



# Kansas Register

Kris W. Kobach, Secretary of State

Vol. 32, No. 16

April 18, 2013

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## State of Kansas

## Secretary of State

## Executive Appointments

Executive appointments made by the governor, and in some cases by other state officials, are filed with the secretary of state's office. A listing of Kansas state agencies, boards, commissions, and county officials are included in the Kansas Directory, which is available on the secretary of state's website at [www.sos.ks.gov](http://www.sos.ks.gov). The following appointments were recently filed with the secretary of state:

**District Judge, 18th Judicial District,  
Division 18**

**Faith A.J. Maughan**, Sedgwick County Courthouse, 525 N. Main St., Wichita, 67203. Succeeds Anthony Powell.

**Ellis County Treasurer**

**Ann Pfeifer**, Ellis County Courthouse, 1204 Fort St., Hays, 67601. Succeeds Mike Billinger, resigned.

**Franklin County Sheriff**

**Jeff Richards**, 305 S. Main, Ottawa, 66067. Succeeds Jeffry Curry, resigned.

**Rice County Treasurer**

**Clint Bieberle**, Rice County Courthouse, 101 W. Commercial, Lyons, 67554. Succeeds Shawna Bieberle, resigned.

**Kansas Development Finance Authority**

**James Cusser**, 6400 High Drive, Mission Hills, 66208. Term expires Jan. 15, 2017. Succeeds Audrey Langworthy.

**Suchitra Padmanabhan**, Vice Chair, 5100 S.W. Urish Road, Topeka, 66610.

**Patrice Petersen-Klein**, Executive Director, State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, 66604. Term expires Jan. 15, 2017. Reappointed.

**Governor's Military Council**

**Sen. Jeff Longbine**, 2801 Lakeridge Road, Emporia, 66801. Serves at the pleasure of the governor. Succeeds Roger Reitz.

**State Board of Indigents' Defense Services**

**Kevin Smith**, 15334 Hendryz Ct., Goddard, 67052. Term expires Jan. 15, 2016. Reappointed.

**Kansas 911 Coordinating Council**

**Sen. Pat Apple**, 28230 New Lancaster Road, Louisburg, 66053. Appointed by the President of the Senate.

**Kansas Public Employees Retirement System  
Board of Trustees**

**Lois Cox**, 2212 Browning Ave., Manhattan, 66502. Term expires Jan. 15, 2017. Reappointed.

**State Use Law Committee**

**Rep. Clark Shultz**, P.O. Box 731, McPherson, 67460. Term expires June 30, 2013. Succeeds Jo Ann Pottorff, resigned.

**Kansas Water Authority**

**Mitch Mitchell**, 1215 N. Forest Ave., Wichita, 67203. Term expires Jan. 15, 2015. Appointed by the Speaker of the House.

**Kris W. Kobach**  
Secretary of State

Doc. No. 041474

The Kansas Register (USPS 0662-190) is an official publication of the state of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly and a cumulative index is published annually by the Kansas Secretary of State. One-year subscriptions are \$80 (Kansas residents must include applicable state and local sales tax). Single copies, if available, may be purchased for \$2. **Periodicals postage paid at Topeka, Kansas. POSTMASTER:** Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

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Hard copy subscription information and current and back issues of the Kansas Register (PDF format) can be found at the following link: [http://www.sos.ks.gov/pubs/pubs\\_kansas\\_register.asp](http://www.sos.ks.gov/pubs/pubs_kansas_register.asp)

**Published by**  
Kris W. Kobach  
Secretary of State  
1st Floor, Memorial Hall  
120 S.W. 10th Ave.  
Topeka, KS 66612-1594  
785-296-4564  
[www.sos.ks.gov](http://www.sos.ks.gov)



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## State of Kansas

## Legislature

## Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced April 4-5 by the 2013 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 58-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, 785-296-4096. Full texts of bills, bill tracking and other information may be accessed at <http://www.kslegislature.org/li/>.

## House Bills

**HB 2412**, AN ACT concerning utilities; relating to the construction of electric transmission lines; concerning the issuance of certificates of public convenience; amending K.S.A. 2012 Supp. 66-131 and repealing the existing section, by Committee on Appropriations.

## House Current Resolutions

**HCR 5018**, by Representative Goico, A CONCURRENT RESOLUTION honoring native Kansan, Army Chaplain Father Emil Kapaun, Medal of Honor winner.

## Senate Resolutions

**SR 1752**, by Senator Tyson, A RESOLUTION congratulating the Ottawa High School men's basketball team on its class 4A state championship.

**SR 1753**, by Senators Love, Hensley, Kelly and V. Schmidt, A RESOLUTION congratulating and commending Washburn alumni Michael Wilhoite and Cary Williams for competing in the 2013 Super Bowl, and the leadership of Washburn Head Football Coach Craig Schurig.

**SR 1754**, Senator Emler, A RESOLUTION congratulating the McPherson High School women's volleyball team on its class 4A state championship.

Doc. No. 041469

## State of Kansas

**Department of Administration  
Office of Facilities and  
Procurement Management**

**Notice of Requested "On-Call" MEP  
Engineering Services**

Notice is hereby given of the commencement of the selection process for "on-call" MEP engineering services for small projects for Emporia State University. One or two firms will be selected. Contracts will be for three years. The covers of the proposals should designate "MEP Engineering Services," "Agency Name" and "Firm Name."

For more information contact Bobbi Pearson at [bpearson@emporia.edu](mailto:bpearson@emporia.edu) or 620-341-5331. Firms interested in providing these services should be familiar with the requirements that can be found in Part B — Chapter 4 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file and one (1) bound proposal of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document and if sent via email in the subject line of the email. Proposals should be less than

5MB and follow the current State Building Advisory Commission guidelines, which can be found in Part B — Chapter 2 of the Building Design and Construction Manual at [www.da.ks.gov/fp/manual.htm](http://www.da.ks.gov/fp/manual.htm). Proposals should be sent to Barbara Schilling, Office of Facilities and Procurement Management, Suite 700, 800 SW Jackson, Topeka, 66612-1216. If you have questions call 785-291-3695 or email [professional.qualifications@da.ks.gov](mailto:professional.qualifications@da.ks.gov). Both the PDF and bound proposal submittals shall be delivered to the attention of Barbara Schilling before noon May 3, 2013.

Mark J. McGivern, Director  
Office of Facilities and  
Procurement Management

Doc. No. 041471

## State of Kansas

**Department of Administration  
Office of Facilities and  
Procurement Management**

**Notice of Requested "On-Call" Fire  
Protection Engineering Services**

Notice is hereby given of the commencement of the selection process for "on-call" fire protection engineering services for small projects for Emporia State University. One firm will be selected. The contract will be for three years. The covers of the proposals should designate "Fire Protection Engineering Services," "Agency Name" and "Firm Name."

For more information contact Bobbi Pearson at [bpearson@emporia.edu](mailto:bpearson@emporia.edu) or 620-341-5331. Firms interested in providing these services should be familiar with the requirements that can be found in Part B — Chapter 4 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file and one (1) bound proposal of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document and if sent via email in the subject line of the email. Proposals should be less than 5MB and follow the current State Building Advisory Commission guidelines, which can be found in Part B — Chapter 2 of the Building Design and Construction Manual at [www.da.ks.gov/fp/manual.htm](http://www.da.ks.gov/fp/manual.htm). Proposals should be sent to Barbara Schilling, Office of Facilities and Procurement Management, Suite 700, 800 SW Jackson, Topeka, 66612-1216. If you have questions call 785-291-3695 or email [professional.qualifications@da.ks.gov](mailto:professional.qualifications@da.ks.gov). Both the PDF and bound proposal submittals shall be delivered to the attention of Barbara Schilling before noon May 3, 2013.

Mark J. McGivern, Director  
Office of Facilities and  
Procurement Management

Doc. No. 041472

## State of Kansas

## Board of Regents Universities

## Notice to Bidders

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

**Emporia State University** – Bid postings: [www.emporia.edu/busaff/](http://www.emporia.edu/busaff/). Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: [thouse@emporia.edu](mailto:thouse@emporia.edu). Mailing address: Emporia State University, Controller's Office/Purchasing, Campus Box 4021, 1200 Commercial, Emporia, KS 66801.

**Fort Hays State University** – Bid postings: [www.fhsu.edu/purchasing/bids](http://www.fhsu.edu/purchasing/bids). Additional contact info: phone: 785-628-4251, fax: 785-628-4046, email: [purchasing@fhsu.edu](mailto:purchasing@fhsu.edu). Mailing address: Fort Hays State Purchasing Office, 601 Park St., 318 Sheridan Hall, Hays, KS 67601.

**Kansas State University** – Bid postings: [www.k-state.edu/purchasing/rfq](http://www.k-state.edu/purchasing/rfq). Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: [kspurch@k-state.edu](mailto:kspurch@k-state.edu). Mailing address: Division of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

**Pittsburg State University** – Bid postings: [www.pittstate.edu/office/purchasing](http://www.pittstate.edu/office/purchasing). Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: [jensch@pittstate.edu](mailto:jensch@pittstate.edu). Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

**University of Kansas** – Electronic bid postings: <http://www.purchasing.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 30, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: [purchasing@ku.edu](mailto:purchasing@ku.edu).

**University of Kansas Medical Center** – Bid postings: <http://www2.kumc.edu/finance/purchasing/bids.html>. Additional contact info: phone: 913-588-1100, fax: 913-588-1102. Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

**Wichita State University** – Bid postings: [www.wichita.edu/purchasing](http://www.wichita.edu/purchasing). Additional contact info: phone: 316-978-3080, fax: 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Jim Hughes  
Chair of Regents Purchasing Group  
Director of Purchasing  
Pittsburg State University

Doc. No. 040656

## State of Kansas

Department of Administration  
Procurement and Contracts

## Notice to Bidders

Sealed bids for items listed will be received by the director of Procurement and Contracts until 2 p.m. on the date indicated. For more information call 785-296-2376:

04/30/2013	EVT0002216	Semi-Tractor Truck
04/30/2013	EVT0002235	Wiring Harness for Military Trailers
04/30/2013	EVT0002264	Agricultural Tractor with Loader
04/30/2013	EVT0002250	VBLOCK Hardware
04/30/2013	EVT0002274	Quicklime, High Calcium
05/01/2013	EVT0002259	Aboveground Fuel Tanks
05/02/2013	EVT0002239	Child Safety Seats
05/02/2013	EVT0002268	Bituminous Plant Mixture, District
05/02/2013	EVT0002272	Blades for Graders & Snow Plows
05/03/2013	EVT0002240	Well Plugging, Barton County, C20130071
05/06/2013	EVT0002244	Services, Laboratory
05/07/2013	EVT0002223	Sale of Property – Emporia
05/08/2013	EVT0002242	Administer Kansas State Supplement Payment Program (SSPP)
05/09/2013	EVT0002266	Well Plugging, Vail (Burton) Lease Project – C-20130072
05/10/2013	EVT0002245	Enterprise Document Management System
05/10/2013	EVT0002269	Agricultural Chemicals – Statewide
05/14/2013	EVT0002256	Services, Data Center Co-location

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

<http://www.da.ks.gov/purch/contracts/bids.aspx>

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

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

04/30/2013	A-012158	Locking System & Intercom Upgrades 40800-00005 – Larned Correctional Mental Health Facility, Larned
05/01/2013	A-011955	Donlon Hall Window Replacement Buildings No. 69401-06005 – Kansas Veterans' Home, Winfield
05/14/2013	A-012216	Medium Voltage Improvements North Loop Phase 3 – Fort Hays State University, Hays

Information regarding prequalification, projects and bid documents can be obtained at 785-296-8899 or <http://da.ks.gov/fp/>.

Tracy T. Diel, Director  
Procurement and Contracts

Doc. No. 041479

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 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

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

Public Notice No. KS-AG-13-085  
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
Bruce Livingston 500 4th St. Fairbury, NE 68352	Bruce Livingston LEI River View, LLC 2015 27th Road Hollenberg, KS 66946	Big Blue River Basin
Legal Description SW/4 of Section 17, T01S, R04E, Washington County		
Kansas Permit No. A-BBWS-H009      Federal Permit No. KS0098612		

This is notification KDHE has received a complete permit application for the operation of a swine waste management facility capable of housing 3,096 head (1,238.4 animal units) of swine weighing more than 55 pounds each and 4,940 head (494 animal units) of swine weighing less than 55 pounds, for a total of 1,732.4 animal units. The complete application can be viewed at the office of the Washington County clerk, the KDHE North Central District Office in Salina, or the KDHE main office in Topeka. A permit to operate the proposed swine waste management system will not be issued without additional public notice.

Public Notice No. KS-AG-13-086/093  
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
John or Craig McClure McClure Brothers Farms, LLC McClure Feedlot 22548 S.W. Adams Road Douglass, KS 67309	E/2 of Section 30, T29S, R04E, Butler County	Walnut River
Kansas Permit No. A-WABU-B001		

This is a new permit for an existing facility for 800 head (400 animal units) of beef cattle weighing 700 pounds or less. The existing runoff collection and retention lagoon is being rebuilt with a clay liner.

Name and Address of Applicant	Legal Description	Receiving Water
Craig Larson Larson Land & Cattle Larson Feedlot Route 2 — 583 PLN Oberlin, KS 67749	SE/4 of Section 13, T03S, R30W & SW/4 of Section 18, T03S, R29W, Decatur County	Upper Republican River Basin
Kansas Permit No. A-URDC-C005      Federal Permit No. KS0097438		

This is a permit modification and reissuance for an expanding livestock facility with the proposed maximum capacity for 2,500 head (2,500 animal units) of cattle weighing greater than 700 pounds. There is no change in the proposed number of animal units from the previous permit. Proposed modifications to the facility include the construction of approximately 2.9 acres of open lot pens, a new feed storage area, two sediment basins, an earthen retention structure and three freshwater diversions. Modifications will also be made to the existing sedimentation channel and retention structure. The existing feed storage area and sick pen will be abandoned. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Doug Holthaus Premier Cattle Company, LLC P.O. Box 887 Syracuse, KS 67878	W/2 of Section 34, T23S, R41W, Hamilton County	Upper Arkansas River Basin
Kansas Permit No. A-UAHM-C004      Federal Permit No. KS0118419		

This is a renewal permit for an existing facility. This permit is being reissued for a confined animal feeding operation for 27,800 head (27,800 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units and no change to the facility.

Name and Address of Applicant	Legal Description	Receiving Water
Charles Stone Stone Farms 8529 S.W. 90th St. Chetopa, KS 67336	SW/4 of Section 27, T34S, R22E, Cherokee County	Neosho River Basin
Kansas Permit No. A-NECK-F011		

This permit is being reissued for an existing facility for 33,000 head (594 animal units) of turkeys. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Haverkamp Brothers/ Alan Haverkamp Haverkamp Brothers - Berwick 2964 L4 Road Bern, KS 66408	NE/4 of Section 28, T01S, R14E, Nemaha County	Missouri River Basin
Kansas Permit No. A-MONM-S057		

This permit is being reissued for an existing facility with a maximum capacity of 1,200 head (480 animal units) of swine more than 55 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Glenn Mull Edwards Land Investment 553 R Road Pawnee Rock, KS 67567	S/2 & NW/4 of Section 19, T25S, R17W, Edwards County	Lower Arkansas River Basin
Kansas Permit No. A-ARED-C004      Federal Permit No. KS0097403		

This permit is being reissued for an existing facility for 3,000 head (3,000 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units from the previous permit. An

(continued)

approved Nutrient Management Plan for the facility is on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Harold Baehler Donna M. Campbell 1720 K27 Sharon Springs, KS 67758	SE/4 of Section 10, T13S, R40W, Wallace County	Smoky Hill River Basin

Kansas Permit No. A-SHWA-B005

This permit is being reissued for an existing facility with a maximum capacity of head (499.5 animal units) of cattle less than 700 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Dan & Marlene Rempe Rempe Hog Heaven 6512 Atlantic St. Corning, KS 66417	NE/4 of Section 10, T05S, R12E, Nemaha County	Kansas River Basin

Kansas Permit No. A-KSNM-S034

This permit is being reissued for an existing facility with a maximum capacity of 2,400 head (960 animal units) of swine more than 55 pounds. There is no change in the permitted animal units.

### Public Notice No. KS-Q-13-050

The requirements of the draft permits public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria:

Name and Address of Applicant	Receiving Stream	Type of Discharge
Medicine Lodge, City of 114 W. First St. Medicine Lodge, KS 67104	Medicine Lodge River via Elm Creek	Treated Domestic Wastewater

Kansas Permit No. M-AR60-0002 Federal Permit No. KS0097349  
Legal Description: NE $\frac{1}{4}$ , NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , S12, T32S, R12W, Barber County, KS

The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli and pH, as well as monitoring for total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen and effluent flow.

### Public Notice No. KS-NQ-13-014

The requirements of the draft permits public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g):

Name and Address of Applicant	Legal Location	Type of Discharge
Stephan Dieker P.O. Box 869 Ulysses, KS 67880	NE $\frac{1}{4}$ , SW $\frac{1}{4}$ , SW $\frac{1}{4}$ , S29, T28S, R37W, Grant County, KS	Nonoverflowing

Kansas Permit No. C-CI22-NO01 Federal Tracking No. KSJ000593

Facility Name: Bedrock Mobile Home Park

Facility Address: 2974 W. Oklahoma Ave., Ulysses, KS 67880

This action consists of reissuing an existing Kansas Water Pollution Control Permit for an existing nonoverflowing lagoon treatment facility. Contained in the permit is a schedule of compliance requiring the permittee to have a study conducted to determine the cost and feasibility of connecting to the city of Ulysses sanitary sewers and properly decommission this wastewater treatment facility or upgrading the facility to bring it into consistent compliance. The permittee shall provide KDHE with a copy of the study results within six months of the effective date of the permit for review.

### Public Notice No. KS-PT-13-003

Name and Address of Applicant	Receiving Facility	Type of Discharge
Joe Works 1216 Highway 224 Humboldt, KS 66748	Humboldt MWWTP	Process Wastewater

Kansas Permit No. P-NE36-0001 Federal Tracking No. KSP000051

Facility name: B & W Custom Truck Beds

Facility Description: The proposed action consists of reissuing the above permit. This facility manufactures custom hitches for trucks beds. Steel parts are processed in a five-stage phosphating (conversion coating) operation or large parts can be sprayed using a hand sprayer in a spray booth in a different area of the plant. The metal parts are phosphated to prepare them for painting. Process wastes from a vibratory finish process are also generated on-site. Process wastes from these three operations are all directed to an on-site pH neutralization treatment system before being discharged (Outfall 001). This facility also has a new phosphate-free, five-stage conversion coating operation (Outfall 002). The proposed permit contains limits for acetone, n-amyl acetate, ethyl acetate, isopropyl acetate, methylene chloride and pH, as well as monitoring of cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide, total toxic organics, pH and flow.

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

All comments regarding the draft documents or application notices received on or before May 18 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-13-085/093, KS-Q-13-050, KS-NQ-13-014, KS-PT-13-003) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the secretary of health and environment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

Robert Moser, M.D.  
Secretary of Health  
and Environment

Doc. No. 041476

## State of Kansas

## State Conservation Commission

## Notice of Meeting

The State Conservation Commission will meet at 9 a.m. Tuesday, May 14, in the fourth floor conference room at the Kansas Department of Agriculture, 109 S.W. 9th St., Topeka. A copy of the agenda may be obtained by contacting Cathy Thompson, Department of Agriculture, Division of Conservation, 109 S.W. 9th St., 2A, Topeka 66612-1283, or 785-296-3600. Persons needing special accommodations should contact the agency three at least three days in advance of meeting date.

Greg A. Foley  
Executive Director  
Division of Conservation

Doc. No. 041477

## State of Kansas

## Department of Transportation

## Notice of Public Auction

The Kansas Department of Transportation will offer for sale at public auction at 11 a.m. Thursday, May 23, on the premises, the following parcel:

**Project 69-54 K-2369-01  
c/a 1803 Tract 14u**

**15.56 acres, U.S. 69, Linn County, Kansas,  
across the road from Pleasanton**

A tract of land in the Southwest Quarter of the Northeast Quarter of Section 31, Township 21 South, Range 25 East of the 6th P.M., described as follows: COMMENCING at the Southwest corner of said Quarter Section; thence on an assumed bearing of North 87 degrees 36 minutes 58 seconds East, 907.90 feet along the South line of said Quarter Section to the Easterly right of way line of the former U.S. 69 Highway; thence North 22 degrees 04 minutes 27 seconds West, 118.08 feet along said right of way line to the POINT OF BEGINNING; FIRST COURSE, thence continuing North 22 degrees 04 minutes 29 seconds West, 217.12 feet along said right of way line; SECOND COURSE, thence North 24 degrees 07 minutes 29 seconds West, 903.68 feet along said right of way line to the Northwest corner of that tract of land described as tract (u) in that deed recorded in Book 172 at Page 198 in the Office of the Register of Deeds in and for said Linn County; THIRD COURSE, thence North 87 degrees 36 minutes 58 seconds East, 858.41 feet along the North line of said tract to the Northeast corner thereof and the East line of said Southwest Quarter of the Northeast Quarter; FOURTH COURSE, thence South 02 degrees 32 minutes 12 seconds East, 1043.62 feet along said East line; FIFTH COURSE, thence North 88 degrees 16 minutes 55 seconds West, 132.66 feet; SIXTH COURSE, thence South 87 degrees 22 minutes 03 seconds West, 251.22 feet; SEVENTH COURSE, thence South 80 degrees 34 minutes 50 seconds West, 70.30 feet to the POINT OF BEGINNING. The above-described tract contains 15.56 acres, more or less.

The minimum acceptable bid is \$19,500.

An inspection of property will take place at 10 a.m. on the day of the sale.

## Terms of Sale:

Payment of \$1,950, representing 10 percent of the minimum acceptable bid, is due at the time of the sale. The balance of the purchase price must be paid on or before 3 p.m. Friday, June 28, 2013. The successful bidder will receive a bill of sale on the day of the sale and a quit claim deed after the balance is paid. If the balance of the purchase price is not paid on or before 3 p.m. Friday, June 28, 2013, the 10 percent down payment will be forfeited to the seller.

For additional terms and information contact the Bureau of Right of Way at 877-461-6817.

The seller reserves the right to reject any and all bids and is not responsible for accidents.

## Sold Subject to the Following:

The tract will be sold subject to the easement for the right of ingress and egress, reconstruction and maintenance of all existing utilities and appurtenances thereto, as well as the following restrictive covenant: Grantees, for their heirs and assigns, do hereby covenant and agree, said covenant to run with the land, that the land conveyed herein shall not be used for billboards, signboards or other outdoor advertising purposes.

The prospective buyer is encouraged to research the chain of title of the tract.

The Kansas Department of Transportation makes no representations concerning the condition, value or suitability of use for this property or the improvements, attachments, fixtures, apparatuses and appliances thereof, if any. The property and said improvements, etc., will be sold in the present "as is" condition, without warranties or guarantees of any kind.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

Mike King  
Secretary of Transportation

Doc. No. 041468

## State of Kansas

## Kansas Insurance Department

## Notice of Changes in Pharmacy Networks

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

**CIGNA/CGLIC Pharmacy Network** has notified the Insurance Department of the following additions to its pharmacy network:

Name	City	Effective
Cleland Pharmacy, LLC	WaKeeney	12/31/2012
Sunflower Pharmacy	Lawrence	9/1/2012
Sams Pharmacy	Kansas City	10/17/2012
Alix Rx	Lenexa	11/1/2012
Dillons Pharmacy #095	Salina	10/19/2012
Moffet Drug	Norton	12/31/2012
The Medicine Shoppe #1196	Great Bend	12/1/2012

In addition, CIGNA/CGLIC Pharmacy Network has notified the department of the following terminations from its pharmacy network:

(continued)

Name	City	Effective
Kmart Pharmacy #4222	Shawnee Mission	11/27/2012
Medicine Shoppe	Great Bend	12/1/2012

**Humana Health Plan and Humana Insurance Company Pharmacy Network** has notified the department of the following additions to its pharmacy network:

Pharmacy Name	City	Effective
Degoler Pharmacy #6	Bonner Springs	11/20/2012
Prescription Centre	Burlington	11/13/2012
Myers Family Center	Cedar Vale	11/13/2012
Aldrich Apothecary	Council Grove	12/26/2012
Gibson's Pharmacy	Dodge City	12/26/2012
Fredonia Pharmacy	Fredonia	11/28/2012
Wal-Mart Pharmacy #103103	Goddard	11/6/2012
The Medicine Shoppe #1196	Great Bend	11/30/2012
Pierson Hanover Professional Pharmacy	Hanover	11/13/2012
Haysville Health Mart Pharmacy	Haysville	11/13/2012
Wise Drug Inc.	Hill City	12/3/2012
Mahanna Pharmacy Inc.	Hoxie	10/2/2012
Medicine Shoppe #0045	Hutchinson	11/13/2012
QOL Meds #720	Hutchinson	10/23/2012
The Medicine Shoppe #1191	Independence	11/13/2012
Iola Pharmacy Clinic	Iola	10/2/2012
Abrams Pharmacy Inc.	Kansas City	11/13/2012
Hassig Drugs Inc.	Kansas City	11/13/2012
Sams Pharmacy #104870	Kansas City	10/23/2012
J And J Pharmacy	Lakin	12/3/2012
Reed Discount Pharmacy Inc.	Larned	11/13/2012
Shopko Pharmacy #2702	Larned	10/30/2012
Dillon Pharmacy #615098	Lawrence	10/16/2012
Sunflower Pharmacy	Lawrence	12/3/2012
Biopartners in Care Inc. #00086	Lenexa	12/3/2012
Briovax, LLC	Lenexa	12/26/2012
Pharmerica #3117	Lenexa	11/13/2012
Apotek	Lindsborg	11/20/2012
Shopko Pharmacy #2701	Lyons	10/30/2012
Dillon Pharmacy #672728	Maize	10/16/2012
Candlewood Health Mart Pharmacy	Manhattan	12/18/2012
Dillon Pharmacy #615094	Manhattan	10/2/2012
Bachman Drug	Meade	11/13/2012
Georgetown Pharmacy	Merriam	11/13/2012
Porter Drugs	Neodesha	10/2/2012
Shopko Pharmacy #2696	Norton	10/30/2012
Medicine Store	Olathe	11/13/2012
Auten Pharmacy	Osawatomie	10/2/2012
FW Huston Pharmacy	Oskaloosa	11/20/2012
Stark Edler Apothecary	Overland Park	11/13/2012
Auburn Pharmacy	Parsons	10/2/2012
Midwest Family Health	Phillipsburg	12/11/2012
Witmer Drug Store Inc.	Phillipsburg	11/13/2012
Village Pediatrics #51337	Prairie Village	10/16/2012
Rays Pharmacy	Quinter	12/6/2012
Gregwire Drug Store	Russell	12/6/2012
Scott City Pharmacy	Scott City	11/13/2012
Sedan Pharmacy	Sedan	10/2/2012
Shopko Pharmacy #2697	Seneca	10/30/2012
Shopko Pharmacy #2524	Smith Center	12/11/2012
Continental Pharmacy LLC	Topeka	12/18/2012
Highland Park Pharmacy	Topeka	11/13/2012
Grant County Drug	Ulysses	10/3/2012
Broadway Pharmacy	Wichita	12/26/2012
Custom Rx Pharmacy & Wellness	Wichita	11/13/2012
Dillon Pharmacy #672727	Wichita	10/16/2012

Any questions should be directed to the Kansas Insurance Department at 785-296-3071.

Sandy Praeger  
Kansas Insurance Commissioner

Doc. No. 041473

## 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. 2012 Supp. 12-1675(b)(c)(d) and K.S.A. 2012 Supp. 12-1675a(g).

#### Effective 4-15-13 through 4-21-13

Term	Rate
1-89 days	0.15%
3 months	0.06%
6 months	0.09%
1 year	0.14%
18 months	0.20%
2 years	0.23%

Scott Miller  
Director of Investments

Doc. No. 041467

## State of Kansas Kansas Development Finance Authority

### Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, May 2, in the offices of Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the K DFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the respective borrower (the beginning farmer) named below (who will be the owner and operator of the respective project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then through the K DFA loans the bond proceeds to the borrower for the purposes of acquiring the respective project. The project shall be located as shown:

**Project No. 000857 — Maximum Principal Amount: \$138,071.07.** Owner/Operator: Michael J. Petrocci. Description: Acquisition of 160 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Michael J. Petrocci (the beginning farmer) and is located at the Northwest Quarter of Section 34, Township 14 South, Range 5 west of the 6th P.M., Saline County, Kansas, approximately 1 mile north of Brookville.

The bond, when issued, will be a limited obligation of the K DFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the K DFA, nor will it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. Each 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 for or against the



proposal to issue any specific bond for the purpose of financing the respective project, and all written comments previously filed with the KDFA at its offices at Suite 202, 555 S. Kansas Ave., Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the KDFA.

Tim Shallenburger  
President

Doc. No. 041482

(Published in the Kansas Register April 18, 2013.)

**Summary Notice of Bond Sale**  
**City of Olathe, Kansas**  
**\$28,990,000\***  
**General Obligation Improvement and**  
**Refunding Bonds**  
**Series 222**  
**(General obligation bonds payable from**  
**unlimited ad valorem taxes)**

**Bids**

Written and electronic bids will be received on behalf of the director of resource management of the city of Olathe, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through [www.columbiacapitalauction.com](http://www.columbiacapitalauction.com), until 10 a.m. Central Time on May 7, 2013, for the purchase of the above-referenced bonds. No bid of less than 97 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 13, 2013, and will become due on October 1 in the years as follows:

Year	Principal Amount*
2013	\$55,000
2014	1,455,000
2015	1,595,000
2016	1,845,000
2017	2,095,000
2018	2,095,000
2019	2,090,000
2020	2,100,000
2021	2,115,000
2022	2,130,000
2023	2,140,000
2024	1,380,000
2025	1,390,000
2026	1,160,000
2027	955,000
2028	980,000
2029	640,000
2030	660,000
2031	680,000
2032	705,000
2033	725,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as here-

inafter provided, which interest will be payable semiannually on October 1 and April 1 in each year, beginning October 1, 2013.

**Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States, a qualified financial surety bond or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$579,800 or 2 percent of the principal amount of the bonds.

**Delivery**

The issuer will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about June 13, 2013, to DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2012 is \$1,401,504,582. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$224,915,000.

**Approval of Bonds**

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

**Additional Information**

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

**Financial Adviser - Facsimile Bid and Good Faith**

**Deposit Delivery Address:**

Columbia Capital Management, LLC  
6330 Lamar Ave., Suite 200  
Overland Park, KS 66202  
913-312-8055 or 913-312-8077  
Fax: 913-312-8053

Dated April 2, 2013.

City of Olathe, Kansas  
By Dianna S. Wright  
Director of Resource Management  
City Hall  
100 E. Santa Fe  
Olathe, KS 66061  
913- 971-6212  
Fax: 913-971-6283

\*Preliminary; subject to change.

Doc. No. 041481

(Published in the Kansas Register April 18, 2013.)

**Crawford County, Kansas****Notice of Intent to Seek Private Placement  
\$114,888****General Obligation Bonds, Series 2013A**

Notice is hereby given that Crawford County, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$114,888. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds, the adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated April 11, 2013.

Donald P. Pyle  
County Clerk

Doc. No. 041478

(Published in the Kansas Register April 18, 2013.)

**Unified School District No. 352  
Sherman County, Kansas (Goodland)****Notice of Intent to Seek Private Placement  
General Obligation Bonds, Series 2013-A**

Notice is hereby given that Unified School District No. 352, Sherman County, Kansas (Goodland) (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$500,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds and the adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated April 8, 2013.

Mark Scheopner  
Clerk

Doc. No. 041480

**State of Kansas****Office of the State Bank Commissioner****Permanent Administrative  
Regulations****Article 11.—DOCUMENTATION REQUIREMENTS****17-11-18. Loans; documentation requirements. (a)**

Except as specified in this subsection, each bank shall maintain complete and current credit information, not older than 15 months, for each loan that exceeds \$100,000. This requirement shall not apply to each loan that is adequately secured.

(b) Unless loan repayment is guaranteed by a governmental program or private insurance company, the following requirements shall be met:

(1) For each real estate loan in excess of \$25,000 but less than \$50,000, the bank shall complete one of the following tasks:

(A) The bank shall verify in writing that a lien search of the records of the county register of deed's office was conducted and the bank's lien position was determined. This verification of a lien search shall be on file with the bank.

(B) The bank shall obtain and maintain on file either an attorney's written title opinion or a title insurance policy.

(C) For a non-purchase-money mortgage that is not a refinancing of an existing first mortgage, the bank shall obtain an insurance policy fully insuring the bank against loss of the mortgage priority position. The bank shall maintain a copy of the policy and any other supporting information on file.

(2) For each real estate loan of \$50,000 or more, an attorney's written title opinion or a title insurance policy shall be on file with the bank.

(c) If the value of the improvements on any real estate is necessary for adequate protection of the loan, an insurance policy covering these improvements against fire and windstorm shall be on file with the bank for any loan in excess of \$25,000.

(d) A real estate mortgage or deed of trust, showing the filing information with the county register of deeds, shall be on file with the bank for each loan collateralized by real estate.

(e) For any loan collateralized by personal property, if the bank is required by law to file a financing statement to perfect a security interest, the bank shall retain a copy of the filed financing statement. In other cases, the bank shall maintain all documents related to the loan. (Authorized by K.S.A. 2011 Supp. 9-1713; implementing K.S.A. 2011 Supp. 9-1101; effective Jan. 1, 1966; amended May 1, 1983; amended Jan. 27, 1992; amended Aug. 9, 1996; amended Jan. 18, 2002; amended May 30, 2003; amended May 3, 2013.)

Edwin G. Splichal  
State Bank Commissioner

Doc. No. 041475

**State of Kansas****Secretary of State****Certification of New State Laws**

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

Kris W. Kobach  
Secretary of State

(Published in the Kansas Register April 18, 2013.)

**SENATE BILL No. 166**

AN ACT concerning insurance; pertaining to the insurers supervision, rehabilitation and liquidation act; amending K.S.A. 40-3607 and repealing the existing section.

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

New Section 1. *Qualified financial contracts.* (a) (1) No person shall be stayed, enjoined or prohibited from exercising any of the following:

(A) A contractual right to terminate, liquidate, accelerate or close out, or cause the termination, liquidation, acceleration or close out of obligations, under or in connection with any netting agreement or qualified financial contract with an insurer because of any of the following:

(i) The insolvency, financial condition or default of the insurer at any time, provided that the right is enforceable under applicable law other than this act; or

(ii) the commencement of a formal delinquency proceeding under this act;

(B) any right under a pledge, security, collateral, reimbursement or guarantee agreement or arrangement or any other similar security arrangement or other credit enhancement relating to one or more netting agreements or qualified financial contracts; or

(C) subject to the provisions of subsection (b) of K.S.A. 40-3633, and amendments thereto, any right to set off or net out any termination value, payment amount or other transfer obligation arising under or in connection with one or more netting agreements or qualified financial contracts where the counterparty or its guarantor is organized under the laws of the United States or a state or a foreign jurisdiction approved by the securities valuation office (SVO) of the national association of insurance commissioners as eligible for netting.

(2) If a counterparty to a master netting agreement or a qualified financial contract with an insurer subject to a formal delinquency proceeding under this act terminates, liquidates, closes out or accelerates the agreement or contract, damages shall be measured as of the date or dates of termination, liquidation, close out or acceleration. The amount of a claim for damages shall be actual direct compensatory damages calculated in accordance with subsection (f).

(b) Upon termination of a netting agreement or qualified financial contract, the net or settlement amount, if any, owed by a non-defaulting party to an insurer against which an application or petition has been filed under this act shall be transferred to or on the order of the receiver for the insurer even if the insurer is the defaulting party, notwithstanding any walkaway clause in the netting agreement or qualified financial contract. For the purposes of this subsection, the term "walkaway clause" means a provision in a netting agreement or a qualified financial contract that, after calculation of a value of a party's position or an amount due to or from one of the parties in accordance with its terms upon termination, liquidation or acceleration of the netting agreement or qualified financial contract, either does not create a payment obligation of a party or extinguishes a payment obligation of a party, in whole or in part, solely because of the party's status as a non-defaulting party. Any limited two-way payment or first method provision in a netting agreement or qualified financial contract with an insurer that has defaulted shall be deemed to be a full two-way payment or second method provision as against the defaulting insurer. Any such net or settlement amount shall, except to the extent it is subject to one or more secondary liens or encumbrances or rights of netting or setoff, be a general asset of the insurer.

(c) In making any transfer of a netting agreement or qualified financial contract of an insurer subject to a formal delinquency proceeding under this article, the receiver shall either:

(1) Transfer to one party, other than an insurer subject to a proceeding under this act, all netting agreements and qualified financial contracts between a counterparty or any affiliate of such counterparty and the insurer that is the subject of the formal delinquency proceeding, including all of the following:

(A) All rights and obligations of each party under each such netting agreement and qualified financial contract; and

(B) all property, including any guarantees or other credit enhancement, securing any claims of each party under each such netting agreement and qualified financial contract; or

(2) transfer none of the netting agreements, qualified financial contracts, rights, obligations or property referred to in paragraph (1) of this subsection with respect to the counterparty and any affiliate of such counterparty.

(d) (1) If a receiver for an insurer makes a transfer of one or more netting agreements or qualified financial contracts, then the receiver shall use its best efforts to notify any person who is a party to the netting agreements or qualified financial contracts of the transfer by 12 noon, the receiver's local time, on the business day following the transfer.

(2) For purposes of this subsection, "business day" means a day other than a Saturday, Sunday or any day on which either the New York stock exchange or the federal reserve bank of New York is closed.

(e) (1) Notwithstanding any other provision of this act to the contrary, except as provided in paragraph (2), a receiver shall not avoid a

transfer of money or other property arising under or in connection with a netting agreement or qualified financial contract, or any pledge, security, collateral or guarantee agreement or any other similar security arrangement or credit support document relating to such netting agreement or qualified financial contract that is made before the commencement of a formal delinquency proceeding under this act.

(2) However, a transfer may be avoided under subsection (a) of K.S.A. 40-3629, and amendments thereto, if such transfer was made with actual intent to hinder, delay or defraud the insurer, a receiver appointed for the insurer or existing or future creditors.

(f) (1) In exercising the rights of disaffirmance or repudiation of a receiver with respect to any netting agreement or qualified financial contract to which an insurer is a party, the receiver for the insurer shall either:

(A) Disaffirm or repudiate all netting agreements and qualified financial contracts between a counterparty or any affiliate of the counterparty and the insurer that is the subject of the proceeding; or

(B) disaffirm or repudiate none of the netting agreements and qualified financial contracts referred to in subsection (f)(1)(A) with respect to the person or any affiliate of the person;

(2) notwithstanding any other provisions of this act, any claim of a counterparty against the estate arising from the receiver's disaffirmance or repudiation of a netting agreement or qualified financial contract that has not been previously affirmed in the liquidation or immediately preceding a conservation or rehabilitation case shall be determined and shall be allowed or disallowed:

(A) As if the claim had arisen before the date of the filing of the petition for liquidation; or

(B) if a conservation or rehabilitation proceeding is converted to a liquidation proceeding, as if the claim had arisen before the date of the filing of the petition for conservation or rehabilitation.

(3) The amount of the claim shall be the actual direct compensatory damages determined as of the date of the disaffirmance or repudiation of the netting agreement or qualified financial contract.

(4) (A) The term "actual direct compensatory damages" does not include punitive or exemplary damages, damages for lost profit or lost opportunity or damages for pain and suffering.

(B) The term "actual direct compensatory damages" does include normal and reasonable costs of cover or other reasonable measures of damages utilized in the derivatives, securities or other market for the contract and agreement claims.

(g) As used in this section, the term "contractual right" shall include:

(1) Any right set forth in a rule or bylaw or resolution of the governing board of a:

(A) Derivatives clearing organization, as defined in the commodity exchange act;

(B) multilateral clearing organization, as defined in the federal deposit insurance corporation improvement act of 1991;

(C) national securities exchange;

(D) national securities association;

(E) securities clearing agency;

(F) contract market designated under the commodity exchange act;

(G) derivatives transaction execution facility registered under the commodity exchange act; or

(H) board of trade, as defined in the commodity exchange act;

(2) any right, whether or not evidenced in writing, arising under statutory or common law, or under merchant law, or by reason of normal business practice.

(h) The provisions of this section shall not apply to any person who is an affiliate of the insurer that is the subject of the formal delinquency proceeding.

(i) All rights of any counterparties under this act shall apply to netting agreements and qualified financial contracts entered into on behalf of the general account or separate accounts if the assets of each separate account are available only to counterparties to netting agreements and qualified financial contracts entered into on behalf of that separate account.

(j) The provisions of this section shall apply only to a liquidation, rehabilitation or conservation proceeding that commences on or after the effective date of this act.

(k) This section shall be a part of and supplemental to the insurers supervision, rehabilitation and liquidation act.

Sec. 2. K.S.A. 40-3607 is hereby amended to read as follows: 40-3607. For the purposes of this act:

(a) "Ancillary state" means any state other than a domiciliary state.

(b) "Commissioner" means the commissioner of insurance.

(continued)

(c) "Creditor" means a person having any claim, whether matured or unmatured, liquidated or unliquidated, secured or unsecured, absolute, fixed or contingent.

(d) "Delinquency proceeding" means any proceeding instituted against an insurer for the purpose of liquidating, rehabilitating, reorganizing or conserving such insurer, and any summary proceeding under K.S.A. 40-3613 or 40-3614, and amendments thereto.

(e) "Doing business" includes, but is not necessarily limited to, any of the following acts, whether effected by mail or otherwise:

(1) The issuance or delivery of contracts of insurance to persons resident in this state;

(2) the solicitation of applications for such contracts, or other negotiations preliminary to the execution of such contracts;

(3) the quoting of premiums, membership fees, assessments or other consideration for such contracts;

(4) the transaction of matters subsequent to execution of such contracts and arising out of them; or

(5) operating under a license or certificate of authority, as an insurer, issued by the insurance department.

(f) "Domiciliary state" means the state in which an insurer is incorporated or organized; or, in the case of an alien insurer, its state of entry.

(g) "Fair consideration" is given for property or obligation:

(1) When in exchange for such property or obligation, as a fair equivalent therefor, and in good faith, property is conveyed or services are rendered or an obligation is incurred or an antecedent debt is satisfied; or

(2) when such property or obligation is received in good faith to secure a present advance or antecedent debt in amount not disproportionately small as compared to the value of the property or obligation obtained.

(h) "Foreign country" means any other jurisdiction not in any state.

(i) "General assets" means all property, real, personal or otherwise, not specifically mortgaged, pledged, deposited or otherwise encumbered for the security or benefit of specified persons or classes of persons. As to specifically encumbered property, "general assets" includes all such property or its proceeds in excess of the amount necessary to discharge the sum or sums secured hereby. Assets held in trust and on deposit for the security or benefit of all policyholders or all policyholders and creditors, in more than a single state, shall be treated as general assets.

(j) "Guaranty association" means the Kansas insurance guaranty association created by K.S.A. 40-2901, and amendments thereto, the Kansas life and health insurance guaranty association created by K.S.A. 40-3001, and amendments thereto, and any other similar entity now or hereafter created by the legislature of this state for the payment of claims of insolvent insurers. "Foreign guaranty association" means any similar entities now in existence in or hereafter created by the legislature of any other state.

(k) "Insolvency" or "insolvent" means:

(1) For an insurer issuing only assessable fire insurance policies:

(A) The inability to pay any obligation within 30 days after it becomes payable; or

(B) if an assessment is made, within 30 days after such date. The inability to pay such obligation 30 days following the date specified in the first assessment notice issued after the date of loss.

(2) For any other insurer, that it is unable to pay its obligations when they are due, or when its admitted assets do not exceed its liabilities plus the greater of:

(A) Any capital and surplus required by law for its organization; or

(B) the total par of stated value of its authorized and issued capital stock.

(3) For purposes of this subsection, "liabilities" shall include, but not be limited to, reserves required by statute or by insurance department general regulations or specific requirements imposed by the commissioner upon a subject company at the time of admission or subsequent thereto.

(l) "Insurer" means any person who has done, purports to do, is doing or is licensed to do an insurance business, and is or has been subject to the authority of, or to liquidation, rehabilitation, reorganization, supervision or conservation by, any insurance commissioner. For purposes of this act, any other persons included under K.S.A. 40-3606, and amendments thereto, shall be deemed to be insurers.

(m) "Person" means any individual, aggregation of individuals, trust, association, partnership, corporation or any affiliate thereof.

(n) "Preferred claim" means any claim with respect to which the terms of this act accord priority of payment from the general assets of the insurer.

(o) "Receiver" means receiver, liquidator, rehabilitator or conservator as the context requires.

(p) "Reciprocal state" means any state other than this state in which in substance and effect subsection (a) of K.S.A. 40-3622 and K.S.A. 40-3650, 40-3651 and 40-3653 through 40-3655, and amendments thereto, are in force, and in which provisions are in force requiring that the commissioner or equivalent official be the receiver of a delinquent insurer, and in which some provision exists for the avoidance of fraudulent conveyances and preferential transfers.

(q) "Secured claim" means any claim secured by mortgage, trust deed, pledge, deposit as security, escrow or otherwise, but not including, special deposit claims or claims against general assets. The term also includes claims which have become liens upon specific assets by reason of judicial process.

(r) "Special deposit claim" means any claim secured by a deposit made pursuant to statute for the security or benefit of a limited class or classes of persons, but not including any claim secured by general assets.

(s) "State" means any state, district, or territory of the United States and the Panama Canal Zone.

(t) "Transfer" shall include the sale and every other and different mode, direct or indirect, of disposing of or of parting with property or within an interest therein, or with the possession thereof or of fixing a lien upon property or upon an interest therein, absolutely or conditionally, voluntarily, by or without judicial proceedings. The retention of a security title to property delivered to a debtor shall be deemed a transfer suffered by the debtor.

(u) "Commodity contract" means any of the following:

(1) A contract for the purchase or sale of a commodity for future delivery or, or subject to the rules of, a:

(A) Board of trade or contract market under the commodity exchange act, 7 U.S.C. § 1 et seq.; or

(B) board of trade outside the United States.

(2) An agreement that is subject to regulation under section 23 of the commodity exchange act, 7 U.S.C. § 1 et seq., and that is commonly known to the commodities trade as a margin account, margin contract, leverage account or leverage contract.

(3) An agreement or transaction that is subject to regulation under section 6c(b) of the commodity exchange act, 7 U.S.C. § 1 et seq., and that is commonly known to the commodities trade as a commodity option.

(4) Any combination of the agreements or transactions referred to in this paragraph.

(5) Any option to enter into an agreement or transaction referred to in this paragraph.

(v) "Formal delinquency proceeding" means a delinquency proceeding, except that such term shall not include a supervision under K.S.A. 40-3613, and amendments thereto.

(w) "Forward contract" shall have the meaning ascribed to such term in the federal deposit insurance act, 12 U.S.C. § 1821(e)(8)(D).

(x) "Netting agreement" means:

(1) A contract or agreement, including the terms and conditions incorporated by reference therein, including a master agreement, (which master agreement, together with all schedules, confirmations, definitions and addenda thereto and transactions under any thereof, shall be treated as one netting agreement) that documents one or more transactions between the parties to the agreement:

(A) For or involving one or more qualified financial contracts; and

(B) that provides for the netting, liquidation, setoff, termination, acceleration or close out under or in connection with one or more qualified financial contracts or present or future payment or delivery obligations or payment or delivery entitlements thereunder (including liquidation or close out values relating to such obligations or entitlements) among the parties to the netting agreement;

(2) any master agreement or bridge agreement for one or more master agreements described in paragraph (1) of this subsection; or

(3) any security agreement or arrangement or other credit enhancement or guarantee or reimbursement obligation related to any contract or agreement described in either paragraph (1) or (2) of this subsection.

Provided that any contract or agreement described in either paragraph (1) or (2) of this subsection relating to agreements or transactions that are not qualified financial contracts shall be deemed to be a netting agreement only with respect to those agreements or transactions that are qualified financial contracts.

(y) "Qualified financial contract" means any commodity contract, forward contract, repurchase agreement, securities contract, swap agreement and any similar agreement that the commissioner determines by regulation, rule or order to be a qualified financial contract for the purposes of this act.

(z) "Repurchase agreement" shall have the meaning ascribed to such term in the federal deposit insurance act, 12 U.S.C. § 1821(e)(8)(D). The term repurchase agreement also applies to a reverse repurchase agreement.

(aa) "Securities contract" shall have the meaning set forth in the federal deposit insurance act, 12 U.S.C. § 1821(e)(8)(D).

(bb) "Swap agreement" shall have the meaning set forth in the federal deposit insurance act, 12 U.S.C. § 1821(e)(8)(D).

Sec. 3. K.S.A. 40-3607 is hereby repealed.

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

(Published in the Kansas Register April 18, 2013.)

### SENATE BILL No. 124

AN ACT concerning the Kansas restraint of trade act; amending K.S.A. 50-101, 50-112, 50-158 and 50-161 and repealing the existing sections; also repealing K.S.A. 50-108 and 50-115.

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

New Section 1. (a) The purpose of this section, and the amendments to K.S.A. 50-101, 50-112, 50-158 and 50-161 by this act, is to clarify and reduce any uncertainty or ambiguity as to the application of the Kansas restraint of trade act and applicable evidentiary standards to certain types of business contracts, agreements and arrangements that are not intended to unreasonably restrain trade or commerce and do not contravene public welfare.

(b) Except as otherwise provided in subsections (d) and (e), the Kansas restraint of trade act shall be construed in harmony with ruling judicial interpretations of federal antitrust law by the United States supreme court. If such judicial interpretations are in conflict with or inconsistent with the express provisions of subsection (c), the provisions of subsection (c) shall control.

(c) An arrangement, contract, agreement, trust, understanding or combination shall not be deemed a trust pursuant to the Kansas restraint of trade act and shall not be deemed unlawful, void, prohibited or wrongful under any provision of the Kansas restraint of trade act if that arrangement, contract, agreement, trust, understanding or combination is a reasonable restraint of trade or commerce. An arrangement, contract, agreement, trust, understanding or combination is a reasonable restraint of trade or commerce if such restraint is reasonable in view of all of the facts and circumstances of the particular case and does not contravene public welfare.

(d) The Kansas restraint of trade act shall not be construed to prohibit:

- (1) Actions or proceedings concerning intrastate commerce;
- (2) actions or proceedings by indirect purchasers pursuant to K.S.A. 50-161, and amendments thereto;
- (3) recovery of damages pursuant to K.S.A. 50-161, and amendments thereto;
- (4) any remedy or penalty provided in the Kansas restraint of trade act, including, but not limited to, recovery of civil penalties pursuant to K.S.A. 50-160, and amendments thereto; and
- (5) any action or proceeding brought by the attorney general pursuant to authority provided in the Kansas restraint of trade act, or any other power or duty of the attorney general provided in such act.

(e) The Kansas restraint of trade act shall not be construed to apply to:

- (1) Any association that complies with the provisions and application of article 16 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto, the cooperative marketing act;
- (2) any association, trust, agreement or arrangement that is governed by the provisions and application of 7 U.S.C. § 291 et seq., the Capper-Volstead act;
- (3) any corporation organized under the electric cooperative act, K.S.A. 17-4601 et seq., and amendments thereto, or which becomes subject to the electric cooperative act in any manner therein provided; or any limited liability company or corporation, or wholly owned subsidiary thereof, providing electric service at wholesale in the state of Kansas that is owned by four or more electric cooperatives that provide retail service in the state of Kansas; or any member-owned corporation formed prior to 2004;
- (4) any association that is governed by the provisions and application of article 22 of chapter 17 of the Kansas Statutes Annotated, and amendments thereto, the credit union act;
- (5) any association, trust, agreement or arrangement that is governed by the provisions and application of 7 U.S.C. § 181 et seq., the packers and stockyards act; and
- (6) any franchise agreements or covenants not to compete.

(f) If any provision of this section or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this section which can be given effect

without the invalid provision or application, and to this end the provisions of this section are severable.

(g) This section shall be a part of and supplemental to the Kansas restraint of trade act.

Sec. 2. K.S.A. 50-101 is hereby amended to read as follows: 50-101. *Except as provided in section 1, and amendments thereto*, a trust is a combination of capital, skill, or acts, by two or more persons, for either, any or all of the following purposes:

*First.* To create or carry out restrictions in trade or commerce, ~~or aids to commerce~~; or to carry out restrictions in the full and free pursuit of any business authorized or permitted by the laws of this state.

*Second.* To increase or reduce the price of merchandise, produce or commodities, or to control the cost or rates of insurance.

*Third.* To prevent competition in the manufacture, making, transportation, sale or purchase of merchandise, produce or commodities, ~~or to prevent competition in aids to commerce.~~

*Fourth.* To fix any standard or figure, whereby such person's price to the public shall be, in any manner, controlled or established, any article or commodity of merchandise, produce or commerce intended for sale, use or consumption in this state.

*Fifth.* To make or enter into, or execute or carry out, any contract, obligation or agreement of any kind or description by which such person shall: (a) Bind or have to bind themselves not to sell, manufacture, dispose of or transport any article or commodity, or article of trade, use, merchandise, commerce or consumption below a common standard figure;

(b) agree in any manner to keep the price of such article, commodity or transportation at a fixed or graded figure;

(c) in any manner establish or settle the price of any article or commodity or transportation between them or themselves and others to preclude a free and unrestricted competition among themselves or others in transportation, sale or manufacture of any such article or commodity; or

(d) agree to pool, combine or unite any interest they may have in connection with the manufacture, sale or transportation of any such article or commodity, that such person's price in any manner is affected. Any such combinations are hereby declared to be against public policy, unlawful and void.

Sec. 3. K.S.A. 50-112 is hereby amended to read as follows: 50-112. *Except as provided in section 1, and amendments thereto*, all arrangements, contracts, agreements, trusts, or combinations between persons made with a view or which tend to prevent full and free competition in the importation, transportation or sale of articles imported into this state, or in the product, manufacture or sale of articles of domestic growth or product of domestic raw material, or for the loan or use of money, or to fix attorney or doctor fees, and all arrangements, contracts, agreements, trusts or combinations between persons, designed or which tend to advance, reduce or control the price or the cost to the producer or to the consumer of any such products or articles, or to control the cost or rate of insurance, or which tend to advance or control the rate of interest for the loan or use of moneys to the borrower, or any other services, are hereby declared to be against public policy, unlawful and void.

Sec. 4. K.S.A. 50-158 is hereby amended to read as follows: 50-158. ~~The provisions of article 1 of chapter 50 of the Kansas Statutes Annotated, and amendments thereto, and the provisions of K.S.A. 50-158 through 50-160 K.S.A. 50-101 through 50-162 and section 1, and amendments thereto, may be cited as the Kansas restraint of trade act.~~

Sec. 5. K.S.A. 50-161 is hereby amended to read as follows: 50-161. (a) As used in this section, the term "person" means any individual, corporation, partnership, firm, company or other association of persons, and such term shall include the state of Kansas and any of its political subdivisions.

(b) Except as provided in K.S.A. 12-205, and amendments thereto, any person who may be damaged or injured by any agreement, monopoly, trust, conspiracy or combination which is declared unlawful by ~~any of the acts contained in chapter 50 of the Kansas Statutes Annotated, and amendments thereto, relating to unlawful acts, agreements, monopolies, trusts, conspiracies or combinations in restraint of trade, the Kansas restraint of trade act~~ shall have a cause of action against any person causing such damage or injury. Such action may be brought by any person who is injured in such person's business or property by reason of anything forbidden or declared unlawful by ~~this the Kansas restraint of trade act~~, regardless of whether such injured person dealt directly or indirectly with the defendant. The plaintiff in any action commenced hereunder in the district court of the county wherein such plaintiff resides, or the district court of the county of the defendant's principal place of business, may sue for and recover treble the *actual*

(continued)

damages sustained. In addition, any person who is threatened with injury or additional injury by reason of any person's violation of such acts the *Kansas restraint of trade act* may commence an action in such district court to enjoin any such violation, and any damages suffered may be sued for and recovered in the same action in addition to injunctive relief. Any suit for injunctive relief against a municipality shall be subject to the provisions of K.S.A. 12-205, and amendments thereto.

(c) In any action commenced under this section, the plaintiff may be allowed reasonable attorney fees and costs. The remedies provided herein shall be alternative and in addition to any other remedies now provided by law.

New Sec. 6. Section 1 and the amendments to K.S.A. 50-101 and 50-112 by this act shall be applied retroactively to any choses in action or defenses premised on any provision of the *Kansas restraint of trade act* amended or repealed by this act, and any such choses in action or defenses that have accrued as of the effective date of this act shall be abated, but causes of action that were pending in any court before the effective date of this act, shall not be abated. All other non-remedial provisions of this section shall be applied prospectively.

Sec. 7. K.S.A. 50-101, 50-112, 50-108, 50-115, 50-158 and 50-161 are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the *Kansas register*.

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2012 Supplement of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-64-1	Revoked	V. 31, p. 171

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-15-4	Amended	V. 31, p. 570
4-15-5	Amended	V. 31, p. 301
4-15-6	Amended	V. 31, p. 301
4-15-7	Amended	V. 31, p. 570
4-15-8	Amended	V. 31, p. 570
4-15-9	Amended	V. 31, p. 571
4-15-9a	New	V. 31, p. 571
4-15-10	Amended	V. 31, p. 571
4-15-13	Amended	V. 31, p. 572
4-27-2		
through 4-27-5	Amended	V. 32, p. 93, 94
4-27-8		
through 4-27-12	Amended	V. 32, p. 95-100
4-27-15		
through 4-27-18	Amended	V. 32, p. 100-104
4-27-20	Amended	V. 32, p. 104
4-27-21	Amended	V. 32, p. 104
4-28-1	Amended	V. 32, p. 105
4-28-2	Amended	V. 32, p. 349
4-28-3	Revoked	V. 31, p. 1276
4-28-4	Revoked	V. 31, p. 1276
4-28-5	Amended	V. 32, p. 105
4-28-6	Amended (T)	V. 31, p. 998
4-28-6	Amended	V. 31, p. 1276
4-28-7	Revoked	V. 31, p. 1277
4-28-8	Amended	V. 32, p. 349
4-28-9		
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4-28-31	New	V. 31, p. 1277
4-28-32	New	V. 32, p. 106

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-9-3	Amended	V. 31, p. 773

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-23-4	Amended	V. 31, p. 197
7-23-14	New	V. 31, p. 197
7-36-7	New	V. 31, p. 198
7-36-8	New	V. 31, p. 199
7-46-1	New	V. 31, p. 199
7-46-2	New	V. 31, p. 199
7-46-3	New	V. 31, p. 200

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

Reg. No.	Action	Register
14-13-1	Amended (T)	V. 31, p. 1356
14-13-1	Amended	V. 32, p. 148
14-13-2	Amended	V. 32, p. 149
14-13-3	Revoked	V. 32, p. 150
14-13-4		
through 14-13-10	Amended	V. 32, p. 150, 151
14-13-11	Revoked	V. 32, p. 152
14-13-13	Amended (T)	V. 31, p. 1357
14-13-13	Amended	V. 32, p. 152
14-13-15	Amended	V. 32, p. 153
14-13-16	New (T)	V. 31, p. 1358
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14-16-25	Amended	V. 31, p. 1427

**AGENCY 16: ATTORNEY GENERAL**

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16-12-1		
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20-3-1	Revoked	V. 31, p. 1031
20-3-2	Revoked	V. 31, p. 1031

**AGENCY 22: STATE FIRE MARSHAL**

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22-25-1	New	V. 31, p. 973
22-25-2	New	V. 31, p. 974

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28-19-350	Amended	V. 31, p. 1507
28-19-735	Amended	V. 31, p. 1508
28-19-750	Amended	V. 31, p. 1509
28-19-750a	Amended	V. 31, p. 1509
28-21-2	Revoked	V. 32, p. 106
28-21-4	Revoked	V. 32, p. 106
28-21-5	Revoked	V. 32, p. 106
28-23-1	Revoked	V. 32, p. 106
28-23-2	Revoked	V. 32, p. 106
28-23-3	Revoked	V. 32, p. 106

28-23-6	Revoked	V. 32, p. 106
28-23-7	Revoked	V. 32, p. 106
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28-23-12	Revoked	V. 32, p. 106
28-23-13	Revoked	V. 32, p. 106
28-29-300	Amended	V. 31, p. 1509
28-29-330		
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28-31-10	Amended	V. 31, p. 196
28-32-13	Amended	V. 32, p. 208
28-35-147a	Amended	V. 32, p. 260
28-35-600		
through 28-35-608	New	V. 31, p. 90-93
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through 28-54-5	Amended	V. 31, p. 280-282
28-56-1		
through 28-56-10	New	V. 31, p. 708-711
28-56-2	Amended	V. 31, p. 1528
28-75-100	New	V. 32, p. 23

**AGENCY 30: DEPARTMENT FOR CHILDREN AND FAMILIES (FORMERLY DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES)**

Reg. No.	Action	Register
30-46-10	Amended (T)	V. 31, p. 887
30-46-10	Amended	V. 31, p. 1126

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

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40-1-20	Amended	V. 32, p. 183
40-1-37	Amended	V. 31, p. 887
40-1-48	Amended	V. 31, p. 887
40-2-14a	Amended	V. 32, p. 183
40-4-42c	Amended	V. 31, p. 170
40-5-7	Revoked	V. 31, p. 114

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44-6-101	Amended	V. 32, p. 58
44-6-114e	Amended	V. 32, p. 60
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44-6-125	Amended	V. 32, p. 67
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44-6-138	Amended	V. 32, p. 70
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44-11-123	Amended	V. 31, p. 195
44-11-127	Amended	V. 31, p. 195
44-11-129	Amended	V. 31, p. 196

44-11-132 Amended V. 31, p. 196

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45-100-1	Revoked	V. 31, p. 306
45-500-1 through 45-500-4	Revoked	V. 31, p. 306

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51-9-17	Amended	V. 32, p. 88

**AGENCY 60: BOARD OF NURSING**

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60-11-103	Amended	V. 31, p. 573
60-11-104	Amended	V. 31, p. 574
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60-11-113	Amended	V. 31, p. 575
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60-16-102	Amended	V. 31, p. 577
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60-16-104	Amended	V. 31, p. 578
60-17-101	Amended	V. 31, p. 580
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60-17-105	Amended	V. 31, p. 581
60-17-110	Amended	V. 31, p. 581
60-17-111	Amended	V. 31, p. 581

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68-20-30	New (T)	V. 31, p. 1049

**AGENCY 69: BOARD OF COSMETOLOGY**

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69-12-3	Amended	V. 31, p. 1314
69-13-4	New	V. 31, p. 1314

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74-2-7	Amended	V. 31, p. 607
74-4-3a	Amended	V. 31, p. 608
74-4-7	Amended	V. 31, p. 608
74-4-8	Amended	V. 31, p. 609
74-4-10	Amended	V. 31, p. 610
74-5-2	Amended	V. 31, p. 610
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74-5-302	Revoked	V. 31, p. 612
74-11-6	Amended	V. 31, p. 612

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88-29b-8c	New	V. 32, p. 55
88-29b-9	New	V. 32, p. 55
88-29b-10	New	V. 32, p. 56

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91-1-209	Amended	V. 31, p. 974
91-42-1	New	V. 32, p. 317
91-42-2	New	V. 32, p. 317

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Reg. No.	Action	Register
100-28a-5	Amended	V. 31, p. 323
100-28a-10	Amended	V. 31, p. 324

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Reg. No.	Action	Register
102-6-1	Revoked	V. 31, p. 114
102-6-2	Revoked	V. 31, p. 114
102-6-4	Revoked	V. 31, p. 114
102-6-5	Revoked	V. 31, p. 114
102-6-8	Revoked	V. 31, p. 114
102-6-9	Revoked	V. 31, p. 114
102-6-9a	Revoked	V. 31, p. 114
102-6-10	Revoked	V. 31, p. 114
102-6-11	Revoked	V. 31, p. 114
102-6-12	Revoked	V. 31, p. 114

**AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-3-2	Amended (T)	V. 31, p. 1002
105-3-2	Amended	V. 31, p. 1313
105-7-1 through 105-7-4	Amended	V. 31, p. 1427, 1428
105-7-6	Amended	V. 31, p. 1428
105-7-8	Revoked	V. 31, p. 1428
105-11-1	Amended	V. 31, p. 1428

**AGENCY 106: COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING (FORMERLY LAW ENFORCEMENT TRAINING COMMISSION)**

Reg. No.	Action	Register
106-1-1 through 106-1-8	Revoked (T)	V. 31, p. 1002
106-1-1 through 106-1-8	Revoked	V. 31, p. 1221
106-2-1	New (T)	V. 31, p. 1002
106-2-1	New	V. 31, p. 1221
106-2-2	New (T)	V. 31, p. 1003
106-2-2	New	V. 31, p. 1221
106-2-2a	New (T)	V. 31, p. 1003
106-2-2a	New	V. 31, p. 1221
106-2-3	New (T)	V. 31, p. 1004
106-2-3	New	V. 31, p. 1223
106-2-4	New (T)	V. 31, p. 1005
106-2-4	New	V. 31, p. 1223

106-3-1 through 106-3-6	New (T)	V. 31, p. 1005, 1006
106-3-1 through 106-3-6	New	V. 31, p. 1223, 1224
106-4-1	New (T)	V. 31, p. 1006
106-4-1	New	V. 31, p. 1224

**AGENCY 107: LAW ENFORCEMENT TRAINING CENTER**

Reg. No.	Action	Register
107-1-1 through 107-1-5	Revoked (T)	V. 31, p. 1007
107-1-1 through 107-1-5	Revoked	V. 31, p. 1225
107-2-1	Revoked (T)	V. 31, p. 1007
107-2-1	Revoked	V. 31, p. 1225
107-3-1	Revoked (T)	V. 31, p. 1007
107-3-1	Revoked	V. 31, p. 1226

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

Reg. No.	Action	Register
109-1-1	Amended	V. 32, p. 226
109-1-1a	Revoked	V. 32, p. 229
109-3-3	New	V. 31, p. 246
109-3-4	New	V. 31, p. 247
109-3-5	Amended	V. 31, p. 1295
109-5-1c	New	V. 31, p. 247
109-5-3	Amended	V. 32, p. 230
109-5-5	Amended	V. 32, p. 231
109-5-7c	New (T)	V. 31, p. 245
109-5-7c	New	V. 31, p. 497
109-7-1	Amended	V. 31, p. 248
109-8-2	New	V. 31, p. 225
109-10-1c	New	V. 31, p. 225
109-11-1	Revoked	V. 32, p. 231
109-11-3	Revoked	V. 32, p. 231
109-11-4	Revoked	V. 32, p. 231
109-11-4a	New	V. 31, p. 225
109-11-5	Revoked	V. 32, p. 231
109-11-6	Revoked	V. 32, p. 231
109-13-1	Amended	V. 31, p. 248
109-15-1	Amended	V. 32, p. 231

**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 from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 Kansas Register. A list of regulations filed from December 1, 2009 through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 Kansas Register. The following regulations were filed after December 22, 2011:

Reg. No.	Action	Register
111-2-270 through 111-2-276	New	V. 31, p. 114-116
111-2-277 through 111-2-282	New	V. 31, p. 582, 583
111-2-283 through 111-2-286	New	V. 31, p. 648
111-2-287	New	V. 31, p. 1428
111-2-288	New	V. 31, p. 1428
111-2-289 through 111-2-293	New	V. 32, p. 126-128
111-2-294	New	V. 32, p. 278

(continued)

111-2-295	New	V. 32, p. 278	111-9-179	New	V. 31, p. 1442	115-4-4a	Amended	V. 32, p. 320
111-2-296	New	V. 32, p. 297	111-9-180	New	V. 31, p. 1470	115-4-15	New	V. 31, p. 1368
111-2-297	New	V. 32, p. 297	111-9-181	New	V. 31, p. 1471	115-7-3	Amended	V. 31, p. 1370
111-2-298			111-9-182	New	V. 32, p. 132	115-7-10	Amended	V. 31, p. 1370
through			111-9-183	New	V. 32, p. 133	115-8-1	Amended	V. 31, p. 1370
111-2-305	New	V. 32, p. 321-324	111-9-184	New	V. 32, p. 354	115-8-2	Amended	V. 31, p. 953
111-4-3135	New	V. 31, p. 116	111-9-185	New	V. 32, p. 355	115-8-19	Amended	V. 31, p. 1371
111-4-3136	New	V. 31, p. 121	111-15-1	Amended	V. 32, p. 280	115-8-23	New	V. 31, p. 953
111-4-3137			111-15-2	Amended	V. 32, p. 280	115-8-24	New	V. 31, p. 954
through			111-15-3	Amended	V. 32, p. 280	115-9-8	Amended	V. 32, p. 89
111-4-3142	New	V. 31, p. 274-278	111-15-5	Amended	V. 32, p. 281	115-14-1		
111-4-3144			111-15-6	Amended	V. 32, p. 281	through		
through			111-17-3	New	V. 31, p. 279	115-14-6	Revoked	V. 31, p. 1142
111-4-3158	New	V. 31, p. 345-354	111-17-4	New	V. 31, p. 619	115-14-8	Revoked	V. 31, p. 1142
111-4-3159			111-17-5	New	V. 32, p. 159	115-14-9	Revoked	V. 31, p. 1142
through			111-17-6	New	V. 32, p. 282	115-14-10	Revoked	V. 31, p. 1142
111-4-3162	New	V. 31, p. 583-587	111-17-6a	New	V. 32, p. 328	115-14-11		
111-4-3163			111-201-14	Amended	V. 31, p. 361	through		
through			111-301-6	Amended	V. 31, p. 658	115-14-15	New	V. 31, p. 1142-1151
111-4-3171	New	V. 31, p. 613-617	111-301-32			115-14-14	Amended	V. 32, p. 90
111-4-3172			through			115-17-6		
through			111-301-44	New	V. 31, p. 1443-1446	through		
111-4-3181	New	V. 31, p. 649-656	111-401-1			115-17-9	Amended	V. 31, p. 954, 955
111-4-3182			through			115-18-1	Amended	V. 31, p. 1152
through			111-401-50	New	V. 31, p. 389-407	115-18-7	Amended	V. 32, p. 320
111-4-3196	New	V. 31, p. 1429-1441	111-401-30	Amended	V. 31, p. 1548	115-18-18	Amended	V. 31, p. 1371
111-4-3197			111-401-51			115-18-22	New	V. 31, p. 1371
through			through			115-20-7	Amended	V. 31, p. 956
111-4-3203	New	V. 31, p. 1468-1470	111-401-118	New	V. 31, p. 427-449			
111-4-3204			111-401-119					
through			through					
111-4-3211	New	V. 31, p. 1541-1547	111-401-166	New	V. 31, p. 528-552			
111-4-3212			111-401-167					
through			through					
111-4-3216	New	V. 32, p. 128-131	111-401-171	New	V. 32, p. 160-162			
111-4-3217			111-401-172					
through			through					
111-4-3223	New	V. 32, p. 153-159	111-401-177	New	V. 32, p. 302-305			
111-4-3224	New	V. 32, p. 278	111-401-178					
111-4-3225	New	V. 32, p. 298	through					
111-4-3226	New	V. 32, p. 299	111-401-194	New	V. 32, p. 329-334			
111-4-3227			111-501-9	Amended	V. 31, p. 124			
through			111-501-12	Amended	V. 31, p. 659			
111-4-3232	New	V. 32, p. 324-327	111-501-14					
111-4-3233			through					
through			111-501-26	New	V. 31, p. 124-129			
111-4-3236	New	V. 32, p. 350	111-501-35					
111-5-23			through					
through			111-501-81	New	V. 31, p. 129-146			
111-5-28	Amended	V. 31, p. 355-358	111-501-61	Amended	V. 31, p. 1549			
111-5-31	Amended	V. 31, p. 359	111-501-82					
111-5-33	Amended	V. 31, p. 279	through					
111-5-82	Amended	V. 31, p. 657	111-501-102	New	V. 31, p. 620-628			
111-5-83	Amended	V. 31, p. 657	111-501-103					
111-5-194	Amended	V. 31, p. 359	through					
111-5-200	New	V. 31, p. 360	111-501-117	New	V. 32, p. 162-167			
111-5-201			111-501-118	New	V. 32, p. 306			
through			111-501-119	New	V. 32, p. 167			
111-5-206	New	V. 31, p. 618, 619	111-501-120	New	V. 32, p. 167			
111-7-249			111-501-121	New	V. 32, p. 167			
through								
111-7-254	New	V. 32, p. 300-302						
111-7-255								
through								
111-7-260	New	V. 32, p. 353, 354						
111-9-174	New	V. 31, p. 122						
111-9-175	New	V. 31, p. 123						
111-9-176	New	V. 31, p. 124						
111-9-177	New	V. 31, p. 360						
111-9-178	New	V. 31, p. 1442						

  

Reg. No.	Action	Register
115-1-1	Amended	V. 31, p. 1365
115-2-1	Amended	V. 32, p. 318
115-2-2	Amended	V. 31, p. 1368
115-4-2	Amended	V. 31, p. 425
115-4-4	Amended	V. 32, p. 319

  

Reg. No.	Action	Register
117-2-2	Amended	V. 31, p. 1066
117-2-2a	Amended	V. 31, p. 1067
117-3-2	Amended	V. 31, p. 1067
117-3-2a	Amended	V. 31, p. 1068
117-4-2	Amended	V. 31, p. 1069
117-4-2a	Amended	V. 31, p. 1070
117-5-2	Amended	V. 31, p. 1070
117-5-2a	Amended	V. 31, p. 1071
117-7-1	Amended	V. 32, p. 226
117-8-1	Revoked	V. 31, p. 1071
117-20-1		
through		
117-20-7	New (T)	V. 31, p. 997
117-20-1	New	V. 31, p. 1248
117-20-2	New	V. 31, p. 1248
117-20-3	New	V. 32, p. 89
117-20-4	New	V. 31, p. 1248
117-20-5	New	V. 31, p. 1248
117-20-6	New	V. 31, p. 1248
117-20-7	New	V. 32, p. 89

  

Reg. No.	Action	Register
129-5-1	Amended	V. 31, p. 1248

  

Reg. No.	Action	Register
130-2-1	Amended	V. 31, p. 224

  

Reg. No.	Action	Register
132-2-1	New	V. 31, p. 223
132-3-1	New	V. 31, p. 1540
132-4-1	New	V. 31, p. 224



**Kansas Register**  
**Secretary of State**  
**1st Floor, Memorial Hall**  
**120 S.W. 10th Ave.**  
**Topeka, KS 66612-1594**

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