Secretary of State

Doc. No. 033425

State of Kansas

Kansas Housing Resources Corporation**Notice of Hearing**

In accordance with the federal Community Services Block Grant Act (P.L. 97-35, as amended), the Community Services Block Grant State Plan for federal fiscal year 2007 is available for public inspection and comment. The Community Services Block Grant Program will conduct a public hearing at 10 a.m. Wednesday, August 23, in Suite 300, 611 S. Kansas Ave., Topeka, to receive comments on this plan.

A draft copy of the state plan may be obtained by calling (785) 296-5865. Requests for special accommodations should be made at least five business days in advance of the hearing by calling (785) 296-5865 or by fax at (785) 296-8985.

Written comments will be accepted and incorporated into the state plan. Written comments should be mailed to Jennifer Sexson, Housing With Supportive Services, Kansas Housing Resources Corporation, 611 S. Kansas Ave., Suite 300, Topeka, 66603-3803. Comments must be received by August 22.

Erica A. Dobreff
Executive Director

Doc. No. 033400

(Published in the Kansas Register July 27, 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 25, for the following project:

**(KDOT Project No. 87N-0307-01/472-84258/205393)
(OCA Code 706927)**

Paving—KDOT

Dual Left Turn Lanes for Maple and
Ridge Road Intersection

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. 033406

State of Kansas

Kansas Housing Resources Corporation**Notice of Hearing**

The state of Kansas will conduct a public hearing from 10 to 11:30 a.m. Friday, August 11, in the fifth floor conference room, Curtis State Office Building, 1000 S.W. Jackson, Topeka, on housing and community development issues for citizens to have input into the 2007 Kansas Consolidated Plan. The Consolidated Plan is the state's policy framework for federal community development and housing programs.

Estimated resources available in 2007 will include approximately \$17,296,519 from the Community Development Block Grant (CDBG), \$7,899,082 from the HOME Investment Partnerships (HOME), \$878,643 from the Emergency Shelter Grant (ESG), and \$331,000 from the Housing Opportunities for Persons with AIDS (HOPWA) programs.

Individuals in need of a sign language interpreter, an assistive listening device, large print or Braille material, or other accommodation to attend the hearing should notify the KHRC at least one week prior to the hearing at 611 S. Kansas Ave., Suite 300, Topeka, 66603-3803, (785) 296-5865, or via the Kansas relay service at (800) 766-3777.

Erica A. Dobreff
Executive Director

Doc. No. 033417

(Published in the Kansas Register July 27, 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 25, for the following project:

**(KDOT Project No. 87N-0237-01/472-84283/205398)
(OCA Code 706932)**

Paving—KDOT**Pawnee, Palisade to Broadway**

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. 033409

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 the purpose 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. 102-2-6, 102-3-3a, 102-4-3a and 102-5-3 contain the educational requirements for licensure as a social worker, professional counselor, master's level psychologist, and marriage and family therapist. These changes clarify current requirements, define residency requirements, and specify course work that shall be completed while in residence.

K.A.R. 102-4-1a contains the definitions for master's level psychology. The amendment is primarily related to clarifying the definition for academic hours and under direction.

Economic Impact: There would be no change in the economic impact to the Kansas Behavioral Sciences Regulatory Board, other governmental agencies, the public, applicants or licensees from any of these amendments.

Phyllis Gilmore
Executive Director

Doc. No. 033402

State of Kansas

Department of Transportation

Request for Comments

In accordance with the requirements of the U.S. Department of Transportation as set forth in 49 CFR, Part 26, as amended, the Kansas Department of Transportation, Office of Civil Rights, Topeka, hereby notifies the public that it recommends the following Disadvantaged Business Enterprise (DBE) goal for applicable professional services and procurement contracts during federal fiscal year 2007, which begins October 1, 2006 and ends September 30, 2007.

The overall total DBE goal for FFY 2007 is 1.84 percent for planning and 0.51 percent for CTD grants.

Information pertaining to this goal and a description of the background calculations are available for inspection at the Kansas Department of Transportation, Office of Civil Rights, Suite 350, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3745, for 30 calendar days following the date of publication of this notice.

Written comments will be accepted on this goal methodology for 45 days from the date of this publication. The comments are for informational purposes only and may be sent to the KDOT Office of Civil Rights at the address above or to the Regional Civil Rights Officer, Federal Transit Administration, Region 8, 12300 W. Dakota Ave., Suite 310, Lakewood, CO 80228-2583.

Deb Miller
Secretary of Transportation

Doc. No. 033405

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 2 p.m. August 16 and then publicly opened.

District One—Northeast

Johnson—35-46 KA-0630-01 — 95th Street over I-35, bridge repair. (State Funds)

Johnson-Wyandotte-Leavenworth—7-106 KA-0401-01 — K-7, from 127th Street in Olathe to the south city limits of Lansing, 23.5 miles, signing. (State Funds)

Lyon—56 K-9176-01 — Logan Avenue from K-99/K-57 to Exchange Street in Emporia, 0.3 mile, grading and surfacing. (State Funds)

Osage—75-70 KA-0629-01 — County road over U.S. 75, bridge repair. (State Funds)

Pottawatomie—75 C-3993-01 — County road 2 miles north and 0.5 mile east of Olsburg, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Shawnee—89 KA-0778-01 — Various locations on I-70, K-4 and U.S. 40, 7.2 miles, pavement marking. (Federal Funds)

Shawnee—24-89 K-7431-02 — U.S. 24 bridge over the Union Pacific Railroad 6.2 miles southeast of Silver Lake, bridge overlay. (State Funds)

Wabaunsee—70-99 KA-0525-01 — I-70 bridges, 0.3 mile east of K-138, bridge repair. (State Funds)

District Two—Northcentral

Geary—77-31 KA-0181-01 — U.S. 77, Farnum Creek bridges at Milford Lake, bridge repair. (State Funds)

McPherson—135-59 KA-0599-01 — Local road bridge over I-135 in McPherson County, bridge repair. (State Funds)

Saline—70-85 K-6779-01 — I-70, 0.6 mile west of County Route 1050 east to the Saline-Dickinson county line, 6.5 miles, grading, bridge and surfacing. (Federal Funds)

District Three—Northwest

Sherman—91 C-4166-01 — County road 1.5 miles north of Goodland then north 0.3 mile, grading and surfacing. (Federal Funds)

Thomas—97 C-4316-01 — Willow Street from Franklin Avenue to Country Club Drive in Colby, 0.5 mile, grading and surfacing. (Federal Funds)

Smith—36-92 KA-0534-01 — U.S. 36 bridge, one mile south of Lebanon, bridge repair. (State Funds)

District Four—Southeast

Chautauqua—10 C-3948-01 — County road 2 miles north and 2 miles east of Peru, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Cherokee—7-11 KA-0356-01 — K-7 from the junction of U.S. 69 north to the Cherokee-Crawford county line, 11.1 miles, overlay. (State Funds)

Franklin—35-30 KA-0770-01 — I-35 from the Osage-Franklin county line northeast to the Eisenhower Road interchange at Ottawa, 14.2 miles, pavement marking. (Federal Funds)

Miami—61 C-4190-01 — 303rd Street from Plum Creek Road to Lookout Road, 2.2 miles, grading and surfacing. (Federal Funds)

Osage—35-70 KA-0769-01 — I-35, 0.3 mile east of the east junction of K-31 northeast to the Osage-Franklin county line, 4.9 miles, pavement marking. (Federal Funds)

District Five—Southcentral

Butler—54-8 KA-0777-01 — U.S. 54, Andover Road east to the west city limits of Augusta, 8 miles, pavement patching. (State Funds)

Reno—50-78 K-7409-01 — U.S. 50 from the junction of K-96 east 2.4 miles, grading, bridge and surfacing. (Federal Funds)

Reno—50-78 K-8257-01 — East junction of the K-96/U.S. 50 interchange in South Hutchinson, 0.3 mile, interchange reconstruction. (Federal Funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corpora-

tion submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid.

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

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

Deb Miller
Secretary of Transportation

Doc. No. 033420

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 projects:

Project KA-0613-01, Conference Funding for the Statewide Scenic Byway Program

Project KA-0614-01, Design and Installation of Scenic Byway Kiosks, Statewide

Project KA-0615-01, Develop Statewide Scenic Byway Video and Photographs for the Media

Project K-8291-07, FY-2007 KDOT Statewide Work Zone Safety Public Awareness Campaign

Project KA-0566-07, FY-2007 Program Coordinator Position for the Statewide Safe Routes to Schools Program

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 29.

Deb Miller
Secretary of Transportation

Doc. No. 033421

(Published in the Kansas Register July 27, 2006.)

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

Notice is hereby given that, pursuant to Section 2 of Ordinance No. 56857 of the city of Kansas City, Kansas, passed on September 15, 1977, \$1,600,000 principal amount of the bonds is being called for redemption on September 1, 2006, at the redemption price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date.

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

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

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

Table with 18 columns of bond numbers ranging from 1640 to 4166.

Coupons due subsequent to September 1, 2006, must be attached to bonds called for redemption. Payment of the redemption price of the bonds to be redeemed will be made at Security Bank of Kansas City as follows:

Via U.S. Mail:

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

Via Courier or Hand Delivery:

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

In order to avoid a 28 percent backup withholding required by the Jobs and Growth Tax Relief Reconciliation Act of 2003, bondholders should submit certified taxpayer identification numbers on IRS Form W-9 when presenting their certificates for redemption.

Notice is hereby given that on and after September 1, 2006, interest on the bonds hereby called for redemption shall cease to accrue.

Dated July 27, 2006.

Security Bank of Kansas City
Paying Agent

Doc. No. 033426

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:

Table with 3 columns: Date, Bid Number, and Item Description. Includes items like Bituminous Paving, Advertising, and Real Estate analysis.

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

http://da.state.ks.us/purch/rf/

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

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

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

Table with 3 columns: Date, Bid Number, and Item Description. Includes items like Prairie Spirit Trail and Interior Renovation.

Chris Howe
Director of Purchases

Doc. No. 033423

State of Kansas

Kansas State Treasurer

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 2 p.m. Monday, September 25, in Room 201, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of **K.A.R. 3-4-1, 3-4-2, 3-4-3, 3-4-4, 3-4-5, 3-4-6 and 3-4-7**, implementing a matching grant program for the Kansas Postsecondary Education Savings Program.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Scott Gates, Learning Quest Program Director, Kansas State Treasurer's Office, 900 S.W. Jackson, Room 201, Topeka, 66612-1235, or by e-mail to Scott@Treasurer.state.ks.us. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit 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 Scott Gates at (785) 296-5327, TTY (800) 766-3777, or scott@treasurer.state.ks.us. Handicapped parking is located at the north entrance of the building, which is accessible.

Summary of the Proposed Regulations:

These regulations implement a new matching grant of up to \$600 each year for contributions to the Kansas Postsecondary Education Savings Program by Kansas residents with total household adjusted gross income less than 200 percent of the federal poverty guidelines. The program was created by 2006 Senate Bill 332 as a three-year pilot program limited to 400 participants in FY 2007, 800 participants in FY 2008 and 1200 participants in FY 2009. The regulations define who is eligible for the grants, ensure that no one other than the eligible participant can have an ownership interest in the matching grant funds, and ensure that participants can only withdraw the matching grant funds for qualified higher education expenses. It is anticipated that the regulations will have minimal economic impact on other state agencies, municipalities or persons other than the program's participants.

Copies of the proposed regulations and the associated economic impact statement may be obtained by contacting the State Treasurer's Office at the address above, (785) 296-3171, or from the State Treasurer's Web site at http://kansasstatetreasurer.com/prodweb/laws_learn.php.

Lynn Jenkins
Kansas State Treasurer

Doc. No. 033419

(Published in the Kansas Register July 27, 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.

(continued)

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

(Published in the Kansas Register July 27, 2006.)

**Summary Notice of Bond Sale
Douglas County, Kansas
\$255,000**

**General Obligation Bonds, Series 2006-A
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated July 10, 2006, written and electronic bids will be received on behalf of Douglas County, Kansas, in the case of written bids, at the address set forth below, and in the case of electronic bids, through *PARITY*, until 9 a.m. August 14, 2006, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$1,000 or any integral multiple thereof. The bonds will be dated August 15, 2006, and will become due on September 1 in the years as follows:

Year	Principal Amount
2007	\$20,000
2008	22,000
2009	23,000
2010	24,000
2011	25,000
2012	26,000
2013	27,000
2014	28,000
2015	29,000
2016	31,000

The bonds will bear interest from the date thereof at

rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2007.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$5,100 (2 percent of the principal amount of the bonds).

Delivery

The county will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 30, 2006, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2005 is \$1,138,714,187. The total general obligation indebtedness of the county as of the date of delivery of the bonds, including the bonds being sold, is \$23,957,000.

Approval of Bonds

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

Additional Information

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

Written and Facsimile Bid and Good Faith Deposit

Delivery Address:

Douglas County Courthouse
1100 Massachusetts
Lawrence, KS 66044
(785) 832-5329
Fax (785) 832-5320
E-mail: pmadl@douglas-county.com

Financial Advisor - Good Faith Deposit

Delivery Address:

Piper Jaffray & Co.
11150 Overbrook, Suite 310
Leawood, KS 66211-2298
Attn: Gregory M. Vahrenberg
(800) 829-5377
(913) 345-3374
Fax (913) 345-3393
E-mail: gregory.m.vahrenberg@pjc.com

Dated July 10, 2006.

Douglas County, Kansas

Doc. No. 033413

(Published in the Kansas Register July 27, 2006.)

**Summary Notice of Bond Sale
City of Cheney, Kansas
\$1,380,000
General Obligation Bonds, Series A, 2006
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated July 13, 2006, written and electronic bids will be received on behalf of the clerk of the city of Cheney, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through *PARITY*, until 11 a.m. August 10, 2006, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated September 1, 2006, and will become due on September 1 in the years as follows:

Year	Principal Amount
2007	\$45,000
2008	50,000
2009	50,000
2010	50,000
2011	55,000
2012	55,000
2013	60,000
2014	60,000
2015	65,000
2016	65,000
2017	70,000
2018	70,000
2019	75,000
2020	75,000
2021	80,000
2022	85,000
2023	85,000
2024	90,000
2025	95,000
2026	100,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2007.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

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

surety bond in the amount of \$27,600 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about September 1, 2006, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2005 is \$11,248,499. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, but excluding temporary notes to be retired in conjunction therewith, is \$2,990,000.

Approval of Bonds

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

Additional Information

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

Written and Facsimile Bid and Good Faith Deposit

Delivery Address:

Jimmie R. Disken, Clerk
City Hall
131 N. Main
P.O. Box I
Cheney, KS 67025-0997
(316) 542-3622
Fax (316) 542-0185
E-mail: jrdiskin@cheneyks.org

Financial Advisor - Good Faith Deposit

Delivery Address:

The Public Finance Group, Inc., Financial Advisor
151 S. Whittier
Wichita, KS 67207
Attn: Charley Young
(316) 689-4295
Fax (316) 681-4499
E-mail: charlesyoung@publicfinancegroup.com

Dated July 13, 2006.

City of Cheney, Kansas

Doc. No. 033414

State of Kansas

Governmental Ethics Commission

Opinion No. 2006-11

Written July 18, 2006, to Patricia A. Scalia, Director, Board of Indigents' Defense Services, Topeka.

This opinion is in response to your letter dated June 28, 2006, requesting an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws, K.S.A. 46-215 *et seq.* We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement:

You request this opinion in your capacity as state director of the Board of Indigents' Defense Services (Board). You state that the Board has authorized the state director to enter into contracts with private attorneys and experts to provide defense services in cases involving a potential sentence of death without obtaining Board approval for the contract. You explain that there are few Kansas attorneys who are qualified and experienced in handling the defense of death penalty cases, and even fewer who are willing to accept contracts at the hourly rate paid by the Board.

There is a case in Sedgwick County where persons charged will face a potential sentence of death. Due to a conflict of interest for the attorneys of the Wichita Public Defender's Office, private attorneys must be contracted to defend those persons. A current member of the Board is a qualified, experienced death penalty defense attorney who would accept a contract to provide criminal defense services for one of the persons charged. As such, the board member would be an independent contractor and not an employee of the Board.

Question:

May the state director of the Board of Indigents' Defense Services contract with a member of that Board to provide defense services for a person who will face a potential sentence of death?

Opinion:

K.S.A. 2005 Supp. 46-233 regulates a state officer's participation in the making of contracts as follows:

(a)(1) No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed

According to this statute, the board member may not participate on behalf of the Board in determining whether to contract with himself, and must avoid any decision, approval, disapproval, or advice regarding said contract. You have indicated that the director may enter into contracts without obtaining Board approval. However, if any Board action is taken concerning this contract, the board member must abstain from such action.

We have reviewed K.S.A. 45-215 *et seq.* and find no other conflict of interest statutes that address your ques-

tion. Therefore, so long as the member of the Board does not participate in any fashion in his capacity as a board member in the contract with himself as a private individual, the conflict of interest statutes do not prohibit the Board from contracting with the board member.

Opinion No. 2006-12

Written July 18, 2006, to Richard L. Cram, Office of Policy and Research, Kansas Department of Revenue, Topeka.

This opinion is in response to your letter dated June 15, 2006, requesting an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws, K.S.A. 46-215 *et seq.* We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement:

You request this opinion in your capacity as Director of Policy and Research for the Kansas Department of Revenue. You explain that you and five other Department of Revenue employees will be making presentations of state tax information as part of the 2006 Conference on Kansas Taxes sponsored by the Kansas Society of Certified Public Accountants, Inc. The presentations are scheduled from 9 a.m. to 10:30 a.m. The Society has invited you and the other Department of Revenue presenters to stay for a complimentary lunch following your presentations. The lunch is included for all who attend the full-day conference. The Department of Revenue employees will not be attending the conference other than to make their presentations. You state that the lunch provides a valuable opportunity for Kansas CPA's to interact directly with Department of Revenue personnel to ask additional questions about tax policy following the presentations. Additionally, you indicate that the Department of Revenue would consider it the duty and responsibility of the employees to interact with this key stakeholder group and would require the employee's lunch attendance.

Question:

Can Department of Revenue employees who make presentations at a conference on Kansas Taxes sponsored by the Kansas Society of Certified Public Accountants accept a complimentary lunch provided by the conference sponsors following their presentations?

Opinion:

K.S.A. 2004 Supp. 46-237a, which applies to all officers and employees of the executive branch of state government, is applicable to your question. It states in pertinent part:

(c) No person subject to the provisions of this section shall solicit or accept free or special discount meals from a source outside of state government, except:

(1) Meals, the provision of which is motivated by a personal or family relationship or provided at events that are widely attended. An occasion is "widely attended" when it is obvious to the person accepting the meal that the reason for providing the meal is not a pretext for exclusive or nearly exclusive access to the person;

(2) meals provided at public events in which the person is attending in an official capacity;

(3) meals provided to a person subject to this act when it is obvious such meals are not being provided because of the person's official position; and

(4) food such as soft drinks, coffee or snack foods not offered as part of a meal.

As a general rule, persons subject to this statute are prohibited from accepting free or special discounted meals from a source outside of state government unless one of the four enumerated exceptions apply.

In Opinion No. 2000-34, the Commission addressed the question of whether a state employee may accept a free meal provided during a speech given in the performance of the employee's job duties. That Opinion concluded that:

Meals provided to state employees in conjunction with a speech given in the person's official capacity on behalf of the state agency are presumed, in absence of facts indicating the contrary, not to be provided as a pretext for exclusive or nearly exclusive access to the person. A state employee may generally accept meals provided in conjunction with a speech given in the person's official capacity on behalf of a state agency.

It should be noted, that the question presented in Opinion No. 2000-34 involved presentations made during the meal. You state that the presentations by the Department of Revenue employees will occur from 9 a.m. to 10:30 a.m. While the lunch following those presentations may provide an opportunity for interaction with attendees at the conference, your presentations will not be made at the lunch. As noted in Opinion No. 2005-07, there is no exception in the statute for a working lunch, and the Commission determined in Opinion No. 1997-21 that a state employee may not accept a working meal from a source outside state government unless one of the four exceptions of K.S.A. 46-237a(c) applies.

Based on what you have stated, it appears that none of the four exceptions would apply to the situation you describe. Therefore, Department of Revenue employees are prohibited from accepting the complimentary lunch following their presentations. The employees may stay for the lunch if the employees or the State pays for their lunches.

Opinion No. 2006-13

Written July 18, 2006, to James P. Rankin, Foulston Siefkin LLP, Topeka.

This opinion is in response to your letter dated July 7, 2006, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the Campaign Finance Act (K.S.A. 25-4142 *et seq.*). We note at the outset that the Commission's jurisdiction concerning your questions is limited to the application of K.S.A. 25-4142 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement:

We understand that you are asking for this opinion in your capacity as legal counsel for the Chamber of Commerce of the United States of America (Chamber). You

explain that the Chamber is a not-for-profit trade association made up of members that are business corporations of all sizes and from all sectors of the economy. You state that one of the Chamber's functions is to advance the interests of its members by educating the general public on issues the Chamber deems important.

You state that the "Chamber intends to communicate with members of the Kansas general public through mass media communications that may refer to clearly-identified candidates for state office, but will not expressly advocate their election or defeat." You also indicate that the Chamber will not coordinate its efforts in planning, producing and distributing these communications with any of the candidates identified in the communications or with their opponents.

Questions:

1. Are the proposed communications described above permissible if paid for by the Chamber?

2. Do the disclosure requirements for independent expenditures which expressly advocate the election or defeat of a clearly identified candidate apply to the Chamber's proposed communications described above?

3. Do the registration and reporting obligations for political committees apply to the Chamber as a result of its proposed communications described above?

Opinion:

In response to your first question, we find nothing in the Campaign Finance Act (Act) that would prohibit the Chamber from making and paying for the communications that you have described.

Turning to your second question, the disclosure requirement for independent expenditures is found at K.S.A. 25-4150, and states in pertinent part as follows:

Every person, other than a candidate or a candidate committee, party committee or political committee, who makes contributions or expenditures other than by contribution to a candidate or a candidate committee, party committee or political committee, in an aggregate amount of \$100 or more within a calendar year shall make statements containing the information required by K.S.A. 25-4148 and amendments thereto. . . .

This requirement for disclosure applies only if contributions or expenditures, as defined in the Act, are made by the Chamber.

"Contribution" is defined in K.S.A. 2005 Supp. 25-4143(e)(1) as follows:

"Contribution" means:

(A) Any advance, conveyance, deposit, distribution, gift, loan or payment of money or any other thing of value given to a candidate, candidate committee, party committee or political committee for the express purpose of nominating, electing or defeating a clearly identified candidate for a state or local office.

(B) Any advance, conveyance, deposit, distribution, gift, loan or payment of money or any other thing of value made to expressly advocate the nomination, election or defeat of a clearly identified candidate for a state or local office;

(C) a transfer of funds between any two or more candidate committees, party committees or political committees;

(continued)

(D) the payment by any person other than a candidate, candidate committee, party committee or political committee, of compensation to an individual for the personal services rendered without charge to or for a candidate's campaign or to or for any such committee;

(E) the purchase of tickets or admissions to, or advertisements in journals or programs for, testimonial events;

(F) a mailing of materials designed to expressly advocate the nomination, election or defeat, of a clearly identified candidate, which is made and paid for by a party committee with the consent of such candidate. (Emphasis added.)

"Expenditure" is defined in K.S.A. 2005 Supp. 25-4143(g)(1) as follows:

"Expenditure" means:

(A) Any purchase, payment, distribution, loan, advance, deposit or gift of money or any other thing of value made by a candidate, candidate committee, party committee or political committee for the express purpose of nominating, electing or defeating a clearly identified candidate for a state or local office.

(B) Any purchase, payment, distribution, loan, advance, deposit or gift of money or any other thing of value made to expressly advocate the nomination, election or defeat of a clearly identified candidate for a state or local office;

(C) any contract to make an expenditure;

(D) a transfer of funds between any two or more candidate committees, party committees or political committees;

(E) payment of a candidate's filing fees. (Emphasis added.)

In order to fall under the definition of "contribution" or "expenditure" under the Act, the Chamber's communications would have to expressly advocate the nomination, election or defeat of a clearly identified candidate. K.S.A. 2005 Supp. 25-4143(h) defines "expressly advocate the nomination, election or defeat of a clearly identified candidate" as follows:

"Expressly advocate the nomination, election or defeat of a clearly identified candidate" means any communication which uses phrases including, but not limited to:

- (1) "Vote for the secretary of state";
- (2) "re-elect your senator";
- (3) "support the democratic nominee";
- (4) "cast your ballot for the republican challenger for governor";
- (5) "Smith for senate";
- (6) "Bob Jones in '98";
- (7) "vote against Old Hickory";
- (8) "defeat" accompanied by a picture of one or more candidates; or
- (9) "Smith's the one."

While the Chamber's proposed communications may refer to clearly identified candidates, you have stated that those communications will not expressly advocate the nomination, election or defeat of any candidate. Therefore, the costs of those communications would not be reportable under the independent expenditures reporting requirements because they would not constitute either a contribution or expenditure as those terms are defined in the Act.

Your third question is whether the registration and reporting obligations for political committees apply to the Chamber as a result of its proposed communications.

"Political committee" is defined in K.S.A. 2005 Supp. 25-4143(k)(1) as follows:

"Political committee" means any combination of two or more individuals or any person other than an individual, a major purpose of which is to expressly advocate the nomination, election or defeat of a clearly identified candidate for state or local office or make contributions to or expenditures for the nomination, election or defeat of a clearly identified candidate for state or local office. (Emphasis added.)

Although you have indicated that advancing the interests of its members by educating the public on issues of importance to the Chamber is one of the Chamber's functions, you have further stated that the Chamber's communications would not expressly advocate the nomination, election or defeat of a clearly identified candidate. If that is the case, those communications will not involve the making of contributions or expenditures under the Act. If, therefore, expressly advocating or making contributions or expenditures for the nomination, election or defeat of a clearly identified candidate is not a major purpose of the Chamber, the Chamber will not be making a "contribution" or "expenditure" under the Act. If such is the case, the Chamber is not a "political committee" under the Act and would not be required to register or report as a political committee.

In conclusion, we find nothing in the Campaign Finance Act to prohibit the Chamber's proposed communications, or to require disclosure of the costs of those communications so long as they do not expressly advocate the nomination, election or defeat of a clearly identified candidate.

Sabrina K. Standifer
Chairwoman

Doc. No. 033410

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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

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

**Public Notice No. KS-AG-06-250/252
Application(s) for New or Expansion of
Existing Swine Facilities**

Name and Address of Applicant F & R Swine, Inc. (McNeal Addition) 10610 Humboldt Creek Road Dwight, KS 66849	Owner of Property Where Facility Will Be Located F& R Swine Inc. 10610 Humboldt Creek Road Dwight, KS 66849
Legal Description E/2 of Section 8 & SW/4 of Section 13, T13S, R07E, Geary County Kansas Permit No. A-KSGE-H002	Receiving Water Kansas River Basin Federal Permit No. KS0116378

This is an application for a modification of the permit for an existing facility. There will be no change in animal capacity, which is currently 12,900 head or 3,000 animal units. F & R Swine is proposing the construction of an additional waste containment lagoon. A modified permit will not be issued without additional public notice.

Name and Address of Applicant Brad Ohlde 830 9th Road Linn, KS 66953	Owner of Property Where Facility Will Be Located Brad Ohlde 830 9th Road Linn, KS 66953
Legal Description NW/4 of Section 02, T04S, R01E, Washington County Kansas Permit No. A-LRWS-S031	Receiving Water Lower Republican River Basin

This is a permit application for a new swine facility for a maximum of 2,400 head (960 animal units) of swine weighing more than 55 pounds. The facility will consist of two buildings with concrete pits beneath them to store the waste. A permit will not be issued without additional public notice.

Name and Address of Applicant Rodney Ohlde 29 N. Elm Linn, KS 66953	Owner of Property Where Facility Will Be Located Rodney Ohlde 29 N. Elm Linn, KS 66953
Legal Description SW/4 of Section 01, T04S, R01E, Washington County Kansas Permit No. A-LRWS-S032	Receiving Water Lower Republican River Basin

This is a permit application for a new swine facility for a maximum of 2,400 head (960 animal units) of swine weighing more than 55 pounds. The facility will consist of two buildings with concrete pits beneath them to store the waste. A permit will not be issued without additional public notice.

**Public Notice No. KS-AG-06-253/260
Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant Bergkamp Holsteins Greg Bergkamp 7690 N.E. 50th Pretty Prairie, KS 67570 Kansas Permit No. A-ARKM-B002	Legal Description SE/4 of Section 04, T27S, R06W, Kingman County	Receiving Water Lower Arkansas River Basin
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This is a new permit for an existing facility for 999 head (999 animal units) of cattle weighing more than 700 pounds.

Name and Address of Applicant Good Family Ranches Harold Good 2066 N. 270th Road Barnard, KS 67418 Kansas Permit No. A-SOLC-B001	Legal Description SE/4 of NE/4 of Section 29, T10S, R06W, Lincoln County	Receiving Water Solomon River Basin
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This is a renewal permit for an existing facility for 550 head (275 animal units) of beef cattle weighing less than 700 pounds and 400 head

(400 animal units) of beef cattle weighing more than 700 pounds, for a total of 950 head (675 animal units) of cattle.

Name and Address of Applicant Nelson Farms of Windom, Inc. James R. Nelson 156 Dakota Road Windom, KS 67491 Kansas Permit No. A-LAMP-B001	Legal Description NE/4 of Section 19, T20S, R05W, McPherson County	Receiving Water Little Arkansas River Basin
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This is a renewal permit for an existing facility for 600 head (600 animal units) of cattle weighing more than 700 pounds.

Name and Address of Applicant Ronald Korber 2913 L4 Road Bern, KS 66408 Kansas Permit No. A-MONM-S009	Legal Description SW/4 of Section 12, T01S, R12E, Nemaha County	Receiving Water Missouri River Basin
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This is a renewal permit for an existing facility for a maximum of 1,600 head (640 animal units) of swine weighing more than 55 pounds, 600 head (60 animal units) of swine weighing 55 pounds or less, 108 head (54 animal units) of cattle weighing less than 700 pounds and 150 head (150 animal units) of cattle weighing more than 700 pounds, for a total of 904 animal units.

Name and Address of Applicant Allan R. Williams 2415 29th Terrace Vermillion, KS 66544 Kansas Permit No. A-BBMS-S041	Legal Description NW/4 of Section 35, T04S, R10E, Marshall County	Receiving Water Big Blue River Basin
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This is a renewal permit for an existing facility for a maximum of 100 head (40 animal units) of swine weighing more than 55 pounds and 400 head (40 animal units) of swine weighing 55 pounds or less, for a total of 80 animal units.

Name and Address of Applicant Dewey Underwood and Sons Route 2, Box 75 Mankato, KS 66956 Kansas Permit No. A-SOJW-S017	Legal Description SE/4 of Section 05, T03S, R09W, Jewell County	Receiving Water Solomon River Basin
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This is a renewal permit for an existing facility for 987 head (394.8 animal units) of swine weighing more than 55 pounds and 390 head (39 animal units) of swine weighing 55 pounds or less, for a total of 1,377 head (433.8 animal units) of swine.

Name and Address of Applicant Cromer Livestock Inc. Eric Cromer 153 S.W. 70th St. Sawyer, KS 67134 Kansas Permit No. A-ARPR-H002	Legal Description W/2 of NE/4 of Section 09, T29S, R13W, Pratt County	Receiving Water Lower Arkansas River Basin
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This is a name change and permit renewal for an existing swine facility for 15,925 head or (5,545 animal units) of swine. Differences in head and animal unit numbers are due to changes in law or method of counting baby pigs (unweaned and grower swine). The permittee is anticipating undertaking a sludge removal project for the first cell of the lagoon system.

Name and Address of Applicant Brian Haverkamp 1326 M4 Road Seneca, KS 66538 Kansas Permit No. A-MONM-M012	Legal Description SW/4 of Section 28, T03S, R13E, Nemaha County	Receiving Water Missouri River Basin
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This is a new permit for an expanding facility from an existing capacity of 390 animal units to a new maximum capacity of 425 head (595 animal units) of mature dairy cows, both milked and dry, 75 head (75 animal units) of dairy replacement heifers greater than 700

(continued)

pounds and 195 head (97.5 animal units) of dairy calves 700 pounds or less, for a new total of 767.5 animal units. New construction will include a freestall barn, two earthen wastewater retention structures, a concrete sand settling channel with concrete reception pit, a mechanical solids separator, and an expanded holding pen with a concrete reception pit.

Public Notice No. KS-06-097/099

Name and Address of Applicant	Waterway	Type of Discharge
Dillon's Stores 2700 E. 4th Hutchinson, KS 67501	Gypsum Creek via	Groundwater Remediation

Kansas Permit No. I-AR94-PO11 Federal Permit No. KS0098728
 Facility Name: Dillon's Store #20 GW Remediation
 Facility Location: 7707 E. Central, Wichita, KS 67206
 Facility Description: The proposed action is to issue a new permit for a groundwater remediation project. This is a grocery store located in a historic oilfield area. Crude oil impacted groundwater is pumped and treated in a settling tank, oil/water separator, air stripper, and a primary and a secondary carbon vessel prior to discharge to the Arkansas River via Gypsum Creek via the city storm sewer. Maximum daily discharge is about 186 gallons and long term average daily discharge is 64 gallons. The proposed permit includes limits for benzene, oil and grease, total petroleum hydrocarbons (gasoline and diesel range organics) and pH, as well as monitoring of effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Hallmark Cards, Inc. P.O. Box 99 Lawrence, KS 66044	Kansas River via Unnamed Tributary	Noncontact Cooling Water

Kansas Permit No. I-KS31-CO06 Federal Permit No. KS0091481
 Facility Location: 101 McDonald Drive, Lawrence, KS 66044
 Facility Description: The proposed action is to reissue an existing permit for an existing facility. This facility manufactures greeting cards, decorative ribbon and jigsaw puzzles. Operations include cutting, stamping and folding of paper stock, printing, extrusion, plastic molding and packaging. Domestic waste, cafeteria waste through an oil/water separator, wastewater from washing process areas, compressor condensate through an oil/water separator, and filtrate from the ultra filtration of Webtron press waste are discharged to the city sanitary sewer. Oils from oil/water separators and other sources are shipped off-site. Semi-solids caught in the ultra filter are collected in 55-gallon drums and shipped off-site. About 13,000 gallons per day noncontact cooling tower blowdown and stormwater runoff are discharged from both outfalls 001 and 002 to the Kansas River via an unnamed tributary. The proposed permit contains limits on pH, as well as monitoring for total residual oxidant, temperature and effluent flow. Contained in the permit is a schedule of compliance requiring the permittee to provide a stormwater pollution prevention plan or submit an acceptable "No Exposure Certification." 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
Phoenix Coal Company, Inc. P.O. Box 498 Vinta, OK 74301	Buck Run Creek via Unnamed Tributary	Pit Dewatering and Stormwater Runoff

Kansas Permit No. I-MC61-PO03 Federal Permit No. KS0092932
 Legal: Outfall 001: NE¼, S11 T27S, R24E, Bourbon County, KS
 Outfall 002: NW¼, S12, T27S, R24E, Bourbon County, KS
 Outfall 009: NW¼, S12, T27S, R24E, Bourbon County, KS
 Facility Name: Garland Mine
 Facility Address: Deer Road & 260th St., Garland, KS 66741
 Facility Description: The proposed action is to modify an existing permit for the discharge of wastewater during coal mining operations. Mod-

ifications include the addition of Outfall 009 for pit pumping accumulated stormwater and correction for the submission date of updated topographic maps. There are no changes to permit limitations or monitoring requirements. All other terms and provision of the permit remain the same. 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-06-018

Name and Address of Applicant	Legal Location	Type of Discharge
Panda Haskell Ethanol, LP 4100 Spring Valley, Suite 1001 Dallas, TX 75244	W½, S3, T30S, R33W,Haskell County	Nonoverflowing

Kansas Permit No. I-CI21-NP03 Federal Tracking No. KSJ000629
 Facility Location: North of Highway 56 between County Roads JJ and KK, near Sublette, Kansas
 Facility Description: The proposed action is to issue a new permit for operation of a new nonoverflowing lagoon wastewater treatment facility. This facility dry mills corn and milo, mixes the dry powder with recycled process water to form slurry, cooks and ferments the slurry into beer and carbon dioxide, and distills the beer to 190-proof ethanol, which passes through a molecular sieve to produce 200-proof ethanol. The residual mash (stillage) is centrifuged to produce wet distillers grain (wet cake or WDGS) animal feed that is transported to feedlots. The thin stillage from the centrifuge is concentrated in evaporators and added back to the WDGS. A fluidized bed boiler will utilize cattle manure and other bio-waste to generate process steam. Process wastewater will be treated in an anaerobic treatment system prior to return to cook section. Thermo-kinetic condenser cooling water blowdown, reverse osmosis water treatment concentrate, and treated sanitary wastewater are proposed to be directed to a 14.8-acre design surface area two-cell irrigation holding pond and land applied. Total discharge to the irrigation lagoon is about 197,000 gallons/day. Currently, carbon dioxide gas generated as a byproduct is not being processed. Any CO2 scrubber water is treated in the ATS with other process wastewater. Ashes from boiler fuel burning will be sold as construction material or disposed of in a landfill with KDHE Bureau of Waste Management approval. The permittee is required to submit a land application report annually. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

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 26 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-06-250/260, KS-06-097/099, KS-ND-06-018) 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 sig-

nificant 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. 033416

State of Kansas

Secretary of State

Correction Notice Concerning Temporary
Administrative Regulations

The incorrect effective date was published for several temporary regulations published in the July 20, 2006 issue of the Kansas Register. The second part of the date should be July 5, 2006. The agencies and the regulations numbers are listed below along with the correct effective date.

State Corporation Commission:

K.A.R. 82-15-1 regarding video service authorization. Should be: effective, T-82-7-5-06, July 5, 2006.

Department of Health and Environment:

K.A.R. 28-4-501, 28-4-510 and 28-4-514 regarding screening of newborn infants. Should be: amended, T-28-7-5-06, July 5, 2006. K.A.R. 28-4-514 should be: effective, T-28-7-5-06, July 5, 2006.

Attorney General:

K.A.R. 16-11-1 through 16-11-6, implementing the Personal and Family Protection Act, 2006 Senate Bill No. 418. Should be: effective, T-16-7-5-06, July 5, 2006.

Board of Behavioral Sciences:

K.A.R. 102-2-2a, 102-3-4a, 102-4-4a and 102-5-4a regarding application for licensure. Should be: amended, T-105-7-5-06, July 5, 2006.

State Board of Indigents' Defense Services:

K.A.R. 105-5-2, 105-5-3, 105-5-6, 105-5-7, 105-5-8 and 105-11-1 regarding attorney compensation. Should be: amended, T-105-7-5-06, July 5, 2006.

The date for the regulations of the Kansas State Treasurer, K.A.R. 3-4-1 through 3-4-7 regarding the Low-Income Family Postsecondary Savings Accounts Incentive Program, was published correctly. The correct date is: effective, T-3-6-29-06, June 29, 2006.

Ron Thornburgh
Secretary of State

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

State of Kansas

Kansas Lottery

Temporary Administrative
Regulations

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-2420. "Top 10" instant ticket lottery game number 580. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Top 10" commencing on or after June 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2420.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
15. ⁰⁰	FIFTEEN
20. ⁰⁰	TWENTY
25. ⁰⁰	TWENFIV
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$1000	ONETHOU
\$10000	10-THOU
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN

(c) For this game, a play symbol shall appear in each of 14 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(continued)

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
FIV	=	\$5.00
SEV	=	\$7.00
FTN	=	\$15.00
TWY	=	\$20.00
THF	=	\$35.00
FTY	=	\$50.00
HUN	=	\$100.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Top 10" is a symbol instant win game. If a player reveals a "10" symbol, the player wins the prize below that symbol.

(h) Each ticket in this game may win up to seven times.

(i) Approximately 750,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	65,000	\$0
\$1	\$1	45,000	45,000
\$2	\$2	22,500	45,000
\$2 (\$1 x 2)	\$2	20,000	40,000
\$5	\$5	6,500	32,500
\$5 (\$1 x 5)	\$5	6,500	32,500
\$7 (\$1 x 7)	\$7	4,625	32,375
\$15	\$15	550	8,250
\$15 (\$2 x 5) + (\$5 x 1)	\$15	550	8,250
\$15 (\$5 x 3)	\$15	550	8,250
\$20	\$20	400	8,000
\$20 (\$2 x 5) + (\$5 x 2)	\$20	375	7,500
\$20 (\$15 + \$5)	\$20	350	7,000
\$35 (\$5 x 7)	\$35	350	12,250
\$50	\$50	75	3,750
\$50 (\$20 x 2) + (\$2 x 5)	\$50	75	3,750
\$50 (\$5 x 3) + (\$15) + (\$20)	\$50	75	3,750
\$100	\$100	45	4,500
\$100 (\$25 x 4)	\$100	40	4,000
\$700 (\$100 x 7)	\$700	15	10,500
\$1000	\$1,000	10	10,000
\$10000	\$10,000	7	70,000
TOTAL		<u>173,592</u>	<u>\$397,125</u>

(k) The odds of winning a prize in this game are approximately one in 4.32. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-5-25-06, May 17, 2006; amended, T-111-7-5-06, June 14, 2006.)

111-4-2428. "Kansas Poker" instant ticket lottery game number 592. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Kansas Poker" commencing on or after July 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2428.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
Free	TICKET
\$2. ⁰⁰	TWO\$
\$4. ⁰⁰	FOUR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
15. ⁰⁰	FIFTEEN
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
75. ⁰⁰	SVTYFIV
\$100\$	ONE-HUN
\$500\$	FIVE-HUN
\$2000	TWOTHOU
\$10000	10-THOU
2 of diamonds	2DMD
2 of hearts	2HRT
2 of clubs	2CLB
2 of spades	2SPD
3 of diamonds	3DMD
3 of hearts	3HRT
3 of clubs	3CLB
3 of spades	3SPD
4 of diamonds	4DMD
4 of hearts	4HRT
4 of clubs	4CLB
4 of spades	4SPD
5 of diamonds	5DMD
5 of hearts	5HRT
5 of clubs	5CLB
5 of spades	5SPD
6 of diamonds	6DMD
6 of hearts	6HRT
6 of clubs	6CLB
6 of spades	6SPD
7 of diamonds	7DMD
7 of hearts	7HRT
7 of clubs	7CLB
7 of spades	7SPD
8 of diamonds	8DMD
8 of hearts	8HRT
8 of clubs	8CLB
8 of spades	8SPD
9 of diamonds	9DMD
9 of hearts	9HRT
9 of clubs	9CLB
9 of spades	9SPD
10 of diamonds	10DMD
10 of hearts	10HRT
10 of clubs	10CLB
10 of spades	10SPD
J of diamonds	JDMD
J of hearts	JHRT
J of clubs	JCLB
J of spades	JSPD
Q of diamonds	QDMD
Q of hearts	QHRT
Q of clubs	QCLB
Q of spades	QSPD

K of diamonds	KDMD
K of hearts	KHRT
K of clubs	KCLB
K of spades	KSPD
A of diamonds	ADMD
A of hearts	AHRT
A of clubs	ACLB
A of spades	ASPD

(c) For this game, a play symbol shall appear in each of 22 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWY	=	\$20.00
TWF	=	\$25.00
FTY	=	\$50.00
STF	=	\$75.00
HUN	=	\$100.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) "Kansas Poker" is a "Hold 'Em" style poker game with five "PLAYERS" hands (two cards each plus one "prize" amount each), one "CHAMPION" hand (two cards), and one set of "COMMUNITY CARDS" (five cards). A player will remove the scratch-off material to reveal the five "PLAYERS" hands and the one "CHAMPION" hand, and one set of "COMMUNITY CARDS." The player will make the highest ranking five-card poker hand for the "CHAMPION" and each "PLAYER" by using one or two of their cards plus the five "COMMUNITY CARDS." If the ranking of any "PLAYER'S" best five-card poker hand is higher than ranking of the "CHAMPION'S" best five-card poker hand, the player wins the prize shown for that "PLAYER."

(h) The following list of possible poker hands will appear on the ticket back. Ranking of poker hands from lowest to highest is as follows:

- (1) One pair (any two cards of the same value);
 - (2) Two pair (any two pairs);
 - (3) Three of a kind (any three cards of the same value);
 - (4) Straight (any five consecutive cards, can be of any suit);
 - (5) Flush (any five cards of the same suit);
 - (6) Full house (any three of a kind plus one pair);
 - (7) Four of a kind (any four cards of the same value);
 - (8) Straight flush (any five consecutive cards of the same suit); and
 - (9) Royal flush (A, K, Q, J, and 10 of the same suit).
- (i) Each ticket in this game may win up to five times.

(j) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(k) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	\$0
\$2	52,000	\$88,000
\$4	44,000	36,000
\$2 + \$2	9,000	52,000
\$5	\$4	88,000
\$10	\$5	15,800
(\$5 x 2)	\$10	17,800
(\$2 x 5)	\$10	19,800
\$15	\$15	15,000
\$5 + \$10	\$15	17,400
(\$5 x 3)	\$15	21,000
\$20	\$20	6,800
(\$10 x 2)	\$20	7,680
\$5 + \$5 + \$10	\$20	9,800
(\$5 x 4)	\$20	12,000
(\$4 x 5)	\$20	14,200
\$25	\$25	8,250
\$5 + \$20	\$25	9,000
\$5 + \$10 + \$10	\$25	10,000
\$5 + \$5 + \$5 + \$10	\$25	10,500
(\$5 x 5)	\$25	12,750
\$50	\$50	5,000
\$25 + \$25	\$50	5,000
\$10 + \$20 + \$20	\$50	7,000
\$10 + \$10 + \$10 + \$20	\$50	7,000
(\$10 x 5)	\$50	9,600
\$75	\$75	4,500
\$25 + \$50	\$75	6,000
\$5 + \$20 + \$50	\$75	6,000
\$5 + \$10 + \$10 + \$50	\$75	7,500
(\$15 x 5)	\$75	9,600
\$100	\$100	4,000
\$50 + \$50	\$100	5,600
\$25 + \$25 + \$50	\$100	6,000
(\$25 x 4)	\$100	8,000
(\$20 x 5)	\$100	10,000
\$500	\$500	8,000
(\$100 x 5)	\$500	12,000
\$2,000	\$2,000	4,000
(\$500 x 4)	\$2,000	8,000
(\$2,000 x 5)	\$2,000	20,000
\$10,000	\$10,000	40,000
TOTAL	150,554	\$668,580

(l) The odds of winning a prize in this game are approximately one in 3.99. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-7-5-06, June 14, 2006.)

111-4-2429. "Beetle Bailey" instant ticket lottery game number 419. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Beetle Bailey" commencing on or after July 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2429.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$2 ⁰⁰	TWO\$
\$4 ⁰⁰	FOR\$

(continued)

\$8 ⁰⁰	EGT\$
\$16 ⁰⁰	SIXTN\$
\$25 ⁰⁰	TWNFIV\$
\$50 ⁰⁰	FIFTY\$
\$100	ONEHUN
\$2,000	TWOTHOU
FREE	TICKET
Symbol of Beetle Bailey	BETLE

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of six varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

TWO	=	\$2.00
FOR	=	\$4.00
EGT	=	\$8.00
SXN	=	\$16.00
FTY	=	\$50.00
HUN	=	\$100.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Beetle Bailey" is a match three of six plus a doubler feature. A player will remove the scratch-off material over the game play area to reveal six prize amounts. If a player matches three like prize amounts, the player wins that amount. If a player matches two like prize amounts plus a "Beetle Bailey" symbol, the player wins double the amount.

(h) Each ticket in this game may win up to one time.

(i) Approximately 960,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	108,800	\$0
\$2	75,200	150,400
\$2 Doubler	24,800	99,200
\$4	20,000	80,000
\$8	5,600	32,000
\$4 Doubler	4,000	44,800
\$16	800	12,800
\$8 Doubler	1,600	25,600
\$50	225	11,250
\$25 Doubler	225	11,250
\$100	35	3,500
\$50 Doubler	35	3,500
\$2,000	6	12,000
TOTAL	<u>241,326</u>	<u>\$486,300</u>

(k) The odds of winning a prize in this game are approximately one in 3.98. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-7-5-06, June 14, 2006.)

111-4-2430. "Monster Match" instant ticket lottery game number 588. (a) The Kansas lottery shall con-

duct an instant winner lottery game entitled "Monster Match" commencing on or after July 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2430.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1. ⁰⁰	ONE\$
\$3. ⁰⁰	THR\$
10. ⁰⁰	TEN\$
13. ⁰⁰	THIRTEEN
30. ⁰⁰	THIRTY
\$100\$	ONE-HUN
\$300\$	THR HUN
\$1,000	ONETHOU
\$3100	31-HUN
02	TWO
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
11	ELVN
12	TWLV
14	FORTN

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
THR	=	\$3.00
TEN	=	\$10.00
TRN	=	\$13.00
TRY	=	\$30.00
HUN	=	\$100.00
THH	=	\$300.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Monster Match" is a key number match game. A player will remove the scratch-off material to reveal two "MONSTER NUMBERS" and four "YOUR NUMBERS," with a prize amount below each of the "YOUR NUMBERS." If any of the "YOUR NUMBERS" match either of the "MONSTER NUMBERS," the player wins the prize directly below the matching number.

(h) Each ticket in this game may win up to four times.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Game 1	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	52,000	\$0
\$1	\$1	42,000	42,000
\$3	\$3	16,000	48,000
\$1 + \$1 + \$1	\$3	20,000	60,000
\$10	\$10	1,800	18,000
\$1 + \$3 + \$3 + \$3	\$10	1,800	18,000
\$13	\$13	1,600	20,800
\$3 + \$10	\$13	1,650	21,450
\$1 + \$1 + \$1 + \$10	\$13	1,750	22,750
\$30	\$30	120	3,600
\$10 + \$10 + \$10	\$30	120	3,600
\$1 + \$3 + \$13 + \$13	\$30	160	4,800
\$100	\$100	50	5,000
\$10 + \$30 + \$30 + \$30	\$100	50	5,000
\$300	\$300	20	6,000
\$100 + \$100 + \$100	\$300	24	7,200
\$1,000	\$1,000	4	4,000
\$100 + \$300 + \$300 + \$300	\$1,000	6	6,000
\$3,100	\$3,100	4	12,400
\$100 + \$1000 + \$1000 + \$1000	\$3,100	4	12,400
TOTAL		<u>139,162</u>	<u>\$321,000</u>

(k) The odds of winning a prize in this game are approximately one in 4.31. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-7-5-06, June 14, 2006.)

111-4-2431. "Fruits of your Labor" instant ticket lottery game number 589. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Fruits of your Labor" commencing on or after July 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2431.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
Free	TICKET
\$2. ⁰⁰	TWO\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$500\$	FIVE-HUN
\$3000	THRTHOU
X	XXX
O	OOO

(c) For this game, a play symbol shall appear in each of 10 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
TWF	=	\$25.00
FTY	=	\$50.00

HUN = \$100.00
FHN = \$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Fruits of your Labor" is a "Tic-Tac-Toe" game. A player will remove the scratch-off material to reveal one prize amount and a tic-tac-toe grid including nine play symbols. If a player reveals three "X" play symbols in the same row, column, or diagonal straight line of the tic-tac-toe grid, the player wins the prize amount. If a player reveals three "O" play symbols in the same row, column, or diagonal straight line of the tic-tac-toe grid, the player wins the prize amount. Numbers appearing below the horizontal line in the play area are ineligible to play the game.

(h) Each ticket in this game may win up to one time.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game	
Free Ticket	Free Ticket	54,000	\$0
\$2	\$2	52,000	104,000
\$5	\$5	11,200	56,000
\$10	\$10	5,800	58,000
\$25	\$25	800	20,000
\$50	\$50	400	20,000
\$100	\$100	200	20,000
\$500	\$500	38	19,000
\$3,000	\$3,000	8	24,000
TOTAL		<u>124,446</u>	<u>\$321,000</u>

(k) The odds of winning a prize in this game are approximately one in 4.82. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-7-5-06, June 14, 2006.)

111-4-2432. "Rake It In" instant ticket lottery game number 590. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Rake It In" commencing on or after July 3, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2432.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
Free	TICKET
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$4. ⁰⁰	FOUR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$200\$	TWOHUN
\$250\$	TWOFIFTY
\$400\$	FORHUN

(continued)

\$1000 ONETHOU
\$4000 FOURTHOU

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE = Free Ticket
ONE = \$1.00
TWO = \$2.00
FOR = \$4.00
TEN = \$10.00
TWY = \$20.00
FTY = \$50.00
HUN = \$100.00
FRH = \$400.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Rake It In" is a prize amount match game. The play area will include two "LUCKY PRIZE AMOUNTS" and four "YOUR PRIZE AMOUNTS." If a player matches any of the "YOUR PRIZE AMOUNTS" to either "LUCKY PRIZE AMOUNT," the player wins that amount.

(h) Each ticket in this game may win up to four times.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	52,000
\$1	\$1	28,000
\$2	\$2	12,000
\$1 + \$1	\$2	16,000
\$4	\$4	6,000
\$2 + \$2	\$4	6,200
\$1 + \$1 + \$2	\$4	6,400
\$1 + \$1 + \$1 + \$1	\$4	7,000
\$10	\$10	600
\$5 + \$5	\$10	640
\$2 + \$4 + \$4	\$10	700
\$1 + \$1 + \$4 + \$4	\$10	800
\$20	\$20	240
\$10 + \$10	\$20	260
\$5 + \$5 + \$10	\$20	300
\$5 + \$5 + \$5 + \$5	\$20	400
\$50	\$50	80
\$25 + \$25	\$50	100
\$10 + \$10 + \$10 + \$20	\$50	120
\$100	\$100	20
\$50 + \$50	\$100	24
\$25 + \$25 + \$50	\$100	24
\$25 + \$25 + \$25 + \$25	\$100	30
\$400	\$400	10
\$200 + \$200	\$400	10
\$100 + \$100 + \$100 + \$100	\$400	16
\$1,000	\$1,000	6
\$250 + \$250 + \$250 + \$250	\$1,000	6
\$4,000	\$4,000	4

\$1,000 + \$1,000 + \$1,000			
+ \$1,000	\$4,000	<u>4</u>	<u>16,000</u>
TOTAL		<u>137,994</u>	<u>\$321,000</u>

(k) The odds of winning a prize in this game are approximately one in 4.35. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-7-5-06, June 14, 2006.)

111-4-2433. "Quick Crossword" instant ticket lottery game number 591. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Quick Crossword" commencing on or after July 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2433.

(b) The "play symbols" for this game are as follows:

Play Symbols

- A
- B
- C
- D
- E
- F
- G
- H
- I
- J
- K
- L
- M
- N
- O
- P
- Q
- R
- S
- T
- U
- V
- W
- X
- Y
- Z

(c) For this game, a play symbol shall appear in each of a variable number of play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

ONE = \$1.00
TWO = \$2.00
FTY = \$50.00
FHN = \$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Quick Crossword" is a two-part vertically oriented game. The first part is the "YOUR LETTERS" area which

contains 12 letters covered by opaque latex. The second part consists of a "QUICK CROSSWORD" puzzle grid containing six spaces (height) by eight spaces (wide) covered by translucent latex. A player will remove the latex from the "YOUR LETTERS" and then scratch the corresponding letters found in the "QUICK CROSSWORD" grid. If a player scratches at least two complete words in the "QUICK CROSSWORD" puzzle, the player wins the corresponding prize in the prize legend. The prize legend on the front of the ticket indicates prizes won for number of words revealed, as is also set forth in subsection (k) hereinafter.

(h) To qualify as a complete word to win a prize in this game, the words revealed must meet the following requirements:

- (1) must contain at least three letters;
- (2) cannot be formed diagonally, run right to left or from bottom to top;
- (3) must appear in an unbroken horizontal or vertical string of letters in the "crossword" puzzle;
- (4) an unbroken string of letters cannot be interrupted by a black space and must contain every single letter square between two black spaces;
- (5) every single letter in the unbroken string must be revealed in the "YOUR LETTERS" area and be included to form a word;
- (6) the three small letters outside the squares in the "YOUR LETTERS" area are for validation purposes and cannot be used to play "Quick Crossword."

(i) Each ticket in this game may win up to one time. Only the highest prize won on each ticket will be awarded.

(j) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(k) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
2 words	\$1	70,000	\$ 70,000
3 words	\$2	60,000	120,000
4 words	\$50	1,600	80,000
5 words	\$500	100	50,000
6 words	\$5,000	6	30,000
TOTAL		<u>131,706</u>	<u>\$350,000</u>

(l) The odds of winning a prize in this game are approximately one in 4.56. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-7-5-06, June 14, 2006.)

111-4-2434. "Casino Riches" instant ticket lottery game number 593. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Casino Riches" commencing on or after July 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2434.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$2. ⁰⁰	TWO\$

\$3. ⁰⁰	THR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$150\$	ONHNFTY
\$500\$	FIV-HUN
\$1000	ONETHOU
\$5000	FIV-THOU
\$25000	25-THOU
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	TRTN
14	FRTN
15	FFTN
16	SXTN
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
J	JAK
Q	QEN
K	KNG
A	ACE
Symbol of one dot	ONE
Symbol of two dots	TWO
Symbol of three dots	THR
Symbol of four dots	FOR
Symbol of five dots	FIV
Symbol of six dots	SIX

(c) For this game, a play symbol shall appear in each of 44 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWY	=	\$20.00

(continued)

TWF =	\$25.00
TRY =	\$30.00
FTY =	\$50.00
STF =	\$75.00
HUN =	\$100.00
HFY =	\$150.00
FHN =	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.

(g) "Casino Riches" features three separate play areas. Game 1 is a key number match game. A player will remove the scratch-off material to reveal one "ROULETTE NUMBER," four "SPIN NUMBERS," and four prize amounts. If a player matches the "ROULETTE NUMBER" to any of the "SPIN NUMBERS," the player wins the prize shown for that "SPIN." A player can win up to four times in this play area.

Game 2 is a dice game. A player will remove the scratch-off material to reveal six "ROLLS." Each "ROLL" includes two dice symbols and a prize amount. If the total of the two dice in any one "ROLL" add up to "7" or "11," the player wins the prize shown for that "ROLL." A player can win up to six times in this play area.

Game 3 is a beat the dealer game. A player will remove the scratch-off material to reveal five "PLAYER'S HANDS," five prize amounts, and one "DEALER'S HAND." If any "PLAYER'S HAND" beats the "DEALER'S HAND" the player wins the prize shown for that "PLAYER." A player can win up to five times in this play area.

(h) Each ticket in this game may win up to 15 times.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
	\$5	60,000	\$300,000
	\$10	12,400	124,000
	\$5 x 2	12,400	124,000
	\$2 x 5	12,400	124,000
	\$3 x 5	7,550	113,250
	(\$2 x 5) + \$5	7,750	116,250
	(\$5 x 3)	7,750	116,250
	\$5 + \$10	7,750	116,250
	(\$2 x 10)	3,200	64,000
	\$20	3,200	64,000
	(\$5 x 4)	3,200	64,000
	(\$10 x 2)	3,200	64,000
	(\$2 x 10) + \$5	1,700	42,500
	(\$2 x 5) + (\$5 x 3)	1,700	42,500
	\$25	1,700	42,500
	(\$3 x 5) + (\$5 x 2)	1,700	42,500
	(\$2 x 15)	1,250	37,500
	(\$2 x 10) + (\$5 x 4) + \$10	610	30,500
	(\$10 x 5)	600	30,000
	\$50	600	30,000
	(\$5 x 15)	200	15,000
	(\$5 x 12) + (\$10 x 2) + \$20	100	10,000
	(\$10 x 10)	100	10,000
	(\$10 x 15)	100	15,000
	(\$20 x 10) + (\$50 x 4) + \$100	20	10,000
	(\$25 x 14) + \$150	20	10,000

(\$50 x 10)	\$500	20	10,000
(\$25 x 10) + (\$150 x 5)	\$1,000	6	6,000
\$1,000	\$1,000	6	6,000
\$5,000	\$5,000	4	20,000
(\$500 x 4) + (\$1,000 x 8) + (\$5,000 x 3)	\$25,000	2	50,000
\$25,000	\$25,000	4	100,000
TOTAL		<u>151,242</u>	<u>\$1,950,000</u>

(k) The odds of winning a prize in this game are approximately one in 3.97. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-7-5-06, June 14, 2006.)

Article 7.—ON-LINE GAMES

SHOP QUIK PROMOTION

111-7-193. Shop Quik Super Kansas Cash no guts, no glory promotion. (a) During the term of this promotion with participating chain number 1001 Shop Quik stores in Kansas, for every Super Kansas Cash single ticket purchase of \$3.00 or more, the player shall receive an entry for the "No Guts, No Glory" promotion drawing. Lottery terminals shall automatically dispense an entry form for each \$3.00 or more Super Kansas Cash single ticket purchase at participating Shop Quik Kansas lottery retailers during the term of this promotion, irrespective of whether said Super Kansas Cash purchase is for a single draw or multiple draws.

(b) The term of this promotion shall be from July 1, 2006, through the end of the business day on July 31, 2006.

(c) During the term of this promotion, drop boxes for the deposit of entries shall be provided by the lottery and placed at all participating Shop Quik locations. All drop boxes shall be retrieved by the Kansas lottery at the end of the promotion.

(d) After the term of this promotion has ended, two entries and four alternate entries shall be drawn by the Kansas lottery pursuant to standard lottery procedures.

(e) On a date and at a location to be determined by the lottery, each of the two eligible contestants shall have the opportunity to compete in the "No Guts, No Glory" game promotion.

(f) The "No Guts, No Glory" game shall utilize 20 "prize envelopes," each containing a slip of paper indicating one of the following amounts: \$1, \$2, \$5, \$10, \$15, \$20, \$25, \$30, \$35, \$40, \$45, \$50, \$60, \$75, \$85, \$100, \$125, \$150, \$175, or \$200. In addition, a total of five "banker envelopes" shall each contain a slip of paper indicating one of the following amounts: \$15, \$30, \$50, \$100, or \$150. All amounts shall be randomly distributed within one of the envelopes. The amount inside each envelope shall be unknown to the contestant. The stated amounts represent an equivalent dollar amount of Kansas lottery tickets.

(g) The first contestant shall choose one of the "prize envelopes" to serve as the contestant's envelope. The contestant shall then choose six of the remaining "prize envelopes" and reveal the amount contained in each. The contestant shall then be given the choice of continuing to open "prize envelopes" or take one of the "banker envelopes." If the contestant chooses to continue, the contestant shall open five more "prize envelopes" to reveal the amount contained in each. The contestant shall again

be given the choice of continuing to open "prize envelopes" or taken of one the "banker envelopes." If the contestant chooses to continue, the contestant shall open four more "prize envelopes" to reveal the amount in each. The contestant shall again be given the choice of continuing to open "prize envelopes" or take one of the "banker envelopes." If the contestant chooses to continue, the contestant shall open three more "prize envelopes" to reveal the amount contained in each. The contestant shall again be given the choice of continuing to open "prize envelopes" or take one of the "banker envelopes." If the contestant chooses to continue, the contestant shall open the last remaining "prize envelope" to reveal the amount contained therein. The contestant shall then open the contestant's "prize envelope" to reveal contestant's final prize, upon which the game shall be over. If, at any time during the game, the contestant chooses to select one of the "banker envelopes," that envelope shall be opened to reveal the contestant's final prize, upon which the game shall be over. The contestant shall be given Kansas lottery tickets or coupons valid for Kansas lottery tickets in an amount equal to the final prize amount retained by the contestant.

(h) The game promotion procedure set forth hereinabove shall be repeated for the second eligible contestant. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-7-5-06, June 14, 2006.)

111-7-194. Method of entry. (a) Entry into the "No Guts, No Glory" promotion shall be accomplished as follows:

(1) During the term of this promotion, with every qualifying purchase of \$3.00 or more Super Kansas Cash on a single ticket, an entry form shall be automatically produced by the lottery online terminal.

(2) The purchaser must complete the information on the entry form in a legible manner. Only one name shall appear on each entry form.

(3) The completed entry form must be placed into the designated drawing receptacle provided at any participating Shop Quik store no later than the close of business for that store on July 31, 2006.

(4) The holder of the entry is not required to personally attend the drawing or be present at the time of the drawing to be determined a contestant, but must be present at the time the "No Guts, No Glory" game is played. Any contestant unable to be present shall be declared ineligible and the first alternate winner selected shall be eligible to play the game. This process shall be repeated until two eligible players are selected who are able to be present at the time the game is played.

(5) The drawing shall be conducted at the Kansas lottery corporate office after the entry deadline for the promotion. Two eligible entries and four alternate entries shall be drawn by lottery personnel pursuant to standard Kansas lottery procedures.

(6) Entry forms obtained during the stated period of time may be entered in the drawing.

(b) There is no limit on the number of entries a person may make, but each person may only win once.

(c) All eligible entry forms which are deposited into a drawing receptacle by the end of business for that store on July 31, 2006, shall be entered into the drawing.

(d) Eligible entrants in the promotion must be 18 years of age or older, and may not be an employee of any Shop Quik store in Kansas.

(e) Completing the information form on the entry form and entering the ticket into any drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-7-5-06, June 14, 2006.)

Ed Van Petten
Executive Director

Doc. No. 033367

State of Kansas

Social and Rehabilitation Services

Permanent Administrative Regulations

Article 4.—PUBLIC ASSISTANCE PROGRAM

30-4-98. Funeral assistance (FA) program. Assistance may be provided for funeral expenses upon the death of a recipient under the TAF, GA, or medical assistance program. (a) Funeral expenses. Funeral expenses shall include the cost of the following:

- (1)(A) The preparation of the body;
- (B) a minimal casket;
- (C) the transportation of the body within the trade area; and
- (D) a service; or
- (2) a cremation.

(b) Application. Each request for funeral assistance shall be made within six months after either the date of death or the date on which the body is released by a county coroner.

(c) Treatment of resources.

(1) If a decedent, at the time of death, was not living with a child of the decedent who was under age 21, the spouse of the decedent, or an adult disabled child of the decedent, the total estate of the decedent shall be considered available. This provision shall not be applicable in situations in which there were separate living arrangements because of the need for institutional care. The estate shall not be allowed any exemptions.

(2) Eligibility for assistance shall be based on the assets owned by the family group at the time of decedent's death, under these circumstances:

(A) If, at the time of death, a decedent was living with a child of the decedent who was under age 21, the spouse of the decedent, or an adult disabled child of the decedent, or if the decedent was a child under age 21 living with the parent of the decedent; or

(B) if there were living arrangements separate from one of the persons specified in paragraph (c)(2)(A) because of the need for institutional care.

(3) The total amount of proceeds on any life insurance policy on the decedent shall be considered available if the policy was owned by the decedent, the spouse of the decedent, or, if the decedent was a child under age 21, the parent of the decedent.

(continued)

(4) Death benefits from SSA, VA, railroad retirement, KPERs, and any other burial funds shall be considered available.

(d) Resource limit. If the value of the resources considered available in accordance with subsection (c) does not exceed \$2,000, assistance may be provided. If the resource value exceeds \$2,000, the decedent shall be ineligible for assistance.

(e) Assistance provided. If the decedent is eligible, the amount of funeral assistance provided shall be \$550, except that the total cost of funeral expenses, including the \$550 payment, shall not exceed \$2,000. If the total cost exceeds \$2,000, no assistance shall be provided. (Authorized by and implementing K.S.A. 39-708c and K.S.A. 39-713d; effective Aug. 11, 2006.)

Gary J. Daniels
Secretary of Social and
Rehabilitation Services

Doc. No. 033403

State of Kansas

Kansas Health Policy Authority

Permanent Administrative Regulations

Article 6.—MEDICAL ASSISTANCE PROGRAM— CLIENTS' ELIGIBILITY FOR PARTICIPATION

30-6-38. (Authorized by and implementing K.S.A. 39-708c, as amended by 1990 HB 3085; effective May 1, 1981; amended, T-30-7-2-90, July 2, 1990; revoked, T-30-8-14-90, Oct. 1, 1990; amended Oct. 1, 1990; revoked Aug. 11, 2006.)

Article 14.—CHILDREN'S HEALTH INSURANCE PROGRAM

30-14-22. (Authorized by K.S.A. 1997 Supp. 39-708c and L. 1998, Chapter 125, Section 1; implementing L. 1998, Chapter 125, Section 1; effective Nov. 1, 1998; revoked Aug. 11, 2006.)

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

129-5-1. Prior authorization. (a) Any medical service may be placed by the director of health policy and finance on the published list of services requiring prior authorization or precertification for any of the following reasons:

(1) To ensure that provision of the service is medically necessary;

(2) to ensure that services that may be subject to over-use are monitored for appropriateness in each case; and

(3) to ensure that services are delivered in a cost-effective manner.

(b) Administration of covered pharmaceuticals in the following classes shall require prior authorization. A cross-reference of generic and brand names shall be made available upon request:

(1) Ace inhibitors:

- (A) Fosinopril;
- (B) moexipril;
- (C) perindopril;
- (D) ramipril; and
- (E) trandolopril;
- (2) acne and skin lesion products:
 - (A) Tretinoin; and
 - (B) alitretinoin;
- (3) adjunct antiepileptic drugs:
 - (A) Gabitril; and
 - (B) zonegran;
- (4) angiotensin II receptor antagonists:
 - (A) Candesartan;
 - (B) candesartan-HCTZ;
 - (C) eprosartan;
 - (D) eprosartan-HCTZ;
 - (E) olmesartan; and
 - (F) olmesartan-HCTZ;
- (5) anticholinergic urinary incontinence drugs:
 - (A) Flavoxate;
 - (B) oxybutynin XL;
 - (C) tolterodine;
 - (D) oxybutynin patches; and
 - (E) trospium chloride;
- (6) antipsoriatics: alefacept;
- (7) antiretroviral drugs: enfuvirtide;
- (8) antirheumatics:
 - (A) Leflunomide;
 - (B) infliximab;
 - (C) anakinra;
 - (D) adalimumab;
 - (E) etanercept; and
 - (F) abatacept;
- (9) cervical dystonias: botulinum toxins A and B;
- (10) drugs for the treatment of osteoporosis: teriparatide;
 - (A) Aminosalicylate sodium;
 - (B) capreomycin;
 - (C) ethambutol;
 - (D) ethionamide;
 - (E) isoniazid;
 - (F) pyrazinamide; and
 - (G) rifampin and rifampin-isoniazid combinations;
- (12) all decubitus and wound care products;
- (13) all intravenous and oral dietary and nutritional products, including the following:
 - (A) Amino acids, injectable;
 - (B) l-cysteine;
 - (C) lipids, injectable; and
 - (D) sodium phenylbutyrate;
- (14) beta-blockers:
 - (A) Betaxolol;
 - (B) bisoprolol;
 - (C) carteolol;
 - (D) nadolol;
 - (E) penbutolol;
 - (F) timolol; and
 - (G) propranolol XL;
- (15) calcium channel blockers:
 - (A) Diltiazem extended release, with the following brand names:

- (i) Cardizem SR®;
- (ii) Cardizem CD®;
- (iii) Cartia XT®;
- (iv) Dilacor XR®;
- (v) Taztia XT®; and
- (vi) Cardizem LA®;
- (B) verapamil sustained release, with the following brand names:
 - (i) Covera HS®; and
 - (ii) Verelan PM®;
- (C) nifedipine sustained release, with the following brand names:
 - (i) Nifedical XL®; and
 - (ii) Procardia XL® and all generic equivalents;
 - (D) nimodipine;
 - (E) nisoldipine;
 - (F) felodipine;
 - (G) isradipine;
 - (H) nicardipine SR; and
 - (I) nifedipine immediate release, with the following brand names:
 - (i) Adalat® and all generic equivalents; and
 - (ii) Procardia® and all generic equivalents;
 - (16) fibric acid derivatives:
 - (A) Antara®;
 - (B) Lofibra®;
 - (17) all growth hormones and growth hormone stimulating factor, including the following:
 - (A) Somatrem;
 - (B) somatropin;
 - (C) sermorelin; and
 - (D) mecasermin rinfabate;
 - (18) intranasal corticosteroids:
 - (A) Budesonide;
 - (B) Bausch & Lomb's flunisolide;
 - (C) beclomethasone; and
 - (D) triamcinolone;
 - (19) inhaled corticosteroids:
 - (A) Flunisolide-menthol;
 - (B) beclomethasone;
 - (C) QVAR®;
 - (D) triamcinolone;
 - (E) budesonide inhalation powder;
 - (F) budesonide inhaled suspension;
 - (20) proton pump inhibitors:
 - (A) Esomeprazole;
 - (B) omeprazole;
 - (C) omeprazole OTC;
 - (D) lansoprazole;
 - (E) pantoprazole; and
 - (F) rabeprazole;
 - (21) monoclonal antibody for respiratory syncytial virus (RSV), including palivizumab;
 - (22) muscle relaxants:
 - (A) Tizanidine;
 - (B) orphenadrine;
 - (C) methocarbamol;
 - (D) carisprodol;
 - (E) carisprodol compound;
 - (F) cyclobenzaprine (5 mg); and
 - (G) metaxolone;
 - (23) nonsteroidal, anti-inflammatory drugs:
 - (A) Meloxicam;
 - (B) indomethacin;
 - (C) nabumetone; and
 - (D) piroxicam;
 - (24) drugs for the treatment of obesity:
 - (A) Orlistat;
 - (B) sibutramine; and
 - (C) phentermine;
 - (25) oxazolidinones, including linezolid;
 - (26) HMG-CoA reductase inhibitors:
 - (A) Pravastatin;
 - (B) fluvastatin;
 - (C) lovastatin; and
 - (D) rosuvastatin;
 - (27) nonsedating antihistamines:
 - (A) Desloratidine; and
 - (B) fexofenadine;
 - (28) H₂ antagonists: nizatidine;
 - (29) triptans:
 - (A) Naratriptan;
 - (B) zolmitriptan; and
 - (C) frovatriptan;
 - (30) oral antidiabetic drugs:
 - (A) Amaryl®;
 - (B) Glucotrol XL®;
 - (C) Prandin®;
 - (D) Precose®;
 - (E) Glucophage XR®;
 - (F) Glucovance®; and
 - (G) Metaglip®;
 - (31) the following types of syringes, penfills, and cartridges of insulin:
 - (A) Humalog®;
 - (B) Humalog Mix®;
 - (C) Humulin R®;
 - (D) Humulin N®;
 - (E) Humulin 70/30®;
 - (F) Novolog®;
 - (G) Novolog Mix®;
 - (H) Novolin R®;
 - (I) Novolin N®;
 - (J) Novolin 70/30®; and
 - (K) Velosulin BR®;
 - (32) hypnotics: zaleplon;
 - (33) serotonin 5-HT₃ receptor antagonist antiemetics:
 - (A) Kytril®; and
 - (B) Anzemet®;
 - (34) influenza vaccines: Flumist®;
 - (35) the following drugs if specifically required by the physician, which shall require prior authorization to override maximum allowable cost (MAC) or federal upper limit (FUL) pricing:
 - (A) Clozaril;
 - (B) depakene;
 - (C) tegretol; and
 - (D) coumadin;
 - (36) monoclonal antibody for asthma: omalizumab;
 - (37) bisphosphonates: ibandronate sodium;
 - (38) ACE inhibitors-calcium channel blockers:
 - (A) Enalapril maleate-felodipine; and
 - (B) trandolapril-verapamil;

(continued)

(39) ophthalmic prostaglandin analogues:

- (A) Latanoprost;
- (B) bimatoprost; and
- (C) unoprostone;

(40) topical immunomodulators:

- (A) Protopic® (topical formulation); and
- (B) Elidel®;

(41) narcotic analgesics: fentanyl lozenge; and

(42) tramadol and all opioids, opioid combinations, and skeletal muscle relaxants, at any dose greater than the maximum recommended dose in a 31-day period.

(c) Failure to obtain prior authorization, if required, shall negate reimbursement for the service and any other service resulting from the unauthorized or noncertified treatment. The prior authorization shall affect reimbursement to all providers associated with the service.

(d) The only exceptions to prior authorization shall be the following:

(1) Emergencies. If certain surgeries and procedures that require prior authorization are performed in an emergency situation, the request for authorization shall be made within two working days after the service is provided.

(2) Situations in which services requiring prior authorization are provided and retroactive eligibility is later established. When an emergency occurs or when retroactive eligibility is established, prior authorization for that service shall be waived, and if medical necessity is documented, payment shall be made.

(e) Services requiring prior authorization shall be considered covered services within the scope of the program unless the request for prior authorization is denied. (Authorized by K.S.A. 2005 Supp. 39-7,120 and 75-7412; implementing K.S.A. 2005 Supp. 39-7,120 and 39-7,121a; effective Oct. 28, 2005; amended June 2, 2006; amended Aug. 11, 2006.)

Article 6.—MEDICAL ASSISTANCE PROGRAM— CLIENTS' ELIGIBILITY FOR PARTICIPATION

129-6-38. Rights of applicants and recipients. (a) Right to information. Each applicant or recipient shall have the right to be provided with information concerning the types of assistance that are provided by the agency. Upon request, each applicant shall be furnished with information by the agency, and the categories of assistance and the eligibility factors shall be explained to the applicant.

(b) Right to submit an application. Each applicant shall have the right to submit an application regardless of any question of eligibility or agency responsibility. The right of any individual to submit an application shall not be abridged.

(c) Right to private interview. Each individual, upon request, shall have the right to a private interview when discussing individual situations with the agency.

(d) Right to a determination of eligibility for assistance. Each applicant or recipient shall be given an opportunity to present any request and to explain the applicant's or recipient's situation.

(e) Right to withdraw from program. Each applicant shall have the right to withdraw the application at any

time between the date the application is signed and the date the notice of the agency's decision is mailed. Any recipient may withdraw from a program at any time.

(f) Right to a prompt decision. Each applicant shall have the right to have a decision rendered on an application within 45 days of its receipt by the agency or within 90 days of receipt for disability determination cases. Each recipient shall have the right to have a decision rendered on any formal request within 30 days of its receipt by the agency.

(g) Right to the correct amount of assistance. Each individual, if eligible, shall be entitled to the correct amount of assistance, based upon the program regulations.

(h) Right to written notification of action. Each individual shall have the right to a written notification of agency action concerning eligibility for the medical assistance program. For children eligible for presumptive coverage as specified in K.A.R. 129-6-151, the notice shall be sent from the qualified entity as required in K.A.R. 129-6-152.

(i) Right to equal treatment. Each individual shall have the right to be treated in the same manner as that for other individuals who are in similar circumstances.

(j) Right to a fair hearing. Except for children for whom a determination under presumptive medical assistance as defined in K.A.R. 129-6-151 has been made, each individual shall have the right to request a fair hearing if the individual is dissatisfied with any agency decision or lack of action in regard to the application for or the receipt of assistance. (Authorized by K.S.A. 2005 Supp. 75-7412; implementing K.S.A. 2005 Supp. 75-7412 and 75-7413, as amended by L. 2006, ch. 4, § 2; effective Aug. 11, 2006.)

Article 14.—CHILDREN'S HEALTH INSURANCE PROGRAM

129-14-22. Rights of applicants and recipients. (a) Right to information. Each applicant or recipient shall be provided with information concerning the program. Upon request, each applicant or recipient shall be furnished with information by the agency, and the eligibility criteria and coverage available shall be explained to each applicant or recipient.

(b) Right to submit an application. Each applicant shall have the right to submit an application regardless of any question of eligibility or agency responsibility. The right of any individual to submit an application shall not be abridged.

(c) Right to a determination of eligibility for coverage. Each applicant or recipient shall be given an opportunity to present any request and to explain the applicant's or recipient's situation.

(d) Right to withdraw from program. Each applicant shall have the right to withdraw the application at any time between the date the application is signed and the date the notice of the agency's decision is mailed. Any recipient may withdraw from the program at any time.

(e) Right to a prompt decision. Each applicant shall have the right to have a decision rendered on an application within 15 calendar days of the agency's receipt of a signed application and all supporting documentation, but no later than 45 days from the date the signed application is received. Each recipient shall have the right to

have a decision rendered on any formal request within 30 days of its receipt by the agency.

(f) Right to the correct amount of coverage. Each individual, if eligible, shall be entitled to the correct amount of coverage, based upon the program regulations.

(g) Right to written notification of action. Each individual shall have the right to a written notification of agency action concerning eligibility for the healthwave program. For children eligible for presumptive coverage as specified in K.A.R. 129-14-51, the notice shall be sent from the qualified entity as required in K.A.R. 129-14-52.

(h) Right to equal treatment. Each individual shall have the right to be treated in the same manner as that for other individuals who are in similar circumstances.

(i) Right to a fair hearing. Except for children for whom a determination under presumptive medical assistance as specified in K.A.R. 129-14-51 has been made, each individual shall have the right to request a fair hearing if the individual is dissatisfied with any agency decision or lack of action in regard to the application for or receipt of coverage. (Authorized by K.S.A. 2005 Supp. 75-7412; implementing K.S.A. 2005 Supp. 75-7412 and 75-7413, as amended by L. 2006, ch. 4, § 2; effective Aug. 11, 2006.)

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

Doc. No. 033411

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 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-4-1		
through		
3-4-7	New (T)	V. 25, p. 984, 985

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
16-11-1		
through		
16-11-6	New (T)	V. 25, p. 980-982

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

(continued)

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
28-4-501	Amended (T)	V. 25, p. 985
28-4-510	Amended (T)	V. 25, p. 986
28-4-514	New (T)	V. 25, p. 987
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
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
82-15-1	New (T)	V. 25, p. 984

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
102-2-2a	Amended (T)	V. 25, p. 987
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
102-3-4a	Amended (T)	V. 25, p. 988

(continued)

102-3-15	Amended	V. 24, p. 428
102-4-2	Amended	V. 24, p. 428
102-4-4a	Amended (T)	V. 25, p. 990
102-4-15	Amended	V. 24, p. 428
102-5-2	Amended	V. 24, p. 428
102-5-4a	Amended (T)	V. 25, p. 992
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
105-5-2	Amended (T)	V. 25, p. 982
105-5-3	Amended (T)	V. 25, p. 982
105-5-6	Amended (T)	V. 25, p. 982
105-5-7	Amended (T)	V. 25, p. 983
105-5-8	Amended (T)	V. 25, p. 983
105-11-1	New	V. 25, p. 101
105-11-1	Amended (T)	V. 25, p. 983

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
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	37
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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