



# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 28, No. 44    October 29, 2009    Pages 1547-1576

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## State of Kansas

## Legislature

## Interim Committee Schedule

The following committee meetings have been scheduled during the period of November 2-13. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. The 2009 interim committee memberships and committee agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/Committees.htm>.

| Date    | Room  | Time       | Committee  | Agenda   |
|---------|-------|------------|--|--|
| Nov. 2  | 446-N | 10:00 a.m. | Joint Committee on Parole Board Oversight            | Review of Parole Board procedures and select cases.  |
| Nov. 2  | 143-N | 10:00 a.m. | Joint Committee for Special Claims Against the State | Hearings on claims filed.  |
| Nov. 3  | 143-N | 9:00 a.m.  |  |  |
| Nov. 3  | 545-N | 9:00 a.m.  | Health Care Stabilization Fund Oversight Committee   | Review of Health Care Stabilization Fund actuarial report and consideration of continued legislative oversight.                        |
| Nov. 4  | 545-N | 10:00 a.m. | Kansas Electric Transmission Authority               | KETA business.   |
| Nov. 5  | 143-N | 10:00 a.m. | Kansas DUI Commission                                | Presentations on drug recognition experts; and House Arrest, GPS, and Continuous Alcohol Monitoring Subcommittee reports and breakout. |
| Nov. 6  | 143-N | 9:00 a.m.  |  |  |
| Nov. 10 | 446-N | 9:00 a.m.  | Joint Committee on Parole Board Oversight            | Continuation of Parole Board matters.  |
| Nov. 13 | 143-N | TBA        | Special Committee on Utilities                       | 9-1-1 system funding and related issues.   |

Jeffrey M. Russell  
Director of Legislative  
Administrative Services

Doc. No. 037656

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**USDA—Natural Resources  
Conservation Service**

**Notice of Kansas Technical Committee Meeting**

The Kansas Technical Committee will meet from 9:30 a.m. to 3:30 p.m. Thursday, November 19, at the NRCS Conference Center, 747 S. Duvall, Salina. Agenda items include the following:

- Fiscal Year (FY) 2010 Environmental Quality Incentives Program (EQIP) Ranking Categories and Criteria
- FY 2010 Wildlife Habitat Incentives Program (WHIP) Ranking Categories and Criteria
- FY 2010 Eligible Practices Associated with each Program Ranking Category

Other agenda items may be sent by November 12 to Troy J. Munsch, Assistant State Conservationist, NRCS, 760 S. Broadway, Salina, 67401-4604, or e-mail at troy.munsch@ks.usda.gov. Persons requiring special assistance to attend the meeting should contact Troy Munsch at the contact information above or by calling (785) 823-4580.

NRCS is an equal opportunity provider and employer.

Eric B. Banks  
State Conservationist

Doc. No. 037657

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

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

Notice is hereby given of the commencement of negotiations for "on-call" civil/structural engineering services for restricted (small) projects at Kansas State University. Contracts will be for three years.

For more information concerning the scope of services, contact Abe Fattaey, (785) 532-1725. Firms interested in providing these services should be familiar with the requirements of Chapter 9 of the Building Design and Construction Manual at the Web site below.

To be considered, four (4) bound proposals and one (1) PDF file on a CD of the following should be provided: a State of Kansas Capital Improvement Project Qualifications form (including a letter of interest), information regarding similar projects, and a State of Kansas General Qualifications form for each firm and consultant. Proposals should be concise and follow the 2009 State Building Advisory Commission guidelines, available to firms at <http://da.ks.gov/fp/> or by contacting Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, Phyllis.Fast@da.ks.gov. Submittals should be received by Phyllis Fast before noon November 13.

Marilyn L. Jacobson, Director  
Division of Facilities Management

Doc. No. 037650

**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 10-26-09 through 11-1-09**

| Term      | Rate  |
|-----------|-------|
| 1-89 days | 0.11% |
| 3 months  | 0.04% |
| 6 months  | 0.17% |
| 1 year    | 0.42% |
| 18 months | 0.72% |
| 2 years   | 1.01% |

Elizabeth B.A. Miller  
Director of Investments

Doc. No. 037648

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

**Notice of Commencement of  
Negotiations for Engineering Services**

Notice is hereby given of the commencement of negotiations for civil engineering services for taxiways and aircraft parking areas located 500 feet west of 3237 Arnold at the Kansas (Army National Guard) Training Center southwest of Salina. The scope of work includes resurfacing 260,000 sf and includes a hangar apron, aircraft parking, taxiways and access roads. Repairs will involve partial depth replacement of existing, deteriorating asphalt overlaid on concrete with flexible pavement; minimal fence replacement; and installation of grounding points and aircraft tie downs. Estimated project cost is \$2.2 million, subject to federal funding that has yet to be appropriated. Construction is scheduled to begin September 2010.

For additional information and scope of work, contact Tim Driggs at (785) 274-1177 (timothy.d.driggs@us.army.mil) or Col. Cliff Silsby (cliff.silsby@us.army.mil).

To be considered, four (4) bound proposals and one (1) PDF file of the following should be provided: a State of Kansas Capital Improvement Project Qualifications form (including a letter of interest), information regarding similar projects, and a State of Kansas General Qualifications form for each firm and consultant. Proposals should be concise and follow the 2009 State Building Advisory Commission guidelines, available to firms at <http://da.ks.gov/fp/> or by contacting Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, Phyllis.Fast@da.ks.gov. Submittals should be received by Phyllis Fast before noon November 13.

Marilyn L. Jacobson, Director  
Division of Facilities Management

Doc. No. 037659

## State of Kansas

## Commission on Veterans' Affairs

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 10:15 a.m. Tuesday, December 29, in Suite 701, Jayhawk Tower, 700 S.W. Jackson, Topeka, to consider the adoption of proposed rules and regulations of the Kansas Commission on Veterans' Affairs. This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the executive director of the Kansas Commission on Veterans' Affairs, Suite 701, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603-3758. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Wayne Bollig at (785) 296-7465.

These regulations are proposed for adoption on a permanent basis. A summary of proposed regulations and their economic impact follows:

Article 7.—VIETNAM WAR ERA  
MEDALLION PROGRAM

**K.A.R. 97-7-1. Definitions.** As used in L. 2009, ch. 62, secs. 1 through 6 and amendments thereto, and these regulations, each of the following terms shall have the meaning specified in this regulation: active service, active, director of veteran services, parent, program, and spouse or eldest living survivor of a deceased veteran.

There is no significant economic impact to state agencies, employees or the general public.

**K.A.R. 97-7-2. Veteran status.** This regulation establishes the criteria to be considered a veteran for purposes of the program.

There is no significant economic impact to state agencies, employees or the general public.

**K.A.R. 97-7-3. Legal resident status.** In addition to establishing the veteran status of the person for whom an application under the program is submitted as specified in K.A.R. 97-7-2, the applicant is required to establish to the satisfaction of the director of veteran services that the veteran was a legal resident of Kansas during the veteran's active service within the period.

There is no significant economic impact to state agencies, employees or the general public.

**K.A.R. 97-7-4. Applicants on behalf of deceased veterans.** This regulation establishes eligibility requirements for survivors of a deceased veteran to apply under the program on behalf of an eligible deceased veteran. Eligible deceased veterans shall include eligible veterans

who died in performance of active service or as a result of service-connected wounds, diseases, or injuries and veterans who would, but for their death before submission of an application, be eligible to apply under the program based on active service. It also will establish the order in which these applications from survivors shall be considered.

There is no significant economic impact to state agencies, employees or the general public.

**K.A.R. 97-7-5. Application procedures.** This regulation outlines the forms required and the submission procedures needed to apply for the Vietnam War Era Medallion Program to include the application form, number of copies, and documentation of the veteran's home of record. It also outlines the review process for applications by the director of veteran services for completeness and to determine eligibility.

There is no significant economic impact to state agencies, employees or the general public.

**K.A.R. 97-7-6. Reconsideration of denied applications.** Any applicant who is dissatisfied with the disposition of the application may ask the Kansas Commission on Veterans' Affairs to reconsider the disposition.

There is no significant economic impact to state agencies, employees or the general public.

Copies of the regulations and the economic impact statement may be obtained from the Kansas Commission on Veterans' Affairs at the contact information above or via e-mail at [wbollig@kcva.org](mailto:wbollig@kcva.org).

Wayne Bollig  
Executive Director

Doc. No. 037662

## State of Kansas

## Board of Veterinary Examiners

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, December 29, in the agency conference room, 1003 Lincoln St., Wamego, to consider the adoption of proposed changes in an existing rule and regulation of the Kansas Board of Veterinary Examiners.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the agency director, P.O. Box 242, Wamego, 66547. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the agency direc-

tor at (785) 456-8781. Handicapped parking is located at the south end of the office building.

The regulation is proposed for adoption on a permanent basis.

**K.A.R. 70-7-1 Standards of practice.** Amendments to this regulation clarify intent for veterinary licensees. Other governmental units, private citizens and consumers will not be affected by this change. There is no significant economic impact to other state agencies, employees or the general public.

The proposed amendments are published on the agency Web site at [www.ks.gov/veterinary](http://www.ks.gov/veterinary). Copies of the regulation and the economic impact statement may be obtained by contacting the Kansas Board of Veterinary Examiners, P.O. Box 242, Wamego, 665476-0242, (785) 456-8781, or e-mail at [vetboard@wamego.net](mailto:vetboard@wamego.net).

Dirk Hanson  
Executive Director

Doc. No. 037666

## State of Kansas

### Kansas Development Finance Authority

#### Notice of Hearing

**(Editor's Note:** This notice, first published in the October 22, 2009 Kansas Register, is being republished to reflect a change in the amount of the bond.)

A public hearing will be conducted at 9 a.m. Thursday, November 5, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFFA to issue its Agricultural Development Revenue Bond for the project 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 KDFFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

**Project No. 000771—Maximum Principal Amount: \$247,000.** Owner/Operator: Donald J. Becker; Description: Acquisition of 139 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 Donald J. Becker and is located at Section 34, Township 4, Range 18, Brown County, Kansas, approximately 2.5 miles east of Everest on State Highway 73.

The bond, when issued, will be a limited obligation of the KDFFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the KDFFA, 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 KDFFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the KDFFA.

Stephen R. Weatherford  
President

Doc. No. 037665

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

### Pratt Community College Pratt County, Kansas

#### Notice of Intent to Issue Revenue Bonds

To All Persons Concerned and Interested:

You are hereby notified that the Board of Trustees (the board) of the Pratt Community College, Pratt County, Kansas (the college), did on September 29, 2009, duly adopt a resolution (the resolution) declaring necessary and authorizing improvements to the Dormitory System (the system), by constructing and equipping a student housing facility on the campus of Pratt Community College, in Pratt, Kansas (the project), at an estimated cost of \$3,230,000, under the authority of K.S.A. 766a13 to 766a25, inclusive, as amended and supplemented (the act).

You are hereby further notified that the resolution declares necessary and authorizes the issuance and sale of system revenue bonds of the college in an amount of not to exceed \$3,230,000, such bonds to be used to pay the costs of the project, including related financing costs and costs of issuance.

You are hereby further notified that unless an action to contest the legality of the proposed revenue bonds of the college shall be filed in a court of law within 30 days of the date of publication of this notice, the right to contest the legality of any revenue bonds issued in compliance with the aforesaid resolution and other proceedings duly and legally had and taken by the board prior to the date of publication of this notice, and the right to contest the validity of the provisions of such proceedings, shall cease to exist, and no court shall thereafter have the authority to inquire into such matters; and that after the expiration of said 30 days from the date of publication of this notice, no one shall have any right to commence an action contesting the validity of such revenue bonds or the provisions of such proceedings of the board and all such revenue bonds shall be conclusively presumed to be legal and no court shall thereafter have the authority to inquire into such matters.

Dated October 28, 2009.

Board of Trustees  
Pratt Community College  
Pratt County, Kansas  
By Ed Barrett  
Chairperson, Board of Trustees

Doc. No. 037667

State of Kansas

**Office of Judicial Administration  
Supreme Court Docket**

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

**Monday, December 7, 2009**

**9:00 a.m.**

| Case No. / Case Name   | Attorneys  | Jurisdiction                    |
|--|--|---------------------------------|
| <b>100,554</b><br>In the Matter of the Adoption of B.B.M.                        | Kimberly J. Ireland<br>Aaron C. McKee<br>Martin W. Bauer<br>Joseph N. Vader  | Johnson<br>Petition for Review  |
| <b>98,716</b><br>State of Kansas, Appellee<br>v.<br>Michael Hughes, Appellant    | Stephen N. Six, Attorney General<br>Lesley A. Isherwood, Asst. District Attorney<br>Matthew J. Edge, Kansas Appellate Defender | Sedgwick<br>Petition for Review |
| <b>100,512</b><br>State of Kansas, Appellee<br>v.<br>Gregory L. Berry, Appellant | Stephen N. Six, Attorney General<br>Boyd K. Isherwood, Asst. District Attorney<br>Heather Cessna, Kansas Appellate Defender    | Sedgwick                        |
| <b>101,925</b><br>State of Kansas, Appellant<br>v.<br>Sean R. Ernesti, Appellee  | Stephen N. Six, Attorney General<br>Mark A. Simpson, Asst. District Attorney<br>J. Ryan Hare<br>Jay Norton                     | Douglas                         |

**Tuesday, December 8, 2009**

**9:00 a.m.**

| Case No. / Case Name  | Attorneys   | Jurisdiction                   |
|---|---|--------------------------------|
| <b>100,845</b><br>In the Interest of M.F.                                       | John W. Leighty<br>Dennis J. Stanchik<br>Steven J. Obermeier, Asst. District Attorney   | Johnson<br>Petition for Review |
| <b>101,622</b><br>State of Kansas, Appellee<br>v.<br>Candy S. Daniel, Appellant | Stephen N. Six, Attorney General<br>James R. Watts, Asst. County Attorney<br>Randall L. Hodgkinson, Kansas Appellate Defender | Butler                         |
| <b>101,563</b><br>Stanton Holt, Appellant<br>v.<br>State of Kansas, Appellee    | Gerald E. Wells<br>Stephen N. Six, Attorney General<br>Steven L. Opat, County Attorney  | Geary                          |
| <b>100,820</b><br>State of Kansas, Appellee<br>v.<br>Randy Marler, Appellant    | Stephen N. Six, Attorney General<br>Evan C. Watson, County Attorney<br>Rachel L. Pickering, Kansas Appellate Defender         | Sumner                         |

**Wednesday, December 9, 2009**

**9:00 a.m.**

| Case No. / Case Name  | Attorneys   | Jurisdiction                     |
|---|---|----------------------------------|
| <b>98,403</b><br>State of Kansas, Appellee<br>v.<br>Tyrone Leaper, Appellant                  | Stephen N. Six, Attorney General<br>Jerome A. Gorman, District Attorney<br>Heather Cessna, Kansas Appellate Defender    | Wyandotte<br>Petition for Review |
| <b>101,958/101,959</b><br>State of Kansas, Appellant<br>v.<br>Marcy Faith Carapezza, Appellee | Stephen N. Six, Attorney General<br>Rodney H. Symmonds, Special Prosecutor<br>Julia S. Spainhour<br>Stephen J. Atherton | Lyon                             |

**101,674**  
Letha and Harold McGinty, Appellees  
v.  
Theresa M. Hoosier, et al., Appellants

Robert W. Christensen  
Dennis J. Keenan  
Timothy E. McKee

Stafford

**101,515**  
State of Kansas, Appellee  
v.  
Robert L. Robison, Jr., Appellant

Stephen N. Six, Attorney General  
Amy Aranda, Asst. County Attorney  
Matthew J. Edge, Kansas Appellate Defender

Lyon

**Thursday, December 10, 2009****9:00 a.m.**

Case No. / Case Name

Attorneys

Jurisdiction

**94,589**  
State of Kansas, Appellee  
v.  
Nathaniel L. Hill, Appellant

Stephen N. Six, Attorney General  
Kristafer R. Ailslieger, Assistant Solicitor General  
Reid T. Nelson, Capital Appeals and Conflicts Office

Montgomery

**102,578**  
State of Kansas, Appellant  
v.  
Andrew Sale, Appellee

Stephen N. Six, Attorney General  
Dan L. Scott, County Attorney  
Razmi Tahirkheli

Seward

**100,768**  
State of Kansas, Appellee  
v.  
Christopher Tahah, Appellant

Stephen N. Six, Attorney General  
Terry J. Malone, County Attorney  
Ryan Eddinger, Kansas Appellate Defender

Ford

**99,403**  
State of Kansas, Appellee  
v.  
Mary Jean Copes, Appellant

David Maslen, County Attorney  
Patrick H. Dunn, Kansas Appellate Defender

Montgomery  
Petition for Review**Friday, December 11, 2009****9:00 a.m.**

Case No. / Case Name

Attorneys

Jurisdiction

**101,097**  
Debra L. Miller, Sec. of Transportation for the State  
of Kansas, Appellee  
v.  
Glacier Development Co., L.L.C., and Lester M.  
Dean, Jr., Appellants

Timothy P. Orrick  
James D. Oliver  
Reid F. Holbrook  
Joy D. Hays

Wyandotte

**101,077**  
State of Kansas, Appellant  
v.  
Harold Dean Spencer, Appellee

Stephen N. Six, Attorney General  
Chadwick J. Taylor, District Attorney  
Carl Folsom III, Kansas Appellate Defender

Shawnee

**98,419**  
Scott and Sherry David, Appellants  
v.  
David Hett, d/b/a/ Hett Construction, Appellee

Randall E. Fisher  
Patrick J. Murphy  
Craig C. Blumreich

Marion  
Petition for Review**December 7-11, 2009****Summary Calendar — No Oral Argument  
Pursuant to Supreme Court Rule 7.01 (c)**

102,230 In the Matter of the Paul F. Suhr Trust

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

101,317 State v. Audra Rios  
101,404 State v. David C. Villalobos  
101,529 State v. Gary Dean Drum  
101,705 State v. Jamie R. Leshore

101,713 State v. Andrew C. Johnson  
101,822 State v. Jarvis Ross  
101,899 State v. Michael Dwayne Phelps

101,901 State v. Carol Shank  
102,035 State v. Eugene Rice  
102,224 State v. Timothy Shelton

Carol G. Green  
Clerk of the Appellate Courts

## State of Kansas

## Kansas State University

## Notice to Bidders

Kansas State University encourages interested vendors to visit the Kansas State University Controlling Office/Purchasing Web site at <http://www.ksu.edu/purchasing/rfq> for a complete listing of all transactions for which Kansas State University Purchasing, or one of the consortia commonly utilized by K-State, is seeking competitive bids. Paper postings of Kansas State University Purchasing's bid transactions may be viewed at the Purchasing Office, 21 Anderson Hall, Manhattan, or persons may contact Purchasing at (785) 532-6214, by fax at (785) 532-5577, or by e-mail at [cbishop@ksu.edu](mailto:cbishop@ksu.edu) to request a copy of a current bid.

Carla Bishop  
Director of Purchasing

Doc. No. 037624

## 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, is 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](mailto:purchasing@ku.edu) to request a copy of a current bid.

Barry K. Swanson  
Associate Comptroller/  
Director of Purchasing Services

Doc. No. 037647

## 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 list of all goods and services currently out for bid. Persons without Internet access may stop by the Purchasing Services office located at 1246 W. Campus Road, Room 7, Lawrence, to view paper postings of all open bids, or may contact Purchasing Services at (785) 864-3790, by fax at (785) 864-3454 or by e-mail at [purchasing@ku.edu](mailto:purchasing@ku.edu) to request a copy of a current bid.

Nondiscrimination in Employment — Bidders on this work will be required to comply with the President's Executive Order No. 11246, as amended. Requirements for bidders and contractors under this order are explained in the specifications.

Bidders must fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons). Contractors, subcontractors, or suppliers that appear on the Excluded Parties List System at [www.epls.gov](http://www.epls.gov) are not eligible for award of any contracts funded by the Kansas Water Pollution Control Revolving Fund.

## RFP 87155

University of Kansas West Campus Urban Stormwater Management Project to include the construction of a series of vegetated bio-swales and rain gardens, and supporting site improvements.

This project is funded by the American Recovery and Reinvestment Act (ARRA) of 2009 through the Kansas Water Pollution Control Revolving Fund of the Kansas Department of Health and Environment (KDHE #C20 1897 01).

Bid opening is scheduled for 10 a.m. December 4 at KU Purchasing Services at the address listed above.

Barry Swanson  
Director of Purchasing  
and Strategic Sourcing

Doc. No. 037663

## 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:

|            |       |   |
|------------|-------|---|
| 11/09/2009 | 12615 | Security Modifications KJCC             |
| 11/09/2009 | 12625 | Mower, Riding, Wide Area                |
| 11/09/2009 | 12629 | Mobile X-Ray Machine                    |
| 11/09/2009 | 12619 | Reflective Glass Beads                  |
| 11/10/2009 | 12622 | Abandoned Well Plugging                 |
| 11/10/2009 | 12631 | Bituminous Plant Mixture                |
| 11/10/2009 | 12633 | Ready Mix Concrete District 1           |
| 11/12/2009 | 08534 | Clothing Basic — Groups 6               |
| 11/12/2009 | 12628 | Aggregate, District #1                  |
| 11/12/2009 | 12638 | FLIR System                             |
| 11/19/2009 | 12616 | External Review Services                |
| 11/23/2009 | 12637 | Neosho Streambank Stabilization Project |
| 11/30/2009 | 12630 | Radio Tower Engineer Services           |
| 11/30/2009 | 12635 | On-Call Maintenance Services            |

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

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

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

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

Chris Howe  
Director of Purchases

Doc. No. 037664



State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the project listed below. Seven signed copies of the response MUST be mailed to David Nagy, P.E., Bureau of Design, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Responses shall be limited to four pages and must be received by noon November 13 for the consulting engineering firm to be considered.

On-Call Value Engineering  
Statewide

The consultant will provide value engineering (VE), the systematic application of recognized techniques by a multi-disciplined team to identify the function, the worth, the alternatives through the use of creative thinking, and the necessary functions to accomplish the original purpose of the project. The results are reliability and lowest life-cycle cost without sacrificing safety, quality and environmental attributes of the project.

The FHWA requires VE (see Part 627 of Title 23 of the Code of Federal Regulations) on qualifying design-build projects, all federal-aid highway funded projects on the NHS with an estimated total cost of \$25 million or more, a bridge project with an estimated total cost of \$20 million or more, or any project designated by the Secretary of Transportation.

Firms not prequalified with KDOT must submit seven copies of KDOT Form 1050 to become prequalified. The form is available at [www.ksdot.org/divengdes/prequal](http://www.ksdot.org/divengdes/prequal).

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

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

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

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

The firm's accounting systems must have the following capabilities before the firm may be awarded a contract:

- Valid, reliable and current costs must be available within the system to support cost and pricing data;

- capability to provide a means of measuring the reasonableness of incurred costs;
- capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger; and
- ability to provide supporting documentation of actual expenditures for each billing, based on costs.

Deb Miller  
Secretary of Transportation

Doc. No. 037654

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. November 18 and then publicly opened.

District One — Northeast

**Doniphan**—22 U-2269-01 — Locust Street from Last Chance to the north city limits in Troy, 1 mile, grading and surfacing. (Federal Funds)

**Johnson**—46 N-0491-01 — Intersection of U.S. 56 and Old 56 Highway at Gardner, 0.2 mile, grading and surfacing. (Federal Funds)

**Johnson**—169-46 U-2142-01 — U.S. 56 to 47th Street on U.S. 169 (Rainbow Boulevard) in Westwood, 0.8 mile, grading and surfacing. (Federal Funds)

**Lyon**—50-56 KA-0463-01 — Junction of U.S. 50 and Road F, 0.6 mile, grading and surfacing. (State Funds)

**Osage**—35-70 KA-1542-01 — I-35 at Rock Creek about 4 miles southeast of Melvern, erosion control. (State Funds)

**Shawnee**—89 C-4479-01 — Southwest Auburn Road bridge over Wakarusa River, 0.2 mile, grading and bridge. (Federal Funds)

**Wyandotte**—105 N-0485-01 - State Avenue from 69th Street to 47th Street, 3 miles, grading, surfacing and bridge. (Federal Funds)

**Wyandotte**—70-105 KA-1635-01 — I-70 bridges at the I-70/I-635 interchange, bridge repair. (State Funds)

**Wyandotte**—435-105 KA-1634-01 — I-435 Kansas River bridge, bridge repair. (State Funds)

**Wyandotte**—105 N-0490-01 — South 138th Street from Metro Avenue north to Kansas Avenue in Bonner Springs, surfacing. (Federal Funds)

District Two — Northcentral

**Dickinson**—21 U-2258-01 — U.S. 56B from south city limits to 4th Street in Herington, 0.5 mile, surfacing. (Federal Funds)

**Ellsworth**—4-27 KA-1712-01 — K-4 from the Rice County line east to the McPherson County line, 6.7 miles, recycling and overlay. (State Funds)

**Ellsworth**—27 KA-1700-01 — K-156 from K-140 northeast to I-70; K-111 from the north city limits of Kanopolis northeast to K-156; K-156 from the Barton County line

(continued)

northeast to the north city limits of Holyrood, 21 miles, overlay. (State Funds)

**Jewell-Mitchell**—106 KA-1401-01 — Entire route of K-228 in Jewell County; K-128 from Mitchell/Jewell county line north to Kansas-Nebraska state line; K-128 from the U.S. 24 junction north to the Mitchell-Jewell county line, 35.3 miles, seal. (State Funds)

**Marion**—57 C-4389-02 — City of Marion, pedestrian and bicycle path. (Federal Funds)

**Marion**—57 C-4571-01 — Cedar Street from Hudson north to U.S. 56, surfacing, 1 mile. (Federal Funds)

**Marion**—256-57 U-2212-01 — K-256 from Locust to west of Cedar Street and to east of Coble Street in Marion, 0.4 mile, overlay. (State Funds)

**McPherson**—4-59 KA-1713-01 — K-4 from the Ellsworth County line east to west city limits of Lindsborg, 13 miles, recycling and overlay. (State Funds)

**Ottawa**—72 C-4394-02 — City of Minneapolis, pedestrian and bicycle path. (Federal Funds)

#### District Three — Northwest

**Graham**—33-106 KA-1727-01 — U.S. 24 from the east city limits of Hill City east to the junction of K-18; U.S. 283, 2.7 miles north of the Trego-Graham county line north to U.S. 24, 21.9 miles, milling and overlay. (State Funds)

**Phillips**—36-74 KA-1734-01 — U.S. 36 from the Norton-Phillips county line east to the west city limits of Phillipsburg, 17.1 miles, overlay. (State Funds)

**Phillips-Smith**—9-106 KA-1722-01 — The junction of K-9/U.S. 183 east to the Smith/Phillips county line; K-9 from the Smith/Phillips county line east to the U.S. 281 junction, 28.6 miles, seal. (State Funds)

**Rooks**—183-82 KA-1737-01 — U.S. 183 from Stockton north to the Phillips-Rooks county line, 8.5 miles, milling and overlay. (State Funds)

**Rooks**—183-82 M-1975-01 — U.S. 183 KDOT mixing strip, 2.5 miles south of Stockton, stockpile bituminous material. (State Funds)

**Smith**—34-92 KA-1439-01 - U.S. 36 from the Phillips-Smith county line east to the east city limits of Smith Center, 15.6 miles, milling and overlay. (State Funds)

**Trego**—70-98 KA-1801-01 - I-70 from the junction of U.S. 283 east 16.6 miles to the Trego-Ellis county line, overlay. (State Funds)

**Trego**—98 C-4310-01 — County road 4 miles south and 3.6 miles east of WaKeeney, 0.2 mile, grading and bridge. (Federal Funds)

#### District Four — Southeast

**Miami**—61 C-4157-01 — County road 2.4 mile north and 1 mile east of Beagle, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

**Montgomery**—400-63 KA-1612-01 — Three U.S. 400 bridges east of U.S.75/U.S. 400 and one bridge at the junction of U.S. 169, bridge repair. (State Funds)

**Neosho**—67 C-4580-01 — County Route 168 east of Shaw Road for 3.5 miles, grading, bridge and surfacing. (Federal Funds)

#### District Five - Southcentral

**Barton**—5 U-2248-01 — McKinley Street reconstruction in Great Bend, 0.2 mile, surfacing. (Federal Funds)

**Kiowa**—49-106 KA-1758-01 — U.S. 54 from the Ford-Kiowa county line east to west city limits of Greensburg; U.S. 400 from the west city limits east to the east city limits of Mullinville, 14.9 miles, milling and overlay. (State Funds)

**Pawnee**—183-73 KA-1770-01 — U.S. 183 from the U.S. 56 north junction north to the K-156 junction, 12.3 miles, recycling. (State Funds)

**Reno**—78 U-2247-01 — Fourth Avenue over Monroe Street in Hutchinson, 0.2 mile, bridge construction. (Federal Funds)

**Rice**—80 C-4392-02 — City of Sterling, pedestrian and bicycle path. (Federal Funds)

**Rice**—80 C-4557-01 — Main Street in the city of Bush-ton, 0.2 mile surfacing. (State Funds)

**Rush**—4-83 KA-1767-01 — K-4 from the Ness-Rush county line east to the Barton-Rush county line, 36.7 miles, milling and overlay. (State Funds)

**Sumner**—96 C-4488-01 — County road 5 miles west and 1 mile south of Caldwell over Bluff Creek, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

**Sedgwick**—87 N-0487-01 — Broadway Bridge over Chisholm Creek in Park City, 0.2 mile, grading and bridge. (Federal Funds)

**Sedgwick**—87 N-0488-01 — West Grand Avenue from Meridian Avenue to North Main Street in Haysville, 1 mile, grading and surfacing. (Federal Funds)

**Sedgwick**—87 K-9123-06 — I-135, I-235 and U.S. 54 in the Wichita area, Intelligent Transportation System installation. (State Funds)

#### District Six — Southwest

**Ford**—40-29 K-8237-06 — U.S. 50, 1.5 miles west of U.S. 50/50B south to U.S. 56 in Dodge City, lighting. (Federal Funds)

**Ford**—400-29 K-8237-03 — U.S. 400 from the junction of U.S. 50/U.S. 50B east to the west city limits of Dodge City, 1.5 miles, overlay. (State Funds)

**Ford-Gray**—50-106 KA-1778-01 — U.S. 50 from the Gray-Ford county line east to the U.S. 400 junction at Dodge City; U.S. 50 from the east city limits of Cimarron east to the Gray-Ford county line, 15.5 miles, overlay. (State Funds)

**Gray**—50-35 U-2261-01 — U.S. 50 in Cimarron, 0.2 mile, grading and surfacing. (Federal Funds)

**Gray**—50-35 K-9045-01 — U.S. 50, from 7th Street east 0.2 mile in Cimarron, grading and surfacing. (State Funds)

**Hodgeman**—56-42 KA-1788-01 - K-156 from the junction of County Route 157 at Hanston east to the Hodgeman-Pawnee county line, overlay. (State Funds)

**Hodgeman**—42 U-2266-01 — County Route 226 in Hanston, 0.2 mile, milling and overlay. (Federal Funds)

**Ness**—283-68 KA-1785-01 — U.S. 283 from the Hodgeman-Ness county line north to Ness City, 13.2 miles, overlay. (State Funds)

**Ness**—4-68 KA-1489-01 — K-4 from the junction of U.S. 283 east to the Ness-Rush county line, 17 miles, overlay. (State Funds)

#### Statewide

**Statewide**—106 KA-1537-01 — Kiosks for Native Stone and Prairie Trail Scenic Byways. (Federal Funds)

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

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

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

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

Deb Miller  
Secretary of Transportation

Doc. No. 037655

**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:

**Transit Facility Construction** in Riley County for use by Riley County ATA and other regional transit providers. This project will be funded at 100 percent pro rata by the American Recovery and Reinvestment Act (ARRA), with an estimated cost of \$2 million.

The amendment of the STIP requires a public comment period of 30 days. 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 November 30.

Deb Miller  
Secretary of Transportation

Doc. No. 037660

**State of Kansas**  
**Department of Health and Environment**  
**Request for Comments**

The Kansas Department of Health and Environment is proposing to issue a five-year permit to the McPherson Municipal Power Plant #3 (Plant Code: 7515) pursuant to Title IV (Acid Deposition Control) of the Federal Clean Air Act and implementing regulations found at 40 CFR Parts 72 through 78. The effective date of the permit is from January 1, 2010 through December 31, 2014.

One (1) simple combustion turbine is affected by this permit action, identified as Unit No. 1 located at 1486 17th Ave., McPherson, Section 24, Township 19 South, Range 3 West, and operated by McPherson Board of Public Utilities, McPherson, and would receive 0 allowances for each year from 2010 through 2014. McPherson Municipal Power Plant #3 proposes to comply with the Acid Rain Program emission requirements by holding enough allowances to cover all sulfur dioxide emissions. Issuance of this permit would not affect the responsibility of McPherson Municipal Power Plant #3 to meet all other existing local, state and federal sulfur dioxide emission requirements.

The designated representative for McPherson Municipal Power Plant #3 is Alan D. Weinbrenner.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Lynette Bayless, (785) 291-3271, at the KDHE central office; and to review the proposed permit only, contact Stan Marshall, (620) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Lynette Bayless, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. Written comments must be received before the close of business December 2 in order to be considered in formulating a final permit decision.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air, not later than the close of business December 2 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby  
Secretary of Health and Environment

Doc. No. 037652

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment is proposing to issue a five-year permit to the Mid-Kansas Electric Company, LLC-Great Bend Station (formerly known as Aquila, Inc.-Arthur Mullegren Station with Plant Code: 1230) pursuant to Title IV (Acid Deposition Control) of the Federal Clean Air Act and implementing regulations found at 40 CFR Parts 72 through 78. The effective date of the permit is from January 1, 2010 through December 31, 2014.

One (1) utility boiler is affected by this permit action, identified as Unit No. 3 located at 335 N.W. 50 Ave., Great Bend, and operated by Sunflower Electric Power Corporation, Hays, and would receive one (1) allowance for each year from 2010 through 2014. Mid-Kansas Electric Company, LLC-Great Bend Station proposes to comply with the Acid Rain Program emission requirements by holding enough allowances to cover all sulfur dioxide emissions. Issuance of this permit would not affect the responsibility of Mid-Kansas Electric Company, LLC's Great Bend Station to meet all other existing local, state and federal sulfur dioxide emission requirements.

The designated representative for Mid-Kansas Electric Company, LLC-Great Bend Station is Wayne E. Penrod.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Northwest District Office, 2301 E.13th, Hays. To obtain or review the proposed permit and supporting documentation, contact Lynette Bayless, (785) 291-3271, at the KDHE central office; and to review the proposed permit only, contact Richard Robinson, (785) 625-5663, at the KDHE Northwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Lynette Bayless, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. Written comments must be received before the close of business December 2 in order to be considered in formulating a final permit decision.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air and Radiation, not later than the close of business December 2 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 037651

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment is proposing to issue a five-year permit to the Sunflower Electric Power Corporation-Garden City Station (Plant Code: 1336) pursuant to Title IV (Acid Deposition Control) of the Federal Clean Air Act and implementing regulations found at 40 CFR Parts 72 through 78. The effective date of the permit is from January 1, 2010 through December 31, 2014.

One (1) utility boiler affected by this permit action, identified as S2, located at 2075 W. St. John St., Garden City, and operated by Sunflower Electric Power Corporation, Hays, would receive 0 allowances for each year from 2010 through 2014. Sunflower Electric Power Corporation's Garden City Station proposes to comply with the Acid Rain Program emission requirements by holding enough allowances to cover all sulfur dioxide emissions. Issuance of this permit would not affect the responsibility of Sunflower Electric Power Corporation-Garden City Station to meet all other existing local, state and federal sulfur dioxide emission requirements.

The designated representative for Sunflower Electric Power Corporation-Garden City Station is Wayne E. Penrod.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Lynette Bayless, (785) 291-3271, at the KDHE central office; and to review the proposed permit only, contact Ethel Evans, (620) 225-0596, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Lynette Bayless, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. Written comments must be received before the close of business December 2 in order to be considered in formulating a final permit decision.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air, not later than the close of business December 2 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 037653

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation and reissuance of the designated permit or termination of the designated permit.

sion of the previous permit from 20,000 head (20,000 animal units) of cattle weighing more than 700 pounds to a maximum capacity of 31,600 head (31,600 animal units) of cattle weighing more than 700 pounds.

| Name and Address of Applicant   | Legal Description                                  | Receiving Water           |
|---|--|---------------------------|
| Hammerschmidt Farms<br>Allen Hammerschmidt<br>3003 Spring Hill Road<br>Victoria, KS 67671 | NW/4 of Section 13,<br>T14S, R16W, Ellis<br>County | Smoky Hill River<br>Basin |

Kansas Permit No. A-SHEL-B010

This permit is being reissued with modifications for a confined animal feeding operation for 300 head (150 animal units) of cattle weighing less than 700 pounds. A new wastewater management system will be constructed at the facility to control runoff from the confinement pens.

| Name and Address of Applicant                              | Legal Description                                   | Receiving Water       |
|--|---|-----------------------|
| Ronald Dean Linsey<br>785 25th Road N.W.<br>Lebo, KS 66856 | NE/4 of Section 23,<br>T19S, R14E, Coffey<br>County | Neosho River<br>Basin |

Kansas Permit No. A-NECF-M001

This is a reissuance of a permit for an existing facility for 70 head (98 animal units) of mature dairy cattle.

| Name and Address of Applicant                               | Legal Description                                 | Receiving Water           |
|---|---|---------------------------|
| Carl M. Roberts<br>296 N. Mustang Road<br>Dighton, KS 67839 | NW/4 of Section 03,<br>T16S, R28W, Lane<br>County | Smoky Hill River<br>Basin |

Kansas Permit No. A-SHLE-B001

This is a reissuance of a permit for an existing facility for 950 head (475 animal units) of cattle weighing less than 700 pounds.

| Name and Address of Applicant                   | Legal Description                                 | Receiving Water                     |
|---|---|-------------------------------------|
| Tom Sheeley<br>1171 Road 382<br>Allen, KS 66833 | SE/4 of Section 26,<br>T15S, R11E, Lyon<br>County | Marais des<br>Cygnes River<br>Basin |

Kansas Permit No. A-MCLY-S006

This is a reissuance of a permit for an existing facility for 1,004 head (401.6 animal units) of swine weighing greater than 55 pounds and 840 head (84 animal units) of swine weighing 55 pounds or less.

| Name and Address of Applicant  | Legal Description                                   | Receiving Water       |
|--|---|-----------------------|
| Sliding K Ranch<br>Valentine Klenda<br>1729 310th Road<br>Lincolnton, KS 66858 | NW/4 of Section 02,<br>T18S, R03E, Marion<br>County | Neosho River<br>Basin |

Kansas Permit No. A-NEMN-B019

This permit is being reissued for an existing facility with a maximum capacity of 290 head (116 animal units) of swine more than 55 pounds, 330 head (33 animal units) of swine 55 pounds or less, 200 head (200 animal units) of beef cattle more than 700 pounds, 200 head (100 animal units) of beef cattle 700 pounds or less, and 2,500 head (82.5 animal units) of laying hens on a dry litter system, for a total of 531.5 animal units. There is an increase in 82.5 animal units from the previous permit due to a change in the calculation used for laying hens on a dry litter system.

Public Notice No. KS-AG-09-272  
Application(s) for New or Expansion of Existing Swine Facilities

| Name and Address of Applicant   | Owner of Property Where Facility Will Be Located           | Receiving Water              |
|---|--|------------------------------|
| Ronald Ohlde<br>1577 4th Road<br>Palmer, KS 66962   | Ohlde Farms, Inc.<br>425 National Road<br>Palmer, KS 66962 | Lower Republican River Basin |
| Legal Description<br>SE/4 of Section 08,<br>T05S, R03E,<br>Washington County<br>Kansas Permit No. A-LRWS-B002 |  |                              |

This is an application for a new permit for a facility with a maximum capacity of 850 head (340 animal units) of swine weighing more than 55 pounds and 650 head (650 animal units) of cattle weighing more than 700 pounds. A new concrete solids storage area is proposed between the existing swine building confinement pens and concrete solids storage area, and the existing swine barn wastewater retention structure. A new or modified permit will not be issued without additional public notice.

Public Notice No. KS-AG-09-273/278  
Pending Permits for Confined Feeding Facilities

| Name and Address of Applicant   | Legal Description  | Receiving Water               |
|---|--|-------------------------------|
| Cimarron Feeders of Kansas<br>Joe Spitz<br>P.O. Box 349<br>Cimarron, KS 67835 | All of Section 04 &<br>NE/4 of Section 09,<br>T26S, R28W & S/2<br>of Section 33, T25S,<br>R28W, Gray<br>County | Upper Arkansas<br>River Basin |

Kansas Permit No. A-UAGY-C001 Federal Permit No. KS0037541  
This permit is being reissued with modifications consisting of the proposed construction of additional open lot pens, a new settling basin, and two new earthen collection channels. This represents an expansion

Public Notice No. KS-Q-09-180/181

| Name and Address of Applicant                                   | Receiving Stream                 | Type of Discharge     |
|---|----------------------------------|-----------------------|
| Boettcher Enterprises, Inc.<br>P.O. Box 486<br>Beloit, KS 67420 | Republican River<br>via Pipeline | Process<br>Wastewater |

Kansas Permit No. I-LR05-PO01 Federal Permit No. KS0090018  
Facility Description: SW¼, S7, T8S, R3E, Clay County  
Facility Name: Valley Fertilizer

(continued)

Facility Location: 2nd and Clarke St., Clay Center, KS 67432

Facility Description: This action consists of renewal of an existing NPDES/Kansas water pollution control permit for an existing facility. This facility is a groundwater contamination containment project. Nitrates and herbicides contaminated groundwater is pumped out through a recovery well. Concentrations are low enough that the recovered water is discharged to the Republican River without any treatment. The proposed permit contains limits for pH, as well monitoring of atrazine, metolachlor(dual), nitrate and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

| Name and Address of Applicant  | Receiving Stream      | Type of Discharge     |
|--|-----------------------|-----------------------|
| Wichita, City of<br>Wichita Water Utilities<br>1815 W. Pine<br>Wichita, KS 67203 | Little Arkansas River | Process<br>Wastewater |
| Kansas Permit No. I-LA24-PO01  |                       | Federal No. KS0099694 |
| Outfall Location: NE¼, NW¼, NW¼, S9, T25S, R1W, Sedgwick County                  |                       |                       |
| Facility Name: Wichita ASR Phase II Treatment Plant                              |                       |                       |
| Facility Location: 11501 N. 119th St. West, Sedgwick, Kansas                     |                       |                       |

Facility Description: The proposed action consists of issuance of a new permit for return of wastewater from a new surface water treatment plant back to the source stream, the Little Arkansas River. This is an Aquifer Storage and Recovery Project - Phase II using a 30 MGD (with potential expansion to 60 MGD) surface water treatment plant to treat water from the Little Arkansas River during high flow (100cfs) conditions. The treated water will be injected into wells for storage in the Equus Beds aquifer for later recovery. The primary wastewater flows are presedimentation basin blowdown (0.20 MGD), strainer backwash (0.30 MGD), submerged membranes (4.6 MGD), Greensand (from the potable water system) backwash (0.002 MGD average) and Clean-In-Place wastewater at 0.45 MG/Month. The wastewater is piped back to the Little Arkansas River downstream of the raw water intake point. Domestic wastewater treatment will be under county authority. The proposed permit contains limits for whole effluent toxicity and pH and monitoring of total suspended solids, total residual chlorine, atrazine, chlordane, E. coli, total phosphorus, total recoverable copper and effluent flow. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria.

**Public Notice No. KS-PT-09-005/008**

| Name and Address of Applicant  | Receiving Facility | Type of Discharge              |
|--|--------------------|--------------------------------|
| Kevin Cline, Sole Proprietor<br>dba C & R Plating<br>1120 E. 10th St.<br>Minneapolis, KS 67467 | Minneapolis MWWTP  | Process<br>Wastewater          |
| Kansas Permit No. P-SO27-OO01  |                    | Federal Tracking No. KSP000039 |

Facility Description: The proposed action is to issue an existing pretreatment permit for this facility. This facility operates a small job shop and performs zinc electroplating and chromating operations in the main building. Outfall 001 consists of process wastewater that is treated before being released to the city sanitary sewer. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

| Name and Address of Applicant                               | Receiving Facility | Type of Discharge              |
|---|--------------------|--------------------------------|
| Cross Manufacturing, Inc.<br>P.O. Box 67<br>Lewis, KS 67552 | Lewis MWWTP        | Process<br>Wastewater          |
| Kansas Permit No. P-UA27-OO01                               |                    | Federal Tracking No. KSP000004 |

Facility Description: The proposed action is to issue an existing pretreatment permit for this facility. This facility manufactures hydraulic cylinders. The cylinder rods are chrome plated. After assembly, the

steel and cast metal cylinders are cleaned in a three-stage conversion coating (iron phosphating) operation, with the final stage being an acid etching solution to prepare the surface for paint. All process wastewater from the three outfalls is treated in a clarifier and sent to an evaporation system so no regulated wastes are discharged to the city sanitary sewer system. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

| Name and Address of Applicant                             | Receiving Facility | Type of Discharge              |
|---|--------------------|--------------------------------|
| William Hayes<br>8213 Meadow Park<br>Wichita, KS 67205    | Park City MWWTP    | Process<br>Wastewater          |
| Kansas Permit No. P-LA19-OO01                             |                    | Federal Tracking No. KSP000056 |
| Facility Name: Hayes Retail Services Inc.                 |                    |                                |
| Facility Location: 7700 N. Hayes Drive, Park City, Kansas |                    |                                |

Facility Description: The proposed action is to issue an existing pretreatment permit for this facility. This facility manufactures various types of metal lawn and garden products, such as shepherd hooks, trellis and plant stands. This facility is subject to the Metal Finishing Standard, since it has two, five-stage conversion coating (phosphating) operations. Parts are phosphated before they are painted. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

| Name and Address of Applicant                               | Receiving Facility | Type of Discharge              |
|---|--------------------|--------------------------------|
| Tanfield Group PLC<br>P.O. Box 1160<br>St. Joseph, MO 64502 | Elwood MWWTP       | Process<br>Wastewater          |
| Kansas Permit No. P-MO05-OO01                               |                    | Federal Tracking No. KSP000032 |
| Facility Name: Snorkel International Inc.                   |                    |                                |
| Facility Location: 2009 Roseport Road, Elwood, KS 66024     |                    |                                |

Facility Description: The proposed action is to issue an existing pretreatment permit for this facility. This facility manufactures aerial lift platforms. Outfall 001 discharges from a five-stage conversion coating (phosphating) operation, which treats steel parts, prior to painting them. Outfall 002 discharges from a phosphating operation that washes and cleans large metal parts using a spray application. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

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

All comments regarding the draft documents or application notices received on or before November 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-09-272/278, KS-Q-09-180/181, KS-PT-09-005/008) 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 Envi-

ronment 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. 037658

**State of Kansas**  
**Board of Pharmacy**  
**Permanent Administrative**  
**Regulations**

**Article 20.—CONTROLLED SUBSTANCES**

**68-20-16. Records and inventories of registrants.**

(a) Except as provided in this regulation, each registrant shall keep records and maintain inventories in conformance with the recordkeeping and inventory requirements of 21 CFR 1304.04(g) and (h), including 21 CFR 1304.04(f) as referred to by 21 CFR 1304.04(g), and 21 CFR 1304.11, as in effect on April 1, 2008, which are hereby adopted by reference. The registrant shall keep the records on file for at least five years.

(b) After the initial inventory is taken, the registrant shall take a subsequent inventory of all controlled substances on hand at least every year. The annual inventory shall be taken at least eight months after the previous inventory.

(c) Each required inventory of schedule II controlled substances and all products containing hydrocodone shall be taken by exact count.

(d) All registrants handling schedule V preparations shall be subjected to the same inventory and recordkeeping requirements specified in subsections (a) and (b). In addition, an inventory of Schedule V items shall be taken in conjunction with the required inventory requirements relating to Schedules II, III, and IV. (Authorized by K.S.A. 65-4102, as amended by L. 2009, ch. 32, sec. 54, and K.S.A. 65-4121; implementing K.S.A. 65-4121; effective, E-72-24, Aug. 25, 1972; effective Jan. 1, 1973; amended May 1, 1989; amended July 31, 1998; amended Dec. 27, 1999; amended Nov. 13, 2009.)

Debra Billingsley  
Executive Director

Doc. No. 037661

**State of Kansas**

**Board of Regents**

**Permanent Administrative**  
**Regulations**

**Article 29.—QUALIFIED ADMISSION**

**88-29-1. Definitions.** The following terms, wherever used in this article, shall have the meanings specified in this regulation: (a) "Accelerated course" means a course that meets all of the following criteria:

- (1) Is designed for students performing above their grade level as determined by standardized testing;
- (2) if the course is designed to be a 1/2-unit course, is completed in less than 40 clock-hours;
- (3) if the course is designed to be a one-unit course, is completed in less than 80 clock-hours; and
- (4) has been determined by the board of regents to include similar or greater content, depth, and complexity as a one-unit course completed in 120 clock-hours or a 1/2-unit course completed in 60 clock-hours.

(b) "Accredited high school" means one or more educational institutions that provide secondary instruction to students in grades 9, 10, 11, and 12 and that are designated accredited by a regional accrediting agency recognized by the United States department of education, by the Kansas state board of education, or by an agency with standards equivalent to those of the United States department of education or the Kansas state board of education.

(c) "Admission" means the permission given by the admission officer of a state educational institution to an applicant to enroll as a degree-seeking student in a state educational institution.

(d) "Admission category" refers to one of the admission categories adopted by a state educational institution pursuant to K.A.R. 88-29-3.

(e) "Complete application file" means the entire set of the following student records that have been received in the admission office of a state educational institution:

- (1) A completed application to the state educational institution;
- (2) verification that all applicable application fees have been paid;
- (3) an official copy of the final transcript from each high school attended, including a transcript documenting graduation from high school, or a GED certificate; and
- (4) any other materials required by the state educational institution for advising or placement purposes.

(f) "Degree-seeking student" means a student who has been accepted for enrollment at a state educational institution and who has formally indicated to the state educational institution the intent to complete a program of study that is designated by the United States department of education as a program that is eligible for federal financial aid.

(g) "Earned the general educational development (GED) certificate with an overall score of not less than 50 points" means one of the following:

- (1) Took the GED test on or after January 1, 2002, with an overall score of at least 2,550 points and a minimum score of 510 points on each subtest; or

*(continued)*

(2) took the GED test before January 1, 2002, with an overall score of at least 250 points and a minimum score of 50 points on each subtest.

(h) "Institution of higher education" means an educational institution in any state, territory or country that meets all of the following criteria:

(1) Meets one of the following requirements:

(A) Offers a course of instruction designated by the United States department of education as a program that is eligible for federal financial aid; or

(B) offers a course of instruction that is equivalent to a program designated by the United States department of education as a program that is eligible for federal financial aid;

(2) is legally authorized within the state, territory, or country that appears on the transcript to provide a program of education beyond secondary education; and

(3) meets one of the following requirements:

(A) Is accredited by an accrediting agency or association that is recognized by the United States department of education or an international accrediting agency; or

(B) has been granted preaccreditation status by an accrediting agency or association that is recognized by either the United States department of education or an international accrediting agency.

(i) "Integrated course" means a course that redistributes the content of two or more qualified admission pre-college curriculum courses into a nontraditional combination. A nontraditional combination may combine the content of qualified admission algebra I and qualified admission geometry over a period of four semesters in a sequence of courses titled integrated math I and II.

(j) "Kansas resident" means a person determined to be a resident for fee purposes pursuant to K.S.A. 76-729 and amendments thereto.

(k) "Non-accredited private secondary school" means a private secondary school, as defined in K.S.A. 72-53,100 and amendments thereto, which may include a home school.

(l) "Non-degree-seeking student" means a student who has been accepted for enrollment in a state educational institution and who has formally indicated to the state educational institution the intent to enroll for self-enrichment or other reasons, excluding the intent to complete a course of study that is designated by the United States department of education as a program that is eligible for federal financial aid.

(m) "Precollege," when used to describe a course or curriculum, means a type of course or curriculum offered at an accredited high school that meets each of the following criteria:

(1) The course or curriculum is designed for a student performing at or above the student's grade level as determined by standardized testing.

(2) The content and requirements of the course or curriculum have been determined by the board of regents or the board's designee to reflect a pace of instruction, intensity and depth of material, level of abstraction, and application of critical thinking necessary to prepare students for study at state educational institutions.

(n) "State educational institution" has the meaning specified in K.S.A. 76-711 and amendments thereto.

(o) "Ten percent exception window for resident freshman class admissions" means a method by which any state educational institution, pursuant to K.A.R. 88-29-8, may admit a Kansas resident who does not meet the applicable requirements specified in K.A.R. 88-29-4 through 88-29-6 and who is not eligible for admission pursuant to the ten percent exception window for resident transfer admissions.

(p) "Ten percent exception window for resident transfer admissions" means a method by which any state educational institution, pursuant to K.A.R. 88-29-8a, may admit a Kansas resident who has earned at least 24 credit hours of transferable coursework at an accredited community college, university, or other college but who is not eligible for admission pursuant to K.A.R. 88-29-4.

(q) "Ten percent exception window for nonresident transfer admissions" means a method by which any state educational institution, pursuant to K.A.R. 88-29-8b, may admit a person who is not a resident of Kansas and who has earned at least 24 credit hours of transferable coursework but who is not eligible for admission pursuant to K.A.R. 88-29-4.

(r) "Unit" means a measure of secondary credit that may be awarded to a student for satisfactory completion of a particular course or subject. One unit of credit is credit that is awarded for satisfactory completion of a course or subject that is offered for and generally requires 120 clock-hours to complete. Credit may be awarded in increments based upon the amount of time a course or subject is offered and the requirements for completion. (Authorized by and implementing K.S.A. 76-717, as amended by L. 2009, ch. 37, §1; effective Aug. 1, 2007; amended, T-88-6-26-09, July 1, 2009; amended Nov. 13, 2009.)

**88-29-4. Qualifications required for the admission of an applicant with 24 or more transferable credit hours.** (a) The requirements established in this regulation shall apply to any applicant who has earned 24 or more credit hours from an institution of higher education that are transferable to a state educational institution. If an applicant does not meet the requirements of this regulation, the applicant may be admitted by means of the ten percent exception window for resident transfer admissions described in K.A.R. 88-29-8a or the ten percent exception window for nonresident transfer admissions described in K.A.R. 88-29-8b.

(b) Each state educational institution shall admit any Kansas resident who meets the following criteria:

(1) Has earned 24 or more credit hours from an institution of higher education that are transferable to a state educational institution; and

(2) has earned a cumulative grade point average of 2.0 or higher on a 4.0 scale in all postsecondary coursework.

(c) Any state educational institution may admit a nonresident who meets the following criteria:

(1) Has earned 24 or more credit hours from an institution of higher education that are transferable to a state educational institution; and

(2) has earned a cumulative grade point average of 2.0 or higher on a 4.0 scale in all postsecondary coursework. (Authorized by and implementing K.S.A. 76-717, as



amended by L. 2009, ch. 37, §1; effective Aug. 1, 2007; amended, T-88-6-26-09, July 1, 2009; amended Nov. 13, 2009.)

**88-29-5. Qualifications required for the admission of a Kansas resident who is under the age of 21.** (a) The requirements established in this regulation shall apply to any applicant who is a Kansas resident and is under the age of 21, except that the requirements shall not apply to any applicant who has earned 24 or more credit hours from an institution of higher education that are transferable to a state educational institution. If an applicant to whom this regulation is applicable does not meet the requirements of this regulation, the applicant may be admitted by means of the ten percent exception window for resident freshman class admissions described in K.A.R. 88-29-8.

(b) Each state educational institution shall admit any Kansas resident under the age of 21 who meets each of the following requirements:

(1) Has graduated from an accredited high school in Kansas or, pursuant to K.S.A. 72-116 and amendments thereto, an accredited high school located out of state; and

(2) meets at least one of the following criteria:

(A) Achieved a composite score on the ACT of at least 21 points;

(B) ranked in the top third of the applicant's high school class upon completion of seven or eight semesters; or

(C) completed the qualified admission precollege curriculum described in K.A.R. 88-29-11, or its functional equivalent described in K.A.R. 88-29-18, with a minimum grade point average of 2.0 on a 4.0 scale.

(c) Each state educational institution shall admit any Kansas resident under the age of 21 who meets both of the following requirements:

(1) Has graduated from a non-accredited private secondary school; and

(2) has achieved a composite score on the ACT of at least 21 points.

(d) Each state educational institution shall admit any Kansas resident who is under the age of 21 and who has earned the general educational development (GED) certificate with an overall score of not less than 50 points, as defined in K.A.R. 88-29-1. (Authorized by and implementing K.S.A. 76-717, as amended by L. 2009, ch. 37, §1; effective Aug. 1, 2007; amended, T-88-6-26-09, July 1, 2009; amended Nov. 13, 2009.)

**88-29-7. Qualifications required for the admission of a nonresident.** (a) The requirements established in this regulation shall apply to any applicant who is a nonresident, except that the requirements shall not apply to any applicant who has earned 24 or more credit hours from an institution of higher education that are transferable to a state educational institution. If an applicant does not meet the requirements prescribed in this regulation, the applicant may be admitted into the conditional admission category adopted in the state educational institution's admission policy for conditional admission established in accordance with K.A.R. 88-29-9.

(b) Any state educational institution may admit any nonresident who meets both of the following requirements:

(1) Has graduated from an accredited high school; and  
(2) meets at least one of the following criteria:

(A) Achieved a composite score on the ACT of at least 21 points;

(B) ranked in the top third of the applicant's high school class upon completion of seven or eight semesters; or

(C) completed the qualified admission precollege curriculum described in K.A.R. 88-29-11, or its functional equivalent described in K.A.R. 88-29-19, with a minimum grade point average of at least 2.5 on a 4.0 scale.

(c) Any state educational institution may admit any nonresident who meets both of the following requirements:

(1) Has graduated from a non-accredited private secondary school meeting requirements substantially equivalent to those in K.S.A. 72-53,100 through 72-53,102, and amendments thereto; and

(2) has achieved a composite score on the ACT of at least 21 points. (Authorized by and implementing K.S.A. 76-717, as amended by L. 2009, ch. 37, §1; effective Aug. 1, 2007; amended, T-88-6-26-09, July 1, 2009; amended Nov. 13, 2009.)

**88-29-8. The ten percent exception window for resident freshman class admissions.** (a) Any state educational institution may admit any Kansas resident who does not meet the applicable requirements specified in K.A.R. 88-29-5 or K.A.R. 88-29-6 and who has earned fewer than 24 credit hours from an institution of higher education that are transferable to the state educational institution by means of the ten percent exception window for resident freshman class admissions created pursuant to K.S.A. 76-717(a)(5), and amendments thereto. The maximum number of students admitted by means of this ten percent exception window shall be calculated as follows:

(1) The total number of admitted new students who have earned fewer than 24 credit hours from an institution of higher education that are transferable to the state educational institution, regardless of admission category, shall be counted on the twentieth day of the fall, spring, and summer sessions of each academic year.

(2) The maximum number of admissions calculated using the ten percent exception window shall be equal to 10 percent of the sum of the three numbers counted in paragraph (a)(1).

(b) If the state educational institution exceeds the allotted number of admissions using this ten percent exception window, the excess over the allowable total number of exceptions shall be subtracted from the subsequent year's allowable total number of exceptions for resident freshman class admissions. (Authorized by and implementing K.S.A. 76-717, as amended by L. 2009, ch. 37, §1; effective Aug. 1, 2007; amended, T-88-6-26-09, July 1, 2009; amended Nov. 13, 2009.)

**88-29-8a. The ten percent exception window for resident transfer admissions.** Any state educational institution may admit any Kansas resident who has earned 24 or more credit hours from an institution of higher education that are transferable to a state educational institution, but who does not meet the applicable require-

*(continued)*

ments specified in K.A.R. 88-29-4, by means of the ten percent exception window for resident transfer admissions created pursuant to K.S.A. 76-717(a)(6), and amendments thereto.

(a) The maximum number of students admitted by means of this ten percent exception window shall be calculated as follows:

(1) The total number of admitted new resident students who have earned at least 24 transferable credit hours from an institution of higher education that are transferable to the state educational institution, regardless of admission category, shall be counted on the twentieth day of the fall, spring, and summer sessions of each academic year.

(2) The maximum number of admissions calculated using this ten percent exception window shall be equal to 10 percent of the sum of the three numbers counted in paragraph (a)(1).

(b) If the state educational institution exceeds the allotted number of admissions using the ten percent exception window, the excess over the allowable total number of exceptions shall be subtracted from the subsequent year's allowable total number of exceptions for resident transfer admissions. (Authorized by and implementing K.S.A. 76-717, as amended by L. 2009, ch. 37, §1; effective, T-88-6-26-09, July 1, 2009; effective Nov. 13, 2009.)

**88-29-8b. The ten percent exception window for nonresident transfer admissions.** Any state educational institution may admit any nonresident who has earned 24 or more credit hours from an institution of higher education that are transferable to a state educational institution, but who does not meet the applicable requirements specified in K.A.R. 88-29-4, by means of the ten percent exception window for nonresident transfer admissions created pursuant to K.S.A. 76-717(a)(9), and amendments thereto.

(a) The maximum number of students admitted by means of this ten percent exception window shall be calculated as follows:

(1) The total number of admitted new nonresident students who have earned at least 24 transferable credit hours from an institution of higher education that are transferable to the state educational institution, regardless of admission category, shall be counted on the twentieth day of the fall, spring, and summer sessions of each academic year.

(2) The maximum number of admissions calculated using this ten percent exception window shall be equal to 10 percent of the sum of the three numbers counted in paragraph (a)(1).

(b) If the state educational institution exceeds the allotted number of admissions using this ten percent exception window, the excess over the allowable total number of exceptions shall be subtracted from the subsequent year's allowable total number of exceptions for nonresident transfer admissions. (Authorized by and implementing K.S.A. 76-717, as amended by L. 2009, ch. 37, §1; effective, T-88-6-26-09, July 1, 2009; effective Nov. 13, 2009.)

**88-29-9. Admission policies for state educational institutions.** The chancellor or president of each state ed-

ucational institution or a designee shall establish admission policies that meet all of the following requirements:

(a) The policies shall not conflict with the provisions of this article.

(b) The policies shall specify the materials required for a complete application file.

(c) The policies shall address the enrollment of both degree-seeking and non-degree-seeking students as well as each student's transition from degree-seeking to non-degree-seeking status or from non-degree-seeking to degree-seeking status. Policies shall mandate that each non-degree-seeking student who applies to enroll as a degree-seeking student shall be admitted only if one of the following conditions is met:

(1) The student meets the applicable requirements specified in K.A.R. 88-29-4 through 88-29-7.

(2) The student is admitted by means of the ten percent exception window for resident freshmen class admissions described in K.A.R. 88-29-8.

(3) The student is admitted by means of the ten percent exception window for resident transfer admissions described in K.A.R. 88-29-8a.

(4) The student is admitted by means of the ten percent exception window for nonresident transfer admissions described in K.A.R. 88-29-8b.

(5) The student is admitted into the conditional admission category adopted in the state educational institution's admission policy for conditional admission established in accordance with this regulation.

(d) The policies shall include an explanation of the ten percent exception windows and the state educational institution's method to determine which applicants would be admitted if there were more applicants than the state educational institution is allowed under K.A.R. 88-29-8, K.A.R. 88-29-8a, or K.A.R. 88-29-8b.

(e) The policies may include the establishment of subcategories of non-degree-seeking students.

(f) The policies shall include a statement indicating whether the state educational institution will consider, in the admission decision, any postsecondary credit from an institution that is not accredited and has not been granted preaccreditation status by an agency recognized by the United States department of education or by an equivalent international agency. If the state educational institution considers these credits, the admission decision shall be made in accordance with K.A.R. 88-29-4.

(g) The policies shall include a statement of whether the state educational institution enrolls students in the temporary, provisional, or conditional admission category.

(1) If the state educational institution enrolls any students in the temporary admission category, the policies shall include all of the following:

(A) A description of requirements for exiting the temporary admission category and entering another admission category;

(B) a statement that a temporarily admitted student may be denied admission to a specific degree program; and

(C) a statement that each student who fails to exit from the temporary admission category within the specified period of time shall be disenrolled.

(2) If the state educational institution enrolls any students in the provisional admission category, the policies shall include all of the following:

(A) A description of requirements for exiting the provisional admission category and entering another admission category;

(B) a statement that any student admitted in the provisional admission category may be denied admission to a specific degree program; and

(C) a statement that each student who fails to exit from the provisional admission category within the period of time specified by the state educational institution shall be disenrolled.

(3) If the state educational institution enrolls any students in the conditional admission category, the policies shall include all of the following:

(A) A statement that the maximum number of students admitted in the conditional admission category shall be equal to 50 students or 10 percent of the total number of new nonresident freshman class admissions, whichever is greater. This 10 percent shall be calculated as follows:

(i) Ten percent of the total number of nonresident freshman class admissions shall be calculated as follows: the total number of admitted new students who have earned fewer than 30 credit hours from an institution of higher education and who are nonresidents shall be counted on the twentieth day of the fall, spring, and summer sessions of each academic year. Ten percent of the sum of these counts shall be calculated; and

(ii) if the state educational institution exceeds the allotted number of admissions in the conditional admission category described in paragraph (g)(3)(A), the excess over the allowable total number of admissions shall be subtracted from the subsequent year's allowable total;

(B) a statement that a student enrolled in the conditional admission category shall not be admitted to a specific degree program until the student enters the regular admission category; and

(C) a statement listing the requirements that each student admitted in the conditional admission category shall complete at the state educational institution in order to exit the conditional admission category and enter the regular admission category.

(4) The state educational institution's policy shall mandate that a student who meets the criteria for more than one of the temporary, provisional, and conditional admission categories shall not be granted regular admission until the student fulfills the requirements for exiting each of the categories in which the student is initially enrolled.

(h) The admission policy of each state educational institution shall be required to be approved in advance by the board of regents. (Authorized by and implementing K.S.A. 76-717, as amended by L. 2009, ch. 37, §1; effective Aug. 1, 2007; amended, T-88-6-26-09, July 1, 2009; amended Nov. 13, 2009.)

**88-29-11. Requirements for the qualified admission precollege curriculum.** In order to admit any applicant under the qualified admission precollege curriculum criterion, each state educational institution shall require the applicant to provide an official high school transcript documenting completion of the approved qualified ad-

mission precollege curriculum that meets the following requirements:

(a) For each student graduating from high school before 2010, the transcript shall indicate the following distribution of courses:

(1) Four units of approved qualified admission English courses, with the content described in K.A.R. 88-29-14;

(2) three units of approved qualified admission mathematics courses that have the content described in K.A.R. 88-29-15 and that meet the following requirements:

(A) Are at or above the level of qualified admission algebra I; and

(B) were taken during ninth through twelfth grades;

(3) three units of approved qualified admission natural science courses that have the content described in K.A.R. 88-29-16 and that meet the following requirements:

(A) The three units shall be selected from any of the following courses, with at least one unit in each selected course:

(i) Qualified admission biology;

(ii) qualified admission advanced biology;

(iii) qualified admission chemistry;

(iv) qualified admission physics;

(v) qualified admission earth-space science; or

(vi) qualified admission principles of technology; and

(B) at least one unit shall be selected from a qualified admission chemistry course or a qualified admission physics course; and

(4) three units of approved qualified admission social science courses that have the content described in K.A.R. 88-29-17 and that are distributed according to the following requirements:

(A) A minimum of  $\frac{1}{2}$  unit shall be a qualified admission United States government course;

(B) a minimum of  $\frac{1}{2}$  unit shall be selected from any of the following courses:

(i) Qualified admission world history;

(ii) qualified admission world geography; or

(iii) qualified admission international relations;

(C) a minimum of one unit shall be a qualified admission United States history course;

(D) up to one unit shall be selected from any of the following courses:

(i) A qualified admission anthropology course;

(ii) a qualified admission current social issues course;

(iii) a qualified admission economics course;

(iv) a qualified admission race and ethnic group relations course;

(v) a qualified admission sociology course;

(vi) a qualified admission psychology course;

(vii) a qualified admission United States history course;

or

(viii) a qualified admission United States government course;

(E) a  $\frac{1}{2}$ -unit course shall not be used to fulfill more than one requirement of this regulation for more than one discipline in the qualified admissions precollege curriculum; and

(F) a one-unit course may be used to fulfill two  $\frac{1}{2}$ -unit requirements of this regulation.

*(continued)*

(b) For each student graduating from high school in 2010 and thereafter, the qualified admission precollege curriculum shall consist of the following distribution of courses:

(1) Four units of approved qualified admission English courses that have the content described in K.A.R. 88-29-14;

(2) three units of approved qualified admission mathematics courses that have the content described in K.A.R. 88-29-15 and that meet the following requirements:

(A) The course shall be completed in the ninth through twelfth grades; and

(B) the course shall be selected from any of the following courses:

(i) Qualified admission algebra I;

(ii) qualified admission geometry;

(iii) qualified admission algebra II; or

(iv) any mathematics course that has qualified admission algebra II as a prerequisite;

(3) three units of approved qualified admission natural science courses that have the content described in K.A.R. 88-29-16 and that meet the following requirements:

(A) The three units shall be selected from any of the following courses:

(i) Qualified admission biology;

(ii) qualified admission advanced biology;

(iii) qualified admission chemistry;

(iv) qualified admission physics;

(v) qualified admission earth-space science; or

(vi) qualified admission principles of technology; and

(B) at least one unit shall be selected from a qualified admission chemistry course or a qualified admission physics course; and

(4) three units of approved qualified admission social science courses that have the content described in K.A.R. 88-29-17 and that are distributed according to the following requirements:

(A) A minimum of  $\frac{1}{2}$  unit shall be a qualified admission United States government course;

(B) a minimum of  $\frac{1}{2}$  unit shall be selected from any of the following courses:

(i) Qualified admission world history;

(ii) qualified admission world geography; or

(iii) qualified admission international relations;

(C) a minimum of one unit shall be a qualified admission United States history course;

(D) not more than one unit shall be selected from any of the following courses:

(i) Qualified admission anthropology;

(ii) qualified admission current social issues;

(iii) qualified admission economics;

(iv) qualified admission psychology;

(v) qualified admission race and ethnic group relations;

(vi) qualified admission sociology;

(vii) qualified admission United States history; or

(viii) qualified admission United States government;

(E) a  $\frac{1}{2}$ -unit course shall not be used to fulfill more than one requirement of this regulation for more than one discipline in the qualified admissions precollege curriculum; and

(F) a one-unit course may be used to fulfill two  $\frac{1}{2}$ -unit requirements of this regulation. (Authorized by and im-

plementing K.S.A. 76-717, as amended by L. 2009, ch. 37, §1; effective Aug. 1, 2007; amended, T-88-6-26-09, July 1, 2009; amended Nov. 13, 2009.)

**88-29-12. Establishment of a qualified admission precollege curriculum by an accredited high school in Kansas.**

(a) The administrator of any accredited high school in Kansas may establish a qualified admission precollege curriculum. Failure to establish a qualified admission precollege curriculum shall render the high school's graduates ineligible for admission to a state educational institution under the qualified admission precollege curriculum criterion specified in K.A.R. 88-29-5 and 88-29-7. If an administrator establishes a qualified admission precollege curriculum, the curriculum shall meet the requirements of this regulation. No exemption to these requirements shall be granted.

(b) Each course to be included in an accredited high school's qualified admission precollege curriculum shall be approved in advance by the chief executive officer of the board of regents or the chief executive officer's designee. The approval procedures shall be distributed to accredited high schools in Kansas and shall include the following:

(1) Each administrator of an accredited high school in Kansas who desires to establish and maintain a qualified admission precollege curriculum shall submit materials to the board of regents in accordance with procedures established by the board of regents or the board's designee. Failure to submit materials in a timely manner may disqualify the high school's students for admission to a state educational institution under the qualified admission precollege curriculum criterion specified in K.A.R. 88-29-5 and 88-29-7.

(2) Each administrator of an accredited high school in Kansas with an approved qualified admission precollege curriculum shall notify the board of regents about any changes in course titles, deletion of courses, changes in course content, and changes in contact information in a manner prescribed by the board of regents or the board's designee.

(c) Each course for inclusion in an accredited high school's qualified admission precollege curriculum shall be approved according to the following procedures:

(1) A course shall be approved only if the content of the course meets the applicable requirements of K.A.R. 88-29-13 through 88-29-17.

(2) Two  $\frac{1}{2}$ -unit courses may be approved to fulfill one unit of the qualified admission precollege curriculum only if the content of the resultant combination meets the applicable requirements of K.A.R. 88-29-13 through 88-29-17 and is equally distributed between the two  $\frac{1}{2}$ -unit courses.

(3) Any college course offered by an eligible institution of higher education may be approved for inclusion in an accredited high school's qualified admission precollege curriculum if the course meets all of the following conditions:

(A) The content of the college course meets the applicable requirements in K.A.R. 88-29-13 through 88-29-17.

(B) The number of credit hours for the college course is three or more.

(C) The college course appears on the official high school transcript.

(4) Any integrated course that is not also an accelerated course may be approved by the chief executive officer or the chief executive officer's designee if the integrated course meets at least one of the following conditions:

(A) If all requirements for qualified admission algebra I and qualified admission geometry, as described in K.A.R. 88-29-15, are covered in an integrated course over a period of time equivalent to the time for two one-unit courses, two units of integrated mathematics may be approved to substitute for qualified admission algebra I and qualified admission geometry.

(B) If all requirements for qualified admission algebra I and II and qualified admission geometry, as described in K.A.R. 88-29-15, are covered in an integrated course over a period of time equivalent to the time for three one-unit courses, three units of integrated mathematics may be approved to substitute for qualified admission algebra I and II and qualified admission geometry.

(C) If a course meets all requirements for both a qualified admission English course and a qualified admission social studies course, as described in K.A.R. 88-29-14 and 88-29-17, and meets for a length of time equivalent to the time for two one-unit courses, the integrated course may be approved to substitute for one unit of English and one unit of social studies in the qualified admission precollege curriculum.

(D) If the content of an integrated course meets all requirements for two qualified admission natural science courses, as described in K.A.R. 88-29-16, and covers the material over a period of time equivalent to the time for two one-unit courses, the integrated course may be substituted for two units of natural science in the qualified admission precollege curriculum.

(5)(A) A one-unit integrated science course shall not be approved unless the course is also an accelerated course.

(B) Any accelerated course may be approved for inclusion in the qualified admission precollege curriculum.

(d) The list of courses that have been approved to be included in the qualified admission precollege curriculum for each accredited high school in Kansas shall be available from the board.

(e) Upon receipt of information that an approved course in the qualified admission precollege curriculum does not meet the applicable content requirements specified in these regulations, the content of that approved course may be reviewed by the chief executive officer of the board of regents or the chief executive officer's designee to verify that the course continues to meet the applicable content requirements in K.A.R. 88-29-13 through 88-29-17. (Authorized by and implementing K.S.A. 76-717, as amended by L. 2009, ch. 37, §1; effective Aug. 1, 2007; amended, T-88-6-26-09, July 1, 2009; amended Nov. 13, 2009.)

**88-29-18. Functional equivalents of the qualified admission precollege curriculum; residents.** In order to admit an applicant under the criterion of successful completion of the functional equivalent of the qualified admission precollege curriculum, the admission officer of each state educational institution shall require each ap-

plicant who is a Kansas resident to meet one or more of the sets of requirements specified in subsections (a) through (d). An admission officer of a state educational institution shall not grant any exception to this regulation.

(a) To demonstrate successful completion of the functional equivalent of the qualified admission precollege English courses described in K.A.R. 88-29-11, each applicant shall provide both of the following:

(1) Documentation on the official high school transcript of completion of any three units of high school English with no grade lower than a C; and

(2) official documentation of achievement of at least one of the following:

(A) A score of three or higher in either of the following college board advanced placement (AP) courses:

(i) Language and composition; or

(ii) literature and composition; or

(B) a grade of B or higher in a general education English course taken before high school graduation and either offered by or accepted in transfer by a state educational institution.

(b) To demonstrate successful completion of the functional equivalent of the qualified admission precollege mathematics courses as described in K.A.R. 88-29-11, each applicant shall provide both of the following:

(1) Documentation on the official high school transcript of completion of any two units of high school mathematics courses with no grade lower than a C; and

(2) official documentation of achievement of at least one of the following:

(A) A score of three or higher in any of the following college board advanced placement (AP) courses:

(i) Calculus AB; or

(ii) calculus BC; or

(B) a grade of C or higher in a general education mathematics course taken before high school graduation and either offered by or accepted in transfer by a state educational institution.

(c) To demonstrate successful completion of the functional equivalent of the qualified admission precollege natural science courses described in K.A.R. 88-29-11, each applicant shall provide both of the following:

(1) Documentation on the official high school transcript of completion of any two units of high school science courses with no grade less than a C; and

(2) official documentation of achievement of at least one of the following:

(A) A score of three or higher in any of the following college board advanced placement (AP) courses:

(i) Biology;

(ii) chemistry; or

(iii) physics B; or

(B) a grade of C or higher in a general education natural science laboratory course taken before high school graduation and either offered by or accepted in transfer by a state educational institution.

(d) To demonstrate successful completion of the functional equivalent of the qualified admission precollege social science courses described in K.A.R. 88-29-11, each applicant shall provide both of the following:

*(continued)*

(1) Documentation on the official high school transcript of completion of any two units of high school social science courses with no grade lower than a C; and

(2) official documentation of achievement of at least one of the following:

(A) A score of three or higher in any of the following college board advanced placement (AP) courses:

- (i) Microeconomics;
- (ii) macroeconomics;
- (iii) comparative government and policies;
- (iv) United States government and policies;
- (v) European history;
- (vi) United States history; or
- (vii) psychology; or

(B) a grade of B or higher in a general education social science course taken before high school graduation and either offered by or accepted in transfer by a state educational institution. (Authorized by and implementing K.S.A. 76-717, as amended by L. 2009, ch. 37, §1; effective Aug. 1, 2007; amended, T-88-6-26-09, July 1, 2009; amended Nov. 13, 2009.)

**88-29-19. Functional equivalents of the qualified admission precollege curriculum; nonresidents.** In order to admit an applicant under the criterion of successful completion of the functional equivalent of the precollege curriculum, the admission officer of each state educational institution shall require each applicant who is not a resident of Kansas to meet one or more of the sets of requirements specified in subsections (a) through (e). An admission officer of a state educational institution shall not grant any exception to this regulation.

(a) To demonstrate successful completion of the functional equivalent of the qualified admission precollege English courses described in K.A.R. 88-29-11, each applicant shall provide both of the following:

(1) Documentation on the official high school transcript of completion of any three units of high school English with no grade lower than a C and at least one grade of B or higher; and

(2) official documentation of achievement of at least one of the following:

(A) A score of three or higher in either of the following college board advanced placement (AP) courses:

- (i) Language and composition; or
- (ii) literature and composition; or

(B) a grade of B or higher in a general education English course taken before high school graduation and either offered by or accepted in transfer by a state educational institution.

(b) To demonstrate successful completion of the functional equivalent of the qualified admission precollege mathematics courses described in K.A.R. 88-29-11, each applicant shall provide both of the following:

(1) Documentation on the official high school transcript of completion of any two units of high school mathematics courses with no grade lower than a C and at least one grade of B or higher; and

(2) official documentation of achievement of at least one of the following:

(A) A score of three or higher in either of the following college board advanced placement (AP) courses:

- (i) Calculus AB; or
- (ii) calculus BC; or

(B) a grade of C or better in a general education mathematics course taken before high school graduation and either offered by or accepted in transfer by a state educational institution.

(c) To demonstrate successful completion of the functional equivalent of the qualified admission precollege natural science courses described in K.A.R. 88-29-11, each applicant shall provide both of the following:

(1) Documentation on the official high school transcript of completion of any two units of high school science courses with no grade less than a C and at least one grade of B or higher; and

(2) official documentation of achievement of at least one of the following:

(A) A score of three or higher in any of the following college board advanced placement (AP) courses:

- (i) Biology;
- (ii) chemistry; or
- (iii) physics B; or

(B) a grade of C or higher in a general education natural science laboratory course taken before high school graduation and either offered by or accepted in transfer by a state educational institution.

(d) To demonstrate successful completion of the functional equivalent of the qualified admission precollege social science courses described in K.A.R. 88-29-11, each applicant shall provide both of the following:

(1) Documentation on the official high school transcript of completion of any two units of high school social science course with no grade lower than a C and at least one grade of B or higher; and

(2) official documentation of achievement of at least one of the following:

(A) A score of three or higher in any of the following college board advanced placement (AP) courses:

- (i) Microeconomics;
- (ii) macroeconomics;
- (iii) comparative government and policies;
- (iv) United States government and policies;
- (v) European history;
- (vi) United States history; or
- (vii) psychology; or

(B) a grade of B or higher in a general education social science course taken before high school graduation and either offered by or accepted in transfer by a state educational institution.

(e) To demonstrate successful completion of the functional equivalent of all of the courses described in K.A.R. 88-29-11, each applicant who has attended an accredited high school located outside the United States shall provide official documentation of a study in mathematics, science, literature, and composition and completion of this study at a level that exceeds the minimum graduation standards of that accredited high school. (Authorized by and implementing K.S.A. 76-717, as amended by L. 2009, ch. 37, §1; effective Aug. 1, 2007; amended, T-88-6-26-09, July 1, 2009; amended Nov. 13, 2009.)

Reginald L. Robinson  
President and CEO

Doc. No. 037649

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| 97-1-1                | Revoked | V. 28, p. 459 |
| 97-1-1a               | New     | V. 28, p. 459 |
| 97-1-2                | Revoked | V. 28, p. 460 |
| 97-1-2a               | New     | V. 28, p. 460 |
| 97-1-3                | Revoked | V. 28, p. 460 |
| 97-1-3a               | New     | V. 28, p. 460 |
| 97-1-4                | Revoked | V. 28, p. 460 |
| 97-1-4a               | New     | V. 28, p. 460 |
| 97-1-5                | Revoked | V. 28, p. 461 |
| 97-1-5a               | New     | V. 28, p. 461 |
| 97-1-6a               | New     | V. 28, p. 461 |
| 97-2-1                | Revoked | V. 28, p. 462 |
| 97-2-1a               | New     | V. 28, p. 462 |
| 97-2-2                | Revoked | V. 28, p. 462 |
| 97-2-2a               | New     | V. 28, p. 462 |
| 97-2-3 through 97-2-8 | Revoked | V. 28, p. 462 |
| 97-3-1                | Revoked | V. 28, p. 462 |
| 97-3-1a               | New     | V. 28, p. 462 |
| 97-3-2                | Revoked | V. 28, p. 462 |
| 97-3-2a               | New     | V. 28, p. 462 |
| 97-3-3                | Revoked | V. 28, p. 463 |
| 97-3-3a               | New     | V. 28, p. 463 |
| 97-3-4 through 97-3-9 | Revoked | V. 28, p. 463 |
| 97-4-1a               | New     | V. 28, p. 463 |

**AGENCY 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES**

| Reg. No. | Action  | Register       |
|----------|---------|----------------|
| 99-25-1  | Amended | V. 27, p. 108  |
| 99-25-5  | Amended | V. 28, p. 522  |
| 99-25-9  | Amended | V. 27, p. 108  |
| 99-25-11 | New     | V. 27, p. 109  |
| 99-26-1  | Amended | V. 28, p. 522  |
| 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 |
| 100-11-1   | Amended     | V. 28, p. 112  |
| 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 |
| 100-28a-1  | Amended     | V. 28, p. 112  |
| 100-28a-10 | Amended     | V. 28, p. 572  |
| 100-28a-10 | Amended     | V. 27, p. 209  |
| 100-29-7   | Amended     | V. 28, p. 1060 |
| 100-29-16  | Amended     | V. 28, p. 923  |
| 100-49-4   | Amended (T) | V. 28, p. 1281 |
| 100-49-4   | Amended     | V. 27, p. 209  |
| 100-54-4   | Amended     | V. 27, p. 209  |
| 100-55-4   | Amended     | V. 27, p. 209  |
| 100-55-7   | Amended     | V. 28, p. 1061 |
| 100-55-9   | Amended     | V. 28, p. 572  |
| 100-69-1   | Amended     | V. 27, p. 1672 |
| 100-69-2   | Revoked     | V. 27, p. 1672 |
| 100-69-10  | Amended     | V. 28, p. 572  |
| 100-72-1   | Amended (T) | V. 27, p. 1602 |
| 100-72-1   | Amended     | V. 28, p. 112  |
| 100-72-7   | Amended     | V. 28, p. 273  |

(continued)

|          |             |                |
|----------|-------------|----------------|
| 100-73-1 | Amended (T) | V. 28, p. 923  |
| 100-73-1 | Amended     | V. 28, p. 1282 |
| 100-73-9 | Amended     | V. 27, p. 315  |

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

| Reg. No.  | Action      | Register       |
|-----------|-------------|----------------|
| 102-1-8a  | New         | V. 28, p. 114  |
| 102-1-12  | Amended     | V. 27, p. 407  |
| 102-1-13  | Amended (T) | V. 28, p. 1101 |
| 102-1-13  | Amended     | V. 28, p. 1426 |
| 102-2-7   | Amended     | V. 27, p. 1801 |
| 102-2-8   | Amended     | V. 28, p. 114  |
| 102-2-11a | New         | V. 28, p. 116  |
| 102-2-12  | Amended     | V. 28, p. 116  |
| 102-3-9b  | New         | V. 28, p. 117  |
| 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 |
| 102-4-9b  | New         | V. 28, p. 117  |
| 102-4-10a | Amended     | V. 27, p. 1806 |
| 102-4-12  | Amended     | V. 27, p. 1120 |
| 102-5-9a  | New         | V. 28, p. 118  |
| 102-5-12  | Amended     | V. 27, p. 1122 |
| 102-6-9a  | New         | V. 28, p. 118  |
| 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. 28, p. 1079 |
| 105-11-1 | Amended     | V. 28, p. 1457 |

**AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION**

| Reg. No. | Action  | Register       |
|----------|---------|----------------|
| 108-1-4  | Amended | V. 28, p. 1062 |

**AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES**

| Reg. No. | Action  | Register       |
|----------|---------|----------------|
| 109-2-9  | Amended | V. 28, p. 1030 |
| 109-3-1  | Amended | V. 28, p. 1030 |
| 109-5-2  | Amended | V. 28, p. 574  |
| 109-5-3  | Amended | V. 28, p. 574  |
| 109-5-5  | New     | V. 27, p. 1548 |
| 109-5-6  | New     | V. 28, p. 575  |
| 109-6-3  | Revoked | V. 28, p. 575  |
| 109-15-1 | New     | V. 28, p. 575  |
| 109-15-2 | New     | V. 28, p. 576  |

**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    |
| 111-2-216                     | Amended | V. 28, p. 383       |
| 111-2-217                     | Amended | V. 28, p. 383       |
| 111-2-219 through 111-2-223   | New     | V. 28, p. 46, 47    |
| 111-2-224                     | New     | V. 28, p. 853       |
| 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     |
| 111-4-2767 through 111-4-2779 | New     | V. 28, p. 274-278   |
| 111-4-2781                    | New     | V. 28, p. 278       |
| 111-4-2782                    | New     | V. 28, p. 279       |
| 111-4-2783                    | New     | V. 28, p. 281       |
| 111-4-2784                    | New     | V. 28, p. 298       |
| 111-4-2785 through 111-4-2790 | New     | V. 28, p. 342-346   |
| 111-4-2791 through 111-4-2799 | New     | V. 28, p. 383-389   |
| 111-4-2800 through 111-4-2814 | New     | V. 28, p. 516-522   |
| 111-4-2815 through 111-4-2838 | New     | V. 28, p. 853-871   |
| 111-4-2840 through 111-4-2848 | New     | V. 28, p. 1031-1034 |
| 111-4-2849 through 111-4-2855 | New     | V. 28, p. 1109-1113 |
| 111-4-2856 through 111-4-2867 | New     | V. 28, p. 1188-1196 |
| 111-4-2868 through 111-4-2878 | New     | V. 28, p. 1342-1348 |
| 111-5-23 through 111-5-28     | Amended | V. 28, p. 299-302   |
| 111-5-33                      | Amended | V. 28, p. 303       |
| 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       |

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|-----------------------------|---------|---------------------|
| 111-5-165 through 111-5-169 | New     | V. 27, p. 1491-1493 |
| 111-5-170 through 111-5-174 | New     | V. 28, p. 347, 348  |
| 111-7-80a                   | Amended | V. 28, p. 282       |
| 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    |
| 111-7-238 through 111-7-242 | New     | V. 28, p. 283, 284  |
| 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        |
| 111-9-156                   | New     | V. 28, p. 390       |
| 111-9-157                   | New     | V. 28, p. 1114      |
| 111-9-158                   | New     | V. 28, p. 1115      |
| 111-9-159                   | New     | V. 28, p. 1349      |
| 111-9-160                   | New     | V. 28, p. 1349      |
| 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            |
|-------------------------------|--------|---------------------|
| 112-12-15                     | New    | V. 28, p. 797       |
| 112-13-6                      | New    | V. 28, p. 376       |
| 112-100-1 through 112-100-7   | New    | V. 27, p. 1378      |
| 112-101-1 through 112-101-16  | New    | V. 28, p. 376-379   |
| 112-102-1 through 112-102-13  | New    | V. 28, p. 1161-1163 |
| 112-103-1 through 112-103-12  | New    | V. 28, p. 376-382   |
| 112-103-15                    | New    | V. 28, p. 382       |
| 112-103-16                    | New    | V. 28, p. 382       |
| 112-104-1 through 112-104-33  | New    | V. 27, p. 1378-1406 |
| 112-104-34 through 112-104-41 | New    | V. 28, p. 1457-1459 |
| 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 |
| 112-107-1                     | New    | V. 28, p. 424       |
| 112-107-2                     | New    | V. 28, p. 424       |
| 112-107-3                     | New    | V. 28, p. 424       |
| 112-107-5                     | New    | V. 28, p. 428       |
| 112-107-6                     | New    | V. 28, p. 428       |
| 112-107-7                     | New    | V. 28, p. 428       |
| 112-107-9                     | New    | V. 28, p. 429       |
| 112-107-10                    | New    | V. 28, p. 429       |
| 112-107-11                    | New    | V. 28, p. 430       |
| 112-107-13 through 112-107-32 | New    | V. 28, p. 430-440   |
| 112-107-34                    | New    | V. 28, p. 441       |
| 112-110-1 through 112-110-13  | New    | V. 28, p. 464-470   |
| 112-111-1 through 112-111-5   | New    | V. 28, 470-472      |
| 112-112-1 through 112-112-9   | New    | V. 27, p. 1411-1413 |
| 112-113-1                     | New    | V. 28, p. 382       |
| 112-114-1 through 112-114-6   | New    | V. 28, p. 472       |

112-114-8  
through  
112-114-12 New V. 28, p. 472, 473  
112-114-14 New V. 28, p. 473

**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 |
| 115-4-1   | Amended | V. 28, p. 569  |
| 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  |
| 115-5-1   | Amended | V. 28, p. 1250 |
| 115-5-2   | Amended | V. 28, p. 1251 |
| 115-6-1   | Amended | V. 28, p. 1251 |
| 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. 28, p. 571  |
| 115-8-9   | Amended | V. 27, p. 1265 |
| 115-8-10  | Amended | V. 27, p. 1265 |
| 115-8-13  | Amended | V. 27, p. 112  |
| 115-15-1  | Amended | V. 28, p. 1079 |
| 115-15-2  | Amended | V. 28, p. 1080 |
| 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       |
|----------|---------|----------------|
| 117-1-1  | Amended | V. 28, p. 373  |
| 117-2-2a | Amended | V. 28, p. 373  |
| 117-3-1  | Amended | V. 28, p. 1027 |
| 117-3-2a | Amended | V. 28, p. 373  |
| 117-4-1  | Amended | V. 28, p. 1028 |
| 117-4-2a | Amended | V. 28, p. 374  |
| 117-5-2  | Amended | V. 28, p. 374  |
| 117-5-2a | Amended | V. 28, p. 375  |
| 117-6-1  | Amended | V. 28, p. 1029 |
| 117-7-1  | Amended | V. 28, p. 375  |
| 117-10-1 | New     | V. 28, p. 375  |

**AGENCY 121: DEPARTMENT OF CREDIT UNIONS**

| Reg. No. | Action  | Register       |
|----------|---------|----------------|
| 121-9-1  | Amended | V. 28, p. 457  |
| 121-10-1 | New     | V. 27, p. 1099 |
| 121-10-2 | New     | V. 27, p. 1099 |
| 121-11-1 | New     | V. 28, p. 457  |
| 121-11-2 | New     | V. 28, p. 457  |
| 121-12-1 | New     | V. 28, p. 459  |

**AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION**

| Reg. No. | Action | Register      |
|----------|--------|---------------|
| 127-2-1  | New    | V. 28, p. 192 |
| 127-2-2  | New    | V. 28, p. 192 |
| 127-2-3  | New    | V. 28, p. 193 |

**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   | Amended | V. 28, p. 1464 |
| 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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