



# Kansas Register

Kris W. Kobach, Secretary of State

Vol. 33, No. 5

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State of Kansas  
Public Employees Retirement System

Request for Proposals

The Kansas Public Employees Retirement System (KPERs) is soliciting proposals for global master custodial bank services and/or securities lending services. A copy of the RFP may be downloaded from the system's website at [www.kpers.org](http://www.kpers.org). All proposals must meet the minimum qualifications as set forth within the RFP. Respondents should deliver five written copies of their proposal to the system's offices by noon (CDT) Monday, March 31, 2014. Questions about the RFP may be directed in writing to Diana Komarek, chief fiscal officer, KPERs, 611 S. Kansas Ave., Suite 100, Topeka, 66603, or via email to [rfp\\_custbanksearch@kpers.org](mailto:rfp_custbanksearch@kpers.org). The deadline for submission of questions is February 28.

Alan Conroy  
Executive Director

Doc. No. 042261

(Published in the Kansas Register January 30, 2014.)

City of Goddard, Kansas

Notice of Intent to Seek Private Placement  
General Obligation Bonds, Series 2014

Notice is hereby given that the city of Goddard, 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 \$1,055,000\*. 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 passage of an ordinance and adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated January 21, 2014.

Teri Laymon  
City Clerk

Doc. No. 042264

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**State of Kansas  
Criminal Justice Coordinating Council**

**Notice of Meeting**

The Kansas Criminal Justice Coordinating Council will meet at 11 a.m. Tuesday, February 11, in Room 560 of the Landon State Office Building, 900 S.W. Jackson, Topeka.

Adrienne Foster, Administrator  
Governor's Grants Program

Doc. No. 042271

**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: [tshepher@emporia.edu](mailto:tshepher@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: [purch@pittstate.edu](mailto:purch@pittstate.edu). Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

**University of Kansas** – Electronic bid postings: <http://www.procurement.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 20, 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.

Tess Shepherd  
Chair of Regents Purchasing Group  
Procurement Officer II  
Emporia State University

Doc. No. 041700

**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:

02/11/2014	EVT0002895	Examination Consultant
02/11/2014	EVT0002901	Herbicide Application at KCI Lansing Farm
02/11/2014	EVT0002903	Aggregate at Melvern Wildlife Area, Lyon County State Fishing Lake & Osage County State Fishing Lake
02/12/2014	EVT0002899	Core Drilling Rig, Trailer Mounted
02/13/2014	EVT0002897	Administration of the Kansas Telecommunication Access Program & Management of the Dual Part Relay Service
02/21/2014	EVT0002902	Utilization Review Services
03/21/2014	EVT0002906	Third Party Administrator(s) for Health Plans

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

<http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations>

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

<http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations>

02/20/2014	A-012370	Roof Replacement — Engineering Bldg. — Wichita State University, Wichita
02/20/2014	A-012371	Roof Replacement — Wallace Hall — National Institute for Aviation Research (NIAR), Wichita State University, Wichita
02/20/2014	A-012372	Roof Replacement — Hubbard Hall — Wichita State University, Wichita

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

Tracy T. Diel, Director  
Procurement and Contracts

Doc. No. 042268

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. 2013 Supp. 12-1675(b)(c)(d) and K.S.A. 2013 Supp. 12-1675a(g).

Effective 1-27-14 through 2-2-14

Table with 2 columns: Term, Rate. Rows include 1-89 days (0.07%), 3 months (0.04%), 6 months (0.07%), 12 months (0.14%), 18 months (0.22%), 2 years (0.37%).

Scott Miller
Director of Investments

Doc. No. 042260

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-14-017/018

Pending Permits for Confined Feeding Facilities

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Clayton I. Davis, Cat House Feeders, 255 County Road 50, Dighton, KS 67839; E/2 of Section 29, T15S, R28W, Gove County; Smoky Hill River Basin.

Kansas Permit No. A-SHGO-B012

This permit is being reissued for an existing facility with a maximum capacity of 999 head (999 animal units) of cattle more than 700

pounds. This represents a decrease in animal units from the previous permit.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Robert Brant, Blue Hill Feeders, Inc., 468 County 412 Drive, Lucas, KS 67648; S/2 of Section 05, T10S, R11W, Osborne County; Saline River Basin.

Kansas Permit No. A-SAOB-C001 Federal Permit No. KS0091413

This permit is being reissued for a confined animal feeding operation for 2,500 animal units of cattle weighing more than 700 pounds. No changes in the permitted animal units from the previous permit are proposed. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No. KS-AG-R-14-002

Per K.S.A. 65-171d, the following registration has been received for a proposed confined feeding facility:

Table with 3 columns: Name and Address of Registrant, Legal Description, County. Row 1: David E. Compton, Hazel Creek Two, 1671 Mulberry Road, Hiawatha, KS 66434; W/2 of NW/4 of Section 35, T03S, R17E; Brown.

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 March 1 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-14-017/018, KS-AG-R-14-002,) 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. 042265

## State of Kansas

## Department of Transportation

## Notice to Contractors

Electronic copies of the letting proposals and plans are available on the KDOT website at <http://www.ksdot.org/burconsmain/contracts/proposal.asp>. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid not later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject the bid. The secretary of transportation reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2007 edition of the Kansas Department of Transportation's Standard Specifications for State Road and Bridge Construction.

KDOT will only accept electronic Internet proposals online using the Bid Express website at <http://www.bidx.com> until 1 p.m. local time February 19, 2014. KDOT will open and read these proposals at the Eisenhower State Office Building, 700 S.W. Harrison, Topeka, at 1:30 p.m. local time February 19, 2014. An audio broadcast of the bid letting is available at <http://www.ksdot.org/burconsmain/audio.asp>.

Each bidder shall certify 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 certification shall be in the form of a required contract provision provided by the state to each prospective bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid nonresponsive and not eligible for award consideration.

**District One — Northeast**

**Osage**—170-70 KA-2076-01 — K-170, bridges #060 (Cherry Creek) and #061 (Cherry Creek drainage) located 3.52 and 3.62 miles east of the Osage/Lyon county line, bridge replacement. (Federal Funds)

**Wyandotte**—73-105 KA-2092-01 — U.S. 73, bridge #068 located 1.77 miles north of U.S. 24 (Piper Creek), bridge replacement. (Federal Funds)

**Osage**—75-70 KA-3113-01 — U.S. 75, various bridge locations from 0.6 mile north of the Osage/Coffey county line, north 6 miles, bridge repair. (State Funds)

**Lyon**—35-56 KA-3175-01 — I-35, bridges #012 and #013 (Burlingame Road) and #150 (Industrial Street) located 1.31 and 1.32 miles east of the junction of I-35/K-99 and 0.64 mile east of Graphic Arts Road, bridge repair. (State Funds)

**District Two — North Central**

**Jewell**—28-45 KA-0022-01 — K-28, Buffalo Creek drainage bridge (#037), 2.5 miles west of the Jewell/Cloud county line, bridge replacement. (Federal Funds)

**Cloud**—81-15 KA-3238-01 — U.S. 81, southbound lanes from 0.5 mile to 2 miles north of the Cloud/Ottawa county line, southbound lanes from 5.1 miles to 12.7 miles north of the Cloud/Ottawa county line, northbound lanes from 2.4 miles to 1.8 miles south of the U.S. 81/K-9 junction, milling and overlay, 9.7 miles. (State Funds)

**Statewide**—70-106 KA-3359-01 — District Two, Area Four (area wide), lighting, 78.4 miles. (State Funds)

**Statewide**—106 KA-3611-01 — U.S. 36, from 1.117 miles east of the U.S. 36/U.S. 81 junction, east to the Republic/Washington county line; U.S. 36, from the Washington/Republic county line east to the U.S. 36/K-22 junction; K-139, from the beginning of the route at Cuba, north to the U.S. 36/K-139 junction; K-22, from the U.S. 36/K-22 junction, north to the end of the route at Haddam, conventional seal, 21.7 miles. (State Funds)

**District Three — Northwest**

**Decatur**—83-20 KA-3183-01 — U.S. 83, various bridge locations from the junction of U.S. 83/U.S. 36, north to the Kansas/Nebraska state line, bridge repair. (State Funds)

**District Four — Southeast**

**Crawford**—19 C-4222-01 — 2.0 miles south and 2.8 miles east of Pittsburg, grading and bridge, 0.1 mile. (State Funds)

**Montgomery**—169-63 K-8241-05 — U.S. 169, from 0.4 mile southwest of the U.S. 169/U.S. 166 junction north to County Road 3000, seeding/sodding, 5.3 miles. (State Funds)

**Franklin**—169-30 KA-0734-02 — U.S. 169, from the Anderson/Franklin county line northeast to the Franklin/Miami county line, seeding/sodding, 2.4 miles. (Federal Funds)

**Miami**—169-61 KA-0735-02 — U.S. 169, from the Franklin/Miami county line northeast to 1.2 miles southwest of K-7, seeding/sodding, 6.0 miles. (Federal Funds)

**Neosho**—47-67 KA-0791-05 — K-47, from the Neosho/Wilson county line east to 0.05 mile west of the U.S. 169/K-47 junction, seeding/sodding, 2.9 miles. (State Funds)

**Wilson**—47-103 KA-0791-06 — K-47, from 0.2 mile east of the U.S. 75/K-47 junction east to the Wilson/Neosho county line, seeding/sodding, 7.1 miles. (State Funds)

**Neosho**—39-67 KA-2075-01 — K-39, bridge #023 located 2.28 miles east of U.S. 169 (Neosho River drainage), bridge replacement. (Federal Funds)

**Allen**—169-1 KA-2200-01 — U.S. 169, from the U.S. 169/U.S. 54 junction north to the Allen/Anderson county line, milling and overlay, 8.0 miles. (State Funds)

**Anderson**—169-2 KA-2204-01 — U.S. 169, from the Allen/Anderson county line north to 0.9 mile south of RS 11, milling and overlay, 10.1 miles. (State Funds)

**District Five — South Central**

**Harper**—2-39 KA-2063-01 — K-2, bridge #024 located 6.24 miles east of the Harper/Barber county line, bridge replacement. (Federal Funds)

**Reno**—61-78 KA-2083-01 — K-61, bridge #083 located 2.29 miles north of east junction of U.S. 50 (Cow Creek drainage), bridge replacement. (Federal Funds)

**Butler**—54-8 KA-3157-01 — U.S. 54, bridges #118 and #119 (ATSF/BNRR/Ohio Street) located 0.39 mile and 0.40

(continued)

mile east of the west junction of U.S. 54/U.S. 77, bridge repair. (State Funds)

Mike King  
Secretary of Transportation

Doc. No. 042237

## State of Kansas

### Legislature

#### Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced January 16-22 by the 2014 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 2432**, AN ACT concerning school districts; relating to teacher training and student instruction; addressing child sexual abuse; establishing Erin's law, by Committee on Corrections and Juvenile Justice.

**HB 2433**, AN ACT concerning the Kansas uniform securities act; relating to criminal penalties; investor education and protection; amending K.S.A. 2013 Supp. 17-12a508 and 17-12a601 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2434**, AN ACT concerning social welfare; relating to eligibility requirements for the Kansas program of medical assistance; amending K.S.A. 2013 Supp. 39-709 and repealing the existing section, by Committee on Health and Human Services.

**HB 2435**, AN ACT concerning tanning facilities; prohibiting minors' access to a tanning device, by Committee on Health and Human Services.

**HB 2436**, AN ACT concerning the boards of cosmetology and barbering; inspection of dual licensed facilities; amending K.S.A. 65-1907 and repealing the existing section, by Committee on Vision 2020.

**HB 2437**, AN ACT concerning firearms; relating to applications for a license to carry a concealed handgun; amending K.S.A. 2013 Supp. 75-7c05 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2438**, AN ACT creating the transparency and accountability act; concerning legislative meetings; providing for live audio and video broadcasts; relating to open meetings, by Representatives Clayton, Christmann, Dierks, Hibbard, Hildabrand, Hill, Hineman, Howell, Menghini, Moxley, Perry, Petty, Rooker and Whipple.

**HB 2439**, AN ACT concerning water; creating the sustainable drinking water source protection fund; authorizing the Kansas water office to execute certain contracts; establishing the sustainable drinking water source protection fee; authorizing revenue bonds; repealing K.S.A. 2013 Supp. 82a-953a, by Committee on Agriculture and Natural Resources.

**HB 2440**, AN ACT concerning the emerging industry investment act; pertaining to the treatment of certain bioscience companies; amending K.S.A. 2013 Supp. 74-99b33 and 74-99b34 and repealing the existing sections, by Committee on Commerce, Labor and Economic Development.

**HB 2441**, AN ACT concerning criminal procedure; relating to telecommunications; mobile communications devices identification system, by Committee on Corrections and Juvenile Justice.

**HB 2442**, AN ACT concerning the uniform act regulating traffic; increasing criminal penalties for fleeing and eluding; amending K.S.A. 2013 Supp. 8-1568 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2443**, AN ACT regulating traffic; concerning certain right-of-way violations; increasing penalties; amending K.S.A. 2013 Supp. 8-2118 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2444**, AN ACT concerning the Kansas uniform trust code; relating to spendthrift provisions; amending K.S.A. 58a-502 and repealing the existing section, by Committee on Judiciary.

**HB 2445**, AN ACT concerning criminal procedure; relating to discovery; amending K.S.A. 22-3213 and K.S.A. 2013 Supp. 22-3212 and re-

pealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2446**, AN ACT concerning courts; relating to the court trustee operations fund; amending K.S.A. 2013 Supp. 20-380 and repealing the existing section, by Committee on Judiciary.

**HB 2447**, AN ACT concerning real property; relating to trespassers, by Committee on Judiciary.

**HB 2448**, AN ACT concerning crimes and punishment; relating to interference with judicial process; amending K.S.A. 2013 Supp. 21-5905 and repealing the existing section, by Committee on Judiciary.

**HB 2449**, AN ACT concerning the historic preservation act; amending K.S.A. 2013 Supp. 75-2724 and repealing the existing section, by Committee on Judiciary.

**HB 2450**, AN ACT providing for a change in terminology in the statutes from the term "best interest of the child" to the term "least detrimental alternative"; amending K.S.A. 39-7,149 and K.S.A. 2013 Supp. 23-2204, 23-2208, 23-2209, 23-2215, 23-2225, 23-3004, 23-3103, 23-3201, 23-3202, 23-3203, 23-3205, 23-3206, 23-3207, 23-3210, 23-3211, 23-3212, 23-3213, 23-3217, 23-3221, 23-3222, 23-3301, 23-3302, 23-3403, 23-3503, 23-3510, 38-2202, 38-2205, 38-2206, 38-2212, 38-2213, 38-2226, 38-2229, 38-2231, 38-2232, 38-2234, 38-2241, 38-2242, 38-2243, 38-2244, 38-2247, 38-2252, 38-2253, 38-2258, 38-2259, 38-2267, 38-2269, 38-2270, 38-2272, 38-2277, 38-2286, 38-2302, 39-7,145, 59-2136, 72-53,106 and 75-7023 and repealing the existing sections, by Committee on Children and Families.

**HB 2451**, AN ACT concerning electric utilities; creating the electricity highway fee, by Committee on Transportation.

**HB 2452**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the donate life license plate, by Committee on Transportation.

**HB 2453**, AN ACT concerning religious freedoms with respect to marriage, by Committee on Federal and State Affairs.

**HB 2454**, AN ACT concerning school districts; relating to the transportation of nonresident pupils; amending K.S.A. 2013 Supp. 72-1046b and repealing the existing section, by Representative Highland.

**HB 2455**, AN ACT concerning property taxation; relating to exemptions; certain utility systems and appurtenances located on military installations; amending K.S.A. 2013 Supp. 79-201a and repealing the existing section, by Committee on Taxation.

**HB 2456**, AN ACT concerning property taxation; defining commercial and industrial machinery and equipment, by Committee on Taxation.

**HB 2457**, AN ACT concerning utilities; relating to electric transmission, by Committee on Energy and Environment.

**HB 2458**, AN ACT concerning utilities; relating to net metering; amending K.S.A. 2013 Supp. 66-1264, 66-1265 and 66-1266 and repealing the existing sections, by Committee on Energy and Environment.

**HB 2459**, AN ACT designating a portion of K-7 highway as the SGT David Enzbrener memorial highway, by Committee on Transportation.

**HB 2460**, AN ACT concerning electricity; sale of renewable energy; public utility, definitions, exceptions; amending K.S.A. 66-1,170 and K.S.A. 2013 Supp. 66-104 and repealing the existing sections, by Committee on Energy and Environment.

**HB 2461**, AN ACT concerning the national defense authorization act for fiscal year 2012; relating to governmental entity actions pursuant thereto, by Representative Edwards.

**HB 2462**, AN ACT concerning the Kansas family law code; relating to establishment and modification of child support; custody, residency and parenting time; amending K.S.A. 2013 Supp. 20-1204a, 23-2904, 23-3001, 23-3002, 23-3004, 23-3005, 23-3103, 23-3104, 23-3106, 23-3114, 23-3201, 23-3202, 23-3203, 23-3206, 23-3207, 23-3208, 23-3209, 23-3210, 23-3214, 23-3218, 23-3219 and 23-3401 and repealing the existing sections; also repealing K.S.A. 2013 Supp. 23-3111, 23-3112, 23-3113, 23-3118, 23-3119, 23-3120, 23-3121, 23-3122, 23-3220, 23-3221 and 23-3302, by Committee on Children and Seniors.

**HB 2463**, AN ACT concerning terrorism and illegal use of weapons of mass destruction; relating to civil liability for acts of terrorism; furtherance of terrorism; asset seizure and forfeiture; amending K.S.A. 2013 Supp. 21-5423 and 60-4104 and repealing the existing sections; also repealing K.S.A. 2013 Supp. 60-4104b, by Committee on Corrections and Juvenile Justice.

**HB 2464**, AN ACT concerning taxation; relating to deductions, privilege tax; certain depreciable property; amending K.S.A. 2013 Supp. 79-32,143a and repealing the existing section, by Committee on Taxation.

**HB 2465**, AN ACT concerning electricity; relating to generation; renewable energy facility; public utility, definitions, exceptions; amending K.S.A. 66-1,170 and K.S.A. 2013 Supp. 66-104 and repealing the existing sections, by Committee on Energy and Environment.

**HB 2466**, AN ACT concerning administrative rules and regulations; relating to service of order or notice; amending K.S.A. 77-502, 77-545, 77-546, 77-548 and 77-613 and K.S.A. 2013 Supp. 77-519, 77-521 and 77-531 and repealing the existing sections, by Committee on Judiciary.

**HB 2467**, AN ACT concerning motor vehicles; relating to distinctive license plates; making license plates for disabled veterans available for motorcycles; amending K.S.A. 8-161 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

**HB 2468**, AN ACT concerning mortgages of real property; relating to entries of satisfaction of mortgage, duties and liabilities of last mortgagee or assignee of record; amending K.S.A. 58-2309a and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

**HB 2469**, AN ACT concerning debt setoff; dealing with debt setoff for child support and for debts owed under the state debt setoff program; amending K.S.A. 2013 Supp. 75-6204 and repealing the existing section, by Representatives DeGraaf and Alford.

**HB 2470**, AN ACT concerning the state board of regents; relating to state educational institutions; pertaining to the purchase of certain insurance; amending K.S.A. 2013 Supp. 75-4101 and repealing the existing section, by Committee on Appropriations.

**HB 2471**, AN ACT concerning individuals with light sensitivity; relating to one-way glass and sun screening devices for motor vehicles; creating an exemption; amending K.S.A. 2013 Supp. 8-1749a and repealing the existing section, by Committee on Appropriations.

**HB 2472**, AN ACT concerning the Kansas expanded lottery act; relating to racetrack gaming facilities; amending K.S.A. 2013 Supp. 74-8702, 74-8734, 74-8741, 74-8751 and 74-8768 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2473**, AN ACT concerning weapons; relating to the regulation and possession of firearms and knives; amending K.S.A. 2013 Supp. 12-16,124, 12-16,134, 12-4516, 12-4516a, 21-6301, 21-6304, 21-6307, 21-6309 and 75-7c20 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2474**, AN ACT concerning sales taxation; relating to exemptions; certain purchases by disabled veterans of the armed forces of the United States; amending K.S.A. 2013 Supp. 79-32,270 and repealing the existing section, by Representatives Peck, Anthimides, Barker, Bradford, Carpenter, Christmann, Crum, Doll, Edwards, Garber, Goico, Osterman, Powell, Rothlisberg, Sutton and Thompson.

**HB 2475**, AN ACT concerning schools; relating to personal financial literacy courses; amending K.S.A. 72-1103 and K.S.A. 2013 Supp. 72-7535 and repealing the existing sections, by Committee on Education.

**HB 2476**, AN ACT concerning health insurance; pertaining to continuation of health insurance for spouse and dependent children of employees of the department of corrections; amending K.S.A. 2013 Supp. 40-2140 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2477**, AN ACT concerning crimes and punishment; relating to aggravated battery; amending K.S.A. 2013 Supp. 21-5413 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2478**, AN ACT concerning criminal procedure; relating to jurisdiction and venue; crimes committed with an electronic device, by Committee on Corrections and Juvenile Justice.

**HB 2479**, AN ACT concerning driving privileges; relating to suspension and restriction for test failure or alcohol or drug-related conviction; ignition interlock device; amending K.S.A. 2013 Supp. 8-1015 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2480**, AN ACT repealing K.S.A. 66-2013; concerning the review of TeleKansas I, by Committee on Utilities and Telecommunications.

**HB 2481**, AN ACT concerning sales taxation; relating to exemptions; assistance league of Wichita; amending K.S.A. 2013 Supp. 79-3606 and repealing the existing section, by Committee on Taxation.

**HB 2482**, AN ACT concerning the state corporation commission; relating to powers thereof; amending K.S.A. 66-106 and repealing the existing section, by Committee on Utilities and Telecommunications.

### House Current Resolutions

**HCR 5023**, by Committee on Health and Human Services, A CON-

CURRENT RESOLUTION designating January 20-26, 2014, as "Women's Reproductive Health Awareness Week."

**HCR 5024**, by Representatives Peck, Anthimides, Bradford, Christmann, Edwards, Garber, Goico, Osterman, Powell, Rothlisberg, Sutton and Thompson, A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas, relating to property taxation.

### House Resolutions

**HR 6041**, by Representative Carlson, A RESOLUTION congratulating and commending the residents of Kansas and the Kansas Volunteer Commission for their outstanding efforts in volunteerism and civic engagement.

### Senate Bills

**SB 265**, AN ACT concerning income tax; relating to homestead refund; income defined, eligibility; amending K.S.A. 2013 Supp. 79-32,263 and 79-4502 and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 266**, AN ACT concerning severance tax; relating to tax payment and return filing date; amending K.S.A. 79-4220 and 79-4221 and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 267**, AN ACT concerning insurance; relating to security deposits, acceptable assets for deposit; forms, handwritten signatures required; amending K.S.A. 2013 Supp. 40-229a and repealing the existing section, by Committee on Financial Institutions and Insurance.

**SB 268**, AN ACT concerning insurance; relating to risk-based capital requirements for certain insurers; amending K.S.A. 2013 Supp. 40-2c01 and repealing the existing section, by Committee on Financial Institutions and Insurance.

**SB 269**, AN ACT concerning the rules of evidence; relating to erroneous admission of evidence and timely objection; amending K.S.A. 60-404 and repealing the existing section, by Committee on Judiciary.

**SB 270**, AN ACT concerning criminal procedure; relating to mental status defenses; notice and procedure; amending K.S.A. 22-3219 and repealing the existing section, by Committee on Judiciary.

**SB 271**, AN ACT concerning the Kansas medicaid fraud control act; relating to penalties and fines; amending K.S.A. 2013 Supp. 21-5926, 21-5927, 21-5933 and 75-7508 and repealing the existing sections, by Committee on Judiciary.

**SB 272**, AN ACT concerning wildlife, parks and recreation; relating to controlled shooting areas; amending K.S.A. 32-945 and repealing the existing section, by Committee on Natural Resources.

**SB 273**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing for the rotary international license plate, by Committee on Transportation.

**SB 274**, AN ACT concerning campaign finance; amending K.S.A. 25-4153b and repealing the existing section, by Committee on Federal and State Affairs.

**SB 275**, AN ACT concerning elections; dealing with improper use of public funds and equipment; amending K.S.A. 2013 Supp. 25-4169a and repealing the existing section, by Committee on Federal and State Affairs.

**SB 276**, AN ACT concerning wildlife; enacting the state sovereignty over nonmigratory wildlife act, by Committee on Federal and State Affairs.

**SB 277**, AN ACT concerning school districts; relating to the calculation of local property tax and the local option budget under the school finance formula; amending K.S.A. 2013 Supp. 72-6433d and repealing the existing section, by Committee on Ways and Means.

**SB 278**, AN ACT concerning the state board of veterinary examiners; relating to the veterinary examiners fee fund; powers of the board; establishing the board within the animal health division of the Kansas department of agriculture for a two-year period; amending K.S.A. 2013 Supp. 47-820 and 47-821 and repealing the existing sections, by Committee on Ways and Means.

**SB 279**, AN ACT concerning utilities; relating to electric transmission, by Committee on Utilities.

**SB 280**, AN ACT concerning utilities; relating to net metering; amending K.S.A. 2013 Supp. 66-1264, 66-1265 and 66-1266 and repealing the existing sections, by Committee on Utilities.

**SB 281**, AN ACT concerning wildlife; relating to the nongame and endangered species conservation act; amending K.S.A. 32-960 and re-

(continued)

pealing the existing section, by Senators Olson, Apple, Denning, Lynn, Melcher, Pettey, Pilcher-Cook, Smith and Wolf.

**SB 282**, AN ACT concerning the uniform consumer credit code; pertaining to installment loans, by Committee on Financial Institutions and Insurance.

**SB 283**, AN ACT concerning the salary of the commissioner of insurance; amending K.S.A. 2013 Supp. 40-102 and repealing the existing section, by Committee on Financial Institutions and Insurance.

**SB 284**, AN ACT concerning 911 emergency services; relating to the 911 coordinating council, composition, contracting authority, expenses; amending K.S.A. 2013 Supp. 12-5363, 12-5364, 12-5367, 12-5368, 12-5375 and 12-5377 and repealing the existing sections, by Committee on Utilities.

**SB 285**, AN ACT concerning payments for providing vision care services; pertaining to limitations imposed by insurance plans and discount plans, by Committee on Financial Institutions and Insurance.

**SB 286**, AN ACT concerning the Kansas department of agriculture; relating to fees; extending sunset date on certain fees; amending K.S.A. 2013 Supp. 2-2440, 2-2440b, 2-2443a, 2-2445a, 2-3304, 2-3306, 65-778, 65-781, 82a-708a, 82a-708b, 82a-708c, 82a-714 and 82a-727 and repealing the existing sections, by Committee on Agriculture.

**SB 287**, AN ACT concerning district magistrate judges; jurisdiction; appeals; amending K.S.A. 2013 Supp. 20-302b, 22-3601, 22-3602, 38-2273, 38-2382, 59-2401a, 60-2102 and 61-3902 and repealing the existing sections; also repealing K.S.A. 61-3903 and K.S.A. 2013 Supp. 22-3609a and 60-2103a, by Committee on Judiciary.

**SB 288**, AN ACT concerning courts; relating to restitution or collection of debts owed to the courts; amending K.S.A. 60-2419 and 60-4303 and K.S.A. 2013 Supp. 28-178, 61-3604 and 75-719 and repealing the existing sections, by Committee on Judiciary.

**SB 289**, AN ACT concerning courts; relating to time limits for decisions, by Committee on Judiciary.

**SB 290**, AN ACT concerning criminal procedure; relating to arraignment; amending K.S.A. 22-3205 and repealing the existing section, by Committee on Judiciary.

**SB 291**, AN ACT concerning legislators; dealing with per calendar day compensation; amending K.S.A. 2013 Supp. 46-137a and repealing the existing section, by Committee on Ethics and Elections.

**SB 292**, AN ACT concerning the emerging industry investment act; pertaining to the treatment of certain bioscience companies; amending K.S.A. 2013 Supp. 74-99b33 and 74-99b34 and repealing the existing sections, by Committee on Commerce.

**SB 293**, AN ACT concerning certain municipalities; relating to solid waste and recycling restrictions, by Committee on Commerce.

**SB 294**, AN ACT concerning rural housing incentive districts; amending K.S.A. 2013 Supp. 72-6431 and repealing the existing section, by Committee on Commerce.

**SB 295**, AN ACT concerning income taxation; relating to credits; community services contributions; amending K.S.A. 2013 Supp. 79-32,195 and repealing the existing section, by Committee on Commerce.

**SB 296**, AN ACT concerning public wholesale water supply districts; authorizing certain districts to issue general obligation bonds; amending K.S.A. 19-3557 and repealing the existing section, by Committee on Assessment and Taxation.

**SB 297**, AN ACT concerning sales taxation; relating to exemptions; reaching out from within, inc.; amending K.S.A. 2013 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

### Senate Concurrent Resolutions

**SCR 1615**, by Committee on Ethics and Elections, A PROPOSITION to amend section 8 of article 2 of the constitution of the state of Kansas, relating to annual sessions of the legislature.

### Senate Resolutions

**SR 1775**, by Senator Faust-Goudeau, A RESOLUTION remembering the Piatt plane crash.

Doc. No. 42262

## State of Kansas

### Kansas Development Finance Authority

#### Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, February 13, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bonds for the projects numbered below in the respective maximum principal amounts. The bonds will be issued to assist the borrowers named below (who will be the owner and operator of the projects) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The projects shall be located as shown:

**Project No. 000880 — Maximum Principal Amount: \$155,520.30.** Owner/Operator: Matthew B. and Megan R. Smith. Description: Acquisition of 69.45 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Matthew B. and Megan R. Smith and is located at the Southwest Quarter of the Northeast Quarter and the West 30 acres in the Northwest Quarter of Section 19, Township 2 South, Range 7 East of the Sixth P.M., Marshall County, Kansas, approximately 1 mile west of Marysville then 2 miles north on U.S. 77, then .5 mile west on Indian Road.

**Project No. 000881 — Maximum Principal Amount: \$153,187.50.** Owner/Operator: Ryan and Melissa Friedrichs. Description: Acquisition of 69.45 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 Ryan and Melissa Friedrichs and is located at the Northeast Quarter of the Northeast Quarter and the East 10 acres in the Northwest Quarter of the Northeast Quarter of Section 19, Township 2 South, Range 7 East of the Sixth P.M., Marshall County, Kansas, approximately 1 mile west of Marysville then 2 miles north on U.S. 77, then .5 mile west on Indian Road.

The bonds, when issued, will be a limited obligation of the KDFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the KDFA, nor will they be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bonds 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 bonds when they become due.

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

Tim Shallenburger  
President

Doc. No. 042269



## State of Kansas

## Department of Commerce

## Notice of Hearing

The Kansas Department of Commerce, CDBG Program, will conduct a public hearing on the proposed FFY 2015 Community Development Block Grant Program from 10 to 11 a.m. Tuesday, March 4, in the main conference room of the Department of Commerce, Suite 100, Curtis State Office Building, 1000 S.W. Jackson, Topeka. Interested persons also may attend by conference call at 866-620-7326 (conference code 6583791179). No preregistration is required. The purpose of this hearing is to gain citizen input on the proposed changes to the federally funded CDBG program, as well as take comments on the performance of past administration of this program.

Anyone needing special accommodations should contact the Department of Commerce at least five business days in advance of the hearing at 785-296-3004, fax 785-296-3490 or TTY 711.

Written comments will be accepted until the day of the hearing at the address above or by email to salih@kansascommerce.com. Proposed changes listed below will be discussed at the public hearing:

**2015 Proposed CDBG Changes**

1. Reduce KAN STEP local cost savings to 35% from 40%.
  - a. Cost savings calculated
    - i. Based on retail price of proposed building project
    - ii. Waterline projects must demonstrate cost savings based on application amount.
2. Applicants must wait five years to apply for a KAN STEP after the close of a second KAN STEP grant.
3. Commercial Rehabilitation will have one round of funding. Application due date June 1, 2014.
4. Remove Past Performance points from rating system.
5. An applicant may only apply in the same category for the same activity two years in a row. If the project is not funded, the grantee must wait three years before applying again in that category for the same activity. Applicant may apply for other activities if it decides to pursue other projects.

**2015 Housing Application**

Propose changing housing points to the following:

- 5 — For not attending a HIAC meeting
- 15 — HAT, community needs, and public interest
- 25 — Development of Project
- 25 — Solution of needs
- 20 — Target Area and pre-application vs proposal
- 15 — Leverage
- 100 — TOTAL OFFICE REVIEW
- 25 — Site Visit
- 125 — TOTAL POINTS**

1. Propose lowering max award from \$400,000 to \$300,000.
2. Propose that housing target area be no more than 150 homes.

**Housing Pilot**

The purpose of the proposed program is to assist the state's housing by providing gap funding for rehabilitation, reconstruction, home ownership assistance or infrastructure activities. Commerce is proposing to allocate 2015 funds of up to \$1.5 million for a pilot housing project. The maximum grant award would be \$500,000 with a match requirement of 50% of the request. Pre-applications will be accepted until the funds are depleted or July 1, 2014, with final applications required by December 15, 2014. Applications would be taken on an open-window basis. Projects should have a business connection and address a minimum of four units. An applicant will complete the Housing Assessment Tool (HAT) and submit a brief pre-application for review by a committee. Regular CDBG rules, including procurement, will apply to these pilot projects. To qualify for funding, the projects would have to meet the "low-to-moderate income" and/or slum and blight national objective under the Housing & Community Development Act.

Pat George  
Secretary of Commerce

Doc. No. 042266

## State of Kansas

## Attorney General

## Opinion 2013-18

**Re: Bonds and Warrants—Cash-Basis Law—Limits of Indebtedness; November 18, 2013.**

**Synopsis:** For purposes of the cash-basis law, the term "indebtedness" refers only to financial obligations that are binding, not those that are contingent on future events. As applied to a ten-year contract for the wholesale purchase of natural gas that may be terminated with three years' notice, any expenses beyond the three-year period are contingent on the city not cancelling the contract and therefore do not constitute an indebtedness of the city. Cited herein: K.S.A. 10-1101, 10-1113; K.S.A. 2013 Supp. 10-1116. DC

## Opinion 2013-19

**Re: Cities and Municipalities—Libraries—City, County and Township Libraries; Board; November 18, 2013.**

**Synopsis:** The head of a municipality who serves as an ex officio member of the library board should be counted in calculating the library board's quorum requirement.

The prohibition in K.S.A. 2013 Supp. 12-1222 on municipal officers being appointed to a municipal library board includes appointed officers as well as elected ones. The characteristics of public office are a position created by statute or ordinance, a fixed tenure, and the power to exercise some portion of the sovereign function of government. Cited herein: K.S.A. 12-1218; K.S.A. 2013 Supp. 12-1222; 14-201; K.S.A. 15-209; 75-4301a. DC

## Opinion 2013-20

**Re: Elections—Voting Places and Materials Therefor—Voting Places.**

(continued)

**State Departments; Public Officers and Employees—Firearms—Personal and Family Protection Act; November 27, 2013.**

**Synopsis:** Except as described herein, the use of real property as a polling place does not transform the nature of that property for the purposes of the PFFA. Any concealed carry requirements that applied to that property immediately before its temporary use as a polling place continue to apply during its use as a polling place and thereafter.

The Personal and Family Protection Act (PFFA) authorizes concealed carry licensees to carry a concealed handgun into a polling place to the extent that concealed handguns are permitted to be carried into the building in which the polling place is located.

The provisions of K.S.A. 2013 Supp. 75-7c20 apply only to buildings that are owned or leased in their entirety by the state or a municipality. If the PFFA requires concealed carry to be permitted in a state or municipal building, then concealed carry licensees must be permitted to carry a concealed handgun in all parts of the building, including areas used as polling places, with the exception of courtrooms, ancillary courtrooms, and secure areas of correctional facilities, jails and law enforcement agencies.

The governing body or chief administrative officer, if no governing body exists, of a state or municipal building may exempt the building from the provisions of K.S.A. 2013 Supp. 75-7c20 for a set period of time. If a state or municipal building is so exempted, concealed carry may be prohibited by posting the building in accordance with K.S.A. 2013 Supp. 75-7c10.

If the governing body or chief administrative officer of a state or municipal building does not exempt a building from the provisions of K.S.A. 2013 Supp. 75-7c20, then concealed carry licensees must be permitted to carry a concealed handgun inside the building unless adequate security measures are provided and the building is posted as prohibiting concealed carry.

Concealed carry is not required to be permitted in a polling place located inside a privately-owned building unless the county has leased the entire privately-owned building.

Concealed carry is not required to be permitted in polling places located inside public school district buildings because a public school district is not a municipality for the purposes of the PFFA.

An equal protection claim against a county based upon the varying ability of concealed carry licensees to carry a concealed handgun into a polling place would be subject to the rational basis test. Cited herein: K.S.A. 2013 Supp. 25-1122; K.S.A. 25-2703; K.S.A. 2013 Supp. 75-7c01; 75-7c10; 75-7c20; K.A.R. 16-11-7. SF

**Opinion 2013-21**

**Re: State Departments; Public Officers and Employees—Firearms—Personal and Family Protection Act; December 11, 2013.**

**Synopsis:** An office leased by the state or a municipality in a privately owned multi-tenant office building is not a “state or municipal building” for the purposes of the Personal and Family Protection Act (PFFA). An office in a

strip shopping center, as described herein, that is leased by the state or a municipality is a “state or municipal building” for the purposes of the PFFA. Cited herein: K.S.A. 2013 Supp. 75-7c01; K.S.A. 2012 Supp. 75-7c10; K.S.A. 2013 Supp. 75-7c10; 75-7c20; K.A.R. 16-11-7. SF

**Opinion 2013-22**

**Re: Taxation—Collection and Cancellation of Taxes—Protesting Payment of Taxes; December 13, 2013.**

**Synopsis:** The word “taxpayer” in K.S.A. 2013 Supp. 79-2005 refers to the property owner. An agent or attorney of the property owner may file a tax protest on the property owner’s behalf, but a third party who is not acting on behalf of the property owner is not a “taxpayer” eligible to protest the property owner’s taxes.

A tax protest may be filed at the time the taxes are paid, even if the taxes are delinquent. Taxpayers who pay at least part of their taxes by December 20 are not required to protest their taxes at the time of payment but may wait until December 20 (or January 31 if at least half of the taxes were paid by an escrow or tax service agent). In addition, taxpayers who pay only part of their taxes by December 20 may file a protest at the time of paying the remaining taxes, as long as they did not protest the first half of the taxes.

When the basis of a tax protest is a challenge to the valuation or assessment of the property, the county appraiser is responsible for determining whether the protest was timely filed and whether the person who filed the protest was authorized to do so. Cited herein: K.S.A. 2013 Supp. 79-2004; 79-2004a; 79-2005. DC

**Opinion 2014-1**

**Re: Cities and Municipalities—Miscellaneous Provisions—Firearms and Ammunition; Regulation by City or County, Limitations.**

**Cities and Municipalities—Miscellaneous Provisions—Knives and Knife Making Components; Regulation by Municipality, Limitations; Definitions.**

**Crimes and Punishments—Crimes Against the Public Safety—Criminal Use of Weapons.**

**Crimes and Punishments—Crimes Against the Public Safety—Criminal Carrying of a Weapon.**

**State Departments; Public Officers and Employees—Firearms—Personal and Family Protection Act; January 10, 2014.**

**Synopsis:** A person may carry a knife, concealed or unconcealed, regardless of the length of the blade, without violating K.S.A. 2013 Supp. 21-6301 or 21-6302. The term “knife,” as defined by K.S.A. 2013 Supp. 12-16,134, includes swords and machetes. A city may prohibit the possession of knives only if the city enacted an ordinance or rule prohibiting such possession prior to July 1, 2013.

The Attorney General is responsible for administering the Personal and Family Protection Act (PFFA), but the PFFA is silent on enforcement of the provisions of K.S.A. 2013 Supp. 75-7c20. A state or municipal building that is not exempt from the provisions of K.S.A. 2013 Supp. 75-7c20 and does not provide adequate security measures

may not prohibit a concealed carry licensee from carrying a concealed handgun into the building.

A municipality, as defined by K.S.A. 2013 Supp. 75-7c20(l)(2), may adopt personnel policies to restrict the concealed carry of handguns in the municipal building in which the employee's work place is located if the building is exempt from the provisions of K.S.A. 2013 Supp. 75-7c20, or if the building is posted as prohibiting concealed carry and adequate security measures are provided.

A municipality may adopt personnel policies to restrict the carrying of concealed handguns by employees while acting in the scope of their employment outside the building in which the employee's work place is located, but may not prohibit the possession of a handgun in a private means of conveyance. Even if such personnel policies exist, it is not a violation of the PFFA for a state or municipal employee licensed under the PFFA to carry a concealed handgun into a state or municipal building through a restricted access entrance.

The security plan described in K.S.A. 2013 Supp. 75-7c20(i) must provide adequate security as determined by the municipality.

K.S.A. 2013 Supp. 75-7c20 does not apply to a municipal building that is leased by a private party during the lease period.

A knife is not a weapon for the purposes of the PFFA. A city that enacted an ordinance or rule prohibiting the carrying of knives into city buildings prior to July 1, 2013, may continue to prohibit the carrying of knives into city buildings. Such city is not required to provide adequate security measures in order to prohibit the carrying of knives into city buildings.

A city that did not enact a rule or ordinance prohibiting the carrying of knives into city buildings prior to July 1, 2013, may not prohibit the carrying of knives into city buildings, even if adequate security measures are provided in order to detect and restrict the carrying of weapons into a city building.

The prohibition against enacting local knife regulations in K.S.A. 2013 Supp. 12-16,134(a) applies only to municipalities, not state government agencies. Cited herein: K.S.A. 2-1215; 12-763; 12-16,123; K.S.A. 2013 Supp. 12-16,124, 12-16,126; 12-16,134; 12-16,219; 21-6301; 21-6302; 21-6305; 31-134; 31-612; 72-136; 75-7c01; 75-7c03; 75-7c10; 75-7c16; 75-7c17; 75-7c20; K.S.A. 2010 Supp. 12-16,124; K.S.A. 2012 Supp. 21-6301, 21-6302; 75-7c10; Kan. Const. Art. 12, § 5; K.A.R. 16-11-7. SF

#### Opinion 2014-2

**Re: State Departments; Public Officers and Employees—Firearms—Personal and Family Protection Act; January 10, 2014.**

**Synopsis:** The Personal and Family Protection Act (PFFA) does not prohibit a county from demanding disclosure of an employee's concealed carry licensure status in order to verify whether the employee is entitled to certain protections available only to concealed carry licensees. The PFFA does not prohibit a county from making a record of an employee's licensure status, but such record must remain confidential and may not be disclosed. A county may discipline an employee for refusing to dis-

close his or her licensure status for the purpose of determining whether the employee may lawfully carry a concealed handgun into the employee's work place. Lastly, it is unlikely that a Kansas or federal court would recognize a county employee's claim for discrimination on the basis of concealed carry licensure status. Cited herein: K.S.A. 44-1001; 44-1111; 44-1125; 45-215; K.S.A. 2013 Supp. 45-221; 75-7c01; 75-7c06; K.S.A. 2012 Supp. 75-7c10; K.S.A. 2013 Supp. 75-7c10; 75-7c17; 75-7c20; 75-6102; 42 U.S.C. § 1983; 42 U.S.C. § 2000e-2; 42 U.S.C. § 12112. SF

#### Opinion 2014-3

**Re: Cities and Municipalities—Planning and Zoning; Planning, Zoning and Subdivision Regulations in Cities and Counties—Planning and Zoning in Cities and Counties; Authorization; Planning Commission; Creation; Membership; Incompatibility of Offices.**

**Cities of the Third Class—Powers and Duties of Mayor—General Powers and Duties of Mayor; Mayor-Council Form of Government; Qualifications of Officers; Incompatibility of Offices; January 15, 2014.**

**Synopsis:** The common law doctrine of incompatibility of offices precludes a person from concurrently serving as a member of a county planning commission and a mayor of a city of the third class operating under the mayor-council form of government that is located in the county served by the planning commission. Cited herein: K.S.A. 2013 Supp. 12-693; 12-6a01; 12-6a02; K.S.A. 12-743; 12-744; 12-747; 12-749; 15-301. RDS

#### Opinion 2014-4

**Re: Elections—Voting Places and Materials Therefor—Voting Places, Equipping and Supplying; Instructions, Books and Other Materials; Question Submitted Election; Posting or Providing Explanatory Statements; January 22, 2014.**

**Synopsis:** The governing body of a municipality, such as a city, county, or unified school district, may develop a neutral or impartial explanatory statement on a question it has submitted to the electorate. The explanatory statement may be posted on the municipality's website and provided to constituents at the office of the county election officer, until such time as the office of the county election officer becomes a polling place. Whether a city may provide for the posting at polling places and the distribution at polling places or with advance voting ballots of explanatory statements regarding a question that is submitted to the electorate cannot be definitively determined. A county, a local board of education and other municipalities lack authority to provide for the posting and distribution of such a statement at polling places and with advance voting ballots. Cited herein: K.S.A. 12-101; 12-1761; 12-1767; K.S.A. 2013 Supp. 19-101a; K.S.A. 19-101c; 19-3419; 19-3422; 19-3423; 19-3424; 19-3507a; 19-3517; 19-3521a; 25-431; K.S.A. 2013 Supp. 25-433; K.S.A. 25-1121; 25-1122; K.S.A. 2013 Supp. 25-1123; K.S.A. 25-2007; 25-2010; 25-2104; 25-2110; 25-2209; 25-2303; 25-2504; K.S.A. 2013 Supp. 25-2430; K.S.A. 25-2701; 25-2703; K.S.A. 2013 Supp. 25-2706; K.S.A. 25-2801; 25-2810; 25-2902; 42-721; K.S.A. 2013 Supp. 72-8205; K.S.A. 2013 Supp. 75-

(continued)

6102; 75-6705; Kan. Const., Art. 6, § 5; Kan. Const., Art. 12, § 5; Kan. Const., Art. 14, § 1. RDS

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State of Kansas

Board of Cosmetology

Permanent Administrative Regulations

Article 3.—SCHOOLS

**69-3-27. Disenrolled students.** On or before the 10th day of each month, each school administrator shall submit to the board, on a form provided by the board, a list of each student who has been disenrolled in the previous month. The list shall include the following information for each disenrolled student:

- (a) The name;
- (b) the apprentice license number;
- (c) the date of birth;
- (d) the total number of hours earned; and
- (e) the social security number, to be used for administrative purposes as authorized by K.S.A. 74-148 and amendments thereto. (Authorized by K.S.A. 2012 Supp. 65-1903 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1903; effective March 22, 1996; amended Feb. 14, 2014.)

**69-3-29. Monthly reporting of student hours.** Each school administrator shall submit to the board a record of the number of hours earned in the previous month and the total number of hours accumulated through the previous month by each student, on a form approved by the board. The record shall include each student's name, address, and apprentice license number and shall be submitted no later than the 10th day of each month. (Authorized by K.S.A. 2012 Supp. 65-1903 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1903; effective Feb. 14, 2014.)

Article 11.—FEES

**69-11-1. Fees.** The following fees shall be charged:

Cosmetologist examination fee .....	\$50.00
Cosmetologist license application fee .....	45.00
Cosmetologist license renewal fee .....	45.00
Delinquent cosmetologist renewal fee .....	25.00
Cosmetology technician license renewal fee .....	45.00
Delinquent cosmetology technician renewal fee .....	25.00
Electrologist examination fee .....	50.00
Electrologist license application fee .....	45.00
Electrologist license renewal fee .....	45.00
Delinquent electrologist renewal fee .....	25.00
Manicurist examination fee .....	50.00
Manicurist license application fee .....	45.00
Manicurist license renewal fee .....	45.00
Delinquent manicurist renewal fee .....	25.00
Esthetician examination fee .....	50.00
Esthetician license application fee .....	45.00
Esthetician license renewal fee .....	45.00
Delinquent esthetician renewal fee .....	25.00

Instructor-in-training permit fee .....	15.00
Instructor examination fee .....	75.00
Instructor license application fee .....	75.00
Instructor license renewal fee .....	50.00
Delinquent instructor renewal fee .....	25.00
Any apprentice license application fee .....	15.00
New school license application fee .....	150.00
School license renewal fee .....	75.00
Delinquent school license fee .....	30.00
New salon or clinic application fee .....	50.00
Salon or clinic renewal fee .....	50.00
Delinquent salon or clinic renewal fee .....	30.00
Reciprocity application fee .....	50.00
Verification of licensure fee .....	20.00
Fee for any duplicate license .....	25.00
Temporary permit fee .....	15.00

(Authorized by K.S.A. 2012 Supp. 65-1904 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1904; effective, E-76-44, Sept. 5, 1975; effective Feb. 15, 1977; amended May 1, 1978; amended May 1, 1981; amended May 1, 1982; amended, T-83-21, July 21, 1982; amended May 1, 1983; amended May 1, 1984; amended, T-88-60, Dec. 28, 1987; amended May 1, 1988; amended Jan. 1, 1993; amended Dec. 13, 1993; amended March 22, 1996; amended Nov. 6, 1998; amended April 3, 2009; amended Feb. 14, 2014.)

**69-11-2. Expiration dates for practitioner licenses.**

Each cosmetologist license, esthetician license, electrologist license, and manicurist license shall expire two years from the last day of the month in which the license was issued. (Authorized by K.S.A. 2012 Supp. 65-1904 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1904; effective, T-83-21, July 21, 1982; effective May 1, 1983; amended March 22, 1996; amended Feb. 14, 2014.)

Article 12.—TANNING FACILITIES

**69-12-5. Fees.** The following fees shall be charged:

New tanning facility license fee .....	\$100.00
Annual renewal fee .....	\$75.00
Delinquent renewal fee .....	\$100.00
Reinstatement fee .....	\$200.00

(Authorized by K.S.A. 2012 Supp. 65-1926 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1926; effective Dec. 13, 1993; amended Feb. 14, 2014.)

Article 15.—TATTOOING, BODY PIERCING, AND PERMANENT COSMETICS

**69-15-3. Cosmetic tattoo artist trainer, tattoo artist trainer, and body piercing trainer.** (a) Each applicant for licensure as a cosmetic tattoo artist trainer, tattoo artist trainer, or body piercing trainer shall apply on forms provided by the board and accompanied by the following:

- (1) The nonrefundable trainer license fee;
- (2) a valid Kansas cosmetic tattoo artist, body piercer, or tattoo artist license number;
- (3) documentation outlining the proposed training syllabus, which shall meet the requirements of K.A.R. 69-15-2(a), (b), or (c);

(4) the name and address of the licensed establishment where training will be provided; and

(5) verification of five years of full-time, active practice, consisting of at least 1,500 hours per year, as a licensed cosmetic tattoo artist, tattoo artist, or body piercer in any state.

(b) In addition to meeting the requirements in subsection (a), each applicant seeking approval as an advanced body piercing trainer shall be licensed as an advanced body piercer. (Authorized by K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1943, 65-1948, and 65-1950; effective Aug. 22, 1997; amended Feb. 14, 2014.)

#### **69-15-4. Out-of-state equivalent course of study.**

Each applicant who has completed a training program in another state or jurisdiction shall show that all of the following conditions are met, for that training program to be approved by the board:

(a) During the applicant's participation in the training program, the trainer was licensed and in good standing as a cosmetic tattoo artist, tattoo artist, or body piercer in the state or jurisdiction where the training occurred.

(b) The applicant completed the training program under the direct supervision of the trainer or in a school.

(c) The training program covered the areas of theory and practical experience specified in K.A.R. 69-15-2. If the training program completed in another state or jurisdiction included hours allotted to studying the laws and regulations of that state or jurisdiction, those hours may count toward the required number of hours allotted to studying Kansas statutes and regulations.

(d) The training program included the total number of hours of theory and practical experience and the number of completed procedures specified in K.A.R. 69-15-2. (Authorized by K.S.A. 2012 Supp. 65-1949 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1948 and 65-1949; effective Aug. 22, 1997; amended Feb. 14, 2014.)

#### **69-15-5. Application for licensure by examination.**

(a) Before issuance of a license, each applicant for tattoo, cosmetic tattoo, or body piercing licensure shall have passed an examination as specified in K.A.R. 69-15-7.

(b) Each applicant for the tattoo, cosmetic tattoo, or body piercing examination shall apply on forms provided by the board and accompanied by the following:

(1) The nonrefundable examination application fee, the written examination fee, and the practical examination fee;

(2) verification of the applicant's date of birth, including a copy of a valid driver's license, passport, or birth certificate;

(3) verification of the applicant's graduation from an accredited high school or completion of equivalent education, which shall mean any of the following:

(A) A general education development (GED) credential;

(B) proof of program completion and hours of instruction at a nonaccredited private secondary school registered with the state board of education of Kansas, or of the state in which instruction was completed;

(C) proof of a score in at least the 50th percentile on either the American college test (ACT) or the scholastic aptitude test (SAT); or

(D) proof of admission to a postsecondary state educational institution accredited by the Kansas state board of regents or by another accrediting body having minimum admission standards at least as stringent as those of the Kansas state board of regents;

(4) verification of the applicant's completion of eight hours of continuing education in infection control and blood-borne pathogens within the previous 12-month period, in addition to the infection control requirements of the training program; and

(5) an official transcript from a school of cosmetic tattooing, tattooing, or body piercing, or a final operating report from a licensed trainer providing direct supervision of the applicant, documenting the applicant's completion of a training program equivalent to the requirements of K.A.R. 69-15-2. (Authorized by K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1943 and 65-1948; effective Aug. 22, 1997; amended Feb. 14, 2014.)

#### **69-15-7. Examination for cosmetic tattoo artists, tattoo artists, or body piercers.**

(a) The examinations for tattoo, cosmetic tattoo, and body piercing shall consist of both a written examination and a practical examination on safety, sanitation, and standards of practice.

(b) The examinations shall test the applicant's knowledge of the following areas:

(1) Basic principles of safety, sanitation, and sterilization;

(2) Kansas laws and regulations;

(3) chemical use and storage;

(4) diseases and disorders including skin disease, HIV, hepatitis B, and infectious or contagious diseases;

(5) equipment, supplies, tools, and implements;

(6) practice standards;

(7) establishment standards; and

(8) definitions.

(c) The written examination shall consist of no more than 150 multiple-choice questions and shall not exceed two hours in duration. The examination shall be closed-book and shall be presented and conducted in English. The examination shall consist of two sections, with one section composed entirely of questions related to Kansas law.

(d) To test the applicant's knowledge of infection-control practices and practice standards, the practical examination shall evaluate the following:

(1) A setup for an actual procedure;

(2) a mock demonstration of a procedure; and

(3) a demonstration of the clean-up process for a procedure.

(e) To be eligible for licensure, each applicant shall attain a score of at least 75 percent on each section of the written examination and a score of at least 75 percent on the practical examination. (Authorized by K.S.A. 2012 Supp. 65-1943 and 65-1948 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1943 and 65-1948; effective Aug. 22, 1997; amended Feb. 14, 2014.)

**69-15-12. Continuing education for license renewal.** Each licensed cosmetic tattoo artist, tattoo artist, and body piercer shall participate in continuing education according to the following requirements:

*(continued)*

(a) Each individual shall biennially complete five clock-hours, either as one unit or a combination of units, not less than one hour each. Each individual who fails to renew the license before its expiration shall meet the additional continuing education requirements pursuant to K.S.A. 65-1943, and amendments thereto.

(b) Continuing education courses shall be of the same subject matter relating to the practice as the required curricula for training as a cosmetic tattoo artist, tattoo artist, and body piercer and shall consist of either of the following:

(1) Participation in or attendance at an instructional program approved by the board; or

(2) attendance at a meeting of the board, comprising up to one hour of the total requirement, which shall not include the public comment portion of the meeting.

(c) Each licensee seeking credit for attendance at or participation in an educational program that was not previously approved by the board shall submit to the board a request for credit, which shall include the following information:

(1) The location of the program;

(2) the date of the program;

(3) the start and end times of the program;

(4) a detailed description of the subject covered;

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

(6) a sign-in sheet or certificate of attendance, which shall include the date, the program title, and the signature of the instructor.

(d) A license shall not be renewed without the board's receipt and approval of the individual's continuing education as required by K.A.R. 69-15-13. (Authorized by K.S.A. 2012 Supp. 65-1945 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1943 and 65-1945; effective Aug. 22, 1997; amended Feb. 14, 2014.)

**69-15-13. Reporting continuing education.** (a) Each tattoo licensee, cosmetic tattoo licensee, and body piercing licensee shall submit to the board the renewal application, renewal fee, and proof of five clock-hours of the required continuing education as a condition of renewal biennially. Proof of completion of the required continuing education shall consist of either of the following:

(1) Submission to the board of evidence documenting attendance at a meeting of the board; or

(2) submission to the board of a certificate of completion or verification, issued by the sponsoring organization or person, of attendance in a course, program, seminar, or lecture and showing the name of the sponsor, the title of the presentation, a description of its content, the name of the instructor or presenter, the date, the duration of the presentation in clock-hours, and any supplemental documentation to support that the sponsor and subject matter meet the requirements and relate to the practice as stated in K.A.R. 69-15-2.

(b)(1) The five clock-hours of continuing education shall be accumulated only in the most recent renewal period. The licensee shall retain the proof of continuing education until submitting the proof to the board at the time of renewal.

(2) Hours of continuing education in excess of the requirement for renewal shall not be carried forward. (Au-

thorized by K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1943 and 65-1945; effective Aug. 22, 1997; amended Feb. 14, 2014.)

**69-15-14. Cosmetic tattoo, tattoo, and body piercing establishment licensing and renewal.** (a) Each applicant for an establishment license shall meet the following requirements before opening the establishment for business:

(1) Apply on a form approved by the board and pay the nonrefundable establishment license fee;

(2) comply with all applicable regulations of the board;

(3) certify that application information is correct; and

(4) provide a map or directions for locating the establishment, if the establishment is in a rural or an isolated area.

(b) Each applicant for an establishment license for a mobile facility shall meet the following requirements before opening the mobile facility for business:

(1) Apply on a form approved by the board and pay the nonrefundable mobile facility license fee;

(2) comply with all applicable regulations of the board;

(3) certify that the application information is correct;

(4) provide the board with a permanent address for locating and inspecting the mobile facility; and

(5) agree to provide the board with an updated address, map, or directions for locating the mobile facility at least five business days before operating at a location other than the permanent address.

(c) Each establishment license shall expire one year from the last day of the month in which the license was issued.

(d) Each establishment license holder shall be responsible for the cleanliness and sanitation of any common area of separately licensed establishments on the premises. Each violation found in the common area shall be cited against all establishment licenses issued and posted on the premises.

(e) Each establishment license holder shall meet the following requirements:

(1) Allow a board inspector to inspect the establishment when it is open for business;

(2) not impede the normal progress of the inspection; and

(3) prevent employees from impeding the normal progress of the inspection.

(f) Establishment licenses shall not be transferable to a new location.

(g) The ownership of establishment licenses shall not be transferred. A partial change in the ownership of any establishment license may be allowed if at least one original owner remains.

(h) Each establishment licensee shall notify the board in writing and surrender the establishment license within 10 days of closure of the establishment.

(i)(1) Each applicant wanting to renew the establishment license shall submit an application and the establishment renewal fee before the expiration date of the current establishment license.

(2) Any establishment licensee may renew the establishment license within 60 days after the expiration date of the prior establishment license upon submission of an

application and payment of the establishment renewal fee and the delinquent establishment fee. (Authorized by K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1944, 65-1948, and 65-1950; effective Aug. 22, 1997; amended Feb. 14, 2014.)

**69-15-15. Cosmetic tattoo artist, tattoo artist, and body piercer practice standards; restrictions.** (a) Cosmetic tattoo artists, tattoo artists, and body piercers shall not practice at any location other than a licensed establishment.

(b) Each licensee shall keep an individual record of each client for at least five years. Each record shall include the name and address of the client, the date and duration of each service, the type of identification presented, and the type of services provided.

(c) Each licensee shall give preservice information in written form to the client to advise of possible reactions, side effects, potential complications of the tattooing process, and any special instructions relating to the client's medical or skin conditions, including the following:

- (1) Diabetes;
- (2) allergies;
- (3) cold sores and fever blisters;
- (4) epilepsy;
- (5) heart conditions;
- (6) hemophilia;
- (7) hepatitis;
- (8) HIV or AIDS;
- (9) medication that thins the blood;
- (10) moles or freckles at the site of service;
- (11) psoriasis or eczema;
- (12) pregnant or nursing women;
- (13) scarring; and
- (14) any other medical or skin conditions.

(d) Each licensee shall give aftercare instructions to the client, both verbally and in writing after every service.

(e) Each licensee providing tattoo or cosmetic tattoo services for corrective procedures shall take photographs before and after service. These photographs shall be maintained according to subsection (b).

(f) Each licensee shall purchase ink, dyes, or pigments from a supplier or manufacturer. No licensee shall use products banned or restricted by the United States food and drug administration (FDA) for use in tattooing and permanent color.

(g) A licensee shall not perform tattooing or body piercing for any of the following individuals:

- (1) A person who is inebriated or appears to be incapacitated by the use of alcohol or drugs;
- (2) any person who shows signs of recent intravenous drug use;
- (3) a person with sunburn or other skin diseases or disorders, including open lesions, rashes, wounds, or puncture marks; or
- (4) any person with psoriasis or eczema present in the treatment area.

(h) Use of the piercing gun to pierce shall be prohibited on all parts of the body, except the ear lobe.

(i) Use of personal client jewelry or any apparatus or device presented by the client for use during the initial body piercing shall be prohibited. Each establishment

shall provide presterilized jewelry, apparatuses, or devices, which shall have metallic content recognized as compatible with piercing services.

(j) No licensee afflicted with an infectious or contagious disease, as defined in K.A.R. 69-15-1, shall be permitted to work or train in a school or an establishment.

(k) No school or establishment shall knowingly require or permit a student or licensee to provide tattooing, cosmetic tattooing, or body piercing services for a person who has any infectious or contagious disease, as defined in K.A.R. 69-15-1. (Authorized by K.S.A. 2012 Supp. 65-1946 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1946; effective Aug. 22, 1997; amended Feb. 14, 2014.)

**69-15-17. Required equipment.** (a) Each cosmetic tattoo artist or tattoo artist shall maintain the following equipment at the establishment:

- (1) A tattoo machine or hand pieces of nonporous material that can be sanitized;
- (2) stainless steel or carbon needles and needle bars;
- (3) stainless steel, brass, or medical-grade plastic tubes that can be sterilized;
- (4) sterilization bags with color strip indicators, if the establishment does not use disposable implements;
- (5) single-use protective gloves;
- (6) single-use razors or straight razors;
- (7) single-use towels, tissues, or paper products;
- (8) a sharps container and biohazard waste bags;
- (9) approved inks, dyes, and pigments, as required by K.A.R. 69-15-15;
- (10) approved equipment for cleaning and sterilizing instruments at the establishment, as required by K.A.R. 69-15-18 and 69-15-20;
- (11) spore tests, as required by K.A.R. 69-15-20; and
- (12) body arts industry-accepted ointment or lubricant.

(b) Each body piercer shall maintain the following equipment at the establishment:

- (1) Single-use stainless steel needles;
  - (2) sterilization bags with color strip indicators, if the establishment does not use disposable implements;
  - (3) single-use protective gloves;
  - (4) single-use towels, tissues, or paper products;
  - (5) a sharps container and biohazard waste bags;
  - (6) approved equipment for cleaning and sterilizing instruments, as required by K.A.R. 69-15-18 and 69-15-20;
  - (7) a piercing table or chair of nonporous material that can be sanitized;
  - (8) a covered trash receptacle;
  - (9) spore tests, as required by K.A.R. 69-15-20;
  - (10) forceps that can be sterilized;
  - (11) pliers of various sizes, made of material that can be sterilized;
  - (12) bleach or hard-surface disinfectants;
  - (13) antibacterial hand soap;
  - (14) jewelry disinfectant; and
  - (15) body arts industry-accepted ointment or lubricant.
- (Authorized by K.S.A. 2012 Supp. 65-1946 and K.S.A. 74-2702a; implementing K.S.A. 2012 Supp. 65-1946; effective Aug. 22, 1997; amended Feb. 14, 2014.)

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**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 2013 Supplement of the *Kansas Administrative Regulations*.

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-16-1a	Amended	V. 32, p. 408
4-16-1c	Amended	V. 32, p. 409
4-16-7a	Amended	V. 32, p. 410
4-16-306	New	V. 32, p. 410
4-17-1a	Revoked	V. 32, p. 411
4-17-1c	Revoked	V. 32, p. 411
4-17-300	Revoked	V. 32, p. 411
4-17-302 through 4-17-305	Revoked	V. 32, p. 411
4-28-2	Amended	V. 32, p. 349
4-28-6	Amended	V. 32, p. 499
4-28-8	Amended	V. 32, p. 349
4-28-9 through 4-28-16	Revoked	V. 32, p. 349
4-28-33	New	V. 32, p. 499
4-28-34	New	V. 32, p. 500

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

Reg. No.	Action	Register
5-16-1	Amended	V. 32, p. 566
5-16-2	Revoked	V. 32, p. 566
5-16-3	Amended	V. 32, p. 566
5-16-4	Amended	V. 32, p. 567
5-16-5	Revoked	V. 32, p. 567
5-16-6	Amended	V. 32, p. 567
5-16-7	Amended	V. 32, p. 567

**AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH**

Reg. No.	Action	Register
9-7-4	Amended	V. 32, p. 1170

**AGENCY 10: KANSAS BUREAU OF INVESTIGATION**

Reg. No.	Action	Register
10-10-2	Amended	V. 32, p. 960
10-10-5	New	V. 32, p. 960

**AGENCY 11: DEPARTMENT OF AGRICULTURE—DIVISION OF CONSERVATION**

Reg. No.	Action	Register
11-12-1 through 11-12-7	Amended	V. 32, p. 501-503

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

Reg. No.	Action	Register
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	V. 32, p. 152
14-13-15	Amended	V. 32, p. 153
14-13-16	New	V. 32, p. 407

14-13-17	New	V. 32, p. 408
14-13-18	New	V. 32, p. 408

**AGENCY 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-8-1 through 16-8-7	New (T)	V. 32, p. 864-866
16-8-1 through 16-8-7	New	V. 32, p. 1238-1240
16-11-7	Amended (T)	V. 32, p. 916
16-11-7	Amended	V. 32, p. 1289

**AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER**

Reg. No.	Action	Register
17-11-18	Amended	V. 32, p. 372

**AGENCY 20: CRIME VICTIMS COMPENSATION BOARD**

Reg. No.	Action	Register
20-1-1	Amended	V. 32, p. 1528
20-1-2	Revoked	V. 32, p. 1528
20-2-1	Revoked	V. 32, p. 1528
20-2-2	Amended	V. 32, p. 1528
20-2-3	Amended	V. 32, p. 1529
20-2-4	Revoked	V. 32, p. 1529
20-2-7	Amended	V. 32, p. 1529
20-2-8	Amended	V. 32, p. 1529
20-2-9	Amended	V. 32, p. 1530
20-6-1	Revoked	V. 32, p. 1530
20-15-1	Revoked	V. 32, p. 1530
20-15-2	Revoked	V. 32, p. 1530

**AGENCY 22: STATE FIRE MARSHAL**

Reg. No.	Action	Register
22-4-2	Revoked	V. 32, p. 1217
22-4-3	Revoked	V. 32, p. 1217
22-4-4	Revoked	V. 32, p. 1217
22-4-5	New (T)	V. 32, p. 859
22-4-5	New	V. 32, p. 1217

**AGENCY 26: DEPARTMENT FOR AGING AND DISABILITY SERVICES**

Reg. No.	Action	Register
26-39-100	Amended (T)	V. 32, p. 867
26-39-100	Amended	V. 32, p. 1241
26-50-10	New (T)	V. 32, p. 870
26-50-10	New	V. 32, p. 1244
26-50-12	New (T)	V. 32, p. 871
26-50-12	New	V. 32, p. 1244
26-50-20	New (T)	V. 32, p. 871
26-50-20	New	V. 32, p. 1244
26-50-22	New (T)	V. 32, p. 871
26-50-22	New	V. 32, p. 1245
26-50-24	New (T)	V. 32, p. 872
26-50-24	New	V. 32, p. 1246
26-50-26	New (T)	V. 32, p. 873
26-50-26	New	V. 32, p. 1246
26-50-30	New (T)	V. 32, p. 873
26-50-30	New	V. 32, p. 1247
26-50-32	New (T)	V. 32, p. 874
26-50-32	New	V. 32, p. 1247
26-50-34	New (T)	V. 32, p. 874
26-50-34	New	V. 32, p. 1248
26-50-36	New (T)	V. 32, p. 874
26-50-36	New	V. 32, p. 1248
26-50-38	New (T)	V. 32, p. 875
26-50-38	New	V. 32, p. 1248
26-50-40	New (T)	V. 32, p. 875
26-50-40	New	V. 32, p. 1249

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-4-801	Amended	V. 32, p. 1026
28-4-814	Amended	V. 32, p. 1027
28-4-816	Amended	V. 32, p. 1028
28-4-820	Amended	V. 32, p. 1029
28-4-821	Amended	V. 32, p. 1030
28-4-1250 through 28-4-1269	New (T)	V. 33, p. 8-24
28-29-109	Amended	V. 32, p. 938

28-29-1600 through 28-29-1608	New	V. 32, p. 1194-1199
28-30-2 through 28-30-6	Amended	V. 32, p. 522-525
28-31-260b	New	V. 32, p. 415
28-31-268	Amended	V. 32, p. 416
28-32-13	Amended	V. 32, p. 208
28-35-147a	Amended	V. 32, p. 260
28-39-164 through 28-39-168	Revoked (T)	V. 32, p. 876
28-39-169a	Revoked (T)	V. 32, p. 876
28-39-169b	Revoked (T)	V. 32, p. 876
28-39-169c	Revoked (T)	V. 32, p. 876

**AGENCY 30: DEPARTMENT FOR CHILDREN AND FAMILIES**

Reg. No.	Action	Register
30-6-34	Revoked (T)	V. 32, p. 1376
30-6-35	Revoked (T)	V. 32, p. 1376
30-6-36	Revoked (T)	V. 32, p. 1376
30-6-39	Revoked (T)	V. 32, p. 1376
30-6-40	Revoked (T)	V. 32, p. 1376
30-6-41	Revoked (T)	V. 32, p. 1376
30-6-50 through 30-6-56	Revoked (T)	V. 32, p. 1376
30-6-60	Revoked (T)	V. 32, p. 1376
30-6-63	Revoked (T)	V. 32, p. 1377
30-6-65	Revoked (T)	V. 32, p. 1377
30-6-70	Revoked (T)	V. 32, p. 1377
30-6-78	Revoked (T)	V. 32, p. 1377
30-6-80	Revoked (T)	V. 32, p. 1377
30-6-81	Revoked (T)	V. 32, p. 1377
30-6-82	Revoked (T)	V. 32, p. 1377
30-6-85 through 30-6-89	Revoked (T)	V. 32, p. 1377
30-6-91	Revoked (T)	V. 32, p. 1377
30-6-94	Revoked (T)	V. 32, p. 1377
30-6-95	Revoked (T)	V. 32, p. 1377
30-6-103	Revoked (T)	V. 32, p. 1377
30-6-106 through 30-6-113	Revoked (T)	V. 32, p. 1378, 1379
30-6-120	Revoked (T)	V. 32, p. 1379
30-6-140	Revoked (T)	V. 32, p. 1379
30-6-150	Revoked (T)	V. 32, p. 1379
30-14-1	Revoked (T)	V. 32, p. 1379
30-14-2	Revoked (T)	V. 32, p. 1379
30-14-3	Revoked (T)	V. 32, p. 1379
30-14-20	Revoked (T)	V. 32, p. 1379
30-14-21	Revoked (T)	V. 32, p. 1379
30-14-23 through 30-14-26	Revoked (T)	V. 32, p. 1379
30-14-28 through 30-14-31	Revoked (T)	V. 32, p. 1379
30-14-50	Revoked (T)	V. 32, p. 1380

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-20	Amended	V. 32, p. 183
40-1-28	Amended	V. 33, p. 68
40-1-37	Amended	V. 33, p. 68
40-1-48	Amended	V. 33, p. 68
40-2-14a	Amended	V. 32, p. 183
40-3-59	New	V. 33, p. 68
40-16-1	New	V. 33, p. 69
40-16-2	New	V. 33, p. 69

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-15-204	New (T)	V. 32, p. 862
44-15-204	New	V. 32, p. 1150

**AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION**

Reg. No.	Action	Register
51-9-7	Amended	V. 32, p. 1299
51-9-15	Revoked	V. 32, p. 836
51-9-17	Amended	V. 32, p. 88



**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-8-101	Amended	V. 32, p. 1216
60-9-105	Amended	V. 32, p. 411
60-9-106	Amended	V. 32, p. 412
60-9-107	Amended	V. 32, p. 413
60-12-106	Amended	V. 32, p. 414
60-16-102	Amended	V. 32, p. 1216

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-8-3	Amended	V. 32, p. 1488
66-8-6	Amended	V. 32, p. 1488
66-9-7	Amended	V. 32, p. 1488
66-10-1	Amended	V. 32, p. 1489
66-10-3	Amended	V. 32, p. 1489
66-10-9	Amended	V. 32, p. 1489
66-10-13	Amended	V. 32, p. 1489
66-10-14	Amended	V. 32, p. 1490
66-11-1	Amended	V. 32, p. 1490
66-11-2	Revoked	V. 32, p. 1490
66-14-1	Amended	V. 32, p. 1490

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-3-9	Amended	V. 32, p. 504

**AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER**

Reg. No.	Action	Register
81-14-9	Amended	V. 32, p. 1235
81-14-11	New	V. 32, p. 1238

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-3-135a	Amended	V. 32, p. 940
82-3-602	Amended	V. 32, p. 940
82-3-603	Amended	V. 32, p. 940
82-3-604	Amended	V. 32, p. 941
82-3-607	Amended	V. 32, p. 942
82-3-608	New	V. 32, p. 942
82-3-1300		
through		
82-3-1307	New	V. 32, p. 942, 943
82-3-1400	New	V. 32, p. 1354
82-3-1401	New	V. 32, p. 1355
82-3-1402	New	V. 32, p. 1355
82-4-1	Amended	V. 32, p. 1077
82-4-3a		
through		
82-4-3d	Amended	V. 32, p. 1079-1099
82-4-3f		
through		
82-4-3o	Amended	V. 32, p. 1100-1119
82-4-6d	Amended	V. 32, p. 1119
82-4-8a	Amended	V. 32, p. 1121
82-4-20	Amended	V. 32, p. 1121
82-4-27	Amended	V. 32, p. 1122
82-4-29	Amended	V. 32, p. 1122
82-4-39	Amended	V. 32, p. 1122
82-4-48a	Amended	V. 32, p. 1122

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-31-32	Amended	V. 32, p. 1527
91-42-1	New	V. 32, p. 317
91-42-2	New	V. 32, p. 317

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-51-21	Amended	V. 32, p. 1325

**AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-6-2	Amended	V. 32, p. 1454
93-6-3	Amended	V. 32, p. 1454
93-6-6	Amended	V. 32, p. 1455

**AGENCY 98: KANSAS WATER OFFICE**

Reg. No.	Action	Register
98-1-1	Amended	V. 32, p. 995
98-1-2	Revoked	V. 32, p. 996

98-2-1	Amended	V. 32, p. 996
98-2-2	Amended	V. 32, p. 996
98-2-3		
through		
98-2-20	Revoked	V. 32, p. 996
98-4-1		
through		
98-4-5	Amended	V. 32, p. 996-998
98-4-6	Revoked	V. 32, p. 998
98-4-7	Revoked	V. 32, p. 998
98-4-8	Amended	V. 32, p. 998
98-4-9	Revoked	V. 32, p. 999
98-4-10	Revoked	V. 32, p. 999
98-5-1	Revoked	V. 32, p. 999
98-5-2		
through		
98-5-8	Amended	V. 32, p. 999-1001
98-5-9	New	V. 32, p. 1001
98-6-1	Revoked	V. 32, p. 1002
98-6-3	Amended	V. 32, p. 1002
98-6-4	Amended	V. 32, p. 1003
98-7-1		
through		
98-7-4	New	V. 32, p. 1003, 1004
98-7-6	New	V. 32, p. 1005
98-8-1	New	V. 32, p. 1005
98-8-2	New	V. 32, p. 1006
98-8-3	New	V. 32, p. 1006

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

Reg. No.	Action	Register
99-25-1	Amended	V. 32, p. 960
99-25-9	Amended	V. 32, p. 960
99-40-3	Amended	V. 32, p. 960

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-7-3	Amended (T)	V. 32, p. 916
102-7-3	Amended	V. 32, p. 1356

**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
109-2-2	Amended	V. 32, p. 1512
109-2-5	Amended	V. 32, p. 612
109-5-3	Amended	V. 32, p. 230
109-5-5	Amended	V. 32, p. 231
109-11-1	Revoked	V. 32, p. 231
109-11-3	Revoked	V. 32, p. 231
109-11-4	Revoked	V. 32, p. 231
109-11-5	Revoked	V. 32, p. 231
109-11-6	Revoked	V. 32, p. 231
109-15-1	Amended	V. 32, p. 231
109-15-2	Amended	V. 33, p. 7
109-16-1	New	V. 33, p. 8

**AGENCY 110: DEPARTMENT OF COMMERCE**

Reg. No.	Action	Register
110-6-1	Revoked	V. 32, p. 1049
110-6-1a	Revoked	V. 32, p. 1049
110-6-2		
through		
110-6-7	Revoked	V. 32, p. 1049, 1050
110-6-8		
through		
110-6-12	New	V. 32, p. 1050-1053
110-12-1		
through		
110-12-6	Revoked	V. 32, p. 854

**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. A list of regulations filed from December 22, 2011 through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 Kansas Register. The following regulations were filed after December 15, 2013:

Reg. No.	Action	Register
111-2-314	New	V. 33, p. 59
111-4-3295		
through		
111-4-3305	New	V. 33, p. 35-44
111-4-3306		
through		
111-4-3310	New	V. 33, p. 60-64
111-9-199		
through		
111-9-203	New	V. 33, p. 45-47
111-17-9	Amended	V. 33, p. 48
111-17-10	Amended	V. 33, p. 48
111-17-12	New	V. 33, p. 65
111-501-6	Amended	V. 33, p. 65
111-501-101	Amended	V. 33, p. 67

**AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS AND TOURISM**

Reg. No.	Action	Register
115-2-1	Amended	V. 32, p. 1299
115-2-3	Amended	V. 33, p. 90
115-4-4	Amended	V. 32, p. 319
115-4-4a	Amended	V. 32, p. 320
115-4-11	Amended	V. 32, p. 483
115-4-15	Amended	V. 33, p. 90
115-5-1	Amended	V. 32, p. 854
115-5-2	Amended	V. 32, p. 855
115-6-1	Amended	V. 32, p. 855
115-7-10	Amended	V. 32, p. 1300
115-8-1	Amended	V. 32, p. 856
115-8-2	Amended	V. 32, p. 856
115-8-23	Amended	V. 32, p. 857
115-9-8	Amended	V. 32, p. 89
115-14-14	Amended	V. 32, p. 90
115-16-5	Amended	V. 32, p. 857
115-18-7	Amended	V. 32, p. 320
115-40-1		
through		
115-40-6	New	V. 32, p. 858, 859

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-7-1	Amended	V. 32, p. 226
117-20-3	New	V. 32, p. 89
117-20-4	Amended	V. 32, p. 1026
117-20-7	New	V. 32, p. 89

**AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION**

Reg. No.	Action	Register
128-1-1	Amended	V. 32, p. 1455
128-2-1	Amended	V. 32, p. 1456
128-2-3a	New	V. 32, p. 1457
128-2-6		
through		
128-2-9	Amended	V. 32, p. 1457, 1458
128-2-12	Amended	V. 32, p. 1458
128-2-13	Amended	V. 32, p. 1458
128-3-1	Amended	V. 32, p. 1459
128-4-2		
through		
128-4-9	Amended	V. 32, p. 1460-1465
128-5-1	Amended	V. 32, p. 1466
128-5-2	Amended	V. 32, p. 1466
128-5-3	New	V. 32, p. 1467
128-6-1	Amended	V. 32, p. 1467
128-6-6	New	V. 32, p. 1472
128-6-7	New	V. 32, p. 1472

**AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT—DIVISION OF HEALTH CARE FINANCE**

Reg. No.	Action	Register
129-1-1	New (T)	V. 32, p. 1380
129-2-1	New (T)	V. 32, p. 1380

(continued)

129-6-30	New (T)	V. 32, p. 1380	129-6-80			129-10-31	Amended	V. 32, p. 1488
129-6-34	New (T)	V. 32, p. 1380	through			129-14-2	New (T)	V. 32, p. 1409
129-6-35	New (T)	V. 32, p. 1382	129-6-89	New (T)	V. 32, p. 1393-1395	129-14-3	New (T)	V. 32, p. 1409
129-6-36	New (T)	V. 32, p. 1382	129-6-91	New (T)	V. 32, p. 1395	129-14-20	New (T)	V. 32, p. 1409
129-6-38	Revoked (T)	V. 32, p. 1382	129-6-94			129-14-21	New (T)	V. 32, p. 1410
129-6-39	New (T)	V. 32, p. 1382	through			129-14-22	Revoked (T)	V. 32, p. 1410
129-6-41	New (T)	V. 32, p. 1382	129-6-97	New (T)	V. 32, p. 1395, 1396	129-14-23	New (T)	V. 32, p. 1410
129-6-42	New (T)	V. 32, p. 1383	129-6-103	New (T)	V. 32, p. 1396	129-14-25	New (T)	V. 32, p. 1410
129-6-50			129-6-106			129-14-26	New (T)	V. 32, p. 1411
through			through			129-14-27	Amended (T)	V. 32, p. 1411
129-6-57	New (T)	V. 32, p. 1383-1388	129-6-113	New (T)	V. 32, p. 1397-1405	129-14-28	New (T)	V. 32, p. 1412
129-6-60	New (T)	V. 32, p. 1390	129-6-120	New (T)	V. 32, p. 1407	129-14-30		
129-6-63	New (T)	V. 32, p. 1391	129-6-140	New (T)	V. 32, p. 1407	through		
129-6-65	New (T)	V. 32, p. 1391	129-6-150	New (T)	V. 32, p. 1407	129-14-37	New (T)	V. 32, p. 1412-1414
129-6-70			129-6-151	Amended (T)	V. 32, p. 1408	129-14-40	New (T)	V. 32, p. 1414
through			129-6-152	Amended (T)	V. 32, p. 1408	129-14-50	New (T)	V. 32, p. 1415
129-6-74	New (T)	V. 32, p. 1391, 1392	129-6-153	New (T)	V. 32, p. 1408	129-14-51	Amended (T)	V. 32, p. 1415
129-6-77	Revoked (T)	V. 32 p. 1393				129-14-52	Amended (T)	V. 32, p. 1415

**Kansas Register**  
**Secretary of State**  
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