



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

State Fair Board

Notice of Meeting

The Kansas State Fair Board will meet at 8:30 a.m. Thursday, May 15, in Hutchinson. For more information, call Denny Stoecklein at (620) 669-3600.

John C. Bottenberg
President

Doc. No. 035706

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms to provide geotechnical investigations on an as-needed basis, according to guidelines provided by KDOT's Bureau of Materials and Research Geotechnical Unit. The objective of the investigations is to identify and locate, both horizontally and vertically, significant soil and rock types and groundwater conditions present and to establish the characteristics of the subsurface materials visually, by sampling, and by laboratory and in-site testing. Locations may be statewide.

A response may be submitted by e-mail to neil@ksdot.org or seven signed copies of the response can be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Responses shall be limited to four pages and must be received by noon May 15 for the consulting engineering firm to be considered.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three and not more than five) and invite them to attend an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned to the project. Firms not selected to be short-listed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

It is KDOT's policy to use the following criteria as the basis for selection of the consulting engineering firms:

1. Size and professional qualifications;
2. experience of staff;
3. location of firm with respect to proposed project;
4. work load of firm; and
5. firm's performance record.

Deb Miller
Secretary of Transportation

Doc. No. 035678

State of Kansas

Kansas State University—Salina

Notice to Bidders

Kansas State University at Salina is selling by sealed bid miscellaneous aircraft parts to include C-150 and Sun-downer parts. For details, bid sheet, bid deadline and contact information see K-State at Salina's Web site, <http://www.sal.ksu.edu/campusoffices/business/bid-items/index.html>.

Rhonda Riffel
Fiscal Affairs

Doc. No. 035675

State of Kansas

Kansas Sentencing Commission

Notice of Committee Meeting

The Kansas Sentencing Commission's Level of Service Inventory-Revised (LSI-R) Committee will meet from 9:30 a.m. to noon Wednesday, May 28, in the Kansas Sentencing Commission's conference room, Suite 501, Jayhawk Tower, 700 S.W. Jackson, Topeka. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Brenda Harmon at (785) 296-0923.

Helen Pedigo
Executive Director

Doc. No. 035710

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 08-11 by adding the following project:

Project KA-1281-01, Joint Kansas Department of Transportation and Kansas Turnpike Authority Toll Feasibility Study

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

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

The comment period regarding the STIP amendment will conclude June 2.

Deb Miller
Secretary of Transportation

Doc. No. 035707

State of Kansas

Department of Agriculture

Notice of Cancellation of Hearing on
Proposed Administrative Regulations

A public hearing was scheduled at 10 a.m. Tuesday, May 20, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of proposed bulk pesticide containment regulations K.A.R. 4-13-25, 4-13-25c, 4-13-25d, 4-13-25e, 4-13-25f, 4-13-25j, 4-13-25m and 4-13-25n. Please be advised that the Kansas Department of Agriculture is hereby postponing consideration of the proposed regulations until further notice. Therefore, the public hearing has been cancelled.

Adrian J. Polansky
Secretary of Agriculture

Doc. No. 035727

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. May 21 and then publicly opened.

District One — Northeast

Jefferson—16-44 KA-0870-01 — K-16 bridges 5.8 miles southeast of the Jefferson-Jackson county line, bridge repair. (State Funds)

Johnson—435-46 KA-0850-01 — I-435 bridges at 79th Street, bridge repair. (State Funds)

Pottawatomie—24-75 KA-0136-01 — Intersection of U.S. 24 and entrance to Manhattan Town Center, 0.1 mile, grading and surfacing. (State Funds)

Riley—18-81 KA-0787-01 — City of Manhattan, intelligent transportation system. (State Funds)

Shawnee—70-89 KA-0849-01 — I-70 bridges, 0.4 mile southeast of 10th Street in Topeka, bridge repair. (State Funds)

District Two — Northcentral

Dickinson—43-21 KA-0530-01 — K-43, Smoky Hill River drainage culvert, 7.2 miles south of I-70, culvert repair. (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)

Mitchell—24-62 KA-0552-01 — U.S. 24 culvert, 24 miles east of the Osborne-Mitchell county line, culvert construction. (State Funds)

District Three — Northwest

Ellis—26 U-2064-01 — 22nd Street from Canterbury Drive to Commerce Parkway in Hays, 1 mile, grading, bridge and surfacing. (Federal Funds)

Rooks—82 KA-0838-01 — County road north of Plainville from U.S. 183 east 0.5 mile and then south 0.5 mile, 1 mile, surfacing. (State Funds)

District Four — Southeast

Anderson-Coffey—58-106 KA-1278-01 — K-58 from the Anderson-Coffey county line east 8.1 miles to the junction of K-58/U.S. 169; the south junction of K-58/U.S. 75, east 2.1 miles to the Coffey-Anderson county line, 20.2 miles, seal. (State Funds)

Crawford—19 U-1999-01 — 23rd Street from Broadway Street east to Michigan Avenue in Pittsburg, 0.5 mile, grading and surfacing. (Federal Funds)

District Five — Southcentral

Barber—160-4 KA 1276-01 — U.S. 160 from the Comanche-Barber county line east to the west city limits of Medicine Lodge, 23.2 miles, crack repair. (State Funds)

Edwards—183-24 KA-0901-01 — U.S. 183 bridge, 1.8 miles south of U.S. 50, bridge repair. (State Funds)

Harvey—40 C-4401-01 - City of Sedgwick, pedestrian and bicycle paths, 1 mile. (Federal Funds)

Sedgwick—54-87 K-9879-01 — U.S. 54 from 119th Street West to 135th Street West and the intersection of U.S. 54/135th Street, 1 mile, grading and surfacing. (State Funds)

District Six — Southwest

Finney—156-28 KA-0550-01 — K-156 bridge, 1.5 miles northeast of the junction of U.S. 83, bridge repair. (State Funds)

Finney—50 KA-0826-01 — Intersection of Kansas Avenue (U.S. 50/U.S. 83) at Taylor and Buffalo Jones Avenue in Garden City, traffic signals. (State Funds).

Statewide

Statewide—106 KA-1188-01 — Statewide intelligent transportation system. (State Funds)

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

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

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

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

Deb Miller
Secretary of Transportation

Doc. No. 035679

**State of Kansas
Department of Administration
Public Notice**

Under requirements of K.S.A. 2007 Supp. 65-34,117(c), records of the Division of Accounts and Reports show the unobligated balances are \$994,446.99 in the underground petroleum storage tank release trust fund and \$765,412.36 in the aboveground petroleum storage tank release trust fund at April 30, 2008.

Duane Goossen
Secretary of Administration

Doc. No. 035724

**State of Kansas
Department of Transportation
Notice of Available Grant Funding**

The Kansas Department of Transportation's Office of Public Transportation announces it is accepting funding requests for the next state fiscal year under 49 U.S.C. 5317 under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) for transportation services.

49 U.S.C. § 5317 New Freedom formula grant program aims to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the workforce and full participation in society.

Applicants for 49 U.S.C. § 5317 grants must be local units of government, Indian tribes, private nonprofit organizations or private operators contracting through any of these parties. Applicants for Section 5317 funds also must be registered with the Kansas Secretary of State to do business in Kansas. All applicants must be active members of their local Coordinated Transit District (CTD) in order to receive federal and/or state transit funding.

A total of approximately \$345,000 49 U.S.C. § 5317 funds will be available for the upcoming state fiscal year (July 1, 2008-June 30, 2009). The federal share of eligible capital cost will not exceed 80 percent of the net cost of each project, and the grant applicant share shall be 20 percent of the net cost. The federal share of operating cost will not exceed 50 percent of the net cost of each project. The grant applicant share will not be less than 50 percent of the net cost.

Applications must be returned to KDOT on or before May 23. Persons interested in applying should download the appropriate application from the KDOT Web site at <http://www.ksdot.org/burtransplan/pubtrans/index.asp/> and return the completed application to the Kansas Department of Transportation, Office of Public Transportation, 2nd Floor (Planning), Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Persons without Internet access may contact Deanna Bauer at the address above or by calling (785) 296-0826 and request an application.

Deb Miller
Secretary of Transportation

Doc. No. 035728

**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:

- 05/19/2008 11290 Air Handling & Air Volume Units
- 05/21/2008 11311 Computer Numerical Controlled (CNC) Plus Milling Machines
- 05/20/2008 11323 Scissor Lifts, Rough Terrain Self-Propelled
- 05/22/2008 11313 Abandoned Well Plugging — Hester V (Fitzgerald & Weaver) Lease — Montgomery County
- 05/23/2008 11317 ITS and Travel Information Product Branding Services
- 05/23/2008 11334 Handicapped Vehicle Modification
- 05/23/2008 11335 KDOT Cone Penetrometer
- 05/23/2008 11338 Consulting Services, Roadside Kansas
- 05/27/2008 11316 Excavator, Wheel, Mini
- 05/29/2008 11320 Upgrade HVAC Controls
- 05/29/2008 11322 Upgrade HVAC
- 06/11/2008 11275 Leased Space — Topeka
- 06/27/2008 11282 Automobile Liability Insurance

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

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

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

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

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

- 05/28/2008 A-010752 Housing and Residence Life Painting — Brennan Halls & Wheatshocker Apts., Wichita State University, Wichita
- 05/29/2008 A-010053 Renovation — Garnett Armory, Adjutant General's Dept., Garnett
- 05/29/2008 A-010646 Window Replacement — Duerksen Hall, Wichita State University, Wichita
- 05/29/2008 A-010658 Renovation — McCray Hall, Pittsburg State University, Pittsburg
- 06/03/2008 A-010727 Electrical Service Upgrade — Wallace Hall Annex, Wichita State University, Wichita
- 06/03/2008 A-010728 Electrical Service Upgrade — Visual Communications, Wichita State University, Wichita
- 06/12/2008 A-010707 Improvements — Corbin-GSP Circle Drive, University of Kansas, Lawrence

Chris Howe
Director of Purchases

Doc. No. 035729

State of Kansas

Secretary of State

Code Mortgage Rate for May

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of May 1, 2008 through May 31, 2008, is 12 percent.

Ron Thornburgh
Secretary of State

Doc. No. 035705

State of Kansas

Secretary of State

Usury Rate for May

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of May 1, 2008 through May 31, 2008, is 7.42 percent.

Ron Thornburgh
Secretary of State

Doc. No. 035704

(Published in the Kansas Register Register May 8, 2008.)

City of Wichita, Kansas

Notice to Bidders

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, June 6, for the following project:

KDOT Project No. 87N-0360-01/472-84595/247131)
(OCA Code 715715)
Bridge

25th Street Bridge Rehabilitation over
the Little Arkansas River

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

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

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

Marty Murphy
Administrative Aide
City of Wichita—Engineering

Doc. No. 035721

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 5-5-08 through 5-11-08

Term	Rate
1-89 days	2.10%
3 months	1.53%
6 months	1.69%
1 year	2.05%
18 months	2.31%
2 years	2.37%

Daniel J. Nackley
Director of Investments

Doc. No. 035703

State of Kansas

Department of Administration
Division of Facilities Management

Notice of Hearing

Pursuant to K.S.A. 75-37, 143(d), the State Building Advisory Commission will conduct a public hearing at 1 p.m. Wednesday, June 11, in Room 102, Conference Room 1E, Landon State Office Building, 900 S.W. Jackson, Topeka. The purpose of the hearing is for the public to have an opportunity to comment on a request from the University of Kansas for construction management at-risk services for the renovation of Tower "A" of Jayhawker Towers Residence Hall in Lawrence. The estimated construction cost is \$6,500,000. The project schedule calls for completion in August 2009.

Marilyn Jacobson, Director
Division of Facilities Management

Doc. No. 035709

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for the items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and will then be publicly opened. Interested bidders may call (785) 532-6214 or fax (785) 532-5577 for additional information:

Monday, May 19, 2008
#8204

Diesel Tractor

Tuesday, May 20, 2008
#8218

Ultra High Speed Flow Cytometer Sorter
With Sample Station

Carla K. Bishop
Director of Purchasing

Doc. No. 035708

State of Kansas

University of Kansas

Notice to Bidders

Sealed bids for the items listed below will be received by E&I Cooperative Service, Inc. at the time and date indicated in the bid documents and then will be publicly opened. Interested bidders may call Allan Howell, E&I Contracts Department, at (631) 630-8336, e-mail ahowell@eandi.org, or visit www.eandi.org.

Monday, June 2, 2008
RFQ
E&I 682965

Environmentally Preferable Janitorial Goods, Supplies and Other Associated Sustainable Products and Services

Barry Swanson
 Associate Comptroller/
 Director of Purchasing Services

Doc. No. 035731

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 site at <http://www.purchasing.ku.edu/> for a complete listing of all transactions for which KU Purchasing Services, or one of the consortia commonly utilized by KU, are seeking competitive bids. Paper postings of KU Purchasing Services bid transactions may be viewed at the Purchasing Services office located at 1246 W. Campus Road, Room 7, Lawrence, 66045, or persons may contact Purchasing Services at (785) 864-3790, by fax at (785) 864-3454 or by e-mail at purchasing@ku.edu to request a copy of a current bid.

Barry K. Swanson
 Associate Comptroller/
 Director of Purchasing Services

Doc. No. 035702

State of Kansas

Kansas Water Office

Notice of Meetings

Public meetings on two proposed policies related to extending the life of the state's federal reservoirs through stabilization of stream banks and protection of wetland and riparian areas and on making greater use of the water available from the reservoirs will be conducted in conjunction with upcoming Basin Advisory Committee meetings.

The policies, proposed by the Kansas Water Office, were released for public information and comment by the Kansas Water Authority at its April 4 meeting in Colby. The policy proposals are posted on the Kansas Water Office Web site at www.kwo.org or may be requested by calling (888) 526-9283 or writing the Kansas Water Office at 901 S. Kansas Ave., Topeka, 66612. The deadline for

written comments to be received by the Kansas Water Office is 4 p.m. Friday, May 23.

The Basin Advisory Committee meeting dates, times and locations follow:

Cimarron

9 a.m. Friday, May 16
 Meade Lake Visitor Center
 12172 S. Highway 23, Meade

Kansas-Lower Republican

10 a.m. Thursday, May 22
 USDA Service Center
 3705 Miller Parkway, Manhattan

Lower Arkansas

9 a.m. Monday, May 19
 Division of Water Resources Field Office
 300 S. Main St., Stafford

Marais des Cygnes

1 p.m. Tuesday, May 13
 Public Wholesale Water Supply District No. 13
 8483 Jennison Road, Mound City

Missouri

9 a.m. Wednesday, May 21
 Seneca Public Library
 606 Main St., Seneca

Neosho

1 p.m. Thursday, May 15
 Emporia Public Library
 110 E. Sixth Ave., Emporia

Smoky Hill-Saline

9:30 a.m. Wednesday, May 21
 Hays City Hall Commission Room
 1507 Main St., Hays

Solomon

7 p.m. Tuesday, May 20
 Division of Water Resources Field Office
 820 S. Walnut, Stockton

Upper Arkansas

1 p.m. Wednesday, May 21
 King Center, 1312 Main St., Jetmore

Upper Republican

9 a.m. Thursday, May 22
 Gateway Center, No. 1 Morgan Drive, Oberlin

Verdigris

1 p.m. Wednesday, May 21
 Coffeyville City Commission Room
 102 W. Seventh St., Coffeyville

Walnut

6:30 p.m. Tuesday, May 20
 Ridge Restaurant, Garden Room
 3727 Quail Ridge Road, Winfield

Tracy Streeter
 Director

Doc. No. 035668

State of Kansas

Kansas Health Policy Authority

Public Notice

The Kansas Health Policy Authority is changing the reimbursement formula for Medicaid covered inpatient services provided by border city children's hospitals. Due to the high volume of outlier services provided by border city children's hospitals, the outlier DRG adjustment percentage will be a percentage specified for border city children's hospitals.

Effective July 1, 2008, outlier payments to border city children's hospitals will reflect a higher outlier DRG adjustment factor. The DRG adjustment factor will be determined annually.

The KHPA anticipates a fiscal impact for federal fiscal year 2008 of \$1,085,000. The anticipated fiscal impact for federal fiscal year 2009 is \$4,340,000.

A copy of the proposed state plan change, which has additional information, may be obtained from any local SRS office. To send comments or to review comments received, or to obtain additional information, contact Rita Haverkamp, Kansas Health Policy Authority, Room 900-N, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1220, or e-mail Rita.Haverkamp@khpa.ks.gov.

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

Doc. No. 035713

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 22, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the K DFA to issue its Agricultural Development Revenue Bond for the projects numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The projects shall be located as shown:

Project No. 000725—Maximum Principal Amount: \$155,000. Owner/Operator: Clint and Corinne Cox. Description: Acquisition of livestock to be used by the owner/operator for farming purposes. The project is being financed by the Lender for Clint and Corinne Cox and is located at Section 27, Township 1, Range 20, Phillips County, Kansas, approximately .5 mile west of Long Island on Highway 383.

Project No. 000726—Maximum Principal Amount: \$127,411.17. Owner/Operator: Josiah Dermeyer and Peggy Lervold. Description: Acquisition of 160 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the Lender for Josiah Dermeyer and Peggy and is located at Section 25, Buffalo Township,

Cloud County, Kansas, approximately 8.5 miles southwest of Concordia on Highway 9 and .5 mile east.

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

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

Stephen R. Weatherford
President

Doc. No. 035732

State of Kansas

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Final Written Determinations, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&A's, Information Guides and Notices published by the Department of Revenue for April 2008. Copies can be obtained by accessing the Policy Information Library located on the Internet at www.ksrevenue.org or by calling the Office of Policy and Research at (785) 296-3081.

Private Letter Rulings

P-2008-004 Rural telephone company; use of fiber optic cable.

Opinion Letters

No new publications

Final Written Determinations

No new publications

Revenue Rulings

No new publications

Notices

No new publications

Memorandums

No new publications

Property Valuation Division Directives

No new publications

Q&A's

Corporate,	How is the business and job development
Individual and	credit computed should a taxpayer move
Privilege Tax	from one facility in Kansas to another?

Information Guides

No new publications

Joan Wagnon
Secretary of Revenue

Doc. No. 035730

**State of Kansas
Public Employee Relations Board**

Notice of Review of Administrative Regulations

The Kansas Public Employee Relations Board is reviewing its regulations published at K.A.R. Article 84-1 through Article 84-5 and is seeking input from interested persons of suggested amendments to the published regulations. The board will only accept written comments. The deadline for comments is 5 p.m. May 30. Comments may be mailed to the Kansas Public Employee Relations Board, 401 S.W. Topeka Blvd., Topeka, 66603; faxed to (785) 296-0196; or e-mailed to Darren.Root@dol.ks.gov. For questions, contact Darren Root at (785) 291-3890.

Jim Garner
Secretary of Labor

Doc. No. 035725

**State of Kansas
Kansas Health Policy Authority
Department on Aging**

Notice of Proposed Nursing Facility Medicaid Rate for Ventilator-Dependent Residents, Methodology for Calculating Proposed Rate, and Rate Justifications; Notice of Intent to Amend the Medicaid State Plan and Request for Written Comments

Under the Medicaid program, 42 U.S.C. 1396 et seq., the state of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging administers the nursing facility program, which includes hospital long-term care units. The Secretary acts on behalf of the Kansas Health Policy Authority (KHPA), the single state Medicaid agency. As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of the Kansas Department on Aging (KDOA) is publishing the proposed Medicaid per diem rate for Medicaid-certified nursing facilities, the methodology underlying the establishment of the proposed nursing facility rate, and the justifications for the proposed rate for ventilator-dependent residents. The KDOA also is providing notice of the state's intent to submit proposed amendments to the Medicaid State Plan to the U.S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) on or before September 30, 2008.

I. Methodology Used to Calculate Medicaid Per Diem Rate for Ventilator-Dependent Residents.

The following are the policies and procedures for determining a rate for a ventilator-dependent resident in a nursing facility.

- (1) The request for additional reimbursement for a ventilator-dependent resident shall be submitted to the Kansas Department on Aging (KDOA) in writing for prior approval. Each request shall include the most current Minimum Data Set (MDS) resident assessment.
- (2) All of the following criteria shall be present in order for a resident to be considered ventilator dependent:

- (A) The resident shall not be able to breathe without a volume ventilator with a backup.
- (B) The resident shall use the ventilator 24 hours a day, seven days a week.
- (C) The resident shall have a tracheostomy or endotracheal tube.
- (3) The provider shall be reimbursed the Kansas Medical Assistance Program daily rate determined for the nursing facility plus an additional per diem amount approved by KDOA for the ventilator-dependent resident. The sum of the nursing facility per diem rate and the additional per diem for the ventilator dependent resident shall equal \$485, which includes the cost of durable medical equipment (DME) and oxygen.

The per diem cost of providing services to the ventilator dependent residents shall be reviewed at least every two years to determine the adequacy of the \$485 flat rate. Both the direct and indirect costs of providing care shall be included in the review.

- (4) No additional amount above the current nursing facility daily rate shall be allowed until the service is prior authorized by KDOA.
- (5) The criteria shall be reviewed quarterly to determine if the resident continues to be ventilator-dependent. If a resident is no longer ventilator-dependent, the provider shall not receive additional reimbursement beyond the Kansas Medical Assistance Program per diem rate determined for the facility.
- (6) The additional reimbursement for the ventilator-dependent resident shall be offset to the cost center of benefit on the Nursing Facility Financial and Statistical Report.

II. Proposed Medicaid Per Diem Rate for Kansas Nursing Facilities.

The overall per diem rate for a ventilator-dependent resident shall equal \$485.

III. Justifications for the Proposed Rate.

1. The increased rate will compensate providers for the cost of durable medical equipment that were previously paid for through the DME program.
2. Estimated impact of the rate change due to the implementation of the per diem rate for ventilator dependent residents:

a. Estimated average rate July 1, 2008	\$136.09
Average payment rate July 1, 2007	\$129.00
Amount of change	\$7.09
Percent of change	5.5%

 - b. The above estimated average rates are in the aggregate. The rate change is resident specific and will have a minor impact on the overall nursing facility rates.
3. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase by approximately \$126,000.
4. The state estimates that the proposed rates will continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general pop-

(continued)

ulation in the geographic area. The state's analyses indicate:

- a. Service providers operating a total of 294 nursing facilities (representing 97% of all the licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 40 hospital-based long-term care units also are certified to participate in the Medicaid program;
 - b. There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health, or Medicaid-certified hospital-based long-term care unit in each of the 105 counties in Kansas;
 - c. The statewide average occupancy rate for nursing facilities participating in Medicaid is 85%;
 - d. The statewide average Medicaid occupancy rate for participating facilities is 56%; and
 - e. The proposed rates would enhance the coverage that is already at 97.44% of the estimated Medicaid health care costs incurred by participating nursing facilities statewide.
5. Federal Medicaid regulations at 42 C.F.R. 447.272 impose an aggregate upper payment limit that states may pay for Medicaid nursing facility services. The state's analysis indicates that the proposed methodology would result in compliance with the federal regulation.

IV. Request for Comments; Request for Copies.

V. The state requests providers, beneficiaries and their representatives and other concerned Kansas residents to review and comment on the proposed ventilator-dependent rate, the methodology used to calculate the proposed rate, the justifications for the proposed rate and the intent to amend the Medicaid State Plan. Persons and organizations wishing to submit comments must mail, deliver or fax their signed, written comments before the close of business June 7 to Dave Halferty, NF/PACE Division Director, Kansas Department on Aging, New England Building, 503 S. Kansas Ave., Topeka, 66603-3403, fax (785) 296-0256

VI. Notice of Intent to Publish Final Rate.

The state intends to publish the final methodology used to calculate the ventilator-dependent resident rate, the final rate and the justifications for the final rate in the Kansas Register after any timely submitted public comments have been reviewed.

VII. Notice of Intent to Amend the Medicaid State Plan.

The state intends to submit the proposed Medicaid State Plan amendment to CMS on or before September 30, 2008.

Kathy Greenlee
Secretary of Aging

Marcia J. Nielson, Ph.D., MPH
Executive Director
Kansas Health Policy Authority

Doc. No. 035723

(Published in the Kansas Register May 8, 2008.)

Heartland Works, Inc.

Request for Proposals

Heartland Works, Inc. is accepting bids for the purchase of group health/dental, life and disability insurance. To receive a request for proposal, including all specifications, contact the Heartland Works office at 610 S.W. 10th Ave., Suite 210, Topeka, 66612, (785) 234-0500. Requests for required Health Assessment Forms must be submitted to HWI by May 16. Bid proposals must be received not later than noon Friday, June 6. Heartland Works welcomes all interested companies/agents to submit proposals.

Nancy Leonard
Executive Assistant

Doc. No. 035726

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment has received an application from the U.S. Army, Fort Riley, Directorate of Public Works, to develop an industrial monofill adjacent to and east of the drinking water plant located north of Camp Forsyth. The proposed monofill would occupy an approximate 12-acre site with a 5-acre disposal area. The monofill would be used to dispose of lime sludge from the drinking water plant and would replace an existing monofill that is expected to reach capacity in the next two to three years. The proposed monofill is estimated to have capacity for approximately 81,000 cubic yards of lime sludge disposal, with the period of active monofill operation estimated at 12.9 years. The bottom of the monofill is proposed at an approximate elevation of 1,270 feet above mean sea level (MSL) and the final monofill elevations will be approximately 1,285 feet above MSL.

Fort Riley has certified that the application described herein is consistent with local zoning requirements/surrounding land use, and the Geary County Commission has certified that the application is consistent with its solid waste management plan. KDHE has reviewed the application and found it to be in conformance with state solid waste statutes and regulations.

KDHE is providing public notice of its intent to issue a permit to the U.S. Army, Fort Riley, Directorate of Public Works, for the proposed industrial monofill described herein. However, a final decision to issue the permit has not been made, and KDHE will consider information gathered during the public comment period before making a final decision. A copy of the administrative record, including the permit application, engineering drawings, draft permit and other information regarding this permit action, will be available for public review through June 9, during normal business hours, at the following locations:

Kansas Department of Health and Environment
Bureau of Waste Management
1000 S.W. Jackson, Suite 320
Topeka, 66612-1366
Contact: Stacey Baalman
(785) 296-1596

Fort Riley Directorate of Public Works
407 Pershing Court
Fort Riley, 66442
Contact: Jill Dalton
(785) 239-2385

Additionally, the application form is available for public viewing via the Internet at <http://www.kdheks.gov/waste/index.html>.

Anyone wishing to comment on the proposed facility should submit written statements by 5 p.m. June 9 to Stacey Baalman of KDHE at the address listed above, via facsimile to (785) 296-1592, or via e-mail to sbaalman@kdhe.state.ks.us. Comments that are postmarked by June 9 and received within one week thereafter also will be considered.

After consideration of all formal comments as described above, KDHE will make a final decision on whether to issue the permit. Notice of the decision will be given to the applicant, to anyone who submitted formal comments during the comment period, and to those who requested notice of the final permit decision.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 035722

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Oxy USA Inc. has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

Oxy USA Inc., 1701 N. Kansas, Liberal, owns and operates a Southwest Woods Booster compressor station located at Section 16, T34S, R35W, Stevens County.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting doc-

umentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Al Guernsey, (620) 225-0596, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business June 9.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Christy Thurman, Bureau of Air and Radiation, not later than the close of business June 9 in order for the Secretary of Health and Environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Patricia Scott, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 035717

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Anadarko Gathering Company has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance.

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Anadarko Gathering Company, Houston, Texas, owns and operates East Woods Booster compressor station located at Section 22, T33S, R34W, Seward County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Al Guernsey, (620) 225-0596, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business June 9.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Christy Thurman, Bureau of Air and Radiation, not later than the close of business June 9 in order for the Secretary of Health and Environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Patricia Scott, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 035718

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Collins Bus Corporation has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300. Emissions of oxides of nitrogen (NO_x), sulfur dioxide (SO₂), carbon monoxide (CO), particulate matter (PM), PM with an aerodynamic diameter less than or equal to 10 micrometers (PM₁₀) and volatile organic compounds (VOC) were evaluated during the permit review process.

Collins Bus Corporation, 415 W. 6th St., Hutchinson, proposes to own and install a paint/bake booth and construct an addition to an existing paint booth located at 415 W. 6th St., Hutchinson.

A public comment period has been established until June 9 to allow citizens the opportunity to express any concerns they may have about this proposed permitting action. All comments should be submitted in writing to Rasha Allen, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366, or presented at the public hearing.

Any member of the public may request a public hearing be conducted to receive comments on the proposed issuance of the draft air quality construction permit. Written requests to hold a public hearing should be sent to the attention of Christy Thurman at the address listed above or by fax to (785) 296-7455 and must be received by noon June 9. If a request is received, a public hearing is tentatively scheduled by KDHE at 7 p.m. June 10 at City Hall, Council Chambers, 125 E. Ave. B, Hutchinson. If no requests to hold the public hearing are received by this date and time, the public hearing will be cancelled.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE South Central District Office, 130 S. Market, Suite 6050, Wichita. To obtain or review the proposed permit and supporting documentation, contact Rasha Allen, (785) 296-1693, at the KDHE central office; and to review the proposed permit only, contact David Butler, (316) 337-6020, in the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 035719

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-08-146/153
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Wayne Niehues 758 O Road Goff, KS 66428	N/2 of Section 33, T04S, R13E, Nemaha County	Kansas River Basin

Kansas Permit No. A-KSNM-S014

This is a reissuance of a permit for an existing facility for 716 head (286.4 animal units) of swine weighing greater than 55 pounds and 580 head (58 animal units) of swine weighing less than 55 pounds, for a total of 1,296 head (344.4 animal units) of swine.

Name and Address of Applicant	Legal Description	Receiving Water
Kaufman Hog Farm 2868 Kanza Durham, KS 67438	SE/4 of Section 10, T18S, R02E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-S022

This is a reissuance of a permit for an existing facility for 507 head (202.8 animal units) of swine weighing greater than 55 pounds and 416 head (41.6 animal units) of swine weighing 55 pounds or less, for a total of 923 head (244.4 animal units) of swine.

Name and Address of Applicant	Legal Description	Receiving Water
Rempe Farms Dan Rempe - Co-owner 850 State Hwy. 63 Corning, KS 66417	SE/4 of Section 26, T04S, R12E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S042

This is a reissuance of a permit for an existing facility for 900 head (360 animal units) of swine weighing greater than 55 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Garber Farms, Inc. - Home Place 2533 V Road Sabetha, KS 66534	SE/4 of Section 33, T01S, R14E, Nemaha County	Kansas River Basin

Kansas Permit No. A-KSNM-S005

This is a reissuance of a permit for an existing facility for 600 head (240 animal units) of swine weighing greater than 55 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Rodger Schneider 4860 W. Crawford Salina, KS 67401	SE/4 of Section 13, T14S, R04W, Saline County	Saline River Basin

Kansas Permit No. A-SASA-B002

This is a reissuance of a permit for an existing facility for 598 head (299 animal units) of cattle weighing less than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Mitch McMahan - Home & East Site McMahan Farms 1071 22nd Road Clay Center, KS 67432	SE/4 of Sections 15 & 16, T07S, R02E, Clay County	Lower Republican River Basin

Kansas Permit No. A-SASD-B011

This permit is being reissued for an existing facility with a maximum capacity of 1,215 head (486 animal units) of swine more than 55 pounds and 700 head (70 animal units) of swine 55 pounds or less, for a total of 556 animal units. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Virgal Wiebe & Sons 557 Frontier Road McPherson, KS 67460	NE/4 of Section 12, T20S, R05W, McPherson County	Little Arkansas River Basin

Kansas Permit No. A-LAMP-M030

This is a reissuance of a permit for an existing facility for 40 head (56 animal units) of mature dairy cattle, 75 head (75 animal units) of cattle weighing greater than 700 pounds and 90 head (45 animal units) of cattle weighing less than 700 pounds, for a total of 176 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Daniel R. Aker Feedlot 1821 Fair Road Abilene, KS 67410	NE/4 of Section 01, T14S, R01E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-B010

This is a reissuance of a permit for an existing facility for 600 head (300 animal units) of cattle weighing greater than 700 pounds.

Public Notice No. KS-Q-08-109/116

Name and Address of Applicant	Receiving Stream	Type of Discharge
Able Manufacturing & Assembly, LLC 1000 Schifferdecker Ave. Joplin, MO 64801	Cow Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. C-NE57-0003 Federal Permit No. KS0091901

Legal: NW¼, NE¼, S7, T31S, R25E, Crawford County

Facility Location: 765 E. 520 St., Pittsburg, KS 66762

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, E. coli and pH. Monitoring of ammonia, total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen and sulfates 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
Galena, City of 211 W. 7th St. Galena, KS 66739	Spring River via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-NE28-0001 Federal Permit No. KS0048135

Legal Description: W½, NE¼, S22, T34S, R25E, Cherokee County,

(continued)

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. The permittee also will be required to monitoring for ammonia, E. coli, total phosphorus, total Kjeldahl nitrogen, total recoverable copper, lead and zinc, 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
Humboldt, City of P.O. Box 228 Humboldt, KS 66748-0228	Neosho River	Treated Domestic Wastewater
Kansas Permit No. M-NE36-0001 Federal Permit No. KS0022632		

Legal Description: NW $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, S9, T26S, R18E, Allen County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli and pH. Monitoring is required for total phosphorus, nitrate, total Kjeldahl nitrogen, total nitrogen, total recoverable zinc and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Unified Government of Wyandotte County/ Kansas City 701 N. 7th St. Kansas City, KS 66101	Missouri River via Conner Creek via Unnamed Tributary	Treated Domestic Wastewater
Kansas Permit No. M-MO25-0004 Federal Permit No. KS0097772		

Legal Description: NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, S14, T10S, R23E, Wyandotte County

Facility Name: Estates of Conner Creek

Facility Location: Hutton Road & 99th St., Kansas City, Kansas

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli and pH. Monitoring if required for total phosphorus, nitrate and nitrite, total Kjeldahl nitrogen, total nitrogen and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Kansas Turnpike Authority 9401 E. Kellogg Wichita, KS 67207-1804	Allen Creek via Dow Creek via Unnamed Tributary	Treated Domestic Wastewater
Kansas Permit No. C-NE24-0002 Federal Permit No. KS0053678		

Legal: NW $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, S22, T18S, R11E, Lyon County

Facility Name: Emporia Service Area

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia, copper 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
Kansas Turnpike Authority 9401 E. Kellogg Wichita, KS 67207-1804	So Fork Cottonwood River via Mercer Creek via Unnamed Tributary	Treated Domestic Wastewater
Kansas Permit No. C-NE46-0001 Federal Permit No. KS0053660		

Legal: SE $\frac{1}{4}$, NW $\frac{1}{4}$, NE $\frac{1}{4}$, S31, T22S, R8E, Chase County

Facility Name: Matfield Green Service Area

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, 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
Preston, City of 500 Main St. Preston, KS 67569	No. Fork Ninnescah River via Silver Creek via Unnamed Tributary	Treated Domestic Wastewater
Kansas Permit No. M-AR74-0002 Federal Permit No. KS0098141		

Legal Description: NE $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$, S29, T26S, R11W, Pratt County

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring for ammonia, E. coli and pH also will be required. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this 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 technology based.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Whispering Pines Estates LLC 1430 Thompson Blvd. Suite 5 Sedalia, MO 65301	Spring River via Cow Creek via Second Cow Creek	Treated Domestic Wastewater
Kansas Permit No. C-NE57-0001 Federal Permit No. KS0118354		

Legal Description: SW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$, S25, T30S, R24E, Crawford County

Facility Name: Whispering Pines Mobile Home Park

Facility Location: 106 Glennway, Pittsburg, KS 66762

Facility Description: The proposed action is to reissue an existing permit for an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, total chlorine residual, E. coli and pH. Monitoring for sulfates, total phosphorus, nitrate, nitrite, total Kjeldahl nitrogen, total nitrogen and effluent flow. Contained in the permit is a schedule of compliance requiring the permittee to provide KDHE with a draft facility plan for improvements to the facility to allow the facility to consistently meet the discharge limits. The facility plan shall also evaluate the feasibility of connecting to the Crawford County Sewer District #2's collection system. 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.

Notice of Intent to Terminate

Pursuant to the requirements of K.A.R. 28-16-60 and K.A.R. 28-16-62, the Kansas Department of Health and Environment hereby provides notice of intent to terminate the following KDHE-issued permits:

Project Name	Facility City	Permit No.
Marmaton Watershed Site K-1	Uniontown	S-MC46-0004
McVay Well Gathering System	Fort Scott	S-MC11-0011
PWWSD No. 20 Phase 2 Improvements	Cedarvale	S-VE05-0001
Russell Baker WRP #5-00028	Treece	S-NE65-0001
Russell Baker WRP #5-00029	Treece	S-NE65-0002
Milford Lake Wetlands	Wakefield	S-LR24-0001
Saker Towing	Pittsburg	S-NE57-0018
Advanced Chiropractic	Lawrence	S-KS31-0106
Four Seasons Retirement Community	Lawrence	S-KS31-0101
Lake Estates at Alvamar	Lawrence	S-KS31-0083

Peterson Acres	Lawrence	S-KS31-0102
Professional Storage, Inc.	Lawrence	S-KS31-0086
Stormwater Mitigation Basin	Lawrence	S-KS31-0051
Structural Biology Center - Ph. III	Lawrence	S-KS31-0104
New Building for Airgas, Inc.	Dodge City	S-UA11-0017
LaQuinta Inn	Dodge City	S-UA11-0016
Combined Arms Collective		
Training Facility	Junction City	S-LR15-0015
Ehlers Addition	Junction City	S-KS97-0012
Marshall Army Airfield Temp.	Junction City	S-KS97-0032
McDowell Creek Substation	Junction City	S-KS97-0015
Sutter Highlands Subdivision	Junction City	S-LR15-0023
Fall River Lake Boat Ramp		
Addition	Toronto	S-VE36-0003
99th St. Spec	Lenexa	S-KS34-0115
Avignon	Overland Park	S-KS55-0080
Brampton West	Lenexa	S-KS34-0153
Can-Am Shawnee	Shawnee	S-KS68-0138
Canyon Creek Villas	Lenexa	S-KS34-0121
Chapel Oaks	Shawnee	S-KS68-0096
Comanche Elementary School	Overland Park	S-KS55-0119
Crestview Heights	Shawnee	S-KS68-0016
De Soto Drainage & Recreation		
Path Improvements	De Soto	S-KS12-0014
Dunes at Falcon Valley		
Apartments	Lenexa	S-KS34-0114
Eagle Crest Second Plat	Olathe	S-KS52-0018
First Family Church - Ph. II	Overland Park	S-KS55-0075
Genesis at Copper Springs & Genesis at Copper Springs II	Gardner	S-KS20-0063
Genesis Creek Addition No. 2	Gardner	S-KS20-0036
Gleason Glen - 5th Plat	Lenexa	S-KS34-0118
Golf Club of Kansas	Lenexa	S-KS34-0116
Mansions at Canyon Creek	Lenexa	S-KS34-0123
Mill Creek No. 11 Sanitary		
Sewer Interceptor Contract 2	Lenexa	S-KS34-0080
Overland Ridge Plaza	Overland Park	S-KS55-0072
Private Pond	Spring Hill	S-MC45-0022
Plum Creek Manor	Gardner	S-KS20-0037
Pointe at Prairie Haven	Merriam	S-KS44-0019
Prairie Star Parkway (Mize Blvd. - K7)	Lenexa	S-KS34-0042
Lot 5 @ Ridgeview Marketplace	Olathe	S-KS52-0037
Southridge Medical Office		
Building	Lake Quivira	S-MO28-0109
State Line Station-Leawood	Leawood	S-KS32-0007
Woodland Valley	Shawnee	S-KS68-0140

Proposed Action: The Kansas Department of Health and Environment issued authorizations for stormwater discharges under of the Construction Stormwater General Permit for the above-named projects. K.A.R. 65-166a requires the secretary of KDHE to assess appropriate annual fees for authorizations/permits issued by the department and provides that failure to pay the annual fee shall be cause for revocation/termination of the authorization/permit. The authorized entities named above have failed to comply with the requirement to pay the annual fee. Therefore, pursuant to K.S.A. 65-166a, K.A.R. 28-16-60 and K.A.R. 28-16-62, KDHE is hereby providing notice of intent to terminate the authorizations associated with the projects named herein. The entity may reinstate the authorization by paying the appropriate annual fees.

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 June 7 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-08-146/153, KS-Q-08-109/116) 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. 035714

(Editor's Note: The following Executive Orders were filed in 2007 with the Secretary of State's Office but were inadvertently never submitted for publication. The orders are being published below in their order of filing.)

**State of Kansas
Office of the Governor
Executive Order 07-06**

WHEREAS, there exists a state of emergency in the State of Kansas, specifically Kiowa County, due to recent tornados throughout the area; and

WHEREAS, this severe natural disaster has resulted in extensive human suffering and economic damage; and

WHEREAS, it is necessary to expedite restoration of services and relief in the affected area and the State of Kansas wishes to accommodate the need to provide assistance to the citizens by allowing them emergency access to banking services.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby authorize the State Bank Commissioner to take whatever steps are necessary to facilitate access to banking services for the citizens of Kiowa County, Kansas affected by the recent tornados, including but not limited to streamlining of branch relocation procedures and waiver of publication requirements concerning such applications.

This document shall be filed with the Secretary of State as Executive Order 07-06 and shall become effective im-

(continued)

mediately. This order shall continue in effect until the State Bank Commissioner determines it is no longer needed to serve the citizens of Kiowa County, Kansas.

Dated May 7, 2007.

Executive Order 07-07

WHEREAS, K.S.A. 48-925(b) provides that the Governor may issue orders and proclamations which shall have the enforce and effect of law during the period of a state of disaster declared under subsection (b) of K.S.A. 48-924; and

WHEREAS, on the 5th day of May, 2007, I declared a state of emergency for Kiowa, Barton, Stafford, Pratt, Edwards and Phillips counties as a result of severe weather, including, tornados, hail, high winds and flooding which struck, causing loss of life, personal injury and excessive damage to businesses and homes; and

WHEREAS, victims of this natural disaster are prevented, hindered or delayed from coping with the affects of the disaster by State regulatory provisions controlling the issuance of duplicate driver's licenses, duplicate vehicle titles and registrations, other duplicate vehicle documentation and duplicate marriage and birth certificates;

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby suspend the provisions of the regulatory statutes, rules and/or regulations prescribing the requirement for fee assessments to obtain duplicate driver's licenses, duplicate vehicle titles and registrations, other duplicate vehicle documentation and duplicate marriage and birth certificates for victims of the May 5, 2007 natural disaster.

This document shall be filed with the Secretary of State as Executive Order 07-07 and shall become effective immediately.

Dated May 7, 2007.

Executive Order 07-08

WHEREAS, on the 5th day of May, 2007, I declared a state of emergency for Kiowa, Barton, Stafford, Pratt, Edwards and Phillips counties as a result of severe weather, including, tornados, hail, high winds and flooding which struck, causing loss of life, personal injury and excessive damage to businesses and homes; and

WHEREAS, employees of the State of Kansas may be among those who are called to serve by the American Red Cross as part of relief efforts; and

WHEREAS, it is appropriate for the State of Kansas, as an employer of citizens who may be called to deployment for duty, to take steps to accommodate the employees who will be serving our country as part of those relief efforts.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby order State of Kansas employees called by the American Red Cross and who are certified to serve in relief efforts resulting from the above-mentioned severe weather, eligible for disaster leave under the provisions of K.S.A. 75-5548 and amendments thereto.

This document shall be filed with the Secretary of State as Executive Order 07-08 and shall become effective immediately.

Dated May 7, 2007.

Executive Order 07-09

WHEREAS, K.S.A. 48-925(b) provides that the Governor may issue orders and proclamations which shall have the enforce and effect of law under subsection (b) of K.S.A. 48-924; and

WHEREAS, on the 5th day of May, 2007, I declared a state of emergency for Kiowa, Barton, Stafford, Pratt, Edwards and Phillips counties as a result of severe weather, including, tornados, hail, high winds and flooding which struck, causing loss of life, personal injury and excessive damage to businesses and homes; and

WHEREAS, this severe natural disaster has resulted in extensive human suffering and economic damage; and

WHEREAS, it is necessary to expedite restoration of services and relief in the affected area and the State of Kansas wishes to accommodate the need to provide assistance to the citizens of these affected counties.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby declare because there is a state of emergency existing in the above-listed counties, as a result of severe weather, it is necessary to assist and expedite all efforts of restoration of services and relief. In order to accommodate this need and to provide assistance to the citizens of Kansas in this extreme situation, I hereby order the temporary suspension of the following as they apply to motor vehicles used in the support efforts:

1. The fees associated with over-dimension/over-weight permits, however, participating carriers who transport these loads:
 - Must obtain permits
 - Receive priority service
 - Supply the information listed on the declaration
 - May operate during low visibility and during night, holiday and curfew hours with clearance lights; and
2. The requirements for registration and fuel tax reporting as required by the Kansas Department of Revenue; and
3. The requirements for licensing/operating authority as required by the Kansas Corporation Commission; and
4. The requirements contained in the Federal Motor Carrier Safety Regulations, CFR 49, Parts 390-399 under the authority of CFR 49, Part 390.23. All other regulations in CFR 49 shall apply.

This temporary order shall terminate at the end of thirty (30) days.

This document shall be filed with the Secretary of State as Executive Order No. 07-09 and shall become effective immediately.

Dated May 8, 2007.

Executive Order 07-10

WHEREAS, K.S.A. 48-925(b) provides that the Governor may issue orders and proclamations which shall have the force and effect of law during the period of a state of disaster declared under subsection (b) of K.S.A. 48-924; and

WHEREAS, on the 5th day of May, 2007, I declared a state of emergency for Kiowa County as a result of severe weather, including tornados, hail, high winds and flooding which struck, causing loss of life, personal injury and excessive damage to businesses and homes; and

WHEREAS, victims of this natural disaster are prevented, hindered or delayed from complying with K.S.A. 2006 Supp. 79-2004 and K.S.A. 2006 Supp. 79-2004a — state regulatory statutes governing the timely payment of property taxes; and

WHEREAS, the Board of County Commissioners of Kiowa County, on behalf of and for the benefit of its citizens and taxpayers, has requested that interest be waived on 2006 second half real and personal property taxes that are due and payable on or before May 10, 2007, but cannot be timely paid.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby suspend the provisions of K.S.A. 2006 Supp. 79-2004 and K.S.A. 2006 Supp. 79-2004a requiring the imposition of interest on the delinquent payment of 2006 second half real and personal property taxes that are on the tax books of the Kiowa County Treasurer, for the duration of the state of emergency in Kiowa County.

This document shall be filed with the Secretary of State as Executive Order 07-10 and shall become effective immediately.

Dated May 9, 2007.

Executive Order 07-11

WHEREAS, K.S.A. 48-925(b) provides that the Governor may issue orders and proclamations which shall have the force and effect of law under subsection (b) of K.S.A. 48-924; and

WHEREAS, on the 5th day of May, 2007, I declared a state of emergency for Kiowa, Barton, Stafford, Pratt, Edwards and Phillips counties as a result of severe weather, including tornados, hail, high winds and flooding which struck, causing loss of life, personal injury and excessive damage to businesses and homes; and

WHEREAS, this severe natural disaster has resulted in extensive human suffering and economic damage; and

WHEREAS, individuals have been laid off from or have lost their place of employment because of the severe storm damage; and

WHEREAS, these individuals are prevented, hindered or delayed from coping with the affects of the disaster by state regulatory provisions requiring them to wait the period of one week before collecting unemployment benefits.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby suspend the provision of K.S.A. 44-705(d) requiring an individual to be unemployed for a waiting period of one

week before collecting unemployment benefits for individuals affected by the severe natural disaster.

This document shall be filed with the Secretary of State as Executive Order No. 07-11 and shall become effective immediately.

Dated May 11, 2007.

Executive Order 07-12

WHEREAS, K.S.A. 48-925(b) provides that the Governor may issue orders and proclamations which shall have the enforce and effect of law under subsection (b) of K.S.A. 48-924; and

WHEREAS, on the 5th day of May, 2007, I declared a state of emergency for Kiowa, Barton, Stafford, Pratt, Edwards and Phillips counties as a result of severe weather, including, tornados, hail, high winds and flooding which struck, causing loss of life, personal injury and excessive damage to businesses and homes; and

WHEREAS, on the 9th day of May, 2007, I added Ottawa county to the state of emergency; and

WHEREAS, on the 10th day of May, 2007, I declared a state of emergency for Cherokee, Clay, Dickinson, Doniphan, Douglas, Ellsworth, Geary, Harper, Jackson, Kingman, Leavenworth, Lincoln, Lyon, Nemaha, Neosho, Osage, Osborne, Pottawatomie, Pratt, Reno, Rice, Riley, Saline, Shawnee, Wabaunsee, Washington and Wyandotte counties as a result of severe storms and flooding; and

WHEREAS, this severe natural disaster has resulted in extensive human suffering and economic damage; and

WHEREAS, it is necessary to expedite restoration of services and relief in the affected areas and the State of Kansas wishes to accommodate the need to provide assistance to the citizens of these affected counties.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby declare because there is a state of emergency existing in the above-listed counties, as a result of severe weather, it is necessary to assist and expedite all efforts of restoration of services and relief. In order to accommodate this need and to provide assistance to the citizens of Kansas in this extreme situation, I hereby order the temporary suspension of the following as they apply to motor vehicles used in the support efforts:

1. The fees associated with over-dimension/over-weight permits, however, participating carriers who transport these loads:
 - Must obtain permits
 - Receive priority service
 - Supply the information listed on the declaration
 - May operate during low visibility and during night, holiday and curfew hours with clearance lights; and
2. The requirements for registration and fuel tax reporting as required by the Kansas Department of Revenue; and
3. The requirements for licensing/operating authority as required by the Kansas Corporation Commission; and

(continued)

4. The requirements contained in the Federal Motor Carrier Safety Regulations, CFR 49, Parts 390-399 under the authority of CFR 49, Part 390.23. All other regulations in CFR 49 shall apply.

This temporary order shall terminate at the end of thirty (30) days.

This document shall be filed with the Secretary of State as Executive Order No. 07-12 and shall become effective immediately.

Dated May 11, 2007.

Executive Order 07-13

WHEREAS, the Director of the Kansas Water Office has informed me, pursuant to K.S.A. 74-2608, of the present status of drought conditions and impacts across the state; and

WHEREAS, drought conditions have improved significantly and impacts lessened in all areas of the state; and

WHEREAS, the Kansas Emergency Management Act (K.S.A. 48-924 et seq.) states that the Governor shall be responsible for meeting the dangers to the state and its people from disasters, including drought.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby:

1. Rescind all county drought stage declarations in Executive Order 07-04 issued on March 6, 2007.

Drought Warning rescinded in these counties (grouped by Climate/Crop Reporting District):

South Central: Barber, Harper and Sumner.

Drought Watch rescinded in these counties (grouped by Climate/Crop Reporting District):

Northwest: Cheyenne, Decatur, Graham, Norton, Rawlins, Sheridan, Sherman and Thomas.

West Central: Gove, Greeley, Lane, Logan, Ness, Scott, Trego, Wallace and Wichita.

Southwest: Clark.

North Central: Clay, Cloud, Jewell, Mitchell, Osborne, Ottawa, Phillips, Republic, Rooks, Smith and Washington.

Central: Barton, Dickinson, Ellis, Ellsworth, Lincoln, Marion, McPherson, Rice, Rush, Russell and Saline.

South Central: Comanche, Harvey, Kingman, Kiowa, Pratt, Reno, Sedgwick and Stafford.

Northeast: Riley.

East Central: Chase, Geary and Morris.

Southeast: Butler, Chautauqua, Cowley, Elk and Greenwood.

County drought stages declared in this Executive Order shall remain in effect until revised or rescinded by a subsequent Executive Order.

This document shall be filed with the Secretary of State as Executive Order No. 07-13 and shall become effective immediately.

Dated May 14, 2007.

Executive Order 07-14

WHEREAS, K.S.A. 48-925(b) provides that the Governor may issue orders and proclamations which shall have the enforce and effect of law under subsection (b) of K.S.A. 48-924; and

WHEREAS, on the 5th day of May, 2007, I declared a state of emergency for Kiowa, Barton, Stafford, Pratt, Edwards and Phillips counties as a result of severe weather, including, tornados, hail, high winds and flooding which struck, causing loss of life, personal injury and excessive damage to businesses and homes; and

WHEREAS, this severe natural disaster has resulted in extensive human suffering and economic damage; and

WHEREAS, many businesses were destroyed as a result of this natural disaster; and

WHEREAS, these businesses may be prevented, hindered or delayed from recovering from the affects of the disaster by state regulatory provisions requiring charges to employer accounts for unemployment benefits, penalties and interest for untimely quarterly unemployment tax contributions and wage reports and fees for boiler inspections.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby suspend the following provisions:

1. K.S.A. 44-710(c)(1) requiring the charging of employer accounts for unemployment insurance benefits paid as a result of the disaster;
2. K.S.A. 44-717 requiring the imposition of interest and penalties for failing to file wage reports or make contribution payments under the Employment Security Law for the second and third quarters of 2007; and
3. K.S.A. 44-926 requiring the payment of fees for the inspection of newly installed or replacement boilers or pressure vessels.

The suspension of these provisions shall apply to businesses and employers impacted by this disaster.

This document shall be filed with the Secretary of State as Executive Order No. 07-14 and shall become effective immediately.

Dated May 21, 2007.

Kathleen Sebelius
Governor

Attest: Ron Thornburgh
Secretary of State

Doc. No. 035711

(Published in the Kansas Register May 8, 2008.)

**Summary Notice of Bond Sale
Unified School District No. 476
Gray County, Kansas (Copeland)
\$4,000,000
General Obligation School Building Bonds
Series 2008
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated April 23, 2008, written and electronic bids will be received on behalf of the clerk of Unified School District No. 476, Gray County, Kansas (Copeland) (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 3 p.m. May 19, 2008, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated May 1, 2008, and will become due on September 1 in the years as follows:

Year	Principal Amount
2009	\$ 10,000
2010	55,000
2011	95,000
2012	100,000
2013	105,000
2014	110,000
2015	115,000
2016	120,000
2017	125,000
2018	135,000
2019	140,000
2020	145,000
2021	155,000
2022	160,000
2023	170,000
2024	180,000
2025	190,000
2026	200,000
2027	205,000
2028	220,000
2029	230,000
2030	240,000
2031	250,000
2032	265,000
2033	280,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2009.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$80,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 5, 2008, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2007 is \$13,219,075. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$4,000,000.

Approval of Bonds

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

Additional Information

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

Written and Facsimile Bid and Good Faith

Deposit Delivery Address:

Cheryl Fleming, Clerk
Office of the Board of Education
105 Thatcher
P.O. Box 156
Copeland, KS 67837-0156
(620) 668-5565
Fax (620) 668-5568
E-mail: rebel476@ucom.net

Financial Advisor - Good Faith Deposit

Delivery Address:

George K. Baum & Company
100 N. Main, Suite 810
Wichita, KS 67202
Attn: Stephen E. Shogren
(316) 264-9351
Fax (316) 264-9370
E-mail: shogren@gkbaum.com

Dated April 23, 2008.

Unified School District No. 476
Gray County, Kansas (Copeland)

Doc. No. 035720

(Published in the Kansas Register May 8, 2008.)

Summary Notice of Bond Sale
Pottawatomie County, Kansas
\$280,000
General Obligation Bonds, Series 2008A
(General obligation bonds payable from
unlimited ad valorem taxes)

Bond Sale Particulars

Subject to the terms and conditions of the complete official notice of bond sale dated May 8, 2008, of Pottawatomie County, Kansas, in connection with the issuance of the county's General Obligation Bonds, Series 2008A, as hereinafter described, written bids will be received at the office of the county clerk on behalf of the governing body at the Pottawatomie County Administration Building, 207 N. First St., P.O. Box 187, Westmoreland, KS 66549, until 10 a.m. Monday, May 19, 2008, for the purchase of the bonds. All bids will be publicly opened, read aloud and tabulated on said date at 10 a.m. and will thereafter be immediately considered and acted upon by the governing body of the county.

No oral or auction bids for the bonds will be considered, and no bids for less than 100 percent of the principal amount of the bonds and accrued interest thereon to date of delivery will be considered.

Bids will be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the county clerk. Bids may be submitted by U.S. mail, telefacsimile as herein provided, or may be delivered in person, and must be received at the place and not later than the date and time herein specified. Each bid must be accompanied by a good faith deposit in the form of a qualified financial surety bond or certified or cashier's check drawn on a bank located within the United States, each made payable to the order of the county and each in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The aggregate principal amount of the Series 2008A Bonds is \$280,000. The bonds will be dated as of June 1, 2008, and will be issued as fully registered bonds in the denomination of \$5,000, or integral multiples in excess thereof not exceeding the principal amount of the bonds maturing in any year. The successful bidder may elect to have the bonds registered under a book-entry-only system administered through the Depository Trust Company, New York, New York.

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as provided in the official notice of bond sale, and said interest on the bonds will be payable semiannually on April 1 and October 1 in each year, commencing April 1, 2009. The bonds will mature serially on October 1 in each of the years and principal amounts as follows:

Maturity Schedule

October 1 Year	Principal Amount
2009	\$15,000
2010	15,000
2011	15,000

2012	15,000
2013	15,000
2014	15,000
2015	15,000
2016	20,000
2017	20,000
2018	20,000
2019	20,000
2020	20,000
2021	25,000
2022	25,000
2023	25,000

Payment of Principal and Interest

The Kansas State Treasurer will serve as the bond registrar and paying agent for the bonds, and the principal of the bonds will be payable upon surrender at the paying agent's principal office in the city of Topeka, Kansas. Interest will be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds shall be general obligations of the county payable from special assessments levied upon the property benefited by the construction of the improvements, and, if not so paid, from ad valorem property taxes that may be levied without limitation as to rate or amount upon all the taxable tangible property, real and personal, within the territorial limits of the county. The full faith, credit and resources of the county are hereby irrevocably pledged for the prompt payment of the principal of and interest on the bonds as the same become due.

Delivery of the Bonds

The county will pay for printing the bonds and will deliver the same duly prepared, executed and registered, at the expense of the county, to the facilities of the Depository Trust Company, New York, New York, or at such bank or trust company in the United States as may be specified by the successful bidder on or before June 11, 2008.

Legal Opinion

The bonds will be sold subject to the legal opinion of Jonathan P. Small, Chartered, Topeka, Kansas, bond counsel, whose fees will be paid by the county. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the successful bidder upon delivery of the bonds.

Assessed Valuation and Indebtedness

The county's 2007 final equalized assessed tangible valuation for computation of bonded debt limitations is \$389,474,850. The county's outstanding general obligation bonded indebtedness as of the date hereof totals the principal amount of \$7,676,029, which amount includes the bonds described herein, and which also includes \$826,000 principal amount in temporary notes, of which \$385,000 will be retired, in part from the proceeds of the bonds described herein and other monies available to the county for such purpose.

Additional Information

For additional information regarding the bonds, contact the county clerk at the address and telephone number shown below.

Dated May 8, 2008.

Susan L. Figge, County Clerk
 County Administration Building
 207 N. First St.
 P.O. Box 187
 Westmoreland, KS 66549
 (785) 457-3314
 Fax (785) 457-3507

Doc. No. 035733

(Published in the Kansas Register May 8, 2008.)

**Summary Notice of Bond Sale
 City of Manhattan, Kansas
 \$15,385,000
 General Obligation Bonds, Series 2008-A
 (General obligation bonds payable from
 unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated May 6, 2008, written and electronic bids will be received on behalf of the clerk of the city of Manhattan, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 2 p.m. May 20, 2008, for the purchase of the above-referenced bonds. No bid of less than \$15,270,471 and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 1, 2008, and will become due on November 1 in the years as follows:

Year	Principal Amount
2009	\$630,000
2010	650,000
2011	665,000
2012	680,000
2013	705,000
2014	725,000
2015	750,000
2016	775,000
2017	800,000
2018	830,000
2019	670,000
2020	695,000
2021	725,000
2022	755,000
2023	790,000
2024	825,000
2025	865,000
2026	905,000
2027	950,000
2028	995,000

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

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$307,700 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 9, 2008, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2007 is \$454,787,500. The total general obligation indebtedness of the issuer as of the dated date of the bonds, including the bonds being sold, but excluding temporary notes to be retired in conjunction therewith, is \$113,640,000.

Approval of Bonds

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

Additional Information

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

Written Bid and Good Faith Deposit Delivery Address:

Elizabeth Peterson, City Treasurer
 City Hall, 1st Floor
 1101 Poyntz Ave.
 Manhattan, KS 66502-5497
 (785) 587-2465
 Fax (785) 587-2409
 E-mail: peterson@ci.manhattan.ks.us

Financial Advisor-Facsimile Bid and Good Faith

Deposit Delivery Address:

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

Dated May 6, 2008.

City of Manhattan, Kansas

Doc. No. 035716

State of Kansas

Board of Accountancy

Permanent Administrative
Regulations

Article 4.—PERMITS TO PRACTICE

74-4-7. Continuing professional education requirements. (a) Each applicant for renewal of a permit to practice as a certified public accountant in Kansas shall have completed 80 hours of acceptable continuing professional education during each biennial period for renewal. Each applicant for renewal of a permit shall have completed two hours in professional ethics relating to the practice of certified public accountancy as part of the continuing professional education requirement.

(b) Each applicant for renewal of a permit to practice as a licensed municipal public accountant in Kansas shall have completed a 16-hour program of acceptable continuing professional education during each year within the biennial period. At least eight of the 16 hours shall be in the area of municipal accounting or auditing.

(c) The standards used to determine acceptable continuing professional education shall include the following:

(1) One hour of credit shall be granted for each 50 minutes of participation in a group, independent study, or self-study program. One-half hour of credit shall be granted for each 25-minute period after the first hour of credit has been earned.

(2) Hours devoted to actual preparation time by an instructor, discussion leader, or speaker for formal programs shall be computed at a maximum of up to twice the number of continuing professional education credits that a participant would be entitled to receive, in addition to the time for presentation. No time devoted to preparation by a participant shall be counted.

(3) Hours served as an instructor, discussion leader, or speaker shall be included to the extent that they contribute to the professional competence of the applicant. Repeated presentations of the same course shall not be counted unless it is demonstrated that the program content involved was substantially changed and the change required significant additional study or research.

(4) Commencing with the renewal of permits issued on and after July 1, 2007, hours devoted to actual preparation as specified in paragraph (c)(2) and hours served as an instructor, discussion leader, or speaker as specified in paragraph (c)(3) shall not exceed, alone or in combination, 50 percent of the total number of continuing education hours required for permit renewal.

(d) The requirements of subsection (a) may be waived by the board for reasons of health, military service, foreign residence, or retirement, or for other good cause determined by the board.

(e) Any applicant for renewal of a permit to practice as a certified public accountant may carry over a maximum of 20 hours of continuing professional education earned in the 12-month period preceeding July 1 of the renewal year. Any professional ethics hours that exceed the two-hour requirement may be included in the 20-hour carry-over, but these hours shall not be used to meet the pro-

fessional ethics requirement for any subsequent renewal period.

(f) If an applicant for renewal fails to obtain the continuing professional education required by this regulation, the applicant may be required by the board to obtain an additional eight hours of continuing professional education within a period of time specified by the board before the applicant's permit to practice is renewed. (Authorized by K.S.A. 1-202 and K.S.A. 75-1119; implementing K.S.A. 1-202, K.S.A. 2007 Supp. 1-310, and K.S.A. 75-1119; effective, E-82-27, Dec. 22, 1981; effective May 1, 1982; amended May 1, 1985; amended July 13, 1992; amended Sept. 25, 1998; amended Nov. 17, 2000; amended Nov. 15, 2002; amended Nov. 14, 2003; amended May 19, 2006; amended May 23, 2008.)

74-4-8. Continuing professional education programs; requirements. (a) A program designed to allow a participant to learn a given subject through interaction with an instructor and other participants either in a classroom or conference setting, or by using the internet may be approved for continuing professional education credit under K.A.R. 74-4-7 if the program meets the following conditions:

(1) It is a formal program of learning that maintains or improves the professional competence of a permit holder and requires attendance.

(2) An outline of the program is prepared in advance and provided to the permit holder.

(3) The program is at least 50 minutes in length.

(4) The program is conducted by a person qualified in the subject area.

(5) A record of registration and attendance is retained.

(b) The following types of programs shall qualify as acceptable continuing professional education if they meet the requirements of subsection (a):

(1) Professional development programs of the American institute of certified public accountants, and of state societies and local chapters of certified public accountants;

(2) technical sessions at meetings of the American institute of certified public accountants, and of state societies and local chapters of certified public accountants;

(3) university or college credit courses. Each semester hour of credit shall equal 15 hours of continuing education credit. Each quarter hour of credit shall equal 10 hours of continuing education credit;

(4) university or college non-credit courses. These courses shall qualify for continuing professional education credit that equals the number of actual, full 50-minute class hours attended;

(5) formal, organized, in-firm or interfirm educational programs;

(6) programs in accounting, auditing, consulting services, specialized knowledge and applications, taxation, management of a practice, or ethics; and

(7) personal development courses. Commencing with the renewal of permits issued on and after July 1, 2007, hours from personal development courses shall not exceed 30 percent of the total number of continuing education hours required for permit renewal. Personal development courses, which shall be defined as courses

dealing with self-management and self-improvement both inside and outside of the business environment, shall be limited to courses on communication, leadership, character development, dealing effectively with others, interviewing, counseling, career planning, emotional growth and learning, and social interactions and relationships.

(c) Any author of a published article or book and any writer of a continuing professional education program may receive continuing professional education credit for the actual research and writing time if all of the following conditions are met:

(1) The board determines that the research and writing maintain or improve the professional competence of the author or writer.

(2) The number of credit hours claimed is consistent with the quality and scope of the article, book, or program.

(3) The article or book has been published or the program was created during the biennial period for which credit is claimed.

(d) Individual self-study programs that allow a participant to learn a particular subject without the major involvement of an instructor may be eligible for continuing education credit if all of the following conditions are met:

(1) The program meets one of the following requirements:

(A) Has been approved by NASBA's national registry of continuing professional education sponsors or NASBA's quality assurance service;

(B) is sponsored through the American institute of certified public accountants; or

(C) is sponsored through a state society of certified public accountants.

(2) The program requires registration.

(3) The program includes a final examination.

(4) The participant scores at least 70 percent on the final examination.

(5) The participant provides certificates of satisfactory completion.

(e) The amount of credit for self-study programs shall be determined by the board, as follows:

(1) Self-study programs may be approved for one hour of continuing professional education credit for each 50 minutes of participation and one-half credit for each 25-minute period of participation after the first hour of credit has been earned.

(2) The amount of credit shall not exceed the number of recommended hours assigned by the program sponsor.

(f) Independent study programs that are designed to allow a participant to learn a given subject under the guidance of a continuing professional education program sponsor may be eligible for continuing professional education credit if all of the following conditions are met:

(1) The program meets one of the following requirements:

(A) Has been approved by NASBA's national registry of continuing professional education sponsors or NASBA's quality assurance service;

(B) is sponsored through the American institute of certified public accountants; or

(C) is sponsored through a state society of certified public accountants.

(2) The participant has a written learning contract with a program sponsor that contains a recommendation of the number of credit hours to be awarded upon successful completion of the program.

(3) The program sponsor reviews and signs a report indicating that all of the requirements of the independent study program, as outlined in the learning contract, are satisfied.

(4) The program is completed in 15 weeks or less.

(g) A participant in an independent study program may receive up to one hour of credit for each 50 minutes of participation and one-half hour of credit for each 25-minute period of participation after the first hour of credit has been earned. (Authorized by K.S.A. 1-202 and K.S.A. 75-1119; implementing K.S.A. 1-202, K.S.A. 2007 Supp. 1-310, and K.S.A. 75-1119; effective, E-82-27, Dec. 22, 1981; effective May 1, 1982; amended May 1, 1985; amended Feb. 14, 1994; amended Sept. 25, 1998; amended Nov. 2, 2001; amended Nov. 15, 2002; amended Nov. 14, 2003; amended May 27, 2005; amended May 19, 2006; amended May 23, 2008.)

74-4-9. Continuing professional education controls and reporting. (a) At the time of applying for renewal of the permit to practice, each applicant shall sign a statement indicating the applicant's compliance with the requirements in K.A.R. 74-4-7 and 74-4-8, unless the applicant qualifies for the exemption outlined in K.S.A. 1-310 and amendments thereto.

(b)(1) Any applicant may be required by the board to verify the number of CPE hours claimed in subsection (a), on a form provided by the board, which shall include the following information:

(A) The organization, school, firm, or other sponsor conducting the program or course;

(B) the location of the program or course attended;

(C) the title of the program or course, or a brief description;

(D) the dates attended or the date the program or course was completed; and

(E) the number of continuing professional education credits that the applicant received for participating in a program or course.

(2) Each applicant specified in paragraph (b)(1) shall be required to provide the board with proof of completion or attendance for all CPE hours claimed.

(c) Each applicant shall retain documentation of completion or attendance for any continuing professional education program or course for five years from the end of the year in which the program or course was completed. (Authorized by K.S.A. 1-202 and K.S.A. 75-1119; implementing K.S.A. 1-202, K.S.A. 2007 Supp. 1-310, and K.S.A. 75-1119; effective, E-82-27, Dec. 22, 1981; effective May 1, 1982; amended May 1, 1985; amended Sept. 25, 1998; amended Nov. 22, 2002; amended Nov. 14, 2003; amended May 23, 2008.)

74-4-10. Continuing education requirements for renewal of initial or reinstated permits. (a) To renew an initial or reinstated permit to practice as a certified public

(continued)

accountant in Kansas, each applicant shall complete the number of continuing education hours proportionate to the number of hours required for the renewal period, given the number of full months from the date of the issuance of the permit to the June 30 renewal date.

(b) Continuing education credit obtained by the applicant on and after July 1 of the issuance year of the permit may be used to satisfy the continuing education requirement in subsection (a) if the credit meets the requirements specified in K.A.R. 74-4-7 and 74-4-8. (Authorized by K.S.A. 1-202; implementing K.S.A. 2007 Supp. 1-310; effective, E-82-27, Dec. 22, 1981; effective May 1, 1982; amended Sept. 25, 1998; amended Sept. 10, 1999; amended Nov. 17, 2000; amended May 23, 2008.)

Susan L. Somers
Executive Director

Doc. No. 035715

State of Kansas

Kansas Health Policy Authority

Permanent Administrative Regulations

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

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

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

(2) to ensure that services that could be subject to overuse are monitored for appropriateness in each case; and

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

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

(1) Ace inhibitors:

- (A) Quinapril;
- (B) moexipril;
- (C) perindopril;
- (D) ramipril; and
- (E) trandolopril;

(2) acne and skin lesion products:

- (A) Tretinoin; and
 - (B) alitretinoin;
- (3) adjunct antiepileptic drugs:
- (A) Gabitril; and
 - (B) zonegran;

(4) angiotensin II receptor antagonists:

- (A) Candesartan;
- (B) candesartan-HCTZ;
- (C) eprosartan;
- (D) eprosartan-HCTZ;
- (E) olmesartan; and
- (F) olmesartan-HCTZ;

- (5) antibiotics: telithromycin;
- (6) anticholinergic urinary incontinence drugs:
 - (A) Flavoxate;
 - (B) oxybutynin XL;
 - (C) tolterodine;
 - (D) oxybutynin patches; and
 - (E) trospium chloride;
- (7) antiemetics: nabilone;
- (8) antipsoriaties: alefacept;
- (9) antiretroviral drugs:
 - (A) Enfuvirtide; and
 - (B) Selzentry®;
- (10) antirheumatics:
 - (A) Leflunomide;
 - (B) infliximab;
 - (C) anakinra;
 - (D) adalimumab;
 - (E) etonercept; and
 - (F) abatacept;
- (11) cervical dystonias: botulinum toxins A and B;
- (12) drugs for the treatment of osteoporosis: teriparatide;
- (13) antituberculosis products:
 - (A) Aminosalicylate sodium;
 - (B) capreomycin;
 - (C) ethambutol;
 - (D) ethionamide;
 - (E) isoniazid;
 - (F) pyrazinamide; and
 - (G) rifampin and rifampin-isoniazid combinations;
- (14) all decubitus and wound care products;
- (15) all intravenous and oral dietary and nutritional products, including the following:
 - (A) Amino acids, injectable;
 - (B) 1-cysteine;
 - (C) lipids, injectable; and
 - (D) sodium phenylbutyrate;
- (16) beta-blockers:
 - (A) Betaxolol;
 - (B) bisoprolol;
 - (C) carteolol;
 - (D) penbutolol; and
 - (E) propranolol XL;
- (17) short-acting, inhaled beta 2 agonists:
 - (A) Metaproterenol inhaler;
 - (B) levalbuterol solution; and
 - (C) albuterol solutions: 0.021% and 0.042%;
- (18) calcium channel blockers:
 - (A) Diltiazem extended release, with the following brand names:
 - (i) Cardizen SR®;
 - (ii) Cardizem CD®;
 - (iii) Cartia XT®;
 - (iv) Dilacor XR®;
 - (v) Taztia XT®; and
 - (vi) Cardizem LA®;
 - (B) verapamil sustained release, with the following brand names:
 - (i) Covera HS®; and
 - (ii) Verelan PM®;
 - (C) nifedipine sustained release, with the following brand names:

- (i) Nifedical XL[®]; and
- (ii) Procardia XL[®] and all generic equivalents;
- (D) nisoldipine;
- (E) felodipine;
- (F) isradipine;
- (G) nicardipine SR; and
- (H) nifedipine immediate release, with the following brand names:
 - (i) Adalat[®] and all generic equivalents; and
 - (ii) Procardia[®] and all generic equivalents;
- (19) fibric acid derivatives:
 - (A) Antara[®]; and
 - (B) Lofibra[®];
- (20) all growth hormones and growth hormone stimulating factor, including the following:
 - (A) Somatrem;
 - (B) somatropin;
 - (C) sermorelin; and
 - (D) mecasermin rinfabate;
- (21) intranasal corticosteroids:
 - (A) Flunisolide; and
 - (B) beclomethasone;
- (22) inhaled corticosteroids:
 - (A) Flunisolide-menthol;
 - (B) flunisolide; and
 - (C) budesonide inhaled suspension;
- (23) proton pump inhibitors:
 - (A) Esomeprazole;
 - (B) omeprazole;
 - (C) omeprazole OTC;
 - (D) lansoprazole;
 - (E) pantoprazole;
 - (F) rabeprazole; and
 - (G) omeprazole NaHCO₃;
- (24) monoclonal antibody for respiratory syncytial virus (RSV), including palivizumab;
- (25) muscle relaxants:
 - (A) Tizanidine;
 - (B) orphenadrine;
 - (C) carisoprodol;
 - (D) carisoprodol-aspirin;
 - (E) carisoprodol-aspirin-caffeine;
 - (F) cyclobenzaprine;
 - (G) metaxolone;
 - (H) dantrolene; and
 - (I) orphenadrine-aspirin-caffeine;
- (26) narcotics:
 - (A) Buprenorphine-naloxone; and
 - (B) buprenorphine;
- (27) nonsteroidal, anti-inflammatory drugs: nabumetone;
- (28) drugs for the treatment of obesity:
 - (A) Orlistat;
 - (B) sibutramine; and
 - (C) phentermine;
- (29) oxazolidinones, including linezolid;
- (30) HMG-CoA reductase inhibitors:
 - (A) Pravastatin;
 - (B) fluvastatin; and
 - (C) lovastatin;
- (31) nonsedating antihistamines:
 - (A) Desloratidine; and
 - (B) fexofenadine;
- (32) H2 antagonists: nizatidine;
- (33) triptans:
 - (A) Naratriptan;
 - (B) zolmitriptan; and
 - (C) frovatriptan;
- (34) antidiabetic drugs:
 - (A) Glipizide XL;
 - (B) glipizide-metformin;
 - (C) repaglinide;
 - (D) acarbose;
 - (E) Glucophage XR[®];
 - (F) Fortamet[®];
 - (G) Glumetza[®];
 - (H) exenatide; and
 - (I) pramlintide acetate;
- (35) the following types of syringes, penfills, and cartridges of insulin:
 - (A) Humalog[®];
 - (B) Humalog Mix[®];
 - (C) Humulin R[®];
 - (D) Humulin N[®];
 - (E) Humulin 70/30[®];
 - (F) Novolog[®];
 - (G) Novolog Mix[®];
 - (H) Novolin R[®];
 - (I) Novolin N[®];
 - (J) Novolin 70/30[®]; and
 - (K) Velosulin BR[®];
- (36) hypnotics:
 - (A) Zaleplon;
 - (B) zolpidem; and
 - (C) zolpidem CR;
- (37) serotonin 5-HT₃ receptor antagonist antiemetics:
 - (A) Kytril[®]; and
 - (B) Anzemet[®];
- (38) influenza vaccines: Flumist[®];
- (39) the following drugs if specifically required by the physician, which shall require prior authorization to override maximum allowable cost (MAC) or federal upper limit (FUL) pricing:
 - (A) Clozaril;
 - (B) depakene;
 - (C) tegretol; and
 - (D) coumadin;
- (40) monoclonal antibody for asthma: omalizumab;
- (41) bisphosphonates:
 - (A) Risedronate; and
 - (B) risedronate-calcium;
- (42) ACE inhibitors-calcium channel blockers:
 - (A) Enalapril maleate-felodipine; and
 - (B) trandolapril-verapamil;
- (43) ophthalmic prostaglandin analogues:
 - (A) Bimatoprost; and
 - (B) unoprostone;
- (44) topical immunomodulators:
 - (A) Protpic[®] (topical formulation); and
 - (B) Elidel[®];
- (45) narcotic analgesics: any transmucosal form of fentanyl; and

(continued)

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

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

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

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

(2) Situations in which services requiring prior authorization are provided and retroactive eligibility is later

established. When an emergency occurs or when retroactive eligibility is established, prior authorization for that service shall be waived, and if medical necessity is documented, payment shall be made.

(e) Services requiring prior authorization shall be considered covered services within the scope of the program, unless the request for prior authorization is denied. (Authorized by K.S.A. 2007 Supp. 39-7,120 and K.S.A. 2007 Supp. 75-7412; implementing K.S.A. 2007 Supp. 39-7,120 and K.S.A. 2007 Supp. 39-7,121a; effective Oct. 28, 2005; amended June 2, 2006; amended Aug. 11, 2006; amended Nov. 17, 2006; amended March 16, 2007; amended Oct. 19, 2007; amended May 23, 2008.)

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

Doc. No. 035712

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2006 Volumes and the 2007 Supplement of the *Kansas Administrative Regulations*.

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4-3-51	Amended	V. 27, p. 16
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5-40-103	New	V. 26, p. 664
5-40-104	New	V. 26, p. 664
5-40-105	New	V. 26, p. 664
5-40-106	New	V. 26, p. 664
5-42-1	Amended	V. 26, p. 664
5-42-5	New	V. 26, p. 665
5-44-7	New	V. 26, p. 666

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-17-22	Amended	V. 26, p. 325
7-44-1 through 7-44-7	New	V. 26, p. 505, 506

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-20-1	Amended	V. 26, p. 507
10-20-2	Amended	V. 26, p. 507
10-20-2a	Amended	V. 26, p. 507
10-20-4	Amended	V. 26, p. 507

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-8-3	Amended	V. 26, p. 1543
11-8-4	Amended	V. 26, p. 1543
11-12-1 through 11-12-7	New	V. 26, p. 1184-1187

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Reg. No.	Action	Register
14-8-2	Amended	V. 26, p. 1906
14-8-3	Amended	V. 26, p. 1906
14-16-23	Revoked	V. 26, p. 1906
14-16-24	Revoked	V. 26, p. 1906
14-24-1 through 14-24-6	New	V. 26, p. 1907

AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-25-1	New	V. 27, p. 356

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-5	Amended	V. 26, p. 1115
28-1-6	Amended	V. 26, p. 1115
28-4-122	Amended	V. 27, p. 317
28-4-311	Amended	V. 27, p. 317
28-4-312 through 28-4-317	Revoked	V. 27, p. 317, 318
28-4-800 through 28-4-825	New	V. 27, p. 318-334
28-15-35	Amended	V. 26, p. 825
28-15-36	Amended	V. 26, p. 829
28-15-36a	Amended	V. 26, p. 829
28-15-37	Amended	V. 26, p. 830
28-16-28g	Amended	V. 26, p. 691
28-16-56c	Amended	V. 26, p. 283
28-16-56d	Amended	V. 26, p. 284
28-18-1	Amended	V. 26, p. 284
28-18-2	Amended	V. 26, p. 288
28-18-4	Amended	V. 26, p. 289
28-18-8	Amended	V. 26, p. 289
28-18-9	Amended	V. 26, p. 290
28-18-11	Amended	V. 26, p. 1929
28-18-12	Amended	V. 26, p. 290
28-18-13	Amended	V. 26, p. 291
28-18-14	Amended	V. 26, p. 292
28-18-16	New	V. 26, p. 292
28-18-17	New	V. 26, p. 293
28-18a-1	Amended	V. 26, p. 294
28-18a-2	Amended	V. 26, p. 298
28-18a-4	Amended	V. 26, p. 299
28-18a-8	Amended	V. 26, p. 299
28-18a-9	Amended	V. 26, p. 300
28-18a-11	Amended	V. 26, p. 1929
28-18a-12	Amended	V. 26, p. 300
28-18a-19	Amended	V. 26, p. 301
28-18a-21	Amended	V. 26, p. 302
28-18a-22	Amended	V. 26, p. 302
28-18a-26	Amended	V. 26, p. 303
28-18a-32	Revoked	V. 26, p. 303
28-18a-33	New	V. 26, p. 303
28-19-720	Amended	V. 26, p. 951
28-19-728	New	V. 26, p. 951
28-19-728a through 28-19-728f	New	V. 26, p. 951, 952
28-19-735	Amended	V. 26, p. 953
28-19-750	Amended	V. 26, p. 953
28-23-16	Revoked	V. 27, p. 191
28-24-1 through 28-24-14	Amended	V. 26, p. 1510-1514
28-24-15	Revoked	V. 26, p. 1514
28-24-16	Revoked	V. 26, p. 1514
28-24a-1	New	V. 26, p. 1514
28-24a-2	New	V. 26, p. 1514
28-24a-3	New	V. 26, p. 1515
28-29-28	Amended	V. 26, p. 1610
28-29-29	Amended	V. 26, p. 1611
28-29-29a	Amended	V. 26, p. 1611
28-29-29b	New	V. 26, p. 1612
28-29-30	Amended	V. 26, p. 1612
28-29-31	Amended	V. 26, p. 1613
28-29-31a	New	V. 26, p. 1614
28-29-32	Amended	V. 26, p. 1614
28-29-33	Amended	V. 26, p. 1615
28-29-2011	New	V. 26, p. 1615
28-29-2101	Amended	V. 26, p. 1615
28-32-1	Revoked	V. 27, p. 247
28-32-2	Revoked	V. 27, p. 247
28-32-4	Revoked	V. 27, p. 247
28-32-5	Revoked	V. 27, p. 247
28-32-6	Revoked	V. 27, p. 247
28-32-7	Revoked	V. 27, p. 247
28-32-8 through 28-32-14	New	V. 27, p. 247-249
28-35-135a	Amended	V. 26, p. 1142
28-35-135d	Amended	V. 26, p. 1144
28-35-135n	Amended	V. 26, p. 1145
28-35-135p	Amended	V. 26, p. 1145

28-35-135r	Amended	V. 26, p. 1147
28-35-177a	Amended	V. 26, p. 1148
28-35-178a	Amended	V. 26, p. 1149
28-35-178b	Amended	V. 26, p. 1150
28-35-180a	Amended	V. 26, p. 1151
28-35-181d	Amended	V. 26, p. 1152
28-35-181m	Amended	V. 26, p. 1153
28-35-181n	Amended	V. 26, p. 1154
28-35-181o	Amended	V. 26, p. 1155
28-35-182c	Amended	V. 26, p. 1155
28-35-184a	Amended	V. 26, p. 1156
28-35-201	Amended	V. 26, p. 1156
28-35-202	Revoked	V. 26, p. 1158
28-35-203	Amended	V. 26, p. 1158
28-35-216a	Amended	V. 26, p. 1159
28-35-230g	New	V. 26, p. 1159
28-35-289	Amended	V. 26, p. 1160
28-35-292	Amended	V. 26, p. 1162
28-35-308	Amended	V. 26, p. 1162
28-35-349	Amended	V. 26, p. 1162
28-35-450	Amended	V. 26, p. 1162
28-36-33 through 28-36-49	Revoked (T)	V. 26, p. 1682
28-36-33 through 28-36-49	Revoked	V. 27, p. 73
28-36-70 through 28-36-89	New (T)	V. 26, p. 1682-1696
28-36-70 through 28-36-89	New	V. 27, p. 73-87
28-36-101 through 28-36-108	Amended	V. 26, p. 1776-1779
28-36-109	New	V. 26, p. 1780
28-46-2	Revoked	V. 26, p. 214
28-46-2a	New	V. 26, p. 215
28-46-25	Amended	V. 26, p. 215
28-46-26	Revoked	V. 26, p. 215
28-46-26a	New	V. 26, p. 215
28-46-34a	New	V. 26, p. 215
28-46-38	Amended	V. 26, p. 216
28-54-1 through 28-54-7	New	V. 26, p. 1640-1642
28-59-5	Amended	V. 27, p. 462
28-61-11	Amended	V. 27, p. 464

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-98	Amended	V. 26, p. 1905
30-5-65	Revoked	V. 26, p. 1091

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-37	Amended	V. 26, p. 1393
40-1-51	Revoked	V. 26, p. 1364
40-2-20	Amended	V. 26, p. 101
40-2-29	New	V. 27, p. 15
40-2-30	New	V. 26, p. 1545
40-3-25	Amended	V. 27, p. 15
40-3-34	Revoked	V. 26, p. 1423
40-3-52	New	V. 27, p. 133
40-4-41	Amended	V. 27, p. 434
40-4-41a through 40-4-41j	Revoked	V. 27, p. 434, 435
40-7-19	Amended	V. 26, p. 881
40-7-20a	Amended	V. 26, p. 103
40-7-25	Amended	V. 26, p. 488

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-101	Amended	V. 26, p. 817
44-6-125	Amended	V. 26, p. 818
44-6-136	Amended	V. 26, p. 819
44-11-111	Amended	V. 26, p. 819
44-11-113	Amended	V. 26, p. 820
44-11-123	Amended	V. 26, p. 820

44-12-103	Amended	V. 26, p. 1074
44-12-105	Amended	V. 26, p. 1075
44-12-106	Amended	V. 26, p. 1075
44-12-107	Amended	V. 26, p. 1075
44-12-208	Amended	V. 26, p. 1075
44-12-210	Amended	V. 26, p. 1075
44-12-211	New	V. 26, p. 1075
44-12-212	New	V. 26, p. 1075
44-12-304	Amended	V. 26, p. 1075
44-12-306	Amended	V. 26, p. 1076
44-12-308	Amended	V. 26, p. 1076
44-12-312	Amended	V. 26, p. 1076
44-12-315	Amended	V. 26, p. 1076
44-12-320a	New	V. 26, p. 1076
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 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-45-36	New	V. 26, p. 1647
49-50-6	Amended	V. 26, p. 1647
49-50-20	Amended	V. 26, p. 1647

AGENCY 50: DEPARTMENT OF LABOR— DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-3-2	Amended	V. 26, p. 1642

AGENCY 51: DEPARTMENT OF LABOR— DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-9-7	Amended	V. 26, p. 1639

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

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-1	Amended	V. 26, p. 126
63-2-26	New	V. 27, p. 108

(continued)

63-4-1	Amended	V. 27, p. 108
63-5-1	Amended	V. 26, p. 126

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 27, p. 315
66-6-4	Amended	V. 27, p. 316
66-9-5	Amended	V. 26, p. 1024
66-10-1	Amended	V. 27, p. 317
66-10-10a	Amended	V. 26, p. 1024
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
67-5-3	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
68-5-16	Amended	V. 26, p. 488
68-7-11	Amended	V. 26, p. 1112
68-7-12	Amended	V. 26, p. 1114
68-7-20	Amended	V. 27, p. 435
68-20-17	Amended	V. 26, p. 488

AGENCY 69: BOARD OF COSMETOLOGY (by Dept. of Health and Environment)

Reg. No.	Action	Register
69-12-6	Revoked	V. 26, p. 1515
69-12-13	Revoked	V. 26, p. 1515

AGENCY 70: BOARD OF VETERINARY EXAMINERS

Reg. No.	Action	Register
70-5-1	Amended	V. 26, p. 1863

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-2	Amended	V. 26, p. 1954
74-1-3	Amended	V. 26, p. 1954
74-1-6	Amended	V. 26, p. 1955
74-1-8	Amended	V. 26, p. 1955
74-2-7	Amended	V. 26, p. 1955
74-4-1a	Amended	V. 26, p. 126
74-5-2	Amended	V. 26, p. 1956
74-5-101	Amended	V. 26, p. 1957
74-5-105	Revoked	V. 26, p. 127
74-5-201	Amended	V. 26, p. 1957
74-5-202	Amended	V. 26, p. 1957
74-5-204	Revoked	V. 26, p. 1957
74-5-403	Amended	V. 26, p. 128
74-5-405a	New	V. 26, p. 1957
74-5-406	Amended	V. 26, p. 1958
74-5-408	New	V. 26, p. 128
74-6-1	Amended	V. 26, p. 1958
74-7-2	Amended	V. 26, p. 1958
74-11-6	Amended	V. 26, p. 128

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-103	Amended	V. 26, p. 1609
82-3-119	Revoked	V. 26, p. 1643
82-3-123	Amended	V. 26, p. 1643
82-3-123a	Amended	V. 26, p. 1644
82-3-124	Amended	V. 26, p. 1644
82-3-131	Amended	V. 26, p. 1645
82-3-140	Amended	V. 26, p. 1645
82-3-300	Amended	V. 26, p. 1645
82-3-303	Amended	V. 26, p. 823
82-3-304	Amended	V. 26, p. 824
82-3-408	Amended	V. 26, p. 1646
82-3-603a	New	V. 26, p. 1610
82-4-30a	Amended (T)	V. 26, p. 1930
82-11-1	Amended	V. 27, p. 43
82-11-3	Amended	V. 27, p. 43
82-11-4	Amended	V. 27, p. 44
82-11-7	Amended	V. 27, p. 49
82-11-8	Amended	V. 27, p. 49

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-2	Amended	V. 26, p. 1728
86-1-5	Amended	V. 26, p. 1728
86-1-10	Amended	V. 26, p. 1729
86-1-11	Amended	V. 26, p. 1730
86-1-13	Amended	V. 26, p. 1731
86-1-15	Amended	V. 26, p. 1732
86-1-17	Amended	V. 26, p. 1732
86-1-18	Amended	V. 26, p. 1733
86-1-19	Amended	V. 26, p. 1733
86-1-20	New	V. 26, p. 1734
86-2-3	Revoked	V. 26, p. 1734
86-2-5	Revoked	V. 26, p. 1734
86-2-7	Revoked	V. 26, p. 1734
86-3-3	Revoked	V. 26, p. 1734
86-3-8	Amended	V. 26, p. 1734
86-3-9	Amended	V. 26, p. 1734
86-3-15	Amended	V. 26, p. 1734
86-3-21	Amended	V. 26, p. 1735
86-3-22	Amended	V. 26, p. 1735
86-3-26a	New	V. 26, p. 1736

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
88-24-1	Amended	V. 26, p. 1142
88-24-2	Amended	V. 26, p. 1142
88-29-1 through 88-29-19	New	V. 26, p. 216-229
88-30-1	New	V. 26, p. 1544
88-30-2	New	V. 26, p. 1544
88-30-3	New	V. 26, p. 1544

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
91-1-209	Amended	V. 26, p. 1226
91-1-234	New	V. 26, p. 1226
91-40-1	Amended	V. 27, p. 274
91-40-2	Amended	V. 27, p. 279
91-40-3	Amended	V. 27, p. 279
91-40-5	Amended	V. 27, p. 280
91-40-7 through 91-40-12	Amended	V. 27, p. 281-284
91-40-16	Amended	V. 27, p. 285
91-40-17	Amended	V. 27, p. 285
91-40-21	Amended	V. 27, p. 286
91-40-22	Amended	V. 27, p. 287
91-40-26 through 91-40-31	Amended	V. 27, p. 287-289
91-40-33	Amended	V. 27, p. 290
91-40-34	Amended	V. 27, p. 290
91-40-35	Amended	V. 27, p. 290
91-40-37	Revoked	V. 27, p. 291
91-40-38	Amended	V. 27, p. 291
91-40-39	Revoked	V. 27, p. 291
91-40-41	Amended	V. 27, p. 291
91-40-42	Amended	V. 27, p. 291
91-40-42a	New	V. 27, p. 292
91-40-43	Amended	V. 27, p. 293
91-40-44	Amended	V. 27, p. 293
91-40-45	Amended	V. 27, p. 293
91-40-46	Amended	V. 27, p. 294
91-40-48	Amended	V. 27, p. 294
91-40-50	Amended	V. 27, p. 294
91-40-51	Amended	V. 27, p. 295

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-16a	Amended	V. 26, p. 408
92-19-16b	New	V. 26, p. 409
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
92-27-1 through 92-27-5	New	V. 26, p. 1648, 1649

AGENCY 97: KANSAS COMMISSION ON VETERANS' AFFAIRS

Reg. No.	Action	Register
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 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-25-1	Amended	V. 27, p. 108
99-25-9	Amended	V. 27, p. 108
99-25-11	New	V. 27, p. 109

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended	V. 26, p. 1258
100-15-5	Amended	V. 26, p. 384
100-15-6	Amended	V. 26, p. 385
100-22-6	New	V. 26, p. 1642
100-22-7	New	V. 26, p. 1043
100-22-8	New	V. 26, p. 1367
100-22-8	Revoked (T)	V. 26, p. 1929
100-22-8	Revoked	V. 27, p. 357
100-22-8a	New (T)	V. 26, p. 1929
100-22-8a	New	V. 27, p. 357
100-28a-1	Amended	V. 26, p. 1753
100-29-7	Amended	V. 27, p. 209
100-49-4	Amended	V. 26, p. 1258
100-49-10	New	V. 26, p. 1367
100-54-4	Amended	V. 27, p. 209
100-54-7	Amended	V. 26, p. 1043
100-54-8	Amended	V. 26, p. 1044
100-55-4	Amended	V. 27, p. 209
100-73-1	Amended	V. 26, p. 1258
100-73-9	Amended	V. 27, p. 315

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-7	Revoked	V. 26, p. 881
102-1-12	Amended	V. 27, p. 407
102-1-13	Amended	V. 26, p. 1774
102-2-3	Amended	V. 26, p. 1775
102-2-10	Revoked	V. 26, p. 881
102-3-2	Amended	V. 26, p. 1775
102-3-8a	Revoked	V. 26, p. 881
102-4-2	Amended	V. 26, p. 1775
102-4-8a	Revoked	V. 26, p. 881
102-5-2	Amended	V. 26, p. 1776
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
105-11-1	Amended	V. 26, p. 1752

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-13-10	Amended	V. 26, p. 1752
110-15-1 through 110-15-4	New	V. 26, p. 1864
110-16-1 through 110-16-4	New	V. 26, p. 1865, 1866
110-17-1 through 110-17-4	New	V. 26, p. 1866, 1867

110-18-1 through 110-18-4 New V. 26, p. 1867, 1868

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. A list of regulations filed by the Kansas Lottery from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. The following regulations were filed after January 1, 2008:

Reg. No.	Action	Register
111-4-2645 through 111-4-2656	New	V. 27, p. 436-442
111-5-127	Amended	V. 27, p. 442
111-5-128	Amended	V. 27, p. 443
111-5-132	Amended	V. 27, p. 443

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-9a	Amended	V. 27, p. 19
112-4-14a	Amended	V. 27, p. 19
112-5-1	Amended	V. 27, p. 19
112-6-1	Amended	V. 27, p. 20
112-7-6	Amended	V. 27, p. 20
112-7-8	Amended	V. 27, p. 21
112-7-15a	Amended	V. 27, p. 21
112-7-16	Amended	V. 27, p. 22
112-7-18a	Amended	V. 27, p. 22
112-7-20	Amended	V. 27, p. 23
112-8-9	Amended	V. 27, p. 23
112-10-12	Amended	V. 27, p. 23
112-10-32	Amended	V. 27, p. 23
112-11-10	Amended	V. 27, p. 24
112-11-20	Amended	V. 27, p. 24

112-18-1 Amended V. 27, p. 26

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 26, p. 1722
115-2-3a	Amended	V. 27, p. 570
115-4-4	Amended	V. 27, p. 403
115-4-4a	Amended	V. 27, p. 403
115-4-6	Amended	V. 27, p. 109
115-4-6a	Revoked	V. 27, p. 112
115-4-13	Amended	V. 27, p. 404
115-4-14	Revoked	V. 27, p. 112
115-7-1	Amended	V. 26, p. 1725
115-7-8	Amended	V. 27, p. 405
115-7-9	Amended	V. 27, p. 406
115-8-1	Amended	V. 27, p. 572
115-8-7	Amended	V. 26, p. 1364
115-8-13	Amended	V. 27, p. 112
115-9-9	Amended	V. 26, p. 641
115-18-7	Amended	V. 27, p. 406
115-18-10	Amended	V. 26, p. 1727
115-18-12	Amended	V. 26, p. 1728
115-18-20	Amended	V. 26, p. 1728
115-30-1	Amended	V. 26, p. 1364
115-30-5	Amended	V. 26, p. 1365
115-30-7	Amended	V. 26, p. 1365
115-30-8	Amended	V. 26, p. 1365
115-30-10	Amended	V. 26, p. 1366
115-30-12	New	V. 26, p. 1366

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 26, p. 1259
117-2-1	Amended	V. 26, p. 1259
117-2-2	Amended	V. 26, p. 1260
117-2-2a	Amended	V. 27, p. 16
117-2-3	Amended	V. 26, p. 1261
117-2-4	Amended	V. 26, p. 1261
117-3-1	Amended	V. 26, p. 1262
117-3-2	Amended	V. 26, p. 1265
117-3-2a	Amended	V. 27, p. 17
117-3-4	Amended	V. 26, p. 1264
117-4-1	Amended	V. 26, p. 1264
117-4-2	Amended	V. 26, p. 1265

117-4-2a	Amended	V. 27, p. 17
117-4-3	Amended	V. 26, p. 1266
117-4-4	Amended	V. 26, p. 1266
117-5-2a	Amended	V. 27, p. 18
117-6-1	Amended	V. 27, p. 357
117-6-2	Amended	V. 26, p. 1267
117-7-1	Amended	V. 27, p. 18
117-8-1	Amended	V. 27, p. 19

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
121-2-1	Amended	V. 26, p. 1908
121-3-1	Amended	V. 26, p. 1908
121-5-4	New	V. 26, p. 1909
121-9-1	New	V. 26, p. 1910

AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION

Reg. No.	Action	Register
128-1-1	New (T)	V. 27, p. 106
128-1-1	New	V. 27, p. 358
128-2-1	New	V. 27, p. 360
128-2-3		
128-2-13	New	V. 27, p. 360-362
128-2-12	New (T)	V. 27, p. 107
128-3-1	New	V. 27, p. 362
128-4-1		
128-4-9		
128-4-9	New	V. 27, p. 363-367
128-4a-1	New	V. 27, p. 367
128-5-1	New	V. 27, p. 367
128-5-2	New	V. 27, p. 368
128-6-1	New	V. 27, p. 368
128-6-2	New	V. 27, p. 371
128-6-4	New	V. 27, p. 374

AGENCY 129: KANSAS HEALTH POLICY AUTHORITY

Reg. No.	Action	Register
129-5-1	Amended	V. 26, p. 1579
129-5-65	New	V. 26, p. 1091

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