



Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Statewide Independent Living Council**Notice of Meeting**

The Statewide Independent Living Council of Kansas, Inc. will meet at 10 a.m. Friday, February 20, at the Topeka and Shawnee County Public Library, 1515 S.W. 10th Ave., Room 101A, Topeka. For more information, contact Mary Lou Dunn or Shannon Jones at (785) 234-6990 or (800) 217-4525, or e-mail at marylouya@aol.com.

Don Jordan
Secretary of Social and
Rehabilitation Services

Doc. No. 036632

State of Kansas

Advisory Committee on Trauma**Notice of Meeting**

The Advisory Committee on Trauma will meet from 10 a.m. to 3 p.m. Wednesday, February 11, at the Kansas State Historical Society (Museum Building), Classroom BC, 6425 S.W. 6th Ave., Topeka. For more information, contact the KDHE Office of Local and Rural Health at (785) 296-1200.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 036636

State of Kansas

Department of Credit Unions**Notice of Application for Change
in Field of Membership**

The Kansas Department of Credit Unions has received an application for a change in field of membership from the Sunflower Credit Union, 1610 N. Summit, Arkansas City, KS 67005. The proposed change in field of membership is as follows:

Membership in this credit union is limited to persons residing, working, or worshiping in or organizations located in the counties of Cowley, Sumner, Butler, Elk and Chautauqua and to former employees of Total Petroleum, Inc., Total Pipeline Corporation and Total Transport with headquarters in Arkansas City, Kansas, members of their immediate families, retired employees and organizations of such persons. Membership, once established, may continue even though the credit union member would not be eligible for new membership.

Questions concerning the application may be directed to Cheryl Bishop, Kansas Department of Credit Unions, 400 S. Kansas Ave., Suite B, Topeka, 66603-3438, (785) 296-3021.

John P. Smith
Administrator

Doc. No. 036622

State of Kansas

Department of Revenue**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted by the Department of Revenue at 8:30 a.m. Monday, April 6, in the Secretary's Conference Room, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of one income tax regulation. Copies of this proposed regulation may be found at www.ksrevenue.org.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulation. All interested parties may submit written public comments on the proposed regulation prior to the hearing to Kathleen Smith, Tax Specialist, Office of Policy and Research, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, or through e-mail at kathleen_smith@kdor.state.ks.us.

All interested parties will be given a reasonable opportunity to present their views, either orally or in writing or both, concerning the adoption of the proposed regulation. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Kathleen Smith at (785) 296-3081 or TTY (785) 296-6461. Disabled parking is located in State Parking Lot No. 2, south of the Docking Building facing Harrison Street. The east entrance to the Docking Building is accessible.

This regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and the economic impact follows:

Article 12.—INCOME TAX

Adoption of K.A.R. 92-12-145. Transfer of tax credits. This regulation clarifies that any not-for-profit contributors making a contribution to a designated educational institution through the higher education deferred maintenance tax credit program may transfer the credit.

Economic Impact: The Department of Revenue does not anticipate any impact on the department, other government agencies, or private businesses or individuals.

A copy of this regulation and the economic impact statement may be obtained from the Kansas Department of Revenue, Office of Policy and Research, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1588, or via the department's Web site at www.ksrevenue.org.

Joan Wagnon
Secretary of Revenue

Doc. No. 036626

State of Kansas

Historic Sites Board of Review**Notice of Meeting**

The Kansas Historic Sites Board of Review will meet at 9 a.m. Saturday, February 21, in Classrooms A and B in the Kansas Museum of History, 6425 S.W. 6th Ave., Topeka. The board will consider the following nominations for listing in the National Register of Historic Places and/or the Register of Historic Kansas Places.

National Register of Historic Places

- Alma Downtown Historic District — Alma, Wabaunsee County
- Holton Swimming Pool and Bath House — 711 Nebraska, Holton, Jackson County
Nominated as part of the "New Deal-era Resources of Kansas" MPS
- Terminal Railway & Bridge Company Freight Depot — 306 S. 7th St., Leavenworth, Leavenworth County
- Broadview Hotel — 400 W. Douglas Ave., Wichita, Sedgwick County
- S-W Supply Company — 215 E. Prairie, Girard, Crawford County
- State Bank of Girard — 105 E. Prairie, Girard, Crawford County
- St. John's Episcopal Church — SE Corner of Buffalo and Summit Streets, Girard, Crawford County
- Crawford County Courthouse — 111 E. Forest, Girard, Crawford County
Nominated as part of the "Historic County Courthouses of Kansas" MPS
- Berquist and Nelson Drugstore Building — 105 N. Main St., Lindsborg, McPherson County
- Clareen/Peterson Restaurant Building — 113 N. Main St., Lindsborg, McPherson County
- Holmberg and Johnson Blacksmith Shop — 122 N. Main St., Lindsborg, McPherson County
- Old Mission Mausoleum — 3424 E. 21st St., Wichita, Sedgwick County
- Hazlett-Hurd House — 820 N.W. Third St., Abilene, Dickinson County
- Parachute Building (Pratt Army Air Field) — 40131 Barker Ave., Pratt, Pratt County
- Florence Water Tower — 525 W. 5th, Florence, Marion County
- Elk County Courthouse — 127 N. Pine, Howard, Elk County
Nominated as part of the "Historic County Courthouses of Kansas" MPS
- Ecumenical Christian Ministries Building — 1204 Oread Ave., Lawrence, Douglas County
- George Mackie House — 1941 Massachusetts St., Lawrence, Douglas County
Nominated as part of the "Historic Resources of Lawrence, KS" MPS

Register of Historic Kansas Places

- Hughes Conoco Service Station — 400 S.W. Taylor St., Topeka, Shawnee County
- J.R. Greenlees House — 714 Mississippi, Lawrence, Douglas County

Request for Removal from National Register of Historic Places

- St. Patrick's Mission Church and School — Chapman vicinity, Dickinson County

Persons needing special accommodations should contact the Cultural Resources Division of the Kansas State Historical Society, 6425 S.W. 6th Ave., Topeka, 66615-1099, (785) 272-8681, ext. 240, at least two weeks prior to the meeting to discuss how the board can ensure participation.

Jennie Chinn
Executive Director

Doc. No. 036643

State of Kansas

Department of Credit Unions**Notice of Hearing on Proposed Administrative Regulations**

A public hearing will be held by the administrator of the Kansas Department of Credit Unions at 10 a.m. Thursday, April 2, in the Kansas Department of Credit Unions' conference room, Suite B, American Home Life Insurance Company Building, 400 S. Kansas Ave., Topeka, to consider the approval and adoption of a revised administrative regulation by the Kansas Department of Credit Unions.

The revised regulation that will be heard during the public hearing is as follows:

K.A.R. 121-9-1 describes the requirements and process to obtain approval by the administrator of the Kansas Department of Credit Unions for foreign credit unions to do business in Kansas

There will be minimal economic impact on governmental agencies, credit unions and the public because of the revised regulation.

This 60-day notice prior to the hearing shall constitute a public comment period for receiving written public comments on the revised administrative regulation. All interested parties may submit written comments prior to the hearing to John P. Smith, Administrator, Kansas Department of Credit Unions, 400 S. Kansas Ave., Suite B, Topeka, 66603, or to kdcuoffice@kdcu.ks.gov if electronically.

All interested parties will be given a reasonable opportunity at the hearing to present their views. During the hearing, all written and oral comments submitted by interested parties will be considered by the administrator as a basis for approving, amending and approving, or rejecting the revised administrative regulation. Any person requiring visual or communication aid or assistance, building access assistance or similar assistance should contact the department so appropriate arrangements can be made.

A copy of the revised regulation and the economic impact statement may be obtained at the address above or by calling or (785) 296-3021.

John P. Smith
Administrator

Doc. No. 036630

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. February 18 and then publicly opened:

District One — Northeast

Doniphan—36-22 KA-0760-01 — U.S. 36 and the east junction of K-7; the west junction of U.S. 36 and K-7; and the U.S. 36 and K-120 junction, lighting. (Federal Funds)

Johnson—10-46 KA-0803-01 — K-10 and Lexington Road in De Soto, lighting. (Federal Funds)

District Two — Northcentral

Dickinson—21 C-4474-01 — County road 1.5 miles west of Chapman, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

District Three — Northwest

Osborne—71 K-9679-01 — From U.S. 24 south and east to 3rd and Commercial Street in Downs, 1.5 miles, grading and surfacing.

District Four — Southeast

Labette—50 KA-1419-01 — U.S. 59 from the north city limits of Oswego to the west junction of U.S. 160; U.S. 160 from the east city limits of Altamont to the west junction of U.S. 59, 9.4 miles, overlay.

Miami—61 C-4422-01 — Old K-7 over Big Bull Creek at Paola, 0.1 mile, bridge.

District Five — Southcentral

Barton—56-5 KA-0131-01 — U.S. 56 from west of Harrison Street east to Washington Street in Great Bend, 0.5 mile, grading and surfacing.

Butler—8 K-9652-01 — K-196 and K-254; U.S. 54 and Haverhill Road and U.S. 54/U.S. 400/U.S. 77 in Butler County, lighting. (Federal Funds)

Sedgwick—135-87 K-7332-01 — I-135 and U.S. 54 interchange and southbound I-135 from Lincoln to Harris in Wichita, pavement reconstruction.

District Six — Southwest

Haskell—41 C-3832-01 — County road 8 miles north and 6 miles west of Sublette, then north 6 miles, surfacing.

Finney—50-28 K-8246-01 — U.S. 50 1 mile west of Holcomb to 1.4 miles east of the west junction of U.S. 83, grading, bridge and surfacing.

Finney—50 U-2066-01 — U.S. 50B and U.S. 83B from U.S. 50/U.S. 83/U.S. 400 south to Mary Street in Garden City, 1 mile, grading and surfacing.

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. 036641

State of Kansas

Department of Revenue
Division of Motor VehiclesNotice of Intent to Establish a
New Motor Vehicle Dealer License

Notice has been received from SAS Mopeds & Autos, 420 E. 8th, Hays, Kansas, of its intent to establish a new Schwinn and Meitian dealership, SAS Mopeds & Autos, at 420 E. 8th, Hays, Kansas. The vehicle dealer operators and the principal investors are Ernest L. Speier and Chad L. Speier. The proposed date of completion is immediately upon approval.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed establishment of the new Schwinn and Meitian dealership, SAS Mopeds & Autos, at 420 E. 8th, Hays, Kansas, if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale at SAS Mopeds & Autos, 420 E. 8th, Hays, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the new Schwinn and Meitian dealership will be located.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the Director of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Director of Vehicles, 1st Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Michael J. McLin, Bureau Manager
Titles and Registrations/
Dealer Licensing Bureau

Doc. No. 036634

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. 2008 Supp. 12-1675(b)(c)(d) and K.S.A. 2008 Supp. 12-1675a(g).

Effective 1-26-09 through 2-1-09

Term	Rate
1-89 days	0.20%
3 months	0.10%
6 months	0.27%
1 year	0.41%
18 months	0.51%
2 years	0.63%

Daniel J. Nackley
Director of Investments

Doc. No. 036623

State of Kansas

**Department of Revenue
Division of Motor Vehicles****Notice of Intent to Establish a
New Motor Vehicle Dealer License**

Notice has been received from Sankey Auto Center, 801 E. Crawford, Salina, Kansas, Kansas Dealer #0792, of its intent to establish a new Zenn electric car dealership, Sankey Auto Center, Inc., at 2000 E. Kansas, McPherson, Kansas. The vehicle dealer operator and the principal investor is Tim Sankey, Lee Sankey and Shane Sankey. The proposed date of completion is immediately upon approval.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed establishment of the new Zenn electric car dealership, Sankey Auto Center, Inc., at 2000 E. Kansas, McPherson, Kansas, if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale at Sankey Auto Center, Inc., at 2000 E. Kansas, McPherson, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the new Zenn electric car dealership will be located.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the Director of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Director of Vehicles, 1st Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Michael J. McLin, Bureau Manager
Titles and Registrations/
Dealer Licensing Bureau

Doc. No. 036627

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 2009-2012 by adding the following project:

Project C-4488-01, Grading, Surfacing and Bridge Replacement, RS-955 over Bluff Creek 5 miles west and 1 mile south of Caldwell, Sumner County

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 March 2.

Deb Miller
Secretary of Transportation

Doc. No. 036638

State of Kansas

**Department of Revenue
Division of Motor Vehicles****Notice of Intent to Establish a New Line-Make for
an Existing New Motor Vehicle Dealer**

Notice has been received from Yamaha Motor Corporation, USA, a manufacturer of Power Sports Plus, Kansas Dealer #623, that it will be adding the Yamaha line-make to its location at 3901 S. Santa Fe, Chanute, Kansas. The proposed selling date is immediately upon approval.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed addition of the new line-make at Power Sports Plus if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale at Power Sports Plus, 3901 S. Santa Fe, Chanute, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the new Yamaha dealership will be located.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the Director of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Director of Vehicles, 1st Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Michael J. McLin, Bureau Manager
Titles and Registration/
Dealer Licensing Bureau

Doc. No. 036635

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, February 12, 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. 000745—Maximum Principal Amount: \$105,837.56. Owner/Operator: Leigh Rock. Description: Acquisition of 151 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 Leigh Rock and is located at the Northeast Quarter of Section 26, Township 14 South, Range 3 East of the 6th P.M. in Dickinson County, Kansas, approximately 3 miles east of Navarre on 1400 Avenue and .5 mile north on Paint Road.

Project No. 000747—Maximum Principal Amount: \$59,000. Owner/Operator: Matthew D. and Laura M. Voth. Description: Acquisition of 80 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 Matthew D. and Laura M. Voth and is located at the West Half of the Southwest Quarter of Section 10, Branch Township in Marion County, Kansas, approximately 1 mile east and 1 mile south of Goessel.

Project No. 000748—Maximum Principal Amount: \$191,370.56. Owner/Operator: Scott Kramer. Description: Acquisition of 180 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 Scott Kramer and is located at Section 31, Grasshopper Township in Atchison County, Kansas, approximately 2.5 miles east of Whiting.

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. 036648

(Published in the Kansas Register January 29, 2009.)

City of Belle Plaine, Kansas

Notice of Intent to Seek Private Placement
General Obligation Bonds, Series 2009

Notice is hereby given that the city of Belle Plaine, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$230,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds, the passage of an ordinance and adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated January 15, 2009.

Katherine Terry
Clerk

Doc. No. 036633

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

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

02/05/2009	11896	Pharmacy Services
02/09/2009	11944	Maintenance/Service on Fire Alarm System
02/12/2009	11952	Elevator Modernization & Upgrade
02/13/2009	11953	Janitorial Services—Topeka
02/17/2009	11954	I-635 Performance-Based Pavement Marking Pilot Project
03/09/2009	11951	Title IV-E Data Preparation

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

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

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

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

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

02/24/2009	A-011022	Metal Roof Retrofit — C Cell House, Lansing Correctional Facility, Lansing
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Chris Howe
Director of Purchases

Doc. No. 036647

State of Kansas

Kansas State University

Notice to Bidders

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

**Monday, February 9, 2009
#9119**

Isotopic Liquid Water Analyzer System with
Wavelength Scanned Cavity Ringdown Spectroscopy

Carla K. Bishop
Director of Purchasing

Doc. No. 036645

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. 036624

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 Dis-

charge 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-09-028/031
Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
B & M Mongeau Farms, LLC Mongeau AB Trust 512 S. 4th St. Stockton, KS 67669	NW/4 of Section 20, T07S, R18W, Rooks County	Solomon River Basin
Kansas Permit No. A-SORO-C002 Federal Permit No. KS0097551		
This permit is being reissued with a modification for an existing facility with a maximum capacity of 2,800 head (2,800 animal units) of beef cattle more than 700 pounds and 3,200 head (1,600 animal units) of beef cattle 700 pounds or less, for a total of 4,400 animal units. This represents an increase in permitted animal units of 2,400 due to a facility pen density increase.		

Name and Address of Applicant	Legal Description	Receiving Water
D & D Ranching Enterprises, Inc. Delmar Kaiser 2270 County Road 48 Grainfield, KS 67737	NW/4 of Section 17, T12S, R28W, Gove County	Smoky Hill River Basin
Kansas Permit No. A-SHGO-B026		
This is a reissuance of a permit for an existing facility for 999 head (499.5 animal units) of cattle weighing less than 700 pounds.		

Name and Address of Applicant	Legal Description	Receiving Water
Roger Koester 1442 N. 210 Road Concordia, KS 66901	SW/4 of Section 22, T06S, R02W, Cloud County	Lower Republican River Basin
Kansas Permit No. A-LRCD-S006		
This is a reissuance of a permit for an existing facility for 600 head (240 animal units) of swine weighing greater than 55 pounds and 400 head (40 animal units) of swine weighing 55 pounds or less, for a total of 1,000 head (280 animal units) of swine.		

Name and Address of Applicant	Legal Description	Receiving Water
Woody Brook Farm Floyd Nickel 1135 Alamo Road Newton, KS 67114	SE/4 of Section 07, T21S, R01E, Marion County	Little Arkansas River Basin
Kansas Permit No. A-LAMN-B002		
This permit is being reissued for an existing facility with 450 head (450 animal units) of beef cattle more than 700 pounds and 300 head (150 animal units) of beef cattle 700 pounds or less, for a total of 600 animal units. There is no change in the permitted animal units from the previous permit.		

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	Project City	Permit No.
Hills of Forest Creek - 1st Plat	Shawnee	S-KS68-0061
Hills of Forest Creek - 2nd Plat	Shawnee	S-KS68-0155
Arbor Woods - 2nd Plat	Olathe	S-KS52-0085

Dayton Superior Corporation	Parsons	G-NE55-0001
Arbor Valley Subdivision	Topeka	S-KS72-0105
Blue River #5, Contract 1	Overland Park	S-KS55-0122
Meadowbrook Estates	Shawnee	S-KS68-0169

Persons wishing to comment on the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural-related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft documents or application notices received on or before February 28 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-09-028/031) 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.kdheks.gov/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. 036637

**State of Kansas
Home Inspectors Registration Board**

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 1 p.m. Friday, April 17, in the basement auditorium of the Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the adoption of the following proposed regulations as permanent regulations of the Kansas Home Inspectors Registration Board.

This 60-day notice of the public hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written com-

ments to the Kansas Home Inspection Registration Board, 610 Rivera, Mulvane, 67110. Written comments must be received at or prior to the hearing. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

A summary of the proposed regulations and their economic impact follows:

**Article 1.—REGISTRATION, RENEWAL,
AND EXAMINATION**

K.A.R. 130-1-1. Registration. This proposed regulation establishes the information that an applicant for initial registration must provide to the board.

K.A.R. 130-1-2. Renewal. This proposed regulation establishes the information that a registrant must provide to the board to renew a registration.

K.A.R. 130-1-3. Examination. This proposed regulation establishes the standards that an examination and proctoring entity must meet in order to be approved by the board as meeting the statutory requirements for registration. The proposed regulation establishes the minimum score to be achieved for successful completion.

Article 2.—FEES

K.A.R. 130-2-1. Fees. This proposed regulation establishes fees for initial and annual renewal of registration and for obtaining additional copies of a registration.

Article 3.—EDUCATIONAL PROGRAMS

K.A.R. 130-3-1. Approval of educational program. This proposed regulation establishes the standards and core curriculum that an educational program must meet in order to be approved by the board for registration.

The proposed regulations have an economic impact on individuals who desire to perform home inspections in Kansas and on educational programs that do not meet the standards for approval. The impact on those who are qualified for registration is limited to the fees charged for the initial and annual renewal of a registration. The impact on educational programs to meet the standards for approval cannot reasonably be calculated.

Copies of the proposed regulations and economic impact statement may be obtained by sending a request to the Kansas Home Inspection Registration Board, 610 Rivera, Mulvane, 67110, or may be viewed at www.ksinspectors.org.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Kansas Home Inspection Registration Board at the address above.

Jeff Barnes
President

Doc. No. 036642

State of Kansas

Kansas Health Policy Authority

Notice of Meeting

The Tower Mental Health Foundation of Kansas will meet at 10 a.m. Thursday, February 12, at the SRS Learning Center, Conference Room 2, 2600 S.W. East Circle Drive South, Topeka. Anyone needing special accommodations can contact Hope Burns at (785) 296-3512 at least four days before the meeting.

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

Doc. No. 036644

(Published in the Kansas Register January 29, 2009.)

Notice of Cancellation of Bond Sale

Unified School District No. 441

Nemaha County, Kansas (Sabetha-Wetmore)

\$8,345,000

General Obligation School Building Bonds

Series 209

The sale of the above-referenced bonds scheduled for February 2, 2009, is cancelled.

Unified School District No. 441
Nemaha County, Kansas
(Sabetha-Wetmore)

Doc. No. 036646

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced January 15-21 by the 2009 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at www.kslegislature.org.

House Bills

HB 2023, An act relating to motor carriers; concerning enforcement of certain state corporation commission orders, by Committee on Transportation.

HB 2024, An act concerning the state corporation commission; relating to the promotion of wind generation, by Committee on Energy and Utilities.

HB 2025, An act concerning electric transmission facilities; providing for the creation of an independent transmission company in this state, by Committee on Energy and Utilities.

HB 2026, An act concerning sales taxation; relating to countywide retailers' sales tax in Lyon county; amending K.S.A. 2008 Supp. 12-187 and 12-189 and repealing the existing sections, by Committee on Taxation.

HB 2027, An act concerning utilities; relating to cities' power to relinquish authority to regulate natural gas and water utilities to the state corporation commission; amending K.S.A. 66-104e and repealing the existing section, by Representative Mast.

HB 2028, An act concerning taxation; relating to the franchise tax; rates; continuation; amending K.S.A. 2008 Supp. 79-5401 and repealing the existing section, by Committee on Taxation.

HB 2029, An act concerning cities; relating to annexation; amending K.S.A. 12-520b, 12-531 and 12-532 and repealing the existing sections,

by Special Committee on Eminent Domain in Condemnation of Water Rights.

HB 2030, An act concerning cities; relating to annexation; amending K.S.A. 12-521 and repealing the existing section, by Special Committee on Eminent Domain in Condemnation of Water Rights.

HB 2031, An act concerning annexation of territory by cities; amending K.S.A. 12-519 and 12-521 and repealing the existing sections, by Special Committee on Eminent Domain in Condemnation of Water Rights.

HB 2032, An act concerning cities; relating to annexation; amending K.S.A. 12-531 and 12-532 and repealing the existing sections, by Committee on Local Government.

HB 2033, An act concerning utilities; requiring membership in the climate registry, by Committee on Energy and Utilities.

HB 2034, An act concerning utilities; relating to greenhouse gas emissions, by Committee on Energy and Utilities.

HB 2035, An act concerning utilities; relating to cooperatives; amending K.S.A. 66-104d and repealing the existing section, by Committee on Energy and Utilities.

HB 2036, An act concerning the state corporation commission; relating to studies and reports, by Committee on Energy and Utilities.

HB 2037, An act concerning telecommunications; establishing the broadband deployment assistance program; amending K.S.A. 2008 Supp. 66-2010 and repealing the existing section, by Committee on Energy and Utilities.

HB 2038, An act concerning utilities; relating to fossil-fuel electric generation standards and innovative renewable, distributive generation and transmission technology, by Committee on Energy and Utilities.

HB 2039, An act concerning crimes, criminal procedure and punishment; relating to warrants; amending K.S.A. 22-2304 and repealing the existing section, by Representative Schwab.

HB 2040, An act concerning crimes, criminal procedure and punishment; relating to parole; amending K.S.A. 2008 Supp. 22-3717 and repealing the existing section, by Representative Schwab.

HB 2041, An act relating to insurance; concerning title insurers and agents; amending K.S.A. 2008 Supp. 40-2404 and repealing the existing section, by Committee on Commerce and Labor.

HB 2042, An act concerning electronic transactions; making certain acts unlawful; amending K.S.A. 16-1617 and repealing the existing section, by Joint Committee on Administrative Rules and Regulations.

HB 2043, An act concerning utilities; establishing the net metering and easy connection act for wind generation; amending K.S.A. 2008 Supp. 66-1,184 and repealing the existing section, by Committee on Energy and Utilities.

HB 2044, An act concerning insurance; relating to converted policies; pertaining to premium payments by terminated employees; amending K.S.A. 2008 Supp. 40-2209 and repealing the existing section, by Joint Committee on Administrative Rules and Regulations.

HB 2045, An act designating bridge no. 85 on United States highway 166 in Labette county as the veterans memorial bridge, by Representative Proehl.

HB 2046, An act concerning the mineral severance tax; relating to time of payment and making a return; amending K.S.A. 79-4220 and 79-4221 and repealing the existing sections, by Committee on Taxation.

HB 2047, An act concerning the Kansas estate tax act; relating to imposition of tax; continuation; rates; application of act; amending K.S.A. 2008 Supp. 79-15,203 and 79-15,251 and repealing the existing sections; also repealing K.S.A. 2008 Supp. 79-15,253, by Committee on Taxation.

HB 2048, An act concerning sales taxation; relating to exemptions; All American Beef Battalion, Inc.; amending K.S.A. 2008 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

HB 2049, An act concerning the hunter safety orientation programs in schools, by Committee on Agriculture and Natural Resources.

HB 2050, An act concerning water; relating to certain fees and disbursement thereof; concerning certain water permits; amending K.S.A. 2008 Supp. 82a-708a, 82a-708b, 82a-714 and 82a-727 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2051, An act concerning utilities; establishing the net metering and easy connection act for solar generation; amending K.S.A. 2008 Supp. 66-1,184 and repealing the existing section, by Committee on Energy and Utilities.

HB 2052, An act relating to insurance; concerning the life and health insurance guaranty association; amending K.S.A. 2008 Supp. 40-3008 and repealing the existing section, by Committee on Insurance.

HB 2053, An act repealing K.S.A. 2008 Supp. 40-5101, 40-5102, 40-5103, 40-5104, 40-5105, 40-5106, 40-5107, 40-5108, 40-5109, 40-5110, 40-5111, 40-5112, 40-5113 and 40-5114; concerning the Kansas insurance score act, by Committee on Insurance.

HB 2054, An act relating to insurance; concerning title insurance; amending K.S.A. 40-1137 and repealing the existing section, by Committee on Insurance.

House Resolutions

HR 6005, A resolution relating to assignment of seats of the House of Representatives.

Senate Bills

SB 30, An act concerning surplus property of the state; amending K.S.A. 2008 Supp. 75-6606 and repealing the existing section, by Committee on Ways and Means.

SB 31, An act concerning behavioral sciences; relating to continuing education requirements; amending K.S.A. 2008 Supp. 65-6313 and repealing the existing section, by Committee on Public Health and Welfare.

SB 32, An act concerning evidence in civil actions; expression of apology, sympathy, compassion or benevolent acts by health care providers not admissible as evidence of an admission of liability or as evidence of an admission against interest, by Committee on Public Health and Welfare.

SB 33, An act concerning the board of pharmacy; relating to fingerprinting and criminal history record checks; regulating pharmacy technicians; term and membership of the board; amending K.S.A. 74-1603 and 74-1604 and K.S.A. 2008 Supp. 65-1663 and repealing the existing sections, by Committee on Public Health and Welfare.

SB 34, An act concerning open records; relating to the exceptions to disclosure; amending K.S.A. 2008 Supp. 45-229 and repealing the existing section; also repealing K.S.A. 2008 Supp. 45-229c, by Special Committee on Judiciary.

SB 35, An act concerning municipal bonds; interest rates; amending K.S.A. 2008 Supp. 10-1009 and repealing the existing section, by Committee on Commerce.

SB 36, An act concerning cities and counties; relating to the transportation development district act; special assessments; amending K.S.A. 2008 Supp. 12-17,143, 12-17,145 and 12-17,148 and repealing the existing sections, by Committee on Commerce.

SB 37, An act regulating traffic; concerning golf carts; amending K.S.A. 2008 Supp. 8-126, 8-128, 8-1486 and 8-2118 and repealing the existing sections, by Senator Lee.

SB 38, An act concerning hospital districts; relating to the formation of a hospital district in Linn county, by Committee on Ethics and Elections.

SB 39, An act concerning certain municipalities; relating to the investment of public moneys; amending K.S.A. 2008 Supp. 12-1677b and repealing the existing section, by Committee on Education.

SB 40, An act repealing K.S.A. 2008 Supp. 72-9910 and 72-9911; relating to the at-risk education council, by Committee on Education.

SB 41, An act repealing K.S.A. 72-67,106, 72-8149, 72-8155, 72-8155a, 72-8155b and 72-8155c; relating to certain school districts and the powers and duties thereof, by Committee on Education.

SB 42, An act concerning elections; relating to the arrangement of certain offices on ballots; amending K.S.A. 2008 Supp. 25-611 and repealing the existing section, by Committee on Education.

SB 43, An act concerning elections; relating to campaign finance; amending K.S.A. 25-4153 and repealing the existing section, by Committee on Education.

SB 44, An act concerning civil actions and civil penalties; relating to the submission of false or fraudulent claims to or the performance of fraudulent acts upon the state or a political subdivision thereof, by Committee on Judiciary.

SB 45, An act concerning the Kansas power of attorney act; amending K.S.A. 58-652, 58-656 and 58-657 and repealing the existing sections, by Committee on Judiciary.

SB 46, An act concerning port authorities; relating to sale of certain real or personal property; amending K.S.A. 12-3412 and repealing the existing section, by Committee on Transportation.

SB 47, An act concerning utilities; relating to telecommunications; concerning local exchange carriers satisfaction of carrier of last resort obligations; amending K.S.A. 2008 Supp. 66-2009 and repealing the existing section, by Committee on Utilities.

SB 48, An act concerning telecommunications; relating to enhanced wireless 911 service; concerning certain fees and disposition thereof; relating to audits of certain systems; definitions; amending K.S.A. 12-5301 and 12-5304 and K.S.A. 2008 Supp. 12-5322, 12-5323, 12-5332, 12-5334, 12-5338, 12-5358 and 12-5361 and repealing the existing sections, by Committee on Utilities.

SB 49, An act relating to insurance; concerning mental health and alcoholism, drug abuse or other substance use disorder benefits; amending K.S.A. 2008 Supp. 40-2,105a and 40-2258 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

SB 50, An act concerning insurance; pertaining to risk-based capital requirements; establishing a trend test calculation; amending K.S.A. 40-2c05 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 51, An act concerning wildlife and parks; relating to clothing requirements while hunting deer or elk; amending K.S.A. 32-1015 and repealing the existing section, by Committee on Natural Resources.

SB 52, An act concerning cities and counties; relating to special benefit districts therein; relating to costs of improvements; amending K.S.A. 2008 Supp. 12-6a19 and repealing the existing section, by Committee on Federal and State Affairs.

SB 53, An act concerning cereal malt beverages; relating to discretion by cities in granting and suspending or revoking a retailer's license; amending K.S.A. 2008 Supp. 41-2703 and 41-2708 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 54, An act concerning a mural in the capitol, by Senators Hensley, Faust-Goudeau and Haley.

SB 55, An act concerning elections; pertaining to official federal services absentee ballots; amending K.S.A. 25-1218 and repealing the existing section, by Committee on Ways and Means.

SB 56, An act concerning elections; pertaining to advance voting ballots; amending K.S.A. 2008 Supp. 25-1124 and 25-1128 and repealing the existing sections, by Committee on Ways and Means.

SB 57, An act concerning campaign finance; pertaining to the electronic filing of certain reports; amending K.S.A. 2008 Supp. 25-4148b, 25-4148c and 25-4148d and repealing the existing sections, by Committee on Ways and Means.

SB 58, An act concerning utilities; relating to the underground utility damage prevention act; definitions; amending K.S.A. 66-1802, as amended by section 5 of chapter 122 of the 2008 Session Laws of Kansas, and repealing the existing section, by Committee on Utilities.

SB 59, An act relating to motor vehicles; concerning the use of safety belts; amending K.S.A. 2008 Supp. 8-2503 and 8-2504 and repealing the existing sections, by Committee on Transportation.

SB 60, An act concerning counties; relating to the sale of real property; relating to redevelopment districts within a federal enclave; amending K.S.A. 19-211 and repealing the existing section, by Committee on Transportation.

SB 61, An act concerning the department of corrections; relating to the prison-made goods act; providing additional authorization to contract for certain work projects; amending K.S.A. 2008 Supp. 75-5275 and repealing the existing section, by Committee on Judiciary.

SB 62, An act concerning the department of health and environment; relating to tuberculosis evaluation requirements and prevention and control plan for postsecondary educational institutions; rules and regulations; amending K.S.A. 2008 Supp. 65-129e and repealing the existing section, by Committee on Public Health and Welfare.

SB 63, An act concerning the Kansas board of healing arts; relating to licensure and education of polysomnographic technologists, technicians and students; establishing the polysomnography professional standards council, by Committee on Public Health and Welfare.

SB 64, An act concerning the Kansas water appropriation act; amending K.S.A. 82a-705 and 82a-707 and K.S.A. 2008 Supp. 82a-701 and repealing the existing sections, by Special Committee on Eminent Domain in Condemnation of Water Rights.

SB 65, An act concerning eminent domain; relating to water rights; amending K.S.A. 19-3552, 24-1209 and 76-147 and K.S.A. 2008 Supp. 82a-1028 and repealing the existing sections, by Special Committee on Eminent Domain in Condemnation of Water Rights.

Senate Resolutions

SR 1805, A resolution congratulating and commending the members of the 2009 Kansas Teacher of the Year Team.

Doc. No. 036625

State of Kansas

Kansas Insurance Department

Permanent Administrative Regulations

Article 3.—FIRE AND CASUALTY INSURANCE

40-3-30. Fire and casualty insurance; assigned risk plans; forms and procedures. (a) Each insurance company authorized to transact fire and casualty business in this state shall inform its certified agents of the following:

(1) The Kansas assigned risk plans, their availability, eligibility, and other related procedures; and

(2) the location of forms necessary to place risks in the various Kansas assigned risk plans.

(b) All agents shall be informed of the assigned risk plans upon their initial appointment. All appointed agents shall be informed of the assigned risk plans at least annually.

(c) This regulation shall apply only to agents certified to write insurance for which a Kansas assigned risk plan is available. (Authorized by K.S.A. 40-103; implementing K.S.A. 40-2102 and 40-2109; effective Jan. 1, 1969; amended May 1, 1979; amended May 1, 1986; amended Feb. 13, 2009.)

Sandy Praeger
Kansas Insurance Commissioner

Doc. No. 036628

State of Kansas

Board of Healing Arts

Permanent Administrative Regulations

Article 11.—FEES

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

- (a) Application for license \$300.00
(b)(1) Annual renewal of active or federally active license:
(A) Paper renewal \$325.00
(B) On-line renewal \$315.00
(2) Annual renewal of inactive license:
(A) Paper renewal \$150.00
(B) On-line renewal \$150.00
(3) Annual renewal of exempt license:
(A) Paper renewal \$150.00
(B) On-line renewal \$150.00
(c) (1) Conversion from inactive to active license \$175.00
(2) Conversion from exempt to active license \$175.00
(d)(1) Late renewal of active or federally active license:
(A) Paper late renewal \$350.00
(B) On-line late renewal \$339.00
(2) Late renewal of inactive license:
(A) Paper late renewal \$350.00
(B) On-line late renewal \$339.00
(3) Late renewal of exempt license:
(A) Paper late renewal \$350.00

- (B) On-line late renewal \$339.00
(e) Institutional license \$200.00
(f) Biennial renewal of institutional license .. \$200.00
(g) Visiting clinical professor license \$150.00
(h) Annual renewal of visiting clinical professor license \$115.00
(i) Limited permit \$30.00
(j) Annual renewal of limited permit \$15.00
(k) Reinstatement of limited permit \$30.00
(l) Visiting professor license \$25.00
(m) Postgraduate training permit \$50.00
(n) Reinstatement of cancelled license \$400.00
(o) Reinstatement of revoked license \$1000.00
(p) Temporary permit \$50.00
(q) Special permit \$30.00
(r) Certified statement of license \$15.00
(s) Duplicate license \$15.00

(Authorized by K.S.A. 65-2865; implementing K.S.A. 2007 Supp. 65-2809, K.S.A. 65-2852, and K.S.A. 65-28,125; effective Jan. 1, 1966; amended Jan. 1, 1970; amended Feb. 15, 1977; amended May 1, 1979; amended May 1, 1980; amended May 1, 1981; amended, T-83-33, Nov. 10, 1982; amended May 1, 1983; amended, T-85-50, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1986; amended, T-87-42, Dec. 19, 1986; amended May 1, 1987; amended, T-88-11, May 18, 1987; amended May 1, 1988; amended, T-100-4-24-89, April 24, 1989; amended Aug. 21, 1989; amended June 24, 1991; amended, T-100-7-1-92, July 1, 1992; amended Aug. 10, 1992; amended Dec. 27, 1993; amended May 1, 1998; amended Aug. 4, 2000; amended, T-100-6-27-02, Aug. 1, 2002; amended Nov. 15, 2002; amended, T-100-4-27-04, April 27, 2004; amended July 23, 2004; amended Aug. 17, 2007; amended, T-100-10-16-08, Oct. 16, 2008; amended Feb. 13, 2009.)

Article 28a.—PHYSICIAN ASSISTANTS

100-28a-1. Fees. The following fees shall be collected by the board:

- (a) Application for license \$200.00
(b) Annual renewal of license:
(1) Paper renewal \$150.00
(2) On-line renewal \$150.00
(c) Late renewal of license:
(1) Paper late renewal \$215.00
(2) On-line late renewal \$208.00
(d) License reinstatement \$250.00
(e) Copy of license certificate \$15.00
(f) Certified statement of licensure \$15.00
(g) Temporary license \$30.00

(Authorized by and implementing K.S.A. 2007 Supp. 65-28a03; effective, T-100-2-13-01, Feb. 13, 2001; effective June 1, 2001; amended Nov. 15, 2002; amended Nov. 19, 2004; amended Nov. 26, 2007; amended, T-100-10-16-08, Oct. 16, 2008; amended Feb. 13, 2009.)

Article 72.—NATUROPATHY

100-72-1. Fees. The following fees shall be collected by the board:

- (a) Application for registration \$165.00
(b) registration renewal \$125.00

- (c) registration late renewal additional fee \$20.00
- (d) registration reinstatement \$155.00
- (e) certified copy of registration \$15.00
- (f) temporary registration \$30.00
- (g) acupuncture certification \$20.00

(Authorized by K.S.A. 65-7203; implementing K.S.A. 65-7207 and K.S.A. 65-7213; effective, T-100-1-2-03, Jan. 2, 2003; effective May 23, 2003; amended, T-100-10-16-08, Oct. 16, 2008; amended Feb. 13, 2009.)

Jack Confer
Executive Director

Doc. No. 036629

State of Kansas

Department of Revenue

Permanent Administrative Regulations

Article 28.—RETAIL DEALER INCENTIVE

92-28-1. Definition. “Quarter” shall mean any of the following periods in each calendar year:

- (a) January 1 through March 31;
- (b) April 1 through June 30;
- (c) July 1 through September 30; or
- (d) October 1 through December 31.

For the purposes of this article, the term “quarterly” shall be consistent with the definition of “quarter” in this regulation. (Authorized by and implementing K.S.A. 2007 Supp. 79-34,174; effective Feb. 13, 2009.)

92-28-2. Filing of quarterly reports; deadline. (a)(1) Each Kansas retail dealer seeking a Kansas retail dealer incentive shall file a retail dealer’s report with the secretary of revenue within 30 days after the last day of each quarter. Each retail dealer not filing a retail dealer’s report within 30 days from the last day of the quarter shall be barred from seeking payment from the Kansas retail dealer’s incentive fund for that quarter. Each retail dealer’s report shall be filed in the same manner as that for the motor fuel retailers’ informational return, with respect to filing for single or multiple locations.

(2) The Kansas retail dealer incentives shall be paid on a quarterly basis. If the retail dealer incentive amounts claimed, based on the number of gallons of renewable fuels or biodiesel fuel sold or dispensed by Kansas retail dealers, exceed the balance in the Kansas retail dealer incentive fund, the incentive per gallon shall be reduced proportionately so that the balance in the Kansas retail dealer incentive fund is not exceeded. If any amount remains in the Kansas retail dealer incentive fund following each quarterly payment of Kansas retail dealer incentives, that amount shall be carried forward in the Kansas retail dealer incentive fund to the next quarter for the payment of future incentives.

(b) Each Kansas retail dealer filing a quarterly retail dealer’s report shall be a licensed motor fuel retailer and shall have filed all monthly motor fuel retailers’ informational returns and any other relevant information as required by the secretary of revenue before receiving any incentive funds.

(c) Each quarterly retail dealer’s report shall be filed electronically with the department of revenue and shall include the following information:

(1) The total number of gallons of gasoline, gasohol, ethanol, diesel, and biodiesel sold;

(2) the total number of gallons of renewable fuel and biodiesel sold; and

(3) any other relevant information that the secretary of revenue requires in order to determine entitlement to and the amount of any incentive payment. (Authorized by and implementing K.S.A. 2007 Supp. 79-34,174; effective Feb. 13, 2009.)

92-28-3. Record requirements. (a) Each Kansas retail dealer shall maintain the following records for each quarter:

(1) The quantity and product type of all fuel received;

(2) the quantity and product type of all fuel sold or dispensed;

(3) the method of disbursement; and

(4) invoices and bills of lading.

(b) The records specified in subsection (a) shall contain sufficient information to allow the secretary of revenue to determine the quantity and product type of all fuel received, sold, or dispensed and the method of disbursement. Any retail dealer may use records prepared for other purposes if the records contain the information required by subsection (a).

(c) Each retail dealer shall retain the required records for at least three years. The records shall be available at all times during business hours and shall be subject to examination by the secretary of revenue or the secretary’s designee. (Authorized by K.S.A. 2007 Supp. 79-34,174; implementing K.S.A. 2007 Supp. 79-34,174; effective Feb. 13, 2009.)

92-28-4. Funds erroneously paid; informal conferences. (a) If the secretary of revenue determines from available reports and records that a Kansas retail dealer has erroneously received money from the Kansas retail dealer incentive fund, the retail dealer shall refund to the secretary of revenue the amount erroneously paid, within 30 days after receiving notification by the secretary.

(b) Each Kansas retail dealer who has a dispute concerning an incentive payment shall request resolution from the secretary of revenue or the secretary’s designee through the informal conference process. (Authorized by K.S.A. 2007 Supp. 79-34,174; implementing K.S.A. 2007 Supp. 79-34,174; effective Feb. 13, 2009.)

Joan Wagon
Secretary of Revenue

Doc. No. 036631

State of Kansas

Behavioral Sciences Regulatory Board**Permanent Administrative
Regulations****Article 1.—CERTIFICATION OF PSYCHOLOGISTS**

102-1-8a. Renewal audit. (a) A random audit of the continuing education documentation for 10 percent of the psychologist licenses expiring during each license renewal period shall be conducted by the board.

(b) Each licensee selected for the random audit shall be notified in writing after the board has received the psychologist's renewal application form required by K.A.R. 102-1-8.

(c) Upon board notification, each renewal applicant for a psychologist license shall submit the following to the board within 30 days after the license expiration date:

- (1) The completed renewal audit forms; and
- (2) the original continuing education documents that validate all continuing education units claimed for credit during the current renewal period.

(d) Continuing education units that a renewal applicant for a psychologist license earns after board receipt of the renewal application form shall not be approved for continuing education credit for the current renewal period.

(e) Failure to comply with this regulation shall be considered unprofessional conduct. (Authorized by and implementing K.S.A. 74-5318 and K.S.A. 2007 Supp. 74-7507; effective Feb. 13, 2009.)

Article 2.—LICENSING OF SOCIAL WORKERS

102-2-8. Supervision. (a) Supervision of nonlicensed social work service providers who participate in the delivery of social work services.

(1) Social work consultation shall not meet the supervision requirements for any nonlicensed social work service provider.

(2) Each licensee supervising one or more nonlicensed individuals who participate in the delivery of social work services shall specifically delineate the duties of each nonlicensed individual and provide a level of supervision that is consistent with the training and ability of the nonlicensed social work service provider.

(3) Each licensee supervising one or more nonlicensed persons who participate in the delivery of social work services shall develop a written agreement. The agreement shall consist of specific goals and objectives, the means to attain the goals, and the manner in which the goals relate to the overall objective for supervision of the nonlicensed social work service provider. The licensee shall maintain the following documentation associated with the written agreement:

(A) A copy of the written agreement signed by both the licensee and the nonlicensed person;

(B) a summary of the types of clients and situations dealt with at each supervisory session;

(C) a written explanation of the relationship of the goals and objectives of supervision to each supervisory session; and

(D) the length of time spent in each supervisory session.

(4) The supervisor shall provide no fewer than four hours of supervision per month for each supervisee.

(5) The supervisor shall not have a dual relationship with the supervisee.

(b) Supervision of nonlicensed student social work service providers.

(1) Social work consultation shall not meet the supervision requirements for any nonlicensed student social work service provider.

(2) Each licensee supervising one or more nonlicensed students in the delivery of social work services shall specifically delineate each student's duties and provide a level of supervision consistent with the training and ability of each student.

(3) Each licensee supervising one or more nonlicensed students who participate in the delivery of social work services shall develop a written agreement for each student that is consistent with the requirements of the student's academic social work program.

(4) The supervisor shall not have a dual relationship with the supervisee.

(c) Supervision of holders of temporary social work licenses.

(1) Social work consultation shall not meet the supervision requirements for any holder of a temporary social work license.

(2) Each licensee supervising one or more individuals who hold a temporary social work licensure permit shall specifically delineate the duties of each temporary license holder and provide a level of supervision consistent with the training and ability of each individual.

(3) Each licensee supervising a temporary social work license holder and that individual shall develop a written agreement. This agreement shall consist of specific goals and objectives, the means to attain the goals, and the manner in which the goals relate to the overall objective for supervision of that person. The licensee shall maintain the following documentation associated with the written agreement:

(A) A copy of the written agreement signed by both the licensee and the temporary social work license holder;

(B) a summary of the types of clients and situations dealt with at each supervisory session;

(C) a written explanation of the relationship of the goals and objectives of supervision to each supervisory session; and

(D) the length of time spent in each supervisory session.

(4) A minimum of one hour of supervision shall be provided for each 40 hours of service delivery.

(5) The supervisor shall not have a dual relationship with the supervisee.

(d) Supervision of persons engaged in private practice or persons seeking licensure as a specialist clinical social worker.

(1) A licensed specialist clinical social worker shall supervise the practice or delivery of social work services by the following persons:

(A) Any licensee who is attaining the two years of supervised experience required for licensure as a specialist clinical social worker; and

(B) any licensee who is not a licensed specialist clinical social worker and who is engaged in private practice.

(2) Any person attaining the supervised experience required for licensure as a specialist clinical social worker may be supervised by a social worker who is licensed as a clinical social worker authorized to engage in the private, independent practice of social work in another state and who is otherwise qualified.

(3) Supervisor qualifications. To qualify as a supervisor, a licensed specialist clinical social worker shall fulfill these requirements:

(A) Have practiced as a specialist clinical social worker, in a position that included assessment, diagnoses, and psychotherapy, for two years beyond the date of clinical licensure. This requirement shall apply to each individual commencing a new supervisory relationship on or after April 15, 2009;

(B) have, in full or in part, professional responsibility for the supervisee's practice of social work or delivery of social work services;

(C) not have a dual relationship with the supervisee;

(D) not be under sanction from a disciplinary proceeding, unless this prohibition is waived by the board for good cause shown by the proposed supervisor;

(E) have knowledge of and experience with the supervisee's client population;

(F) have knowledge of and experience with the methods of practice that the supervisee employs;

(G) have an understanding of the organization and administrative policies and procedures of the supervisee's practice setting; and

(H) be a member of the staff for that practice setting or meet the requirements of paragraph (d)(4).

(4) If a qualified supervisor is not available from among staff in the supervisee's practice setting, the supervisee may secure an otherwise qualified supervisor outside of the practice setting if all of the following conditions are met:

(A) The supervisor has a complete understanding of the practice setting's mission, policy, and procedures.

(B) The extent of the supervisor's responsibility for the supervisee is clearly defined with respect to client cases to be supervised, the supervisor's role in personnel evaluation within the practice setting, and other aspects of the clinical supervision training plan.

(C) The responsibility for payment for supervision is clearly defined.

(D) If the supervisee pays the supervisor directly for the supervision, the supervisor maintains responsibility to the client and to the practice setting.

(E) The parameters of client confidentiality are clearly defined and agreed to by the client.

(5) Supervisory duties. Each social work practice supervisor shall perform these duties:

(A) Meet in person or by videoconferencing according to K.A.R. 102-2-12(c)(4) with the supervisee for clinical supervision throughout the postgraduate supervised professional experience at a ratio of a minimum of one hour of clinical supervision for every 20 hours of direct, face-to-face client contact, with a maximum of two hours of supervision allowed for each 20 hours of clinical social work practice to be counted toward licensure requirements;

(B) meet with not more than four supervisees at a time in the supervisory meetings;

(C) provide oversight, guidance, and direction of the supervisee's practice of social work or delivery of social work services by assessing and evaluating the supervisee's performance;

(D) conduct supervision as a process distinct from personal therapy, didactic instruction, or social work consultation;

(E) ensure that the scope of the supervisor's own responsibility and authority in the practice setting has been clearly and expressly defined;

(F) provide documentation of supervisory qualifications to the supervisee;

(G) periodically evaluate the supervisee's role, use of a theoretical base, and use of social work principles;

(H) provide supervision in accordance with the written clinical supervision training plan;

(I) maintain documentation of supervision;

(J) provide the documentation required by the board upon a supervisee's application for licensure in sufficient detail to enable the board to evaluate the extent and quality of the supervisee's supervised experience;

(K) provide a level of supervision that is consistent with the education, training, experience, and ability of the supervisee; and

(L) ensure that each client knows that the supervisee is practicing social work or participating in the delivery of social work services under supervision.

(6) Clinical supervision training plan. Each supervisor and supervisee shall develop and co-sign a written clinical supervision training plan at the beginning of the supervisory relationship. The supervisee shall submit an official position description and the training plan to the board and shall receive board approval of the plan before any supervised professional experience hours for clinical licensure can begin to accrue. This plan shall clearly define and delineate the following items:

(A) The supervisory context, which shall include the purpose of supervision;

(B) a summary of the types of clients with whom and the situations in which the supervisee will typically work, as evidenced by the supervisee's official position description;

(C) a plan that describes the supervision goals and objectives, the means to attain and evaluate progress towards the goals, and the manner in which the goals relate to the overall objective of supervision;

(D) the format and schedule for supervision;

(E) the supervisor's responsibilities;

(F) the supervisee's responsibilities;

(G) the plans for both the supervisee's and supervisor's documentation of the date, length, method, content, and format of each supervisory meeting and the supervisee's progress toward the learning goals;

(H) the plans for documenting the 4,000 hours of postgraduate supervised clinical social work experience, which shall include specifically documenting the 1,500 hours of direct client contact providing psychotherapy and assessment;

(continued)

(I) the plan for notifying clients of the following information:

(i) The fact that the supervisee is practicing social work or participating in the delivery of social work services under supervision;

(ii) the limits of client confidentiality within the supervisory process; and

(iii) the name, address, and telephone number of the supervisor or other person with administrative authority over the supervisee;

(J) a plan to address and remedy circumstances in which there is a conflict between the supervisor and the supervisee;

(K) the date on which the supervisor and supervisee entered into the clinical supervision training plan, the time frame that the plan is intended to encompass, and the process for termination of the supervisory relationship by either party;

(L) the steps for amending or renegotiating the clinical supervision training plan, if warranted, including written notification of these changes to the board office as provided in paragraph (d)(7); and

(M) a statement identifying the person who is responsible for payment, the terms of payment, and the mutual obligations and rights of each party with respect to compensation, if there is any compensation for supervisory services.

(7) Revision of the clinical supervision training plan. All changes to the clinical supervision training plan shall be submitted by the supervisee to the board for its approval. The changes shall be submitted no more than 45 days after the date on which the changes took effect. If the supervisee fails to submit the changes to the board within that 45-day period, no supervised hours of practice shall be accrued or credited for any practice, beginning on the date the changes took effect through the date on which the changes to the plan are approved by the board. (Authorized by K.S.A. 2007 Supp. 74-7507; implementing K.S.A. 65-6303, 65-6306, 65-6308, K.S.A. 2007 Supp. 65-6309 and 74-7507; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended Feb. 25, 1991; amended Oct. 24, 1997; amended Aug. 4, 2000; amended Aug. 13, 2004; amended April 22, 2005; amended Feb. 13, 2009.)

102-2-11a. Renewal audit. (a) A random audit of the continuing education documentation for 10 percent of the social worker licenses expiring each month shall be conducted by the board.

(b) Each licensee selected for the random audit shall be notified in writing after the board has received the social worker's renewal application form required by K.A.R. 102-2-11.

(c) Upon board notification, each renewal applicant for a social worker license shall submit the following to the board within 30 days after the license expiration date:

(1) The completed renewal audit forms; and

(2) the original continuing education documents that validate all continuing education units claimed for credit during the current renewal period.

(d) Continuing education units that a renewal applicant for a social worker license earns after board receipt of the

renewal application form shall not be approved for continuing education credit for the current renewal period.

(e) Failure to comply with this regulation shall be considered unprofessional conduct. (Authorized by K.S.A. 2007 Supp. 74-7507; implementing K.S.A. 2007 Supp. 65-6313, K.S.A. 65-6317, and K.S.A. 2007 Supp. 74-7507; effective Feb. 13, 2009.)

102-2-12. Licensed specialist clinical social work licensure requirements. (a) Educational requirements. In order for an applicant who earns a degree before July 1, 2003 to qualify for licensure as a licensed specialist clinical social worker, the applicant shall meet, as a part of or in addition to the educational requirements provided in K.S.A. 65-6306, and amendments thereto, the following educational requirements:

(1) Satisfactory completion of at least three graduate academic hours in a discrete academic course whose primary and explicit focus is upon psychopathology and the diagnosis and treatment of mental disorders classified in the diagnostic manuals commonly used as a part of accepted social work practice;

(2) satisfactory completion of a graduate-level, clinically oriented social work practicum that fulfills these requirements:

(A) Is taken after completion of the graduate-level, clinically focused academic courses that are prerequisite to entering the clinical practicum;

(B) is an integrated, conceptually organized academic experience and is not an after-the-fact tabulation of clinical experience;

(C) occurs in a practice setting that, by its nature and function, clearly supports clinical social work practice and consistently provides opportunities for the supervised application of clinical social work practice knowledge, skills, values, and ethics; and

(D) provides training and close supervision in a wide range of clinical social work practice activities with a population of clients presenting a diverse set of problems and backgrounds.

(b) Each applicant for licensure as a specialist clinical social worker who earns a degree on or after July 1, 2003 shall meet the following requirements:

(1) Satisfactory completion of 15 graduate-level credit hours supporting diagnosis or treatment of mental disorders using the diagnostic and statistical manual of mental disorders as specified in K.A.R. 102-2-14. Three of the 15 credit hours shall consist of a discrete academic course whose primary and explicit focus is upon psychopathology and the diagnosis and treatment of mental disorders as classified in the diagnostic and statistical manual of mental disorders. The 15 graduate-level credit hours shall be from a social work program accredited by the council on social work education or a social work program in substantial compliance as prescribed in K.A.R. 102-2-6 and approved by the board; and

(2) completion of one of the following experience requirements:

(A) A graduate-level, supervised clinical practicum of professional experience that includes psychotherapy and assessment. The practicum shall integrate diagnosis and treatment of mental disorders with use of the diagnostic

and statistical manual of mental disorders as identified in K.A.R. 102-2-14 and shall include not less than 350 hours of direct client contact; or

(B) postgraduate supervised experience including psychotherapy and assessment. The experience shall integrate diagnosis and treatment of mental disorders with use of the diagnostic and statistical manual of mental disorders, as specified in K.A.R. 102-2-14. The experience shall consist of not less than 700 hours of supervised experience, including not less than 350 hours of direct client contact. This experience shall be in addition to the 4,000 hours of postgraduate, supervised experience required for each licensed specialist clinical social worker, as specified in subsection (c). The applicant shall provide documentation of this postgraduate experience on board-approved forms. The supervision shall comply with K.A.R. 102-2-8 and K.A.R. 102-2-12(c) and shall be in addition to the supervision requirements in K.A.R. 102-2-12(c)(4).

(c) Each applicant for licensure as a specialist clinical social worker shall fulfill the following requirements:

(1) Develop and co-sign with the supervisor a clinical supervision training plan for the postgraduate supervised clinical experience required under K.S.A. 65-6306 and amendments thereto, on forms provided by the board. The applicant shall submit this plan to the board for consideration for approval before beginning clinical supervision. The clinical supervision training plan shall comply with K.A.R. 102-2-8. If changes or amendments to the plan occur after initial board approval, these changes or amendments shall be submitted to the board for consideration for approval;

(2) complete, in not less than two years and not more than six years, a minimum of 4,000 hours of satisfactorily evaluated postgraduate, supervised clinical social work practice experience under the supervision of a qualified licensed specialist clinical social worker. A minimum of 2,000 hours of the applicant's total postgraduate, supervised clinical experience shall consist of a combination of the following types of social work services:

(A) At least 1,500 hours of direct client contact conducting psychotherapy and assessments with individuals, couples, families, or groups; and

(B) up to 500 hours of providing clinical social work practice services;

(3) complete all required practice under supervision in accordance with K.A.R. 102-2-8; and

(4) participate in a minimum of 100 supervisory meetings consisting of not less than 150 hours of clinical supervision. A minimum of 75 hours of the 150 required hours of supervision shall be individual supervision, of which at least 50 hours shall be obtained in person. The remainder of the 150 required hours may be obtained in person or, if confidentiality is technologically protected, by videoconferencing. Each applicant using videoconferencing shall provide written verification of the technological security measure implemented. The supervision shall integrate the diagnosis and treatment of mental disorders with the use of the diagnostic and statistical manual of mental disorders specified in K.A.R. 102-2-14. A maximum of two hours of supervision shall be counted for each 20 hours of clinical social work practice.

(d) At the time of the individual's application for licensure as a specialist clinical social worker, the applicant's supervisor shall submit documentation that is satisfactory to the board and that enables the board to evaluate the nature, quality, and quantity of the applicant's supervised clinical social work experience. This documentation shall include the following information:

(1) A written summary of the types of clients and situations dealt with during the supervisory sessions;

(2) a written summary that addresses the degree to which the goals and objectives of supervision have been met;

(3) a written statement and supportive documentation that describes the applicant's practice setting and provides a summary of the applicant's practice activities and responsibilities that occurred while under supervision;

(4) a statement indicating whether or not the applicant merits the public trust; and

(5) an evaluation of the applicant's supervised clinical social work experience. (Authorized by K.S.A. 65-6306, K.S.A. 65-6308, and K.S.A. 2007 Supp. 74-7507; implementing K.S.A. 65-6306 and K.S.A. 65-6308; effective, T-85-36, Dec. 19, 1984; effective May 1, 1985; amended May 1, 1987; amended Feb. 25, 1991; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 7, 2003; amended April 22, 2005; amended Feb. 13, 2009.)

Article 3.—PROFESSIONAL COUNSELORS; FEES

102-3-9b. Renewal audit. (a) A random audit of the continuing education documentation for 10 percent of the professional counselor licenses and the clinical professional counselor licenses expiring each month shall be conducted by the board.

(b) Each licensee selected for the random audit shall be notified in writing after the board has received the licensee's renewal application form required by K.A.R. 102-3-9a.

(c) Upon board notification, each renewal applicant shall submit the following to the board within 30 days after the license expiration date:

(1) The completed renewal audit forms; and

(2) the original continuing education documents that validate all continuing education units claimed for credit during the current renewal period.

(d) Continuing education units that a renewal applicant earns after board receipt of the renewal application form shall not be approved for continuing education credit for the current renewal period.

(e) Failure to comply with this regulation shall be considered unprofessional conduct. (Authorized by and implementing K.S.A. 65-5806 and K.S.A. 2007 Supp. 74-7507; effective Feb. 13, 2009.)

Article 4.—MASTER'S LEVEL PSYCHOLOGISTS

102-4-9b. Renewal audit. (a) A random audit of the continuing education documentation for 10 percent of the master's level psychologist licenses and the clinical psychotherapist licenses expiring each month shall be conducted by the board.

(continued)

(b) Each licensee selected for the random audit shall be notified in writing after the board has received the licensee's renewal application form required by K.A.R. 102-4-9a.

(c) Upon board notification, each renewal applicant shall submit the following to the board within 30 days after the license expiration date:

- (1) The completed renewal audit forms; and
- (2) the original continuing education documents that validate all continuing education units claimed for credit during the current renewal period.

(d) Continuing education units that a renewal applicant earns after board receipt of the renewal application form shall not be approved for continuing education credit for the current renewal period.

(e) Failure to comply with this regulation shall be considered unprofessional conduct. (Authorized by and implementing K.S.A. 74-5365 and K.S.A. 2007 Supp. 74-7507; effective Feb. 13, 2009.)

Article 5.—LICENSING OF MARRIAGE AND FAMILY THERAPISTS

102-5-9a. Renewal audit. (a) A random audit of the continuing education documentation for 10 percent of the marriage and family therapist licenses and the clinical marriage and family therapist licenses expiring each month shall be conducted by the board.

(b) Each licensee selected for the random audit shall be notified in writing after the board has received the licensee's renewal application form required by K.A.R. 102-5-9.

(c) Upon board notification, each renewal applicant shall submit the following to the board within 30 days after the license expiration date:

- (1) The completed renewal audit forms; and
- (2) the original continuing education documents that validate all continuing education units claimed for credit during the current renewal period.

(d) Continuing education units that a renewal applicant earns after board receipt of the renewal application form shall not be approved for continuing education credit for the current renewal period.

(e) Failure to comply with this regulation shall be considered unprofessional conduct. (Authorized by and implementing K.S.A. 65-6407 and K.S.A. 2007 Supp. 74-7507; effective Feb. 13, 2009.)

Article 6.—REGISTERED ALCOHOL AND OTHER DRUG ABUSE COUNSELORS

102-6-9a. Renewal audit. (a) A random audit of the continuing education documentation for 10 percent of the alcohol and other drug abuse counselor registrations expiring each month shall be conducted by the board.

(b) Each registrant selected for the random audit shall be notified in writing after the board has received the alcohol and other drug abuse counselor's renewal application form required by K.A.R. 102-6-9.

(c) Upon board notification, each renewal applicant for an alcohol and other drug abuse counselor registration shall submit the following to the board within 30 days after the registration expiration date:

- (1) The completed renewal audit forms; and
- (2) the original continuing education documents that validate all continuing education units claimed for credit during the current renewal period.

(d) Continuing education units that a renewal applicant for an alcohol and other drug abuse counselor registration earns after board receipt of the renewal application form shall not be approved for continuing education credit for the current renewal period.

(e) Failure to comply with this regulation shall be considered unprofessional conduct. (Authorized by and implementing K.S.A. 65-6603 and K.S.A. 2007 Supp. 74-7507; effective Feb. 13, 2009.)

Phyllis Gilmore
Executive Director

Doc. No. 036639

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 2008 Supplement of the *Kansas Administrative Regulations*.

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3-3-1	Amended	V. 27, p. 1517
3-3-2	New (T)	V. 27, p. 1091
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4-6-3	New	V. 27, p. 1741
4-7-900	Amended	V. 27, p. 1022
4-7-901	Revoked	V. 27, p. 1022
4-7-902	Amended	V. 27, p. 1022
4-7-903	Amended	V. 27, p. 1023
4-7-904	Amended	V. 27, p. 1023
4-13-1	Amended	V. 27, p. 186
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Reg. No.	Action	Register
22-6-1	Amended	V. 27, p. 1834
22-6-2	Revoked	V. 27, p. 1834
22-6-3	Revoked	V. 27, p. 1834
22-6-4	Revoked	V. 27, p. 1834
22-6-5	Amended	V. 27, p. 1834
22-6-6	Revoked	V. 27, p. 1834
22-6-7	Revoked	V. 27, p. 1835

22-6-8	Revoked	V. 27, p. 1835
22-6-9	Amended	V. 27, p. 1835
22-6-12	Amended	V. 27, p. 1835
22-6-13	Revoked	V. 27, p. 1835
22-6-14	Revoked	V. 27, p. 1835
22-6-18	through	
22-6-27	New	V. 27, p. 1835-1837

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-20	Amended	V. 27, p. 989
28-4-117	Amended	V. 27, p. 990
28-4-120	Amended	V. 27, p. 990
28-4-121	New	V. 27, p. 990
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
28-4-430	Amended	V. 27, p. 991
28-4-800	through	
28-4-825	New	V. 27, p. 318-334
28-16-28g	Amended	V. 27, p. 779
28-23-16	Revoked	V. 27, p. 191
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
28-36-33	through	
28-36-49	Revoked	V. 27, p. 73
28-36-70	through	
28-36-89	New	V. 27, p. 73-87
28-38-18	Amended	V. 27, p. 1742
28-38-19	Amended	V. 27, p. 1743
28-38-21	Amended	V. 27, p. 1743
28-38-22	Amended	V. 27, p. 1744
28-38-23	Amended	V. 27, p. 1744
28-38-29	Amended	V. 27, p. 1745
28-59-5	Amended	V. 27, p. 462
28-61-11	Amended	V. 27, p. 464
28-73-1	Amended	V. 28, p. 74

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-5-78	Revoked	V. 27, p. 1022
30-10-15a	Revoked	V. 27, p. 1345
30-10-15b	Revoked	V. 27, p. 1345
30-10-17	Revoked	V. 27, p. 1345
30-10-18	Revoked	V. 27, p. 1345
30-10-23a	Revoked	V. 27, p. 1346
30-10-23b	Revoked	V. 27, p. 1346
30-10-25	Revoked	V. 27, p. 1346
30-10-26	Revoked	V. 27, p. 1346
30-10-27	Revoked	V. 27, p. 1346
30-10-200	Revoked	V. 27, p. 1346
30-10-210	Revoked	V. 27, p. 1346
30-63-32	New	V. 27, p. 664
30-64-24	Revoked	V. 27, p. 665

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-48	Amended	V. 27, p. 1709
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

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-101	Amended	V. 27, p. 1126
44-6-114e	Amended	V. 27, p. 1128

44-6-115a	Amended	V. 27, p. 1134
44-6-125	Amended	V. 27, p. 1135
44-6-127	through	
44-6-132	New	V. 27, p. 1135-1138

AGENCY 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-45-1	Amended	V. 27, p. 1466
49-45-2	Amended	V. 27, p. 1466
49-45-3	Amended	V. 27, p. 1466
49-45-4	Amended	V. 27, p. 1466
49-45-4a	Amended	V. 27, p. 1466
49-45-5	Amended	V. 27, p. 1466
49-45-6	Amended	V. 27, p. 1466
49-45-7	Amended	V. 27, p. 1467
49-45-8	Amended	V. 27, p. 1467
49-45-9	Amended	V. 27, p. 1467
49-45-20	Amended	V. 27, p. 1467
49-45-28	Amended	V. 27, p. 1467
49-45-29	Amended	V. 27, p. 1467
49-45-29b	New	V. 27, p. 1467
49-45-31	Amended	V. 27, p. 1467
49-45-34	Amended	V. 27, p. 1467
49-45-35	Amended	V. 27, p. 1467
49-45-37	Amended	V. 27, p. 1467

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-1-103	Amended	V. 27, p. 1603
60-1-104	Amended	V. 27, p. 1603
60-2-101	Amended	V. 27, p. 1604
60-2-102	Amended	V. 27, p. 1605, 1670
60-2-104	Amended	V. 27, p. 1606
60-2-107	Amended	V. 27, p. 1606
60-2-108	Amended	V. 27, p. 1607
60-3-106	Amended	V. 27, p. 1607
60-3-106a	Amended	V. 27, p. 1608
60-3-113	New	V. 27, p. 1608
60-3-114	New	V. 27, p. 1608
60-7-111	New	V. 27, p. 1609

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-2-26	New	V. 27, p. 108
63-4-1	Amended	V. 27, p. 108

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
66-10-1	Amended	V. 27, p. 317
66-11-5	Amended	V. 28, p. 44
66-12-1	Amended	V. 28, p. 44
66-14-1	Amended	V. 28, p. 44
66-14-2	Amended	V. 28, p. 45
66-14-3	Amended	V. 28, p. 45
66-14-4	Revoked	V. 28, p. 45
66-14-5	Amended	V. 28, p. 45
66-14-7	Amended	V. 28, p. 45

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-7-12b	Amended	V. 27, p. 1518
68-7-20	Amended	V. 27, p. 435
68-11-2	Amended	V. 27, p. 1518
68-18-1	New	V. 27, p. 1857
68-18-2	New	V. 27, p. 1857
68-18-3	New	V. 27, p. 1858
68-20-23	New (T)	V. 27, p. 1709

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-9-1	through	
71-9-4	New	V. 27, p. 1878
71-10-1	through	
71-10-4	New	V. 27, p. 1879

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-7	Amended	V. 27, p. 626
74-4-8	Amended	V. 27, p. 626

(continued)

74-4-9 Amended V. 27, p. 627
 74-4-10 Amended V. 27, p. 627

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-2	Amended	V. 27, p. 1801
81-5-7	Amended	V. 27, p. 1156
81-7-2	Amended	V. 27, p. 1156
81-14-1	Amended	V. 27, p. 1157
81-14-2	Amended	V. 27, p. 1801
81-14-5	Amended	V. 27, p. 1159
81-14-9	Amended	V. 27, p. 1163

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-107	Amended	V. 27, p. 1518
82-3-108	Amended	V. 27, p. 1519
82-3-111	Amended	V. 27, p. 1520
82-3-135a	Amended	V. 27, p. 1521
82-3-135b	Amended	V. 27, p. 1521
82-3-138	Amended	V. 27, p. 1521
82-3-402	Amended	V. 27, p. 1521
82-4-30a	Amended	V. 27, p. 1020

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-3-19	Amended (T)	V. 27, p. 1090
86-3-19	Amended	V. 27, p. 1517
86-3-30	New (T)	V. 27, p. 1091
86-3-30	New	V. 27, p. 1517

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-200	Amended	V. 27, p. 1027
91-1-201	Amended	V. 27, p. 1028
91-1-203	Amended	V. 27, p. 1030
91-1-204	Amended	V. 27, p. 1034
91-1-205	Amended	V. 27, p. 1036
91-1-207	Amended	V. 27, p. 1037
91-1-209	Amended	V. 27, p. 1037
91-1-210	Amended	V. 27, p. 1038
91-1-220	Amended	V. 27, p. 1038
91-1-221	Amended	V. 27, p. 1040
91-19-1	Amended	V. 27, p. 1041
91-19-6	Amended	V. 27, p. 1041
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
92-12-114	New	V. 27, p. 865
92-12-140	through	
92-12-145	New	V. 27, p. 866, 867

92-19-70 Revoked V. 27, p. 868
 92-52-14 New V. 27, p. 1214
 92-52-15 New V. 27, p. 1214
 92-52-16 New V. 27, p. 1215

AGENCY 94: COURT OF TAX APPEALS

Reg. No.	Action	Register
94-2-1	through	
94-2-5	Amended (T)	V. 27, p.1091-1093
94-2-1	through	
94-2-5	Amended	V. 27, p.1522-1524
94-2-8	through	
94-2-16	Amended (T)	V. 27, p. 1093-1095
94-2-8	through	
94-2-16	Amended	V. 27, p. 1524-1526
94-2-19	Amended (T)	V. 27, p. 1095
94-2-19	Amended	V. 27, p. 1527
94-2-20	Amended (T)	V. 27, p. 1096
94-2-20	Amended	V. 27, p. 1527
94-2-21	Amended (T)	V. 27, p. 1096
94-2-21	Amended	V. 27, p. 1528
94-3-1	Amended (T)	V. 27, p. 1097
94-3-1	Amended	V. 27, p. 1529
94-3-2	Amended (T)	V. 27, p. 1098
94-3-2	Amended	V. 27, p. 1529
94-4-1	Amended (T)	V. 27, p. 1098
94-4-1	Amended	V. 27, p. 1530
94-4-2	Amended (T)	V. 27, p. 1098
94-4-2	Amended	V. 27, p. 1530

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
99-27-2	Amended	V. 27, p. 1019
99-27-3	Revoked	V. 27, p. 1019
99-27-4	Amended	V. 27, p. 1019
99-27-5	Amended	V. 27, p. 1019

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended (T)	V. 27, p. 1602
100-22-8	Revoked	V. 27, p. 357
100-22-8a	New	V. 27, p. 357
100-28a-1	Amended (T)	V. 27, p. 1602
100-29-7	Amended	V. 27, p. 209
100-54-4	Amended	V. 27, p. 209
100-55-4	Amended	V. 27, p. 209
100-69-1	Amended	V. 27, p. 1672
100-69-2	Revoked	V. 27, p. 1672
100-72-1	Amended (T)	V. 27, p. 1602
100-73-9	Amended	V. 27, p. 315

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-12	Amended	V. 27, p. 407
102-2-7	Amended	V. 27, p. 1801
102-3-12a	Amended	V. 27, p. 1117
102-4-1a	Amended	V. 27, p. 1803
102-4-6a	Amended	V. 27, p. 1805
102-4-6b	New	V. 27, p. 1806
102-4-10a	Amended	V. 27, p. 1806
102-4-12	Amended	V. 27, p. 1120
102-5-12	Amended	V. 27, p. 1122
102-6-12	Amended	V. 27, p. 1124

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-11-1	Amended (T)	V. 27, p. 1233
105-11-1	Amended	V. 27, p. 1838

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-5-5	New	V. 27, p. 1548

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-13a-1	New	V. 27, p. 1063
110-13a-2	New	V. 27, p. 1063
110-13a-3	New	V. 27, p. 1064
110-19-1	through	
110-19-4	New	V. 27, p. 1064, 1065
110-20-1	through	
110-20-4	New	V. 27, p. 1065, 1066

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
111-2-211	New	V. 27, p. 992
111-2-212	New	V. 27, p. 1559
111-2-213	New	V. 27, p. 1560
111-2-214	through	
111-2-218	New	V. 28, p. 10, 11
11-2-219	through	
111-2-223	New	V. 28, p. 46, 47
111-4-2614	Amended	V. 27, p. 964
111-4-2645	through	
111-4-2656	New	V. 27, p. 436-442
111-4-2657	through	
111-4-2662	New	V. 27, p. 992-996
111-4-2663	New	V. 27, p. 1489
111-4-2664	through	
111-4-2683	New	V. 27, p. 1560-1570
111-4-2680	Amended	V. 28, p. 11
111-4-2684	through	
111-4-2702	New	V. 27, p. 1634-1644
111-4-2695	Amended	V. 27, p. 1709
111-4-2703	through	
111-4-2710	New	V. 27, p. 1672-1677
111-4-2711	through	
111-4-2715	New	V. 27, p. 1677-1680
111-4-2716	through	
111-4-2726	New	V. 27, p. 1709-1718
111-4-2727	through	
111-4-2744	New	V. 27, p. 1746-1761
111-4-2745	through	
111-4-2754	New	V. 28, p. 11-20
111-4-2755	through	
111-4-2766	New	V. 28, p. 47-55
111-5-81	Amended	V. 27, p. 1490
111-5-83	Amended	V. 27, p. 1490
111-5-84	Amended	V. 27, p. 1491
111-5-90	Amended	V. 27, p. 1491
111-5-127	Amended	V. 27, p. 442
111-5-128	Amended	V. 27, p. 443
111-5-132	Amended	V. 27, p. 443
111-5-165	through	
111-5-169	New	V. 27, p. 1491-1493
111-7-223	through	
111-7-232	New	V. 27, p. 1493-1495

111-7-223a	New	V. 27, p. 1762
111-7-233 through 111-7-237	New	V. 28, p. 57, 58
111-9-152	New	V. 27, p. 1762
111-9-153	New	V. 28, p. 20
111-9-154	New	V. 28, p. 21
111-9-155	New	V. 28, p. 22
111-14-4	New	V. 28, p. 22
111-14-5	New	V. 28, p. 23
111-14-6	New	V. 28, p. 24

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-100-1 through 112-100-7	New	V. 27, p. 1378
112-104-1 through 112-104-33	New	V. 27, p. 1378-1406
112-105-1 through 112-105-7	New	V. 27, p. 1406-1408
112-106-1 through 112-106-7	New	V. 27, p. 1408-1411
112-112-1 through 112-112-9	New	V. 27, p. 1411-1413

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 27, p. 1704
115-2-3	Amended	V. 27, p. 1264

115-2-3a	Amended	V. 27, p. 1705
115-2-5	Amended	V. 27, p. 1265
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. 27, p. 1707
115-7-2	Amended	V. 27, p. 1708
115-7-8	Amended	V. 27, p. 405
115-7-9	Amended	V. 27, p. 406
115-8-1	Amended	V. 27, p. 572
115-8-9	Amended	V. 27, p. 1265
115-8-10	Amended	V. 27, p. 1265
115-8-13	Amended	V. 27, p. 112
115-18-7	Amended	V. 27, p. 406
115-18-21	New	V. 27, p. 1708

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-6-1	Amended	V. 27, p. 357

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-10-1	New	V. 27, p. 1099
121-10-2	New	V. 27, p. 1099

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 through 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 through 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. 27, p. 628
129-5-78	New	V. 27, p. 1022
129-5-108	Amended	V. 27, p. 1346
129-10-15a	New	V. 27, p. 1346
129-10-15b	New	V. 27, p. 1348
129-10-17	New	V. 27, p. 1348
129-10-18	New	V. 27, p. 1350
129-10-23a	New	V. 27, p. 1353
129-10-23b	New	V. 27, p. 1353
129-10-25	New	V. 27, p. 1354
129-10-26	New	V. 27, p. 1355
129-10-27	New	V. 27, p. 1356
129-10-200	New	V. 27, p. 1356
129-10-210	New	V. 27, p. 1358

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