



# Kansas Register

Kris W. Kobach, Secretary of State

Vol. 33, No. 10

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State of Kansas

**Department of Revenue  
Division of Vehicles**

**Notice of Intent to Establish a New  
Motor Vehicle Dealer License**

Notice has been received from Janssen Ford of Norton of its intent to establish a new and used vehicle dealership inclusive of selling Ford franchised vehicles at 604 E. Holme, Norton, Kansas.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed establishment of the new Ford dealership, Janssen Ford of Norton, at 604 E. Holme, Norton, Kansas, if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale by Janssen Ford of Norton, at 604 E. Holme, Norton, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the new Ford dealership will be located.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the director of vehicles within 30 days of this notice. Such petitions or complaints must be directed to the director of vehicles, Kansas Department of Revenue, Division of Vehicles, 11th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Lisa Kaspar  
Director of Vehicles

Doc. No. 042348

State of Kansas

**Department of Revenue  
Division of Property Valuation**

**Notice of Hearing**

K.S.A. 79-505 requires the director of property valuation to adopt rules and regulations or appraisal directives prescribing appropriate standards for the performance of appraisals in connection with ad valorem taxation in this state.

The director of property valuation will conduct a public hearing at 1 p.m. Thursday, May 8, in the director's conference room, Division of Property Valuation, fourth floor, Docking State Office Building, 915 S.W. Harrison, Topeka, on two appraisal directives.

The first directive, tentatively numbered #14-046, rescinds Appraisal Directives #92-002 and #92-003 and revises scope of work and substantial compliance standards for the performance of appraisals in connection with ad valorem taxation in this state.

The second directive, tentatively numbered #14-047, rescinds Appraisal Directive #92-006 and revises the requirement of county appraisers to perform appraisal functions in conformity with Uniform Standards of Professional Appraisal Practice (USPAP).

Copies of the proposed directives may be obtained by contacting the Division of Property Valuation at 785-296-2365 or via email at bob.kent@kdor.ks.gov.

David N. Harper  
Director of Property Valuation

Doc. No. 042352

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## State of Kansas

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

**Notice of Hearing on Construction  
Management At-Risk Services**

Pursuant to K.S.A. 75-37,143(d), the State Building Advisory Commission will conduct a public hearing at 9 a.m. Wednesday, April 9, in Room 509 of the Landon State Office Building, 900 S.W. Jackson, Topeka. The purpose of the hearing is for the public to have an opportunity to comment on a request from Kansas State University for construction management at-risk services for the chiller plant expansion project in Manhattan. The estimated project cost is \$49,886,000. The project schedule calls for completion and use by the spring of 2016.

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

Doc. No. 042357

## State of Kansas

**Wildlife, Parks and Tourism Commission**

**Notice of Hearing on Proposed  
Administrative Regulation**

A public hearing will be conducted by the Wildlife, Parks and Tourism Commission at 6:30 p.m. Thursday, April 17, at the Great Plains Nature Center, 6232 E. 29th St. North, Wichita, to consider the approval and adoption of a proposed regulation of the Kansas Department of Wildlife, Parks and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks and Tourism Commission will begin at 1 p.m. April 17 at the location listed above. The meeting will recess at approximately 5 p.m., then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete business matters, the commission will reconvene at 9 a.m. April 18 at the same location.

Any individual with a disability may request accommodation in order to participate in the public meeting and may request the meeting materials in an accessible format. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Sheila Kemmis, commission secretary, at 620-672-5911. Persons with a hearing impairment may call the Kansas Commission for the Deaf and Hard of Hearing at 800-432-0698 to request special accommodations.

This 30-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulation. All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife, Parks

and Tourism, 1020 S. Kansas Ave., Suite 200, Topeka, 66612, or to sheila.kemmis@ksoutdoors.com if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulation. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulation.

The regulation that will be heard during the regulatory hearing portion of the meeting is as follows:

**K.A.R. 115-25-7.** This exempt regulation establishes the antelope open season, bag limit and permits. The proposed version of the regulation reduces permits by 4 permits across the management units.

Economic Impact Summary: The proposed version of the regulation is not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

Copies of the complete text of the regulation and the economic impact statement may be obtained by writing the chairman of the commission at the address above, electronically on the department's website at [www.kdwpt.state.ks.us](http://www.kdwpt.state.ks.us), or by calling 785-296-2281.

Gerald Lauber  
Chairman

Doc. No. 042347

## State of Kansas

**Department of Agriculture  
Division of Conservation**

**Notice to Contractors**

Sealed bids will be received by the Rock Creek Watershed Joint District No. 28 at the USDA Service Center, 2503 Enterprise, Suite B, El Dorado, 67042, until 4:30 p.m. April 3, 2014, for the projects listed below:

Rehabilitation of detention dams: **Site 12** — SW4 Section 1, Township 29, Range 6E; **Site 21** — NE4 Section 22, Township 29, Range 7E; and **Site 22** — E2 Section 12, Township 29, Range 7E, Butler County, Kansas. The projects entail replacement of rusted valve wells, valves and drawdown pipes to principal spillway inlet and fencing.

Bid opening will be at 1 p.m. April 7 at the Rock Creek Watershed District Office at the address above.

A site showing will be at 9 a.m. March 27. Interested parties should meet at the Rock Creek Watershed District Office.

A public works bond and a performance bond in addition to a certificate of liability insurance are required prior to Rock Creek Watershed Joint District No. 28 entering into a contract with the contractor whose bid is accepted.

For specific questions regarding plans, design specifications and work to be completed, contact Twila Flagler, contracting officer, at 620-965-2991.

For a copy of the bid packet, contact Brenda Nyberg at the Rock Creek Watershed District Office, 316-320-5891.

Greg A. Foley  
Executive Director

Doc. No. 042356

(Published in the Kansas Register March 6, 2014.)

## North Central Regional Planning Commission

### Notice to Bidders

Sealed bids for all parts and labor necessary to purchase fifteen (15) Dell Latitude Computers will be accepted by the North Central Regional Planning Commission, 109 N. Mill St., Beloit, 67420, until 4 p.m. (CDT) Thursday, March 20, 2014, at which time they will be publicly opened and read aloud at the same address. Copies of Instructions to Bidders and project specifications can be accessed by going to [www.ncrpc.org](http://www.ncrpc.org) (click on the Homeland Security link) or by contacting the NCRPC at 785-738-2218 or [jcyr@nckn.com](mailto:jcyr@nckn.com). This action is being taken on behalf of the Northeast Kansas Regional Homeland Security Council. The estimated project value exceeds \$25,000.

John R. Cyr  
Special Project Coordinator

Doc. No. 042350

## 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, Controllor'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:

03/18/2014	EVT0002982	Aggregate at Melvern Wildlife Area, Lyon and Osage County State Fishing Lakes
03/19/2014	EVT0002967	Moving Services
03/20/2014	EVT0002990	Bituminous Plant Mixture — KDOT
03/25/2014	EVT0002981	Concrete Flatwork — Glen Elder State Park
04/01/2014	EVT0002976	Software, Automated Licenses/ Permit Issuance System
04/09/2014	EVT0002988	Preferred Lab Benefit

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>

03/26/2014	A-011256	Re-roof — Boyd Hall — Kansas State University, Manhattan
03/26/2014	A-011257	Re-roof — Putnam Hall — Kansas State University, Manhattan

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. 042359

**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 3-3-14 through 3-9-14**

Term	Rate
1-89 days	0.07%
3 months	0.05%
6 months	0.07%
12 months	0.14%
18 months	0.20%
2 years	0.33%

Scott Miller  
Director of Investments

Doc. No. 042343

**State of Kansas**

**Legislature**

**Legislative Bills and Resolutions Introduced**

The following numbers and titles of bills and resolutions were introduced February 20-26 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 2734**, AN ACT concerning pharmacy benefits managers; relating to requirements and fiduciary duties; disclosure of certain information to covered entities; civil penalty; audit of the pharmacy benefits management contract with the state health care benefits program, by Committee on Appropriations.

**HB 2735**, AN ACT concerning income taxation; relating to credits; crude oil production, horizontal and vertical well drilling, definitions, by Committee on Taxation.

**HB 2736**, AN ACT concerning regulated scrap metal; relating to the crime of theft; sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; amending K.S.A. 2013 Supp. 21-5804, 21-6804, 50-6,109, 50-6,110, 50-6,111, 50-6,112, 50-6,112a and 50-6,112b and repealing the existing sections; also repealing K.S.A. 2013 Supp. 50-6,112c, by Committee on Appropriations.

**HB 2737**, AN ACT concerning wildlife; relating to dangerous regulated animals; pertaining to the sale, slaughter and acquisition of such animals; amending K.S.A. 2013 Supp. 32-1301, 32-1302, 32-1303, 32-1304, 32-1305, 32-1306, 32-1307, 32-1308 and 32-1310 and repealing the existing sections; also repealing K.S.A. 2013 Supp. 32-1309, by Committee on Appropriations.

**HB 2738**, AN ACT concerning homeowner associations; pertaining to liens; amending K.S.A. 2013 Supp. 58-4601 and 58-4618 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2739**, AN ACT concerning the state capitol building; establishing the capitol meditation room; amending K.S.A. 2013 Supp. 75-3765a and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2740**, AN ACT concerning legislators; relating to the compensation thereof; relating to the Kansas public employees retirement system; rate of compensation at which legislative members participate; amending K.S.A. 2013 Supp. 46-137a, 74-4992 and 74-4995 and repealing the existing sections, by Committee on Appropriations.

**HB 2741**, AN ACT concerning courts; relating to jurors; amending K.S.A. 2013 Supp. 22-3412 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2742**, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; affiliation and membership of the department of corrections in the Kansas police and firemen's retirement system; employee and employer contributions, by Committee on Federal and State Affairs.

**House Resolutions**

**HR 6055**, by Representative Gonzalez, A RESOLUTION designating Hispanic Legislative Day at the Capitol.

**HR 6056**, by Representative Lunn, A RESOLUTION congratulating Mission Trail Elementary School on receiving the U.S. Department of Education's Blue Ribbon award.

**HR 6057**, by Representative Victors, A RESOLUTION commemorating the 80th Anniversary of Newman University in Wichita, Kansas.

**Senate Bills**

**SB 414**, AN ACT concerning the Kansas department for children and families; photograph of a recipient on the card used for public assistance programs, by Committee on Ways and Means.

**SB 415**, AN ACT concerning crimes, punishment and criminal procedure; relating to burglary; amending K.S.A. 2013 Supp. 21-5807 and repealing the existing section, by Committee on Ways and Means.

**SB 416**, AN ACT concerning criminal procedure; relating to entitlement of defendants to counsel; amending K.S.A. 22-4503 and repealing the existing section, by Committee on Ways and Means.

**SB 417**, AN ACT concerning the court of appeals; relating to appointment of judges; amending K.S.A. 2013 Supp. 20-3002, 20-3006 and 20-3010 and repealing the existing sections; also repealing K.S.A. 2013 Supp. 20-3020, by Committee on Ways and Means.

**SB 418**, AN ACT concerning regulated scrap metal; relating to the crime of theft; sentencing; evidence at preliminary examination; regulation of scrap metal dealers; unlawful acts; penalties; amending K.S.A. 2013 Supp. 21-5804, 21-6804, 50-6,109, 50-6,110, 50-6,111, 50-6,112, 50-6,112a and 50-6,112b and repealing the existing sections; also repealing K.S.A. 2013 Supp. 50-6,112c, by Committee on Ways and Means.

**SB 419**, AN ACT concerning gold and silver bullion coins; recognizing such coins as legal tender; providing income tax deduction and sales tax exemption; amending K.S.A. 2013 Supp. 79-32,117 and 79-3606 and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 420**, AN ACT concerning the state capitol building; establishing the capitol meditation room; amending K.S.A. 2013 Supp. 75-3765a and repealing the existing section, by Committee on Ways and Means.

**SB 421**, AN ACT concerning the department of corrections; relating to program credits earned by an inmate; amending K.S.A. 2013 Supp. 21-6821 and repealing the existing section, by Committee on Ways and Means.

**SB 422**, AN ACT concerning local governments; relating to investment of idle funds; amending K.S.A. 2013 Supp. 12-1675 and repealing the existing section, by Committee on Ways and Means.

**SB 423**, AN ACT concerning real property; authorizing the secretary of administration to sell the Landon state office building and the Eisenhower state office building; authorizing the secretary of administration to exercise the option to purchase and sell the Van Buren project and the Curtis state office building and parking facility, by Committee on Ways and Means.

**SB 424**, AN ACT concerning hospital liens; relating to notice and amount of claims; requirements; amending K.S.A. 65-407 and repealing the existing section, by Committee on Ways and Means.

**Senate Resolutions**

**SR 1784**, by Senators Smith, Arpke, Love, Petersen and Wolf, A RESOLUTION commemorating the 230th Anniversary of the Ratification of the Treaty of Paris and recognizing the Wyandot Chapter of the Kansas Daughters of the American Revolution for preserving American history.

**SR 1791**, by Senator Melcher, A RESOLUTION congratulating Mission Trail Elementary School on receiving the U.S. Department of Education's Blue Ribbon award.

Doc. No. 042351

## 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 proposals using the Bid Express website at <http://www.bidx.com> until 1 p.m. local time March 26, 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 March 26, 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

**Statewide**—106 KA-2392-01 — I-70, I-470, U.S. 75 in Topeka and I-70/K-99 interchange, Intelligent Transportation System. (State Funds)

**Nemaha**—36-66 KA-2610-01 — U.S. 36, from 1st Street to 11th Street, curb and gutter/new, repair or replace, 0.7 mile. (State Funds)

**Douglas**—59-23 KA-2611-01 — Intersection of U.S. 59 and K-10 (23rd and Iowa), intersection improvement, 0.5 mile. (Federal Funds)

**Johnson**—35-46 KA-2784-01 — I-35, bridges #002 through #005 located approximately 2 miles northeast of the Miami County line, bridge overlay, 0.0 mile. (State Funds)

**Shawnee**—70-89 KA-3169-01 — I-70, bridges #026 (Polk-Quincy Viaduct), #027 and #028 over 10 streets and 3 railroads in the city of Topeka, located 0.14, 0.56 and 0.67 mile east of Topeka Avenue, bridge repair. (State Funds)

**Johnson**—10-46 KA-3170-01 — K-10, bridges #196 (Evening Star Road) and #198 (Edgerton Road), located

1.0 and 2.47 miles east of the Douglas/Johnson county line, bridge repair. (State Funds)

**Johnson**—56-46 KA-3171-01 — U.S. 56, bridges #289 and #290 (U.S. 56 over I-35), located 9.01 and 9.02 miles northeast of the Johnson/Miami county line, bridge repair. (State Funds)

**Johnson**—435-46 KA-3172-01 — I-435, bridges #225 and #226 at the I-435/87th Street interchange, bridge repair. (State Funds)

**Wabaunsee**—70-99 KA-3177-01 — I-70, bridges #098 and #100 (RS-1071; Keene Road/Hudson Ranch Road), located westbound 1.02 miles east of K-30 and 1.20 miles east of RS-1071, bridge repair. (State Funds)

**Jefferson**—24-44 KA-3185-01 — U.S. 24, bridges #037 and #038 (Elm Creek), located 3.57 and 3.58 miles east of the Jefferson/Shawnee county line, and bridges #039 and #040 (Prairie Creek), located 4.51 and 4.52 miles east of the Jefferson/Shawnee county line, bridge repair. (State Funds)

**Jefferson**—4-44 KA-3186-01 — K-4, bridge #034 (Walnut Creek) located 4.34 miles northeast of the east junction on K-4/K-16, bridge repair. (State Funds)

**Wyandotte**—670-105 KA-3188-01 — I-670, bridge #241 (I-670 over U.S. 69/7th Street and 4 ramps), located 0.29 mile east of Mill Street, bridge repair. (State Funds)

**Johnson**—10-46 KA-3366-01 — K-10, bridge #186 located 9.23 miles east of the Johnson/Douglas county line (Cedar Creek Road), bridge repair. (State Funds)

**Johnson**—56-46 KA-3410-01 — U.S. 56, at the junction of U.S. 56/Antioch Road, pavement patching, 0.3 mile. (State Funds)

**Leavenworth**—73-52 KA-3529-01 — U.S. 73, from 100 feet west of the U.S. 73/16th Street intersection, north and west to 0.28 mile north of the U.S. 73/RS-855 junction (near Lowemont), pavement reconstruction, 8.5 miles. (State Funds)

**Johnson**—35-46 KA-3604-01 — I-35, from the Johnson/Miami county line, northeast to state milepost 213.0, overlay, 11.2 miles, (State Funds)

**Wyandotte**—70-105 KA-3624-01 — I-70, eastbound and westbound lanes beginning west of 110th Street at milepost 410.06 east to 0.23 mile west of the I-70 and I-435 junction at mile marker 411.6, overlay, 1.4 miles. (State Funds)

**Doniphan**—22 KA-3373-01 — U.S. 36, from 0.66 mile east of the Doniphan/Brown county line east to 0.9 mile east of U.S. 36/RS-826 junction (PCCP), ultra thin bonded asphalt surfacing; U.S. 36, from 0.9 mile east of U.S. 36/RS-826 junction (PCCP), east to the west city limits of Wathena (400 ft. east of RS-828); U.S. 36, from the west city limits of Wathena (400 ft. east of RS-828), east to PCCP; K-238; full length of K-238 from K-238/US-36 junction, north into the city of Elwood; milling and overlay, 24.4 miles. (State Funds)

## District Two — North Central

**Dickinson**—77-21 KA-2058-01 — bridge #036, 0.33 mile north of U.S. 77/U.S. 56/U.S. 56B, bridge replacement. (Federal Funds)

**Mitchell**—181-62 KA-2072-01 — K-181, bridge #032 and culvert #521 located 0.90 mile and 0.88 mile north of the Mitchell/Lincoln county line (Bacon Creek and Bacon Creek drainage), bridge replacement. (Federal Funds)

**Republic**—36-79 KA-2084-01 — U.S. 36, bridge #001 located 0.78 mile east of K-199 (Beaver Creek), bridge replacement. (Federal Funds)

**District Three — Northwest**

**Rooks**—183-82 KA-3047-01 — U.S. 183, from north side of U.S. 24 to the north side of 8th Street, grading and surfacing, 0.6 mile. (State Funds)

**District Four — Southeast**

**Miami**—69-61 KA-3257-01 — U.S. 69, from 0.6 mile south of the U.S. 69/K-68 junction, north to the Miami/Johnson county line, milling and overlay, 8.9 miles. (State Funds)

**Crawford**—69B-19 U-0065-01 — 20th and Broadway (U.S. 69B), intersection improvement. (Federal Funds)

**District Five — South Central**

**Sumner**—81-96 KA-2090-01 — U.S. 81, bridge #041 located 1.58 miles north of the Oklahoma state line (Fall Creek), bridge replacement. (Federal Funds)

**Sedgwick**—235-87 KA-3159-01 — I-235, bridge #070 (McLean Boulevard) located 0.38 mile northwest of McArthur Road, and bridge #078 (West Street) located at the junction of I-235/West Street, bridge repair. (State Funds)

**Sedgwick**—135-87 KA-3163-01 — I-135, bridges #004 (MacArthur Road) located at the junction of I-135/MacArthur Road and #008 (Hydraulic Avenue) located at the junction of I-135/Hydraulic Avenue, bridge repair. (State Funds)

**District Six — Southwest**

**Hamilton**—50-38 KA-2062-01 — Bridge #007, 4.42 miles east of the Kansas/Colorado state line, bridge replacement. (Federal Funds)

**Clark**—160-13 KA-3162-01 — U.S. 160, bridges #035 and #036 (east branch Bear Creek/Day Creek) located 5.71 and 1.13 miles west of the east junction of U.S. 160/U.S. 183, bridge repair. (State Funds)

**Scott**—95-86 KA-3178-01 — K-95, bridge #05 located 3.21 miles north of south U.S. 83 junction (Ladder Creek), bridge repair. (State Funds)

**Ford**—400-29 KA-3608-01 — U.S. 400, bridge #077 located 8.0 miles east of the Ford/Gray county line (Marshall Road over U.S. 400), bridge repair. (State Funds)

**Statewide**—190-106 KA-3617-01 — K-190, from the east junction of U.S. 56/K-190 south to the Haskell/Seward county line, and from the Seward/Haskell county line south and east to the U.S. 83/K-190 junction, crack repair, 10.8 miles. (State Funds)

**Statewide**—83-106 KA-3627-01 — U.S. 83, from the end of the concrete pavement in north Garden City north to the Finney/Scott county line, and from the Scott/Finney county line north to 12th Street in Scott City, ultra thin bonded asphalt surfacing, 32.4 miles. (State Funds)

Mike King  
Secretary of Transportation

Doc. No. 042322

**State of Kansas**

**Secretary of State**

**Executive Appointments**

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

**State Senator, 35th District**

**Douglas Clark Shultz**, P.O. Box 731, McPherson, 67460. Succeeds Jay Emler, resigned.

**State Representative, 73rd District**

**Leslie Mason**, 108 Arcadian Court, McPherson, 67460. Succeeds Douglas Clark Shultz, resigned.

**Secretary of Agriculture**

**Jackie McClaskey**, Kansas Department of Agriculture, 109 S.W. 9th, Topeka, 66612. Serves at the pleasure of the governor. Succeeds Dale Rodman.

**State Banking Board**

**Norman Pishny**, 18750 Antioch Road, Bucyrus, 66013. Term expires March 15, 2016. Succeeds Carolyn Dunn.

**Central Interstate Low-Level  
Radioactive Waste Commission**

**John Mitchell**, 1012 Wagon Wheel Road, Lawrence, 66049. Serves at the pleasure of the governor. Succeeds Shari Feist-Albrecht.

**Kansas Human Rights Commission**

**Marilyn Wilder**, 316 S. Main, Hesston, 67062. Term expires Jan. 15, 2018. Succeeds Joshua Ney.

**State Board of Indigents' Defense Services**

**Jeffrey Leiker**, 4905 N. 126th St., Kansas City, KS 66109. Term expires Jan. 15, 2015. Succeeds James Colgan.

**Jaime Rogers**, 9227 W. 101st St., Overland Park, 66212. Term expires Jan. 15, 2016. Succeeds John Poertner.

**Ronald Wurtz**, 2767 S.W. Plass Ave., Topeka, 66611. Term expires Jan. 15, 2017. Succeeds Penny Moylan.

**Executive Director, Kansas Lottery**

**Terry Presta**, Kansas Lottery, 128 N. Kansas Ave., Topeka, 66603. Serves at the pleasure of the governor. Succeeds Dennis Wilson.

**Physician Assistant Council**

**Kimberly Dinsel**, 403 Broadway, Weskan, 67762. Term expires Jan. 31, 2017. Reappointed.

**University of Kansas Hospital Authority**

**Jack Newman Jr.**, 2300 W. 96th St., Leawood, 66206. Term expires March 15, 2016. Succeeds Betty Keim.

**Deryl Wynn**, 11110 Parkview Ave., Kansas City, KS 66109. Term expires March 15, 2017. Reappointed.

Kris W. Kobach  
Secretary of State

Doc. No. 042342

## State of Kansas

## Secretary of State

## Code Mortgage Rate for March

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of March 1, 2014, through March 31, 2014, is 12 percent. The reference rate referred to in the definition of "code mortgage rate" set forth in K.S.A. 16a-1-301(11)(b)(i) is discontinued, has become impractical to use, and/or is otherwise not readily ascertainable from the Federal Home Loan Mortgage Corporation.

Kris W. Kobach  
Secretary of State

Doc. No. 042345

## State of Kansas

## Department of Transportation

## Notice to Consulting Firms

The Kansas Department of Transportation is seeking a qualified consulting firm, prequalified in Category 211 — Highway Design Major Facility, for project design as described below. A PDF (1Mb maximum size) of the interest response must be emailed to David J. Nagy, P.E., assistant to the director of design/contracts engineer, at davidn@ksdot.org. Interest and experience responses are limited to four pages, and the subject line of the reply email and the PDF file name must read "83-28 KA-1008-04 LOI — Firm Name." The letter of interest is required and must be received by noon March 13, 2014, for the consulting firm to be considered. View categories at <http://www.ksdot.org/divengdes/prequal/default.asp>.

## Project No. 83-28 KA-1008-04

## 2-Lane Reconstruction on 4-Lanes of Right-of-Way

The scope of the services is to prepare a set of plans for U.S. 83 from 2.5 miles north of the Haskell/Finney county line north to the Arkansas River Bridge, which includes the following: reconstruction of 2-lanes on offset alignment, development of right-of-way limits, and design for the future 4-lane expressway with partial access control. One set of passing lanes will also be constructed. Public involvement will be required as part of this project. Current plans are estimated to be 10 percent complete.

The Consultant Shortlist Committee will select three to five of the most highly qualified firms expressing interest and schedule an individual interview for the project. The consulting firms can more thoroughly discuss their experience related to the project at the interview and will be expected to discuss their approach to this project in detail and the personnel to be assigned to this project. View categories at [www.ksdot.org/divengdes/prequal](http://www.ksdot.org/divengdes/prequal).

The Consultant Selection Committee, appointed by the secretary of transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select one firm to perform the professional services required for completing the advertised project.

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

1. Size and professional qualifications.
2. Experience of staff.
3. Location of firm with respect to project(s).
4. Work load of firm.
5. Firm's performance record.

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

- Valid, reliable and current costs must be available within the system to support cost and pricing data.
- Capability to provide a means of measuring the reasonableness of incurred costs.
- Capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger.
- Ability to provide supporting documentation of actual expenditures for each billing, based on costs.

For more information contact David Nagy at 785-296-0930 or davidn@ksdot.org.

Jim L. Kowach, P.E., Director  
Division of Engineering and Design

Doc. No. 042333

## State of Kansas

## Department of Transportation

## Notice to Consulting Firms

The Kansas Department of Transportation is seeking a qualified consulting firm prequalified in Category 211 — Highway Design Major Facility, for project design as described below. A PDF (1Mb maximum size) of the interest response must be emailed to David J. Nagy, P.E., assistant to the director of design/contracts engineer, at davidn@ksdot.org. Interest and experience responses are limited to four pages, and the subject line of the reply email and the PDF file name must read "10-23 KA-3634-01 LOI — Firm Name." The letter of interest is required and must be received by noon March 20, 2014, for the consulting firm to be considered. View categories at <http://www.ksdot.org/divengdes/prequal/default.asp>.

## Project No. 10-23 KA-3634-01

The scope of the services will be a study (eventually leading to design) of K-10 from the I-70/K-10 junction south and east to the US-59/K-10/Iowa Street junction, to provide a 4-lane freeway section in this section of K-10. This project will review project area issues, current transportation needs, impacts on current projects, and interchange configurations, and reevaluate the environmental documentation for the preferred improvements. This project will include traffic analysis, full field survey and public involvement.

The Consultant Shortlist Committee will select three to five of the most highly qualified firms expressing interest and schedule an individual interview for the project. The consulting firms can more thoroughly discuss their experience related to the project at the interview and will be expected to discuss their approach to this project in detail and the personnel to be assigned to this project. View categories at [www.ksdot.org/divengdes/prequal](http://www.ksdot.org/divengdes/prequal).



The Consultant Selection Committee, appointed by the secretary of transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select one firm to perform the professional services required for completing the advertised project.

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

1. Size and professional qualifications.
2. Experience of staff.
3. Location of firm with respect to project(s).
4. Work load of firm.
5. Firm’s performance record.

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

- Valid, reliable and current costs must be available within the system to support cost and pricing data.
- Capability to provide a means of measuring the reasonableness of incurred costs.
- Capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger.
- Ability to provide supporting documentation of actual expenditures for each billing, based on costs.

For more information contact David Nagy at 785-296-0930 or davidn@ksdot.org.

Jim L. Kowach, P.E. Director  
Division of Engineering and Design

Doc. No. 042344

(Published in the Kansas Register March 6, 2014.)

**Summary Notice of Bond Sale**  
**City of Solomon, Kansas**  
**\$865,000**  
**General Obligation Bonds**  
**Series 2014**

**Details of the Sale**

Subject to the terms and requirements of the Official Notice of Bond Sale dated March 3, 2014, of the city of Solomon, Kansas, bids to purchase the city’s General Obligation Bonds, Series 2014, will be received at the office of the city clerk at City Hall, 116 W. Main, Solomon, KS 67480, or by telefacsimile at 785-655-3170, until 2 p.m. (CDT) Monday, March 17, 2014. The bids will be considered by the governing body at its meeting at 6:30 p.m. on the sale date.

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

**Good Faith Deposit**

Each bidder must submit a good faith deposit in the form of cash deposited in the city’s account by electronic transfer, a certified or cashier’s check made payable to the order of the city, or a financial surety bond (all as further described in the Official Notice of Bond Sale), in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Bonds**

The bonds will be dated April 3, 2014, and will be issued as registered bonds in the denomination of \$5,000 or any integral multiple thereof. Interest on the bonds is payable semiannually on April 1 and October 1 of each year, beginning April 1, 2015. Principal of the bonds becomes due on October 1 in the years and amounts as shown below:

**Maturity Schedule**

Principal Amount	Maturity Date
\$30,000	2015
45,000	2016
50,000	2017
50,000	2018
50,000	2019
55,000	2020
55,000	2021
60,000	2022
60,000	2023
60,000	2024
65,000	2025
65,000	2026
70,000	2027
75,000	2028
75,000	2029

**Payment of Principal and Interest**

The Kansas State Treasurer will serve as the bond registrar and paying agent for the bonds.

**Book-Entry Bonds**

The bonds will be issued and registered under a book-entry-only system administered by the Depository Trust Company, New York, New York (DTC).

**Delivery of the Bonds**

The city will prepare the bonds at its expense and will deliver the registered bonds to DTC on or about April 3, 2014.

**Legal Opinion**

The bonds will be sold subject to the legal opinion of Triplett, Woolf & Garretson, LLC, Wichita, Kansas, bond counsel, whose fees will be paid by the city.

**Financial Matters**

The city’s current assessed valuation for purposes of calculating statutory debt limitations is \$7,609,788. As of April 3, 2014, the city’s total outstanding general obligation debt (including the bonds) is \$865,000, which excludes temporary notes outstanding in the amount of \$1,000,000 that will be retired from proceeds of the bonds and other available funds.

**Additional Information**

For additional information contact the city clerk at the address and telephone number shown below.

City of Solomon, Kansas  
By Dana Carney, City Clerk  
City Hall, 116 W. Main  
Solomon, KS 67480  
785-655-3311  
Fax: 785-655-3170

Doc. No. 042358

## State of Kansas

## Kansas Development Finance Authority

## Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, March 20, 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. 000885 — Maximum Principal Amount: \$402,000.** Owner/Operator: Ryan J. Haverkamp. Description: Acquisition of 120 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 J. Haverkamp and is located at the South Half of the Southwest Quarter and the South Half of the West Half of the Southeast Quarter of Section 17, Powhattan North Township, Brown County, Kansas, approximately 4 miles south of Fairview on Highway 75 and 2 miles west on 190th Street.

**Project No. 000886 — Maximum Principal Amount: \$402,000.** Owner/Operator: Kurt M. Haverkamp. Description: Acquisition of 120 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 Kurt M. Haverkamp and is located at the North Half of the Southwest Quarter and the North Half of the West Half of the Southeast Quarter of Section 17, Powhattan North Township, Brown County, Kansas, approximately 4 miles south of Fairview on Highway 75 and 2 miles west on 190th Street.

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. 042360

## State of Kansas

Department of Health  
and Environment

## Request for Comments

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

Northern Natural Gas Company, 1111 S. 103rd St., Omaha, Nebraska, 68124-1000, owns and operates the Cunningham Compressor Station, an existing natural gas compressor station located at Section 24, Township 27S, Range 11W, Pratt County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Connie Ellis, 785-296-1556, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Connie Ellis, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon April 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Ellis, KDHE, Bureau of Air, not later than noon April 7 in order for the secretary of health and environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was im-

practicable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

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

Doc. No. 042346

## State of Kansas

### Department of Health and Environment

#### Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Producer Ag, LLC, P.O. Box D, Moundridge, Kansas, 67107, has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to construct a new grain terminal elevator located at 1407 25th Ave., Canton, Kansas, 67428, operated by MKC.

Emissions of particulate matter (PM), PM with a diameter less than 10 microns (PM<sub>10</sub>), hazardous air pollutants (HAPs) and carbon dioxide equivalent (CO<sub>2</sub>e) were evaluated during the permit review process.

A public comment period has been established until noon April 7 to allow citizens the opportunity to express any concerns they may have about this proposed permitting action. All comments should be submitted in writing to Ann Spitz, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. Written comments also may be presented at the public hearing, which is tentatively scheduled for April 9 unless the public hearing is cancelled.

Any member of the public may request that a public hearing be conducted to receive comments on the proposed issuance of the draft air quality construction permit. A written request to hold a public hearing should be sent to the attention of Ann Spitz at the address listed above or by fax to 785-291-3953 and must be received by noon April 7. If a pertinent request is received, a public hearing is tentatively scheduled by KDHE on April 9 at the Canton Community Center, 100 W. McPherson, Canton, beginning at 5:30 p.m. and continuing until audience members have an opportunity to submit comments. If no pertinent request to hold the public hearing is received by noon April 7, the public hearing will be cancelled. A notice of the cancellation will be posted at the KDHE website at <http://www.kdheks.gov/bar/publicnotice.html>.

If a hearing is conducted, all interested parties will be given a reasonable opportunity to present their views orally or by submission of written materials during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit oral presentations to a specific time limit.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed materials in an accessible format. Requests for accommodation must be made not later than March 26 by contacting Ann Spitz at 785-368-6683.

Copies of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process are available for public review for a period of 30 days from the date of publication during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Ann Spitz, 785-368-6683, at the KDHE central office, or Stan Marshall, 785-827-1544, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

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

Doc. No. 042354

## State of Kansas

### Department of Health and Environment

#### Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Ivy Animal Health, a wholly owned subsidiary of Eli Lilly and Company, operating through Lilly's Elanco Division (Ivy Animal Health), has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300. Emissions of particulate matter (PM), PM with an aerodynamic diameter less than or equal to 10 micrometers (PM<sub>10</sub>), volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) were evaluated during the permit review process.

Ivy Animal Health, 8857 Bond St., Overland Park, Kansas, 66214, owns and operates an animal pharmaceutical products manufacturing facility located at 8871 Bond St., Overland Park, Kansas, 66214. A 200-liter production line will be added at a new site located at 10850 Lakeview, Lenexa, Kansas, 66219.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review from the date of publication during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the Johnson County Department of Health and Environment, 11811 S. Sunset, Suite 2700, Olathe. To obtain or review the proposed permit and supporting documentation, contact Rasha Allen, 785-296-1693, at the KDHE central office, or Mike Boothe, 913-715-6939, at the Johnson County Department of Health and Environment. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rasha Allen, KDHE, Bureau of Air,

*(continued)*

1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than noon April 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Rasha Allen, KDHE, Bureau of Air, not later than noon April 7 in order for the secretary of health and environment to consider the request.

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

Doc. No. 042353

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-14-041/046

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Loren Grimm	NW/4 of Section 10,	Missouri River
Loren Grimm — Swine Finishing Barn	T02S, R15E, Brown County	Basin

409 270th St.  
Sabetha, KS 66534  
Kansas Permit No. A-MOBR-S044

This is a new permit for a new swine facility with the proposed maximum capacity for 2,400 head (960 animal units) of swine weighing greater than 55 pounds. The facility will consist of an enclosed swine building. Accumulated manure and waste will be collected and stored in two underground concrete pits.

Name and Address of Applicant	Legal Description	Receiving Water
Ethan Busenitz Dry Creek Farms Inc.	N/2 of Section 23 & N/2 of SE/4 of Section 23, T24S,	Walnut River Basin
8409 N.W. Tawakoni Whitewater, KS 67154	R03E, Butler County	

Kansas Permit No. A-WABU-B018

This is a new permit for a new facility for 999 head (999 animal units) of cattle weighing more than 700 pounds. The operation is proposing the construction of a waste control system in accordance with approved plans.

Name and Address of Applicant	Legal Description	Receiving Water
Galen Geyer 10082 200 Ave. WaKeeney, KS 67672	SW/4 of Section 03, T11S, R24E, Trego County	Saline River Basin

Kansas Permit No. A-SATR-B001

This permit is being reissued for an existing facility with a maximum capacity of 900 head (450 animal units) of cattle 700 pounds or less. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
David Hartter 2225 192nd Road Sabetha, KS 66534	SW/4 of Section 34, T01S, R14E, Nemaha County	Kansas River Basin

Kansas Permit No. A-KSNM-S024

This permit is being reissued for an existing facility with a maximum capacity of 1,600 head (640 animal units) of swine more than 55 pounds and 160 head (160 animal units) of cattle more than 700 pounds, for a total of 800 animal units of swine and cattle. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Kevin Deniston Prairie Pork Center 440 N. Eagle Road Scott City, KS 67871	NE/4 of Section 20, T18S, R34W, Scott County	Upper Arkansas River Basin

Kansas Permit No. A-UASC-S007

This is a reissuance of a permit for an existing facility for 200 head (80 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal unit capacity.

Name and Address of Applicant	Legal Description	Receiving Water
William Nicholas Floyd Feedyard 4652 N. Road L Johnson City, KS 67855	NE/4 of Section 09, T28S, R40W, Stanton County	Cimarron River Basin

Kansas Permit No. A-CIST-C005 Federal Permit No. KS0087548

This permit is being reissued for an existing facility for 6,500 head (6,500 animal units) of beef cattle greater than 700 pounds. There is no change in the permitted animal unit capacity. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No. KS-AG-R-14-008

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

Name and Address of Registrant	Legal Description	County
Ronald G. DeGarmo DeGarmo Farms Box 86 Rolla, KS 67954	SW/4 of Section 32, T33S, R39E	Morton

Public Notice No. KS-Q-14-034/037

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Harshman Construction 1648 F P Road Cedar Point, KS 66843	Cottonwood River via Unnamed Tributary	Stormwater Runoff & Pit Dewatering

Kansas Permit No. I-NE26-PO02 Federal Permit No. KS0089184  
 Legal Description: NW¼, SW¼, S5, T21S, R5E, Marion County, KS  
 Facility Name: Florence Quarry

The proposed action consists of reissuing an existing permit for discharge of wastewater during quarry operations. This is a limestone quarrying and crushing operation with no washing. Outfalls 001 and 002 consist of stormwater runoff and quarry pit water, after being treated by a settling pond. The proposed permit contains generic water-quality language to protect waters of the state.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Harshman Construction 1648 F P Road Cedar Point, KS 66843	Cottonwood River via Clear Creek via Unnamed Tributary	Stormwater Runoff & Pit Dewatering

Kansas Permit No. I-NE45-PO02 Federal Permit No. KS0100706  
 Legal Description: NW¼, S28; SE¼, S½, S21, T19S, R4E, Marion County, KS

Facility name: North Marion Quarry  
 The proposed action consists of reissuing an existing permit for discharge of wastewater during quarry operations. This is a limestone quarrying and crushing operation with some rock washing. However, all wash water is collected and is usually not discharged from the outfalls. If a discharge does occur, Outfalls 001, 002, 003, 004 and 005 would consist of stormwater runoff and quarry pit water, after being treated by settling ponds. The proposed permit contains generic water-quality language to protect waters of the state.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Minneapolis, City of 218 N. Rock Minneapolis, KS 67467	Lindsey Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-SO27-OO02 Federal Permit No. KS0086304  
 Legal Description: NW¼, NW¼, SE¼, S7, T11S, R3W, Ottawa County, KS

The proposed action consists of modifying and reissuing an existing permit for an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, sulfates, total phosphorus, chlorides, total recoverable zinc and pH. Contained in the permit is a schedule of compliance requiring the permittee to submit an operations and maintenance study report for this facility, as well as an engineering report and plan to bring this facility into consistent compliance with the requirements of the permit.

Name and Address of Applicant	Receiving Stream	Type of Discharge
South Hutchinson, City of 2 S. Main South Hutchinson, KS 67505	Arkansas River via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-AR82-OO02 Federal Permit No. KS0095711  
 Legal Description: W½, SE¼, NE¼, S25, T23S, R6W, Reno County, KS  
 The proposed action consists of modifying an existing permit for an existing wastewater treatment facility. The proposed modification consists of updating the existing Schedule of Compliance, as well as adding a TMDL limit on chlorides. All other terms, conditions and requirements remain the same.

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 April 5 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-14-041/046, KS-AG-R-14-008, KS-Q-14-034/037) 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. 042355

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

**Article 2.—CPA EXAM APPLICATION AND EDUCATION REQUIREMENTS**

**74-2-1. Applications for examination.** (a) Each application to take the certified public accountant examination shall be submitted on a form provided by the board or its designee and shall be filed by a date specified in the application.

(b) An application shall not be considered filed until the following conditions are satisfied:

- (1) All information requested on the form is provided.
- (2) All fees are included with the application.
- (3) Official transcripts and any documents that establish that the applicant has satisfied the education requirements in K.A.R. 74-2-7 and K.S.A. 1-302a, and amendments thereto, are provided with the application.

(4) All supporting documents identified in the application form are received, including proof of identity as specified in the application form.

(c) Each testing candidate shall notify the board or its designee of any change of home or business address within 30 days of the change. (Authorized by K.S.A. 1-202 and K.S.A. 2013 Supp. 1-304; implementing K.S.A. 2013 Supp. 1-304; effective Jan. 1, 1966; amended May 1,

*(continued)*

1978; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended July 18, 1997; amended Nov. 17, 2000; amended Nov. 14, 2003; amended March 21, 2014.)

**74-2-7. Concentration in accounting.** (a) The “concentration in accounting” courses required to qualify for admission to the certified public accountant examination shall be as follows:

(1) At least 42 semester credit hours in business and general education courses, including the following:

(A) A macroeconomics course, a microeconomics course, and one upper-division economics course;

(B) at least two courses in the legal aspects of business or business law;

(C) college algebra or higher-level math course;

(D) statistics and probability theory course;

(E) computer systems and applications course;

(F) finance course;

(G) management and administration course;

(H) marketing course; and

(I) production, operations research, or applications of quantitative techniques to business problems course;

(2) at least 11 semester credit hours in courses in written and oral communications; and

(3) at least 30 semester credit hours in courses in accounting theory and practice, including the following:

(A) Financial accounting and reporting for business organizations course, which may include any of the following:

(i) Intermediate accounting course;

(ii) advanced accounting course; or

(iii) accounting theory course;

(B) managerial accounting beyond an introductory course;

(C) auditing course concentrating on auditing standards generally accepted in the United States as issued by the AICPA auditing standards board or the PCAOB, or both;

(D) income tax course; and

(E) accounting systems beyond an introductory computer course.

(b) The following types of credits awarded by a college or university approved by the board shall be accepted by the board for purposes of determining compliance with subsection (a), if the credits are related to those areas specified in subsection (a):

(1) Credit for advanced placement;

(2) credit by examination;

(3) credit for military education; and

(4) credit for competency gained through experience.

Credits recognized by the board pursuant to this subsection shall not exceed a total of six semester hours.

(c) Credit shall not be allowed for any course that is only audited.

(d) Credit shall not be allowed for any course for which credit has already been received.

(e) Any credits earned for an accounting internship may count toward the overall 150-hour education requirement, but these credits shall not be acceptable in satisfaction of the required concentration in accounting courses.

(f) Credits earned for CPA exam review courses shall not be acceptable in satisfaction of the required 30 hours of accounting theory and practice. However, these credits may be used toward the overall 150-hour education requirement.

(g) Not to exceed a total of six hours, up to three hours of course requirements specified in paragraph (a)(1), (a)(2), or (a)(3) may be waived by the board, upon the applicant’s demonstration of compelling circumstances and upon receipt of satisfactory verification that the applicant has otherwise met the requirements. (Authorized by K.S.A. 1-202 and K.S.A. 2013 Supp. 1-302a; implementing K.S.A. 2013 Supp. 1-302a; effective Jan. 1, 1973; amended Feb. 15, 1977; amended May 1, 1978; amended May 1, 1979; amended July 22, 1991; amended Sept. 25, 1998; amended Jan. 11, 2008; amended May 25, 2012; amended March 21, 2014.)

#### Article 4.—PERMITS TO PRACTICE AND CONTINUING PROFESSIONAL EDUCATION REQUIREMENTS

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

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

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

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

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

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

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

(2) Each applicant specified in paragraph (b)(1) shall provide the board with a certificate of completion or attendance for all attended, group, independent, and self-study program CPE hours claimed. Each certificate of completion or attendance shall include the name of the sponsor, title and description of content, date and location of the program or course attended, and number of CPE contact hours.

(3) For instruction credit, each applicant shall provide the board with a certificate or other verification supplied by the CPE program sponsor.

(4) For a university or college course that is successfully completed for credit, each applicant shall provide the board with an official transcript of the grade that the participant received.

(5) For a university or college non-credit course, each applicant shall provide the board with a certificate of attendance issued by a representative of the university or college.

(c) Each applicant shall retain documentation of completion or attendance for any continuing professional education program or course for five years from the end of the year in which the program or course was completed.

(d) Each applicant required to verify the number of CPE hours claimed shall respond to the board's request for verification within 30 days. (Authorized by K.S.A. 1-202 and K.S.A. 75-1119; implementing K.S.A. 1-202, K.S.A. 2013 Supp. 1-310, and K.S.A. 75-1119; effective, E-82-27, Dec. 22, 1981; effective May 1, 1982; amended May 1, 1985; amended Sept. 25, 1998; amended Nov. 22, 2002; amended Nov. 14, 2003; amended May 23, 2008; amended Nov. 29, 2010; amended March 21, 2014.)

#### Article 5.—CODE OF PROFESSIONAL CONDUCT

**74-5-2. Definitions.** Each of the following terms, wherever used in this article, shall have the meaning specified in this regulation:

(a) "AICPA" means American institute of certified public accountants.

(b) "AICPA professional standards" means the standards, including definitions and interpretations, in "AICPA professional standards," volumes 1, 2, and 3, published by the AICPA, as in effect on June 1, 2013, which are hereby adopted by reference, except for the following portions:

(1) In volume 1, pages iii-xxiii, preface material;

(2) in volume 2, the following:

(A) Pages 1567-1592, preface material; and

(B) pages 2497-2574, appendixes and topical index; and

(3) in volume 3, the following:

(A) Pages 2575-2593, table of contents;

(B) pages 3003-3010, appendixes;

(C) pages 3033 through 3195, bylaws of the AICPA;

(D) pages 3569 through 3592, continuing professional education;

(E) pages 2913 through 2932, section 191 under rules 101 and 102;

(F) pages 2987 through 3002, section 591 under rules 501, 502, and 503;

(G) pages 3009 through 3010, council resolution concerning rule 505;

(H) pages 2953 through 2960, section 391 under rules 301 and 302;

(I) page 2937, section 202; and

(J) pages 2943 through 2945, section 291 under rules 201, 202, and 203.

All definitions included in the standards adopted in this subsection shall apply only to the documents adopted by reference.

(c) "Audit" means an independent examination of financial information or assertions of any entity, regardless of profit orientation, size, and legal form, if the examination is conducted to express an opinion thereon.

(d) "Board" means Kansas state board of accountancy.

(e) "Certified public accountant" and "CPA" mean any of the following:

(1) A holder of a Kansas certificate;

(2) a person practicing certified public accountancy under the authorization to practice by notification as provided in K.S.A. 1-322 and amendments thereto; or

(3) a firm.

(f) "Compilation" shall have the meaning specified in K.S.A. 1-321 and amendments thereto.

(g) "Firm" shall have the meaning specified in K.S.A. 1-321 and amendments thereto.

(h) "Generally accepted accounting principles" and "GAAP" mean the following standards, as applicable, in effect as specified and hereby adopted by reference:

(1) "Federal accounting standards," issued by the federal accounting standards advisory board (FASAB) as follows:

(A) "FASAB handbook of federal accounting standards and other pronouncements, as amended," as in effect on June 30, 2012, except for the following portions: the forward, the preamble, appendixes A-E, all sections titled "basis of conclusions," and all sections titled "basis of the board's conclusions";

(B) statement of federal financial accounting standards 44, "accounting for impairment of general property, plant, and equipment remaining in use," dated January 3, 2013, except pages 4-7 and appendix A; and

(C) statement of federal financial accounting standards 45, "deferral of the transition to basic information for long-term projections," dated July 8, 2013, except appendix A;

(2) "FASB accounting standards codification," including accounting standards updates, as contained in volumes 1 through 4, published by the financial accounting standards board (FASB), as in effect on October 31, 2012, except pages 36-42 in volume 1 and the topical index in volume 4;

(3) "codification of governmental accounting and financial reporting standards," except for pages viii through xvii, appendixes A, B, and C, and pages T-1 through T-127, issued by the governmental accounting standards board, as in effect on June 30, 2012; and

(4) "international financial reporting standards®" (IFRSs®), parts A and B, issued by the international accounting standards board, as in effect on January 1, 2013, except the following:

(A) In part A, pages A-3 through A-8 and the index;

(B) in part B, pages B-2071 through B-2121; and

(C) all sections titled "basis for conclusions."

(i) "Government auditing standards" means the "government auditing standards" issued by the United States government accountability office, 2011 revision, revised on January 20, 2012, which is hereby adopted by reference, except pages 1-3, appendixes 1 and 3, and the index.

(j) "Licensed municipal public accountant" and "LMPA" mean a holder of a permit issued under the laws of Kansas to practice as a municipal public accountant.

(k) "PCAOB" means the public company accounting oversight board created by the Sarbanes-Oxley act of 2002.

(l) "Practice of certified public accountancy" means performing or offering to perform attest or nonattest services for the public while using the designation "certified public accountant" or "CPA" in conjunction with these services. "Attest" and "nonattest" services shall have the meaning specified in K.S.A. 1-321 and amendments thereto.

(continued)

(m) "Standards of the PCAOB" means the following, which are hereby adopted by reference:

(1) The following standards and related rules in "by-laws and rules of the public accounting oversight board" as in effect on August 25, 2011:

(A) Auditing standards numbers 1, 3, 4, 5, 6, and 7;

(B) conforming amendments to PCAOB interim standards; and

(C) rules, section 3, "professional standards," part 1, "general requirements," and part 5, "ethics"; and

(2) auditing standards numbers 8, 9, 10, 11, 12, 13, 14, 15, and 16, as in effect on June 30, 2013.

(n) "Staff accountant" means a certified public accountant who meets the following requirements:

(1) Holds both a Kansas certificate and a Kansas permit;

(2) is employed by a firm that is the certified public accountant's primary employer; and

(3) works at least 1,040 hours for the firm during a calendar year. (Authorized by and implementing K.S.A. 1-202; effective Jan. 1, 1974; amended May 1, 1978; amended May 1, 1979; amended May 1, 1985; amended July 22, 1991; amended July 13, 1992; amended April 5, 1993; amended Aug. 23, 1993; amended Jan. 12, 1996; amended Jan. 8, 1999; amended Nov. 17, 2000; amended Nov. 2, 2001; amended May 27, 2005; amended May 19, 2006; amended Feb. 16, 2007; amended Jan. 11, 2008; amended May 29, 2009; amended Nov. 29, 2010; amended May 25, 2012; amended March 21, 2014.)

**74-5-101. Independence.** (a) Each certified public accountant and each licensed municipal public accountant who performs professional services requiring independence shall comply with the following standards, as applicable:

(1) Rule 101 of the code of professional conduct, including the interpretations under rule 101, as contained in the "AICPA professional standards" adopted by reference in K.A.R. 74-5-2;

(2) chapter three of the government auditing standards adopted by reference in K.A.R. 74-5-2;

(3) regulation S-X codified at 17 C.F.R. Part 210, as in effect on September 3, 2013, which is hereby adopted by reference; and

(4) PCAOB rules, section 3, "professional standards," part 5, "ethics," as adopted by reference in K.A.R. 74-5-2.

(b) In determining whether a certified public accountant's or a licensed municipal public accountant's independence is impaired, any other circumstances, relationship, or activity that the board determines could impair independence may be considered by the board. (Authorized by and implementing K.S.A. 1-202; effective Jan. 1, 1966; amended Jan. 1, 1972; amended Jan. 1, 1974; amended May 1, 1978; amended May 1, 1985; amended Nov. 15, 2002; amended May 27, 2005; amended May 19, 2006; amended Feb. 16, 2007; amended Jan. 11, 2008; amended May 29, 2009; amended Nov. 29, 2010; amended May 25, 2012; amended March 21, 2014.)

**74-5-202. Compliance with standards.** (a) Each certified public accountant who performs auditing, attestation, review, compilation, management consulting, tax, or other professional services shall comply with the appli-

cable professional standards promulgated by the following entities, which are adopted by reference in K.A.R. 74-5-2 and this regulation:

(1) The federal accounting standards advisory board;

(2) the financial accounting standards board;

(3) the governmental accounting standards board;

(4) the PCAOB;

(5) the international accounting standards board;

(6) the municipal services team of the office of the chief financial officer, Kansas department of administration;

(7) the AICPA accounting and review services committee;

(8) the AICPA auditing standards board;

(9) the AICPA management consulting services executive committee;

(10) the AICPA tax executive committee;

(11) the AICPA forensic and valuation services executive committee;

(12) the AICPA professional ethics executive committee; and

(13) the AICPA personal financial planning executive committee.

(b) Each licensed municipal public accountant shall comply with applicable, generally accepted auditing standards in the 2013 revised "Kansas municipal audit and accounting guide," including appendices A through N, prescribed by the division of accounts and reports, department of administration, and hereby adopted by reference. (Authorized by and implementing K.S.A. 1-202 and K.S.A. 75-1119; effective Jan. 1, 1966; amended Jan. 1, 1972; amended Jan. 1, 1974; amended May 1, 1978; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended May 22, 1989; amended Jan. 7, 1991; amended July 13, 1992; amended Aug. 23, 1993; amended Sept. 26, 1994; amended Jan. 12, 1996; amended Sept. 25, 1998; amended Sept. 10, 1999; amended Nov. 17, 2000; amended Nov. 2, 2001; amended Nov. 15, 2002; amended Nov. 14, 2003; amended May 27, 2005; amended May 19, 2006; amended Feb. 16, 2007; amended Jan. 11, 2008; amended May 29, 2009; amended Nov. 29, 2010; amended May 25, 2012; amended March 21, 2014.)

**74-5-406. Firm or professional names.** (a) A certified public accountant or firm shall not practice certified public accountancy under a firm or professional name or advertise a firm or professional name that includes descriptive words relating to the quality of services offered or that is misleading concerning the legal form or the persons who are owners, partners, officers, members, managers, or shareholders of the firm.

(b) A firm or professional name shall not be considered to be misleading solely because it contains words describing the geographical area in which the services are offered or words describing the type of services actually being performed by the certified public accountants who are owners, partners, officers, members, managers, or shareholders of the firm.

(c) A firm or professional name or designation shall be considered to be misleading in any of the following instances:



(1) The name contains a misrepresentation of facts.

(2) The name is intended or is likely to create false or unjustified expectations of favorable results.

(3) The name implies education, professional attainment, or licensing recognition of its owners, partners, officers, members, managers, or shareholders that is not supported by facts.

(4) The name of a Kansas professional corporation or association, limited liability company, limited liability partnership, or general corporation does not include its full legal name each time the firm or professional name is used.

(5) The terms “& Company,” “& Associate,” or “Group” are used, but the entity does not include, in addition to the named partner, shareholder, owner, or member, at least one other unnamed partner, shareholder, owner, member, or staff accountant holding both a Kansas certificate and a Kansas permit to practice.

(6) The plural term “& Associates” is used, but the entity does not include, in addition to the named partner, shareholder, owner, or member, at least two other unnamed partners, shareholders, owners, members, or staff accountants holding both a Kansas certificate and a Kansas permit to practice.

(7) The name contains the name or names of one or more former partners, shareholders, or owners without their written consent.

(d) A fictitious firm or professional name shall be defined as a name that does not contain the name or names of one or more present or former owners, partners, members, or shareholders. A fictitious firm or professional name may be used if the name is registered with the board and is not false or misleading as determined by the board. Each firm shall utilize its full name as registered with the board each time the name is used.

(e) A fictitious firm or professional name that includes the terms “& Company,” “& Associate,” or “Group” shall be considered misleading if the firm has only one partner, shareholder, owner, or member and no other partner, shareholder, owner, member, or staff accountant holding both a Kansas certificate and a Kansas permit to practice.

(f) A fictitious firm or professional name that includes the term “& Associates” shall be considered misleading if the firm or professional name has only one partner, shareholder, owner, or member and only one or no other partner, shareholder, owner, member, or staff accountant holding both a Kansas certificate and a Kansas permit to practice.

(g) Each certified public accountant or firm that falls out of compliance with this regulation due to any change in ownership or personnel shall notify the board within 30 days after the change. A reasonable period of time may be granted by the board for a firm or certified public accountant to take corrective action.

(h) If a firm does not have an office in Kansas but is required to register with the board pursuant to K.S.A. 1-308 and amendments thereto, the name shall not be considered misleading even if the name meets the criteria for being “misleading” as specified in paragraph (c)(5) or (6) or subsection (e) or (f) of this regulation. (Authorized by K.S.A. 1-202; implementing K.S.A. 1-202 and K.S.A. 2013

Supp. 1-308; effective May 1, 1978; amended Oct. 8, 1990; amended Aug. 23, 1993; amended Jan. 12, 1996; amended Sept. 25, 1998; amended Sept. 10, 1999; amended Nov. 15, 2002; amended Jan. 11, 2008; amended May 29, 2009; amended March 21, 2014.)

**74-5-407. Cooperation with the board.** Each certified public accountant or licensed municipal public accountant shall cooperate in a timely manner with the board in its investigation of complaints or possible violations of the accounting statutes or the regulations of the board. Cooperation shall include responding to written communications from the board sent by certified mail, return receipt requested, within a reasonable time frame specified by the board or appearing before the board, or one or more of its members, upon request. (Authorized by and implementing K.S.A. 1-202 and K.S.A. 75-1119(a); effective May 1, 1978; amended May 1, 1979; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended May 1, 1985; amended Sept. 25, 1998; amended March 21, 2014.)

#### Article 6.—ADDITIONAL OFFICES

**74-6-2. Management of an office.** (a) Each firm or sole proprietorship with an office, as defined by K.A.R. 74-6-1, that is located in this state shall have one resident manager in charge of the office who is the holder of a current permit to practice as a certified public accountant issued by this state and who devotes more than half of the resident manager’s working time to the affairs of that office.

(b) Any firm or sole proprietorship specified in subsection (a) may, however, have additional offices if the additional office or offices meet the following requirements:

(1) A certified public accountant who holds a current Kansas permit to practice shall supervise directly each additional office as the resident manager and shall oversee the planning, administration, direction, and review of the services being performed in that office.

(2) The resident manager shall be present at least two-thirds of the hours each office is listed as being open.

(3) The firm or sole proprietorship shall register each additional office by providing a written statement to the board, listing the name of the resident manager and the days and hours the additional office will be advertised as being open. (Authorized by K.S.A. 1202; implementing K.S.A. 2013 Supp. 1308; effective Jan. 1, 1972; amended May 1, 1980; amended May 1, 1982; amended Aug. 21, 1989; amended Aug. 23, 1993; amended Jan. 12, 1996; amended Sept. 25, 1998; amended Nov. 17, 2000; amended Nov. 29, 2010; amended March 21, 2014.)

#### Article 11.—PEER REVIEW PROGRAM

**74-11-6. Definitions.** Each of the following terms, wherever used in this article, shall have the meaning specified in this regulation:

(a) “AICPA” means American institute of certified public accountants.

(b) “AICPA professional standards” means the “AICPA professional standards,” volumes 1, 2, and 3,

(continued)

published by the AICPA, as in effect on June 1, 2013, which are adopted by reference in K.A.R. 74-5-2.

(c) "Firm" shall have the meaning specified in K.S.A. 1-321 and amendments thereto.

(d) "Peer review" means a review of a firm's accounting and auditing practice in accordance with the standards for performing and reporting on peer reviews.

(e) "Peer review team" means persons or organizations participating in the peer review program required by this article. This term shall specifically include the team captain, team members, review captain, the report acceptance committee, and the oversight body, but shall not include the board.

(f) "Standards for performing and reporting on peer reviews" means the AICPA "standards for performing and reporting on peer reviews" contained in volume three of the AICPA professional standards, as adopted by reference in K.A.R. 74-5-2.

(g)(1) "Substantially similar program" means a peer review program that meets the following requirements:

(A) The peer review team shall be approved by a nationally recognized accounting organization as having the qualifications, training, and experience to perform the peer review function required by this regulation.

(B)(i) The peer review shall be conducted pursuant to peer review standards as issued by a nationally recognized peer review program that has received prior approval by the board; or

(ii) the peer review shall be conducted pursuant to a written submission detailing the qualifications of the peer review team to conduct the peer review and providing a written plan for the peer review illustrating the means of compliance with this regulation with the prior specific approval of the board.

(2) Each inspection performed by the PCAOB of areas of a firm's practice related to audits of issuers, as defined by the public company accounting oversight board, shall be deemed to satisfy the peer review requirements related to this element of the firm's practice.

(h) For peer reviews commencing on and after January 1, 2009, "modified peer review report" shall mean a peer review report with a peer review rating of "pass with deficiencies," as defined in the AICPA standards for performing and reporting on peer reviews.

(i) For peer reviews commencing on and after January 1, 2009, "adverse peer review report" shall mean a peer review report with a peer review rating of "fail," as defined in the AICPA standards for performing and re-

porting on peer reviews. (Authorized by and implementing K.S.A. 1-202, K.S.A. 2013 Supp. 1-312, and K.S.A. 2013 Supp. 1-501; effective Feb. 14, 1994; amended Sept. 25, 1998; amended Sept. 10, 1999; amended Nov. 17, 2000; amended Nov. 2, 2001; amended Nov. 15, 2002; amended Nov. 14, 2003; amended May 27, 2005; amended May 19, 2006; amended Feb. 16, 2007; amended May 29, 2009; amended May 25, 2012; amended March 21, 2014.)

**74-11-7. Renewal of a firm's registration.** (a) Each application for renewal of a firm's registration shall include one of the following:

(1) A letter issued by the administering entity stating that a peer review has been completed and including a due date for the next peer review;

(2) a letter issued by the administering entity stating that the peer review is in process; or

(3) a completed form titled "peer review form," which shall be provided by the board and completed by the firm.

(b) For the purpose of this regulation, for a peer review to be "in process" shall mean that the peer review report has been issued to the firm and the report and, if applicable, the letter of response have been submitted to the administering entity. However, the letter stating that the peer review has been completed and signifying a due date for the next peer review has not been issued.

(c) If a firm has received a waiver pursuant to K.S.A. 1-501 and amendments thereto, before commencement of any attestation engagement, the firm shall have in place a system of internal quality control and shall notify the board. The firm shall provide a letter of completion to the board within 18 months after the date on which the report subject to peer review was issued.

(d) The letter of completion shall be valid until the due date for the next peer review specified in the letter of completion. (Authorized by K.S.A. 1-202; implementing K.S.A. 1-202 and K.S.A. 2013 Supp. 1-501; effective Feb. 14, 1994; amended Sept. 25, 1998; amended Nov. 2, 2001; amended Nov. 15, 2002; amended Nov. 14, 2003; amended May 19, 2006; amended Nov. 29, 2010; amended March 21, 2014.)

**74-11-15.** (Authorized by and implementing K.S.A. 1-202 and K.S.A. 1-501; effective Nov. 2, 2001; amended May 27, 2005; revoked March 21, 2014.)

Susan L. Somers  
Executive Director

Doc. No. 042330

**INDEX TO ADMINISTRATIVE REGULATIONS**

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