



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale at public auction at 11 a.m. Thursday, March 1, the following structure located in McPherson County, to be moved:

1418 Sq. Ft. 3-bedroom, 2½-bath, residential structure on basement, located at 777 Cherokee Rd., Inman, Kansas.

Inspection of Structure:

The structure will be opened to the public for viewing and inspection from 11 a.m. to noon February 22 and 30 minutes prior to the auction.

Terms of Sale:

A cashier's check for the purchase price must be paid on the day of the sale, payable to the Kansas Department of Transportation. The successful bidder will receive a bill of sale upon payment. The successful bidder will be required to remove the structure from the right of way on or before May 31, 2007.

Performance Bonds:

The successful bidder for the structure will be required

to post a performance bond in the amount of \$4,000, posted by cashier's check the day of the sale.

The seller reserves the right to reject any and all bids and is not responsible for accidents. The seller makes no warranties, either expressed or implied, as to the condition of the dwelling; the soil conditions in, under or around the property; or the existence of hazardous substances, including without limitation, lead paint, asbestos, mold, mildew, polychlorinated biphenyls, petroleum leakage, agricultural or household chemicals, which may or may not be present on the property, or any other environmental conditions. The seller has no knowledge of the existence of such matters or conditions on or in the property unless otherwise stated. The structure is being sold "as is."

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin. For additional terms or information, visit www.ksdot.org/burrow/Property4Sale/ or contact the Bureau of Right of Way at (877) 461-6817.

Deb Miller
Secretary of Transportation

Doc. No. 034050

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State of Kansas

State Employees Health Care Commission

Notice of Meeting

The Kansas State Employees Health Care Commission will meet at 1:30 p.m. Wednesday, February 7, in the boardroom of the offices of the Kansas Public Employees Retirement System, 611 S. Kansas Ave., Topeka. An agenda may be viewed on the commission's Web site at <http://www.khpa.ks.gov/HealthCareCommission/HCCMeetingsHome.htm>. For more information, contact Michelle Smull, Kansas Health Policy Authority—State Employee Benefits Office, at (785) 368-6361.

Duane A. Goossen
Chair

Doc. No. 034047

State of Kansas

Department of Agriculture

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Thursday, March 29, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of proposed noxious weed regulations. These regulations are proposed for adoption on a permanent basis.

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 the Secretary of Agriculture, 109 S.W. 9th, 4th Floor, Topeka, 66612, or by e-mail at lgarner@kda.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 impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Leslie Garner at (785) 296-4623 or fax (785) 368-6668. Handicapped parking is located at the southwest corner of 9th and Kansas Ave., and the north entrance to the building is accessible to individuals with disabilities.

Copies of the regulations and their economic impact statements may be obtained by contacting Leslie Garner or by accessing the department's Web site at <http://www.ksda.gov>. Comments also may be made through the department's Web site under "statutes and regulations." A summary of the proposed regulations and their economic impact follows:

The proposed amendments to **K.A.R. 4-8-14a** are to adopt by reference the Kansas Department of Agricul-

ture's document titled "approved herbicides for cost share."

K.A.R. 4-8-27, 4-8-28, 4-8-29, 4-8-30, 4-8-31, 4-8-33, 4-8-34, 4-8-35, 4-8-39 and 4-8-42 amend the date of the control programs to November 1, 2006. The November 1, 2006, control programs are amended to add and delete specific herbicides to the Official Control Program for Musk Thistle, Johnsongrass, Field Bindweed, Hoary Cress, Russian Knapweed, Canada Thistle, Leafy Spurge, Quackgrass, Multiflora Rose and Bull Thistle.

This will allow county weed departments to sell these herbicides at cost share to private landowners for control of noxious weeds. Furthermore, it will remove MSMA and fosamine from the cost-share list due to lack of herbicide distribution.

The economic impact on other government agencies and upon private business or individuals is likely to be minimal and may even represent a savings over current methods due to increased efficacy.

Adrian J. Polansky
Secretary of Agriculture

Doc. No. 034041

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 8:30 a.m. Thursday, February 8, in the conference room in the office of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue Housing Development Revenue Bonds in an amount not to exceed \$8 million for Senior Homes of Kansas LLC, a limited liability corporation, or an affiliated entity (the developer). The bonds will be issued, pursuant to K.S.A. 74-8901 *et seq.*, to finance the costs of construction of a 72-unit affordable rental community for seniors to be operated as Prairiebrooke Village L.L.C. and located at Kill Creek Road 0.2 miles north of 175th Street in Gardner, Kansas (the project).

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

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

Steven R. Weatherford
President

Doc. No. 034034

State of Kansas

**Department of Administration
Division of Facilities Management**

**Notice of Commencement of Negotiations
for On-Call Engineering Services**

Notice is hereby given of the commencement of negotiations for "on-call" energy engineering services for the Kansas Corporation Commission, Kansas Energy Office and the Facilities Conservation Improvement Program (FCIP). Multiple firms will be selected. Contracts will be for one year, renewable for two additional one-year periods.

Services include assisting the Kansas Energy Office with requests from outside public agencies for consulting services concerning their contracts with energy service companies (ESCOs), by reviewing and analyzing reports and documentation presented by the ESCOs with an emphasis on the following:

- Analysis and verification of Investment Grade Audit cost and savings predictions.
- Review and verification of the financial analysis.
- Analysis of energy conservation measure recommendations.
- Review of the life cycle cost criteria and verification of results.
- Review of equipment quality and selection (to ensure appropriate application).
- Assessment of the quality of the installation.
- Participation in mediation or arbitration of disputes.
- Participation in the presentations or hearing of energy conservation programs (to provide owner expertise).
- Review of the recommended energy measurement and verification strategies presented by the ESCO.
- Ability to work statewide.

Interested firms must be able to demonstrate expertise or ability in the above services. Firms providing services directly to ESCOs will not be considered for these contracts. For more information concerning the scope of services, contact Russell Rudy, (785) 271-3241.

To be considered, five (5) bound proposals and one (1) PDF file on a CD of the following should be provided: a letter of interest, an SF330 Part I, information regarding similar projects, and an SF330 Part II for each firm and consultant. Proposals should be concise and follow the 2007 State Building Advisory Commission guidelines, available to firms at <http://da.ks.gov/fp/>. If copies of the guidelines are needed, contact Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, Phyllis.Fast@da.ks.gov. Submittals should be received by Phyllis Fast before noon February 9.

Marilyn Jacobson, Interim Director
Division of Facilities Management

Doc. No. 034045

State of Kansas

State Banking Board

Notice of 2007 Meeting Schedule

To comply with the notice required by K.S.A. 75-4318, the following is a list of tentative dates of State Banking Board meetings for 2007:

January 22	July 16
February 26	August 20
March 19	September 17
April 16	October 15
May 21	November 19
June 18	December 17

The Banking Board meets at 9 a.m. in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority as set forth in K.S.A. 9-1801 et seq., and amendments thereto, and carries out its function of serving in an advisory capacity to the Office of the State Bank Commissioner, pursuant to K.S.A. 74-3006, and amendments thereto. All interested individuals and organizations are invited to attend. For questions or concerns regarding the meetings, contact the Office of the State Bank Commissioner, (785) 296-2266.

Clarence W. Norris
State Bank Commissioner

Doc. No. 034039

State of Kansas

**Department of Agriculture
Division of Water Resources**

**Notice of Hearings on Proposed
Administrative Regulations**

Three public hearings will be conducted at the times and locations listed below to consider the adoption of seven amended regulations and 49 new regulations, and the revocation of four regulations, relating to the Obstructions in Streams Act, K.S.A. 82a-301 et seq., and flood plain zoning. These regulations are proposed for adoption on a permanent basis.

At each of the hearing locations there will be an informational meeting beginning at 1 p.m. where the content of the regulations will be summarized and an opportunity given to ask questions concerning the meaning of the regulations. At 2 p.m. the formal public hearing on the adoption of the regulations will begin and continue until it concludes:

- April 2** Kansas Highway Patrol Training Academy
2025 E. Iron Ave., Salina
- April 3** Butler County Community College
Gold Room
901 S. Haverhill Road, El Dorado
- April 4** Lawrence City Hall
City Commission Meeting Room
6 E. 6th, Lawrence

This 60-day notice of the public hearings 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 the chief engineer, Division of Water Resources, Kansas Department of Agriculture, Attention: Leslie Garner, 109 S.W. 9th, 4th Floor, Topeka, 66612, or by e-mail at lgarner@kda.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 hearings. 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 Leslie Garner at (785) 296-4623 or fax (785) 368-6668.

Copies of the regulations and the economic impact statements may be obtained by contacting Leslie Garner or by accessing the department's Web site at <http://www.ksda.gov> (select "statutes and regulations" at the top of the page). A summary of the proposed regulations and their economic impact follows:

K.A.R. 5-40-1, 5-40-2, 5-40-2a, 5-40-2b, 5-40-3 through 5-40-5, 5-40-5a, 5-40-8 through 5-40-13. These regulations specify a variety of requirements to document the design and construction of dams. In this series are three new regulations, K.A.R. 5-40-2a, 2b and 5a. This series of regulations specifies what is required to properly document the design of a dam, what constitutes an acceptable application for a permit to construct a dam, and details about determining the size of a dam in light of changes to the statute in 2002. The total additional economic impact of these regulations on those proposing to construct a dam is estimated to be about \$2,250 per high impact dam and \$900 per low impact dam.

K.A.R. 5-40-20 through 5-40-24 and 5-40-26 are new regulations defining hazard and size classes, establishing minimum size criteria based upon hazard and size classes, specifying procedures for determining the hazard class of a dam, and providing for reconsideration of hazard class determinations. Except for K.A.R. 5-40-24 and 26, which pertain directly to breach inundation analysis, the regulations are a recasting of current regulations with minor modifications. The new procedures in K.A.R. 5-40-24 specify analyses and assumptions that must be made in determining what area below a dam would be inundated in the event that a breach of the dam occurred. The total additional economic impact of these regulations on those proposing to construct a dam is estimated to be about \$3,650 per dam to prepare the breach inundation map.

K.A.R. 5-40-30 through 5-40-33 are new regulations establishing the techniques to be used to compute the volume of water and rate at which water enters the reservoir created by a dam (called the inflow hydrograph). The total economic savings of these regulations on those proposing to construct a dam is estimated to be about \$175 per dam.

K.A.R. 5-40-40 through 5-40-46 are new regulations that set forth requirements for geological investigations of the foundations of dams and the design of earthen dams' embankments. The total additional economic impact of these regulations on those proposing to construct a dam is estimated to be about \$2,500 per high impact dam and \$320 per low impact dam.

K.A.R. 5-40-50 through 5-40-57 are new regulations that deal with design requirements for appurtenances to dams such as pipes, trash racks and open channel spillways. There is estimated that there will be no additional economic impact of these regulations on those proposing to construct a dam.

K.A.R. 5-40-70 through 5-40-73, 5-40-73a, and 5-40-74 through 5-40-77 are new regulations that deal with a variety of different issues including construction inspection, emergency action plans, maintenance, easements and standards to evaluate unpermitted dams that were illegally constructed. The total additional economic impact of these regulations on those proposing to construct a dam is estimated to be about \$650 per high impact dam and no additional cost for a low impact dam to prepare an emergency action plan. There will be an additional cost of about \$1,100 to prepare and submit a construction inspection report for each high impact dam.

K.A.R. 5-40-90 through 5-40-94 are proposed regulations that define what must be included in safety inspection reports for class C and B (high and significant) hazard dams and the scheduling of those inspections. There is estimated to be no significant economic impact of these regulations on those proposing to construct a dam.

K.A.R. 5-40-100 through 5-40-106 are proposed regulations that implement the new provision in the statute (as of 2002) requiring the chief engineer to maintain a list of licensed professional engineers who may review any application for permit required by K.S.A. 82a-301. The total additional economic impact of these regulations on the agency is expected to be \$129 per engineer and an annual cost thereafter of \$745 per year. The agency has no means of estimating the number of engineers that would apply. The economic impact on those engineers requesting to be placed on the list, which is strictly voluntary, is estimated to be \$1,000 per engineer. There will be a cost of about \$2,250 for an engineer to do a review, which will be paid by the owner. The owner's decision to use a private engineer to do an expedited review is strictly voluntary.

K.A.R. 5-42-1 and 5-42-5 are proposed to be modified. These regulations deal with stream obstructions other than dams. It is estimated that there will be no economic impact from the adoption of these regulations.

K.A.R. 5-44-7 is a new regulation that clarifies that both licensed land surveyors and licensed engineers may certify elevations relating to flood plains.

David L. Pope
Chief Engineer
Division of Water Resources

Doc. No. 034046

State of Kansas

State Conservation Commission

Notice of Meeting

The State Conservation Commission will meet at 9 a.m. Monday, February 12, in the commission's conference room, Suite 500, 109 S.W. 9th, Topeka. Persons requiring special accommodations should contact the commission at (785) 296-3600 at least three days prior to the meeting.

Greg A. Foley
Executive Director

Doc. No. 034033

(Published in the Kansas Register January 25, 2007.)

City of Augusta, Kansas

Notice of Proposed DBE Program

The city of Augusta has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation, 49 CFR Part 26, for the Augusta Municipal Airport. The city anticipates receiving federal financial assistance from the Department of Transportation, and, as a condition of receiving this assistance, the city will sign an assurance that it will comply with 49 CFR Part 26.

The city's project-specific goal in FY 2007 is 4.9 percent of the federal financial assistance.

The proposed DBE Program is available for public inspection and comment at the Augusta City Hall. The city will accept comments on the goals for 30 days from the date of this notice. Comments can be sent to City Hall, 113 E. 6th, Augusta, 67010.

Erica Jones
City Clerk

Doc. No. 034049

(Published in the Kansas Register January 25, 2007.)

Summary Notice of Note Sale

City of Edgerton, Kansas

\$2,420,000

Temporary Notes, Series 2007-1

(General obligation notes payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of note sale dated January 11, 2007, written and electronic bids will be received on behalf of the clerk of the city of Edgerton, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, via PARITY, until 11 a.m. February 8, 2007, for the purchase of the above-referenced notes. No bid of less than 99.55 percent of the principal amount of the notes and accrued interest thereon to the date of delivery will be considered.

Note Details

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. The notes will be dated March 1, 2007, and will become due on September 1, 2008.

The notes will bear interest from the date thereof at rates to be determined when the notes are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2008.

Book-Entry-Only System

The notes will be registered under a book-entry-only system administered through DTC.

Paying Agent and Note 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 \$48,400.

Delivery

The Issuer will pay for printing the notes and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about March 1, 2007, at DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

Reference is made to the official statement regarding the property valuations and outstanding general obligation indebtedness of the issuer.

Approval of Notes

The notes 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 notes will be furnished and paid for by the issuer, printed on the notes and delivered to the successful bidder when the notes are delivered.

Additional Information

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

Good Faith Deposit Delivery Address:

Rita M. Moore, Clerk
City Hall
404 E. Nelson, P.O. Box 255
Edgerton, KS 66021
(913) 893-6231
Fax (913) 893-6232
E-mail: cityofedgerton@earthlink.net

Financial Advisor and Facsimile Bid

Delivery Address:

Springsted Incorporated, Attn: Bond Services
380 Jackson St., Suite 300
St. Paul, MN 55101-2887
(651) 223-3000
Fax (651) 223-3046
E-mail: advisors@springsted.com

Dated January 11, 2007.

City of Edgerton, Kansas

Doc. No. 034052

State of Kansas

Kansas Guardianship Program**Notice of Meeting**

The Kansas Guardianship Program will conduct its governing board meeting from 3:30 to 5 p.m. Wednesday, January 31, in Room 234-N, State Capitol, 300 S.W. 10th Ave., Topeka. For more information, call (785) 587-8555.

Jean Krahn
Executive Director

Doc. No. 034044

State of Kansas

**Department of Health
and Environment****Notice of Hearing**

The Kansas Department of Health and Environment will conduct a public hearing to solicit comments from interested persons on the state plans for the Maternal and Child Health Services Block Grant and the Preventive Health and Health Services Block Grant. The hearing will be at 9 a.m. Wednesday, February 28, in House Appropriations Committee hearing room, Room 514-S, State Capitol, 300 S.W. 10th Ave., Topeka.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034040

State of Kansas

**Department of Health
and Environment****Notice of Hearing on Proposed
Administrative Regulations**

The Kansas Department of Health and Environment, Division of Health and Environmental Laboratories, Environmental Laboratory Improvement Program Office (ELIPO), will conduct a public hearing at 11 a.m. Wednesday, April 4, in the ELIPO conference room at Forbes Field, Building 740, Topeka, to consider the adoption of proposed amendments to laboratory accreditation regulations.

K.A.R. 28-15-35. This regulation outlines the conditions for environmental laboratory accreditation. The amendments to this regulation are designed to comply with the following:

- (1) federal regulations for laboratories conducting environmental testing;
- (2) the National Environmental Laboratory Accreditation Conference (NELAC); and
- (3) state requirements for laboratory certification when monitoring under the state's drinking water program, the wastewater program, and the Resource Conservation and Recovery Act (RCRA) programs.

K.A.R. 28-15-36. This regulation outlines the minimum requirements for approval of environmental laboratories. The amendment to this regulation is designed to help assure the quality of analytical data submitted to the Kansas

Department of Health and Environment, and data submitted by Kansas accredited laboratories to other state agencies/departments and federal agencies/departments (EPA/DOD).

K.A.R. 28-15-36a. This regulation outlines the minimum requirements for approval of environmental field laboratories. The amendment to this regulation is designed to help assure the quality of analytical data submitted to the Kansas Department of Health and Environment.

K.A.R. 28-15-37. This regulation outlines the fee structure for laboratory accreditation. The environmental laboratories bear the cost of accreditation through payment of fees. No changes have been made to the fee structure for laboratories since 1994.

As a result of the proposed changes in the above mentioned regulations, the only economic impact to environmental laboratories is found in K.A.R. 28-15-37. Since each laboratory is different in the services that it provides, the cost to each laboratory will be different. The laboratories will bear the cost of accreditation through payment of fees, which will be dependent on the scope of their accreditation.

The time period between the publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to 5 p.m. on the day of the hearing to Gina Murphy, Kansas Department of Health and Environment, Division of Health and Environmental Laboratories, Environmental Laboratory Improvement Program Office (ELIPO), Forbes Field, Building 740, Topeka, 66620, by fax to (785) 296-1638, or by e-mail to gmurphy@kdhe.state.ks.us. The proposed regulations can be accessed on the KDHE Web site at <http://www.kdheks.gov/lipo>.

All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulatory action during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

Copies of the proposed amendments and the economic impact statement may be obtained by contacting Gina Murphy at (785) 296-3811 or gmurphy@kdhe.state.ks.us. Questions pertaining to these proposed amendments should be directed to Jack McKenzie, (785) 296-1639 or jmkenzi@kdhe.state.ks.us, or Aurora Shields, (785) 296-6198 or ashields@kdhe.state.ks.us.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed amendments 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 Gina Murphy.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034051

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-07-025/035
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Pawnee River Farms, Inc. Ralph Ewy Trust Route 1, Box 58 Hanston, KS 67849	E/2 of Section 17, T22S, R22W, Hodgeman County	Upper Arkansas River Basin
Kansas Permit No. A-UAHG-B017		
This is a new permit for an existing facility for 999 head (499.5 animal units) of beef cattle weighing less than 700 pounds each. Wastewater control structures will be constructed.		

Name and Address of Applicant	Legal Description	Receiving Water
Dalbom Inc. Dalbom and Sons Dairy 1061 W. 119th Conway Springs, KS 67031	NW/4 of Section 04, T30S, R03W, Sumner County	Lower Arkansas River Basin
Kansas Permit No. A-ARSU-M007		
This is a new permit for an existing dairy facility for 200 head (280 animal units) of mature dairy cattle. A wastewater retention system will be built to provide storage for runoff from 0.5 acres of open lots and drainage from a concrete solids holding pad, as well as wastewater from the milk parlor.		

Name and Address of Applicant	Legal Description	Receiving Water
Hermana Dairy Eric Goedhart P.O. Box 1228 Syracuse, KS 67878	N/2 of Section 16, T25S, R43W, Hamilton County	Cimarron River Basin
Kansas Permit No. A-CIHM-D003 Federal Permit No. KS0115291		
This is a renewal permit for an existing facility for 2,400 head (3,360 animal units) of dairy cattle.		

Name and Address of Applicant	Legal Description	Receiving Water
Otto Bentz 3454 Limestone Road Tampa, KS 67483	NW/4 of Section 18, T17S, R03E, Marion County	Neosho River Basin
Kansas Permit No. A-NEMN-M004		
This is a renewal permit for an existing dairy facility with the capacity for 35 head [49 animal units (AU)] of dairy cows, 11 head (11 AU)		

of dry cows greater than 700 pounds each and 10 head (5 AU) of calves, for a total of 65 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Janssen Hog Farm, Inc. Steve Janssen 980 Ave. B Geneseo, KS 67444	NE/4 of Section 09, T18S, R09W, Rice County	Lower Arkansas River Basin
Kansas Permit No. A-ARRC-S002		

This is a renewal permit for an existing facility with a maximum capacity of 1,450 head (580 animal units) of swine greater than 55 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
Emmett Simon Dairy Catherine Simon 4961 S. Maize Road Clearwater, KS 67026	NE/4 of Section 19, T28S, R01W, Sedgwick County	Lower Arkansas River Basin
Kansas Permit No. A-ARSG-M038		

This is a renewal permit for an existing facility for 200 head (280 animal units) of mature dairy cattle.

Name and Address of Applicant	Legal Description	Receiving Water
Ebel Farms Brad Ebel 3308 Horned Owl Road Hiawatha, KS 66434	W/2 of Section 02, T01S, R16E, Brown County	Missouri River Basin
Kansas Permit No. A-MOBR-S004		

This is a renewal permit for an existing facility for a maximum capacity of 425 head (170 animal units) of swine more than 55 pounds, 300 head (30 animal units) of swine 55 pounds or less, 25 head (25 animal units) of beef cattle greater than 700 pounds and 70 head (35 animal units) of beef cattle 700 pounds or less, for a total of 260 animal units. Beef cattle have always been a part of the operation and are being added to the permit.

Name and Address of Applicant	Legal Description	Receiving Water
69 Turkey Farm Warren Scott 6294 N.E. Coalfield Road Scammon, KS 66773	SE/4 of Section 30, T33S, R25E, Cherokee County	Neosho River Basin
Kansas Permit No. A-NECK-F007		

This is a renewal permit, modification and name change for an existing facility for 33,000 head (594 animal units) of turkeys. The modification consists of the construction of a new composting/storage building, which will take the place of the existing elevated clay pads currently being used.

Name and Address of Applicant	Legal Description	Receiving Water
Paola Livestock Auction Maurie Bourquin P.O. Box 258 Paola, KS 66071	SW/4 of Section 20, T17S, R23E, Miami County	Marais des Cygnes River Basin
Kansas Permit No. A-MCMI-B001		

This is a renewal permit for an existing facility. This facility is a public livestock market with an average weekly capacity of approximately 130 animal units (a.u.) of cattle, horses, swine, sheep and goats. The average capacity of the facility is being downsized from a weekly average of 975 a.u. due to a change in Kansas law regarding the method in which the animal units are calculated at public livestock markets.

Name and Address of Applicant	Legal Description	Receiving Water
Paul Schweizer and Son, Inc. 23215 W. 56th Ave. Sterling, KS 67579	SE/4 of Section 14, T22S, R09W, Reno County	Lower Arkansas River Basin
Kansas Permit No. A-ARRN-S021		

This is a renewal permit for an existing facility for 2,000 head (800 animal units) of swine weighing greater than 55 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Marvin & Armin Scripter 3421 Mink Road Abilene, KS 67410	SE/4 of Section 17, T11S, R03E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-S016

This is a renewal permit for an existing facility for 70 head (70 animal units [a.u.]) of cattle weighing greater than 700 pounds, 176 head (88 a.u.) of cattle weighing less than 700 pounds, 177 head (70.8 a.u.) of swine weighing greater than 55 pounds, 220 head (22 a.u.) of swine weighing 55 pounds or less and 5 horses (10 a.u.), for a total of 260.8 animal units)

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 February 24 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-07-025/035) and name of the applicant/permittee when preparing comments.

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

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

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034048

State of Kansas
Department of Commerce
Notice of Hearings

The Department of Commerce, Division of Community Development, will conduct two public hearings on the proposed FFY 2008 Community Development Block Grant Program. The purpose of these hearings is to gain citizen input on the proposed changes to the federally funded CDBG program, as well as take comments on the performance of past administration of this program.

No preregistration is required. All citizens are invited to attend the public hearings scheduled as follows:

Date	Location	Time
Feb. 27	Curtis State Office Building Room 530 1000 S.W. Jackson, Topeka	1 to 3 p.m.
Feb. 28	Sternburg Museum 3000 Sternburg Drive, Hays	10 a.m. to noon

Anyone needing special accommodations should contact the Kansas Department of Commerce at least five business days in advance of the hearing at (785) 296-6158, fax (785) 296-3665 or TTY (785) 296-3487.

Proposed changes to the Community Development Block Grant Program for 2008:

Annual Competition:

Community Improvement Category — Community Facilities, Water and Sewer

- Require minimum match of 25%.
- Leverage points on applications will not start until after 50% match.
- Discuss adding points for 30%, 50% and 80% of poverty level.

Housing:

- Eliminate Neighborhood Development piece of the program.
- Change housing points to include a point calculation from housing log and add past performance points.

KAN-STEP:

- Make this program a competitive program with two semi-annual competitions — January and July.
- Pre-application required — rated on a formal rating system.
- Communities with fundable scores will be given site visits.

General Changes:

- No project will be eligible if it has an ineligible activity attached to the project — ie: city halls.
- Total project and all funds must meet a National Objective — ie: cannot do local piece that does not meet LMI.
- All census data and surveys must stand alone to meet LMI — cannot combine to qualify.
- Certified administration classes — to be housing certified, must wait a year after general certification before eligible to take housing class.

Steve Kelly
Acting Secretary of Commerce

Doc. No. 034035

State of Kansas

Social and Rehabilitation Services

Notice of Hearing

The Department of Social and Rehabilitation Services will conduct a federally required public hearing at 9 a.m. Wednesday, February 28, in the House Appropriations Committee hearing room, Room 514-S, State Capitol, 300 S.W. 10th Ave., Topeka, on the federal block grants that SRS receives. The following federal block grants will be heard: Low Income Home Energy Assistance Program Block Grant (LIEAP), Social Services Block Grant (SSBG), Community Mental Health Services Block Grant (CMHS BG), Substance Abuse Prevention and Treatment Block Grant (SAPT BG), and Program for Assistance in the Transition from Homelessness Block Grant (PATH BG).

Don Jordan
Acting Secretary of Social and
Rehabilitation Services

Doc. No. 034036

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 1-22-07 through 1-28-07

Term	Rate
1-89 days	5.25%
3 months	5.05%
6 months	5.12%
1 year	5.04%
18 months	4.97%
2 years	4.89%

Derl S. Treff
Director of Investments

Doc. No. 034032

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced January 11-17 by the 2007 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at www.kslegislature.org.

House Bills

HB 2046, An act concerning state parks; renaming state park no. 24; amending K.S.A. 2006 Supp. 32-837 and repealing the existing section, by Representatives Lane, Burgess, Flora, Fund, Gordon, Kuether, Mah, Patton and Tietze.

HB 2047, An act making and concerning appropriations for the fiscal years ending June 30, 2007, June 30, 2008, June 30, 2009, June 30, 2010, June 30, 2011, and June 30, 2012; establishing the FY 2008-2009 education funding reserve fund and the regents crumbling classrooms debt payment fund; transferring moneys from the state general fund to such

funds and restricting certain expenditures or transfers of certain moneys during certain fiscal years, by Committee on Appropriations.

HB 2048, An act concerning conservation districts; relating to funding thereof; amending K.S.A. 2-1907c and repealing the existing section, by Committee on Appropriations.

HB 2049, An act concerning labor and employment; relating to wrongful discharge, by Representatives McCray-Miller and Faust-Goudeau.

HB 2050, An act designating English as the official language of the state of Kansas and concerning its use by state agencies and political or taxing subdivisions, by Committee on Federal and State Affairs.

HB 2051, An act concerning governmental ethics; relating to gifts provided to certain state officers and employees; amending K.S.A. 2006 Supp. 46-237a and repealing the existing section, by Representative Sloan.

HB 2052, An act concerning the water projects environmental coordination act; amending K.S.A. 82a-327 and repealing the existing section, by Representative Otto.

HB 2053, An act relating to child care facilities; concerning licensure thereof by cities, counties and school districts, by Representative Otto.

HB 2054, An act concerning the open meetings law; relating to executive sessions; amending K.S.A. 2006 Supp. 75-4319 and repealing the existing section, by Representative Otto.

HB 2055, An act concerning lotteries; enacting the Kansas expanded lottery act; authorizing operation of certain gaming facilities, electronic gaming machines and other lottery games at certain locations; prohibiting certain acts and providing penalties for violations; amending K.S.A. 60-2102, 74-8702, 74-8710, 74-8716, 74-8723, 74-8814, 74-8823, 74-8830, 74-8832 and 74-8838 and K.S.A. 2006 Supp. 12-4516, 19-101a, 21-4619, 74-8711, 74-8810 and 79-4805 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 19-1011, by Committee on Federal and State Affairs.

HB 2056, An act enacting the public water supply system training act; providing for training for governing bodies of certain public water supply systems, by Committee on Government Efficiency and Technology.

HB 2057, An act concerning rural water districts; amending K.S.A. 2006 Supp. 82a-646 and repealing the existing section, by Committee on Government Efficiency and Technology.

HB 2058, An act concerning counties; relating to enforcement of county codes and resolutions; amending K.S.A. 2006 Supp. 19-101d and repealing the existing section, by Representatives Schroeder, Bowers, Goico and Vickrey.

HB 2059, An act concerning adoption; relating to the right to inherit; amending K.S.A. 59-2118 and repealing the existing section, by Committee on Judiciary.

HB 2060, An act concerning civil procedure; relating to personal property; exempting proceeds of the federal earned income tax credit; amending K.S.A. 60-2304 and repealing the existing section, by Committee on Judiciary.

HB 2061, An act concerning the minimum wage and maximum hours law; increasing the minimum wage; amending K.S.A. 44-1203 and repealing the existing section, by Representative Powers.

HB 2062, An act concerning crimes and punishment; relating to criminal use of explosives; amending K.S.A. 2006 Supp. 21-3731 and repealing the existing section, by Representatives Goico, Brunk, Carlson, Colton, Colyer, Dahl, Grange, Hayzlett, Horst, Huntington, Kelley, Kelsey, Kiegerl, Kinzer, Lukert, Merrick, Morrison, Jim, Myers, Phelps, Pottorff, Schroeder, Siegfried, Vickrey and Wilk.

HB 2063, An act concerning school districts; relating to transportation of pupils; amending K.S.A. 72-6411 and K.S.A. 2006 Supp. 72-8302 and repealing the existing sections, by Committee on Education.

HB 2064, An act relating to drivers' licenses and nondrivers' identification cards; amending K.S.A. 2006 Supp. 8-240 and 8-1324 and repealing the existing sections, by Representative Powers.

HB 2065, An act concerning insurance; providing coverage for telemedicine; amending K.S.A. 2006 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Representative Sloan.

HB 2066, An act concerning electric transmission lines; relating to extension and upgrades of such lines; amending K.S.A. 66-1,173 and 66-1,182 and repealing the existing sections, by Committee on Energy and Utilities.

HB 2067, An act relating to the Kansas commission on veterans affairs; relating to employees thereof; amending K.S.A. 73-1210a and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

HB 2068, An act concerning security officers appointed by the adjutant general; relating to powers as law enforcement officers; amending K.S.A. 48-204 and K.S.A. 2006 Supp. 74-5602 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

HB 2069, An act relating to state educational institutions; concerning tuition and fees; requiring a report by the state board of regents, by Representative Otto.

HB 2070, An act concerning intensive groundwater use control areas; amending K.S.A. 2006 Supp. 82a-1038 and repealing the existing section, by Committee on Appropriations.

HB 2071, An act relating to highways; designating certain memorial highways, by Representatives Olson, George and Vickrey.

HB 2072, An act concerning school districts; relating to school finance; relating to full-day kindergarten; amending K.S.A. 2006 Supp. 72-6407 and repealing the existing section, by Committee on Education.

HB 2073, An act concerning law libraries; relating to fee increase authority; amending K.S.A. 2006 Supp. 20-3129 and repealing the existing section, by Committee on Judiciary.

HB 2074, An act concerning juveniles; relating to fingerprints and photographs; amending K.S.A. 2006 Supp. 38-2313 and repealing the existing section, by Committee on Judiciary.

HB 2075, An act concerning real property; relating to home inspections, by Committee on Judiciary.

HB 2076, An act concerning the Kansas police and firemen's retirement system; relating to earnings limitation for certain members receiving disability benefits; amending K.S.A. 2006 Supp. 74-4960a and repealing the existing section, by Joint Committee on Pensions, Investments and Benefits.

HB 2077, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and certain systems thereunder; withdrawal of contributions; service credit between systems; amending K.S.A. 74-4924 and 74-4988 and repealing the existing sections, by Joint Committee on Pensions, Investments and Benefits.

HB 2078, An act concerning retirement and pensions; relating to the Kansas public employees retirement system and certain systems thereunder; federal nontaxable distributions to certain retirants, by Joint Committee on Pensions, Investments and Benefits.

HB 2079, An act concerning political advertising; relating to corrupt political advertising; establishing the crime of false election information; amending K.S.A. 25-4156 and repealing the existing section, by Representative Otto.

HB 2080, An act concerning governmental ethics; relating to gifts provided to certain state officers and employees; amending K.S.A. 2006 Supp. 46-237a and repealing the existing section, by Committee on Elections and Governmental Organization.

HB 2081, An act concerning recreation systems; relating to members of recreation commissions; amending K.S.A. 2006 Supp. 12-1926 and repealing the existing section, by Committee on Elections and Governmental Organization.

HB 2082, An act concerning municipalities; relating to initiative and referendum; amending K.S.A. 12-3013 and repealing the existing section, by Committee on Elections and Governmental Organization.

HB 2083, An act concerning certain public officers and employees; relating to use of unexpended campaign funds; amending K.S.A. 25-4142 and 25-4157a and K.S.A. 2006 Supp. 25-4143 and repealing the existing sections, by Committee on Elections and Governmental Organization.

HB 2084, An act concerning open meetings; amending K.S.A. 75-4317a and repealing the existing section, by Committee on Elections and Governmental Organization.

HB 2085, An act concerning the open meetings law; relating to executive sessions; amending K.S.A. 2006 Supp. 75-4319 and repealing the existing section, by Committee on Elections and Governmental Organization.

HB 2086, An act concerning electric transmission facilities; providing for the creation of an independent transmission company in this state, by Committee on Energy and Utilities.

HB 2087, An act concerning criminal justice; relating to the state statistical analysis center; amending K.S.A. 2006 Supp. 74-9101 and 74-9501 and repealing the existing sections, by Committee on Judiciary.

HB 2088, An act concerning criminal trespass against children by sex offenders; penalties therefor; notification; immunity from liability, by Committee on Judiciary.

HB 2089, An act concerning civil procedure; relating to child support; amending K.S.A. 2006 Supp. 60-1610 and repealing the existing section, by Representative Kiegerl.

HB 2090, An act concerning schools; relating to physical education; relating to the powers and duties of the state board of education and other state agencies in relation thereto, by Committee on Education.

HB 2091, An act concerning state educational institutions; relating to certain capital improvements; amending K.S.A. 2006 Supp. 76-760 and repealing the existing section, by Legislative Educational Planning Committee.

HB 2092, An act concerning school districts; relating to pupils who are residents of another state, by Committee on Education.

HB 2093, An act concerning the special education teacher service scholarship program; relating to awards thereunder; amending K.S.A. 2006 Supp. 74-32,203 and repealing the existing section, by Committee on Education.

House Concurrent Resolutions

HCR 5004, A proposition to amend section 13 of article 2 of the constitution of the state of Kansas, relating to the passage of appropriations bills.

HCR 5005, A proposition to amend section 1 of article 11 of the constitution of the state of Kansas, relating to property taxation.

HCR 5006, A proposition to amend section 1 of article 11 of the constitution of the state of Kansas, relating to property taxation.

Senate Bills

SB 66, An act concerning the Kansas lottery; amending K.S.A. 74-8705 and 74-8708 and repealing the existing sections; also repealing K.S.A. 74-8723, by Committee on Federal and State Affairs.

SB 67, An act concerning libraries; creating the state library of Kansas board and providing for the powers and duties thereof; abolishing the state library advisory commission and the Kansas library network board; amending K.S.A. 75-2546, 75-2548, 75-2549, 75-2549b, 75-2550, 75-2550a, 75-2552, 75-2576 and 75-2577 and K.S.A. 2006 Supp. 75-2551, 75-2562 and repealing the existing sections; also repealing K.S.A. 75-2578, 75-2579, 75-2580, 75-2581, 75-2582, 75-2583, 75-2584 and 75-2586, by Committee on Federal and State Affairs.

SB 68, An act concerning school districts; relating to school finance; amending K.S.A. 2006 Supp. 72-6454 and repealing the existing section, by Committee on Education.

SB 69, An act concerning school districts; relating to school finance; amending K.S.A. 2006 Supp. 72-6449 and 72-6451 and repealing the existing sections, by Committee on Education.

SB 70, An act concerning school districts; relating to attendance of pupils residing outside the district; amending K.S.A. 72-1046 and 72-1046a and repealing the existing sections; also repealing K.S.A. 72-1046b, by Senator Journey.

SB 71, An act concerning the minimum wage and maximum hours law; repealing the minimum wage provisions; amending K.S.A. 44-1201, 44-1207, 44-1208, 44-1209, 44-1210, 44-1211, 44-1212 and 44-1213 and K.S.A. 2006 Supp. 44-1202 and repealing the existing sections; also repealing K.S.A. 44-1203, by Committee on Commerce.

SB 72, An act concerning mortuary arts; relating to funeral directors and licenses; amending K.S.A. 65-1713 and K.S.A. 2006 Supp. 65-1751 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 73, An act relating to mortgage registration fees; concerning certain exemptions; amending K.S.A. 79-3102 and repealing the existing section, by Committee on Judiciary.

SB 74, An act relating to the probate code; concerning the recovery of certain medical assistance; amending K.S.A. 59-2222, 59-2247 and 59-3086 and repealing the existing sections, by Committee on Judiciary.

SB 75, An act concerning indigent defense services; relating to compensation for attorneys; amending K.S.A. 2006 Supp. 22-4507 and repealing the existing section, by Committee on Judiciary.

SB 76, An act relating to the probate code; concerning the transfer of certain personal property; amending K.S.A. 59-1507b and repealing the existing section, by Committee on Judiciary.

SB 77, An act relating to motor vehicles; enacting the unattended and unsupervised children in motor vehicles safety act; amending K.S.A. 8-2106 and repealing the existing section, by Committee on Transportation.

SB 78, An act concerning unemployment compensation eligibility; the shared work compensation program; eliminating the waiting week; amending K.S.A. 2006 Supp. 44-703, 44-704, 44-705 and 44-757 and re-

(continued)

pealing the existing sections, by Senators Hensley, Barone, Betts, Francisco, Gilstrap, Goodwin, Haley, Kelly, Lee and Steineger.

SB 79, An act concerning the Kansas sports hall of fame; relating to funding thereof; providing for the use of certain lottery revenues therefore; amending K.S.A. 2006 Supp. 74-8711 and repealing the existing section, by Committee on Federal and State Affairs.

SB 80, An act concerning school districts; relating to school finance; amending K.S.A. 2006 Supp. 72-6407 and repealing the existing section, by Committee on Federal and State Affairs.

SB 81, An act concerning the state board of healing arts; fingerprinting and criminal history record checks, by Committee on Public Health and Welfare.

SB 82, An act concerning the healing arts act; amending K.S.A. 65-2867 and K.S.A. 2006 Supp. 65-2872 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 83, An act concerning the employment security law; relating to contribution rates; amending K.S.A. 2006 Supp. 44-703 and 44-710a and repealing the existing sections, by Committee on Commerce.

SB 84, An act concerning the presidential primary; establishing the date thereof; amending K.S.A. 25-4502 and 25-4503 and K.S.A. 2006 Supp. 25-4501 and repealing the existing sections, by Senator Journey.

SB 85, An act concerning the Kansas judicial council; relating to employment of certain retired justices and judges; terms and conditions; commission on judicial performance, by Committee on Judiciary.

SB 86, An act concerning civil procedure; relating to the application to change a judge in civil cases; amending K.S.A. 20-311e and 20-311f and K.S.A. 2006 Supp. 20-311d and repealing the existing section, by Committee on Judiciary.

SB 87, An act concerning the Kansas offender registration act; prohibition from adopting or enforcing the residency restrictions; amending K.S.A. 2006 Supp. 22-4913 and repealing the existing section, by Committee on Judiciary.

SB 88, An act concerning civil procedure; relating to divorce; restoration of name; amending K.S.A. 2006 Supp. 60-1610 and 60-1621 and repealing the existing sections; also repealing K.S.A. 2006 Supp. 60-1621a, by Committee on Judiciary.

SB 89, An act relating to water; concerning the Republican river and the disposition of moneys recovered from certain litigation; establishing the Republican river water conservation projects fund, by Committee on Agriculture.

SB 90, An act concerning taxation; relating to cigarettes and tobacco products; meter imprints; remittance of tax stamps by electronic funds transfer; amending K.S.A. 2006 Supp. 79-3301, 79-3311 and 79-3312 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 91, An act concerning licensure, certification or registration by state authority; relating to social security numbers or tax identification numbers; amending K.S.A. 74-139 and repealing the existing section, by Committee on Assessment and Taxation.

SB 92, An act concerning sales taxation; relating to isolated or occasional sales of motor vehicles; collection and remittance, electronic funds transfer; amending K.S.A. 2006 Supp. 79-3604 and repealing the existing section, by Committee on Assessment and Taxation.

SB 93, An act concerning school districts; relating to school finance; amending K.S.A. 2006 Supp. 72-6455 and repealing the existing section, by Committee on Education.

SB 94, An act concerning state officers and employees; relating to governmental ethics; amending K.S.A. 46-237 and K.S.A. 2006 Supp. 46-237a and repealing the existing sections, by Committee on Education.

SB 95, An act concerning school districts; relating to school finance; relating to pupils confined or housed at certain facilities; amending K.S.A. 72-6430 and 72-8187 and K.S.A. 2006 Supp. 72-6407 and repealing the existing sections, by Committee on Education.

SB 96, An act concerning elections; relating to campaign finance; amending K.S.A. 25-4153 and repealing the existing section, by Committee on Education.

SB 97, An act concerning crimes, punishment and criminal procedure; relating to burglary; sentencing; amending K.S.A. 2006 Supp. 21-4704 and repealing the existing section, by Committee on Judiciary.

SB 98, An act concerning sales taxation; relating to exemptions; Dream Factory, Inc.; amending K.S.A. 2006 Supp. 79-3606 and repealing the existing section, by Senator Wilson.

SB 99, An act concerning recall petitions; pertaining to the time for filing court proceedings; amending K.S.A. 2006 Supp. 25-4308 and 25-

4322 and repealing the existing sections, by Committee on Elections and Local Government.

SB 100, An act concerning campaign finance; pertaining to filing of reports, by Committee on Elections and Local Government.

SB 101, An act concerning campaign finance; pertaining to campaign treasurer's reports; amending K.S.A. 25-4148 and 25-4151 and repealing the existing sections, by Committee on Elections and Local Government.

SB 102, An act concerning insurance; pertaining to HIPAA compliance; amending K.S.A. 2006 Supp. 40-2258 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 103, An act concerning juveniles; relating to fingerprints and photographs; amending K.S.A. 2006 Supp. 38-2313 and repealing the existing section, by Senators V. Schmidt, Hensley and Kelly.

SB 104, An act concerning the board of nursing; membership thereon; amending K.S.A. 74-1106 and repealing the existing section, by Committee on Public Health and Welfare.

SB 105, An act concerning the board of nursing; amending K.S.A. 65-1117, 65-1132, 65-1155 and 65-4205 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 106, An act concerning the practice of nursing; amending K.S.A. 65-1124 and repealing the existing section, by Committee on Public Health and Welfare.

SB 107, An act concerning the board of nursing; concerning fingerprinting and criminal history records checks; creating the criminal background and fingerprinting fund, by Committee on Public Health and Welfare.

SB 108, An act designating a portion of United States highway 73 as the Deputy Todd Widman memorial highway last call 3-1-2000, by Senator Pyle.

SB 109, An act concerning school districts; relating to employees thereof; relating to compensation; amending K.S.A. 74-4940 and repealing the existing section, by Committee on Education.

SB 110, An act concerning crimes and punishment; relating to criminal use of explosives; amending K.S.A. 2006 Supp. 21-3731 and repealing the existing section, by Senator Schodorf.

SB 111, An act concerning insurance companies; pertaining to sharing of certain information; amending K.S.A. 40-222 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 112, An act concerning insurance companies; pertaining to examination reports; amending K.S.A. 2006 Supp. 40-209 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 113, An act concerning insurance agents and producers; relating to continuing education requirements; amending K.S.A. 2006 Supp. 40-4903 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 114, An act concerning insurance fraud; pertaining to the penalty thereof; amending K.S.A. 2006 Supp. 40-2,118 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 115, An act concerning sales taxation; relating to registration certificates; prescribing certain unlawful acts and providing penalties thereof; amending K.S.A. 2006 Supp. 79-3608 and repealing the existing section, by Legislative Budget Committee.

SB 116, An act concerning schools; health programs; amending K.S.A. 72-5214 and repealing the existing section, by Committee on Public Health and Welfare.

Senate Concurrent Resolutions

SCR 1601, A proposition to amend section 6 of article 6 of the constitution of the state of Kansas, relating to school finance.

Senate Resolutions

SR 1806, A resolution congratulating and commending the Washburn Rural High School girls volleyball team and Coaches Bordewick, Noe, Griffith and Stuewe.

SR 1807, a resolution congratulating and commending the members of the 2007 Kansas Teacher of the Year Team.

SR 1808, A resolution congratulating and commending Michelle Walthers for being named Miss Kansas 2006.

Doc. No. 034038

State of Kansas

Department of Corrections

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, April 3, in Room 106 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes in existing rules and regulations of the Kansas Department of Corrections (KDOC). These regulations are proposed for adoption on a permanent basis.

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 the Secretary of Corrections, Attention: Legal Division, 4th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. 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 Linden Appel at (785) 296-4508, TDD (785) 296-8157 or fax (785) 296-0014. Handicapped parking is located at the south end of Landon State Office Building, directly across the street from the building's north entrance, and on 9th Street. The north entrance to the building is accessible to individuals with disabilities.

Copies of the regulations and their economic impact statements may be obtained by contacting the Kansas Department of Corrections at the address above, (785) 296-6534. A summary of the proposed regulations and their economic impact follows:

K.A.R. 44-6-101 — Definitions. This regulation is amended by adding a definition of "parole eligibility" relating to Kansas inmates. There is no significant economic impact to state agencies, employees or the general public.

K.A.R. 44-6-125 — Good time forfeitures not restored; exceptions; limits; parole; guidelines release date. This regulation is amended by clarifying when good time credits may or may not be forfeited for Kansas inmates in instances of administrative error and jail credit awards. There is no significant economic impact to state agencies, employees or the general public.

K.A.R. 44-6-136 — Delinquent time lost on post-incarceration supervision (DTLOPIS). This regulation is amended by clarifying when delinquent time may be assessed to Kansas offenders on post-incarceration supervision. There is no significant economic impact to state agencies, employees or the general public.

K.A.R. 44-11-111 — Definitions. This regulation is amended by modifying the definition of "comprehensive

plan" required of local community corrections agencies, allowing that those plans be provided at a frequency prescribed by the Secretary of Corrections instead of annually, and provides for "out-year reports" that supplement the comprehensive plans. It is anticipated this will allow local community corrections agencies to devote more of their time to providing substantive services instead of report writing.

K.A.R. 44-11-113 — Comprehensive plan; comprehensive plan review. This regulation is amended by allowing local community corrections to submit "agency outcomes" each year, as opposed to the more cumbersome comprehensive plan, and also provides that so-called "out year" reports are to be submitted each year when a comprehensive plan is not required. Again, it is anticipated this will allow local community corrections agencies to devote more of their time to providing substantive services instead of report writing.

K.A.R. 44-11-123 — Changes in the comprehensive plan, budget, agency outcomes and out-year report. This regulation is amended to be consistent with those changes made with respect to the two regulations appearing immediately above. The economic impact description would be the same as well.

K.A.R. 44-15-101a — Grievance procedure distribution; orientation; applicability; remedies; advisory committee; investigation. This regulation is amended to provide that the grievance procedure for Kansas inmates is not to be used as a substitute for the procedure designed to address censorship of publications set forth by KDOC internal policy and procedure. There is no significant economic impact to state agencies, employees or the general public.

K.A.R. 44-15-102 — Procedure. This regulation, which has to do with procedures applicable to grievances submitted by Kansas inmates, is amended by limiting such grievances to 10 pages of text, by allowing responses to only those portions of a grievance that are procedurally or substantively appropriate, and by prohibiting inmates from abusing that grievance system by repeatedly filing the same complaint. There are no anticipated costs to either state agencies or employees as a result of this change; however, it is anticipated that these amendments will allow existing KDOC facility staff to devote more of their time and energies to working with inmates in a positive and productive way towards successful rehabilitation and re-entry and less time on frivolous, harassing and burdensome grievances.

K.A.R. 44-15-104 — Reprisals prohibited. This regulation is amended to permit adverse action to be taken against a Kansas inmate for using the inmate grievance procedure to make a claim that is false, malicious or made in bad faith. There are no anticipated costs to either state agencies or employees as a result of this change; however, it is anticipated that these amendments will allow existing KDOC facility staff to devote more of their time and energies to working with inmates in a positive and productive way towards successful rehabilitation and re-entry and less time on frivolous, harassing and burdensome grievances.

(continued)

K.A.R. 44-16-104a — Inmate claims for personal injury. This regulation is proposed to require Kansas inmates to submit a claim for personal injury to the facility and the Secretary of Corrections within 10 days of the claimed injury, whether or not the inmate grieves the loss or submit a claim to the legislative Joint Committee on Special Claims Against the State. This regulation will allow KDOC to timely investigate claims and resolve legitimate claims in an economical fashion. It is anticipated this regulation could well result in substantial savings to the state of Kansas resulting from costly litigation.

Roger Werholtz
Secretary of Corrections

Doc. No. 034037

State of Kansas

Department of Administration Division of Purchases

Notice to Bidders

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

02/06/2007	10092	Abandoned Well Plugging-Buffalo IV Lease
02/07/2007	10097	Construct Water Line
02/07/2007	10098	Construct Ramp and Parking Lot
02/07/2007	10101	Construction of Waterline Concrete Kettle and Earthwork
02/08/2007	10109	Agricultural Services
02/13/2007	10104	Hardware Maintenance — Microfilm Scanners
02/15/2007	10089	RFID Tracking
02/15/2007	10112	Refuse Collection Services
02/22/2007	10103	Defibrillation Training Module for Emergency Medical Technician Intermediate Curriculum

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

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

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

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

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

02/15/2007 A-9232(D)Isaac Ray Greenhouse Fence Addition, Larned State Hospital

Chris Howe
Director of Purchases

Doc. No. 034053

State of Kansas

Department of Agriculture

Permanent Administrative Regulations

Article 11.—EGGS

4-11-2. Definitions. (a) "Advertisement" shall mean any of the following:

- (1) Placard;
- (2) handbill;
- (3) sign;
- (4) newspaper advertisement;
- (5) radio, internet, or television advertisement; or
- (6) any other means of calling the consumer's attention

to eggs.

(b) "Carton" shall mean a container of 18 eggs or less.

(c) "Case," for inspection fee purposes, shall mean a container of more than 15 dozen and not more than 30 dozen eggs.

(d) "Consumer" shall have the meaning specified in K.S.A. 2-2501, and amendments thereto.

(e) "Eggs" shall have the meaning specified in K.S.A. 2-2501, and amendments thereto.

(f) "Eggs of current production" shall mean eggs that are subject to the Kansas egg law and have been held in refrigerated storage for not more than 30 days.

(g) "Fresh," when used to describe eggs, shall mean eggs of current production that do not possess any undesirable odors or flavors.

(h) "Half case," for inspection fee purposes, shall mean a container of more than one dozen and not more than 15 dozen eggs.

(i) "Lot" shall mean all of the eggs that are located at any place of business where eggs are held and that are labeled with the same grade, size, and pack date from the same packer, the person for whom the eggs are packed, or, if the eggs have been repacked, the retailer.

(j) "Person" shall have the meaning specified in K.S.A. 2-2501, and amendments thereto.

(k) "Point of first purchase or assembly" shall mean any place of business of any person or any agent of the person purchasing or assembling eggs from the producer.

(l) "Secretary" shall mean the secretary of agriculture or the secretary's authorized representative. (Authorized by K.S.A. 2-2504 and 74-531; implementing K.S.A. 2-2501, as amended by L. 2006, Ch. 90, §1, 2-2504, and 2-2505, as amended by L. 2006, Ch. 90, §4; effective Jan. 1, 1966; amended Jan. 1, 1972; amended May 1, 1982; amended June 25, 2004; amended Feb. 9, 2007.)

4-11-3. Egg containers; requirements for marking and labeling. (a) A mark or label shall be deemed false or deceptive if any of the following conditions is met:

(1) The eggs in the container are not of the quality or size indicated on the container.

(2) The mark or label bears a statement that is false or misleading.

(3) The mark or label bears a qualifying word with reference to size or quality that is misleading.

(4) The mark or label bears the word "fresh," unless the eggs are of "A" or "AA" quality.

(b) Each person who has not been issued a permit shall use the inspection fee stamp on each container to indicate the quality and size of the eggs and to indicate that the inspection fee has been paid on the contents.

(c) For cases and half cases, the marks or labels shall be located on either the outside surface of the top or on either end of the container. (Authorized by K.S.A. 2-2504 and 74-531; implementing K.S.A. 2-2502, as amended by L. 2006, Ch. 90, §2, and 2-2503, as amended by L. 2006, Ch. 90, §3; effective Jan. 1, 1966; amended Jan. 1, 1969; amended Jan 1, 1972; amended May 1, 1982; amended June 25, 2004; amended Feb. 9, 2007.)

4-11-15. License fee. The annual fee for an egg license shall be \$5.00. (Authorized by K.S.A. 2-2504; implementing K.S.A. 2-2508, as amended by L. 2006, Ch. 90, § 6; effective, T-4-11-2-06, Nov. 2, 2006; effective Feb. 9, 2007.)

Adrian J. Polansky
Secretary of Agriculture

Doc. No. 034043

State of Kansas

Department of Wildlife and Parks

Permanent Administrative Regulations

Article 18.—SPECIAL PERMITS

115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement, and restrictions. (a) The importation, possession, or release in the state of Kansas of the following live wildlife species shall be prohibited, except as authorized by terms of a wildlife importation permit issued by the secretary:

- (1) Walking catfish (*Clarias batrachus*);
- (2) silver carp (*Hypophthalmichthys molitrix*);
- (3) bighead carp (*Hypophthalmichthys nobilis*);
- (4) black carp (*Mylopharyngodon piceus*);
- (5) snakehead fish (all members of the family Channidae);
- (6) round goby (*Neogobius melanostomus*);
- (7) white perch (*Morone americana*);
- (8) zebra mussel (*Dreissena polymorpha*);
- (9) quagga mussel (*Dreissena bugensis*);
- (10) New Zealand mudsnail (*Potamopyrgus antipodorum*);
- (11) monk parakeet (*Myiopsitta monachus*); and
- (12) Asian raccoon dog (*Nyctereutes procyonoides*).

(b) Any live member of a wildlife species listed in subsection (a) and possessed before the following dates may be retained in possession, in closed confinement, by making application to the secretary that provides information detailing the circumstances, including the location, by which the animal came into the applicant's possession:

- (1) February 1, 1978 for fish and bird species other than black carp, snakehead fish, round goby, white perch, zebra mussel, quagga mussel, and New Zealand mudsnail;
- (2) February 1, 1986 for mammal species;
- (3) October 1, 2000 for black carp;
- (4) May 1, 2003 for snakehead fish;

(5) August 1, 2004 for round goby, quagga mussel, and zebra mussel;

(6) May 15, 2005 for New Zealand mudsnail; and

(7) February 15, 2007 for white perch.

The manner in which the animal is to be used shall be identified in the application.

(c) Wildlife importation permits for the importation or possession of live members of the wildlife species listed in subsection (a) may be issued by the secretary for experimental, scientific, display, or other purposes subject to any conditions and restrictions contained or referenced in a wildlife importation permit.

(d) Each individual desiring to import or possess live members of the wildlife species listed in subsection (a) shall apply to the secretary for a wildlife importation permit. The application shall be submitted on forms provided by the department and shall contain the following information:

- (1) The name, address, and telephone number of applicant;
- (2) the wildlife species to be imported or possessed and the number of wildlife involved;
- (3) the purpose or purposes for importation or possession;
- (4) a description of the facilities for holding and using the wildlife species;
- (5) a description of plans to prevent the release of the wildlife species; and
- (6) other relevant information as requested by the secretary.

(e) Each wildlife importation permit, once issued, shall be valid during the time period specified on the permit.

(f) In addition to other penalties prescribed by law, any wildlife importation permit may be refused issuance or revoked by the secretary if any of the following conditions is met:

- (1) The application is incomplete or contains false information.
- (2) Issuance of a permit would not be in the best interest of the public or of the natural resources of Kansas.
- (3) The permittee fails to meet permit requirements or violates permit conditions. (Authorized by K.S.A. 32-807 and K.S.A. 32-956; implementing K.S.A. 32-956; effective Dec. 27, 1993; amended Sept. 22, 2000; amended April 18, 2003; amended July 23, 2004; amended May 20, 2005; amended Feb. 9, 2007.)

J. Michael Hayden
Secretary of Wildlife and Parks

Doc. No. 034042

State of Kansas

Kansas Insurance Department

Permanent Administrative Regulations

Article 2.—LIFE INSURANCE

40-2-20. Life insurance; accelerated benefits; requirements and restrictions. (a) As used in this regulation, these terms shall have the following meanings:

(continued)

(1) "Accelerated benefits" shall mean benefits that meet the following conditions:

(A) Are payable under an individual or group life insurance or annuity contract to a policyowner or certificate holder, during the lifetime of the insured for the occurrence of a qualifying condition;

(B) reduce the death benefit otherwise payable under the life insurance contract; and

(C) are payable upon the occurrence of a single qualifying condition, which results in the payment of a benefit amount fixed at the time of acceleration.

(2) "Qualifying condition" shall mean any of the following conditions:

(A) A medical condition that a health care provider licensed to practice medicine and surgery or osteopathy predicts will result in a limited life expectancy of 24 months or less;

(B) a medical condition that has required or requires extraordinary medical intervention, including a major organ transplant or continuous artificial life support, without which the insured would die;

(C) any condition that usually requires continuous confinement in an eligible institution as defined in the contract if the insured is expected to remain there for the rest of the insured's life;

(D) a medical condition that medical evidence indicates would, in the absence of extraordinary medical intervention, result in a limited life expectancy of 24 months or less. Such conditions may include any of the following:

(i) Coronary artery disease resulting in an acute infarction or requiring surgery;

(ii) a permanent neurological deficit resulting from a cerebral vascular accident;

(iii) end stage renal failure;

(iv) acquired immune deficiency syndrome;

(v) cancer;

(vi) paralysis;

(vii) blindness;

(viii) muscular sclerosis;

(ix) Alzheimer's disease;

(x) HIV;

(xi) anterior lateral sclerosis; or

(xii) severe burns; and

(E) any other condition approved by the commissioner as the basis for a qualifying event.

(3) "Commissioner" shall mean the commissioner of insurance, state of Kansas.

(b) Each accelerated benefit shall have a title printed on or attached to the first page of the policy or rider. The title shall describe the coverage provided and shall be followed or accompanied by a description of the coverage containing the phrase "accelerated benefit" or words of similar import.

(c) Each applicant shall be given a summary of the accelerated benefit provisions at or before the time an application is completed. For group policies, each certificate holder shall be given a copy of the summary with the certificate. This summary shall include the following:

(1) A brief description of the accelerated benefit and definitions of the qualifying conditions that would result in payment of the benefit;

(2) the existence and amount of any separately identifiable premium for the accelerated benefit and a description of any charge for administrative expense;

(3) a generic illustration numerically demonstrating the effect of the payment of a benefit on cash values, accumulation accounts, death benefits, premiums, policy loans, and policy liens;

(4) a statement that receipt of the accelerated benefit could be taxable;

(5) a statement that receipt of accelerated benefits could affect medicaid eligibility; and

(6) an acknowledgement, signed and dated by the agent and the applicant for the group or individual coverage, that the summary has been furnished. Each direct response insurer shall incorporate the summary and acknowledgement in the application or attach them to the application.

(d) Contract payment options shall include the option to take the benefit as a lump sum. The benefit shall not be made available as an annuity contingent upon the life of the insured.

(e) No restrictions shall be permitted on the use of the proceeds.

(f) If the accelerated benefit is offered without an additional premium, a separate written explanation of how the benefit is funded shall be filed with the commissioner and included with the summary.

(g) Each time an accelerated benefit is requested and whenever a previous summary becomes invalid, the irrevocable beneficiary and either the individual policyowner or group certificate holder shall be given a summary. This summary shall include statements meeting the following conditions:

(1) Warning that receipt of the accelerated benefit could be taxable and that assistance from a tax advisor is suggested;

(2) showing the effect that the payment of the benefit will have on cash values, accumulation accounts, death benefits, premiums, policy loans, and policy liens; and

(3) disclosing that receipt of accelerated benefit payments may adversely affect the recipient's eligibility for medicaid or other government benefits or entitlements.

(h) Each time an accelerated benefit option is exercised, the policyowner and certificate holder shall be given an endorsement, rider, or schedule page that reflects any revisions to cash values, death benefits, accumulation accounts, premiums, policy loans, policy liens, and any other values that change as a result of the payment or payments.

(i) Insurers shall not unfairly discriminate among insureds with different or similar qualifying conditions covered under the policy. Insurers shall not apply any additional conditions to the payment of the accelerated benefits other than those conditions specified in the policy or rider.

(j) Any insurer may offer a waiver of premium for the accelerated benefit provision if a regular waiver of premium provision is not in effect. At the time the benefit is claimed, the insurer shall explain any continuing premium requirement to keep the policy in force.

(k) Accelerated benefits shall be funded by any of the following methods:

(1) Requiring the policyowner to pay an additional premium;

(2) utilizing the present value of the face amount of the policy if the following conditions are met:

(A) The present value calculation is based on an actuarial discount appropriate to the policy design;

(B) the interest rate used in the present value calculation is based on sound actuarial principles and disclosed in the contract or actuarial memorandum; and

(C) the maximum interest rate is no greater than the greater of either of the following:

(i) The current yield on 90-day treasury bills; or

(ii) the current maximum policy loan interest rate permitted by K.S.A. 40-420c and amendments thereto; or

(3) accruing an interest charge on the amount of the accelerated benefits at an interest rate based on sound actuarial principles and disclosed in the contract or actuarial memorandum and no greater than the greater of either of the following:

(i) The current yield on 90-day treasury bills; or

(ii) the current maximum policy loan interest rate permitted by K.S.A. 40-240c and amendments thereto.

(l) When an accelerated benefit is payable, no greater than a pro rata reduction in the cash value shall be made, unless the payment of the accelerated benefits and any accrued interest can be treated as a lien against the death benefit of the policy or rider. Therefore, access to the cash value may be restricted to any excess of the cash value over the sum of any other outstanding loans, and the lien and access to additional policy loans may be limited to the difference between the cash value and the sum of the lien and any other outstanding policy loans on the policy under which the accelerated benefits were paid.

(m) (1) If payment of an accelerated benefit results in a pro rata reduction in the cash value, the payment shall not be applied toward repaying an amount greater than a pro rata portion of any outstanding policy loans; or

(2) if the payment is considered a lien as provided in subsection (l), the insurance company may require any accelerated death benefit payment to be applied toward repaying the portion of any other outstanding policy loan that causes the sum of the accelerated death benefit and policy loan to exceed the cash value.

(n) The death benefit shall not be reduced more than the amount of the accelerated benefits after adjustment for any actuarial discount or accrued interest as provided in subsection (k) and any administrative expense charge required by policies providing accelerated benefits without an additional premium charge as disclosed on the summary required by subsection (c).

(o) If any death benefit remains after payment of an accelerated benefit, the accidental death benefit, if any, in a policy or rider shall not be affected by the payment of an accelerated benefit.

(p) The valuation method and assumptions used to produce the accelerated benefit provisions shall be filed with the insurance department with the related policy form or rider. The assumptions shall reflect the statutory mortality and interest rate assumptions for the life insurance provisions and appropriate assumptions for the other provisions incorporated in the policy or rider. Each insurer shall maintain in its files descriptions of the bases

and procedures used to calculate benefits, which shall be made available for examination by the commissioner or a designee upon request.

(q) A qualified actuary shall describe the accelerated benefits, the risks, the expected costs, and the calculation of statutory reserves in an actuarial memorandum accompanying each filing of accelerated benefits products with the commissioner. Each insurer shall maintain in its files descriptions of the bases and procedures used to calculate benefits payable under these provisions. These descriptions shall be made available for examination by the commissioner upon request.

(1) If benefits are provided through the acceleration of benefits under group or individual life policies or riders to these policies, policy reserves shall be determined in accordance with the standard valuation law. All valuation assumptions used in constructing the reserves shall be determined as appropriate for statutory valuation purposes by a member in good standing of the American academy of actuaries. Mortality tables and interest rates currently recognized for life insurance reserves by the national association of insurance commissioners may be used as well as appropriate assumptions for the other provisions incorporated in the policy form. The actuary shall follow both actuarial standards and certification for good and sufficient reserves. Reserves in the aggregate shall be sufficient to cover the following:

(A) Policies upon which no claim has yet arisen; and

(B) policies upon which an accelerated claim has arisen.

(2) For policies and certificates that provide actuarially equivalent benefits, no additional reserves shall be required to be established.

(3) Policy liens and policy loans, including accrued interest, shall represent assets of the company for statutory reporting purposes. For any policy on which the policy lien exceeds the policy's statutory reserve liability, the excess shall be held as a non-admitted asset.

(r) The accelerated benefit provision shall become effective for accidents on the effective date of the policy or rider and shall become effective for illness no more than 30 days following the effective date of the policy or rider. (Authorized by K.S.A. 40-103 and K.S.A. 40-401; implementing K.S.A. 40-401; effective, T-40-11-29-90, Nov. 29, 1990; effective April 15, 1991; amended Feb. 9, 2007.)

Article 7.—AGENTS

40-7-20a. Agents; continuing education; approval of courses; requirements. (a) Definitions. For the purposes of this regulation, the following definitions shall apply:

(1) "Coordinator" means an individual who is responsible for monitoring continuing education offerings.

(2) "Course" means a series of lectures or lessons that deals with a particular subject following a prearranged agenda or study plan and that may culminate in a written examination.

(3) "Instructor" means an individual lecturing in a continuing education offering.

(4) "Licensee," "licensed agent" and "agent" mean a natural person licensed by this state as an agent.

(continued)

(5) "Person" means a natural person, firm, institution, partnership, corporation, or association.

(6) "Provider" and "providing organization" mean a person or firm offering or providing insurance education.

(7) "Self-study courses" means courses that are primarily delivered or conducted in other than a classroom setting or with on-site instruction and are designed to be completed independently by the student.

(b) General requirements.

(1) Only courses that impart substantive and procedural knowledge relating to insurance and are beneficial to the insuring public after initial licensing shall be approved for credit. Approved courses shall be classified as life, health, and variable contracts courses; property and casualty courses; general courses; ethics courses; or general management courses. Credit earned from general courses, ethics courses, or general management courses shall be acceptable in meeting the requirements for the property and casualty insurance or the life and health insurance license classifications.

(2) Courses of the following types shall not meet the basic criteria for approvable courses described in paragraph (1) of this subsection:

(A) Courses designed to prepare students for a license examination;

(B) courses in office or business skills, including typing, speed reading, and the use of calculators or other machines or equipment; and

(C) courses in sales promotion, including meetings held in conjunction with the general business of the licensee.

(3)(A) Each licensee shall attend a course in its entirety in order to receive full credit.

(B) Upon completion of each approved course, the student shall receive credit for the number of hours approved for the course, which shall be equivalent to one hour of credit for each hour of instruction.

(C) If the number of credit hours for which a course is approved is fewer than the total number of hours of the course presentation, the student shall attend the entire course in order to receive credit for the number of approved hours.

(D) The number of approved hours shall not include time spent on introductions, breaks, or other activities not directly related to approved educational information or material.

(E) Neither a student nor an instructor shall earn full credit for attending or instructing any subsequent offering of the same course in the current biennial license period after attending or teaching the course.

(4) Course examinations shall not be required for approval of continuing education courses except self-study courses.

(5) Each provider shall submit proposed courses to the commissioner or the commissioner's designee for preapproval at least 30 days before the date on which the course is to be held.

(6) An advertisement shall not state or imply that a course has been approved by the commissioner or the commissioner's designee unless written confirmation of this approval has been received by the provider.

(7) If approval has been granted for the initial offering of a course, approval for subsequent offerings not disclosed in the initial submission may be obtained by providing written notification to the commissioner or the commissioner's designee at least 30 days before the date the program is to be held, indicating that no change has been made in the course and specifying the additional times and places the course will be presented.

(8) The provider shall submit all fees required for individual course approval with the course submission. If the provider elects to pay the prescribed fee for all courses, the provider shall pay the fee annually and shall submit the fee with the first course submission each year.

(9) Each course of study, except self-study courses, shall be conducted in a classroom or other facility that comfortably accommodates the faculty and the number of students enrolled. The provider may limit the number of students enrolled in a course.

(10)(A) Each successfully completed course leading to a nationally or regionally recognized designation shall receive credit as approved by the commissioner or the commissioner's designee.

(B) Any agent attending at least 80 but less than 100 percent of regularly scheduled classroom sessions for any single course may receive full educational credit if the course is filed as a formal classroom course. This credit may be earned to the extent that adequate records are maintained and appropriate certification of such attendance is provided by the course instructor.

(11)(A) The amount of credit received by an agent for a self-study course shall be based upon successful completion of the course and an independently monitored examination subject to the number of hours assigned by the commissioner or the commissioner's designee.

(B) Examination monitors shall not be affiliated in any way with the providing organization or the licensee and shall be subject to approval by the commissioner or the commissioner's designee. Each examination utilized or to be utilized shall be included in the material submitted for course approval. No examination shall be approved unless the commissioner is satisfied that security procedures protecting the integrity of the examination can be maintained. If security is compromised, no credit shall be granted.

(C) Each provider of self-study courses shall clearly disclose to any agent wishing to receive credit in Kansas the number of hours for which that particular course has been approved by the commissioner or the commissioner's designee.

(c) Each licensee or provider found to have falsified a continuing education report to the commissioner shall be subject to suspension or revocation of the licensee's or provider's insurance license in accordance with K.S.A. 40-4909 and amendments thereto, a penalty as prescribed in K.S.A. 40-254 and amendments thereto, or termination of approval as a provider.

(d) Course requirements.

(1) Each course of study shall have a coordinator who is responsible for supervising the course and ensuring compliance with the statutes and regulations governing the offering of insurance continuing education courses.

(2)(A) Each provider and each providing organization shall maintain accurate records relating to course offerings, instructors, and student attendance. If the coordinator leaves the employ of the provider or otherwise ceases to monitor continuing education offerings, the records shall be transferred to the replacement coordinator or an officer of the provider. If a provider ceases operations, the coordinator shall maintain the records or provide a custodian of the records acceptable to the commissioner. In order to be acceptable, a custodian shall agree to make copies of student records available to students free of charge or at a reasonable fee. The custodian of the records shall not be the commissioner, under any circumstances.

(B) Each provider shall provide students with course completion certificates, on a form prescribed or approved by the commissioner, within 30 days after completion of the course. A provider may require payment of the course tuition as a condition for receiving the course completion certificate.

(3) Each instructor shall possess at least one of the following qualifications:

(A) Recent experience in the subject area being taught;

(B) a college degree related to the subject area being taught; or

(C) an appropriate professional designation in the area being taught.

(4) Each instructor shall perform the following:

(A) Comply with all laws and regulations pertaining to insurance continuing education;

(B) provide the students with current and accurate information;

(C) maintain an atmosphere conducive to learning in a classroom; and

(D) provide assistance to the students and respond to questions relating to course material.

(5) Each provider, coordinator, and instructor shall notify the commissioner within 10 days after the occurrence of any of the following:

(A) A felony or misdemeanor conviction or disciplinary action taken against a provider or against an insurance or other occupational license held by the coordinator or instructor; and

(B) any change of information contained in an application for course approval.

(e) Licensee reporting requirement.

(1) Each licensee shall report continuing education credit on forms and in a manner prescribed by the commissioner. Each course shall be completed or attended during the reporting period for which the credit hours are to be applied.

(2) Each request for an extension permitted by K.S.A. 40-4903(j) and amendments thereto shall be submitted in writing not later than the reporting deadline and shall include an explanation and independent verification of the hardship. (Authorized by K.S.A. 40-103 and K.S.A. 2005 Supp. 40-4916; implementing K.S.A. 2005 Supp. 40-4903; effective May 15, 1989; amended, T-40-8-28-90, Aug. 30, 1990; amended Oct. 15, 1990; amended Feb. 8, 1993; amended April 11, 1997; amended Feb. 9, 2007.)

Sandy Praeger
Kansas Insurance Commissioner

Doc. No. 034021

INDEX TO ADMINISTRATIVE REGULATIONS

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

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-46	Amended	V. 25, p. 1831
1-2-77	Revoked	V. 25, p. 1832
1-3-5	New	V. 25, p. 1832
1-3-6	New	V. 25, p. 1832
1-5-8	Amended	V. 25, p. 1305
1-6-2	Amended	V. 25, p. 1306
1-6-22a	Amended	V. 25, p. 1306
1-9-7b	Amended	V. 25, p. 1307
1-9-18	Revoked	V. 25, p. 1832
1-9-25	Amended	V. 25, p. 1832
1-9-26	Amended	V. 25, p. 1833

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-4-1 through 3-4-7	New (T)	V. 25, p. 984, 985
3-4-1 through 3-4-7	New	V. 25, p. 1446, 1447

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-7-213	Amended	V. 25, p. 1142
4-7-216	Revoked	V. 25, p. 1142
4-7-510	Amended	V. 25, p. 1142
4-7-530	Amended	V. 25, p. 1142
4-7-716	Amended	V. 25, p. 1142
4-7-717	Amended	V. 25, p. 1142
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
4-11-15	New (T)	V. 25, p. 1632
4-15-9	Amended	V. 26, p. 81
4-16-1a	Amended	V. 25, p. 1143
4-16-1c	Amended	V. 25, p. 1143
4-16-3a	Amended	V. 25, p. 1143
4-16-250	Revoked	V. 25, p. 1145
4-16-251	Revoked	V. 25, p. 1145
4-16-252	Revoked	V. 25, p. 1145
4-16-260	Revoked	V. 25, p. 1145
4-17-1a	Amended	V. 25, p. 1145
4-17-1c	Amended	V. 25, p. 1145
4-17-5a	Revoked	V. 25, p. 1145

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-24-10	Amended	V. 25, p. 1692

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-17-22	Amended (T)	V. 25, p. 1305
7-44-1 through 7-44-7	New (T)	V. 26, p. 15

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
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 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
11-4-1 through 11-4-4	Amended	V. 25, p. 1268, 1269
11-4-6 through 11-4-14	Amended	V. 25, p. 1269, 1270
11-4-15	New	V. 25, p. 1270
11-4-16	New	V. 25, p. 1270

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-11-1 through 16-11-6	New (T)	V. 25, p. 980-982, 1019
16-11-1 through 16-11-7	New	V. 25, p. 1598-1600

(continued)

16-11-8 New V. 25, p. 1772

AGENCY 22: STATE FIRE MARSHAL

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

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-2	Amended	V. 25, p. 413
28-1-26	Amended	V. 25, p. 866
28-4-501	Amended (T)	V. 25, p. 985, 1019
28-4-501	Amended	V. 25, p. 1402
28-4-510	Amended (T)	V. 25, p. 986, 1019
28-4-510	Amended	V. 25, p. 1403
28-4-514	New (T)	V. 25, p. 987, 1019
28-4-514	New	V. 25, p. 1403
28-16-28g	Amended	V. 25, p. 1205
28-19-350	Amended	V. 25, p. 845
28-35-178b	Amended	V. 25, p. 256
28-51-100	Amended	V. 25, p. 1448
28-51-112		
through		
28-51-116	Amended	V. 25, p. 1449, 1450
28-73-1		
through		
28-73-7	New	V. 25, p. 307-311

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-64	Amended	V. 25, p. 1636
30-4-90	Amended	V. 25, p. 786
30-4-98	New	V. 25, p. 1027
30-5-88	Revoked	V. 25, p. 1830
30-5-108	Revoked	V. 25, p. 1569
30-5-118	Revoked	V. 25, p. 663
30-5-118b	Revoked	V. 25, p. 663
30-6-38	Revoked	V. 25, p. 1028
30-6-77	Revoked	V. 25, p. 847
30-14-22	Revoked	V. 25, p. 1028
30-14-27	Revoked	V. 25, p. 847
30-31-1	Amended	V. 25, p. 1800
30-31-2	Revoked	V. 25, p. 1800
30-31-3	Revoked	V. 25, p. 1800
30-31-4	Revoked	V. 25, p. 1800
30-31-6	Revoked	V. 25, p. 1800
30-31-7	Revoked	V. 25, p. 1800
30-31-10	Revoked	V. 25, p. 1800
30-31-11	Revoked	V. 25, p. 1800
30-31-12	Revoked	V. 25, p. 1800
30-63-20	Amended	V. 25, p. 1693
30-63-22	Amended	V. 25, p. 1693
30-64-24	Amended	V. 25, p. 1693

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-3-5	Amended	V. 25, p. 182
40-3-12	Amended	V. 25, p. 182
40-3-22	Amended	V. 25, p. 210
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
40-4-25	Amended	V. 25, p. 278
40-4-29a	New	V. 25, p. 1835
40-4-41	Amended	V. 25, p. 1835
40-4-41b	Amended	V. 25, p. 1838
40-4-41c	Amended	V. 25, p. 1839
40-4-41d	Amended	V. 25, p. 1841
40-4-41e	Amended	V. 25, p. 1842
40-4-41f	Amended	V. 25, p. 1843
40-4-41i	Amended	V. 25, p. 1843
40-4-41j	Amended	V. 25, p. 1844
40-7-1	Revoked	V. 25, p. 1844

40-7-5 Amended V. 25, p. 844
40-7-24 Amended V. 25, p. 1844**AGENCY 47: DEPARTMENT OF HEALTH AND ENVIRONMENT — MINED-LAND CONSERVATION AND RECLAMATION**

Reg. No.	Action	Register
47-2-75	Amended	V. 25, p. 1639
47-3-2	Amended	V. 25, p. 1640
47-3-42	Amended	V. 25, p. 1641
47-4-14a	Amended	V. 25, p. 1644
47-5-5a	Amended	V. 25, p. 1649
47-6-1	Amended	V. 25, p. 1652
47-6-2	Amended	V. 25, p. 1653
47-6-3	Amended	V. 25, p. 1653
47-6-4	Amended	V. 25, p. 1653
47-6-6	Amended	V. 25, p. 1654
47-6-8	Amended	V. 25, p. 1654
47-6-9	Amended	V. 25, p. 1654
47-6-10	Amended	V. 25, p. 1654
47-6-11	Amended	V. 25, p. 1655
47-7-2	Amended	V. 25, p. 1655
47-8-9	Amended	V. 25, p. 1655
47-9-1	Amended	V. 25, p. 1656
47-9-4	Amended	V. 25, p. 1661
47-10-1	Amended	V. 25, p. 1662
47-11-8	Amended	V. 25, p. 1663
47-12-4	Amended	V. 25, p. 1664
47-13-4	Amended	V. 25, p. 1665
47-14-7	Amended	V. 25, p. 1665
47-15-1a	Amended	V. 25, p. 1666
47-16-9	Amended	V. 25, p. 1667
47-16-10	Amended	V. 25, p. 1667
47-16-12	Amended	V. 25, p. 1667

AGENCY 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-45-1	Amended	V. 25, p. 1494
49-45-2	Amended	V. 25, p. 1494
49-45-3	Amended	V. 25, p. 1494
49-45-4	Amended	V. 25, p. 1494
49-45-4a	Amended	V. 25, p. 1494
49-45-4b	New	V. 25, p. 1494
49-45-5	Amended	V. 25, p. 1494
49-45-6	Amended	V. 25, p. 1494
49-45-7	Amended	V. 25, p. 1494
49-45-8	Amended	V. 25, p. 1494
49-45-9	Amended	V. 25, p. 1495
49-45-20	Amended	V. 25, p. 1495
49-45-21		
through		
49-45-26	Revoked	V. 25, p. 1495
49-45-28	Amended	V. 25, p. 1495
49-45-29	Amended	V. 25, p. 1495
49-45-30	Revoked	V. 25, p. 1495
49-45-31	Amended	V. 25, p. 1495
49-45-32	Amended	V. 25, p. 1495
49-45-34	Amended	V. 25, p. 1495
49-45-35	New	V. 25, p. 1495
49-45-37	New	V. 25, p. 1495
49-45-38	New	V. 25, p. 1495
49-45a-1	Amended	V. 25, p. 1495
49-47-2	Amended	V. 25, p. 1496
49-49-1	Amended	V. 25, p. 25
49-49-1a	Amended	V. 25, p. 25
49-50-3	Amended	V. 25, p. 1496
49-50-7	Amended	V. 25, p. 1497
49-50-9	Amended	V. 25, p. 1497
49-50-10	Amended	V. 25, p. 1498
49-50-13	Amended	V. 25, p. 1498
49-50-17	Amended	V. 25, p. 1498
49-50-19	Amended	V. 25, p. 1498
49-50-22	Amended	V. 25, p. 1499
49-50-23	New	V. 25, p. 1499
49-50-24	New	V. 25, p. 1499
49-51-3a	Amended	V. 25, p. 1499
49-51-6	Amended	V. 25, p. 1499
49-51-11	Amended	V. 25, p. 1500
49-51-12	Amended	V. 25, p. 1501
49-52-6	Amended	V. 25, p. 1501
49-52-10	Amended	V. 25, p. 1502
49-52-14	Amended	V. 25, p. 1502
49-52-17	Amended	V. 25, p. 1502
49-52-18	New	V. 25, p. 1502

49-52-19 New V. 25, p. 1502

AGENCY 50: DEPARTMENT OF LABOR— DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-3-2a	New	V. 25, p. 1493

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-4	Amended	V. 25, p. 1801
66-8-4	Amended	V. 25, p. 44
66-8-8	Amended	V. 25, p. 1802
66-10-1	Amended	V. 25, p. 44
66-10-9	Amended	V. 25, p. 1802
66-10-10a	Amended	V. 25, p. 1802
66-10-11	Amended	V. 25, p. 44
66-10-12	Amended	V. 25, p. 45
66-10-14	Amended	V. 25, p. 45
66-11-2	Amended	V. 25, p. 1802
66-11-5	Amended	V. 25, p. 45

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 25, p. 1401
68-1-1d	Amended	V. 25, p. 1401
68-1-1f	Amended	V. 25, p. 1401
68-1-1g	New	V. 25, p. 1401
68-2-22	Amended	V. 25, p. 661
68-5-16	New	V. 25, p. 643
68-11-1	Amended	V. 25, p. 1401
68-16-1		
through		
68-16-9	New	V. 25, p. 1637-1639

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
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
74-5-202	Amended	V. 25, p. 613
74-5-203	Amended	V. 25, p. 613
74-11-6	Amended	V. 25, p. 613
74-11-7	Amended	V. 25, p. 614

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-1-1	Amended	V. 26, p. 20
81-2-1	Amended	V. 25, p. 1057
81-3-1	Amended	V. 25, p. 1058
81-3-2	Amended	V. 25, p. 1059
81-3-5	Amended	V. 25, p. 1059
81-3-6	New	V. 25, p. 1060
81-3-7	New	V. 25, p. 1064
81-4-1	Amended	V. 26, p. 21
81-4-2	Amended	V. 26, p. 22
81-5-3	Amended	V. 26, p. 22
81-5-4	Revoked	V. 26, p. 22
81-5-5	Revoked	V. 26, p. 23
81-5-6	Amended	V. 26, p. 23
81-5-7	Amended	V. 26, p. 24
81-5-8	Amended	V. 26, p. 24
81-5-10	Amended	V. 26, p. 24
81-5-11	Amended	V. 26, p. 25
81-5-12	Amended	V. 26, p. 25
81-5-13	Amended	V. 26, p. 26
81-5-14	Amended	V. 26, p. 27
81-5-16		
through		
81-5-20	New	V. 26, p. 28-30
81-6-1	Amended	V. 26, p. 30
81-7-1	Amended	V. 26, p. 30
81-7-2	Amended	V. 26, p. 31
81-7-3	New	V. 26, p. 31

81-10-1	Amended	V. 26, p. 32
81-14-1	Amended	V. 25, p. 1065
81-14-2	Amended	V. 25, p. 1066
81-14-3	Revoked	V. 25, p. 1066
81-14-4	Amended	V. 25, p. 1066
81-14-5	Amended	V. 25, p. 1071
81-14-6	Amended	V. 25, p. 1075
81-14-7	Amended	V. 25, p. 1076
81-14-8	Revoked	V. 25, p. 1076
81-14-9	New	V. 25, p. 1076
81-14-10	New	V. 25, p. 1079

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-101	Amended	V. 25, p. 1750
82-3-206	Amended	V. 25, p. 1754
82-3-305	Amended	V. 25, p. 1754
82-3-307	Amended	V. 25, p. 1754
82-4-3a	Amended (T)	V. 25, p. 378
82-4-3a	Amended	V. 25, p. 844
82-14-1 through		
82-14-5	New	V. 26, p. 16-19
82-15-1	New (T)	V. 25, p. 984, 1019
82-15-1	New	V. 25, p. 1363

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-3-8	Amended	V. 25, p. 1057
88-15-1	Revoked	V. 25, p. 1403
88-15-2	Revoked	V. 25, p. 1403
88-16-1	Revoked	V. 25, p. 1404
88-16-1b	Revoked	V. 25, p. 1404
88-16-2	Revoked	V. 25, p. 1404
88-16-5	Revoked	V. 25, p. 1404
88-16-5b	Revoked	V. 25, p. 1404
88-16-6	Revoked	V. 25, p. 1404
88-16-8	Revoked	V. 25, p. 1404
88-23-1	Revoked	V. 25, p. 1404
88-23-2	Revoked	V. 25, p. 1404
88-23-2a	Revoked	V. 25, p. 1404
88-23-3a	Revoked	V. 25, p. 1404
88-23-4	Revoked	V. 25, p. 1404
88-23-5	Revoked	V. 25, p. 1404
88-23-6	Revoked	V. 25, p. 1404
88-23-7	Revoked	V. 25, p. 1404
88-28-1 through		
88-28-6	New	V. 25, p. 1404-1410
88-28-7	New	V. 25, p. 1451
88-28-8	New	V. 25, p. 1411

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-201	Amended	V. 25, p. 1098
91-1-202	Amended	V. 25, p. 1099
91-1-205	Amended	V. 25, p. 1101

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
92-12-120	New	V. 25, p. 254
92-12-121	New	V. 25, p. 254
92-12-130	New	V. 25, p. 254
92-13-9	Amended	V. 25, p. 1568
92-19-22a	Amended	V. 25, p. 254
92-51-41	Amended	V. 25, p. 255
92-51-41a	New	V. 25, p. 255

AGENCY 93: DEPARTMENT OF REVENUE— DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-7-1	New	V. 26, p. 14
93-7-2	New	V. 26, p. 14
93-7-3	New	V. 26, p. 14
93-8-1	New	V. 26, p. 14
93-8-2	New	V. 26, p. 14
93-8-3	New	V. 26, p. 14

AGENCY 97: KANSAS COMMISSION ON VETERANS' AFFAIRS

Reg. No.	Action	Register
97-4-1 through		
97-4-8	New	V. 25, p. 1596, 1597

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-25-1 through		
100-25-5	New	V. 25, p. 213-216
100-26-1	Amended	V. 25, p. 217
100-26-2	New	V. 25, p. 217
100-26-3	New	V. 25, p. 217
100-27-1	Amended	V. 25, p. 1206
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
100-29-11	Revoked	V. 25, p. 1601
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
100-73-7	New	V. 25, p. 1601
100-73-8	New	V. 25, p. 1602

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
102-2-2a	Amended (T)	V. 25, p. 987, 1019
102-2-2a	Amended	V. 25, p. 1452
102-2-6	Amended	V. 25, p. 1453
102-3-3a	Amended	V. 25, p. 1454
102-3-4a	Amended (T)	V. 25, p. 988, 1019
102-3-4a	Amended	V. 25, p. 1456
102-4-1a	Amended	V. 25, p. 1458
102-4-3a	Amended	V. 25, p. 1460
102-4-4a	Amended (T)	V. 25, p. 990, 1019
102-4-4a	Amended	V. 25, p. 1463
102-5-3	Amended	V. 25, p. 1464
102-5-4a	Amended (T)	V. 25, p. 992, 1019
102-5-4a	Amended	V. 25, p. 1466
102-5-5	Amended	V. 25, p. 187

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-4-1	Amended	V. 25, p. 101
105-5-2	Amended (T)	V. 25, p. 982, 1019
105-5-2	Amended	V. 25, p. 1530
105-5-3	Amended (T)	V. 25, p. 982, 1019
105-5-3	Amended	V. 25, p. 1530
105-5-6	Amended (T)	V. 25, p. 982, 1019
105-5-6	Amended	V. 25, p. 1530
105-5-7	Amended (T)	V. 25, p. 983, 1019
105-5-7	Amended	V. 25, p. 1531
105-5-8	Amended (T)	V. 25, p. 983, 1019
105-5-8	Amended	V. 25, p. 1531
105-11-1	Amended (T)	V. 25, p. 983, 1019
105-11-1	Amended	V. 25, p. 1531

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

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

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-8-1	Amended (T)	V. 26, p. 12

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-9-1 through		
110-9-8	New	V. 25, p. 373-375
110-13-4	Amended	V. 25, p. 447
110-14-1	New	V. 25, p. 1771
110-14-2	New	V. 25, p. 1771

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
111-2-188	New	V. 25, p. 1363
111-2-189	New	V. 25, p. 1411
111-2-190	New	V. 25, p. 1694
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
111-4-2419 through		
111-4-2427	New	V. 25, p. 868-874
111-4-2420	Amended	V. 25, p. 1019
111-4-2428 through		
111-4-2434	New	V. 25, p. 1020-1025
111-4-2435 through		
111-4-2454	New	V. 25, p. 1364-1376
111-4-2455 through		
111-4-2467	New	V. 25, p. 1412-1420
111-4-2468 through		
111-4-2482	New	V. 25, p. 1695-1702
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
111-5-155 through		
111-5-159	New	V. 25, p. 1703, 1704
111-6-1	Amended	V. 25, p. 222
111-7-81	Amended	V. 25, p. 319
111-7-193	New	V. 25, p. 1026
111-7-194	New	V. 25, p. 1027

(continued)

111-7-195 through 111-7-207	New	V. 25, p. 1420-1423
111-9-130 through 111-9-133	New	V. 25, p. 351-353
111-9-134	New	V. 25, p. 1704
111-9-135	New	V. 25, p. 1705
111-11-1	Amended	V. 25, p. 223

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

Reg. No.	Action	Register
115-2-1	Amended	V. 25, p. 1602
115-2-2	Amended	V. 25, p. 1603
115-2-3a	Amended	V. 25, p. 1603
115-2-4	Amended	V. 25, p. 336
115-4-4	Amended	V. 25, p. 662
115-4-6	Amended	V. 25, p. 336
115-7-1	Amended	V. 25, p. 1605
115-7-4	Amended	V. 25, p. 1606
115-7-8	New	V. 25, p. 1606
115-16-5	Amended	V. 25, p. 1607
115-18-12	Amended	V. 25, p. 1608
115-18-18	New	V. 25, p. 1608
115-18-19	New	V. 25, p. 1608
115-18-20	New	V. 25, p. 1609
115-20-5	New	V. 25, p. 1609

115-20-6 New V. 25, p. 1611

**AGENCY 117: REAL ESTATE
APPRAISAL BOARD**

Reg. No.	Action	Register
117-2-2	Amended	V. 25, p. 1146
117-3-2	Amended	V. 25, p. 1146
117-4-2	Amended	V. 25, p. 1147
117-5-1	Amended	V. 25, p. 1148
117-6-1	Amended	V. 25, p. 1148
117-6-2	Amended	V. 25, p. 1148
117-8-1	Amended	V. 25, p. 866

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-4-4	Amended	V. 26, p. 46

**AGENCY 121: DEPARTMENT OF
CREDIT UNIONS**

Reg. No.	Action	Register
121-5-1	Amended (T)	V. 25, p. 1304
121-5-1	Amended	V. 25, p. 1727
121-5-2	Revoked (T)	V. 25, p. 1304
121-5-2	Revoked	V. 25, p. 1727
121-5-3	New (T)	V. 25, p. 1304
121-5-3	New	V. 25, p. 1727
121-7-1	New	V. 25, p. 1728

121-8-1 New (T) V. 25, p. 1304
121-8-1 New V. 25, p. 1728

**AGENCY 123: JUVENILE JUSTICE
AUTHORITY**

Reg. No.	Action	Register
123-6-101 through 123-6-106	New	V. 25, p. 1634, 1635

**AGENCY 129: KANSAS HEALTH
POLICY AUTHORITY**

Reg. No.	Action	Register
129-5-1	Amended	V. 25, p. 1569
129-5-88	New	V. 25, p. 1830
129-5-108	New	V. 25, p. 1571
129-5-118	New	V. 25, p. 665
129-5-118b	New	V. 25, p. 665
129-6-38	New	V. 25, p. 1030
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
129-14-22	New	V. 25, p. 1030
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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