



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Kansas State Treasurer

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 2 p.m. Wednesday, June 6, in Room 201, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider amendments to K.A.R. 3-4-1, 3-4-2, 3-4-4, 3-4-5 and 3-4-6 governing the K.I.D.S. matching grant program for the Kansas Postsecondary Education Savings Program.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Scott Gates, Learning Quest Program Director, Kansas State Treasurer's Office, Suite 201, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1235, or by e-mail to scott@treasurer.state.ks.us. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and

may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Scott Gates at (785) 296-5327 or (800) 766-3777 (TTY), or scott@treasurer.state.ks.us. Handicapped parking is located at the north entrance of the building, and the north entrance is accessible.

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

K.A.R. 3-4-1, 3-4-2, 3-4-4, 3-4-5 and 3-4-6 allow joint account owners to receive two matching grants under certain conditions and clarify the procedures for changing the account owner and dividing a single matching grant between multiple accounts. It is anticipated that the regulations will have minimal economic impact on other state agencies, municipalities or persons other than the program's participants.

Lynn Jenkins
Kansas State Treasurer

Doc. No. 034284

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State of Kansas

Kansas Judicial Council

Notice of Meetings

The Kansas Judicial Council, its advisory committees and the Commission on Judicial Performance will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka:

Date	Committee	Time	Location
April 13	Commission on Judicial Performance	9:30 a.m.	Room 259
April 20	Probate Law	9:30 a.m.	Room 259
April 20	Administrative Procedure	9:00 a.m.	Room 275
April 20	Pattern Instructions for Kansas-Civil	9:30 a.m.	Room 269
April 27	Family Law	9:30 a.m.	Fatzer Courtroom
April 27	Juvenile Offender/Child in Need of Care	9:30 a.m.	Room 259
April 27	Civil Code	9:30 a.m.	Court of Appeals Courtroom, Room 275
May 4	End of Life Decisions	9:30 a.m.	Room 259
May 11	Commission on Judicial Performance	9:30 a.m.	Room 259
May 18	Administrative Procedure	9:00 a.m.	Room 275
May 18	Pattern Instructions for Kansas-Civil	9:30 a.m.	Room 269
May 18	Probate Law	9:30 a.m.	Room 259
May 25	Juvenile Offender/Child in Need of Care	9:30 a.m.	Room 259

Hon. Robert E. Davis
Chairman

Doc. No. 034273

State of Kansas

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions, and county officials are included in the Kansas Directory, which is available on the Secretary of State's Web site at www.kssos.org. The following appointments were recently filed with the Secretary of State:

Sheridan County Commissioner

Doyle Kauk, Route 2, Box 91A, Hoxie, 67740. Succeeds David Zimmerman, resigned.

Kansas Board of Barbering

Donald D. Barber, 2211 Centennial Blvd., Hays, 67601. Term expires April 30, 2010. Reappointed.

Troy Franklin, Jr., 2713 Beacon Hill Court, Wichita, 67220. Term expires April 30, 2010. Reappointed.

Penelope Neill, 536 S.W. Yorkshire Road, Topeka, 66606. Term expires April 30, 2010. Reappointed.

Credit Union Council

Gilbert E. Benton, 804 N. 1st St., Cimarron, 67835. Term expires March 15, 2010. Succeeds Erich Schaefer.

Gary A. Regoli, 1536 Cardinal Court, Derby, 67037. Term expires March 15, 2010. Succeeds Mark Bezdek.

Coordinating Council on Early Childhood Developmental Services

Patrick Woods, Governor's Representative, 2nd Floor, State Capitol, 300 S.W. 10th Ave., Topeka, 66612. Serves at the pleasure of the Governor. Succeeds Jennifer Crow.

Electronic Recording Commission

(2006 Session Laws of Kansas, Chapter 145)

Timothy A. Peterson, 2015 Cedar Crest, Monument, 67764. Serves until standards are finalized in July 2007.

John E. Selk, 1311 Ranchero Drive, Lawrence, 66049. Serves until standards are finalized in July 2007.

Kansas Essential Fuel Supply Trust Fund Compensation Advisory Board

(K.S.A. 2006 Supp. 65-34,133)

Charles D. Lybarger, 225 S. Cleveland, Garnett, 66032. Term expires July 1, 2010.

Larry Triplett, 2111 Melrose Lane, Salina, 67401. Term expires July 1, 2010.

Governor's Domestic Violence Fatality Review Board

Paul Morrison, Kansas Attorney General, 2nd Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, 66612. Serves at the pleasure of the Governor.

Real Estate Appraisal Board

Gregg L. Lesh, 2442 N. Bellwood Court, Wichita, 67205. Term expires June 30, 2010. Reappointed.

Kansas Sentencing Commission

Thomas Drees, 2604 Donald Drive, Hays, 67601. Term expires June 30, 2007. Succeeds Paul J. Morrison.

Daniel E. Monnat, 1435 Lieunett, Wichita, 67203. Term expires June 30, 2007. Succeeds Kathleen M. Lynch.

Kansas Volunteer Commission

Aaron A. Otto, Office of the Governor, Room 222-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612. Term expires March 24, 2008. Succeeds Matt All.

Workforce Network of Kansas Board

Rep. Steven Brunk, Room 143-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612. Serves at the pleasure of the Governor. Succeeds Rep. Don Dahl.

Rep. Louis E. Ruiz, Room 420-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612. Serves at the pleasure of the Governor. Succeeds Rep. Candy Ruff.

Ron Thornburgh
Secretary of State

Doc. No. 034281

State of Kansas

Secretary of State

Code Mortgage Rate for April

Pursuant to the provisions of K.S.A. 2006 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of April 1, 2007 through April 30, 2007, is 12 percent.

Ron Thornburgh
Secretary of State

Doc. No. 034277

State of Kansas

Secretary of State

Usury Rate for April

Pursuant to the provisions of K.S.A. 2006 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of April 1, 2007 through April 30, 2007, is 7.55 percent.

Ron Thornburgh
Secretary of State

Doc. No. 034276

State of Kansas

Department of Health
and EnvironmentNotice of Hearing on Proposed
Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Office of Surveillance and Epidemiology, will conduct a public hearing at 9 a.m. Tuesday, June 12, in the Crumline Room, fifth floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of proposed revised isolation and quarantine regulations. A summary of the proposed regulations and the estimated economic impact follows:

K.A.R. 28-1-5. General provisions for isolation and quarantine to allow the Secretary of Health and Environment to order public health measures during an outbreak that are not otherwise specified.

K.A.R. 28-1-6. Isolation, quarantine and exclusion requirements for specific reportable diseases that may be communicable from person to person. Changes reflect current knowledge in disease transmission and mitigation of transmission, including removal of some isolation or quarantine requirements that are outdated. Changes also include reportable communicable diseases that were not previously included, but are transmitted from person to person. The proposed revision clarifies that schools and daycare facilities are included in some exclusions. The proposal also allows for defined exceptions during outbreaks that may differ from procedures needed for sporadic occurrences of disease.

Economic Impact: The cost to KDHE, local health authorities, private providers and the general public is min-

imal. Local health departments will continue to bear the costs of enforcement as they have for previous versions of this regulation. The least restrictive but effective methods are used. With the updates, several unnecessary restrictions were lifted.

Private citizens will continue to be required to follow the regulations. The costs associated with exclusion, quarantine or isolation for infectious diseases include inability to work and costs of staying away from others while potentially infectious or potentially vulnerable to disease. The update reduces those times to a minimum and is the least intrusive while protecting the remainder of the population from acquiring the disease or infestation. Most people with the listed diseases would be unable to work because of the disease process itself preventing them from being able to work.

The proposed regulations were written to be the least intrusive and remove some isolation, quarantine and exclusions that are not medically justifiable. They also fulfill the Centers for Disease Control and Prevention (CDC) requirement that all states receiving funding for public health preparedness review and update their isolation and quarantine laws.

The time period between publication of this notice serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed amended regulations. At any time during the public comment period interested parties may submit written comments to Gail Hansen, Kansas Department of Health and Environment, Office of Surveillance and Epidemiology, 1000 S.W. Jackson, Suite 300, Topeka, 66612-1367. Written comments also can be e-mailed to ghansen@kdhe.state.ks.us. At the hearing, all interested parties intending to provide oral comments will be given a reasonable opportunity to present their view of the proposed regulations. In order to give each individual or entity an opportunity to present their view, it may be necessary for the hearing officer to request that each presenter limit any of their presentation to an appropriate time frame.

Complete copies of the proposed regulations and corresponding economic impact statement may be obtained from the Office of Surveillance and Epidemiology Web site at www.kdhe.state.ks.us/epi or by contacting the Office of Surveillance and Epidemiology at the address above, (785) 296-1127.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and regulatory impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Connie Roberts at (785) 296-2898 or by fax at (785) 291-3775.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034283

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-07-114/119
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Harold Barnett 27700 Bethel Church Road Paola, KS 66071	SE/4 of Section 29, T16S, R22E, Miami County	Marais des Cygnes River Basin

Kansas Permit No. A-MCMI-S005
This is a renewal permit for an existing facility with a maximum capacity of 400 head (160 animal units) of swine more than 55 pounds and 160 head (16 animal units) of swine 55 pounds or less, for a total of 176 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Gray County Feed Yard David Ast, Manager 23405 State Road 23 Cimarron, KS 67835	NE/4 of Section 26 & SE/4 of Section 23, T27S, R28W, Gray County	Upper Arkansas River Basin

Kansas Permit No. A-UAGY-C004 Federal Permit No. KS0115304
This is a renewal permit for an existing facility for 30,000 head (30,000 animal units) of beef cattle greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Dodge City Feeders Inc. Duane Zortman 11430 Lariat Road Dodge City, KS 67801	SW/4 of Section 28 & NW/4 of Section 33, T26S, R24W, Ford County	Upper Arkansas River Basin

Kansas Permit No. A-UAFO-C004 Federal Permit No. KS0115266
This is a renewal permit for an existing facility for 9,950 head (9,950 animal units) of beef cattle greater than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Double L Farms P.O. Box 193 Washington, KS 66968	NW/4 of Section 15, T03S, R03E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-B006
This is a renewal permit for an existing facility having the maximum capacity for 950 head (950 animal units) of beef cattle weighing greater than 700 pounds each.

Name and Address of Applicant	Legal Description	Receiving Water
Frontier Feeders Doug McGraw 8385 E. Plymell Road Garden City, KS 67846	SW/4 of Section 04, T26S, R31W, Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-B005
This is a renewal and modified permit for an existing facility for 999 head (999 animal units) of cattle weighing greater than 700 pounds. The permit modification is due to a decrease from the previous permitted capacity of 1,400 head.

Name and Address of Applicant	Legal Description	Receiving Water
Camp Creek Feedlot Bill Pannbacker 2109 18th Road Washington, KS 66968	SE/4 of Section 10, T03S, R03E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-B011
This is a renewal permit for an existing facility for 950 head (950 animal units) of cattle weighing greater than 700 pounds.

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 May 5 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-07-114/119) 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. 034285

State of Kansas

University of Kansas

Notice to Bidders

The University of Kansas encourages interested vendors to visit the University of Kansas Purchasing Services Web sight at <http://www.purchasing.ku.edu/> for a complete list of all goods and services currently out for bid. For persons without Internet access, paper postings of all open bids may be reviewed at the Purchasing Services office, 1246 W. Campus Road, Room 7, Lawrence. Copies of current bids may be requested by contacting the Purchasing Services office at (785) 864-3790, by fax at (785) 864-3454, or by e-mail at purchasing@ku.edu.

Barry K. Swanson
Associate Comptroller/
Director of Purchasing Services

Doc. No. 034272

State of Kansas

Department of Health
and Environment

Notice of Hearing

The Kansas Department of Health and Environment is proposing to revise the *State of Kansas Implementation Plan for the Attainment and Maintenance of National Ambient Air Quality Standards*. The hearing for this action will be held at 1:30 p.m. Tuesday, May 8, at the Unified Government of Wyandotte County—Kansas City, Kansas Health Department, 619 Ann Ave., Kansas City.

The Kansas City Maintenance Area (KCMA) is designated as an attainment area for the eight-hour ozone standard and as a maintenance area under the previous one-hour ozone standard. Based on these designations, the KCMA is required to have a maintenance plan under Section 110(a)(1) of the Clean Air Act (CAA) and the provisions of the U.S. Environmental Protection Agency's Phase 1 Implementation Rule for the eight-hour ozone standard (40 CFR Section 51.905(a)(3) and (4)). KDHE has prepared this maintenance plan to meet all of the requirements for the eight-hour ozone standard for its portion of the KCMA.

The Kansas portion of the KCMA is based on designations determined under the previous one-hour standard, and is made up of Wyandotte and Johnson counties. The maintenance plan includes all of the components required under the CAA and EPA's Phase I Rule. This eight-hour ozone maintenance plan constitutes a revision to the State Implementation Plan and must provide for continued maintenance of the eight-hour ozone standard for a period of 10 years, ending in 2014. The plan also must provide contingency control measures to be implemented if a violation of the eight-hour ozone standard occurs.

This proposed SIP revision does not include any rule-making action. Details concerning this revision can be obtained by contacting Douglas L. Watson, Kansas Department of Health and Environment, Bureau of Air and Radiation, at (785) 296-0910. Copies of the proposed plan also may be viewed at the following locations: Depart-

ment of Air Quality, Unified Government of Wyandotte County—Kansas City, Kansas Health Department, 619 Ann Ave., Kansas City; and Johnson County Environmental Department, 11180 Thompson Ave., Lenexa. The plan also is posted on the Bureau of Air and Radiation's Web site at <http://www.kdheks.gov/bar/index.html>.

Comments from the interested public should be addressed to the Kansas Department of Health and Environment, Bureau of Air and Radiation, Attention: Douglas L. Watson, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. Comments must be received by the Bureau of Air and Radiation not later than 5 p.m. May 8 to assure full consideration of this proposed revision to the SIP.

Any individual with a disability may request accommodations in order to participate in the public hearing and may request the proposed plan in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Douglas L. Watson.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 034279

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:

04/19/2007	10346	Support for Kansas Work Ready Certificate
04/20/2007	10348	Consultant Services, Administer Youth Tobacco Survey
04/25/2007	10353	Laboratory Equipment Mask Alignment System
04/26/2007	10037	Security Cameras
04/30/2007	10330	Cisco Product and Support Services

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 by calling (785) 296-8899 or by visiting www.da.ks.gov/fp/.

04/26/2007	A-9613	Olathe Armory Rehabilitation, Adjutant General's Department, Olathe
05/08/2007	A-010217	Replace Water Lines, Osawatomie State Hospital, Osawatomie

Chris Howe
Director of Purchases

Doc. No. 034293

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 4-2-07 through 4-8-07

Term	Rate
1-89 days	5.28%
3 months	4.98%
6 months	5.02%
1 year	4.84%
18 months	4.73%
2 years	4.59%

Derl S. Treff
Director of Investments

Doc. No. 034275

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment and the Unified Government of Wyandotte County/Kansas City, Kansas' Department of Air Quality (DAQ) are soliciting comments regarding a proposed air quality operating permit. The Kansas City Board of Public Utilities (BPU) Nearman Creek Power Station has applied for a Class I operating permit significant modification in accordance with the provisions of K.A.R. 28-19-513 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

The Kansas City Board of Public Utilities (BPU) Nearman Creek Power Station operates a thermal steam electric generating plant located at 4240 N. 55th St. in Kansas City, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Topeka, and at the DAQ, 619 Ann Ave., Kansas City. To obtain or review the proposed permit and supporting documentation, contact Christy Thurman, (785) 296-1593, at the KDHE central office, or Katrin Ravenscroft, (913) 573-6700, at the DAQ. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Katrin Ravenscroft, DAQ, 619 Ann Ave., Kansas City, KS 66101. In order to be considered in formulating a final permit decision, written comments must be received before the close of business May 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall

be in writing and set forth the basis for the request. The written request must be submitted to Christy Thurman, KDHE, Bureau of Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366, not later than the close of business May 7 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

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

Roderick L. Bremby
Secretary of Health and Environment

Doc. No. 034286

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, 700 S.W. Harrison, fourth floor west wing, Topeka, until 1 p.m. April 18 and then publicly opened.

District One — Northeast

Douglas—10-23 KA-0830-01 — K-10 from the east city limits of Lawrence to the Douglas-Johnson county line, 8 miles, crack repair. (State Funds)

Johnson-Wyandotte—635-106 K-4890-04 — I-635 from the junction of I-35 north to the junction of U.S. 24, intelligent transportation system installation. (State Funds)

Leavenworth—52 C-3973-01 — Country road 1.5 miles west and 2 miles north of Tonganoxie, then north 2.5 miles, grading and surfacing. (Federal Funds)

Osage—70 C-4334-01 — County road 4.6 miles south and 4.5 miles west of Overbrook, 0.1 mile, grading and bridge. (Federal Funds)

Riley—81 K-8422-01 — Wildcat Creek Road from Eureka Drive south 0.5 mile, grading, bridge and surfacing. (Federal Funds)

(continued)

Riley—24-81 KA-0846-01 — U.S. 24 from the east junction of U.S. 77 to K-13 and from K-13 to 3rd Street in Manhattan, 14.3 miles, seal. (State Funds)

Shawnee—89 C-4084-01 — Southwest Hodges Road over the Wakarusa River, 0.1 mile, grading and bridge. (Federal Funds)

Shawnee—4-89 KA-0829-01 — K-4 from the junction of I-70 south to Auburn Road, 1.9 miles, seal. (State Funds)

Wyandotte—435-105 K-8427-01 — I-435 and Donahoo Road in Kansas City, interchange construction. (Federal Funds)

Wyandotte—105 N-0285-01 — Donahoo Road over Conner Creek in Kansas City, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Wyandotte—105 N-0375-01 — I-70 and 57th Street in Kansas City, intersection improvement. (Federal Funds)

District Two — Northcentral

Chase-Marion—150-106 KA-0824-01 — K-150 from the junction of K-150/U.S. 77/U.S. 56 east to the Marion-Chase county line; K-150 from the Marion-Chase county line east to the junction of K-150/U.S.50, 16.3 miles, pavement marking. (Federal Funds)

Mitchell—181-62 K-9638-01 — K-181, Bacon Creek drainage, 0.9 mile north of the Lincoln-Mitchell county line, culvert construction (State Funds)

Marion—56-57 KA-0823-01 — U.S. 56 from the east junction of U.S. 56/K-15 east to the U.S. 56/U.S. 77/K-150 junction; U.S. 56 from the south city limits of Lincolnville north to the Marion-Dickinson county line, 22 miles, pavement marking. (Federal Funds)

District Three — Northwest

Decatur—36-20 K-9194-01 — U.S. 36/U.S. 83 junction east to Pennsylvania Avenue in Oberlin, 0.3 mile, intersection improvement. (State Funds)

Logan—55 C-4153-01 — K-25 through Russell Springs, 0.6 mile, surfacing. (Federal Funds)

District Four — Southeast

Franklin—59-30 K-7889-01 — U.S. 59 from I-35 northeast of Ottawa north to the Franklin-Douglas county line, 7.6 miles, grading and bridge. (Federal Funds)

Franklin—68-30 K-9794-01 — K-68 from B Street to E Street in Pomona, 0.3 mile, grading and surfacing. (State Funds)

Linn—69-54 K-7893-01 — U.S. 69 from north of the K-239 interchange north to 1 mile south of the new K-52 interchange, 3.2 miles, grading, bridge and surfacing. (Federal Funds)

Montgomery—63 KA-0822-01 — U.S. 400 from the Wilson/Montgomery county line east to the Montgomery/Labette county line; U.S. 169 at the south junction of U.S. 169/U.S. 160, 16.7 miles, pavement marking. (Federal Funds)

Wilson—400-103 KA-0827-01 — U.S. 400 from the Greenwood/Wilson county line east to the Wilson/Mont-

gomery county line, 24.7 miles, pavement marking. (Federal Funds)

District Five — Southcentral

Barton—4-5 KA-0905-01 — K-4 from the Rush-Barton county line east to the Barton-Rice county line, 30.7 miles, crack repair. (State Funds)

Harper—44-39 K-9179-01 — K-44 from the K-2 junction east to Lawrence Avenue and K-44 from Pennsylvania Avenue east to Kansas Avenue, 0.1 mile, grading and surfacing. (State Funds)

Rice—14-80 KA-0906-01 — K-14 from the north city limits of Sterling north to the south city limits of Lyons, 7.7 miles, crack repair. (State Funds)

Sedgwick—254-87 K-8311-01 — K-254 at Hillside Street/45th Street, Oliver, and Woodlawn interchanges, lighting. (Federal Funds)

Sedgwick—135-87 K-9895-01 — I-135 northbound Canal Route, 2.3 miles, joint repair. (State Funds)

Sedgwick—54-87 KA-0795-01 — U.S. 54, 0.2 mile east of Hillside Avenue east to 0.3 mile east of Oliver Street in Wichita, 1.2 miles, pavement marking. (Federal Funds)

District Six — Southwest

Gray—50-35 K-8406-01 — Second Street to 5th Street on U.S. 50 in Cimarron, 0.2 mile, pavement reconstruction. (State Funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid.

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

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

Deb Miller
Secretary of Transportation

Doc. No. 034256

State of Kansas

Office of Judicial Administration
Supreme Court Docket

(Note: Dates and times of arguments are subject to change.)

Monday, April 23, 2007

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
95,335 State of Kansas, Appellee, v. Victor Andre Carter, Appellant.	Paul J. Morrison, Atty. Gen. Ellen H. Mitchell, County Atty. Michelle A. Davis, Kansas Appellate Defender	Saline
93,627 State of Kansas, Appellee, v. Tyree R. Conway, Appellant.	Paul J. Morrison, Atty. Gen. Boyd K. Isherwood, Asst. District Atty. Korey A. Kaul, Kansas Appellate Defender	Sedgwick
96,807 State of Kansas, Appellee, v. Robert E. Mitchell, Appellant.	Paul J. Morrison, Atty. Gen. Phillip D. Kline, District Atty. B. Joyce Yeager	Johnson
95,673 State of Kansas, Appellee, v. Terry Scott-Herring, Appellant.	Paul J. Morrison, Atty. Gen. Kristi L. Barton, Asst. District Atty. Michelle A. Davis, Kansas Appellate Defender	Sedgwick

1:30 p.m.

94,667 Sandra Troutman, et al., Appellants, v. Jeffrey Curtis, M.D., et al., Appellees.	Kevin L. Diehl Donald Patterson	Shawnee Petition for Review
96,215 State of Kansas, Appellee, v. Jesse James Romero, Jr., Appellant.	Paul J. Morrison, Atty. Gen. Robert D. Hecht, District Atty. Rachel L. Pickering, Kansas Appellate Defender	Shawnee
94,609 State of Kansas, Appellee, v. Lafayette D. E. Cosby, Appellant.	Paul J. Morrison, Atty. Gen. Ann. L. Smith Korey A. Kaul, Kansas Appellate Defender	Douglas
97,151 City of Mission Hills, Appellee, v. Ronald E. Sexton and Felicia Sexton, Appellants.	Neil R. Shortlidge Frederick K. Starrett	Johnson

Tuesday, April 24, 2007

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
95,650 John Elliott Graham, Appellee, v. Dokter Trucking Group, et al., Appellants.	Frederick J. Patton II Nathan D. Burghart	Work Comp. Petition for Review
94,187 State of Kansas, Appellee, v. Ray Stevens, Appellant.	Paul J. Morrison, Atty. Gen. John D. Gutierrez, County Atty. Michelle A. Davis, Kansas Appellate Defender	Crawford Petition for Review
93,788 Andrea I. Abasolo, Appellant, v. State of Kansas, Appellee.	Sandra M. Carr Paul J. Morrison, Atty. Gen. Jeffrey E. Evans, Asst. District Atty.	Sedgwick Petition for Review
95,830 State of Kansas, Appellee, v. Tammy Hoeck, Appellant.	Paul J. Morrison, Atty. Gen. Ernest H. Richardson, County Atty. Michael S. Holland	Pratt Petition for Review

(continued)

1:30 p.m.

91,353
State of Kansas, Appellee,
v.
Billy Ray Noah, Appellant.

Paul J. Morrison, Atty. Gen.
Edward C. Hageman, County Atty.
Quentin J. Boone

Rooks
Petition for Review

94,254
State of Kansas, Appellee,
v.
Dennis W. Thompson, Appellant.

Paul J. Morrison, Atty. Gen.
Ty Kaufman, County Atty.
Randall L. Hodgkinson, Kansas Appellate Defender

McPherson
Petition for Review

93,470
In the Matter of the Estate of Hjersted.

Michael R. Ong.
Byron E. Springer

Leavenworth
Petition for Review

95,854
State of Kansas, Appellee,
v.
Robert J. Gaudina, Appellant.

Paul J. Morrison, Atty. Gen.
Phillip D. Kline, District Atty.
Stephen B. Chapman

Johnson
Petition for Review

Wednesday, April 25, 2007

9:00 a.m.

Case No. / Case Name

Attorneys

Jurisdiction

97,627
Christopher Redmond, Plaintiff,
v.
Donald Kenton Kester, et al., Defendants.

Christopher J. Redmond
Donald Kenton Kester, Pro Se
Charlotte Yvonne Kester, Pro Se

Cert. Question

95,523
State of Kansas, Appellee,
v.
Dimitrius Keith Davis, Appellant.

Paul J. Morrison, Atty. Gen.
Jerome A. Gorman, District Atty.
Patrick H. Dunn, Kansas Appellate Defender

Wyandotte

95,815
State of Kansas, Appellee,
v.
Martin K. Miller, Appellant.

Paul J. Morrison, Atty. Gen.
Charles E. Branson, District Atty.
Sarah Ellen Johnson, Capital Appellate Defender

Douglas

95,621
State of Kansas, Appellee,
v.
Bobby Bruce White, Appellant.

Paul J. Morrison, Atty. Gen.
Jan Satterfield, County Atty.
Shawn E. Minihan, Kansas Appellate Defender

Butler

1:30 p.m.

96,838
Dennis Steffes, Appellant,
v.
City of Lawrence, Appellee.

William K. Rork
Toni Ramirez Wheeler

Douglas

97,087
Young Partners, LLC, Appellee,
v.
Board of Education, U.S.D. No. 214, Grant County,
Appellant.

James D. Oliver
K. Mike Kimball

Grant

93,879
State of Kansas, Appellee/Cross-Appellant,
v.
Darrell Stallings, Appellant/Cross-Appellee.

Paul J. Morrison, Atty. Gen.
Jerome A. Gorman, District Atty.
Jessica J. Travis

Wyandotte

Thursday, April 26, 2007

9:00 a.m.

Case No. / Case Name

Attorneys

Jurisdiction

94,602
Lloyd Smith, et al., Appellees/Cross-Appellants,
v.
Kansas Gas Service Company, Appellant/Cross-Appellee.

Michael C. Rader
Lynn W. Hursh

Reno

94,570
John Neal Gilley, et al., Appellants/Cross-Appellees,
v.
Kansas Gas Service Company, Appellee/Cross-Appellant.

Michael C. Rader
Daniel D. Crabtree
Lynn W. Hursh

Reno

98,102
In the Matter of James B. Pattison, Respondent.

Stanton A. Hazlett, Discip. Admin.
James Bryan Pattison, Pro Se

Original

98,057
In the Matter of James Lee Daniels, Respondent.

Alexander M. Walczak, Deputy Discip. Admin.
John J. Ambrosio
James Lee Daniels, Pro Se

Original

Summary Disposition of Sentencing Appeals — No Oral Argument Pursuant to Supreme Court Rule 7.041(a)

95,331	State v. Brad Oliver	97,008/		97,069/	
96,703	State v. Jairo Manuel Medina	97,009	State v. Jesse A. Greene	97,070	State v. Richard D. Rowden, Jr.
96,945	State v. Raymond T. King	97,012	State v. Stephen B. Spear	97,078	State v. Candice Householder
96,947	State v. Charvelle L. Robinson	97,041	State v. Frederick R. Contrerez	97,111	State v. Billy Pardew
96,963	State v. Jesse Santiago Martinez	97,043	State v. Cedric Freeman	97,141	State v. William R. Clinton
96,965	State v. Gilbert Montoya	97,044	State v. Christopher V. Kalvig	97,144	State v. Alton D. Randall
96,966	State v. Jacob C. Roland	97,049	State v. Anthony C. McKay	97,145	State v. Mark Shobe
96,997	State v. Anthony Hayes	97,051	State v. Desmond Kirk Norwood	97,208	State v. Norris Hunter
				97,238	State v. Tommy Lee Ferris

Carol G. Green
Clerk of the Appellate Courts

Doc. No. 034248

**State of Kansas
Department of Administration
Division of Facilities Management**

Notice of Commencement of Negotiations for Architectural/Engineering Services

Notice is hereby given of the commencement of negotiations for architectural/engineering services to renovate the first floor of the east wing of Wescoe Hall for the University of Kansas, Lawrence. The project consists of some demolition and remodeling of 19,000 gsf into new classrooms and offices, and a new south entrance (in accordance with the Campus Historic Preservation Board). The construction estimate is \$3,890,000. A program is available.

For more information concerning the scope of services, contact Jim Modig, (785) 864-3431.

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 April 20.

Marilyn Jacobson, Interim Director
Division of Facilities Management

Doc. No. 034282

**State of Kansas
Social and Rehabilitation Services
Request for Proposals**

The Department of Social and Rehabilitation Services announces the release of a request for proposals by Health Care Policy/Mental Health for fiscal year 2008 (July 1, 2007 through June 30, 2008). This is the Therapeutic Preschool Programs—Early Childhood Mental Health Consultation grant to assist early childhood professionals and families with understanding and incorporating a mental health perspective in their work and interactions with young children.

Successful applicants will use recognized methods aimed at preventing, identifying, treating and reducing the impact of mental health problems among children from birth through age five. Further essential characteristics of successful applicants include use of capacity building intervention within a collaborative relationship between a professional consultant with mental health expertise and one or more individuals with other areas of expertise—primarily child care professionals, early education and child development professionals, and families.

Groups interested in receiving a request for proposal should contact Pam Raiman at SRS/HCP/MH, Room 9 South, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, (785) 296-7272 or fax (785) 296-6142. Complete proposals must be received not later than 5 p.m. April 30.

Don Jordan
Secretary of Social and Rehabilitation Services

Doc. No. 034380

(Published in the Kansas Register April 5, 2007.)

Summary Notice of Note Sale
City of Tonganoxie, Kansas
\$735,000
Temporary Notes, Series 2007A
(General obligation notes payable from unlimited ad valorem taxes)

Bids

Subject to the notice of note sale dated March 26, 2007, written and electronic bids will be received on behalf of the clerk of the city of Tonganoxie, 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. April 23, 2007, for the purchase of the above-referenced notes. No bid of less than 99.3 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 May 1, 2007, and will become due on May 1, 2008 in the years as follows:

Table with 2 columns: Stated Maturity, Principal Amount. Row 1: May 1, 2008, \$735,000

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 May 1 and November 1 in each year, beginning November 1, 2007.

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 \$14,700.

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 May 8, 2007, at the account of such bank or trust company in the contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2006 is \$32,670,835. The total general obligation indebtedness of the issuer as of the date of delivery of the notes, including the notes being sold, is \$5,248,000.

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 financial advisor at the address set forth below.

City Clerk Address:

Kathy Bard, Clerk
321 S. Delaware
Tonganoxie, KS 66086
(913) 845-2620
E-mail: cityclerk@tongie.org

Financial Advisor - Facsimile Bid and Good

Faith Deposit Address:

Springsted Incorporated, Attn: Bond Services
380 Jackson St., Suite 300
St. Paul, MN 55101-2887
(651) 223-3000
Fax (651) 223-3002
E-mail: advisors@springsted.com

Dated March 26, 2007.

City of Tonganoxie, Kansas

Doc. No. 034292

State of Kansas

Board of Nursing

Permanent Administrative Regulations

Article 4.—FEES

60-4-101. Payment of fees. The following fees shall be charged by the board of nursing:

- (a) Fees for professional nurses.
(1) Application for license by endorsement to Kansas..... \$75.00
(2) Application for license by examination..... 75.00
(3) Biennial renewal of license 60.00
(4) Application for reinstatement of license without temporary permit..... 70.00
(5) Application for reinstatement of license with temporary permit..... 95.00
(6) Certified copy of Kansas license 25.00
(7) Inactive license 10.00
(8) Verification of licensure..... 25.00
(9) Application for exempt license 50.00
(10) Renewal of exempt license 50.00
(b) Fees for practical nurses.
(1) Application for license by endorsement to Kansas..... 50.00
(2) Application for license by examination..... 50.00
(3) Biennial renewal of license 60.00
(4) Application for reinstatement of license without temporary permit..... 70.00
(5) Application for reinstatement of license with temporary permit..... 95.00
(6) Certified copy of Kansas license 25.00
(7) Inactive license 10.00
(8) Verification of licensure..... 25.00
(9) Application for exempt license 50.00
(10) Renewal of exempt license 50.00

(Authorized by K.S.A. 65-1129; implementing K.S.A. 65-1118; effective Jan. 1, 1966; amended Jan. 1, 1972;

amended, E-74-29, July 1, 1974; modified, L. 1975, Ch. 302, Sec. 5, May 1, 1975; amended, E-77-8, March 19, 1976; amended Feb. 15, 1977; amended, E-79-8, March 16, 1978; amended May 1, 1979; amended May 1, 1980; amended May 1, 1983; amended March 9, 1992; amended May 17, 1993; amended May 9, 1994; amended Feb. 6, 1995; amended April 3, 1998; amended July 1, 2001; amended April 20, 2007.)

Article 7.—REQUIREMENTS FOR LICENSURE AND STANDARDS OF PRACTICE

60-7-106. Unprofessional conduct. Any of the following shall constitute “unprofessional conduct”:

(a) Performing acts beyond the authorized scope of mental health technician practice for which the individual is licensed;

(b) assuming duties and responsibilities within the practice of mental health technology without adequate preparation or without maintaining competency;

(c) failing to take appropriate action or to follow policies and procedures in the practice situation designed to safeguard the patient;

(d) inaccurately recording, falsifying, or altering any record of a patient, an agency or the board;

(e) physical abuse, which shall be defined as any act or failure to act performed intentionally or carelessly that causes or is likely to cause harm to a patient. This term may include any of the following:

(1) The unreasonable use of any physical restraints, isolation, or medication that harms or is likely to harm the patient;

(2) the unreasonable use of any physical or chemical restraint, medication, or isolation as a punishment, for convenience, in conflict with a physician’s order or a policy and procedure of the facility or a statute or regulation, or as a substitute for treatment, unless the use of the restraint, medication, or isolation is in furtherance of the health and safety of the patient;

(3) any threat, menacing conduct, or other nontherapeutic or inappropriate action that results in or might reasonably be expected to result in the patient’s unnecessary fear or emotional or mental distress; or

(4) any failure or omission to provide any goods or services that are reasonably necessary to ensure safety and well-being and to avoid physical or mental harm;

(f) the commission of any act of sexual abuse, sexual misconduct, or sexual exploitation related to the licensee’s practice;

(g) verbal abuse, which shall be defined as any word or phrase spoken inappropriately to or in the presence of a patient that results in or might reasonably be expected to result in the patient’s unnecessary fear, emotional distress, or mental distress;

(h) delegating any activity that requires the unique skill and substantial specialized knowledge derived from the biological, physical, and behavioral sciences and judgment of the mental health technician to an unlicensed individual in violation of the mental health technician’s licensure act or to the detriment of patient safety;

(i) assigning the practice of mental health technology to a licensed individual in violation of the mental health

technician’s licensure act or to the detriment of patient safety;

(j) violating the confidentiality of information or knowledge concerning any patient;

(k) willfully or negligently failing to take appropriate action to safeguard a patient or the public from incompetent practice performed by a licensed mental health technician. “Appropriate action” may include reporting to the board of nursing;

(l) leaving an assignment that has been accepted, without notifying the appropriate authority and without allowing reasonable time for the licensee’s replacement;

(m) engaging in conduct related to mental health technology practice that is likely to deceive, defraud, or harm the public;

(n) diverting drugs, supplies, or property of any patient or agency or violating any law or regulation relating to controlled substances;

(o) exploitation, which shall be defined as misappropriating a patient’s property or taking unfair advantage of a patient’s physical or financial resources for the licensee’s or another individual’s personal or financial advantage by the use of undue influence, coercion, harassment, duress, deception, false pretense, or false representation;

(p) the solicitation of professional patronage through the use of fraudulent or false advertisements, or profiting by the acts of those representing themselves to be agents of the licensee;

(q) failing to comply with any disciplinary order of the board;

(r) if the licensee is participating in an impaired provider program approved by the board, failing to complete the requirements of the program;

(s) failing to furnish the board of nursing, or its investigators or representatives, with any information legally requested by the board of nursing;

(t) engaging in mental health technology practice while using a false or assumed name or while impersonating another person licensed by the board;

(u) practicing without a license or while the individual’s license has lapsed;

(v) allowing another person to use the licensee’s license to practice mental health technology;

(w) knowingly aiding or abetting another in any act that is a violation of any health care licensing act;

(x) having a mental health technician license from a licensing authority of another state, agency of the United States government, territory of the United States, or country denied, revoked, limited, or suspended or being subject to any other disciplinary action. A certified copy of the record or order of denial, suspension, limitation, revocation, or any other disciplinary action issued by the licensing authority of another state, agency of the United States government, territory of the United States or country shall constitute prima facie evidence of such a fact;

(y) failing to report to the board of nursing any adverse action taken against the licensee by another state or licensing jurisdiction, a peer review body, a health care facility, a professional association or society, a governmental agency, a law enforcement agency, or a court for

(continued)

acts or conduct similar to acts or conduct that would constitute grounds for disciplinary action under this regulation; or

(z) cheating on or attempting to subvert the validity of the examination for a license. (Authorized by K.S.A. 65-4203 and 65-4209; implementing K.S.A. 65-4209; effective, T-88-48, Dec. 16, 1987; effective Sept. 27, 1993; amended Sept. 6, 1994; amended April 20, 2007.)

Article 8.—FEES

60-8-101. Payment of fees. The following fees shall be charged by the board of nursing:

- (a) Mental health technician programs.
 - (1) Annual renewal of program approval\$100.00
 - (2) Survey of a new program 200.00
 - (3) Application for approval of continuing education providers 200.00
 - (4) Annual renewal for continuing education providers... 50.00
- (b) Mental health technicians.
 - (1) Licensure by endorsement 50.00
 - (2) Application for licensure 50.00
 - (3) Examination 20.00
 - (4) Biennial renewal of license 60.00
 - (5) Application for reinstatement of license without temporary permit 70.00
 - (6) Application for reinstatement of license with temporary permit 75.00
 - (7) Certified copy of Kansas license 12.00
 - (8) Inactive license 10.00
 - (9) Verification of licensure 10.00
 - (10) Duplicate license 12.00
 - (11) Application for exempt license 50.00
 - (12) Renewal of exempt license 50.00

(Authorized by K.S.A. 65-4203; implementing K.S.A. 65-4208; effective May 1, 1980; amended May 1, 1983; amended, T-85-49, Dec. 19, 1984; amended May 1, 1985; amended June 3, 1991; amended May 17, 1993; amended May 9, 1994; amended Feb. 6, 1995; amended April 3, 1998; amended July 1, 2001; amended April 20, 2007.)

Article 11.—ADVANCED REGISTERED NURSE PRACTITIONERS

60-11-119. Payment of fees. Payment of fees for advanced registered nurse practitioners shall be as follows:

- (a) Initial application for certification.....\$50.00
- (b) Biennial renewal of certification..... 60.00
- (c) Application for reinstatement of certification without temporary permit 75.00
- (d) Application for certificate with temporary permit.....100.00
- (e) Application for exempt certification 50.00
- (f) Renewal of exempt certification..... 50.00

(Authorized by K.S.A. 65-1131; implementing K.S.A. 65-1118 and 65-1131; effective Sept. 2, 1991; amended May 17, 1993; amended Feb. 6, 1995; amended April 3, 1998; amended July 1, 2001; amended April 20, 2007.)

Article 17.—ADVANCED NURSING EDUCATION PROGRAM

60-17-102. Requirements for initial approval. (a) Each hospital and agency serving as an affiliating agency and providing facilities for clinical experience shall be licensed or accredited by the appropriate credentialing groups.

(b) (1) The advanced nursing education program or the institution of which it is a part shall be a legally constituted body. The controlling body shall be responsible for general policy and shall provide the financial support for the advanced nursing education program.

(2) Authority and responsibility for administering the advanced nursing education program shall be vested in the nurse administrator of the advanced nursing education program.

(c) Each new advanced nursing education program shall submit, at least 60 days before a scheduled board meeting, an initial application, which shall include all of the following:

- (1) The course of study and credential to be conferred;
- (2) the rationale for the establishment of the program;
- (3) the potential effect on other advanced nursing programs in the area;
- (4) the name and title of the nurse administrator of the advanced nursing education program;
- (5) the name of the controlling body;
- (6) the name and title of the administrator for the controlling body;
- (7) the organizational chart;
- (8) all sources of financial support, including a three-year budget;
- (9) a proposed curriculum, indicating the total number of hours of both theoretical and clinical instruction;
- (10) the program objectives or outcomes;
- (11) the number, qualifications, and assignments of faculty;
- (12) the faculty policies;
- (13) the admission requirements;
- (14) a copy of the current school bulletin or catalog;
- (15) a description of clinical facilities and client census data;
- (16) contractual agreements by affiliating agencies for clinical facilities, signed at least three months before the first date on which students may enroll;
- (17) the program evaluation plan; and
- (18) a proposed date of initial admission of students to the program.

(d) Each advanced nursing education program shall be surveyed for approval by the board, with the exception of nurse anesthesia programs, as determined by K.A.R. 60-13-103(d)(4).

(1) During a survey, the nurse administrator of the program shall make available all of the following:

- (A) Administrators, prospective faculty and students, affiliating agencies, representatives, preceptors, and support services personnel to discuss the advanced nursing education program;
- (B) minutes of faculty meetings;
- (C) faculty and student handbooks;
- (D) policies and procedures;
- (E) curriculum materials;
- (F) a copy of the advanced nursing education program's budget; and
- (G) affiliating agency contractual agreements.

(2) The nurse administrator of the advanced nursing education program or designated personnel shall take the survey team to inspect the nursing educational facilities, including satellite program facilities and library facilities.

(3) Upon completion of the survey, the nurse administrator shall be asked to correct any inaccurate statements contained in the survey report, limiting these comments to errors, unclear statements, or omissions.

(e) Each institution contemplating the establishment of an advanced nursing education program shall be surveyed and accredited by the board before the admission of students.

(f) If an advanced nursing education program fails to meet the requirements of the board within a designated period of time, the program shall be notified by the board's designee of the board's intent to deny approval. This notification shall be made pursuant to K.S.A. 77-512, and amendments thereto, and shall inform the program of its right to a hearing pursuant to the Kansas administrative procedures act. (Authorized by and implementing K.S.A. 65-1133; effective March 31, 2000; amended April 20, 2007.)

60-17-103. Reapproval requirements. (a) Based on the annual report required by K.A.R. 60-17-109, each advanced nursing education program shall be reviewed for reapproval by the board every two years.

(b) Each advanced nursing education program shall be resurveyed every five to 10 years.

(1) A survey may be conducted if there is consistent evidence indicating deficiencies in meeting requirements.

(2) A survey of each nurse anesthesia program shall be conducted as required by K.A.R. 60-13-103(d)(4).

(3) If the program is accredited by a national nursing accreditation agency, the resurvey visit may be made in coordination with a national nursing accreditation agency visit. Each program without national nursing accreditation shall be resurveyed every five years.

(c) The nurse administrator of each advanced nursing education program shall make available all of the following information during a survey:

(1) Data about the program, including the following:

(A) The number of students;

(B) the legal body responsible for establishing program policies and for support of the program;

(C) an organizational chart; and

(D) a description of the budgetary process;

(2) a description of the nurse administrator's responsibilities;

(3) information about the faculty and preceptors, including the following:

(A) A description of the responsibilities of each position;

(B) the selection policies;

(C) the orientation plan;

(D) faculty organization by-laws; and

(E) the number of full-time and part-time faculty and nonnursing faculty with academic credentials and assignments;

(4) the faculty degree plan;

(5) a copy of the current curriculum with the date of last revision;

(6) a description of education facilities, including classrooms, offices, library, and computers;

(7) a list of clinical facilities;

(8) the number of students enrolled; and

(9) policies for students as listed in K.A.R. 60-2-107.

(d) During a survey, the nurse administrator of the advanced nursing education program shall make available all of the following:

(1) Educational institution administrators, faculty, support services personnel, preceptors, and students;

(2) staff at selected clinical facilities;

(3) faculty minutes for at least the previous three years;

(4) faculty and student handbooks;

(5) student records;

(6) policies and procedures;

(7) curriculum materials;

(8) a copy of the advanced nursing education program's budget; and

(9) affiliating agency contractual agreements.

(e) The nurse administrator of the advanced nursing education program or designated personnel shall take the survey team to the nursing educational facilities, including satellite program facilities, library facilities, and affiliating or clinical facilities.

(f) Upon completion of the survey, the nurse administrator shall correct any inaccurate statements contained in the survey report, limiting these comments to errors, unclear statements, or omissions.

(g) If an advanced nursing education program fails to meet requirements of the board within a designated period of time, the program shall be notified by the board's designee of the board's intent to deny reapproval. This notification shall be made pursuant to K.S.A. 77-512, and amendments thereto, and shall inform the program of its right to a hearing pursuant to the Kansas administrative procedures act. (Authorized by and implementing K.S.A. 65-1133; effective March 31, 2000; amended April 20, 2007.)

60-17-104. Faculty and preceptor qualifications.

(a) Each nurse faculty member shall be licensed as a registered professional nurse in Kansas.

(b) Each preceptor shall be licensed or certified in the state in which the preceptor is currently practicing. Each preceptor shall complete a preceptor orientation that includes information about the pedagogical aspects of the student-preceptor relationship.

(c) For advanced nursing education programs in the category of nurse anesthesia, each nurse faculty member shall have the following academic preparation and experience:

(1) The nurse administrator who is responsible for the development and implementation of the advanced nursing education program shall have had experience in administration or teaching and shall have a graduate degree.

(2) Each nurse faculty member who is assigned the responsibility of a course shall hold a graduate degree.

(3) Each nurse faculty member responsible for clinical instruction shall possess a certificate as an advanced registered nurse practitioner and a graduate degree.

(d) For advanced nursing education programs in any category other than nurse anesthesia, each nurse faculty member shall have the following academic preparation and experience:

(continued)

(1) The nurse administrator who is responsible for the development and implementation of the advanced nursing education program shall have had experience in administration or teaching and shall have a graduate degree in nursing.

(2) Each nurse faculty member who is assigned the responsibility of a course shall hold a graduate degree. Any person who is hired as a nurse faculty member shall have a graduate degree in nursing, except for any person whose graduate degree is conferred before July 1, 2005.

(3) Each nurse faculty member responsible for coordinating clinical instruction shall possess a certificate as an advanced registered nurse practitioner in the category for which clinical instruction is provided and shall have a graduate degree. Any person who is hired as a nurse faculty member shall have a graduate degree in nursing, except for any person whose graduate degree was conferred before July 1, 2005.

(4) Each preceptor or adjunct faculty shall be certified as an advanced registered nurse practitioner or shall be licensed as a physician in the state in which the individual is currently practicing. Each preceptor shall complete a preceptor orientation including information about the pedagogical aspects of the student-preceptor relationship.

(e) The nonnursing faculty of each advanced nursing education program shall have graduate degrees in the area of expertise.

(f) The nurse administrator of each advanced nursing education program shall submit to the board a faculty qualification report for each faculty member who is newly employed by the program. (Authorized by and implementing K.S.A. 65-1133; effective March 31, 2000; amended April 20, 2007.)

60-17-105. Curriculum requirements. (a) The faculty in each advanced nursing education program shall fulfill these requirements:

(1) Identify the competencies of the graduate for each category of advanced nursing practice for which the program provides instruction;

(2) determine the approach and content for learning experiences;

(3) direct clinical instruction as an integral part of the program; and

(4) provide for learning experiences of the depth and scope needed to fulfill the objectives or outcomes of advanced nursing courses.

(b) The curriculum in each advanced nursing education program shall include all of the following:

(1) Role alignment related to the distinction between practice as a registered professional nurse and the expanded role of an advanced registered nurse practitioner as set out in K.A.R. 60-11-101;

(2) theoretical instruction in the category or categories of advanced nursing practice for which the program provides instruction;

(3) the health care delivery system;

(4) the ethical and legal implications of advanced nursing practice;

(5) three college hours in advanced pharmacology or the equivalent;

(6) three college hours in advanced pathophysiology or its equivalent and three college hours in advanced health assessment or its equivalent for certification as an advanced registered nurse practitioner in a category other than nurse anesthesia and nurse midwifery;

(7) if completing an advanced registered nurse practitioner program after July 1, 2009, three college hours in advanced pathophysiology or its equivalent and three college hours in advanced health assessment or its equivalent; and

(8) clinical instruction in the area of specialization, which shall include the following:

(A) Performance of or ordering diagnostic procedures;

(B) evaluation of diagnostic and assessment findings; and

(C) the prescription of medications and other treatment modalities for client conditions.

(c) Minimum length of program.

(1) The program shall consist of nine months of study or one academic year of full-time study or its equivalent, as defined by the sponsoring academic institution.

(2) The clinical component shall consist of at least 260 hours of clinical learning. After January 1, 2003, the clinical component shall consist of at least 500 hours of clinical learning. After July 1, 2009, the clinical component shall consist of at least 500 hours of clinical learning in each clinical track, or the program shall provide documentation of the overlap if any clinical track consists of less than 500 clinical hours.

(d) The nurse administrator shall meet the following requirements:

(1) Develop and implement a written plan for program evaluation; and

(2) submit any major revision to the curriculum of advanced nursing courses for board approval at least 30 days before a meeting of the board. The following shall be considered major revisions to the curriculum:

(A) Any significant change in the plan of curriculum organization; and

(B) any change in content.

(e) The nurse administrator shall submit all revisions that are not major revisions, as defined in paragraph (d)(2), to the board or the board's designee for approval. (Authorized by and implementing K.S.A. 65-1133; effective March 31, 2000; amended April 20, 2007.)

60-17-107. Educational facilities. (a) Classrooms, laboratories, and conference rooms shall be available at the time needed and shall be adequate in size, number, and type, according to the number of students and the educational purposes for which the rooms are to be used.

(b) The advanced nursing education program shall provide all of the following:

(1) A physical facility that is safe and conducive to learning;

(2) space that is available and adequate in size, amount, and type to provide faculty with privacy in counseling students;

(3) secured space for nursing student records; and

(4) student support services for distance learning if distance learning is provided.

(c) Library holdings, instructional media, and materials shall be of sufficient recency, pertinence, level of content,

and quantity as indicated by the curriculum to meet the needs of nursing students and faculty and shall be available to distance learning students. (Authorized by and implementing K.S.A. 65-1133; effective March 31, 2000; amended April 20, 2007.)

60-17-108. Student policies. Each advanced nursing education program shall have clearly defined written policies for all of the following:

(a) Admission, including a requirement that each student in the program must have a current license to practice as a registered professional nurse in the United States or any of its territories;

(b) transfer students;

(c) readmission;

(d) counseling and guidance;

(e) progression criteria;

(f) student representation in faculty governance; and

(g) graduation. (Authorized by and implementing K.S.A. 65-1133; effective March 31, 2000; amended April 20, 2007.)

60-17-110. Discontinuing an advanced registered nurse practitioner program. Each school terminating its program shall submit, for board approval, the school's plan for its currently enrolled students and for disposition of its records. (Authorized by and implementing K.S.A. 65-1133; effective March 31, 2000; amended April 20, 2007.)

Mary Blubaugh, MSN, RN
Executive Administrator

Doc. No. 034277

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced March 22-28 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 2592, An act concerning taxation; relating to certain deductions; amending K.S.A. 2006 Supp. 79-32,117 and repealing the existing section; also repealing K.S.A. 2006 Supp. 79-32,117I, by Committee on Taxation.

HB 2593, An act concerning the infrastructure needs of postsecondary educational institutions and the financing thereof; concerning tuition; 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; amending K.S.A. 76-719, as amended by section 11 of chapter 132 of the 2006 Session Laws of Kansas, and 76-753 and K.S.A. 2006 Supp. 75-3717b, 75-4209 and 75-4237 and repealing the existing sections, by Committee on Appropriations.

HB 2594, An act concerning social and rehabilitation services; creating the joint committee on social and rehabilitation services oversight, by Committee on Appropriations.

HB 2595, An act concerning political contributions by persons involved in gaming, by Committee on Federal and State Affairs.

House Resolutions

HR 6016, A resolution in memory of Ruth Luzzati.

HR 6017, A resolution congratulating and commending the city of Spring Hill upon their Sesquicentennial Celebration.

HR 6018, A resolution requiring the attorney general to re-file criminal misdemeanor charges originally filed on December 21, 2006 in Sedgwick County District Court, in which probable cause was found to believe that Dr. George Tiller engaged in criminal activity; and to pursue such charges through their final resolution with the Kansas Supreme Court.

HR 6019, A resolution requiring the attorney general to bring action to determine certain issues of law concerning unborn children and to seek a permanent injunction to prohibit the expenditure of state funds for the purpose of terminating the lives of innocent human beings including the unborn whether in utero or ex utero.

HR 6020, A resolution opposing closure of United States Department of Agriculture Farm Service and Natural Resources Conservation Service offices in 11 counties.

Senate Bills

SB 386, An act relating to property taxation; providing for the cancellation of certain uncollected taxes, by Committee on Ways and Means.

SB 387, An act concerning the Kansas health policy authority; relating to development and implementation of premium assistance programs; amending K.S.A. 2006 Supp. 75-7408 and repealing the existing section, by Committee on Ways and Means.

SB 388, An act concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; affiliation of attorney general; membership of certain agents and investigators; contributions, by Committee on Ways and Means.

SB 389, An act concerning legislative appointments to certain offices, by Committee on Federal and State Affairs.

SB 390, An act concerning taxation; relating to the creation of the regents county education authority, taxing authority, powers and duties, by Committee on Ways and Means.

SB 391, An act creating the Kansas criminal code recodification commission; relating to the powers and duties thereof; making and concerning appropriations for the fiscal year ending June 30, 2008, by Committee on Ways and Means.

Senate Concurrent Resolutions

SCR 1612, A concurrent resolution approving the creation of a Joint Port Authority.

SCR 1613, A proposition to amend section 3c of article 15 of the constitution of the state of Kansas, relating to lotteries.

Senate Resolutions

SR 1848, A resolution congratulating and commending James Bailey for being named one of the top youth volunteers in Kansas for 2007 in the 12th annual Prudential Spirit of Community Awards.

SR 1849, A resolution congratulating and commending the Colby High School girls basketball team on winning the 4A state championship.

SR 1850, A resolution congratulating and commending the South Haven High School girls basketball team.

SR 1851, A resolution congratulating and commending the Mid-America Nazarene University womens basketball team for being co-champions of the Heart of America Athletic Conference for 2007.

SR 1852, A resolution congratulating and commending the Mid-America Nazarene University mens basketball team for becoming 2007 NAIA Division II national champions.

SR 1853, A resolution proclaiming August 8 and 9, 2007, as "Kansas Exoduster Colonies' Days."

SR 1854, A resolution congratulating and commending the city of Spring Hill upon their Sesquicentennial Celebration.

SR 1855, A resolution congratulating and commending the Highland Park High School boys basketball team and Coach Ken Darting for winning the 2007 boys Class 5A State Basketball Championship and for an undefeated 25-0 season.

SR 1857, A resolution recognizing the Freedom's Frontier National Heritage Area.

Doc. No. 034274

State of Kansas

Secretary of State

Certification of New State Laws

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

Ron Thornburgh
Secretary of State

(Published in the Kansas Register April 5, 2007.)

HOUSE BILL No. 2220

AN ACT concerning electric utilities; relating to recovery of certain transmission costs; amending K.S.A. 2006 Supp. 66-1237 and repealing the existing section.

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

Section 1. K.S.A. 2006 Supp. 66-1237 is hereby amended to read as follows: 66-1237. (a) Any electric utility subject to the regulation of the state corporation commission pursuant to K.S.A. 66-101, and amendments thereto, may seek to recover costs associated with transmission of electric power, in a manner consistent with the determination of ~~transmission-related~~ *transmission-related* costs from an order of a regulatory authority having legal jurisdiction, through a separate transmission delivery charge included in customers' bills. The electric utility's initial transmission delivery charge resulting from this section ~~shall~~ *may* be determined by the commission *either* from transmission-related costs approved in the electric utility's most recent retail rate filing *or in an order establishing rates in response to a general retail rate application by an electric utility.*

(b) If an electric utility elects to recover its transmission-related costs through a transmission delivery charge, *such electric utility shall have the right to implement a transmission delivery charge through an application to the commission.*

(1) *If an electric utility proposes to establish its initial transmission delivery charge other than in connection with an application to the commission that proposes a general retail rate change the commission shall, effective the same date as the effective date of the initial transmission delivery charge, reduce unbundle the electric utility's retail rates to such a level in such a manner that the sum of the revenue to be recovered from such retail rates and the initial transmission delivery charge is equal to and the non-transmission-related retail rates will be consistent with the revenue that would be recovered from the retail rates in effect immediately prior to the effective date of the initial transmission delivery charge.*

(2) *If an electric utility proposes to establish its initial transmission delivery charge in connection with an application to the commission for a general retail rate change, the commission shall, in its order in such rate proceeding, determine the electric utility's transmission-related costs related to its service to Kansas retail customers and determine an initial transmission delivery charge sufficient to permit the electric utility to recover from its Kansas retail customers such utility's transmission-related costs incurred to provide service to such customers.*

~~(b)~~ (c) All transmission-related costs incurred by an electric utility and resulting from ~~an~~ *any* order of a regulatory authority having legal jurisdiction over transmission matters, *including orders setting rates on a subject-to-refund basis*, shall be conclusively presumed prudent for purposes of the transmission delivery charge and an electric utility may change its transmission delivery charge whenever there is a change in transmission-related

costs resulting from such an order. *The commission may also order such a change if the utility fails to do so.* An electric utility shall submit a report to the commission at least 30 business days before changing the utility's transmission delivery charge. If the commission subsequently determines that all or part of such charge did not result from an order described by this subsection, the commission may require changes in the transmission delivery charge and impose appropriate remedies, *including refunds.* ~~The retail rates in effect at the time an electric utility changes its transmission delivery charge shall not be subject to review or change as a result of a change in the transmission delivery charge.~~

Sec. 2. K.S.A. 2006 Supp. 66-1237 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 5, 2007.)

HOUSE BILL No. 2274

AN ACT relating to credits against premium taxes for investments in qualified business facilities.

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

Section 1. (a) For tax years 2007, and thereafter, a foreign or domestic insurance company required to pay a tax on premiums under subsection (A), (C), (D) or (F) of K.S.A. 40-252, and amendments thereto, shall be allowed credits against such tax in amounts equal to the amount of such credits allowable under K.S.A. 74-50,132, 79-32,153 and 79-32,160a, and amendments thereto, when:

(1) Such credits are earned but not used by a related corporation not required to pay a tax on premiums under K.S.A. 40-252, and amendments thereto;

(2) the value of such credits is made available to the related corporation through a reduction in costs charged to the related corporation by such insurance company or the transfer of funds to the related corporation in an amount equal to the credit claimed by the insurance company; and

(3) when the entity earning the credits is engaged in a contract that is subject to the federal acquisition regulations for services related to the administration of the federal medicare program and has engaged in the investment in a qualified business facility as defined in K.S.A. 79-32,154, and amendments thereto, with respect to the acquisition or retention of a contract to administer the federal medicare program.

(b) In each tax year that the related corporation assigns to an insurance company its right to credits under this section, the related corporation must file and submit a signed waiver to the commissioner of insurance and the secretary of revenue on a form supplied by the secretary of revenue.

(c) "Related corporation" shall mean a corporation or partnership controlled by the insurance company. For the purposes of this act, "controlled by the insurance company" shall mean:

(1) In the case of a corporation, ownership, directly or indirectly, of stock possessing at least 80% of the total combined voting power of all classes of stock entitled to vote and at least 80% of all other classes of stock of the corporation; and

(2) in the case of a partnership ownership of at least 80% of the capital or profits interest in such partnership.

Sec. 2. The provisions of this act shall expire on July 1, 2012, provided that any credits earned under this act prior to such date but unused as of such date may continue to be used until exhausted.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 5, 2007.)

HOUSE BILL No. 2306

AN ACT concerning the Kansas electric transmission authority; relating to the duties and powers of the authority; amending K.S.A. 2006 Supp. 74-99d07 and repealing the existing section.

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

Section 1. K.S.A. 2006 Supp. 74-99d07 is hereby amended to read as follows: 74-99d07. (a) Except as otherwise provided by this act, the authority shall have all the powers necessary to carry out the purposes and provisions of this act, including, without limitation:

(1) Having the duties, privileges, immunities, rights, liabilities and disabilities of a body corporate and a political instrumentality of the state;

(2) having perpetual existence and succession;

(3) adopting, having and using a seal and altering the same at its pleasure;

(4) suing and being sued in its own name;

(5) adopting bylaws for the regulation of its affairs and the conduct of its business;

(6) adopting such rules and regulations as the authority deems necessary for the conduct of the business of the authority;

(7) employing consulting engineers, attorneys, accountants, construction and financial experts, superintendents, managers and such other employees and agents as the authority deems necessary and fixing the compensation thereof;

(8) making and executing all contracts and agreements necessary or incidental to the performance of the authority's duties and the execution of the authority's powers under this act;

~~(9) planning, financing, constructing, developing, acquiring, owning, disposing of, contracting for maintenance of and contracting with electric public utilities, electric cooperative utilities or electric municipal utilities for operation of transmission facilities of the authority and any real or personal property, structures, equipment or facilities necessary or useful for the accomplishment of the purposes for which the authority was created, including the obtaining of permits and the acquisition of rights of way;~~

~~(10)~~ (9) receiving and accepting from any federal agency grants, or any other form of assistance, for or in aid of the planning, financing, construction, development, acquisition or ownership of any property, structures, equipment, facilities and works of public improvement necessary or useful for the accomplishment of the purposes for which the authority was created and receiving and accepting aid or contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such grants and contributions may be made;

~~(11)~~ (10) borrowing funds to carry out the purposes of the authority and mortgaging and pledging any lease or leases granted, assigned or subleased by the authority;

~~(12)~~ (11) purchasing, leasing, trading, exchanging or otherwise acquiring, maintaining, holding, improving, mortgaging, selling, leasing and disposing of personal property, whether tangible or intangible, and any interest therein; and purchasing, leasing, trading, exchanging or otherwise acquiring real property or any interest therein, and maintaining, holding, improving, mortgaging, leasing and otherwise transferring such real property, so long as such transactions do not conflict with the mission of the authority as specified in this act;

~~(13)~~ (12) as provided by K.S.A. 2006 Supp. 74-99d09, and amendments thereto, incurring or assuming indebtedness and entering into contracts with the Kansas development finance authority, which is authorized to borrow money, issue bonds and provide financing for: (A) The construction, upgrading or repair of transmission facilities of the Kansas electric transmis-

sion authority or the acquisition of right-of-way for such facilities, or both, and any such bonds shall be payable from and be secured by the pledge of revenues derived from the operation of such electric transmission facilities; or (B) making loans to finance the construction, upgrading or repair of transmission facilities not owned by the Kansas electric transmission authority or the acquisition of right-of-way for such facilities, or both, upon such terms and conditions as required by the authority, including a requirement that any entity receiving a loan under this act shall maintain records and accounts relating to receipt and disbursements of loan proceeds, transportation costs and information on energy sales and deliveries and make the records available to the authority for inspection, and any such bonds shall be payable from and be secured by the pledge of revenues derived from the operation of such electric transmission facilities;

~~(14)~~ (13) depositing any moneys of the authority in any banking institution within or without the state or in any depository authorized to receive such deposits, one or more persons to act as custodians of the moneys of the authority, to give surety bonds in such amounts in form and for such purposes as the board requires;

~~(15)~~ (14) recovering its costs through tariffs of the southwest power pool regional transmission organization, or its successor, and, if all costs are not recovered through such tariffs, through assessments against all electric public utilities, electric municipal utilities and electric cooperative utilities receiving benefits of the construction or upgrade and having retail customers in this state. Each such utility's assessment shall be based on the benefits the utility receives from the construction or upgrade, as determined by the state corporation commission upon application by the authority. In determining allocation of benefits and costs to utilities, the commission may take into account funding and cost recovery mechanisms developed by regional transmission organizations and shall take into account financial payments by transmission users and approved by the federal energy regulatory commission or regional transmission organization. Each electric public utility shall recover any such assessed costs from the utility's customers in a manner approved by the commission and each electric municipal or cooperative utility shall recover such assessed costs from the utility's customers in a manner approved by the utility's governing body;

~~(16)~~ participating in partnerships or joint ventures with individuals, corporations, governmental bodies or agencies, partnerships, associations or other entities to facilitate any activities or programs consistent with the public purpose and intent of this act, including partnerships or joint ventures for the purpose of financing all or any portion of a project pursuant to subsection (a)(2) of K.S.A. 2006 Supp. 74-99d09, and amendments thereto;

~~(17)~~ (15) participating in and coordinating with the planning activities of the southwest power pool regional transmission organization, or its successor, and adjoining regional transmission organizations, or their successors; and

~~(18)~~ (16) participating in and coordinating with the planning activities of the southwest power pool regional reliability organization, or its successor, and adjoining regional reliability organizations, or their successors.

~~(b) (1) Except as otherwise provided in this act, the authority shall not exercise any of the rights or powers granted to it in this act, if private entities are performing the acts, are constructing or have constructed the facilities or are providing the services contemplated by the authority and such private entities are willing to finance and own new infrastructure to meet an identified need and market.~~

~~(2) Prior to exercising any rights or powers granted to it in this section, the authority shall publish once in the Kansas reg-~~

(continued)

ister, and once in a newspaper and trade magazine in the area where the facilities or services are contemplated, a notice describing the acts, facilities or services contemplated by the authority and stating that private entities willing and able to perform the acts, finance and own and construct the facilities or provide the services described in the notice shall have a period of 90 days after the date of publication of the notice within which to notify the authority of intention and ability to perform the acts, finance and construct the facilities or provide the services originally contemplated. If a private entity has given notice of intention to perform the acts, finance and construct the facilities or provide the services contemplated by the authority, the authority may proceed to perform the acts, construct the facilities or provide the services originally contemplated if the private entity fails to commence performance within 180 days after the date of notification of the authority of its intention. Actions deemed to constitute commencement of performance of the acts, construction of the facilities or provision of the services within the required time shall include, but not be limited to, holding of public meetings on siting of facilities, acquisition of land or commencement of proceedings for condemnation of land, application to acquire any federal, state, local or private permits, certificates or other authorizations or approvals necessary to perform the acts, construct the facilities or provide the services.

(3) ~~Notwithstanding commencement of performance of the acts, construction of the facilities or provision of the services by a private entity, if the authority is not satisfied with subsequent progress in performance of the acts, construction of the facilities or provision of the services, the authority may again give notice as provided in subsection (b)(2) with respect to completion of performance of the acts, construction of the facilities or provision of the services. In the absence of notification by a private entity willing and able to complete performance of the acts, construction of the facilities or provision of the services, the authority may proceed to complete performance. If a private entity has given notice of intention to complete performance, the authority may proceed to perform the acts, construct the facilities or provide the services if the private entity fails to complete performance within 180 days after the date of notice by the entity.~~

~~(c) The authority shall not operate or maintain transmission facilities.~~

~~(d) The authority shall exercise the rights and powers granted to it in this act only with respect to transmission facilities which the southwest power pool regional transmission organization, or its successor, has determined are compatible with plans adopted by such organization and which have been approved by such organization.~~

~~(e) (b) On or before the first day of the regular legislative session each year, the authority shall submit to the governor and to the legislature a written report of the authority's activities for the preceding fiscal year. Such report shall include the report of any audit conducted pursuant to K.S.A. 2006 Supp. 74-99d10, and amendments thereto, of the preceding fiscal year.~~

~~(f) (c) The authority shall continue until terminated by law. No such law terminating the authority shall take effect while the authority has bonds, debts or obligations outstanding unless adequate provision has been made for the payment or retirement of such bonds, debts or obligations. Upon dissolution of the authority, all property, funds and assets thereof shall be disposed of as provided by law.~~

New Sec. 2. (a) Subject to the provisions of this act, the authority shall have the power to:

(1) Plan, finance, construct, develop, acquire, own, dispose of, contract for maintenance of and contract with electric public

utilities, electric cooperative utilities or electric municipal utilities for operation of transmission facilities of the authority and any real or personal property, structures, equipment or facilities necessary or useful for the accomplishment of the purposes for which the authority was created, including the obtaining of permits and the acquisition of rights of way; and

(2) participate in partnerships or joint ventures with individuals, corporations, governmental bodies or agencies, partnerships, associations or other entities to facilitate any activities or programs consistent with the public purpose and intent of this act, including partnerships or joint ventures for the purpose of financing all or any portion of a project pursuant to subsection (a)(2) of K.S.A. 2006 Supp. 74-99d09, and amendments thereto.

(b) (1) Except as otherwise provided in this act, the authority shall not exercise any of the rights or powers granted to it in this section, if private entities are performing the acts, are constructing or have constructed the facilities or are providing the services contemplated by the authority and such private entities are willing to finance and own new infrastructure to meet an identified need and market.

(2) Prior to exercising any rights or powers granted to it in this section, the authority shall publish once in the Kansas register, and once in a newspaper and trade magazine in the area where the facilities or services are contemplated, a notice describing the acts, facilities or services contemplated by the authority and stating that private entities willing and able to perform the acts, finance and own and construct the facilities or provide the services described in the notice shall have a period of 90 days after the date of publication of the notice within which to notify the authority of intention and ability to perform the acts, finance and construct the facilities or provide the services originally contemplated. If a private entity has given notice of intention to perform the acts, finance and construct the facilities or provide the services contemplated by the authority, the authority may proceed to perform the acts, construct the facilities or provide the services originally contemplated if the private entity fails to commence performance within 180 days after the date of notification of the authority of its intention. Actions deemed to constitute commencement of performance of the acts, construction of the facilities or provision of the services within the required time shall include, but not be limited to, holding of public meetings on siting of facilities, acquisition of land or commencement of proceedings for condemnation of land, application to acquire any federal, state, local or private permits, certificates or other authorizations or approvals necessary to perform the acts, construct the facilities or provide the services.

(3) Notwithstanding commencement of performance of the acts, construction of the facilities or provision of the services by a private entity, if the authority is not satisfied with subsequent progress in performance of the acts, construction of the facilities or provision of the services, the authority may again give notice as provided in subsection (b)(2) with respect to completion of performance of the acts, construction of the facilities or provision of the services. In the absence of notification by a private entity willing and able to complete performance of the acts, construction of the facilities or provision of the services, the authority may proceed to complete performance. If a private entity has given notice of intention to complete performance, the authority may proceed to perform the acts, construct the facilities or provide the services if the private entity fails to complete performance within 180 days after the date of notice by the entity.

(c) The authority shall not operate or maintain transmission facilities.

(d) The authority shall exercise the rights and powers granted to it in this act only with respect to transmission facilities which the southwest power pool regional transmission organization, or its successor, has determined are compatible with plans adopted by such organization and which have been approved by such organization.

Sec. 3. K.S.A. 2006 Supp. 74-99d07 is hereby repealed.

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

(Published in the Kansas Register April 5, 2007.)

SENATE BILL No. 118

AN ACT concerning children and minors; relating to children in need of care; amending K.S.A. 2006 Supp. 38-2219 and 38-2249 and repealing the existing sections.

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

Section 1. K.S.A. 2006 Supp. 38-2249 is hereby amended to read as follows: 38-2249. (a) In all proceedings under this code, the rules of evidence of the code of civil procedure shall apply, except that no evidence relating to the condition of a child shall be excluded solely on the ground that the matter is or may be the subject of a physician-patient privilege, psychologist-client privilege or social worker-client privilege.

(b) The judge presiding at all hearings under this code shall not consider, read or rely upon any report not properly admitted according to the rules of evidence, except as provided by K.S.A. 2006 Supp. 38-2219, and amendments thereto.

(c) In any proceeding in which a child less than 13 years of age is alleged to have been physically, mentally or emotionally abused or neglected or sexually abused, a recording of an oral statement of the child, or of any witness less than 13 years of age, made before the proceeding began, is admissible in evidence if:

(1) The court determines that the time, content and circumstances of the statement provide sufficient indicia of reliability;

(2) no attorney for any party or interested party is present when the statement is made;

(3) the recording is both visual and aural and is recorded on film, videotape or by other electronic means;

(4) the recording equipment is capable of making an accurate recording, the operator of the equipment is competent and the recording is accurate and has not been altered;

(5) the statement is not made in response to questioning calculated to lead the child to make a particular statement or is clearly shown to be the child's statement and not made solely as a result of a leading or suggestive question;

(6) every voice on the recording is identified;

(7) the person conducting the interview of the child in the recording is present at the proceeding and is available to testify or be cross-examined by any party or interested party; and

(8) each party or interested party to the proceeding is afforded an opportunity to view the recording before it is offered into evidence.

(d) On motion of any party to a proceeding pursuant to the code in which a child less than 13 years of age is alleged to have been physically, mentally or emotionally abused or neglected or sexually abused, the court may order that the testimony of the child, or of any witness less than 13 years of age, be taken:

(1) In a room other than the courtroom and be televised by closed-circuit equipment in the courtroom to be viewed by the court and the parties and interested parties to the proceeding; or

(2) outside the courtroom and be recorded for showing in the courtroom before the court and the parties and interested parties to the proceeding if:

(A) The recording is both visual and aural and is recorded on film, videotape or by other electronic means;

(B) the recording equipment is capable of making an accurate recording, the operator of the equipment is competent and the recording is accurate and has not been altered;

(C) every voice on the recording is identified; and

(D) each party and interested party to the proceeding is afforded an opportunity to view the recording before it is shown in the courtroom.

(e) At the taking of testimony under subsection (d):

(1) Only an attorney for each party, interested party, the guardian *ad litem* for the child or other person whose presence would contribute to the welfare and well-being of the child and persons necessary to operate the recording or closed-circuit equipment may be present in the room with the child during the child's testimony;

(2) only the attorneys for the parties may question the child; and

(3) the persons operating the recording or closed-circuit equipment shall be confined to an adjacent room or behind a screen or mirror that permits such person to see and hear the child during the child's testimony, but does not permit the child to see or hear such person.

(f) If the testimony of a child is taken as provided by subsection (d), the child shall not be compelled to testify in court during the proceeding.

(g) (1) Any objection to a recording under subsection (d)(2) that such proceeding is inadmissible must be made by written motion filed with the court at least seven days before the commencement of the adjudicatory hearing. An objection under this subsection shall specify the portion of the recording which is objectionable and the reasons for the objection. Failure to file an objection within the time provided by this subsection shall constitute waiver of the right to object to the admissibility of the recording unless the court, in its discretion, determines otherwise.

(2) The provisions of this subsection shall not apply to any objection to admissibility for the reason that the recording has been materially altered.

Sec. 2. K.S.A. 2006 Supp. 38-2219 is hereby amended to read as follows: 38-2219. Evaluation of development or needs of child. (a) *Of the child.* (1) *Psychological or emotional.* During proceedings under this code, the court, on its own motion or the motion of the guardian *ad litem* for the child, a party or interested party, may order an evaluation and written report of the psychological or emotional development or needs of a child who is the subject of the proceedings. The court may refer the child to a state institution for the evaluation if the secretary advises the court that the facility is a suitable place to care for, treat or evaluate the child and that space is available. The expenses of transportation to and from the state facility may be paid as a part of the expenses of temporary care and custody. The child may be referred to a mental health center or qualified professional for evaluation and the expenses of the evaluation may be considered as expenses of the proceedings and assessed as provided in this code. If the court orders an evaluation as provided in this section, a parent of the child shall have the right to obtain an independent evaluation at the expense of the parent.

(2) *Medical.* During proceedings under this code, the court may order an examination and report of the medical condition and needs of a child who is the subject of the proceedings. The court may also order a report from any physician who has been attending the child stating the diagnosis, condition and treatment afforded the child.

(3) *Educational.* During proceedings under this code, the court may order the chief administrative officer of the school which the child attends or attended to provide to the court in-

(continued)

formation that is readily available which the school officials believe would properly indicate the educational needs of the child. The order may direct that the school conduct an educational needs assessment of the child and send a report of the assessment to the court. The educational needs assessment may include a meeting involving any of the following: The child's parents; the child's teachers; the school psychologist; a school special services representative; a representative of the secretary; the child's court-appointed special advocate; the child's foster parents, legal guardian and permanent custodian; a court services officer; and other persons that the chief administrative officer of the school or the officer's designee considers appropriate.

(b) *Physical, psychological or emotional status of parent or custodian.* During proceedings under this code, the court may order: (1) An examination, evaluation and report of the physical, mental or emotional status or needs of a parent, a person residing with a parent or any person being considered as one to whom the court may grant custody; and

(2) written reports from any qualified person concerning the parenting skills or ability to provide for the physical, mental or emotional needs and future development of a child by a parent or any person being considered as one to whom the court may grant custody.

~~(c) *Court consideration.* Written reports and other materials relating to the examinations and evaluations under subsections (a) and (b) may be considered by the court after an adjudication or entry of an order of informal supervision, if introduced as evidence. If requested by any party or interested party in attendance, the court shall require the person preparing the report or other material to appear and testify.~~

~~(d)~~ (c) *Confidentiality of reports.* (1) *Reports of court ordered examination or evaluation.* No confidential relationship of physician and patient, psychologist and client or social worker and client shall arise from an examination or evaluation ordered by the court.

(2) *Report from private physician, psychologist or therapist.* When any interested party or party to proceedings under this code wishes the court to have the benefit of information or opinion from a physician, psychologist, registered marriage and family therapist or social worker with whom there is a confidential relationship, the party or interested party may waive the confidential relationship but restrict the information to be furnished or testimony to be given to those matters material to the issues before the court. If requested, the court may make an *in camera* examination of the proposed witness or the file of the proposed witness and excise any matters that are not material to the issues before the court.

(d) *Reports prepared by a court-appointed special advocate or by the secretary.* All reports prepared by a court-appointed special advocate or by the secretary shall be filed with the court and shall be made available as provided in subsection (e).

(e) *Availability of reports.* (1) All reports provided for in this section shall be filed with the court and shall be made available to counsel for any party or interested party prior to any scheduled hearing on any matter addressed by the report. If any party or interested party is not represented by counsel, the report shall be made available to that party.

(2) All reports provided for in this section may be read by the court at any stage of a proceeding under this code, but no fact or conclusion derived from a report shall be used as the basis for an order of the court unless the information has been admitted into evidence following an opportunity for any party or interested party to examine, under oath, the person who prepared the report. If the court is in possession of a report that has not been offered into evidence, the court shall inquire whether there is an objection to admitting the report into evidence. If there is no objection, the court may admit the report into evidence.

Sec. 3. K.S.A. 2006 Supp. 38-2219 and 38-2249 are hereby repealed.

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

(Published in the Kansas Register April 5, 2007.)

HOUSE BILL No. 2373

AN ACT concerning certificates of title; relating to liens on vehicles; amending K.S.A. 2006 Supp. 8-135 and repealing the existing section; also repealing K.S.A. 2006 Supp. 8-135e.

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

Section 1. K.S.A. 2006 Supp. 8-135 is hereby amended to read as follows: 8-135. (a) Upon the transfer of ownership of any vehicle registered under this act, the registration of the vehicle and the right to use any license plate thereon shall expire and thereafter there shall be no transfer of any registration, and the license plate shall be removed by the owner thereof. Except as provided in K.S.A. 8-172, and amendments thereto, and 8-1,147, and amendments thereto, it shall be unlawful for any person, other than the person to whom the license plate was originally issued, to have possession thereof. When the ownership of a registered vehicle is transferred, the original owner of the license plate may register another vehicle under the same number, upon application and payment of a fee of \$1.50, if such other vehicle does not require a higher license fee. If a higher license fee is required, then the transfer may be made upon the payment of the transfer fee of \$1.50 and the difference between the fee originally paid and that due for the new vehicle.

(b) Subject to the provisions of subsection (a) of K.S.A. 8-198, and amendments thereto, upon the transfer or sale of any vehicle by any person or dealer, or upon any transfer in accordance with K.S.A. 59-3511, and amendments thereto, the new owner thereof, within 30 days, inclusive of weekends and holidays, from date of such transfer shall make application to the division for registration or reregistration of the vehicle, but no person shall operate the vehicle on any highway in this state during the thirty-day period without having applied for and obtained temporary registration from the county treasurer or from a dealer. After the expiration of the thirty-day period, it shall be unlawful for the owner or any other person to operate such vehicle upon the highways of this state unless the vehicle has been registered as provided in this act. For failure to make application for registration as provided in this section, a penalty of \$2 shall be added to other fees. When a person has a current motorcycle or passenger vehicle registration and license plate, including any registration decal affixed thereto, for a vehicle and has sold or otherwise disposed of the vehicle and has acquired another motorcycle or passenger vehicle and intends to transfer the registration and the license plate to the motorcycle or passenger vehicle acquired, but has not yet had the registration transferred in the office of the county treasurer, such person may operate the motorcycle or passenger vehicle acquired for a period of not to exceed 30 days by displaying the license plate on the rear of the vehicle acquired. If the acquired vehicle is a new vehicle such person also must carry the assigned certificate of title or manufacturer's statement of origin when operating the acquired vehicle, except that a dealer may operate such vehicle by displaying such dealer's dealer license plate.

(c) Certificate of title: No vehicle required to be registered shall be registered or any license plate or registration decal issued therefor, unless the applicant for registration shall present satisfactory evidence of ownership and apply for an original certificate of title for such vehicle. The following paragraphs of this subsection shall apply to the issuance of a certificate of title

for a nonhighway vehicle, salvage vehicle or rebuilt salvage vehicle, as defined in K.S.A. 8-197, and amendments thereto, except to the extent such paragraphs are made inapplicable by or are inconsistent with K.S.A. 8-198, and amendments thereto, and to any electronic certificate of title, except to the extent such paragraphs are made inapplicable by or are inconsistent with K.S.A. 2006 Supp. 8-135d, and amendments thereto, or with rules and regulations adopted pursuant to K.S.A. 2006 Supp. 8-135d, and amendments thereto.

The provisions of paragraphs (1) through (14) shall apply to any certificate of title issued prior to January 1, 2003, which indicates that there is a lien or encumbrance on such vehicle.

(1) An application for certificate of title shall be made by the owner or the owner's agent upon a form furnished by the division and shall state all liens or encumbrances thereon, and such other information as the division may require. Notwithstanding any other provision of this section, no certificate of title shall be issued for a vehicle having any unreleased lien or encumbrance thereon, unless the transfer of such vehicle has been consented to in writing by the holder of the lien or encumbrance. Such consent shall be in a form approved by the division. In the case of members of the armed forces of the United States while the United States is engaged at war with any foreign nation and for a period of six months next following the cessation of hostilities, such application may be signed by the owner's spouse, parents, brother or sister. The county treasurer shall use reasonable diligence in ascertaining whether the facts stated in such application are true, and if satisfied that the applicant is the lawful owner of such vehicle, or otherwise entitled to have the same registered in such applicant's name, shall so notify the division, who shall issue an appropriate certificate of title. The certificate of title shall be in a form approved by the division, and shall contain a statement of any liens or encumbrances which the application shows, and such other information as the division determines.

(2) The certificate of title shall contain upon the reverse side a form for assignment of title to be executed by the owner. This assignment shall contain a statement of all liens or encumbrances on the vehicle at the time of assignment. The certificate of title shall also contain on the reverse side blank spaces so that an abstract of mileage as to each owner will be available. The seller at the time of each sale shall insert and certify the mileage and the purchase price on the form filed for application or reassignment of title, and the division shall insert such mileage on the certificate of title when issued to purchaser or assignee. The signature of the purchaser or assignee is required on the form filed for application or reassignment of title, acknowledging the odometer and purchase price certification made by the seller, except that vehicles which are 10 model years or older and trucks with a gross vehicle weight of more than 16,000 pounds shall be exempt from the mileage acknowledgment requirement of the purchaser or assignee. Such title shall indicate whether the vehicle for which it is issued has been titled previously as a nonhighway vehicle or salvage vehicle. In addition, the reverse side shall contain two forms for reassignment by a dealer, stating the liens or encumbrances thereon. The first form of reassignment shall be used only when a dealer sells the vehicle to another dealer. The second form of reassignment shall be used by a dealer when selling the vehicle to another dealer or the ultimate owner of the vehicle. The reassignment by a dealer shall be used only where the dealer resells the vehicle, and during the time that the vehicle remains in the dealer's possession for resale, the certificate of title shall be dormant. When the ownership of any vehicle passes by operation of law, or repossession upon default of a lease, security agreement, or executory sales contract, the person owning such vehicle, upon furnishing satisfactory proof to the county treasurer of such ownership, may procure a certificate of title to the vehicle. When a vehicle is

registered in another state and is repossessed in another state, the owner of such vehicle shall not be entitled to obtain a valid Kansas title or registration, except that when a vehicle is registered in another state, but is financed originally by a financial institution chartered in the state of Kansas or when a financial institution chartered in Kansas purchases a pool of motor vehicle loans from the resolution trust corporation or a federal regulatory agency, and the vehicle is repossessed in another state, such Kansas financial institution shall be entitled to obtain a valid Kansas title or registration. In addition to any other fee required for the issuance of a certificate of title, any applicant obtaining a certificate of title for a repossessed vehicle shall pay a fee of \$3.

(3) Dealers shall execute, upon delivery to the purchaser of every new vehicle, a manufacturer's statement of origin stating the liens and encumbrances thereon. Such statement of origin shall be delivered to the purchaser at the time of delivery of the vehicle or at a time agreed upon by the parties, not to exceed 30 days, inclusive of weekends and holidays. The agreement of the parties shall be executed on a form approved by the division. In the event delivery of title cannot be made personally, the seller may deliver the manufacturer's statement of origin by restricted mail to the address of purchaser shown on the purchase agreement. The manufacturer's statement of origin may include an attachment containing assignment of such statement of origin on forms approved by the division. Upon the presentation to the division of a manufacturer's statement of origin, by a manufacturer or dealer for a new vehicle, sold in this state, a certificate of title shall be issued if there is also an application for registration, except that no application for registration shall be required for a travel trailer used for living quarters and not operated on the highways.

(4) The fee for each original certificate of title shall be \$10 in addition to the fee for registration of such vehicle, trailer or semitrailer. The certificate of title shall be good for the life of the vehicle, trailer or semitrailer while owned or held by the original holder of the certificate of title.

(5) Except for a vehicle registered by a federally recognized Indian tribe, as provided in paragraph (16), upon sale and delivery to the purchaser of every vehicle subject to a purchase money security interest as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, and amendments thereto, the dealer or secured party may complete a notice of security interest and when so completed, the purchaser shall execute the notice, in a form prescribed by the division, describing the vehicle and showing the name and address of the secured party and of the debtor and other information the division requires. *On and after July 1, 2007, only one lien shall be taken or accepted for vehicles with a gross vehicle weight rating of 26,000 pounds or less. As used in this section "gross vehicle weight rating" shall have the meaning ascribed thereto in K.S.A. 66-1,108, and amendments thereto.* The dealer or secured party, within 30 days of the sale and delivery, may mail or deliver the notice of security interest, together with a fee of \$2.50, to the division. The notice of security interest shall be retained by the division until it receives an application for a certificate of title to the vehicle and a certificate of title is issued. The certificate of title shall indicate any security interest in the vehicle. Upon issuance of the certificate of title, the division shall mail or deliver confirmation of the receipt of the notice of security interest, the date the certificate of title is issued and the security interest indicated, to the secured party at the address shown on the notice of security interest. The proper completion and timely mailing or delivery of a notice of security interest by a dealer or secured party shall perfect a security interest in the vehicle described on the date of such mailing or delivery. The county treasurers shall mail a copy of the title application to the Kansas lienholder. Each county treasurer shall charge the Kan-

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sas lienholder a \$1.50 service fee for processing and mailing a copy of the title application to the Kansas lienholder.

(6) It shall be unlawful for any person to operate in this state a vehicle required to be registered under this act, or to transfer the title to any such vehicle to any person or dealer, unless a certificate of title has been issued as herein provided. In the event of a sale or transfer of ownership of a vehicle for which a certificate of title has been issued, which certificate of title is in the possession of the transferor at the time of delivery of the vehicle, the holder of such certificate of title shall endorse on the same an assignment thereof, with warranty of title in a form prescribed by the division and printed thereon and the transferor shall deliver the same to the buyer at the time of delivery to the buyer of the vehicle or at a time agreed upon by the parties, not to exceed 30 days, inclusive of weekends and holidays, after the time of delivery. The agreement of the parties shall be executed on a form provided by the division. The requirements of this paragraph concerning delivery of an assigned title are satisfied if the transferor mails to the transferee by restricted mail the assigned certificate of title within the 30 days, and if the transferor is a dealer, as defined by K.S.A. 8-2401, and amendments thereto, such transferor shall be deemed to have possession of the certificate of title if the transferor has made application therefor to the division. The buyer shall then present such assigned certificate of title to the division at the time of making application for registration of such vehicle. A new certificate of title shall be issued to the buyer, upon payment of the fee of \$10. If such vehicle is sold to a resident of another state or country, the dealer or person making the sale shall notify the division of the sale and the division shall make notation thereof in the records of the division. When a person acquires a security ~~agreement~~ *interest that such person seeks to perfect* on a vehicle subsequent to the issuance of the original title on such vehicle, such person shall require the holder of the certificate of title to surrender the same and sign an application for a mortgage title in form prescribed by the division. Upon such surrender such person shall immediately deliver the certificate of title, application, and a fee of \$10 to the division. *On and after July 1, 2007, only one lien may be taken or accepted for security for an obligation to be secured by a lien to be shown on a certificate of title for vehicles with a gross vehicle weight rating, as defined in K.S.A. 66-1,108, and amendments thereto, of 26,000 pounds or less. A refinancing shall not be subject to the limitations of this act. A refinancing is deemed to occur when the original obligation is satisfied and replaced by a new obligation. Lien obligations created before July 1, 2007, which are of a continuing nature shall not be subject to the limitations of this act until the obligation is satisfied. A lien in violation of this provision is void.* Upon receipt thereof, the division shall issue a new certificate of title showing the liens or encumbrances so created, but ~~not more than two liens or encumbrances~~ *only one lien or encumbrance may be shown upon a title for vehicles with a gross vehicle rating of 26,000 pounds or less, and not more than two liens or encumbrances may be shown upon a title for vehicles in excess of 26,000 pounds gross vehicle weight rating.* When a prior lienholder's name is removed from the title, there must be satisfactory evidence presented to the division that the lien or encumbrance has been paid. When the indebtedness to a lienholder, whose name is shown upon a title, is paid in full, such lienholder ~~within 10 days after written demand by restricted mail, shall furnish to the holder of the title a release of lien or execute such a release in the space provided on the title. For failure to comply with such a demand the lienholder shall be liable to the holder of the title for \$100 and also shall be liable for any loss caused to the holder by such failure. When the indebtedness to a lienholder, whose name is shown upon a title, is collected in full, such lienholder, within 30 days, shall furnish notice to the holder of title that such indebtedness has been paid in full and that such title may be presented to the~~

~~lienholder at any time for release of lien shall comply with the provisions of K.S.A. 2006 Supp. 8-1,157, and amendments thereto.~~

(7) It shall be unlawful for any person to buy or sell in this state any vehicle required to be registered, unless, at the time of delivery thereof or at a time agreed upon by the parties, not to exceed 30 days, inclusive of weekends and holidays, after the time of delivery, there shall pass between the parties a certificate of title with an assignment thereof. The sale of a vehicle required to be registered under the laws of this state, without assignment of the certificate of title, is fraudulent and void, unless the parties shall agree that the certificate of title with assignment thereof shall pass between them at a time other than the time of delivery, but within 30 days thereof. The requirements of this paragraph concerning delivery of an assigned title shall be satisfied if (A) the seller mails to the purchaser by restricted mail the assigned certificate of title within 30 days, or (B) if the transferor is a dealer, as defined by K.S.A. 8-2401, and amendments thereto, such seller shall be deemed to have possession of the certificate of title if such seller has made application therefor to the division, or (C) if the transferor is a dealer and has assigned a title pursuant to paragraph (9) of this subsection (c).

(8) In cases of sales under the order of a court of a vehicle required to be registered under this act, the officer conducting such sale shall issue to the purchaser a certificate naming the purchaser and reciting the facts of the sale, which certificate shall be prima facie evidence of the ownership of such purchaser for the purpose of obtaining a certificate of title to such motor vehicle and for registering the same. Any such purchaser shall be allowed 30 days, inclusive of weekends and holidays, from the date of sale to make application to the division for a certificate of title and for the registering of such motor vehicle.

(9) Any dealer who has acquired a vehicle, the title for which was issued under the laws of and in a state other than the state of Kansas, shall not be required to obtain a Kansas certificate of title therefor during the time such vehicle remains in such dealer's possession and at such dealer's place of business for the purpose of sale. The purchaser or transferee shall present the assigned title to the division of vehicles when making application for a certificate of title as provided in subsection (c)(1).

(10) Motor vehicles may be held and titled in transfer-on-death form.

(11) Notwithstanding the provisions of this act with respect to time requirements for delivery of a certificate of title, or manufacturer's statement of origin, as applicable, any person who chooses to reaffirm the sale in writing on a form approved by the division which advises them of their rights pursuant to paragraph (7) of subsection (c) and who has received and accepted assignment of the certificate of title or manufacturer's statement of origin for the vehicle in issue may not thereafter void or set aside the transaction with respect to the vehicle for the reason that a certificate of title or manufacturer's statement of origin was not timely delivered, and in such instances the sale of a vehicle shall not be deemed to be fraudulent and void for that reason alone.

(12) The owner of any vehicle assigning a certificate of title in accordance with the provisions of this section may file with the division a form indicating that such owner has assigned such certificate of title. Such forms shall be furnished by the division and shall contain such information as the division may require. Any owner filing a form as provided in this paragraph shall pay a fee of \$10. The filing of such form shall be prima facie evidence that such certificate of title was assigned and shall create a rebuttable presumption. If the assignee of a certificate of title fails to make application for registration, an owner assigning such title and filing the form in accordance with the provisions of this paragraph shall not be held liable for damages resulting from the operation of such vehicle.

(13) Application for a certificate of title on a boat trailer with a gross weight over 2,000 pounds shall be made by the owner or the owner's agent upon a form to be furnished by the division and shall contain such information as the division shall determine necessary. The division may waive any information requested on the form if it is not available. The application together with a bill of sale for the boat trailer shall be accepted as prima facie evidence that the applicant is the owner of the boat trailer, provided that a Kansas title for such trailer has not previously been issued. If the application and bill of sale are used to obtain a certificate of title for a boat trailer under this paragraph, the certificate of title shall not be issued until an inspection in accordance with subsection (a) of K.S.A. 8-116a, and amendments thereto, has been completed.

(14) In addition to the two forms for reassignment under paragraph (2) of subsection (c), a dealer may attach one additional reassignment form to a certificate of title. The director of vehicles shall prescribe and furnish such reassignment forms. The reassignment form shall be used by a dealer when selling the vehicle to another dealer or the ultimate owner of the vehicle only when the two reassignment forms under paragraph (2) of

subsection (c) have already been used. The fee for a reassignment form shall be \$6.50. A dealer may purchase reassignment forms in multiples of five upon making proper application and the payment of required fees.

(15) A first stage manufacturer, as defined in K.S.A. 8-2401, and amendments thereto, who manufactures a motor vehicle in this state, and who sells such motor vehicles to dealers located in a foreign country, may execute a manufacturers statement of origin to the division of vehicles for the purpose of obtaining an export certificate of title. The motor vehicle issued an export certificate of title shall not be required to be registered in this state. An export certificate of title shall not be used to register such vehicle in the United States.

(16) A security interest in a vehicle registered by a federally recognized Indian tribe shall be deemed valid under Kansas law if validly perfected under the applicable tribal law and the lien is noted on the face of the tribal certificate of title.

Sec. 2. K.S.A. 2006 Supp. 8-135 and 8-135e are hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 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		
3-4-7	New (T)	V. 25, p. 984, 985
3-4-1		
3-4-7	New	V. 25, p. 1446, 1447

AGENCY 4: DEPARTMENT OF AGRICULTURE

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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
4-11-2	Amended	V. 26, p. 100

4-11-3	Amended	V. 26, p. 100
4-11-5	New	V. 26, p. 101
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
4-19-1	Amended	V. 26, p. 173

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

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AGENCY 7: SECRETARY OF STATE

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7-17-22	Amended	V. 26, p. 325
7-44-1		
through		
7-44-7	New (T)	V. 26, p. 15

AGENCY 9: ANIMAL HEALTH DEPARTMENT

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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
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
28-16-56c	Amended	V. 26, p. 283
28-16-56d	Amended	V. 26, p. 284
28-18-1	Amended	V. 26, p. 284
28-18-2	Amended	V. 26, p. 288
28-18-4	Amended	V. 26, p. 289
28-18-8	Amended	V. 26, p. 289
28-18-9	Amended	V. 26, p. 290
28-18-11	Amended	V. 26, p. 290
28-18-12	Amended	V. 26, p. 290
28-18-13	Amended	V. 26, p. 291
28-18-14	Amended	V. 26, p. 292
28-18-16	New	V. 26, p. 292
28-18-17	New	V. 26, p. 293
28-18a-1	Amended	V. 26, p. 294
28-18a-2	Amended	V. 26, p. 298
28-18a-4	Amended	V. 26, p. 299
28-18a-8	Amended	V. 26, p. 299
28-18a-9	Amended	V. 26, p. 300
28-18a-11	Amended	V. 26, p. 300
28-18a-12	Amended	V. 26, p. 300
28-18a-19	Amended	V. 26, p. 301
28-18a-21	Amended	V. 26, p. 302

(continued)

28-18a-22	Amended	V. 26, p. 302
28-18a-26	Amended	V. 26, p. 303
28-18a-32	Revoked	V. 26, p. 303
28-18a-33	New	V. 26, p. 303
28-19-350	Amended	V. 25, p. 845
28-35-178b	Amended	V. 25, p. 256
28-46-2	Revoked	V. 26, p. 214
28-46-2a	New	V. 26, p. 215
28-46-25	Amended	V. 26, p. 215
28-46-26	Revoked	V. 26, p. 215
28-46-26a	New	V. 26, p. 215
28-46-34a	New	V. 26, p. 215
28-46-38	Amended	V. 26, p. 216
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
40-2-20	Amended	V. 26, p. 101
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
40-7-20a	Amended	V. 26, p. 103
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 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-1	Amended	V. 26, p. 126
63-5-1	Amended	V. 26, p. 126

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 67: BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS

Reg. No.	Action	Register
67-3-5	New (T)	V. 26, p. 902

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. 26, p. 126
74-4-7	Amended	V. 25, p. 610
74-4-8	Amended	V. 25, p. 610
74-5-2	Amended	V. 26, p. 127
74-5-101	Amended	V. 26, p. 127
74-5-102	Amended	V. 25, p. 612
73-5-105	Revoked	V. 26, p. 127
74-5-202	Amended	V. 26, p. 127
74-5-203	Amended	V. 25, p. 613
74-5-403	Amended	V. 26, p. 128
74-5-408	New	V. 26, p. 128
74-11-6	Amended	V. 26, p. 128
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
88-29-1 through 88-29-19	New	V. 26, p. 216-229

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
92-19-16a	Amended	V. 26, p. 408
92-19-16b	New	V. 26, p. 409
92-19-22a	Amended	V. 25, p. 254
92-19-55a	Revoked	V. 26, p. 409
92-19-81	Amended	V. 26, p. 409
92-21-7	Revoked	V. 26, p. 409
92-21-8	Revoked	V. 26, p. 409
92-21-10	Revoked	V. 26, p. 409
92-21-14	Amended	V. 26, p. 409

92-21-16	Revoked	V. 26, p. 409
92-21-17	Revoked	V. 26, p. 409
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
100-15-5	Amended	V. 26, p. 384
100-15-6	Amended	V. 26, p. 385
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
111-2-191 through 111-2-196	New	V. 26, p. 129, 130
111-2-194	Amended	V. 26, p. 173
111-2-197	New	V. 26, p. 173
111-2-198	New	V. 26, p. 174
111-2-199 through 111-2-204	New	V. 26, p. 202, 203
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

(continued)

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	
111-4-2483			
through			
111-4-2496	New	V. 26, p. 130-138	
111-4-2495	Amended	V. 26, p. 203	
111-4-2497			
through			
111-4-2503	New	V. 26, p. 174-179	
111-4-2504			
through			
111-4-2520	New	V. 26, p. 204-212	
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	
111-6-27	New	V. 26, p. 259	
111-7-81	Amended	V. 25, p. 319	
111-7-193	New	V. 25, p. 1026	
111-7-194	New	V. 25, p. 1027	
111-7-195			
through			
111-7-207	New	V. 25, p. 1420-1423	
111-7-208			
through			
111-7-217	New	V. 26, p. 138-141	
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
111-9-136	New	V. 26, p. 141
111-9-137	New	V. 26, p. 180
111-9-138	New	V. 26, p. 212
111-9-139	New	V. 26, p. 212
111-9-140	New	V. 26, p. 213
111-11-1	Amended	V. 25, p. 223
111-12-4	New	V. 26, p. 214
111-14-2	New	V. 26, p. 214

**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. 26, p. 410
115-4-4a	Amended	V. 26, p. 411
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
115-18-10	Amended	V. 26, p. 101
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. 26, p. 281
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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