



# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 26, No. 31 August 2, 2007 Pages 1235-1274

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State of Kansas

**Social and Rehabilitation Services**

**Public Notice**

In compliance with K.S.A. 59-200b(a), the following per patient day costs for fiscal year 2008 will be the basic maximum daily rate of charge, effective July 1, 2007, for the following institutions:

Parsons State Hospital and Training Center \$355.00  
 Kansas Neurological Institution \$459.00

Don Jordan  
 Secretary of Social and  
 Rehabilitation Services

Doc. No. 034710

State of Kansas

**Social and Rehabilitation Services**

**Public Notice**

In compliance with K.S.A. 59-200b, the following state institutions are hereby authorized to compute an individual patient charge on the basis of rates for services based on costs incurred by such state institutions determined by application of generally acceptable hospital accounting principles: Osawatomie State Hospital; Larned State Hospital, including the State Security Hospital; and Rainbow Mental Health Facility.

Don Jordan  
 Secretary of Social and  
 Rehabilitation Services

Doc. No. 034711

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 to solicit applications for Food Stamp Outreach Pilot Grants. The primary focus of the pilots is to connect potentially eligible consumers with monthly Food Stamp benefits. Eligible applicants are nonprofit helping agencies with innovative ideas to assist consumers with completing Food Stamp applications in counties with a Food Stamp participation rate of 70 percent or less. The department is seeking outreach plans with both rural and urban settings and activities that target and engage families, elderly or Hispanic populations.

Nonprofit agencies interested in receiving and downloading the request for proposals application and information can access [www.srskansas.org](http://www.srskansas.org). Applications for the Food Stamp Outreach Pilot Grants can only be submitted electronically to Susan Craig at [susan.craig@srs.ks.gov](mailto:susan.craig@srs.ks.gov). Complete proposal applications must be received not later than 5 p.m. Monday, September 10. For more information, contact Susan Craig at (785) 296-3374.

Don Jordan  
 Secretary of Social and  
 Rehabilitation Services

Doc. No. 034704

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](http://www.kssos.org). The following appointments were recently filed with the Secretary of State:

**Kansas Criminal Code Recodification Commission**

(Created pursuant to 2007 Session Laws of Kansas, Chapter 197)

**Edward G. Collister, Jr.**, 3311 Clinton Parkway Court, Lawrence, 66047. Term expires July 1, 2010.

**Kansas Guardianship Program**

**Sen. Donald Betts, Jr.**, 1505 N. Matlock, Wichita, 67208. Term expires June 30, 2011. Reappointed.

**Sen. Janice K. Lee**, 2032 90 Road, Kensington, 66951. Term expires June 30, 2011. Reappointed.

**James S. Maag**, 1924 S.W. Indian Hills Lane, Topeka, 66611. Term expires June 30, 2011. Reappointed.

**Board of Examiners in the Fitting and Dispensing of Hearing Instruments**

**Terry D. Brewster**, 2602 Pattie St., Wichita, 67216. Term expires June 30, 2011. Reappointed.

**Bradley L. Gamber**, 309 W. Colby, Valley Center, 67147. Term expires June 30, 2011. Reappointed.

**State Highway Advisory Commission**

**David A. Inskeep**, 1003 Bannock Burn Road, Hutchinson, 67502. Term expires January 31, 2009. Succeeds Victor Moser, resigned.

**Supreme Court Nominating Commission**

**Dale E. Cushinberry**, 2424 S.E. California, Topeka. Term expires June 30, 2011.

**State Board of Veterinary Examiners**

**Dr. Richard A. Barta**, 3759 S. 4150 St., Independence, 67301. Term expires June 30, 2011. Reappointed.

**Dr. Verne E. Otte**, 2009 W. 104th St., Shawnee Mission, 66206. Term expires June 30, 2011. Reappointed.

**Kansas Wildlife and Parks Commission**

**Kelly W. Johnston, Chair**, 4710 E. 26th St. North, Wichita, 67220. Term expires June 30, 2011. Reappointed.

**Doug Sebelius**, 105 S. Norton Ave., Norton, 67654. Term expires June 30, 2011. Reappointed.

**Shari L. Wilson**, 51 S. 64th St., Kansas City, KS 66111. Term expires June 30, 2011. Reappointed.

Ron Thornburgh  
 Secretary of State

Doc. No. 034722

State of Kansas

Secretary of State

Code Mortgage Rate for August

Pursuant to the provisions of K.S.A. 2006 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of August 1, 2007 through August 31, 2007, is 12 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 034700

State of Kansas

Secretary of State

Usury Rate for August

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 permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of August 1, 2007 through August 31, 2007, is 8.06 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 034699

State of Kansas

Department of Administration  
Division of Facilities Management

Notice of Commencement of  
Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for engineering services for utility tunnel improvements at the University of Kansas, Lawrence. The scope of work includes the structural repair and/or replacement of designated segments of some utility tunnels and general improvement of utilities in the tunnels. The tunnel is approximately 6' x 7' in cross section and sometimes buried 12'-15'. A completed study of the tunnel system is available to help identify the segments in need of repair. The estimated construction cost is \$7,250,000.

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 August 17.

Marilyn Jacobson, Director  
Division of Facilities Management

Doc. No. 034698

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

Effective 7-30-07 through 8-5-07

Term	Rate
1-89 days	5.27%
3 months	4.83%
6 months	4.90%
1 year	4.73%
18 months	4.62%
2 years	4.55%

Derl S. Treff  
Director of Investments

Doc. No. 034696

State of Kansas

Kansas Judicial Council

Notice of Meetings

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

Date	Committee	Time	Location
Aug. 10	Commission on Judicial Performance	9:30 a.m.	Judicial Center, Room 259
Aug. 14	Criminal Law	9:30 a.m.	Judicial Center, Room 259
Aug. 17	Pattern Instructions—Civil & Criminal	9:30 a.m.	Judicial Center, Room 259
Aug. 22	Recodification Commission	9:30 a.m.	State Capitol, Room 519-S
Aug. 24	Juvenile Offender/Child in Need of Care	9:30 a.m.	Judicial Center, Room 259
Aug. 24	Criminal Law	9:30 a.m.	Judicial Center, Room 275
Aug. 31	Municipal Court Manual	9:30 a.m.	Judicial Center, Room 269
Sept. 7	Family Law	9:30 a.m.	Judicial Center, TBA
Sept. 14	Commission on Judicial Performance	9:30 a.m.	Judicial Center, TBA
Sept. 14	End of Life Decisions	9:30 a.m.	Judicial Center, Room 269
Sept. 21	Probate Law	9:30 a.m.	Judicial Center, TBA
Sept. 21	Pattern Instructions—Civil & Criminal	9:30 a.m.	Judicial Center, Room 269
Sept. 21	Administrative Procedure	9:00 a.m.	Judicial Center, TBA
Sept. 26	Recodification Commission	9:30 a.m.	State Capitol, TBA
Sept. 28	Municipal Court Manual	9:30 a.m.	Judicial Center, TBA

Hon. Robert E. Davis  
Chairman

Doc. No. 034702

State of Kansas

**Department of Revenue  
Division of Taxation**

**Request for Bids for Oil and Gas Lease**

The Director of Taxation will receive bids for the leasing of oil and gas rights in and to the portion of the Arkansas Riverbed, the property of the state of Kansas, described as follows:

That portion of the Arkansas Riverbed as it meanders through Section 31, Township 26 South, Range 24 West; Sections 2, 3, 4, 5, and 6, Township 27 South, Range 24 West; and Sections 21, 22, 23, and 24, Township 27 South, Range 23 West; Ford County, Kansas, containing 354.31 acres more or less.

The bidding shall be considered upon the amount of bonus, annual rental and royalty to be paid. No bid will be accepted for less than \$10.00 per acre annual rental.

Bids shall be submitted upon forms obtained from the Director of Taxation, Kansas Department of Revenue, Docking State Office Building, 915 S.W. Harrison, Topeka, 66625.

Lease shall be made on forms provided by the state for a term of five years. The successful bidder pays publication costs in the local newspaper and the Kansas Register.

Bids shall be opened at the office of the Director of Taxation at 2 p.m. August 30.

The Director of Taxation reserves the right to reject any and all bids and to readvertise.

Steven A. Stotts  
Director of Taxation

Doc. No. 034706

State of Kansas

**Legislature**

**Interim Committee Schedule**

The following committee meetings have been scheduled during the period of August 13-17. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://kslegislature.org/klrd>.

Date	Room	Time	Committee	Agenda
Aug. 13	123-S	TBA	Legislative Coordinating Council	Legislative matters.
Aug. 13	313-S	10:00 a.m.	Kansas Autism Task Force	Introduction and summary of legislation (SB 138).
Aug. 13 Aug. 14	519-S 519-S	10:00 a.m. 9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda not available.
Aug. 13 Aug. 14	313-S 313-S	10:00 a.m. 9:00 a.m.	Legislative Educational Planning Committee	Review mandatory kindergarten; lowering mandatory school attendance age; funding all-day kindergarten; Sound Start of Kansas program; and possible procedures and guidelines for identifying and instructing students with dyslexia.
Aug. 14 Aug. 15	514-S 514-S	10:00 a.m. 9:00 a.m.	Legislative Budget Committee	<b>14th:</b> Presumptive disability; budget process reform. <b>15th:</b> State elected officials' compensation; number of public employees.
Aug. 16 Aug. 17	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Agenda not available.
Aug. 16 Aug. 17	526-S 526-S	10:00 a.m. 9:00 a.m.	Joint Committee on Information Technology	Review of Information Technology Quarterly Report and summary of agency projects.
Aug. 16 Aug. 17	123-S 123-S	10:00 a.m. 9:00 a.m.	Special Committee on Judiciary	<b>16th:</b> Topic 7 — removal of a child; and Topic 8 — aggravated incest. <b>17th:</b> Topic 9 — establishment of District Attorney offices.

Jeffrey M. Russell  
Director of Legislative  
Administrative Services

Doc. No. 034717

## State of Kansas

Office of Judicial Administration  
Supreme Court Docket

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

Tuesday, September 4, 2007

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<b>92,544</b> State of Kansas, Appellee, v. Akira T. Brown, Appellant.	Paul J. Morrison, Atty. Gen. Lesley A. Isherwood, Asst. District Atty. Carl Maughan	Sedgwick
<b>94,415</b> State of Kansas, Appellee, v. Marc Vincent Sappington, Appellant.	Paul J. Morrison, Atty. Gen. Jerome A. Gorman, District Atty. Sarah Ellen Johnson, Capital Appellate Defender	Wyandotte
<b>94,416</b> State of Kansas, Appellee, v. Marc Vincent Sappington, Appellant.	Paul J. Morrison, Atty. Gen. Jerome A. Gorman, District Atty. Sarah Ellen Johnson, Capital Appellate Defender	Wyandotte
<b>91,466</b> State of Kansas, Appellee, v. Darrell L. Farmer, Appellant.	Paul J. Morrison, Atty. Gen. Larry A. Markle, County Atty. Randall L. Hodgkinson, Kansas Appellate Defender	Montgomery

1:30 p.m.

<b>96,481</b> State of Kansas, ex rel. Paul Morrison, Atty. Gen., Petitioner, v. David Martin Price, et al., Respondents.	Michael J. Allen David Martin Price, Pro Se	Original
<b>96,414</b> William Slusher, et al., Appellants, v. City of Leavenworth, et al., Appellees.	Lawrence G. Rebman Teresa L. Watson	Leavenworth
<b>83,801</b> State of Kansas, Appellee, v. Gavin D. Scott, Appellant.	Paul J. Morrison, Atty. Gen. Jared S. Maag, Asst. Atty. Gen. Rebecca E. Woodman, Capital Appellate Defender	Sedgwick

Wednesday, September 5, 2007

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<b>94,698</b> Kelly A. Finley, Appellant, v. Estate of Charles De Grazio, et al., Appellees.	John L. Brennan Kenneth E. Pierce Matthew P. Sorochty Amy S. Lemley	Harvey Petition for Review
<b>94,002</b> State of Kansas, Appellee, v. Donnie Ray Ventris, Appellant.	Paul J. Morrison, Atty. Gen. Larry A. Markle, County Atty. Matthew J. Edge, Kansas Appellate Defender	Montgomery Petition for Review
<b>94,033</b> Thomas J. G. Martin, Appellee, v. Kansas Dept. of Revenue, Appellant.	Michael A. Millett John D. Schultz	Johnson Petition for Review
<b>95,482</b> Leo F. Schuyler, Appellant, v. Raymond N. Roberts, Jr., Appellee.	Charles J. Cavenee Julie L. St. Peter	Butler Petition for Review

**94,317**  
State of Kansas, Appellee,  
v.  
Mardoqueo Gutierrez, Appellant.

**94,365**  
Alex L. Bellamy, Appellant,  
v.  
State of Kansas, Appellee.

**94,831**  
State of Kansas, Appellee,  
v.  
Previn J. Araujo, Appellant.

**94,429**  
Keith E. Barr, Appellant,  
v.  
State of Kansas, Appellee.

**1:30 p.m.**

Paul J. Morrison, Atty. Gen.  
Marcus Goodman, County Atty.  
Korey A. Kaul, Kansas Appellate Defender

Korey A. Kaul,  
Kansas Appellate Defender  
Paul J. Morrison, Atty. Gen.  
Jeffrey E. Evans, Asst. District Atty.

Paul J. Morrison, Atty. Gen.  
Lesley A. Isherwood, Asst. District Atty.  
Shawn E. Minihan, Kansas Appellate Defender

Randall L. Hodgkinson,  
Kansas Appellate Defender  
Paul J. Morrison, Atty. Gen.  
David Lowden, Asst. District Atty.

Lyon  
Petition for Review

Sedgwick  
Petition for Review

Sedgwick  
Petition for Review

Sedgwick  
Petition for Review

**Thursday, September 6, 2007**

**9:00 a.m.**

Case No. / Case Name

**97,088**  
In the Matter of the Estate of Esther R. Broderick.

**94,619**  
State of Kansas, Appellee,  
v.  
Thomas E. Murray, Appellant.

**95,760**  
State of Kansas, Appellee,  
v.  
Billy L. Scott, Appellant.

**95,106**  
Garnet C. Tolen, Jr., Appellant,  
v.  
State of Kansas, Appellee.

Attorneys

David P. Calvert  
Dan K. Wiley

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

Paul J. Morrison, Atty. Gen.  
Keith E. Schroeder, District Atty.  
Jennifer E. Conkling, Kansas Appellate Defender

Michael S. Holland  
Paul J. Morrison, Atty. Gen.  
Ellen H. Mitchell, County Atty.

Jurisdiction

Leavenworth

Douglas

Reno

Saline

**1:30 p.m.**

**96,550**  
In the Matter of the Appeal of Weisgerber, James P.,  
from an Order of the Div. of Taxation on  
Assessment of Income Tax.

**96,606**  
Badr Idbeis, M.D., et al., Appellants,  
v.  
Wichita Surgical Specialists, P.A., Appellee.

**97,131**  
Kansas Heart Hospital, L.L.C., et al., Appellees,  
v.  
Badr Idbeis, M.D., et al., Appellants.

Mark A. Burghart  
Michael D. Burrichter

Gary M. Austerman  
Gary L. Ayers

Ken M. Peterson  
Gary M. Austerman  
Lynn D. Preheim

Tax Appeal

Sedgwick

Sedgwick

**Friday, September 7, 2007**

**9:00 a.m.**

Case No. / Case Name

**96,610**  
Joseph Leo Guillory, Appellant,  
v.  
State of Kansas, Appellee.

Attorneys

Korey A. Kaul, Kansas Appellate Defender  
Paul J. Morrison, Atty. Gen.  
Jason E. Brinegar, County Atty.

Jurisdiction

Washington  
Petition for Review

(continued)

<p><b>97,139</b>                  Tod A. Pabst, Appellant,                  v.                  State of Kansas, Appellee.</p>	<p>Richard Ney                  Paul J. Morrison, Atty. Gen.                  Jared S. Maag, Asst. Atty. Gen.</p>	<p>Thomas</p>
<p><b>96,970</b>                  Gabriel Robbins, Appellant,                  v.                  City of Wichita, et al., Appellees.</p>	<p>Craig Shultz                  Michael L. North, Asst. City Atty.</p>	<p>Sedgwick</p>
<p><b>98,843</b>                  In the matter of Jan P. Helder, Jr., Respondent.</p>	<p>Janith A. Davis, Deputy Discip. Admin.                  Jan P. Helder, Jr., Pro Se</p>	<p>Original</p>
<p><b>98,842</b>                  In the Matter of Dorsey Evans, Respondent.</p>	<p>Janith A. Davis, Deputy Discip. Admin.                  Dorsey Evans, Pro Se</p>	<p>Original</p>
<p><b>98,056</b>                  In the Matter of Frederick M. Petzold, Respondent.</p>	<p>Janith A. Davis, Deputy Discip. Admin.                  Frederick M. Petzold, Pro Se</p>	<p>Original</p>
<b>1:30 p.m.</b>		
<p><b>98,608</b>                  In the Matter of Kiehl Rathbun, Respondent.</p>	<p>Frank D. Diehl, Deputy Discip. Admin.                  Kiehl Rathbun, Pro Se                  John J. Ambrosio</p>	<p>Original</p>
<p><b>98,536</b>                  In the Matter of David R. Alig, Respondent.</p>	<p>Stanton A. Hazlett, Discip. Admin.                  David R. Alig, Pro Se                  John J. Ambrosio</p>	<p>Original</p>
<p><b>98,538</b>                  In the Matter of Dennis D. Webb, Respondent.</p>	<p>Alexander M. Walczak, Deputy Discip. Admin.                  Dennis D. Webb, Pro Se</p>	<p>Original</p>
<p><b>98,537</b>                  In the Matter of Peter Joseph Antosh, Respondent.</p>	<p>Alexander M. Walczak, Deputy Discip. Admin.                  Peter Joseph Antosh, Pro Se                  John J. Ambrosio</p>	<p>Original</p>

**Summary Calendar — No Oral Argument  
 Pursuant to Supreme Court Rule 7.01(c)**

90,907/90,908/90,909 State v. Herbert L. Ruff                      96,531 State v. Raymond Gill

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

<b>96,864</b> State v. Christopher Kalvig	<b>97,377</b> State v. James Auten	<b>97,634</b> State v. Jomar Ivory
<b>97,024</b> State v. Michael Leland David	<b>97,379</b> State v. Salvatore Fonte	<b>97,656</b> State v. Bratton Bennett
<b>97,054</b> State v. Kevin L. Burton	<b>97,385</b> State v. Roy V. Nease	<b>97,658/</b> State v. Frank E. Hornof
<b>97,071</b> State v. Nathan J. Stovall	<b>97,386</b> State v. Levar O. Simon	<b>97,659</b>
<b>97,105</b> State v. Kathleen Y. Cochran	<b>97,388</b> State v. David E. Towles	<b>97,699</b> State v. Alejandro Salzar
<b>97,115</b> State v. Antonio C. Faggitt	<b>97,413</b> State v. Jason A. Rudy	<b>97,706</b> State v. Ronald D. Ford
<b>97,120</b> State v. Dennis L. Pritchard	<b>97,425</b> State v. Maurice Brown	<b>97,789</b> State v. Hector Mansanarez Chavez
<b>97,173</b> State v. John L. Hallum, Jr.	<b>97,481</b> State v. David E. Warren	<b>97,801</b> State v. Max L. Potts
<b>97,190</b> State v. Mario Taylor	<b>97,505</b> State v. Ramon Aguilera	<b>97,810/</b> State v. Michael Brandenburg
<b>97,205</b> State v. Antonio S. McGairty	<b>97,506</b> State v. David Prentiss Dodson	<b>97,811</b>
<b>97,211/</b> State v. Timothy Ryan Smith	<b>97,538</b> State v. Luis Arana-Rapalo	<b>97,814</b> State v. Jeffrey Earls
<b>97,212</b>	<b>97,542</b> State v. Vincent E. Moore	<b>97,844</b> State v. Andrew Pauda
<b>97,241</b> State v. Anthony Shafer	<b>97,550</b> State v. Nayadne J. Anderson	<b>97,862</b> State v. T.J. Page
<b>97,305</b> State v. Lafion J. Berryman	<b>97,570</b> State v. Tyson E. Cundiff	<b>97,874</b> State v. Carlos D. Love
<b>97,337</b> State v. Lawrence Franklin III	<b>97,606</b> State v. Roland R. Johnson	<b>97,895</b> State v. Ira L. Traweek
<b>97,339</b> State v. Michael Doran Martin	<b>97,612</b> State v. Kieferro J. Hughes	<b>98,046</b> State v. Phillip Charles Wescott

Carol G. Green  
 Clerk of the Appellate Courts



## State of Kansas

## Governmental Ethics Commission

## Opinion No. 2007-09

Written July 18, 2007, to Michael R. Santos, Deputy City Attorney, Overland Park.

This opinion is in response to your letter of July 2, 2007, requesting an opinion from the Kansas Governmental Ethics Commission concerning local government conflict of interest laws, K.S.A. 75-4301 *et seq.* We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 75-4301 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

**Factual Statement:**

You request this opinion in your capacity as Deputy City Attorney for Overland Park, Kansas, on behalf of Overland Park City Council member, John Skubal. You state that Council member Skubal is also an employee of Kaw Valley Engineering, a company that is currently under contract with the City of Overland Park (City) to provide certain engineering services. Council member Skubal received from Kaw Valley Engineering taxable income in excess of \$2,000 during the preceding calendar year, and he has filed a Statement of Substantial Interests with the Overland Park City Clerk and the Johnson County Election Office listing his interest in Kaw Valley Engineering. You also indicate that the City Council approves City expenditures twice each month based on presentation and consideration of an expenditure ordinance. Your questions involve Council member Skubal's involvement in discussions and actions by the City Council relating to Kaw Valley Engineering.

**Questions:**

1. Pursuant to the local conflict of interest laws, does Council member Skubal have a substantial interest in Kaw Valley Engineering based on his receipt during the preceding calendar year of over \$2,000 in taxable income from Kaw Valley Engineering?

2. May Council member Skubal participate in discussions and vote on contracts between the City and his employer, Kaw Valley Engineering?

3. May Council member Skubal participate in discussions and vote on City expenditure ordinances that include payments to Kaw Valley Engineering?

4. May Council member Skubal participate in City Council discussions relating to the development of a competitive bid request for proposals if Kaw Valley Engineering is expected to submit a proposal in response to the request?

5. May Council member Skubal participate in Council discussions relating to the review of proposals or bids submitted in response to the City's competitive bid request for proposals if Kaw Valley Engineering has submitted a proposal in response to the request?

6. May Council member Skubal vote on the actual award of a contract subsequent to Council discussions regarding a competitive bid request if Kaw Valley Engineering has submitted a proposal in response to the re-

quest, and the award of the contract is made subsequent to the proposals being culled by a selection committee that does not include Council member Skubal, and the company selected is based on discussions with the company to obtain the best deal for the City?

**Opinion:**

In response to your first question, K.S.A. 75-4301a, which applies to local governmental officers and employees, defines "substantial interest" in pertinent part as follows:

(2) If an individual or an individual's spouse, either individually or collectively, has received during the preceding calendar year compensation which is or will be required to be included as taxable income on federal income tax returns of the individual and spouse in an aggregate amount of \$2,000 from any business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.

Council member Skubal has a substantial interest in his employer, Kaw Valley Engineering, because he received over \$2,000 in taxable income from that business in the preceding calendar year.

Regarding your remaining questions, there are two statutes that limit a local governmental officer's actions involving contracts and other matters. K.S.A. 75-4304 addresses the participation of a local governmental officer in the making of certain *contracts* as follows:

(a) No local governmental officer or employee shall, in the capacity of such an officer or employee, make or participate in the making of a contract with any person or business by which the officer or employee is employed or in whose business the officer or employee has a substantial interest. . . .

(c) A local governmental officer or employee does not make or participate in the making of a contract if the officer or employee abstains from any action in regard to the contract.

(d) This section shall not apply to the following:

(1) Contracts let after competitive bidding has been advertised for by published notice; and

(2) contracts for property or services for which the price or rate is fixed by law.

K.S.A. 75-4305 addresses the participation of a local governmental officer in acting on any matter as follows:

(a) Any local governmental officer or employee who has not filed a disclosure of substantial interests shall, before acting upon any matter which will affect any business in which the officer or employee has a substantial interest, file a written report of the nature of the interest with the county election officer of the county in which is located all or the largest geographical part of the officer's or employee's governmental subdivision.

(b) A local governmental officer or employee does not pass or act upon any matter if the officer or employee abstains from any action in regard to the matter.

It should be noted that the restrictions of K.S.A. 75-4304 are limited only to matters that involve the making of a *contract*, while K.S.A. 75-4305 addresses all matters that come before a local governmental officer.

In response to your second question, this Commission has always held that participating in contracts includes discussions and conversations with other council mem-

(continued)

bers regarding options before the Council, as well as the actual vote on the contract. See Opinions 1974-68 and 2003-25. Therefore, K.S.A. 75-4304 prohibits Council member Skubal from participating in discussions and voting on behalf of the City on contracts between the City and Kaw Valley Engineering unless the contract under consideration is let after competitive bidding without any negotiations, or the contract is for services for which the price or rate is fixed by law.

Your third question involves voting on City expenditure ordinances that include payments to Kaw Valley Engineering. We addressed similar questions in Opinions 1999-51, 2003-24 and 2007-08, and concluded that appropriation ordinances and resolutions are legislative in nature and do not involve the making of a contract. Therefore, because Council member Skubal has disclosed his substantial interest in Kaw Valley Engineering as required by K.S.A. 75-4305, he may participate in discussions and vote on expenditure ordinances that include payments to Kaw Valley Engineering.

Your fourth question inquires whether Council member Skubal may participate in the development of a competitive bid request for proposals when Kaw Valley Engineering is expected to submit a proposal in response to the request. We addressed a similar question in Opinion 2004-10 and opined that a city council member with a substantial interest in a potential bidder may participate in discussions regarding the preparation of the request for proposals and the decision to issue the request for proposals regardless of who may submit a proposal in the future. Therefore, Council member Skubal may participate in the development of a competitive bid request for proposals to which Kaw Valley Engineering is expected to respond.

The response to your fifth question regarding whether Council member Skubal may participate in reviewing proposals submitted in response to the City's competitive bid request for proposals when one of the proposals is submitted by Kaw Valley Engineering, depends on whether the contract will be let based solely on the proposals or whether the contract will be negotiated. In deciding whether a procurement contract is a contract "let after competitive bidding has been advertised for by published notice," we have previously opined as follows:

The Commission now determines that an individual whose involvement is limited to the competitive bid portion of a procurement contract will not be subject to the prohibitions contained in K.S.A. 75-4304. Conversely, an individual who is substantially involved in the preparation of the negotiated portion of a procurement contract will be subject to the prohibitions contained in K.S.A. 75-4304. Opinion 2004-10.

The Commission concluded in Opinion 2004-10 that a city council member was prohibited from participating in the negotiated portion of a contract if a business in which the council member had a substantial interest had submitted a proposal. Thus, Council member Skubal may participate in Council discussions relating to the review of proposals, including a proposal made by Kaw Valley Engineering, as long as the contract is awarded based only on the proposals, or as long as he is not involved in discussing any negotiated portions of the contract.

Your final question is whether Council member Skubal may vote on a contract awarded after competitively bid proposals, including one by Kaw Valley Engineering, are culled by a selection committee that does not include Council member Skubal, and the company selected is based on discussions with the company to obtain the best deal for the City. Under these facts, the resulting contract would be a negotiated contract because it is based on discussions with the bidder. Therefore, Council member Skubal may not vote on the negotiated contract if it is awarded to Kaw Valley Engineering; however, he would not be prohibited from voting on a negotiated contract between the City and another bidder in whom he has no substantial interest.

Sabrina K. Standifer  
Chairwoman

Doc. No. 034697

## State of Kansas

### Department of Health and Environment

#### Public Notice

The Kansas Department of Health and Environment hereby gives public notice that a polychlorinated biphenyl (PCB) facility construction permit has been issued to Solomon Corporation, Solomon. The permit has been issued under authority of K.S.A. 65-3480 to 65-3490 and K.A.R. 28-55-1 to 28-55-5. The permit was issued July 23, 2007, and will become effective August 23, 2007.

Facilities in Kansas that intend to treat, store or dispose of PCBs at concentrations greater than 50 parts per million are required to obtain a PCB facility construction permit from KDHE. Solomon operates a transformer reclamation facility at 302 W. 7th St., Solomon. Solomon currently processes transformers that contain dielectric fluids that contain PCBs at concentrations below 50 parts per million. This permit will allow Solomon to construct a PCB storage facility immediately adjacent to the existing transformer facility.

A copy of the administrative record, which includes the permit, permit application and all information pertaining to this permit action, will be available for public review during normal business hours at the following locations:

Kansas Department of Health and Environment  
1000 S.W. Jackson, Suite 320  
Topeka, 66612-1366  
Contact: Mostafa Kamal  
(785) 296-1609  
City of Solomon, Kansas  
City Hall  
116 W. Main St.  
Solomon, 67480  
Hours: Monday-Friday 9 a.m. to 4:30p.m.

Appeals of this KDHE decision to issue this permit must be postmarked not later than August 16 to Mostafa Kamal (KDHE) at the address above.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 034708

State of Kansas

**Department of Health and Environment**

**Request for Bids**

Pursuant to the Kansas Childhood Lead Poisoning Prevention Program, sealed bids for lead hazard reduction at the following locations will be received by the Kansas Department of Health and Environment until 9 a.m. on the date indicated. For more information, call (785) 296-1519:

**August 3, 2007  
264-08-08**

**Project Lead Safe KCK**

- Property #1 2816 N. Bethany St.  
Kansas City, KS 66104
- Property #2 2847 Parkwood Blvd.  
Kansas City, KS 66104
- Property #3 2028 N. 32nd St.  
Kansas City, KS 66104
- Property #4 1141 Armstrong Ave.  
Kansas City, KS 66102
- Property #5 3120 Delavan Ave.  
Kansas City, KS 66104
- Property #6 4402 Roswell Ave.  
Kansas City, KS 66104
- Property #7 2221 Lathrop Ave.  
Kansas City, KS 66104

Contractors will be required to attend a walkthrough of each property in order to be eligible to respond to the invitation for bid. For times and actual locations, call (913) 262-0796 or go to the following Web site: [http://www.unleadedks.com/contractor\\_info.html](http://www.unleadedks.com/contractor_info.html).

The above-referenced bid documents can be downloaded at the Web site listed above.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 034703

State of Kansas

**Department of Transportation**

**Notice to Contractors**

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 1 p.m. August 15 and then publicly opened.

**District One — Northeast**

- Brown**—20-7 KA-0206-01 — K-20, South Fork Wolf River, 0.1 mile, culvert construction. (State Funds)
- Doniphan**—7-22 KA-0614-01 — K-7, Glacial Hills scenic byway kiosks. (Federal Funds)
- District**—106 KA-0614-02 — Wetlands & Wildlife/Gypsum Hills scenic byway kiosks. (Federal Funds)

**District**—106 KA-0614-03 — Smokey Valley/Post Rock scenic byway kiosks. (Federal Funds)

**Johnson**—46 N-0396-01 — Mission Road, 0.1 mile south of U.S. 56 over Rock Creek at Fairway, 0.2 mile, grading, bridge & surfacing. (Federal Funds)

**Johnson**—435-46 KA-1021-01 — I-435 over I-35 northwest to the Kansas River, 8.8 miles, pavement marking. (Federal Funds)

**Johnson**—7-46 KA-1022-01 — K-7/127th intersection north to K-10, 2.7 miles, pavement marking. (Federal Funds)

**Shawnee**—89 K-8423-01 — Kansas Avenue extension from 37th Street to Topeka Boulevard in Topeka, 0.5 mile, grading & surfacing. (Federal Funds)

**Shawnee**—75-89 KA-0851-01 — Junction of I-70/U.S. 75 north to the south end of the Westgate bridge, repair work. (State Funds)

**Wyandotte**—105 C-4017-01 — Everett Avenue over Brenner Creek in Kansas City, 0.3 mile, grading, bridge & surfacing. (Federal Funds)

**Wyandotte**—670-105 KA-1136-01 — I-670 from I-70 to the Kansas-Missouri state line, 1.5 miles, pavement marking. (Federal Funds)

**Wyandotte**—70-105 KA-1137-01 — I-70 from the intercity viaduct west 2 miles, pavement marking. (Federal Funds)

**Wyandotte**—69-105 KA-1138-01 — U.S. 69 from I-70 south to I-35, 3.5 miles, pavement marking. (Federal Funds)

**District Two — Northcentral**

**Dickinson**—15-21 KA-0873-01 — K-15, 3.5 miles south of I-70, bridge repair. (State Funds)

**Geary**—31 U-2110-01 — Sixth and Jackson in Junction City, intersection improvement. (Federal Funds)

**Geary**—31 U-2111-01 — Sixth and Webster in Junction City, intersection improvement. (Federal Funds)

**District Three — Northwest**

**Jewell**—45 K-1804-06 — Lovewell State Park, 1.2 miles, state park road improvement. (State Funds)

**Jewell**—14-45 KA-0527-01 — K-14, Lovewell Reservoir, 7 miles south of the Kansas/Nebraska state line, bridge repair. (State Funds)

**Republic**—81-79 KA-1143-01 — Ramp off of U.S. 81 to westbound U.S. 36 & north side of U.S. 81 & U.S. 36, concrete pavement. (State Funds)

**Saline**—70-85 KA-0871-01 — I-70, 1.5 miles east of K-143, 0.1 mile, bridge repair. (State Funds)

**District Four — Southeast**

**Crawford**—126-19 K-9795-01 — Intersection of K-126 and Rouse Avenue in Pittsburg, 0.1 mile, intersection improvement. (State Funds)

**Crawford**—126-19 U-2106-01 — K-126 & Walnut in Pittsburg, intersection improvement. (Federal Funds)

**District**—106 K-2495-06 — Various locations at Cross Timbers & Fall River State Parks, 11.5 miles, state park road improvements. (State Funds)

**Miami**—61 K-5890-04 — Hillsdale State Park, 2.7 miles, state park road improvements. (State Funds)

*(continued)*

District Five — Southcentral

Butler—400-8 KA-0969-01 — U.S. 400 from Augusta to the U.S. 54 exit overpass, 6.7 miles, pavement marking. (Federal Funds)

Cowley—77-18 KA-1139-01 — U.S. 166/U.S. 77B north to U.S.77/U.S. 77B at Arkansas City, 4.7 miles, pavement marking. (Federal Funds)

Cowley—77-18 KA-1140-01 — U.S. 77 north from the Winfield city limits to the Cowley-Butler county line, 15.6 miles, pavement marking. (Federal Funds)

Cowley—360-18 KA-1141-01 — The junction of U.S.77/ K-360 north on K-360 to the junction of U.S. 160/K-360, 3.5 miles, pavement marking. (Federal Funds)

Kingman—54-48 K-7340-03 — U.S. 54 from the junction of K-17 west 6.4 miles, seeding and sodding. (Federal Funds)

Sedgwick—235-87 KA-0898-01 — Fifteen I-235 bridges in Sedgwick County, 8 miles, bridge repair. (State Funds)

Kiowa—400-49 KA-0899-01 — Two U.S. 400 bridges east of the Kiowa-Ford county line, bridge repair. (State Funds)

Sedgwick—235-87 KA-1001-01 — I-235 bridge over the Arkansas River, 0.2 mile, bridge repair. (State Funds)

Sedgwick—15-87 KA-1103-01 — K-15 from the Sedgwick/Sumner county line north to Derby, 5.5 miles, pavement marking. (Federal Funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or 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. 034681

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-07-221/226

Pending Permits for Confined Feeding Facilities

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: MLC Farms, Inc. (Ottawa), NW/4 of Section 05, T10S, R05W, Ottawa County, Solomon River Basin.

Kansas Permit No. A-SOOT-S011

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

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Linn Buying Station, Lynch Livestock Inc., 1661 8th Road, Linn, KS 66953, SE/4 of Section 22, T04S, R03E, Washington County, Big Blue River Basin.

Kansas Permit No. A-BBWS-S049

This is a renewal permit for an existing swine buying station with a capacity for 500 head (200 animal units) of swine more than 55 pounds.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Amon Farms - Whiting Hog Farm, Larry Amon, 202 Superior, Netawaka, KS 66516, SE/4 of Section 29, T05S, R16E, Jackson County, Kansas River Basin.

Kansas Permit No. A-KSJA-S018

This permit is being reissued for an existing facility for 920 head (368 animal units) of swine over 55 pounds and 60 head (60 animal units) of beef over 700 pounds, for a total of 428 animal units. This permit contains a modification that includes an increase of 60 animal units for beef cattle that were not counted in the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Cloverdale Farm Henry E. Ericson 1090 Eagle Road Fort Scott, KS 66701	NE/4 of Section 05, T27S, R23E, Bourbon County	Marais des Cygnes River Basin

Kansas Permit No. A-MCBB-S009

This is a renewal permit with a decrease in animal units for an existing facility for 520 head (208 animal units) of swine weighing greater than 55 pounds and 500 head (50 animal units) of swine weighing 55 pounds or less, for a total of 258 animal units of swine. The decrease in animal units is due to the open lots no longer being utilized for confined feeding and no longer included in the permit.

Name and Address of Applicant	Legal Description	Receiving Water
James C. Forshee Farm 964 Gold Road Glasco, KS 67445	NE/4 of Section 34, T07S, R04W, Cloud County	Solomon River Basin

Kansas Permit No. A-SOCD-S004

This is a renewal permit for an existing facility with a maximum capacity of 405 head (162 animal units) of swine more than 55 pounds and 720 head (72 animal units) of swine 55 pounds or less, for a total of 234 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Cal-Maine Foods of Kansas L.L.C. aka CMF of Kansas 625 Ave. K Chase, KS 67524	S/2 of Section 24 & NE/4 of Section 25 & SE/4 of Section 26, T19S, R10W, Rice County	Lower Arkansas River Basin

Kansas Permit No. A-ARRC-P001 Federal Permit No. KS0090972

This is an application to modify and reissue the permit for the facility. The permittee is withdrawing its previously approved and permitted plans for expansion and is revising the layout of the previously approved plans. There will be no change in the total number of chickens (3,980,000).

**Public Notice No. KS-07-091/108**

Name and Address of Applicant	Receiving Stream	Type of Discharge
Almena, City of P.O. Box 277 Almena, KS 67622	Prairie Dog Creek	Treated Domestic Wastewater

Kansas Permit No. M-UR01-OO02 Federal Permit No. KS0096768

Legal Description: N $\frac{1}{2}$ , NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , S9, T2S, R21W, Norton County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids as well as monitoring for ammonia, fecal coliform/E. Coli and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Attica, City of P.O. Box 421 Attica, KS 67009	Sandy Creek via Camp Creek	Treated Domestic Wastewater

Kansas Permit No. M-AR08-OO01 Federal Permit No. KS0116785

Legal Description: SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , NW $\frac{1}{4}$ , S30, T32S, R8W, Harper County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and fecal coliform/E. coli, as well as monitoring for ammonia and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Caldwell, City of 14 W. Central Caldwell, KS 67022	Fall Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-AR17-OO02 Federal Permit No. KS0097811

Legal Description: SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , S1, T35S, R3W, Sumner County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and fecal coliform/E.coli, as well as monitoring for ammonia and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Cheney, City of P.O. Box I Cheney, KS 67025	North Fork of Ninnescah River	Treated Domestic Wastewater

Kansas Permit No. M-AR20-OO02 Federal Permit No. KS0094226

Legal Description: S $\frac{1}{2}$ , NE $\frac{1}{4}$ , S9, T28S, R4W, Sedgwick County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids as well as monitoring for ammonia, fecal coliform/E. Coli and pH. Contained in the permit are provisions for the permittee to sample groundwater monitoring wells annually. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Cunningham, City of P.O. Box 188 Cunningham, KS 67035	South Fork Ninnescah River	Treated Domestic Wastewater

Kansas Permit No. M-AR27-OO01 Federal Permit No. KS0049743

Legal Description: SW $\frac{1}{4}$ , NW $\frac{1}{4}$ , SW $\frac{1}{4}$ , S33, T27S, R10W, Kingman County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids as well as monitoring for ammonia, fecal coliform/E. Coli, chlorides and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Derby, City of 611 Mulberry Derby, KS 67037	Arkansas River	Treated Domestic Wastewater

Kansas Permit No. M-AR29-OO02 Federal Permit No. KS0050377

Legal Description: NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , S13, T29S, R1E, Sedgwick County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. This facility is a 2.5 MGD (design flow) mechanical treatment plant consisting of a bar screen and Vortex grit removers, an oxidation ditch, final clarification, UV disinfection, sludge thickening equipment and aerated sludge holding tanks. The treated sludge is land applied. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform/E. Coli, chlorides, and pH. Monitoring for total phosphorus, total recoverable copper, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen and effluent flow also is required. The permittee also will be required to perform a chronic whole effluent toxicity (WET) test annually and a priority pollutant scan (PPS) once during the term of this permit. A schedule of compliance requires the permittee to conduct a study to assess the cost and feasibility of nutrient

(continued)

removal by this facility. The report is to be completed within two years of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Douglass, City of      Walnut River      Treated Domestic Wastewater  
 P.O. Box 412  
 Douglass, KS 67039  
 Kansas Permit No. M-WA07-0003      Federal Permit No. KS0097845  
 Legal Description: NW¼, NW¼, NW¼, S29, T29S, R4E, Butler County  
 Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids as well as monitoring for ammonia, fecal coliform/E. Coli, sulfates and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Galva, City of      Turkey Creek via      Treated Domestic Wastewater  
 P.O. Box 223      Unnamed Tributary  
 Galva, KS 67443-0223  
 Kansas Permit No. M-LA03-0001      Federal Permit No. KS0022560  
 Legal Description: N½, SE¼, NW¼, S28, T19S, R2W, McPherson County  
 Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and fecal coliform/E. coli. Monitoring for ammonia, chlorides, pH and total recoverable selenium and zinc also will be required. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Goessel, City of      Emma Creek via      Treated Domestic Wastewater  
 P.O. Box 347      Middle Emma      Wastewater  
 Goessel, KS 67053      Creek  
 Kansas Permit No. M-LA05-0002      Federal Permit No. KS0081060  
 Legal Description: SW¼, SW¼, NE¼, and NW¼, NW¼, SE¼, S8, T21S, R1E, Marion County  
 Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and fecal coliform/E. coli, as well as monitoring for ammonia and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Harper, City of      Chikaskia River via      Treated Domestic Wastewater  
 P.O. Box 337      Sand Creek  
 Harper, KS 67058  
 Kansas Permit No. M-AR40-0001      Federal Permit No. KS0024872  
 Legal Description: N½, SW¼, SE¼, S6, T32S, R6W, Harper County  
 Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids as well as monitoring for ammonia, fecal coliform/E. Coli, pH and total recoverable beryllium and copper. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Herndon, City of      Beaver Creek      Treated Domestic Wastewater  
 P.O. Box 98  
 Herndon, KS 67739  
 Kansas Permit No. M-UR10-0001      Federal Permit No. KS0025551  
 Legal Description: NW¼, SE¼, SE¼, S3, T2S, R31W, Rawlins County  
 Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids as well as monitoring for ammonia, fecal coliform/E. Coli, fluoride and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Holyrood, City of      Plum Creek      Treated Domestic Wastewater  
 P.O. Box 67  
 Holyrood, KS 67450  
 Kansas Permit No. M-AR46-0001      Federal Permit No. KS0024601  
 Legal Description: NW¼, S11, T17S, R10W, Ellsworth County  
 Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and fecal coliform/E. coli, as well as monitoring for ammonia, chlorides and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Leonardville, City of      Wildcat Creek via      Treated Domestic Wastewater  
 P.O. Box 189      Unnamed Tributary  
 Leonardville, KS 66449  
 Kansas Permit No. M-KS35-0001      Federal Permit No. KS0025631  
 Legal Description: W½, SW¼, NE¼, S15, T8S, R5E, Riley County  
 Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and fecal coliform/E. coli, as well as monitoring for ammonia and pH. The permittee also is required to measure the water level in the final cell twice monthly. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Meade, City of      Cimarron River via      Treated Domestic Wastewater  
 132 S. Fowler      Crooked Creek  
 Meade, KS 67864  
 Kansas Permit No. M-CI12-0002      Federal Permit No. KS0097055  
 Legal Description: N½, NE¼, S13, T32S, R28W, Meade County  
 Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids as well as monitoring for ammonia, fecal coliform/E. Coli and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Norwich, City of      Ninnescah River      Treated Domestic Wastewater  
 P.O. Box 235      via Sand Creek  
 Norwich, KS 67118  
 Kansas Permit No. M-AR67-0002      Federal Permit No. KS0095494  
 Legal Description: SW¼, NE¼, S2, T30S, R5W, Kingman County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids as well as monitoring for ammonia, fecal coliform/E. Coli, chlorides and pH. The permit also contains provisions for the permittee to sample the groundwater monitoring wells annually. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
St. Francis, City of P.O. Box 517 St. Francis, KS 67756	South Fork of the Republican River	Treated Domestic Wastewater

Kansas Permit No. M-UR18-OO01 Federal Permit No. KS0031089  
 Legal Description: W<sup>1</sup>/<sub>2</sub>, NW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>, S23, T3S, R40W, Cheyenne County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids as well as monitoring for ammonia, fecal coliform/E. Coli, fluorides and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Nies Real Estate, LLC 9415 E. Harry St., #102 Wichita, KS 67207	Arkansas River via Spring Creek	Treated Domestic Wastewater

Kansas Permit No. C-AR29-OO01 Federal Permit No. KS0119351  
 Legal Description: N<sup>1</sup>/<sub>2</sub>, SE<sup>1</sup>/<sub>4</sub>, S16, T28S, R2E, Sedgwick County

Facility Name: Stonegate Park Mobile Home Park  
 Facility Location: 4415 S. Greenwich Road, Derby, KS 67037  
 Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment plant treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and fecal coliform/E. coli, and monitoring for ammonia, chlorides and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Public Wholesale Water Supply District No. 20 c/o Rick Cooper, General Manger 1989 Quivira Road Sedan, KS 67361	Verdigris River via North Caney Creek	Processed Wastewater

Kansas Permit No. I-VE33-PO04 Federal Permit No. KS0097578  
 Facility Description: NE<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>, S35, T32S, R11E, Chautauqua County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater from an existing wastewater treatment facility. This is a public water treatment plant. Sludge from the sedimentation basin and disinfection chamber and chlorinated filter backwash wastewater are routed to a two single-cell lagoon system. Discharge is by overflow to the receiving stream. In addition, this facility operates a single-cell nonoverflowing domestic wastewater lagoon. This NPDES permit is for the discharge of the overflow from the two single-cell wastewater lagoons and for the nonoverflowing domestic wastewater lagoon. The proposed permit contains limits for total suspended solids and pH, as well as monitoring for total residual chlorine. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

**Public Notice No. KS-PT-07-009**

Name and Address of Applicant	Receiving Facility	Type of Discharge
Landoll Corporation 1900 North St. Marysville, KS 66508	Marysville MWWTP	Process Wastewater

Kansas Permit No. P-BB13-OO02 Federal Tracking No. KSP000082  
 Facility Name: Landoll Corporation, Plant #2 - Alston Facility  
 Facility Address: 604 Alston, Marysville, KS 66508

Facility Description: The proposed action is to reissue an existing pretreatment permit for this facility. This facility performs zinc electroplating on metal parts used to manufacture products at the other Landoll facilities, including forklifts, airplane deicers, lowboy trailers and agricultural tillage implements. Process waters are treated on-site, using a sand filtration treatment system, before the wastes are discharged to the city sanitary sewer. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

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 September 1 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-07-221/226, KS-07-091/108, KS-PT-07-009) 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. 034709

State of Kansas

**Kansas Water Authority**

**Notice of Meetings**

The Kansas Water Authority will meet Thursday, August 16, and Friday, August 17, in the Veteran's Room of Municipal Hall, 410 N. Pennsylvania Ave., Independence. The meeting will convene at 9 a.m. both days.

The chairs of the state's 12 Basin Advisory Committees will meet at 5:30 p.m. August 16 at Eggbert's, 1724 W. Main St., Independence. The Basin Advisory Committees, organized by river basin, provide advice to the Kansas Water Authority.

Meeting information, including a site map, agenda and other materials, will be posted on the Kansas Water Office Web page at [www.kwo.org](http://www.kwo.org) not later than August 6. Interested parties without Web access may call the Kansas Water Office toll free at (888) KAN-WATER (526-9283) to request meeting materials.

Anyone needing special accommodations at the meeting site is asked to contact the Kansas Water Office before the meeting.

Steve Irsik  
Chairman

Doc. No. 034707

State of Kansas

**Department of Administration  
Division of Purchases**

**Notice to Bidders**

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

- 08/14/2007 10636 Furnish and Set Up Vibration Table System with Training
- 08/23/2007 10631 Construction Bid Document Distribution Services
- 09/05/2007 10635 Data Analytic Interface
- 09/11/2007 10627 Security Guard 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/](http://www.da.ks.gov/fp/).

- 08/21/2007 A-010441 Dual Fuel Burner Replacement, Kansas Juvenile Correctional Complex, Topeka
- 08/23/2007 A-9963(B) Water System Improvements 2007, Agricultural Research, Manhattan
- 08/23/2007 A-010410 Remodel Apartment #28, Stouffer Place Apartments, Lawrence

Chris Howe  
Director of Purchases

Doc. No. 034721

State of Kansas

**Kansas Insurance Department**

**Notice of Changes in Pharmacy Networks**

Pursuant to K.S.A. 40-2,153, the Kansas Commissioner of Insurance is publishing notice that changes have occurred in the following pharmacy networks in the state of Kansas:

**Aetna U.S. Healthcare Pharmacy Network** has notified the Insurance Department of the following additions to its pharmacy network:

Pharmacy Name	City	Effective Date
Wal-Mart Phcy #10-5441	Topeka	1/1/2007
Genoa Hlthcare of Kansas	Kansas City	2/15/2007
Pamida Pharmacy #651	Seneca	2/25/2007
Kindred Care LLC	Lawrence	3/6/2007
Medical Pavilion Pharmacy	Hays	3/8/2007

**Humana, Inc., Pharmacy Network** has notified the Insurance Department of the following additions to its pharmacy network:

Pharmacy Name	City	Effective Date
Abrams Pharmacy Inc.	Kansas City	3/9/2007
Arma Drug	Arma	3/10/2007
Ashcraft Pharmacy	South Hutchinson	3/10/2007
Asher PBA Pharmacy	Paola	3/10/2007
Auburn Pharmacy	Parsons	3/10/2007
Auburn Pharmacy LLC	Wellsville	3/10/2007
Auten PBA Pharmacy	Osawatomie	3/10/2007
B and K Prescription Shop	Salina	3/10/2007
Baldwin City Truecare Pharmacy	Baldwin City	3/10/2007
Bales Healthmart Pharmacy	Clearwater	2/14/2007
Barneys Pharmacy Inc.	Wichita	3/10/2007
Barrows Healthmart Pharmacy	La Crosse	3/10/2007
Batsons Drug Store	Howard	3/10/2007
Bloodhart Drug	Hugoton	3/10/2007
Bond Pharmacy	Kansas City	3/23/2007
Bonner Springs Price Chopper	Bonner Springs	3/10/2007
Bowen Pharmacy	Parsons	3/10/2007
Broadway Pharmacy	Wichita	3/10/2007
Bruce Smith Drugs	Prairie Village	3/10/2007
Burns PBA Pharmacy	Garnett	3/10/2007
Byrnes Pharmacy	Eudora	3/10/2007
C and R Clinic Pharmacy Inc.	Elkhart	3/10/2007
Candlewood Hlth Mart Phcy	Manhattan	3/10/2007
Caney Drug	Caney	3/10/2007
Carbondale Clinic Pharmacy Inc.	Carbondale	3/10/2007
Cardinal Drug	Chanute	3/9/2007
Caremark	Lenexa	3/10/2007
Cedar Creek Pharmacy	De Soto	3/10/2007
Centre Pharmacy Inc.	Smith Center	3/9/2007
Cheney Pharmacy	Cheney	3/10/2007
Cheney Pharmacy	Cheney	3/10/2007
City Drug Store	Fredonia	3/10/2007
City Pharmacy LLC	Minneapolis	3/10/2007
Coberly Drug Co. Inc.	Hutchinson	3/9/2007
Cooper Drug Store	Augusta	3/9/2007
Corner Drug and Gift	Downs	3/10/2007
Costco Pharmacy	Lenexa	3/10/2007
Costco Pharmacy	Overland Park	3/10/2007
Crossroads Pharmacy	Belleville	3/10/2007
CVS Pharmacy	Kansas City	3/10/2007
CVS Pharmacy	Kansas City	3/10/2007
CVS Pharmacy	Kansas City	3/10/2007
CVS Pharmacy	Leavenworth	3/10/2007
CVS Pharmacy	Leawood	3/10/2007
CVS Pharmacy	Leawood	3/10/2007
CVS Pharmacy	Lenexa	3/10/2007
CVS Pharmacy	Lenexa	3/10/2007



Pharmacy Name	City	Effective Date	Pharmacy Name	City	Effective Date
CVS Pharmacy	Mission	3/10/2007	Dillon Pharmacy	Wichita	3/10/2007
CVS Pharmacy	Olathe	3/10/2007	Dillon Pharmacy	Wichita	3/10/2007
CVS Pharmacy	Olathe	3/10/2007	Dillon Pharmacy	Wichita	3/10/2007
CVS Pharmacy	Olathe	3/10/2007	Dillon Pharmacy	Wichita	3/10/2007
CVS Pharmacy	Overland Park	3/10/2007	Dillon Pharmacy	Wichita	3/10/2007
CVS Pharmacy	Overland Park	3/10/2007	Dillon Pharmacy	Wichita	3/10/2007
CVS Pharmacy	Overland Park	3/10/2007	Dillon Pharmacy	Winfield	3/10/2007
CVS Pharmacy	Overland Park	3/10/2007	Dillon Pharmacy	Wichita	3/10/2007
CVS Pharmacy	Overland Park	3/10/2007	Dillon Pharmacy-KS	Hutchinson	2/14/2007
CVS Pharmacy	Overland Park	3/10/2007	Dillon Pharmacy-KS #0076	Independence	3/10/2007
CVS Pharmacy	Overland Park	3/10/2007	Dixon Drug	Tribune	3/10/2007
CVS Pharmacy	Overland Park	3/10/2007	El Dorado Truecare Phcy	El Dorado	3/10/2007
CVS Pharmacy	Prairie Village	3/10/2007	Evans Drug Inc.	Columbus	3/10/2007
CVS Pharmacy	Roeland Park	3/10/2007	F and M Drug LLC	Ellsworth	3/10/2007
CVS Pharmacy	Shawnee	3/10/2007	Ferguson Rexall Drugs	Clay Center	3/10/2007
CVS Pharmacy	Shawnee	3/10/2007	Fraese Drug Company Inc.	Hutchinson	3/10/2007
CVS Pharmacy	Topeka	3/10/2007	Fredonia Pharmacy	Fredonia	3/10/2007
Damm Pharmacy	Derby	2/14/2007	Funk Pharmacy	Concordia	3/10/2007
Danas RX Shoppe	Sedan	3/10/2007	G and L Pharmacy	Ness City	3/10/2007
Dandurand Drug Co.	Wichita	3/10/2007	Garden Pharmacy	Garden City	3/10/2007
Defever-Osborn Drug Store	Independence	3/10/2007	Gericare Ltc	Iola	3/10/2007
Degolers Care Midwest Pharmacy	Kansas City	3/10/2007	Gessler Normandie	Wichita	3/10/2007
Degolers Pharmacy	Kansas City	3/10/2007	Gessler Westlink	Wichita	3/10/2007
Degolers Pharmacy	Kansas City	2/14/2007	Gibson Pharmacy	Salina	2/14/2007
Degolers Pharmacy	Kansas City	3/10/2007	Gibson Pharmacy of Dodge City	Dodge City	2/14/2007
Degolers Prescription Phcy	Kansas City	3/10/2007	Gibson Truecare Pharmacy Inc.	Osage City	3/10/2007
Derby Drug	Derby	2/14/2007	Global Medical Direct	Lenexa	3/10/2007
Dillon Pharmacy	Andover	3/10/2007	Grant County Drug Co.	Ulysses	3/10/2007
Dillon Pharmacy	Arkansas City	3/10/2007	Graves Drug Store	Arkansas City	3/10/2007
Dillon Pharmacy	Augusta	3/10/2007	Graves Drug Store	Winfield	3/10/2007
Dillon Pharmacy	Colby	3/10/2007	Great Plains Compounding Ctr	Lenexa	3/10/2007
Dillon Pharmacy	Derby	3/10/2007	Hart Pharmacy Inc.	Wichita	3/10/2007
Dillon Pharmacy	El Dorado	3/10/2007	Haskell His Pharmacy	Lawrence	3/10/2007
Dillon Pharmacy	Emporia	3/10/2007	Hassig Drugs Inc.	Kansas City	3/6/2007
Dillon Pharmacy	Garden City	3/10/2007	Haysville Pharmacy	Haysville	3/10/2007
Dillon Pharmacy	Great Bend	3/10/2007	Heartland Homecare Services	Wichita	3/10/2007
Dillon Pharmacy	Hays	3/10/2007	Heartland Homecare Services In	Lawrence	3/10/2007
Dillon Pharmacy	Hutchinson	3/10/2007	Hen House Pharmacy	Fairway	3/10/2007
Dillon Pharmacy	Hutchinson	3/10/2007	Hen House Pharmacy	Kansas City	3/10/2007
Dillon Pharmacy	Hutchinson	3/10/2007	Hen House Pharmacy	Merriam	3/10/2007
Dillon Pharmacy	Junction City	3/10/2007	Hen House Pharmacy	Olathe	3/10/2007
Dillon Pharmacy	Lawrence	3/10/2007	Hen House Pharmacy	Overland Park	3/10/2007
Dillon Pharmacy	Lawrence	3/10/2007	Hen House Pharmacy	Overland Park	3/10/2007
Dillon Pharmacy	Lawrence	3/10/2007	Hesston Pharmacy Inc.	Hesston	3/9/2007
Dillon Pharmacy	Lawrence	3/10/2007	Hibbards Prescriptions Plus	Medicine Lodge	3/10/2007
Dillon Pharmacy	Leavenworth	3/10/2007	Hlthone Phcy of KC	Overland Park	3/10/2007
Dillon Pharmacy	Liberal	3/10/2007	Holst Pharmacy	Tonganoxie	3/10/2007
Dillon Pharmacy	Manhattan	3/10/2007	Homeland Pharmacy	Haysville	3/10/2007
Dillon Pharmacy	Manhattan	3/10/2007	Homeland Pharmacy	Wichita	3/10/2007
Dillon Pharmacy	McPherson	3/10/2007	Homeland Pharmacy	Wichita	3/10/2007
Dillon Pharmacy	Newton	3/10/2007	Homeland Pharmacy	Wichita	3/10/2007
Dillon Pharmacy	Newton	3/10/2007	Homeland Pharmacy	Wichita	3/10/2007
Dillon Pharmacy	Olathe	3/10/2007	Homeland Pharmacy	Wichita	3/10/2007
Dillon Pharmacy	Olathe	3/10/2007	Hometown Pharmacy Louisburg	Louisburg	3/10/2007
Dillon Pharmacy	Overland Park	3/10/2007	Horton PBA Pharmacy	Horton	3/10/2007
Dillon Pharmacy	Pittsburg	3/10/2007	Howard Stark Professional Phar	Overland Park	2/14/2007
Dillon Pharmacy	Pratt	3/10/2007	Howard Stark Professional Phar	Overland Park	2/14/2007
Dillon Pharmacy	Salina	3/10/2007	Humboldt Pharmacy	Humboldt	3/9/2007
Dillon Pharmacy	Salina	3/10/2007	Hutchinson Clinic Pharmacy	Hutchinson	3/9/2007
Dillon Pharmacy	Shawnee	3/10/2007	Hy Vee Pharmacy	Leawood	3/10/2007
Dillon Pharmacy	Topeka	3/10/2007	Hy Vee Pharmacy	Mission	3/10/2007
Dillon Pharmacy	Topeka	3/10/2007	Hy Vee Pharmacy	Prairie Village	3/10/2007
Dillon Pharmacy	Topeka	3/10/2007	Hy Vee Pharmacy 1	Lawrence	3/10/2007
Dillon Pharmacy	Topeka	3/10/2007	Hy Vee Pharmacy 1	Olathe	3/10/2007
Dillon Pharmacy	Topeka	3/10/2007	Hy Vee Pharmacy 1	Overland Park	3/10/2007
Dillon Pharmacy	Topeka	3/10/2007	Hy Vee Pharmacy 1	Shawnee	3/10/2007
Dillon Pharmacy	Wellington	3/10/2007	Hy Vee Pharmacy 1	Lawrence	3/10/2007
Dillon Pharmacy	Wichita	3/10/2007	Hy Vee Pharmacy 2	Olathe	3/10/2007
Dillon Pharmacy	Wichita	3/10/2007	Hy Vee Pharmacy 2	Overland Park	3/10/2007
Dillon Pharmacy	Wichita	3/10/2007	Hy Vee Pharmacy 2	Shawnee	3/10/2007
Dillon Pharmacy	Wichita	3/10/2007	Hy Vee Pharmacy 2	Overland Park	3/10/2007
Dillon Pharmacy	Wichita	3/10/2007	Hy Vee Pharmacy 3	Overland Park	3/10/2007
Dillon Pharmacy	Wichita	3/10/2007	Hy-Vee Pharmacy	Overland Park	3/10/2007
Dillon Pharmacy	Wichita	3/10/2007			

(continued)

Pharmacy Name	City	Effective Date	Pharmacy Name	City	Effective Date
Iola Pharmacy	Iola	3/10/2007	Osco Drug #5145	Overland Park	3/10/2007
J and J Pharmacy	Lakin	3/10/2007	Osco Drug #5150	Kansas City	3/10/2007
Jayhawk Phcy at Mt. Oread	Lawrence	2/14/2007	Osco Drug #5151	Overland Park	3/10/2007
JCB Laboratories	Wichita	3/10/2007	Osco Drug #5152	Overland Park	3/10/2007
Ken-Mar Family Drugs	Wichita	2/14/2007	Osco Drug #5161	Leawood	3/10/2007
Key Rexall Pharmacy	Salina	2/14/2007	Osco Drug #5182	Roeland Park	3/10/2007
Kindred Care	Lawrence	3/10/2007	Osco Drug #5183	Kansas City	3/10/2007
Kingman Drug Inc.	Kingman	3/9/2007	Osco Drug #5185	Overland Park	3/10/2007
Kmart Pharmacy	Hutchinson	3/10/2007	Osco Drug #5186	Overland Park	3/10/2007
Kmart Pharmacy	Kansas City	3/10/2007	Osco Drug #5187	Kansas City	3/10/2007
Kmart Pharmacy	Leavenworth	3/10/2007	Osco Drug #5189	Topeka	3/10/2007
Kmart Pharmacy	Lenexa	3/10/2007	Osco Drug #5192	Shawnee Mission	3/10/2007
Kmart Pharmacy	Manhattan	3/10/2007	Osco Drug #5196	Kansas City	3/10/2007
Kmart Pharmacy	Olathe	3/10/2007	Pamida Pharmacy	Norton	3/10/2007
Kmart Pharmacy	Overland Park	3/10/2007	Pamida Pharmacy	Seneca	3/16/2007
Kmart Pharmacy	Salina	3/10/2007	Pamida Pharmacy #301	Atchison	2/14/2007
Kmart Pharmacy	Shawnee Mission	3/10/2007	Parklane Pharmacy	Wichita	2/14/2007
Kmart Pharmacy	Topeka	3/10/2007	Patterson Fmly Apothecary	Clay Center	3/10/2007
Kmart Pharmacy	Wichita	3/10/2007	Patterson Health Care Pharmacy	Abilene	3/10/2007
Kmart Pharmacy	Wichita	3/10/2007	Pharmacy Express	Olathe	3/9/2007
LaCygne Pharmacy Inc.	LaCygne	3/10/2007	Pharmerica	Lenexa	3/10/2007
Lansing Pharmacy	Lansing	3/10/2007	Pierson Hanover Professional P	Hanover	3/9/2007
Leekers Family Pharmacy	Wichita	2/14/2007	Porter Drugs	Neodesha	3/10/2007
Lindburg Pharmacy Inc.	Pittsburg	3/10/2007	Pratt Medical Arts PBA Phcy	Pratt	3/10/2007
Mankato Professional Pharmacy	Mankato	3/10/2007	Prescription Center	Burlington	3/9/2007
Maschino Pharmacy	Pleasanton	3/10/2007	Preston Socora Pharmacy	Wichita	3/2/2007
McClain Medical Clinic	Ransom	3/10/2007	Price Chopper	Leavenworth	3/10/2007
McKeevers Pharmacy	Louisburg	3/10/2007	Price Chopper	Olathe	3/10/2007
Medical Arts PBA Pharmacy	Topeka	3/10/2007	Price Chopper	Olathe	3/10/2007
Medical Arts Pharmacy	Seneca	3/10/2007	Price Chopper	Overland Park	3/10/2007
Medical Arts Phcy	Lawrence	3/10/2007	Price Chopper	Roeland Park	3/10/2007
Medical Center Pharmacy	Shawnee Mission	3/10/2007	Price Chopper	Shawnee	3/10/2007
Medicap	Chanute	3/10/2007	Price Chopper Pharmacy	Gardner	3/10/2007
Medicap Pharmacy	Winfield	3/10/2007	Price Chopper Pharmacy	Leawood	3/10/2007
Medicine Shoppe	Burlington	3/10/2007	Price Chopper Pharmacy	Leawood	3/10/2007
Medicine Shoppe	Emporia	3/10/2007	Price Chopper Pharmacy	Overland Park	3/9/2007
Medicine Shoppe	Emporia	3/10/2007	Price Chopper Pharmacy	Overland Park	3/10/2007
Medicine Shoppe	Emporia	3/10/2007	Price Chopper Pharmacy	Shawnee	3/10/2007
Medicine Shoppe	Great Bend	3/10/2007	Price Chopper Pharmacy	Spring Hill	3/10/2007
Medicine Shoppe	Hutchinson	3/10/2007	Price Chopper Pharmacy	Stanley	3/10/2007
Medicine Shoppe	Kansas City	3/10/2007	Price Chopper Pharmacy	Topeka	3/10/2007
Medicine Shoppe	Overland Park	3/10/2007	Price Chopper Pharmacy	Topeka	3/10/2007
Medicine Shoppe	Overland Park	3/10/2007	Price Chopper Pharmacy	Wichita	3/10/2007
Medicine Shoppe	Overland Park	3/10/2007	Professional Pharmacy	Wichita	3/10/2007
Medicine Shoppe	Shawnee	3/10/2007	Proscript Family Pharmacy	Independence	3/10/2007
Medicine Shoppe Pharmacy	Chanute	3/10/2007	Qualicare Inc.	Lawrence	3/10/2007
Medicine Shoppe Pharmacy	Independence	3/10/2007	Rauch Med-Econ Pharmacy	Coffeyville	3/10/2007
Medicine Shoppe Pharmacy	McPherson	3/10/2007	RCR East LLC	Wichita	3/10/2007
Medicine Shoppe Pharmacy	Parsons	3/10/2007	Reed Discount Pharmacy	Larned	3/10/2007
Medicine Shoppe Pharmacy	Pittsburg	3/10/2007	Reed Discount Pharmacy	Sterling	3/10/2007
Medicine Shoppe Pharmacy	Pittsburg	3/10/2007	Reynolds Pharmacy	Atchison	3/10/2007
Medicine Store	Olathe	3/10/2007	Richardsons Custom RX	Wichita	3/10/2007
Meriden Pharmacy	Meriden	3/29/2007	Ridgway Drug	Osborne	3/10/2007
Miller Pharmacy	Bonner Springs	2/14/2007	Riggs Drugs Store	Chetopa	3/10/2007
Miller Pharmacy	Edwardsville	2/14/2007	Right Choice Pharmacy	Tonganoxie	3/10/2007
Miller Pharmacy	Paola	2/14/2007	Ritzmans	Larned	3/9/2007
Moffet Drug Store	Norton	3/10/2007	Roberts PBA Drug Store	Baldwin City	3/10/2007
Montezuma Drug Store	Montezuma	3/10/2007	Rose Hill Pharmacy	Rose Hill	3/10/2007
Moundridge Pharmacy	Moundridge	3/10/2007	Round Corner Drug	Lawrence	3/10/2007
NCS Healthcare of KS Inc.	Wichita	3/10/2007	Sabetha Healthmart	Sabetha	3/10/2007
Neighborcare-Kansas City	Lenexa	3/10/2007	Saint Lukes South Pharmacy	Overland Park	3/10/2007
Neighborcare-Wichita	Wichita	3/10/2007	Salyer PBA Pharmacy	Wichita	3/10/2007
Oakley Health Mart	Oakley	3/10/2007	Sams Pharmacy	Lenexa	3/10/2007
Osco Drug #2191	Kansas City	3/10/2007	Sams Pharmacy	Overland Park	3/10/2007
Osco Drug #2397	Kansas City	3/10/2007	Sams Pharmacy	Salina	3/10/2007
Osco Drug #2400	Wichita	3/10/2007	Sams Pharmacy	Topeka	3/10/2007
Osco Drug #5101	Olathe	3/10/2007	Sams Pharmacy	Wichita	3/10/2007
Osco Drug #5110	Lenexa	3/10/2007	Sams Pharmacy	Wichita	3/10/2007
Osco Drug #5127	Olathe	3/10/2007	Sams Pharmacy	Wichita	3/10/2007
Osco Drug #5132	Wichita	3/10/2007	Schroeder Drugs	Osage City	3/9/2007
Osco Drug #5134	Overland Park	3/10/2007	Scott City Pharmacy	Scott City	2/14/2007
Osco Drug #5135	Wichita	3/10/2007	Seitz Drug Company Inc.	Ellsworth	3/10/2007
Osco Drug #5136	Wichita	3/10/2007	St. Marys Pharmacy	Saint Marys	3/10/2007
Osco Drug #5136	Hutchinson	3/10/2007	Stark Apothecary	Overland Park	3/9/2007
Osco Drug #5141	Shawnee	3/10/2007	Stark Apothecary	Overland Park	3/10/2007

Pharmacy Name	City	Effective Date	Pharmacy Name	City	Effective Date
Steves Corner Drug	Hiawatha	3/10/2007	Wal-Mart Pharmacy	Atchison	3/10/2007
Sunflower Pharmacy Inc.	Lawrence	3/10/2007	Wal-Mart Pharmacy	Augusta	3/10/2007
Target Corporation	Kansas City	3/10/2007	Wal-Mart Pharmacy	Baxter Springs	3/10/2007
Target Corporation	Lawrence	3/10/2007	Wal-Mart Pharmacy	Bonner Springs	3/10/2007
Target Corporation	Manhattan	3/10/2007	Wal-Mart Pharmacy	Chanute	3/10/2007
Target Corporation	Mission	3/10/2007	Wal-Mart Pharmacy	Coffeyville	3/10/2007
Target Corporation	Olathe	3/10/2007	Wal-Mart Pharmacy	Colby	3/10/2007
Target Corporation	Olathe	3/10/2007	Wal-Mart Pharmacy	Concordia	3/10/2007
Target Corporation	Overland Park	3/10/2007	Wal-Mart Pharmacy	Derby	3/10/2007
Target Corporation	Overland Park	3/10/2007	Wal-Mart Pharmacy	Dodge City	3/10/2007
Target Corporation	Overland Park	3/10/2007	Wal-Mart Pharmacy	El Dorado	3/10/2007
Target Corporation	Shawnee	3/10/2007	Wal-Mart Pharmacy	Fort Scott	3/19/2007
Target Corporation	Wichita	3/10/2007	Wal-Mart Pharmacy	Garden City	3/10/2007
Target Corporation	Wichita	3/10/2007	Wal-Mart Pharmacy	Goodland	3/10/2007
Target Corporation	Wichita	3/10/2007	Wal-Mart Pharmacy	Great Bend	3/10/2007
Target Corporation	Wichita	3/10/2007	Wal-Mart Pharmacy	Hiawatha	3/10/2007
Target Corporation	Wichita	3/10/2007	Wal-Mart Pharmacy	Holton	3/10/2007
The Corner Pharmacy	Leavenworth	3/10/2007	Wal-Mart Pharmacy	Hutchinson	3/10/2007
The Medicine Shoppe	Garnett	3/10/2007	Wal-Mart Pharmacy	Independence	3/10/2007
The Medicine Shoppe	Wichita	3/10/2007	Wal-Mart Pharmacy	Iola	3/10/2007
The Prescription Shop Inc.	Coffeyville	3/10/2007	Wal-Mart Pharmacy	Junction City	3/10/2007
Tice Healthmart	Hiawatha	3/10/2007	Wal-Mart Pharmacy	Kansas City	3/10/2007
Trapp Pharmacy	Abilene	3/10/2007	Wal-Mart Pharmacy	Lawrence	3/10/2007
U Save Pharmacy	Hays	3/10/2007	Wal-Mart Pharmacy	Leavenworth	3/10/2007
Unrein Drug Store	Plainville	3/10/2007	Wal-Mart Pharmacy	Liberal	3/10/2007
Valley Falls Hlthmart Phcy	Valley Falls	3/10/2007	Wal-Mart Pharmacy	Manhattan	3/10/2007
Waldrons Pharmacy	Johnson	3/10/2007	Wal-Mart Pharmacy	Marysville	3/10/2007
Walgreen Drug Store	Andover	3/10/2007	Wal-Mart Pharmacy	McPherson	3/10/2007
Walgreen Drug Store	Gardner	3/10/2007	Wal-Mart Pharmacy	Newton	3/10/2007
Walgreen Drug Store	Great Bend	3/10/2007	Wal-Mart Pharmacy	Olathe	3/10/2007
Walgreen Drug Store	Hays	3/10/2007	Wal-Mart Pharmacy	Ottawa	3/10/2007
Walgreen Drug Store	Hutchinson	3/10/2007	Wal-Mart Pharmacy	Overland Park	3/10/2007
Walgreen Drug Store	Independence	3/10/2007	Wal-Mart Pharmacy	Overland Park	3/10/2007
Walgreen Drug Store	Kansas City	3/10/2007	Wal-Mart Pharmacy	Overland Park	3/10/2007
Walgreen Drug Store	Lawrence	3/10/2007	Wal-Mart Pharmacy	Overland Park	3/10/2007
Walgreen Drug Store	Lenexa	3/10/2007	Wal-Mart Pharmacy	Overland Park	3/10/2007
Walgreen Drug Store	Manhattan	3/10/2007	Wal-Mart Pharmacy	Overland Park	3/10/2007
Walgreen Drug Store	Merriam	3/10/2007	Wal-Mart Pharmacy	Paola	3/10/2007
Walgreen Drug Store	Newton	3/10/2007	Wal-Mart Pharmacy	Parsons	3/10/2007
Walgreen Drug Store	Olathe	3/10/2007	Wal-Mart Pharmacy	Pittsburg	3/10/2007
Walgreen Drug Store	Olathe	3/10/2007	Wal-Mart Pharmacy	Pratt	3/10/2007
Walgreen Drug Store	Olathe	3/10/2007	Wal-Mart Pharmacy	Roeland Park	3/10/2007
Walgreen Drug Store	Ottawa	2/14/2007	Wal-Mart Pharmacy	Salina	3/10/2007
Walgreen Drug Store	Overland Park	3/10/2007	Wal-Mart Pharmacy	Shawnee	3/10/2007
Walgreen Drug Store	Overland Park	3/10/2007	Wal-Mart Pharmacy	Shawnee (Nieman)	3/10/2007
Walgreen Drug Store	Overland Park	3/10/2007	Wal-Mart Pharmacy	Topeka	3/10/2007
Walgreen Drug Store	Overland Park	3/10/2007	Wal-Mart Pharmacy	Topeka	3/10/2007
Walgreen Drug Store	Parsons	3/10/2007	Wal-Mart Pharmacy	Topeka	3/10/2007
Walgreen Drug Store	Pittsburg	3/10/2007	Wal-Mart Pharmacy	Wellington	3/10/2007
Walgreen Drug Store	Roeland Park	3/10/2007	Wal-Mart Pharmacy	Wichita	3/10/2007
Walgreen Drug Store	Salina	3/10/2007	Wal-Mart Pharmacy	Wichita	3/10/2007
Walgreen Drug Store	Shawnee	3/10/2007	Wal-Mart Pharmacy	Wichita	3/10/2007
Walgreen Drug Store	Topeka	3/10/2007	Wal-Mart Pharmacy	Wichita	3/10/2007
Walgreen Drug Store	Topeka	3/10/2007	Wal-Mart Pharmacy	Wichita	3/10/2007
Walgreen Drug Store	Topeka	3/10/2007	Wal-Mart Pharmacy	Winfield	3/10/2007
Walgreen Drug Store	Topeka	3/10/2007	Wamego Drug Store	Wamego	3/10/2007
Walgreen Drug Store	Topeka	3/10/2007	Ward Drug Store	Oberlin	3/10/2007
Walgreen Drug Store	Topeka	3/10/2007	Washington Pharmacy	Washington	3/10/2007
Walgreen Drug Store	Topeka	3/10/2007	Wenzl Drug Inc.	Phillipsburg	3/10/2007
Walgreen Drug Store	Wichita	3/10/2007	Wesley Outpatient Pharmacy	Wichita	3/10/2007
Walgreen Drug Store	Wichita	3/10/2007	Whitecloud Health Station	Whitecloud	3/2/2007
Walgreen Drug Store	Wichita	3/10/2007	Wichita County Pharmacy	Leoti	3/10/2007
Walgreen Drug Store	Wichita	3/10/2007	Wise Drug Inc.	Hill City	3/10/2007
Walgreen Drug Store	Wichita	3/10/2007	Witmer Drug Store Inc.	Phillipsburg	3/10/2007
Walgreen Drug Store	Wichita	3/10/2007	Wolkar Drug Inc.	Baxter Springs	3/10/2007
Walgreen Drug Store	Wichita	3/10/2007	Yates Center Pharmacy	Yates Center	2/14/2007
Walgreen Drug Store	Wichita	3/10/2007	Yungeberg Drug	Blue Rapids	3/10/2007
Walgreen Drug Store	Wichita	3/10/2007			
Walgreen Drug Store	Wichita	3/10/2007			
Walgreen Drug Store	Wichita	3/10/2007			
Walgreen Drug Store	Wichita	3/10/2007			
Walgreen Drug Store	Wichita	3/10/2007			
Walgreen Drug Store	Wichita	3/10/2007			
Walgreen Drug Store	Wichita	3/10/2007			
Walgreen Drug Store	Wichita	3/10/2007			
Walgreen Home Care Inc.	Overland Park	3/10/2007			
Wal-Mart Pharmacy	Arkansas City	3/10/2007			

Any questions should be directed to Deletria Nash at the Kansas Insurance Department, (785) 296-3071.

Sandy Praeger  
Kansas Insurance Commissioner

Doc. No. 034705

## State of Kansas

**Kansas Insurance Department****Notice of Cancellation of Hearing on Proposed Administrative Regulation**

A public hearing was scheduled at 1:30 p.m. August 16 in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of proposed regulation K.A.R. 40-2-28. A summary of the regulation follows:

**K.A.R. 40-2-28. Life insurance; viatical settlements.** This proposed regulation adopts, by reference, the Kansas Insurance Department's policy and procedures regarding viatical settlements. The policy and procedures provides license requirements, standards, reporting requirements, general rules, and allowed and prohibited practices.

Please be advised that the Kansas Insurance Department is hereby withdrawing the proposed regulation. **Therefore, the public hearing has been cancelled.**

Please address any comments or concerns to Deletria Nash at (785) 296-4140 or via e-mail at dnash@ksinsurance.org.

Sandy Praeger  
Kansas Insurance Commissioner

Doc. No. 034712

## State of Kansas

**Real Estate Commission****Notice of Hearing on Proposed Administrative Regulations**

A public hearing will be conducted at 2:30 p.m. Wednesday, October 10, in the Kansas Real Estate Commission's conference room, Three Townsite Plaza, Suite 200, 120 S.E. 6th Ave., Topeka, to consider the adoption of amendments to the following existing regulations of the Kansas Real Estate Commission: K.A.R. 86-1-2, 86-1-5, 86-1-10, 86-1-11, 86-1-13, 86-1-15, 86-1-17, 86-1-18, 86-1-19, 86-3-8, 86-3-9, 86-3-10, 86-3-15, 86-3-19, 86-3-21 and 86-3-22. The commission also will consider the adoption of new regulations, K.A.R. 86-1-20 and 86-3-26a, regarding age of documentation and designated agents, respectively, and the revocation of the following regulations: K.A.R. 86-2-3, 86-2-5, 86-2-7 and 86-3-3.

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 regulations. All interested parties may submit written comments prior to the hearing to Sherry C. Diel, Executive Director, Kansas Real Estate Commission, Three Townsite Plaza, Suite 200, 120 S.E. 6th Ave., Topeka, 66603-3511. 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.

An individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic im-

pact statement in an accessible format. Requests for accommodation should be made at least three working days in advance of the hearing by contacting Kelly White at (785) 296-3411 or the Kansas Relay Center at (800) 766-3777.

The regulations are proposed for adoption on a permanent basis. The following is a summary of the proposed regulations and their economic impact:

**K.A.R. 86-1-2. Examinations.** The proposed amendment to the existing regulation updates statutory cites after passage of L. 2007, ch. 88, and eliminates the requirement for an applicant to obtain registration forms for the examination from the commission or testing service and clarifies that an applicant must register with the testing service to take the examination.

**K.A.R. 86-1-5. Fees.** The proposed amendment to the existing regulation implements K.S.A. 2006 Supp. 58-3063, which authorizes a fee for establishing each new branch office or primary office, for certification of a licensee's education history or certification of a professional corporation, and for licenses issued when a licensee affiliates with more than one primary or branch office.

The proposed regulation also implements L. 2007, ch. 88., sec. 1 and 4, which require that an applicant for an original license submit fingerprints for purposes of submission to the Kansas Bureau of Investigation for purposes of a criminal history check by the KBI and FBI. The regulation imposes a fee of \$64 for reimbursement to the commission for the cost of submission of the fingerprints to the KBI for purposes of the criminal history checks and for reimbursement of the commission's reasonable costs of administering the criminal history check program. The commission may seek reimbursement of \$64 from a licensee upon request for purposes of conducting a criminal history check in connection with an investigation being conducted by the commission.

**K.A.R. 86-1-10. Approval of courses of instruction; procedure.** The amendment to the regulation consisted of updating statutory cites after passage of L. 2007, ch. 88, and updating terminology.

**K.A.R. 86-1-11. Minimum curricula and standards for course.** The proposed amendment deletes obsolete language; updates statutory cites after passage of L. 2007, ch. 88; adds the requirement for each school offering a 30-hour course to salesperson applicants pursuant to K.S.A. 58-3046a(c) to use the content outline provided by the commission and to register the course under the title "Kansas practice course"; and requires any school offering the four-hour course under K.S.A. 58-3046a(d) to applicants for a broker's license who are nonresidents or who are Kansas residents applying for the license by equivalent requirements met in another jurisdiction to use the content outline provided by the commission and register the course under the title "Kansas law course."

**K.A.R. 86-1-13. Submission of evidence of course attendance.** The proposed amendment updates statutory cites after the passage of L. 2007, ch. 88; adds the requirement for each applicant for an original salesperson's license to submit with the application for licensure a certificate of course completion for the "Kansas practice

course" as required by K.S.A. 58-3046a(c); and requires each applicant for an original license as a broker who is a nonresident or who is a resident of Kansas applying for licensure by equivalent requirements met in another jurisdiction to submit with the application for licensure a certificate of course completion for the "Kansas law course" as required by K.S.A. 58-3046a(d).

**K.A.R. 86-1-15. Change of last name.** The proposed amendment to the regulation updates statutory cites after the passage of L. 2007, ch. 88.

**K.A.R. 86-1-17. Responsibilities of schools.** The proposed amendment to the existing regulation updates existing statutory cites after passage of L. 2007, ch. 88, and eliminates the requirement that schools collect and mail paper student opinion forms to the commission and, instead, requires the schools to notify the students before the conclusion of each course that a student opinion form may be obtained from the commission and is available electronically. The proposed regulation also permits schools to issue certificates of course completion to students electronically in addition to in person or by mail. The amendment prohibits schools from issuing a certificate of course completion to a student who is absent for more than 10 percent of the classroom hours scheduled for the "Kansas practice course." The amendment permits schools to issue certificates of course completion for distance education courses and rosters electronically in addition to hand-delivery or by mail. The amendment also adds the "Kansas practice course" and the "Kansas law course" to the list of courses for which a roster is not required to be submitted to the commission.

**K.A.R. 86-1-18. Alternative licensing criteria for broker applicants.** The proposed regulation updates statutory cites after passage of L. 2007, ch. 88.

**K.A.R. 86-1-19. Submission of supporting documentation with application.** The proposed amendment adds the requirement that an applicant for an original license submit with the application the applicant's fingerprints and a completed waiver, on a form approved by the commission, and the fee required by K.A.R. 86-1-5(c)(1). The proposed amendment also adds that each applicant with a criminal history or who has pending criminal charges must submit with the application a letter from the proposed supervising broker or branch broker stating that the broker has reviewed a copy of the pertinent court records concerning the criminal case and is willing to supervise the applicant under the circumstances, and adds voluntary surrender to the list of documentation that must be submitted concerning any disciplinary action taken by the state of Kansas or any other jurisdiction against any professional or occupational license or certification held by the applicant. A license history certification from any jurisdiction in which the applicant is currently licensed or has ever been licensed and a notarized nonresident service of process appointment form for any applicant who is not a resident of Kansas to the documentation that must be submitted with the application. Each applicant for renewal must submit with the application for renewal documentation concerning any criminal matters, discipline taken against a professional or occupational license or certificate, and a nonresident service of process appointment form.

**K.A.R. 86-1-20. Age of documentation submitted to the commission.** This is a new proposed regulation that establishes a deadline of six months for the validity from the date of issuance for a certificate of licensure history issued by another jurisdiction concerning an applicant's history of real estate licensure in that jurisdiction and a criminal history check issued by the Kansas Bureau of Investigation or the Federal Bureau of Investigation.

**K.A.R. 86-3-8. Brokerage agreements.** The proposed amendment clarifies existing language.

**K.A.R. 86-3-9. Legal counsel.** The proposed amendment updates the regulation to current practice to require each broker to recommend to each client or customer that an attorney be retained by the client or customer to answer any legal questions involved in a real estate transaction. The existing regulation only required a broker to recommend that purchaser retain an attorney to pass upon the marketability of the title of the property and other legal questions involved.

**86-3-10. Retention of records.** The proposed amendment adds to the list of documentation that must be retained by a supervising broker or branch broker all documents and records that relate to any real estate transactions.

**86-3-15. Reporting of information.** This amendment updates language after passage of L. 2007, ch. 88, and deletes obsolete reporting requirements regarding the trust account.

**86-3-19. Disclosure of interest in property purchased, sold, leased, or exchanged.** The amendment clarifies current requirements regarding a licensee's duty to disclose in the real estate contract any interest the licensee has in the property and the transaction and the licensee's licensure status. The regulation defines "interest," "family" and "exchange."

**86-3-21. Trust account documentation.** The amendment specifies which events that require each supervising broker or branch broker that maintains a trust account to file a "trust account report" with the commission on a form approved by the commission within 10 days of any of the listed occurrences. The amendment also specifies which events trigger each supervising broker or branch broker that closes a trust account to file a "report on closing trust account" with the commission on a form approved by the commission, accompanied by a copy of the bank statement showing that the trust account has been closed within 10 days of the listed events. The existing regulation only addressed a broker's request for exemption from the requirement to maintain a trust account.

**86-3-22. Transaction identification.** The amendment updates statutory cites after passage of L. 2007, ch. 88, and clarifies existing language.

**86-3-26a. Designated agents.** This is a new regulation that clarifies brokerage relationships with salespersons or associate brokers who are not specifically designated in the written agency agreement when designated agents are involved in a real estate transaction and requires that a brokerage disclosure specify that a designated agent was appointed to represent the interests of the client.

The commission proposes that the following regulations be revoked because they are obsolete:

*(continued)*

**K.A.R. 86-2-3. Credit reports.**

**K.A.R. 86-2-5. Summary adjudicative proceedings.**

**K.A.R. 86-2-7. Informal disposition of complaint by agreement.**

**K.A.R. 86-3-3. Trade name.**

**K.A.R. 86-2-3** is not used by the commission. **K.A.R. 86-2-5** and **K.A.R. 86-2-7** are no longer required under the current form of the Kansas Administrative Procedure Act, and **K.A.R. 86-3-3** has been incorporated into L. 2007, ch. 88.

Due to the statutory amendments passed in L. 2007, ch. 88, the commission will need one additional staff person in licensing. The commission will be billed \$54 per applicant by the KBI for each criminal history check conducted by the KBI and FBI. The costs of the background checks will be recouped by the commission through a fee charged to the applicants. The commission also will need to track the progress of fingerprints and applications as they are processed and will incur additional mailing costs. The KREC also had programming costs of approximately \$25,000 to change the licensure database to reflect the changes in licensure requirements. The commission calculated its costs at \$10 per applicant for staffing, database programming, mailing, printing and paper costs.

**K.A.R. 86-1-5** also was updated to reflect fees authorized by K.S.A. 2006 Supp. 58-3035 and 58-3063 concerning fees charged for primary and branch offices and certifications. The commission estimates the annual fees generated from primary and branch offices and certifications to be approximately \$9,000-\$9,500.

There will be a financial impact upon private individuals or other governmental agencies due to the fingerprint and criminal history check costs of \$64 because of the passage of L. 2007, ch. 88, the fees authorized by K.S.A. 2006 Supp. 58-3035 and 58-3063 for primary and branch offices and certifications ranging from \$10 each to \$25 each. The commission estimates that licensees will pay additional fees in the range of \$9,000-\$9,500 for primary and branch offices fees of \$25 each and the certifications fees of \$10 each. There may be a financial impact to supervising brokers and branch brokers to update brokerage relationship clauses in the real estate contract to reflect designated agency if that designation is already not included but the commission is unable to estimate the cost involved.

There should be financial savings to the approved course providers due to the elimination of the requirement for mandatory evaluation forms for courses and permitting education certifications to be submitted electronically. The evaluation form will be optional and notice to the student that it is available on the commission's Web site is mandatory during each course. The commission cannot estimate the amount of savings to the course providers, but estimates that it is the \$5,000-\$10,000 range for the savings in paper, printing and mailing costs.

Copies of the regulations and the economic impact statements may be obtained by contacting Sherry Diel at the address above, by calling (785) 296-3411 or by e-mail at [krec@krec.state.ks.us](mailto:krec@krec.state.ks.us).

Sherry C. Diel  
Executive Director

Doc. No. 034713

State of Kansas

## Advisory Committee on Trauma

### Notice of Meeting

The Advisory Committee on Trauma will meet from 10 a.m. to 3 p.m. Wednesday, August 22, at the Auditorium B, fourth floor, Eisenhower State Office Building, 700 S.W. Harrison, Topeka. For more information, contact the KDHE Office of Local and Rural Health at (785) 296-1200.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 034716

State of Kansas

## Department of Commerce

### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Tuesday, October 2, in the main conference room, Kansas Department of Commerce, Suite 100, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider amending K.A.R. 110-13-10 of the Rural Business Development Tax Credit Program.

This 60-day notice of the public hearing shall constitute a public comment period for submitting written public comments on the proposed regulation. All interested parties may submit written comments before the hearing to David Kerr, Secretary of Commerce, Suite 100, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1354. All interested parties will be given a reasonable opportunity to present their views orally on the regulation 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 existing regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least 10 working days in advance of the hearing to Merrill J. Hicklin Befort at the address above or by calling (785) 291-3891. Handicapped parking is not available around the Curtis State Office Building; however, all persons in a vehicle with a handicapped license plate may park in any metered space around the building, and there is no charge for parking. The curbs and all entrances on Jackson, 10th Street and Kansas Avenue to the Curtis State Office Building are accessible to individuals with disabilities.

Copies of the regulation and the economic impact statement may be obtained by contacting Merrill J. Hicklin Befort. A summary of the amended regulation and its economic impact follows:

**K.A.R. 110-13-10. Administration of contributions and regional business development fund.** This amendment allows a regional foundation the choice of opening an account for development funds in either a bank insured by FDIC or a credit union insured by NCUSIF.

Economic Impact: There is no economic impact to the Department of Commerce for this amendment. The amendment will allow regional foundations the ability to obtain the highest interest rate on the development funds account.

David Kerr  
Secretary of Commerce

Doc. No. 034714

**State of Kansas**  
**Board of Indigents' Defense Services**

**Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 9 a.m. Tuesday, October 30, in Room 200, Jayhawk Walk, 714 S.W. Jackson, Topeka, to consider the adoption of a proposed regulation of the State Board of Indigents' Defense Services on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Patricia A. Scalia, Executive Director, State Board of Indigents' Defense Services, 714 S.W. Jackson, Room 200, Topeka, 66603, or at [pscalia@sbids.state.ks.us](mailto:pscalia@sbids.state.ks.us). All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation 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 regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Patricia Scalia at [pscalia@sbids.state.ks.us](mailto:pscalia@sbids.state.ks.us) or at (785) 368-6295. The entrance to the Jayhawk Walk is accessible, and parking for persons with disabilities is in front of the building.

A copy of the proposed regulation may be obtained by contacting Patricia Scalia. A summary of the proposed regulation and the economic impact statement follows:

**K.A.R. 105-11-1** provides for the adoption by reference of the "attorney cost reimbursement tables: assigned counsel and public defender." This table is revised annually and is used by the court to order defendants to pay some or all of the cost of their defense.

This regulation is not mandated by federal law. There is no cost to any state or federal agency created by this regulation. However, this regulation provides the table for an assessment of defense costs against private persons for the professional services of public defenders or assigned counsel.

There is no environmental impact. This regulation is proposed on both a temporary and permanent basis.

Patricia A. Scalia  
Executive Director

Doc. No. 034720

**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](mailto:purchasing@ku.edu).

Barry K. Swanson  
Associate Comptroller/  
Director of Purchasing Services

Doc. No. 034695

**State of Kansas**

**Kansas Insurance Department**

**Temporary Administrative  
Regulations**

**Article 2.—LIFE INSURANCE**

**40-2-30. Military sales practices.** The Kansas insurance department's "policy and procedures relating to military sales practices," dated June 26, 2007, is hereby adopted by reference. (Authorized by K.S.A. 40-103 and L. 2007, Ch. 103, Sec. 1; implementing L. 2007, Ch. 103, Sec. 1; effective, T-40-7-26-07, July 26, 2007.)

Sandy Praeger  
Kansas Insurance Commissioner

Doc. No. 034719

**State of Kansas**

**Board of Indigents' Defense Services**

**Temporary Administrative  
Regulations**

**Article 11.—REIMBURSEMENT FROM DEFENDANT**

**105-11-1. Defendant reimbursement of attorney fees.** The document titled "attorney cost reimbursement tables: assigned counsel and public defender," as revised by the state board of indigents' defense services on June 22, 2007, is hereby adopted by reference. (Authorized by K.S.A. 2006 Supp. 22-4504; implementing K.S.A. 2006 Supp. 22-4522(e); effective, T-105-10-3-05, Oct. 3, 2005; effective Feb. 17, 2006; amended, T-105-7-5-06, July 5, 2006; amended Nov. 13, 2006; amended, T-105-7-26-07, July 26, 2007.)

Patricia A. Scalia  
Executive Director

Doc. No. 034718

State of Kansas

Board of Healing Arts

Permanent Administrative Regulations

Article 11.—FEES

100-11-1. Amount. The following fees shall be collected by the board:

- (a) Application for license ..... \$300.00
(b)(1) Annual renewal of active or federally active license:
(A) Paper renewal ..... 270.00
(B) On-line renewal ..... 261.00
(2) Annual renewal of inactive license:
(A) Paper renewal ..... 150.00
(B) On-line renewal ..... 144.00
(3) Annual renewal of exempt license:
(A) Paper renewal ..... 150.00
(B) On-line renewal ..... 144.00
(c)(1) Conversion from inactive to active license ..... \$115.00
(2) Conversion from exempt to active license.. \$100.00
(d)(1) Late renewal of active or federally active license:
(A) Paper late renewal ..... 340.00
(B) On-line late renewal ..... 329.00
(2) Late renewal of inactive license:
(A) Paper late renewal ..... 180.00
(B) On-line late renewal ..... 173.50
(3) Late renewal of exempt license:
(A) Paper late renewal ..... 180.00
(B) On-line late renewal ..... 173.50
(e) Institutional license ..... \$150.00
(f) Biennial renewal of institutional license ... \$150.00
(g) Visiting clinical professor license ..... \$150.00
(h) Annual renewal of visiting clinical professor license ..... \$115.00
(i) Limited permit ..... \$30.00
(j) Annual renewal of limited permit ..... \$15.00
(k) Reinstatement of limited permit ..... \$30.00
(l) Visiting professor license ..... \$25.00
(m) Postgraduate training permit ..... \$40.00
(n) Reinstatement of cancelled license ..... \$300.00
(o) Reinstatement of revoked license ..... \$1000.00
(p) Temporary permit ..... \$40.00
(q) Special permit ..... \$30.00
(r) Certified statement of license ..... \$15.00
(s) Duplicate license ..... \$15.00

(Authorized by K.S.A. 65-2865; implementing K.S.A. 2006 Supp. 65-2809, K.S.A. 65-2852, and K.S.A. 65-28,125; effective Jan. 1, 1966; amended Jan. 1, 1970; amended Feb. 15, 1977; amended May 1, 1979; amended May 1, 1980; amended May 1, 1981; amended, T-83-33, Nov. 10, 1982; amended May 1, 1983; amended, T-85-50, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-42, Dec. 19, 1986; amended May 1, 1987; amended, T-88-11, May 18, 1987; amended May 1, 1988; amended, T-100-4-24-89, April 24, 1989; amended Aug. 21, 1989; amended June 24, 1991; amended, T-100-7-1-92, July 1, 1992; amended Aug. 10, 1992; amended Dec. 27, 1993; amended May 1, 1998; amended Aug. 4, 2000; amended,

T-100-6-27-02, Aug. 1, 2002; amended Nov. 15, 2002; amended, T-100-4-27-04, April 27, 2004; amended July 23, 2004; amended Aug. 17, 2007.)

Article 49.—PODIATRY

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

- (a) Application for license ..... \$300.00
(b) Examination ..... \$450.00
(c) (1) Annual renewal of active or federally active license:
(A) Paper renewal ..... 270.00
(B) On-line renewal ..... 261.00
(2) Annual renewal of inactive license:
(A) Paper renewal ..... 150.00
(B) On-line renewal ..... 144.00
(3) Annual renewal of exempt license:
(A) Paper renewal ..... 150.00
(B) On-line renewal ..... 144.00
(d) (1) Conversion from exempt to active license ..... \$100.00
(2) Conversion from inactive to active license.. \$115.00
(e) (1) Late renewal of active or federally active license:
(A) Paper late renewal ..... 340.00
(B) On-line late renewal ..... 329.00
(2) Late renewal of inactive license:
(A) Paper late renewal ..... 180.00
(B) On-line late renewal ..... 173.50
(3) Late renewal of exempt license:
(A) Paper late renewal ..... 180.00
(B) On-line late renewal ..... 173.50
(f) Temporary license ..... \$40.00
(g) Duplicate license ..... \$15.00
(h) Temporary permit ..... \$40.00
(i) Certified statement of license ..... \$15.00
(j) Postgraduate permit ..... \$40.00
(k) Reinstatement of revoked license ..... \$1,000.00
(l) Reinstatement of canceled license ..... \$300.00

(Authorized by K.S.A. 2006 Supp. 65-2012 and K.S.A. 65-2013; implementing K.S.A. 2006 Supp. 65-2012; effective May 1, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended April 24, 1989; amended Aug. 21, 1989; amended, T-100-12-28-89, Dec. 28, 1989; amended April 9, 1990; amended Dec. 27, 1993; amended May 1, 1998; amended Aug. 4, 2000; amended, T-100-6-27-02, Aug. 1, 2002; amended Nov. 15, 2002; amended Aug. 13, 2004; amended Aug. 17, 2007.)

Article 73.—RADIOLOGIC TECHNOLOGISTS

100-73-1. Fees. The following fees shall be collected by the board:

- (a) Application for license ..... \$50.00
(b) Annual renewal of license:
(1) Paper renewal ..... 40.00
(2) On-line renewal ..... 37.50
(c) Late renewal of license:
(1) Paper late renewal ..... 45.00
(2) On-line late renewal ..... 42.00
(d) Reinstatement of cancelled license ..... \$50.00
(e) Certified copy of license ..... \$15.00



- (f) Temporary license ..... \$25.00  
 (g) Reinstatement of revoked license ..... \$100.00  
 (Authorized by K.S.A. 2006 Supp. 65-7312; implementing K.S.A. 2006 Supp. 65-7308; effective, T-100-7-1-05, July 1, 2005; effective Sept. 23, 2005; amended Aug. 17, 2007.)

Lawrence T. Buening, Jr.  
 Executive Director

Doc. No. 034715

(Editor's Note: The following notice of hearing was published in the July 26, 2007 Kansas Register with an incorrect hearing date. The notice is being republished in its entirety with the corrected date.)

#### State of Kansas

### Department of Labor Division of Employment

#### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted by the Kansas Department of Labor at 9 a.m. **Wednesday, September 26**, in the third floor conference room at the Kansas Department of Labor, 401 S.W. Topeka Blvd., Topeka, to consider the adoption of an unemployment insurance program regulation. This 60-day notice constitutes a public comment period for the purpose of receiving written public comment on the proposed regulation.

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

Requests for copies of the regulation and submissions of comments concerning the regulation should be sent to Darren Root at the address above or at Darren.Root@dol.ks.gov. A summary of the regulation and the economic impact follows:

**K.A.R. 50-3-2**—The amendments implement 2007 legislative changes to K.S.A. 2006 Supp. 44-705(d), as amended by L. 2007, Ch. 16, §2. The amended regulation codifies the Legislature's intent to waive the one-week waiting period for unemployment insurance benefits initial claims, when specified circumstances exist. In addition, the amendments clarify that unemployment benefits for the one-week waiting period will be paid in the claimant's fourth week of unemployment, provided there is not a break in claims during the period of three weeks consecutive to the waiting period and the claimant has met the eligibility requirements during that three-week period. The adoption of this amended regulation will not jeopardize the department's conformity with the requirements of the federal unemployment insurance program.

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

Jim Garner  
 Secretary of Labor

Doc. No. 034690

#### State of Kansas

### Real Estate Appraisal Board

#### Permanent Administrative Regulations

#### Article 1.—DEFINITIONS

**117-1-1. Definitions.** (a) "Act" means the state certified and licensed real property appraisers act.

(b) "Appraisal foundation" means the appraisal foundation established on November 30, 1987 as a not-for-profit corporation under the laws of Illinois.

(c) "Appraiser" means a state licensed or certified appraiser.

(d) "Board" means the real estate appraisal board.

(e) "Classroom hour" means 50 minutes within a 60-minute segment. This definition reflects the traditional educational practice of having 50 minutes of instruction and 10 minutes of break time for each scheduled hour of instruction. The prescribed number of classroom hours shall include time devoted to examinations, which are considered to be part of the course.

(f) "Course" means any educational offering.

(g) "Distance education" means any type of education during which the student and instructor are geographically separated.

(h) "General classification" means the certified general real property appraiser classification.

(i) "Licensed classification" means the state licensed real property appraiser classification.

(j) "National uniform standards of professional appraisal practice course" means the uniform standards of professional appraisal practice course developed by the appraisal foundation.

(k) "Residential classification" means the certified residential real property appraiser classification.

(l) "Provisional classification" means the state provisional licensed real property appraiser classification.

(m) "Sponsor" means any of the following entities, which may request course approval from the board or offer a course approved by the board for credit toward any education requirement of the act:

- (1) Colleges or universities;
- (2) community or junior colleges;
- (3) real estate appraisal or real estate-related organizations;
- (4) state or federal agencies or commissions;
- (5) proprietary schools;
- (6) other providers approved by the board; and
- (7) the appraisal foundation or its board.

This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 58-4105; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended Aug. 15, 1994; amended May 3, 1996; amended May 23, 2003; amended Jan. 1, 2008.)

#### Article 2.—QUALIFICATIONS CRITERIA— RESIDENTIAL REAL ESTATE APPRAISER CLASSIFICATION

**117-2-1. Licensed classification; education requirements.** (a) In order to sit for the licensed classification  
*(continued)*

tion examination, each applicant shall meet the following requirements:

(1) Have received credit for 150 classroom hours in the following subjects, as specified:

- (A) 30 classroom hours in basic appraisal principles;
- (B) 30 classroom hours in basic appraisal procedures;
- (C) 15 classroom hours in the national uniform standards of professional appraisal practice course or its equivalent;
- (D) 15 classroom hours in market analysis and highest and best use;
- (E) 15 classroom hours in residential appraisal site valuation and cost approach;
- (F) 30 classroom hours in residential sales comparison and income approaches; and
- (G) 15 classroom hours in residential report writing and case studies; and

(2) provide evidence, satisfactory to the board, of one of the following:

- (A) Successful completion of courses approved by the board as specified in paragraph (a)(1); or
- (B) successful completion of courses not approved by the board, with evidence that the education covered all of the requirements specified in paragraph (a)(1).

(b) Classroom hours may be obtained only if both of the following conditions are met:

- (1) The minimum length of the educational offering is at least 15 classroom hours.
- (2) The applicant successfully completes an approved closed-book examination pertinent to that educational offering.

(c) A distance education course may be deemed to meet the classroom hour requirement specified in paragraph (a)(1) if all of the following conditions are met:

(1) The course provides an environment in which the student has verbal or written communication with the instructor.

(2) The sponsor obtains course content approval from any of the following:

- (A) The appraiser qualifications board;
- (B) an appraiser licensing or certifying agency in this or any other state; or

(C) an accredited college, community college, or university that offers distance education programs and is approved or accredited by the commission on colleges, a regional or national accreditation association, or an accrediting agency that is recognized by the U.S. secretary of education. Each non-academic credit college course provided by a college shall be approved by the appraiser qualifications board or the appraiser licensing or certifying agency in this or any other state.

(3) The course design and delivery are approved by one of the following sources:

(A) An appraiser qualifications board-approved organization;

(B) a college that qualifies for course content approval as specified in paragraph (c)(2)(C) that awards academic credit for the distance education course; or

(C) a college that qualifies for course content approval as specified in paragraph (c)(2)(C) with a distance education delivery program that approves the course design

and that includes a delivery system incorporating interactivity.

(d) Each distance education course intended for use as qualifying education shall include a written examination proctored by an official approved by the college or university or by the sponsor.

(e) Any applicant who has completed two or more courses generally comparable in content, meaning topics covered, may receive credit only for the longest of the comparable courses completed. The national uniform standards of professional appraisal practice course (USPAP) taken in different years shall not be considered repetitive.

(f) Credit toward the classroom hour requirement may be awarded to teachers of appraisal courses.

This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 58-4109; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended Jan. 9, 1998; amended March 26, 1999; amended May 23, 2003; amended Jan. 1, 2008.)

**117-2-2. Licensed classification; appraisal experience requirement.** (a) (1) Each applicant for the licensed classification shall have 2,000 hours of appraisal experience obtained in no fewer than 12 months.

(2) Acceptable appraisal experience shall include a minimum of 1,500 hours of real property appraisal experience.

(3) Acceptable appraisal experience may include an aggregate maximum of 25% of the total number of experience hours in the following appraisal categories:

- (A) Mass appraisal;
- (B) real estate consulting;
- (C) review appraisal;
- (D) highest and best use analysis;
- (E) feasibility analysis study;
- (F) drive-by appraisals; and
- (G) restricted appraisal reports.

(4) Experience hours may be granted for appraisals performed without a traditional client. However, appraisal experience gained from work without a traditional client shall not exceed 50% of the total appraisal experience requirement. Practicum courses that are approved by the appraiser qualifications board's course-approval program or by a state appraiser regulatory agency may also be used to meet the requirement for non-traditional client experience. Each practicum course shall include the generally applicable methods of appraisal practice for the state licensed classification. The course content shall include the following:

(A) Requiring the student to produce credible appraisals that utilize an actual subject property;

(B) performing market research containing sales analysis; and

(C) applying and reporting the applicable appraisal approaches in conformity with the uniform standards of professional appraisal practice.

Each assignment shall require problem-solving skills for a variety of property types for the state licensed classification. Experience credit shall be granted for the actual number of classroom hours of instruction and hours of

documented research and analysis as awarded from the practicum course approval process.

(5) For the purposes of this regulation, "traditional client" shall mean a client who hires an appraiser for a business purpose.

(b) All appraisal experience shall be in compliance with the uniform standards of professional appraisal practice (USPAP), as adopted in K.A.R. 117-8-1. Each applicant's experience shall be appraisal work conforming to standards 1, 2, 3, 5, and 6, in which the applicant demonstrates proficiency in the appraisal principles, methodology, procedures, and reporting conclusions.

(c) The real property appraisal experience requirement specified in paragraph (a)(2) shall be met by time involved in the appraisal process. The appraisal process shall consist of the following:

- (1) Analyzing factors that affect value;
- (2) defining the problem;
- (3) gathering and analyzing data;
- (4) applying the appropriate analysis and methodology; and

(5) arriving at an opinion and correctly reporting the opinion in compliance with the national uniform standards of professional appraisal practice.

(d)(1) In order for the board to determine whether or not the experience requirements have been satisfied, each applicant shall submit appraisal experience log sheets, in a format prescribed by the board, listing the appraisal reports completed by the applicant within the five-year period preceding the date of application. Each appraisal report shall be signed by the applicant or the preparer of the report who supervised the applicant. If the applicant does not sign the appraisal report, the preparer shall indicate whether or not the applicant provided significant professional assistance in the appraisal process.

(2) If an applicant has not maintained a record of the actual number of hours involved in completing an appraisal, the applicant may estimate the number of hours as follows:

(A) Residential appraisal. To estimate the number of hours for each residential appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by two; and

(ii) to the figure computed in paragraph (d)(2)(A)(i), add one of the following numbers according to the type of appraisal report generated: six for self-contained, four for summary, or zero for restricted use.

(B) Commercial or agricultural appraisal. To estimate the number of hours for each commercial or agricultural appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by eight; and

(ii) to the figure computed in paragraph (d)(2)(B)(i), add one of the following numbers according to the type of appraisal report generated: 16 for self-contained, eight for summary, or zero for restricted use.

(e) Upon request of the board, each applicant shall submit a minimum of three appraisal reports selected by the board from the applicant's log sheet and one appraisal report selected by the applicant from the log sheet. The selected appraisal reports shall be reviewed in accordance

with standard rule 3 by the board or the board's designee for competency, within the scope of practice of the appraisal work authorized for the licensed classification, by using the criteria specified in K.S.A. 58-4109(d) and amendments thereto and, in particular, standards 1 and 2 of the edition of the uniform standards of professional appraisal practice (USPAP) in effect when the appraisal was performed. Approval of an applicant's experience hours shall be subject to board approval of the requisite number of experience hours and board approval of the selected appraisal reports.

This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 58-4109; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended July 25, 1994; amended June 5, 1995; amended March 7, 1997; amended March 26, 1999; amended Oct. 8, 2004; amended Sept. 1, 2006; amended Jan. 1, 2008.)

**117-2-3. Licensed classification; examination requirement.** (a) Except as specified in subsection (b), each applicant for the licensed classification shall be required to successfully complete the national uniform appraiser examination designated by the board for the licensed classification within 24 months from the date of the board's approval of that applicant to take the examination. The applicant's successful completion of the examination shall be valid for 24 months.

(b) The only alternative to successful completion of the licensed classification examination shall be the successful completion of the residential or general classification examination.

This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 58-4109; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended, T-117-7-1-05, July 1, 2005; amended Oct. 28, 2005; amended Jan. 1, 2008.)

**117-2-4. Licensed classification; scope of practice.** (a) (1) The licensed classification shall apply to the appraisal of the following:

(A) Non-complex one- to four-family residential units having a transaction value of less than \$1,000,000; and

(B) complex one- to four-family residential units having a transaction value of \$250,000 or less.

(2) For the purposes for this regulation, the following definitions shall apply:

(A) A complex one- to four-family residential property appraisal shall mean an appraisal in which the property to be appraised, the form of ownership, or the market conditions are atypical.

(B) For non-federally related transaction appraisals, transaction value shall mean market value.

(b) The licensed classification shall include the appraisal of vacant or unimproved land that is utilized for one- to four-family purposes and where the highest and best use is for one- to four-family purposes. The licensed classification shall not include the appraisal of subdivisions in which a development analysis or appraisal is necessary and utilized.

(c) The licensed classification may also apply to the appraisal of any other property permitted by the regulations

(continued)

of the applicable federal financial institution's regulatory agency, other agency, or regulatory body.

(d) Each licensed appraiser shall comply with the competency rule of the uniform standards of professional appraisal practice (USPAP), as adopted in K.A.R. 117-8-1.

(e) Each licensed appraiser shall perform and practice in compliance with the USPAP, as adopted in K.A.R. 117-8-1.

This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 58-4109; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended May 24, 1993; amended Jan. 1, 2008.)

**Article 3.—QUALIFICATIONS CRITERIA—  
GENERAL REAL ESTATE APPRAISER  
CLASSIFICATION**

**117-3-1. General classification; education requirements.** (a) In order to sit for the general classification examination, each applicant shall meet the following requirements:

(1)(A) Have a bachelor's degree or higher from an accredited college or university; or

(B) have passed all of the following types of courses from an accredited college, junior college, community college, or university for a total of 30 semester credit hours, except as specified in subsection (b):

- (i) English composition;
- (ii) microeconomics;
- (iii) macroeconomics;
- (iv) finance;
- (v) algebra, geometry, or higher mathematics;
- (vi) statistics;
- (vii) computers, word processing, or spreadsheets;
- (viii) business or real estate law; and
- (ix) two elective courses in accounting, geography, agricultural economics, business management, or real estate;

(2) have received credit for 300 classroom hours in the following subjects, as specified:

- (A) 30 classroom hours in basic appraisal principles;
- (B) 30 classroom hours in basic appraisal procedures;
- (C) 15 classroom hours in the national uniform standards of professional appraisal practice course or its equivalent;
- (D) 30 classroom hours in general appraisal market analysis and highest and best use;
- (E) 15 classroom hours in statistics, modeling, and finance;
- (F) 30 classroom hours in the general appraisal sales comparison approach;
- (G) 30 classroom hours in the general appraisal site valuation and cost approach;
- (H) 60 classroom hours in the general appraisal income approach;
- (I) 30 classroom hours in general appraisal report writing and case studies; and
- (J) 30 classroom hours in appraisal subject matter electives, which may include hours over the minimum specified in paragraphs (a)(2)(A) through (I); and

(3) provide evidence, satisfactory to the board, of one of the following:

(A) Successful completion of courses approved by the board as specified in paragraph (a)(2); or

(B) successful completion of courses not approved by the board, with evidence that the education covered all of the requirements specified in paragraph (a)(2).

(b) If an accredited college or university accepts the college-level examination program (CLEP) examination and issues a transcript for an exam showing its approval, the examination shall be considered as credit for the corresponding college course.

(c) Classroom hours may be obtained only if both of the following conditions are met:

(1) The length of the educational offering is at least 15 classroom hours.

(2) The applicant successfully completes an approved closed-book examination pertinent to that educational offering.

(d) The 300 classroom hours specified in paragraph (a)(2) may include a portion of the 150 classroom hours required for the licensed classification or the 200 classroom hours required for the residential classification.

(e) A distance education course may be deemed to meet the classroom hour requirement specified in paragraph (a)(2) if all of the following conditions are met:

(1) The course provides an environment in which the student has verbal or written communication with the instructor.

(2) The sponsor obtains course content approval from any of the following:

- (A) The appraiser qualifications board;
- (B) an appraiser licensing or certifying agency in this or any other state; or

(C) an accredited college, community college, or university that offers distance education programs and is approved or accredited by the commission on colleges, a regional or national accreditation association, or an accrediting agency that is recognized by the U.S. secretary of education. Each non-academic credit college course provided by a college shall be approved by the appraiser qualifications board or the appraiser licensing or certifying agency in this or any other state.

(3) The course design and delivery are approved by one of the following sources:

(A) An appraiser qualifications board-approved organization;

(B) a college that qualifies for course content approval as specified in paragraph (e)(2)(C) that awards academic credit for the distance education course; or

(C) a college that qualifies for course content approval as specified in paragraph (e)(2)(C) with a distance education delivery program that approves the course design and that includes a delivery system incorporating interactivity.

(f) Each distance education course intended for use as qualifying education shall include a written examination proctored by an official approved by the college or university or by the sponsor.

(g) Any applicant who has completed two or more courses generally comparable in content, meaning topics covered, may receive credit only for the longest of the comparable courses completed. The national uniform standards of professional appraisal practice course

(USPAP) taken in different years shall not be considered repetitive.

(h) Credit toward the classroom hour requirement may be awarded to teachers of appraisal courses.

This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 58-4109; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended Jan. 9, 1998; amended March 26, 1999; amended May 23, 2003; amended Jan. 1, 2008.)

**117-3-2. General classification; appraisal experience requirement.** (a)(1) Each applicant for the general classification shall have 3,000 hours of appraisal experience obtained over a period of no fewer than 30 months.

(2) At least 1,500 hours of appraisal experience shall have been nonresidential appraisal work. For purposes of this regulation, "residential" shall be defined as residential units for one to four families.

(3) Acceptable appraisal experience shall include a minimum of 2,250 experience hours of real property appraisal experience.

(4) Acceptable appraisal experience may include an aggregate maximum of 25% of the total number of experience hours in the following appraisal categories:

- (A) Mass appraisal;
- (B) review appraisal;
- (C) highest and best use analysis;
- (D) feasibility analysis study;
- (E) drive-by appraisals; and
- (F) restricted appraisal reports.

(5) Experience hours may be granted for appraisals performed without a traditional client. However, appraisal experience gained from work without a traditional client shall not exceed 50% of the total appraisal experience requirement. Practicum courses that are approved by the appraiser qualifications board's course-approval program or by a state appraiser regulatory agency may also be used to meet the requirement for non-traditional client experience. Each practicum course shall include the generally applicable methods of appraisal practice for the general classification. The course content shall include the following:

(A) Requiring the student to produce credible appraisals that utilize an actual subject property;

(B) performing market research containing sales analysis; and

(C) applying and reporting the applicable appraisal approaches in conformity with the uniform standards of professional appraisal practice.

Each practicum course assignment shall require problem-solving skills for a variety of property types for the general classification. Experience credit shall be granted for the actual number of classroom hours of instruction and hours of documented research and analysis as awarded from the practicum course approval process.

(6) For the purposes of this regulation, "traditional client" shall mean a client who hires an appraiser for a business purpose.

(b) All appraisal experience shall be in compliance with the uniform standards of professional appraisal practice (USPAP), as adopted in K.A.R. 117-8-1. Each ap-

plicant's experience shall be appraisal work conforming to standards 1, 2, 3, 5 and 6, in which the applicant demonstrates proficiency in the appraisal principles, methodology, procedures, and report conclusions.

(c) The real property appraisal experience requirement specified in paragraph (a)(3) shall be met by time involved in the appraisal process. The appraisal process shall consist of the following:

- (1) Analyzing factors that affect value;
- (2) defining the problem;
- (3) gathering and analyzing data;
- (4) applying the appropriate analysis and methodology; and
- (5) arriving at an opinion and correctly reporting the opinion in compliance with the national uniform standards of professional appraisal practice.

(d)(1) In order for the board to determine whether or not the experience requirements have been satisfied, each applicant shall submit appraisal experience log sheets, in a format prescribed by the board, listing the appraisal reports completed by the applicant within the five-year period preceding the date of application. Each appraisal report shall be signed by the applicant or the preparer of the report who supervised the applicant. If the applicant does not sign the appraisal report, the preparer shall indicate whether or not the applicant provided significant professional assistance in the appraisal process.

(2) If an applicant has not maintained a record of the actual number of hours involved in completing an appraisal, the applicant may estimate the number of hours as follows:

(A) Residential appraisal. To estimate the number of hours for each residential appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by two; and

(ii) to the figure computed in paragraph (d)(2)(A)(i), add one of the following numbers according to the type of appraisal report generated: six for self-contained, four for summary, or zero for restricted use.

(B) Commercial or agricultural appraisal. To estimate the number of hours for each commercial or agricultural appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by eight; and

(ii) to the figure computed in paragraph (d)(2)(B)(i), add one of the following numbers according to the type of appraisal report generated: 16 for self-contained, eight for summary, or zero for restricted use.

(e) Upon request of the board, each applicant shall submit a minimum of three appraisal reports selected by the board from the applicant's log sheet and one appraisal report selected by the applicant from the log sheet. The selected appraisal reports shall be reviewed by the board or the board's designee, in accordance with standard rule 3, for competency within the scope of practice of the appraisal work authorized for the general classification, by using the criteria specified in K.S.A. 58-4109(d) and amendments thereto and, in particular, standard rules 1 and 2 of the edition of the uniform standards of professional appraisal practice (USPAP) in effect when the ap-

(continued)

praisal was performed. Approval of an applicant's experience hours shall be subject to board approval of the requisite number of experience hours and board approval of the selected appraisal reports.

This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 58-4109; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended July 25, 1994; amended June 5, 1995; amended March 7, 1997; amended Jan. 9, 1998; amended March 26, 1999; amended Oct. 8, 2004; amended Sept. 1, 2006; amended Jan. 1, 2008.)

**117-3-4. General classification; scope of practice.**

(a) The general classification shall apply to the appraisal of all types of real property.

(b) Each certified general appraiser shall comply with the competency rule of the uniform standards of professional appraisal practice (USPAP), as adopted in K.A.R. 117-8-1.

(c) Each certified general appraiser shall perform and practice in compliance with the USPAP, as adopted in K.A.R. 117-8-1.

This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 58-4109; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended Jan. 1, 2008.)

**Article 4.—QUALIFICATIONS CRITERIA—  
CERTIFIED RESIDENTIAL REAL PROPERTY  
APPRAISER CLASSIFICATION**

**117-4-1. Residential classification; education requirements.** (a) In order to sit for the residential classification examination, each applicant shall meet the following requirements:

(1)(A) Have an associate's degree or higher from an accredited college, junior college, community college, or university; or

(B) have passed all of the following types of courses from an accredited college, junior college, community college, or university for a total of 21 semester credit hours, except as specified in subsection (b):

(i) English composition;

(ii) principles of economics, either microeconomics or macroeconomics;

(iii) finance;

(iv) algebra, geometry, or higher mathematics;

(v) statistics;

(vi) computers, word processing, or spreadsheets; and

(vii) business or real estate law;

(2) have received credit for 200 classroom hours in the following subjects, as specified:

(A) 30 classroom hours in basic appraisal principles;

(B) 30 classroom hours in basic appraisal procedures;

(C) 15 classroom hours in the national uniform standards of professional appraisal practice course or its equivalent;

(D) 15 classroom hours in residential market analysis and highest and best use;

(E) 15 classroom hours in the residential appraiser site valuation and cost approach;

(F) 30 classroom hours in residential sales comparison and income approaches;

(G) 15 classroom hours in residential report writing and case studies;

(H) 15 classroom hours in statistics, modeling, and finance;

(I) 15 classroom hours in advanced residential applications and case studies; and

(J) 20 classroom hours in appraisal subject matter electives, which may include hours over the minimum specified in paragraphs (a)(2)(A) through (I); and

(3) provide evidence, satisfactory to the board, of one of the following:

(A) Successful completion of courses approved by the board as specified in paragraph (a)(2); or

(B) successful completion of courses not approved by the board, with evidence that the education covered all of the requirements specified in paragraph (a)(2).

(b) If an accredited college or university accepts the college-level examination program (CLEP) examination and issues a transcript for an exam showing its approval, the examination shall be considered as credit for the corresponding college course.

(c) Classroom hours may be obtained only if both of the following conditions are met:

(1) The length of the educational offering is at least 15 classroom hours.

(2) The applicant successfully completes an approved closed-book examination pertinent to that educational offering.

(d) The 200 classroom hours specified in paragraph (a)(2) may include a portion of the 150 classroom hours required for the licensed classification.

(e) A distance education course may be deemed to meet the classroom hour requirement specified in paragraph (a)(2) if all of the following conditions are met:

(1) The course provides an environment in which the student has verbal or written communication with the instructor.

(2) The sponsor obtains course content approval from any of the following:

(A) The appraiser qualifications board;

(B) an appraiser licensing or certifying agency in this or any other state; or

(C) an accredited college, community college, or university that offers distance education programs and is approved or accredited by the commission on colleges, a regional or national accreditation association, or an accrediting agency that is recognized by the U.S. secretary of education. Each non-academic credit college course provided by a college shall be approved by the appraiser qualifications board or the appraiser licensing or certifying agency in this or any other state.

(3) The course design and delivery are approved by one of the following sources:

(A) An appraiser qualifications board-approved organization;

(B) a college that qualifies for course content approval as specified in paragraph (e)(2)(C) that awards academic credit for the distance education course; or

(C) a college that qualifies for course content approval as specified in paragraph (e)(2)(C) with a distance education delivery program that approves the course design

and that includes a delivery system incorporating interactivity.

(f) Each distance education course intended for use as qualifying education shall include a written examination proctored by an official approved by the college or university or by the sponsor.

(g) Any applicant who has completed two or more courses generally comparable in content, meaning topics covered, may receive credit only for the longest of the comparable courses completed. The national uniform standards of professional appraisal practice course (USPAP) taken in different years shall not be considered repetitive.

(h) Credit toward the classroom hour requirement may be awarded to teachers of appraisal courses.

This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 58-4109; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended Jan. 1, 1994; amended Jan. 9, 1998; amended March 26, 1999; amended May 23, 2003; amended Jan. 1, 2008.)

**117-4-2. Residential classification; appraisal experience requirement.** (a)(1) Each applicant for the residential classification shall have 2,500 hours of appraisal experience obtained over a period of no fewer than 24 months.

(2) Acceptable appraisal experience shall include a minimum of 1,875 experience hours of real property appraisal experience.

(3) Acceptable appraisal experience may include an aggregate maximum of 25% of the total number of experience hours in the following appraisal categories:

- (A) Mass appraisal;
- (B) review appraisal;
- (C) highest and best use analysis;
- (D) feasibility analysis study;
- (E) drive-by appraisals; and
- (F) restricted appraisal reports.

(4) Experience hours may be granted for appraisals performed without a traditional client. However, appraisal experience gained from work without a traditional client shall not exceed 50% of the total appraisal experience requirement. Practicum courses that are approved by the appraiser qualifications board's course-approval program or by a state appraiser regulatory agency may also be used to meet the requirement for non-traditional client experience. Each practicum course shall include the generally applicable methods of appraisal practice for the residential classification. The course content shall include the following:

(A) Requiring the student to produce credible appraisals that utilize an actual subject property;

(B) performing market research containing sales analysis; and

(C) applying and reporting the applicable appraisal approaches in conformity with the uniform standards of professional appraisal practice.

Each assignment shall require problem-solving skills for a variety of property types for the residential classification. Experience credit shall be granted for the actual

classroom hours of instruction and hours of documented research and analysis as awarded from the practicum course approval process.

(5) For the purposes of this regulation, "traditional client" shall mean a client who hires an appraiser for a business purpose.

(b) All appraisal experience shall be in compliance with the uniform standards of professional appraisal practice (USPAP), as adopted in K.A.R. 117-8-1. Each applicant's experience shall be appraisal work conforming to standards 1, 2, 3, 5 and 6, in which the applicant demonstrates proficiency in the appraisal principles, methodology, procedures, and report conclusions.

(c) The real property appraisal experience requirement specified in paragraph (a)(2) shall be met by time involved in the appraisal process. The appraisal process shall consist of the following:

- (1) Analyzing factors that affect value;
- (2) defining the problem;
- (3) gathering and analyzing data;
- (4) applying the appropriate analysis and methodology; and

(5) arriving at an opinion and correctly reporting the opinion in compliance with the national uniform standards of professional appraisal practice.

(d)(1) In order for the board to determine whether or not the experience requirements have been satisfied, each applicant shall submit appraisal experience log sheets, in a format prescribed by the board, listing the appraisal reports completed by the applicant within the five-year period preceding the date of application. Each appraisal report shall be signed by the applicant or the preparer of the report who supervised the applicant. If the applicant does not sign the appraisal report, the preparer shall indicate whether or not the applicant provided significant professional assistance in the appraisal process.

(2) If an applicant has not maintained a record of the actual number of hours involved in completing an appraisal, the applicant may estimate the number of hours as follows:

(A) Residential appraisal. To estimate the number of hours for each residential appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by two; and

(ii) to the figure computed in paragraph (d)(2)(A)(i), add one of the following numbers according to the type of appraisal report generated: six for self-contained, four for summary, or zero for restricted use.

(B) Commercial or agricultural appraisal. To estimate the number of hours for each commercial or agricultural appraisal, the following calculation shall be used:

(i) Multiply the number of approaches taken by eight; and

(ii) to the figure computed in paragraph (d)(2)(B)(i), add one of the following numbers according to the type of appraisal report generated: 16 for self-contained, eight for summary, or zero for restricted use.

(e) Upon request of the board, each applicant shall submit a minimum of three appraisal reports selected by the board from the applicant's log sheet and one appraisal

*(continued)*

report selected by the applicant from the log sheet. The selected appraisal reports shall be reviewed by the board or the board's designee, in accordance with standard rule 3 for competency within the scope of practice of the appraisal work authorized for the residential classification, by using the criteria specified in K.S.A. 58-4109(d) and amendments thereto and, in particular, standard rules 1 and 2 of the edition of the uniform standards of professional appraisal practice (USPAP) in effect when the appraisal was performed. Approval of an applicant's experience hours shall be subject to board approval of the requisite number of experience hours and board approval of the selected appraisal reports.

This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 58-4109; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended July 25, 1994; amended June 5, 1995; amended March 7, 1997; amended Jan. 9, 1998; amended March 26, 1999; amended Oct. 8, 2004; amended Sept. 1, 2006; amended Jan. 1, 2008.)

**117-4-3. Residential classification; examination requirement.** (a) Except as specified in subsection (b), each applicant for the residential classification shall be required to successfully complete the national uniform appraiser examination designated by the board for the residential classification within 24 months from the date of the board's approval of that applicant to take the examination. The applicant's successful completion of the examination shall be valid for 24 months.

(b) The only alternative to the successful completion of the residential classification examination shall be the successful completion of the general classification examination.

This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 58-4109; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended, T-117-7-1-05, July 1, 2005; amended Oct. 28, 2005; amended Jan. 1, 2008.)

**117-4-4. Residential classification; scope of practice.** (a) The residential classification shall apply to the appraisal of residential units for one to four families without regard to transaction value or complexity.

(b) The residential classification shall include the appraisal of vacant or unimproved land that is utilized for one-family to four-family purposes and where the highest and best use is for one-family to four-family purposes. The residential classification shall not include the appraisal of subdivisions in which a development analysis or appraisal is necessary and utilized.

(c) The residential classification may also apply to the appraisal of any other property permitted by the regulations of the applicable federal financial institution's regulatory agency, other agency, or regulatory body.

(d) Each certified residential appraiser shall comply with the competency rule of the uniform standards of professional appraisal practice (USPAP), as adopted in K.A.R. 117-8-1.

(e) Each certified residential appraiser shall perform and practice in compliance with the USPAP, as adopted in K.A.R. 117-8-1.

This regulation shall be effective on and after January 1, 2008. (Authorized by and implementing K.S.A. 58-4109; effective, T-117-6-10-91, June 10, 1991; effective Aug. 5, 1991; amended May 24, 1993; amended Jan. 1, 2008.)

#### Article 6.—CONTINUING EDUCATION

**117-6-1. Continuing education; renewal requirements.** (a)(1) The continuing education requirement for renewal of a license or certificate for the provisional, licensed, residential, and general classifications shall be the equivalent of 14 classroom hours of instruction. A two-year total of 28 hours of continuing education hours may be averaged over each two-year education cycle as defined in paragraph (a)(2) and as provided in paragraph (a)(3). Each course for which credit is requested shall have received the approval of the board or approval of the appraisal licensing agency of the state in which the course was held for renewal of the applicable classification before the completion of the course.

(2) The two-year education cycle shall commence on July 1 of each odd-numbered year and end on June 30 of the next odd-numbered year.

(3) Within every two-year education cycle, each certified or licensed appraiser shall attend a seven-classroom-hour national uniform standards of professional appraisal practice update course, or its equivalent.

(b) An appraiser shall not receive continuing education credit for a course for which the appraiser received credit toward the original classroom hour requirement specified in K.A.R. 117-2-1, 117-3-1, or 117-4-1, except for the course on the uniform standards of professional appraisal practice and updates of the course. However, if a licensed or certified appraiser receives credit for a course to apply toward a higher classification, the appraiser may also receive continuing education credit for the course if it is approved by the board or by the appraisal licensing agency of the state in which the course was held for continuing education credit.

(c)(1) Up to one-half of an individual's continuing education credit may also be granted for participation, other than as a student, in appraisal educational processes and programs. Activities for which credit may be granted shall include any of the following:

(A) Teaching of appraisal courses. Credit for any course or seminar shall be awarded only once during each two-year continuing education cycle;

(B) program development;

(C) authorship of textbooks; or

(D) similar activities that are determined by the board to be equivalent to obtaining continuing education.

(2) Each appraiser seeking credit for attendance at or participation in an educational activity that was not previously accredited shall submit to the board a request for credit, which shall include the following information:

(A) A description of the activity;

(B) the date or dates of the activity;

(C) the subject or subjects covered;

(D) the name of each instructor and the instructor's qualifications;

(E) the number of credit hours requested, which shall not exceed the required minimum of 14 hours per renewal; and



(F) any other relevant information required by the board. Within 30 days after receipt of this request, the appraiser shall be advised by the board in writing whether credit is granted and what amount of continuing education credit will be allowed. Either the sponsor or appraiser shall submit a separate request for approval of each continuing education activity.

(d) It shall be the appraiser's responsibility to keep track of that individual's continuing education credit. At the time of renewal of a license or certificate, the appraiser shall provide verification of completion of continuing education by affidavit to the board.

(1) The affidavit shall contain a statement of continuing education courses completed by the appraiser.

(2) The appraiser shall list all courses completed on the affidavit.

(3) The appraiser shall retain all course completion certificates for five years and shall make the certificates available to the board for review upon request.

(e) If any appraiser requests credit according to subsection (c) of this regulation, the appraiser shall submit a detailed description of the activities with the application for renewal on a form obtained from the board.

This regulation shall be effective on and after January 1, 2008. (Authorized by K.S.A. 58-4105(a) and K.S.A. 58-4109; implementing K.S.A. 58-4109, K.S.A. 58-4112, and K.S.A. 58-4117; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended July 25, 1994; amended Feb. 6, 1995; amended Jan. 9, 1998; amended July 16, 1999; amended May 17, 2002; amended May 23, 2003; amended Sept. 1, 2006; amended Jan. 1, 2008.)

**117-6-2. Continuing education; approval of courses; requirements.** (a) Each sponsor of a continuing education course approved by the board shall ensure that each appraiser participates in a program that maintains and increases the appraiser's skill, knowledge, and competency in real estate appraising.

(b) Courses approved by the board for renewal of a license or certificate shall cover real estate-related appraisal topics that may include the following:

- (1) Mass appraisal;
- (2) arbitration and dispute resolution;
- (3) courses related to the practice of real estate appraisal or consulting;
- (4) development cost estimating;
- (5) ethics and standards of professional practice;
- (6) land use planning and zoning;
- (7) management, leasing, and time-sharing;
- (8) property development and partial interests;
- (9) real estate appraisal;
- (10) real estate law, easements, and legal interests;
- (11) real estate litigation, damages, and condemnation;
- (12) real estate financing and investment;
- (13) real estate appraisal-related computer applications; and
- (14) real estate securities and syndication.

(c) The length of each course approved for continuing education credit shall be at least two classroom hours.

(d) Any distance education course may be approved for continuing education credit if all of the following conditions are met:

(1) The course provides an environment in which the student has verbal or written communication with the instructor.

(2) The sponsor obtains course content approval from any of the following:

(A) The appraiser qualifications board;

(B) an appraiser licensing or certifying agency in this or any other state; or

(C) an accredited college, community college, or university that offers distance education programs and is approved or accredited by the commission on colleges, a regional or national accreditation association, or an accrediting agency that is recognized by the U.S. secretary of education. Each non-academic credit college course provided by a college shall be approved by the appraiser qualifications board or the appraiser licensing or certifying agency in another state.

(3) The course design and delivery are approved by one of the following:

(A) An appraiser qualifications board-approved organization;

(B) a college that qualifies for course content approval as specified in paragraph (d)(2)(C) that awards academic credit for the distance education course; or

(C) a college that qualifies for course content approval as specified in paragraph (d)(2)(C) with a distance education delivery program that approves the course design and that includes a delivery system incorporating interactivity.

(4) Each course includes at least one of the following:

(A) A written examination proctored by an official approved by the college or university or by the sponsor; or

(B) successful completion of prescribed course components required to demonstrate knowledge of the subject matter.

(e) To receive credit for a course, each applicant shall attend all classroom hours, even when the number of credit hours for which a course is approved is less than the total number of hours of the course presentation.

(f) The only course for which students or instructors may receive credit for attending or instructing any subsequent offering of the same course for one year after attending or teaching the course shall be any update of the ethics and standards of professional practice course.

This regulation shall be effective on and after January 1, 2008. (Authorized by K.S.A. 58-4105; implementing K.S.A. 58-4109, K.S.A. 58-4112, and K.S.A. 58-4117; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended May 24, 1993; amended Feb. 6, 1995; amended May 23, 2003; amended Sept. 1, 2006; amended Jan. 1, 2008.)

Sally L. Pritchett  
Executive Director

Doc. No. 034676

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44-12-325	Amended	V. 26, p. 1076
44-12-601	Amended	V. 26, p. 1077
44-12-901	Amended	V. 26, p. 1079
44-12-902	Amended	V. 26, p. 1079
44-12-903	New	V. 26, p. 1079
44-12-1101	Amended	V. 26, p. 1080
44-12-1201	Amended	V. 26, p. 1080
44-12-1301	Amended	V. 26, p. 1080
44-12-1302	Amended	V. 26, p. 1081
44-12-1303	Amended	V. 26, p. 1081
44-12-1306	Amended	V. 26, p. 1081
44-12-1308	Amended	V. 26, p. 1081
44-13-101a	Amended	V. 26, p. 1082
44-13-106	Amended	V. 26, p. 1082
44-13-201	Amended	V. 26, p. 1082
44-13-201a	New	V. 26, p. 1083
44-13-201b	Amended	V. 26, p. 1084
44-13-202	Amended	V. 26, p. 1084
44-13-307	Amended	V. 26, p. 1085
44-13-402	Amended	V. 26, p. 1085
44-13-403	Amended	V. 26, p. 1085
44-13-404	Amended	V. 26, p. 1087
44-13-405a	Amended	V. 26, p. 1088
44-13-406	Amended	V. 26, p. 1089
44-13-408	Amended	V. 26, p. 1089
44-13-603	Amended	V. 26, p. 1089
44-13-610	Amended	V. 26, p. 1089
44-13-701	Amended	V. 26, p. 1090
44-13-703	Amended	V. 26, p. 1090
44-13-704	Amended	V. 26, p. 1090
44-15-101a	Amended	V. 26, p. 820
44-15-102	Amended	V. 26, p. 821
44-15-104	Amended	V. 26, p. 822
44-16-104a	New	V. 26, p. 822

**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 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-4-101	Amended	V. 26, p. 446
60-7-106	Amended	V. 26, p. 447
60-8-101	Amended	V. 26, p. 448
60-9-106	Amended	V. 26, p. 1112
60-11-119	Amended	V. 26, p. 448
60-17-102	Amended	V. 26, p. 448
60-17-103	Amended	V. 26, p. 449
60-17-104	Amended	V. 26, p. 449
60-17-105	Amended	V. 26, p. 450
60-17-107	Amended	V. 26, p. 450
60-17-108	Amended	V. 26, p. 451
60-17-110	Amended	V. 26, p. 451

(continued)

**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
66-9-5	Amended	V. 26, p. 1024
66-10-1	Amended	V. 25, p. 44
66-10-9	Amended	V. 25, p. 1802
66-10-10a	Amended	V. 26, p. 1024
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. 26, p. 1025

**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. 202
67-5-3	Revoked	V. 26, p. 692
67-5-4	Amended	V. 26, p. 692
67-5-5	New	V. 26, p. 692

**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	Amended	V. 26, p. 488
68-7-11	Amended	V. 26, p. 1112
68-7-12	Amended	V. 26, p. 1114
68-11-1	Amended	V. 25, p. 1401
68-16-1 through 68-16-9	New	V. 25, p. 1637-1639
68-20-1	Amended	V. 26, p. 488

**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
82-3-303	Amended	V. 26, p. 823
82-3-304	Amended	V. 26, p. 824
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 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-1-2	Amended (T)	V. 26, p. 1132
86-1-5	Amended (T)	V. 26, p. 1132
86-1-10	Amended (T)	V. 26, p. 1133
86-1-11	Amended (T)	V. 26, p. 1134
86-1-13	Amended (T)	V. 26, p. 1135
86-1-15	Amended (T)	V. 26, p. 1135
86-1-17	Amended (T)	V. 26, p. 1136
86-1-18	Amended (T)	V. 26, p. 1137
86-1-19	Amended (T)	V. 26, p. 1137
86-1-20	New (T)	V. 26, p. 1137
86-3-15	Amended (T)	V. 26, p. 1138
86-3-21	Amended (T)	V. 26, p. 1138
86-3-22	Amended (T)	V. 26, p. 1138

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-3-8	Revoked	V. 26, p. 1141
88-3-8a	New	V. 26, p. 1141
88-3-12	Amended	V. 26, p. 1141
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
88-24-1	Amended	V. 26, p. 1142
88-24-2	Amended	V. 26, p. 1142
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
88-30-1	New (T)	V. 26, p. 1074
88-30-2	New (T)	V. 26, p. 1074
88-30-3	New (T)	V. 26, p. 1074

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-201	Amended	V. 26, p. 1217
91-1-202	Amended	V. 26, p. 1218
91-1-203	Amended	V. 26, p. 1220
91-1-204	Amended	V. 26, p. 1224
91-1-205	Amended	V. 25, p. 1101
91-1-209	Amended	V. 26, p. 1226
91-1-234	New	V. 26, p. 1226

**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
97-6-1	New	V. 26, p. 484
97-6-2	New	V. 26, p. 485
97-6-4 through 97-6-11	New	V. 26, p. 485-488

**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
100-22-7	New	V. 26, p. 1043
100-22-8	New (T)	V. 26, p. 628
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
100-54-7	Amended	V. 26, p. 1043
100-54-8	Amended	V. 26, p. 1044
100-73-7	New	V. 25, p. 1601
100-73-8	New	V. 25, p. 1602
100-73-9	New	V. 26, p. 1044

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-1-5a	Amended	V. 25, p. 183
102-1-7	Revoked	V. 26, p. 881
102-1-12	Amended	V. 25, p. 184
102-1-12	Amended (T)	V. 26, p. 629
102-1-13	Amended (T)	V. 26, p. 1139
102-2-2a	Amended (T)	V. 25, p. 987, 1019
102-2-2a	Amended	V. 25, p. 1452
102-2-3	Amended (T)	V. 26, p. 1139
102-2-6	Amended	V. 25, p. 1453
102-2-10	Revoked	V. 26, p. 881
102-3-2	Amended (T)	V. 26, p. 1140
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
102-3-8a	Revoked	V. 26, p. 881
102-4-1a	Amended	V. 25, p. 1458
102-4-2	Amended (T)	V. 26, p. 1140
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
102-4-8a	Revoked	V. 26, p. 881
102-5-2	Amended (T)	V. 26, p. 1140
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
102-5-8	Revoked	V. 26, p. 881
102-6-8	Amended	V. 26, p. 881

**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
111-2-204	Amended	V. 26, p. 565
111-2-205	New	V. 26, p. 565
111-2-206	New	V. 26, p. 631
111-2-207	New	V. 26, p. 631
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**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. 26, p. 1109
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
115-4-13	Amended	V. 26, p. 1111
115-7-1	Amended	V. 25, p. 1605
115-7-4	Amended	V. 25, p. 1606
115-7-8	New	V. 25, p. 1606
115-9-9	Amended	V. 26, p. 641
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
117-3-2a	Amended	V. 26, p. 564
117-4-2	Amended	V. 25, p. 1147
117-4-2a	Amended	V. 26, p. 564
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

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**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

129-5-65	New	V. 26, p. 1091
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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