



# Kansas Register

Kris W. Kobach, Secretary of State

Vol. 35, No. 5

February 4, 2016

Pages 73-94

## In this issue ...

Page

### Secretary of State

Code mortgage rate for February.....74

### Pooled Money Investment Board

Notice of investment rates.....74

### Department for Children and Families

Request for proposals for Fatherhood Initiative grant .....74

### Kansas Department of Transportation

Notice to consulting firms .....75

### Department of Administration – Procurement and Contracts

Notice to bidders for state purchases .....75

### Department of Administration – Office of Facilities and Property Management

Notices of requested architectural services .....75

### Kansas Board of Regents Universities

Notice to bidders .....76

### Department of Health and Environment

Notice concerning water pollution control permits/applications .....76

Requests for comments on proposed air quality permits.....79, 80

### Kansas Board of Pharmacy

Notice of hearing on proposed administrative regulation.....80

Legislative bills and resolutions introduced January 21-27.....81

### Permanent Administrative Regulations

State Board of Accountancy .....84

Index to administrative regulations .....92

## State of Kansas

## Secretary of State

## Code Mortgage Rate for February

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of February 1-29, 2016, 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. 044269

## 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. 2014 Supp. 12-1675(b)(c)(d) and K.S.A. 2014 Supp. 12-1675a(g).

## Effective 2-1-16 through 2-7-16

Term	Rate
1-89 days	0.34%
3 months	0.36%
6 months	0.47%
12 months	0.67%
18 months	0.77%
2 years	0.88%

Scott Miller  
Director of Investments

Doc. No. 044267

## State of Kansas

## Department for Children and Families

Request for Proposals  
Fatherhood Initiative Grant

The Kansas Department for Children and Families (DCF), Division of Economic and Employment Services, TANF Program, announces the release of a request for proposal (RFP) to qualified agencies to administer and provide services for a Fatherhood Initiative. Eligible applicants are able to furnish all personnel, equipment, storage and administrative services to all recipients. DCF invites applications from community not-for-profit, non-profits or faith-based organizations that are established and experienced in providing Fatherhood programs.

A complete copy of the RFP may found at <http://www.dcf.ks.gov/Agency/Operations/Pages/OGC/Grant-RFP.aspx> under "Grant Requests for Proposal (RFPs)." Written questions about the RFP from potential bidders will be accepted until 2 p.m. (CST) Feb. 15, 2016. Questions should be emailed to Linda Cambron, Office of Grants and Contracts, at [linda.cambron@dcf.ks.gov](mailto:linda.cambron@dcf.ks.gov). Answers will be posted on the aforementioned webpage Feb. 24, 2016. Proposals must be received no later than 2 p.m. (CST) March 18, 2016, at the Kansas Department for Children and Families, Administration Building, c/o Linda Cambron, Office of Grants and Contracts, 555 S. Kansas Ave., Topeka, KS 66603.

Phyllis Gilmore  
Secretary for Children and Families

Doc. No. 044274

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

© Kansas Secretary of State 2016. Reproduction of the publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

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

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



**Register Office:**  
1st Floor, Memorial Hall  
785-296-0082  
Fax 785-296-8577  
[kansasregister@sos.ks.gov](mailto:kansasregister@sos.ks.gov)

State of Kansas

Department of Transportation

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or a team of consultants who are prequalified in both category 111–Rail Systems Planning and category 162 – Long Range Planning, for the project listed below. A PDF (0.5 Mb maximum size) of the interest response must be emailed to David J. Nagy, P.E., Contracts Engineer, at DavidN@ksdot.org. Interest and experience responses are limited to six pages. The subject line of the reply email and the PDF file name must read “Project #-LOI-Firm Name.” Letters of interest must be received by noon February 11, 2016, for the consulting firm to be considered. View categories at [www.ksdot.org/divengdes/prequal](http://www.ksdot.org/divengdes/prequal).

**Project 106 P-0771-01 Freight-Rail Plan 2016**, KDOT seeks proposals to develop KDOT’s 2016 Kansas Statewide Freight Plan (KSFP) Update. KDOT will incorporate the Statewide Rail Plan Update (SRP) as a component of the KSFP Update. The SRP should be able to serve as a standalone document. The KSFP update will have a timeline not to exceed twelve (12) months in length. The KSFP update must be structured to meet all requirements of the *Fixing America’s Surface Transportation Act (FAST)*. The SRP component must be structured to meet all requirements of the *Passenger Rail Investment and Improvement Act (PRIIA)*. The study planning horizon will be 2040. The Kansas Freight Advisory Committee (KFAC) will provide input into the KSFP as well as the SRP component. Interested firms should email David J. Nagy for the entire scope of services.

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. The contract will be a standard KDOT cost plus fixed fee agreement which it is anticipated to be executed by March 31, 2016.

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

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 firms 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 which 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 J. Nagy, P.E., at DavidN@ksdot.org.

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

Doc. No. 044264

State of Kansas

Department of Administration  
Procurement and Contracts

Notice to Bidders

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

02/16/2016	EVT0004177	Rescue Airboats & Trailers
02/16/2016	EVT0004180	Agricultural Services, Melvern
02/17/2016	EVT0004188	Truck Utility Bodies
03/02/2016	EVT0004182	Statewide Infant-Toddler Specialist Network
03/15/2016	EVT0004168	SCC – Land Reclamation Quarry Project

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>

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

Tracy T. Diel, Director  
Procurement and Contracts

Doc. No. 044278

State of Kansas

Department of Administration  
Office of Facilities and Property Management

Notice of Requested Architectural Services

Notice is hereby given of the commencement of the selection process for architectural services for the Locking System and Control Panel Replacement for A, C, D and E Cell Houses at the Lansing Correctional Facility. The project will replace a Southern Steel 7100 series locking system with a new rack and pinion locking system. This will require new control panels, wiring, locking system, housing covers, gear and motors, etc. The cell fronts are

(continued)

to remain. The project will be completed over five years. The project construction budget is \$2,500,000.

For more information contact Mike Gaito at Mike.Gaito@doc.ks.gov or 785-296-0883. An architectural/engineering program is available at <http://admin.ks.gov/offices/ofpm/dcc/arch-eng-programs>.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at <http://admin.ks.gov/offices/ofpm/dcc/f-and-d>. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 MB and follow the current State Building Advisory Commission guidelines which can be found in Part B – Chapter 2 of the Building Design and Construction Manual at <http://www.admin.ks.gov/offices/ofpm/dcc/bdcm>. Proposals should be sent on a CD, DVD or flash drive along with a transmittal to Randy Riveland, Office of Facilities and Property Management, Suite 700, 800 S.W. Jackson, Topeka, 66612-1216. Proposals sent via email will no longer be accepted and paper copies of the proposals are no longer required. It is the proposer's responsibility to ensure proposals are received by the closing date and time. Delays in mail delivery or any other means of transmittal, including couriers or agents of the issuing entity shall not excuse late proposal submissions. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions, call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of Randy Riveland by 2 p.m. on or before February 19, 2016.

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

Doc. No. 044277

## 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. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801-5415.

**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.

Kathy Herrman  
Chair of Regents Purchasing Group  
Director of Purchasing  
Fort Hays State University

Doc. No. 043663

## 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-16-018/023**

**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

Dustin Bemis 861 U.S. Highway 40 Hays, KS 67601	N/2 of Section 20, T13S, R19W, Ellis County	Smoky Hill River Basin
---	---	---------------------------

Kansas Permit No: A-SHEL-B011

This is a permit modification for an existing livestock facility with the maximum capacity of 999 head (999 animal units) of cattle weighing more than 700 pounds. The facility is proposing to construct a feed storage area, diversion berm, and runoff control basin. Wastewater from the proposed runoff control basin will be pumped to the existing retention control structure. There are no other changes to the permit. Only the portions of the permit being modified are subject to comment.

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

Russell Duerksen Deere Creek Farm 326 140th Hillsboro, KS 67063	SW/4 of Section 28, T20S, R01E, Marion County	Neosho River Basin
--	---	--------------------

Kansas Permit No. A-NEMN-M027

This permit is being reissued for an existing facility with a maximum capacity of 55 head (77 animal units) of mature dairy cattle, 30 head (30 animal units) of dairy heifers, and 40 head (20 animal units) of dairy calves, for a total of 127 animal units. There is no change in the permitted animal units from the previous permit cycle.

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

Scott Green Greene Farms Inc. P.O. Box 24 Jewell, KS 66949	SE/4 of Section 30, T04S, R07W, Jewell County	Lower Republican River Basin
---	---	---------------------------------

Kansas Permit No. A-LR JW-B005

This is a renewal permit for an existing facility with a maximum capacity for 400 head (400 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

David Mann Mann Cattle Company, Inc. 2334 Road 70 Quinter, KS 67752	S/2 of Section 07, T12S, R26W, Gove County	Smoky Hill River Basin
---	--	---------------------------

Kansas Permit No. A-SHGO-B016

This is a renewal permit for an existing facility for a maximum capacity of 980 head (980 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

Douglas Martin Martin Feedlot 15445 South Road 110 East Quinter, KS 67752	NE/4 of Section 32, T10S, R26W, Sheridan County	Saline River Basin
---	---	--------------------

Kansas Permit No. A-SASD-B003

This is a renewal permit for an existing facility for the maximum capacity of 990 head (990 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
-------------------------------	-------------------	-----------------

Scott and Shannon Strathman Strathman Farms 414 Highway 62 Goff, KS 66428	SW/4 of Section 15, T05S, R13E, Nemaha County	Kansas River Basin
---	---	--------------------

Kansas Permit No. A-KSNM-S029

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

**Public Notice No. KS-Q-16-006/014**

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
-------------------------------	------------------	-------------------

Cedar Vale, City of P.O. Box 119 Cedar Vale, KS 67024	Caney River via Cedar Creek	Treated Domestic Wastewater
---	--------------------------------	--------------------------------

Kansas Permit No. M-VE05-OO01 Federal Permit No. KS0116947

Legal Description: SW¼, NW¼, NE¼, S14, T34S, R8E, Chautauqua County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
-------------------------------	------------------	-------------------

Chautauqua, City of P.O. Box 256 Chautauqua, KS 67334	Turkey Creek	Treated Domestic Wastewater
---	--------------	--------------------------------

Kansas Permit No. M-VE06-OO01 Federal Permit No. KS0083291

Legal Description: SE¼, NW¼, NE¼, S11, T35S, R11E, Chautauqua County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, final cell level, and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
-------------------------------	------------------	-------------------

Edna, City of P.O. Box 190 Edna, KS 67342	Deer Creek	Treated Domestic Wastewater
---	------------	--------------------------------

Kansas Permit No. M-VE12-OO01 Federal Permit No. KS0024759

Legal Description: SW¼, SW¼, NE¼, S30, T34S, R19E, Labette County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
-------------------------------	------------------	-------------------

Jefferson County Commission 1212 Walnut – U.S. Highway 59 Oskaloosa, KS 66066	Perry Lake via Unnamed Tributary	Treated Domestic Wastewater
---	--	--------------------------------

(continued)

Kansas Permit No. M-KS56-OO06 Federal Permit No. KS0093173

Legal Description: SE¼, SE¼, NE¼, S29, T9S, R18E, Jefferson County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Mound Valley, City of P.O. Box 164 Mound Valley, KS 67354	Pumpkin Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-VE28-OO01 Federal Permit No. KS0116980

Legal Description: SE¼, SE¼, NE¼, S3, T33S, R18, Labette County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Oskaloosa, City of P.O. Box 446 Oskaloosa, KS 66066	Slough Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-KS54-OO01 Federal Permit No. KS0046442

Legal Description: NE¼, NE¼, SW¼, S33, T9S, R19E, Jefferson County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Pottawatomie County RWD #4 6005 Camp Creek Road Belvue, KS 66407	Lost Creek via Spoils Bank Ditch via Roadside Ditch	Process Wastewater

Kansas Permit No. I-KS05-PO02 Federal Permit No. KS0095591

Legal Description: SE¼, SE¼, S29, T9S, R11E, Pottawatomie County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. This is a public water treatment plant that adds chlorine to raw water. To oxidize iron and manganese, a two-cell pressure filter system is used to remove the iron and manganese precipitates. The precipitate is treated by three reverse osmosis (R.O.) units and to reduce other contaminants. The filter backflush water is routed to a back-wash storage tank for settling and the settled water is recycled back to the water treatment system. Settled solids from the back wash storage tank are periodically discharged to the ditch. On-line chlorine monitoring water is also discharged to a nearby roadside ditch. The proposed permit contains limits for total selenium and pH. Contained in the permit is a schedule of compliance requiring the permittee to submit a plan to remove settled iron and manganese solids discharge.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Ransom, City of P.O. Box 207 Ransom, KS 67572	Walnut Creek via Bazine Dry Creek	Treated Domestic Wastewater

Kansas Permit No. M-UA34-OO01 Federal Permit No. KS0031453

Legal Description: NE¼, SE¼, SE¼, S26, T16S, R24W, Ness County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, sulfates, total recoverable selenium, final cell level, and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Severy, City of P.O. Box 128 Severy, KS 67137	Salt Creek	Treated Domestic Wastewater

Kansas Permit No. M-VE34-OO01 Federal Permit No. KS0029076

Legal Description: SE¼, SW¼, NW¼, S17, T28S, R11E, Greenwood County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, and pH.

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 St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before March 5, 2016, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-16-018/023, KS-Q-16-006/014) 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 Envi-

ronment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

Susan Mosier, M.D.  
Secretary of Health  
and Environment

Doc. No. 044273

#### State of Kansas

### Department of Health and Environment

#### Request for Comments

The Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. ONEOK Field Services Company L.L.C. – Okmar 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.

ONEOK Field Services Company L.L.C., P.O. Box 871, Tulsa, OK 74102-0871, owns and operates a natural gas compressor station located at Section 35, T32S, R12W, Barber 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, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 West McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact Vivien Smith, 785-296-0757, 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.

Please direct written comments or questions regarding the proposed permit to Vivien Smith, 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 no later than noon Monday, March 7, 2016.

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 Vivien Smith, KDHE, Bureau of Air, no later than noon Monday, March 7, 2016 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 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 impracticable 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, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.  
Secretary of Health  
and Environment

Doc. No. 044268

#### State of Kansas

### Department of Health and Environment

#### Request for Comments

The Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed reopening of an air quality operating permit. A Class I Air Operating Permit was issued for the operation of Southern Star Central Gas Pipeline, Inc. located at Section 19, T25S, R11W, Stafford County, Kansas, which owns and operates Stafford Compressor Station. The effective date of the permit was November 3, 2014. K.A.R. 28-19-513(e) (2) states that only those parts of the permit for which cause to reopen exists shall be affected by the reopening.

The Class I operating permit issued to Southern Star Central Gas Pipeline, Inc. is being reopened by KDHE for the purpose of incorporating 40 CFR Part 63, Subpart DDDDD.

A copy of the proposed permit as modified, all supporting documentation and all information relied upon during the reopening process is available for public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and a copy of the proposed permit only can be reviewed at the KDHE Southwest District Office, 302 West McArtor Road, Dodge City. To obtain or review the proposed reopening and supporting documentation contact Cathy Richardson, 785-296-1947, 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.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, 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 no later than noon Monday, March 7, 2016.

A person may request a public hearing be held on the proposed action. 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 Cathy Richardson, KDHE, Bureau of Air, no later than noon Monday, March

(continued)

7, 2016 in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency has a 45-day review period, which will start concurrently with the 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. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment 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 impracticable 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, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.  
Secretary of Health  
and Environment

Doc. No. 044270

## State of Kansas

### Department of Health and Environment

#### Request for Comments

The Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Bagcraft Packaging, LLC 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.

Bagcraft Packaging, LLC, 3900 W. 43rd St., Chicago, IL 60632, owns and operates a plastics, foil, and coated paper bag manufacturing facility located at 3400 Bagcraft Blvd., Baxter Springs, KS 66713.

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, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southeast District Office, 1500 W. 7th St., Chanute. To obtain or review the proposed permit and supporting documentation contact Allyson Prue, 785-296-1994, at the KDHE central office, or Doug Cole, 620-431-2390, at the KDHE

Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Allyson Prue, 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 no later than noon Monday, March 7, 2016.

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 Allyson Prue, KDHE Bureau of Air, no later than noon Monday, March 7, 2016 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 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 impracticable 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, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.  
Secretary of Health  
and Environment

Doc. No. 044271

## State of Kansas

### Board of Pharmacy

#### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 8:30 a.m. Thursday, April 21, 2016, in room 2040 of the University of Kansas School of Pharmacy, 2010 Becker Drive, Lawrence, to review and consider the adoption of proposed permanent regulation K.A.R. 68-7-22 for the administration of the Kansas Pharmacy Practice Act, K.S.A. 65-1625 *et seq.*

This 60-day notice of the public hearing shall constitute a public comment period for submitting written public comments on the proposed regulation. All interested parties may submit written comments prior to the public hearing by email at [pharmacy.intern@pharmacy.ks.gov](mailto:pharmacy.intern@pharmacy.ks.gov) or by mail to Alexandra Blasi, Executive Secretary, 800 S.W. Jackson, Suite 1414, Topeka, KS 66612-1244. The public shall be given a reasonable opportunity to present their views orally on this regulation during the hearing. In order to give all parties an opportunity to present their



views, it may be necessary to request that each participant limit any oral presentation to five minutes. All public comments submitted during this period will be made part of the regulation's written record.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least ten working days in advance of the hearing to Alexandra Blasi, Executive Secretary, 800 S.W. Jackson, Suite 1414, Topeka, KS 66612-1244 or by phone at 785-296-4056. Handicapped parking is available on the west side of the School of Pharmacy building and throughout the west campus area. Curbs at all entrances are accessible to individuals with disabilities.

Copies of the proposed regulation and economic impact statement may be accessed at <http://www.pharmacy.ks.gov/>.

**K.A.R. 68-7-22. Collaborative Practice.** This regulation provides definitions and standards for collaborative drug therapy management (CDTM) between pharmacists and physicians.

**Federal Requirements.** Though the Board makes every attempt to align Kansas rules and regulations with federal standards and practices, there are no federal requirements implicated by this regulation.

**Anticipated Economic Impact on the Board.** The Board anticipates that any economic impact will be related to general licensing record updates and document processing and storage. The regulation requires pharmacists update the Board with any new or updated collaborative practice agreements within five business days and report the status of any agreement biennially with their license renewal. Costs to the Board might appear in the form of staff time and are negligible in the scheme of current licensing staff functions.

**Anticipated Financial Impact Upon Other Governmental Agencies or Units.** The Board does not anticipate that this regulation will have any financial impact upon other governmental agencies.

**Anticipated Financial Impact Upon Small Employers and Private Citizens and Businesses.** Pharmacists, physicians, and their respective private businesses engaged in CDTM may experience an economic impact. Additional time to coordinate the agreement as well as the CDTM practice may take additional time or resources, but the amount of any monetary impact is unknown. No other impact on private citizens or businesses is anticipated.

**Anticipated Economic Impact Upon Other Entities or Persons.** There would be no negative impact on other entities or persons. There would be a positive impact on patient safety and welfare.

**Less costly or intrusive Methods that Were Considered, but Rejected, and the Reason for Rejection.** The Board is not aware of any less costly or less intrusive methods to achieve the stated purpose and thus none were considered.

Alexandra Blasi  
Executive Secretary

## State of Kansas

### Legislature

#### Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced January 21-27 by the 2016 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 2500**, AN ACT concerning the citizens' utilities ratepayers board; enacting the Kansas ratepayers protection act; amending K.S.A. 66-1222 and 66-1223 and repealing the existing sections, by Representatives Ward and Kuether.

**HB 2501**, AN ACT Concerning crimes, punishment and criminal procedure; relating to jurisdiction and venue; crime committed with an electronic device; amending K.S.A. 2015 Supp. 22-2619 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2502**, AN ACT concerning civil procedure; relating to habeas corpus; time limitations in motion to attack sentence; amending K.S.A. 60-1507 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2503**, AN ACT concerning motor vehicles; relating to vehicle registration, fees; creating the Kansas highway patrol staffing and training fund; amending K.S.A. 2015 Supp. 8-145 and repealing the existing section, by Committee on Transportation.

**HB 2504**, AN ACT concerning school districts; relating to the realignment thereof; amending K.S.A. 2015 Supp. 72-1923 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2505**, AN ACT concerning income taxation; relating to the low income exclusion; qualification; modifications to non-wage business income exemption; amending K.S.A. 2015 Supp. 79-32,110 and repealing the existing section, by Committee on Taxation.

**HB 2506**, AN ACT concerning governmental ethics; relating to false statements against candidates for elected state office; enacting the political accountability in campaigning act, by Committee on Elections.

**HB 2507**, AN ACT concerning elections; relating to ballots; removing city of residence from candidate information; amending K.S.A. 25-613 and 25-617 and K.S.A. 2015 Supp. 25-616 and repealing the existing sections, by Committee on Elections.

**HB 2508**, AN ACT concerning insurance; relating to financial examinations; requirements; amending K.S.A. 40-2912 and K.S.A. 2015 Supp. 12-2620 and 44-584 and repealing the existing sections, by Committee on Insurance and Financial Institutions.

**HB 2509**, AN ACT concerning state agencies, relating to the office of information technology services, executive chief information technology officer; concerning agency budgets for information technology security; amending K.S.A. 2015 Supp. 75-7205 and repealing the existing section, by Committee on Vision 2020.

**HB 2510**, AN ACT concerning water; relating to the state water plan; amending K.S.A. 70a-102, 70a-105 and 82a-951 and K.S.A. 2015 Supp. 2-2204, 65-166a, 82a-903 and 82a-2101 and repealing the existing sections, by Committee on Vision 2020.

**HB 2511**, AN ACT concerning water; relating to lakes and reservoirs; municipal water suppliers; municipal water wells; state fishing lakes; amending K.S.A. 82a-951 and 82a-1205 and K.S.A. 2015 Supp. 32-991 and 82a-2101 and repealing the existing sections, by Committee on Vision 2020.

**HB 2512**, AN ACT relating to accountants; concerning professional licensure requirements; early access to the certified public accountant examination; amending K.S.A. 2015 Supp. 1-302a and repealing the existing section, by Committee on Commerce, Labor and Economic Development.

**HB 2513**, AN ACT concerning the legislature; relating to length of regular session, by Committee on Appropriations.

**HB 2514**, AN ACT concerning pet animals; relating to the Kansas pet animal act; amending K.S.A. 47-1704 and K.S.A. 2015 Supp. 47-1701 and 47-1725 and repealing the existing sections, by Committee on Federal and State Affairs.

(continued)

**HB 2515**, AN ACT concerning crimes, punishment and criminal procedure; relating to abolition of the death penalty; creating the crime of aggravated murder; sentences of imprisonment for life without the possibility of parole; establishing the Kansas death penalty abolition fund; amending K.S.A. 2015 Supp. 21-5419, 21-6614, 21-6618, 21-6620, 21-6622, 21-6628, 21-6629, 21-6806, 22-3717, 22-4902, 22-4906, 38-2255, 38-2271, 38-2312, 38-2365, 39-970, 65-5117, 72-1397 and 75-52,148 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 21-5401, 21-6614f, 21-6617 and 21-6619, by Representatives Becker, Anthimides, Ballard, Bradford, Clark, Concannon, Dierks, Doll, Henry, Highberger, Houser, Houston, Kuether, O'Brien, Sawyer, Schroeder and Sutton.

**HB 2516**, AN ACT concerning the department of health and environment; relating to the asbestos control act, licensing requirements; air fee fund, transfers; amending K.S.A. 65-5301, 65-5303, 65-5304, 65-5307, 65-5309 and 65-5311 and K.S.A. 2015 Supp. 65-5310 and 65-5314 and repealing the existing sections; also repealing K.S.A. 65-5308, by Committee on Energy and Environment.

**HB 2517**, AN ACT concerning the secretary of health and environment; relating to solid waste, vehicle tire disposal, tire tax; abolishing the solid waste grant advisory committee; amending K.S.A. 65-3415a and 65-3424d and K.S.A. 2015 Supp. 65-3424g and repealing the existing sections; also repealing K.S.A. 2015 Supp. 65-3426, by Committee on Energy and Environment.

**HB 2518**, AN ACT concerning vital statistics; relating to electronic filing of death certificates and related documentation; amending K.S.A. 2015 Supp. 65-2412 and repealing the existing section, by Committee on Health and Human Services.

**HB 2519**, AN ACT concerning the state highway fund; relating to the approved uses by the department of transportation; amending K.S.A. 2015 Supp. 68-416 and repealing the existing section, by Committee on Transportation.

**HB 2520**, AN ACT designating a portion of U.S. highway 400 as the John Troy, Pete Hughes and Earl Seifert highway, by Committee on Transportation.

**HB 2521**, AN ACT regulating traffic; relating to size, weight and load of vehicles; annual emergency response permits; amending K.S.A. 2015 Supp. 8-1911 and repealing the existing section, by Committee on Transportation.

**HB 2522**, AN ACT concerning the division of vehicles; relating to drivers' licenses and identification cards; facial imaging; amending K.S.A. 2015 Supp. 8-240, 8-243 and 8-1324 and repealing the existing sections, by Committee on Veterans, Military and Homeland Security.

**HB 2523**, AN ACT concerning animal care; relating to the Kansas veterinary practice act; posting hours of animal supervision; amending K.S.A. 2015 Supp. 47-816 and repealing the existing section, by Committee on Agriculture and Natural Resources.

**HB 2524**, AN ACT concerning legal public holidays; relating to state offices, by Committee on Federal and State Affairs.

**HB 2525**, AN ACT concerning immigration; relating to the employment of unauthorized aliens, by Committee on Federal and State Affairs.

**HB 2526**, AN ACT concerning firearms; relating to the personal and family protection act; relating to carrying concealed handguns in postsecondary educational institution buildings; amending K.S.A. 2015 Supp. 75-7c20 and repealing the existing section, by Committee on Appropriations.

**HB 2527**, AN ACT concerning motor vehicles; relating to veterans distinctive plates; decals for certain military medals or badges; amending K.S.A. 2015 Supp. 8-1,156 and repealing the existing section, by Committee on Veterans, Military and Homeland Security.

**HB 2528**, AN ACT concerning taxation; relating to motor vehicles fuel taxes, rates, permits and distribution of moneys; amending K.S.A. 2015 Supp. 79-3492b, 79-34,118, 79-34,141 and 79-34,142 and repealing the existing sections, by Committee on Transportation.

**HB 2529**, AN ACT concerning motor vehicles; relating to registration, fees, certain vehicles; amending K.S.A. 2015 Supp. 8-143 and repealing the existing section, by Committee on Transportation.

**HB 2530**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, for the state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2015 Supp. 74-50, 107, 74-99b34, 75-6609 and 79-34,161 and repealing the existing sections.

**HB 2531**, AN ACT repealing K.S.A. 72-5441, 72-5442, 72-5443, 72-5444 and 72-5447 and K.S.A. 2015 Supp. 72-5436, 72-5438, 72-5439, 72-5440, 72-5445 and 72-5446; concerning certain postsecondary teachers; relating to due process, by Committee on Education.

**HB 2532**, AN ACT concerning education; relating to financial literacy; amending K.S.A. 2015 Supp. 72-1127 and repealing the existing section, by Committee on Education.

**HB 2533**, AN ACT concerning schools; creating the student online personal protection act, by Committee on Education.

**HB 2534**, AN ACT concerning schools; relating to restraint and seclusion of students; amending K.S.A. 2015 Supp. 72-89d02, 72-89d03, 72-89d04, 72-89d05, 72-89d06 and 72-89d08 and repealing the existing sections, by Committee on Children and Seniors.

**HB 2535**, AN ACT concerning the department of health and environment; relating to solid waste, disposal, recycling, hypodermic needles and other sharps; amending K.S.A. 65-3409 and repealing the existing section, by Committee on Energy and Environment.

**HB 2536**, AN ACT concerning accountants; relating to licensure; amending K.S.A. 2015 Supp. 1-307, 1-308, 1-311, 1-312, 1-321 and 1-322 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2537**, AN ACT concerning gaming; amending K.S.A. 74-8836 and K.S.A. 2015 Supp. 74-8741, 74-8744, 74-8746, 74-8747, 74-8814 and 75-6204 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2538**, AN ACT concerning firearms; relating to the minimum age requirement for concealed carry licensees; amending K.S.A. 2015 Supp. 75-7c04 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2539**, AN ACT concerning counties; relating to unsafe structures; amending K.S.A. 12-1751 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2540**, AN ACT concerning the uniform controlled substances act; relating to substances included in schedules I, III and IV; amending K.S.A. 65-4127e and K.S.A. 2015 Supp. 65-4105, 65-4109 and 65-4111 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2541**, AN ACT concerning retirement; relating to the Kansas public employees deferred compensation act; sharing of account information; tax treatment; local governmental unit plan option; amending K.S.A. 2015 Supp. 74-49b10, 74-49b14 and 74-49b15 and repealing the existing sections, by Committee on Pensions and Benefits.

**HB 2542**, AN ACT concerning retirement and benefits; relating to the Kansas public employees retirement system and systems thereunder; providing a cost-of-living adjustment for certain retirees, by Committee on Pensions and Benefits.

**HB 2543**, AN ACT concerning elections; requiring a manual audit of certain election results, by Committee on Elections.

**HB 2544**, AN ACT concerning elections; relating to voter registration; allowing voter registration on election days; amending K.S.A. 2015 Supp. 25-2311, 25-2316c and 25-3602 and repealing the existing sections, by Committee on Elections.

**HB 2545**, AN ACT concerning criminal procedure; relating to arrest warrants; search warrants; amending K.S.A. 2015 Supp. 22-2302 and 22-2502 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2546**, AN ACT concerning property taxation; relating to time for payment of taxes; amending K.S.A. 2015 Supp. 79-2004 and 79-2004a and repealing the existing sections, by Committee on Vision 2020.

**HB 2547**, AN ACT concerning wildlife, parks and tourism, relating to the mined land wildlife area, by Representatives Lusker, Alcalá, Alford, Anthimides, Ballard, Barker, Becker, Billinger, Boldra, Burroughs, Campbell, Carlin, Carmichael, B. Carpenter, W. Carpenter, Clark, Clayton, Concannon, Corbet, Curtis, DeGraaf, Dierks, Doll, Edmonds, Ewy, Finch, Finney, Francis, Frownfelter, Garber, Goico, Gonzalez, Hawkins, Helgerson, Hemsley, Henderson, Henry, Hibbard, Highberger, Highland, Hildabrand, Hill, Hineman, Houser, Houston, Huebert, Hutchins, Jennings, Johnson, D. Jones, Kelly, Kleebe, Kuether, Lewis, Lusk, Mason, Merrick, Moxley, O'Brien, Osterman, Ousley, F. Patton, Pauls, Phillips, R. Powell, Proehl, Rahjes, Read, Rooker, Rubin, Ruiz, Ryckman Sr., Sawyer, Schroeder, Schwab, Scott, C. Smith, Suellentrop, Sutton, S. Swanson, Thimesch, Thompson, Tietze, Todd, Trimmer, Vickrey, Victors, Ward, Waymaster, Whipple, Whitmer, Wilson, Winn and Wolfe Moore.

**HB 2548**, AN ACT concerning sureties; relating to justification and approval; amending K.S.A. 22-2806 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2549**, AN ACT concerning law enforcement; relating to requests for law enforcement assistance from foreign jurisdictions, by Committee on Federal and State Affairs.

**HB 2550**, AN ACT concerning the Kansas law enforcement training

act; relating to open records, exemptions; amending K.S.A. 2015 Supp. 74-5611a and repealing the existing section, by Committee on Judiciary.

**HB 2551**, AN ACT concerning sales taxation; relating to authorization for the Sherwood improvement district to impose a sales tax; amending K.S.A. 19-2765 and repealing the existing section, by Committee on Taxation.

**HB 2552**, AN ACT concerning legal public holidays; designating indigenous peoples day; amending K.S.A. 2015 Supp. 35-107 and 35-205 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2553**, AN ACT concerning municipal courts; relating to assessments; the Kansas commission on peace officers' standards and training fund; amending K.S.A. 12-4112 and K.S.A. 2015 Supp. 12-4117 and repealing the existing sections, by Committee on Judiciary.

**HB 2554**, AN ACT concerning agriculture; relating to the Kansas pet animal act; amending K.S.A. 47-1702, 47-1703, 47-1704, 47-1712, 47-1720, 47-1733 and 47-1734 and K.S.A. 2015 Supp. 47-1701, 47-1706, 47-1709, 47-1710, 47-1711, 47-1721, 47-1723, 47-1725, 47-1726 and 47-1731 and repealing the existing sections; also repealing K.S.A. 47-1717, 47-1719, 47-1732 and 47-1736, by Committee on Agriculture and Natural Resources.

**HB 2555**, AN ACT concerning the Kansas law enforcement training act, relating to qualifications of applicants for certification; definitions; amending K.S.A. 2015 Supp. 74-5605 and repealing the existing section, by Committee on Judiciary.

**HB 2556**, AN ACT concerning the grandparents as caregivers act; age requirement; deeming children under the act as foster children; amending K.S.A. 2015 Supp. 38-145 and repealing the existing section, by Representative Claeys.

**HB 2557**, AN ACT concerning consumer protection and common interest communities; amending K.S.A. 2015 Supp. 58-4609 and repealing the existing section, by Committee on Local Government.

**HB 2558**, AN ACT concerning local governments; relating to regulation of election campaign workers, by Committee on Local Government.

**HB 2559**, AN ACT concerning state agencies; relating to minimum staffing requirements, by Committee on Appropriations.

**HB 2560**, AN ACT concerning state employees; relating to working conditions, by Committee on Appropriations.

**HB 2561**, AN ACT concerning sales taxation; relating to exemptions; the Kansas DUI impact center, inc.; amending K.S.A. 2015 Supp. 79-3606 and repealing the existing section, by Committee on Insurance and Financial Institutions.

### House Resolutions

**HR 6032**, by Representatives Highland and Ryckman, Sr., A RESOLUTION congratulating and commending the members of the 2016 Kansas Teacher of the Year team.

### Senate Bills

**SB 342**, AN ACT concerning schools; creating the student online personal protection act, by Committee on Education.

**SB 343**, AN ACT concerning tanning facilities; relating to the maximum permitted interior temperature of a tanning device; amending K.S.A. 65-1924 and repealing the existing section, by Committee on Public Health and Welfare.

**SB 344**, AN ACT renaming the Kansas state board of cosmetology; amending K.S.A. 65-1,148, 65-1920, 74-2701, 74-2702, 74-2702a and 74-2706 and K.S.A. 2015 Supp. 39-938, 65-1901, 65-1902, 65-1904a, 65-1904b, 65-1909, 65-1940, 65-2872, 74-1806, 74-2704 and 75-3717 and repealing the existing sections, by Committee on Public Health and Welfare.

**SB 345**, AN ACT concerning professions regulated by the Kansas state board of cosmetology; relating to prohibited licensee activity; manicurist licensure; apprentice licensure; reciprocal licensure; amending K.S.A. 2015 Supp. 65-1902, 65-1904b, 65-1906 and 65-1912 and repealing the existing sections, by Committee on Public Health and Welfare.

**SB 346**, AN ACT concerning telecommunications; relating to rural telephone companies; universal service support, recovery of costs; amending K.S.A. 66-2001 and K.S.A. 2015 Supp. 66-1,187, 66-2005, 66-2008 and 66-2017 and repealing the existing sections, by Committee on Utilities.

**SB 347**, AN ACT concerning legislators; dealing with per calendar day compensation; amending K.S.A. 2015 Supp. 46-137a and repealing the existing section, by Committee on Federal and State Affairs.

**SB 348**, AN ACT concerning firearms; relating to the personal and family protection act; relating to carrying concealed handguns in post-secondary educational institution buildings; amending K.S.A. 2015

Supp. 75-7c20 and repealing the existing section, by Senators Hawk, Faust-Goudeau, Francisco, Holland and Pettey.

**SB 349**, AN ACT concerning motor vehicles; relating to commercial driver's licenses; hazardous materials endorsement exemption, by Committee on Transportation.

**SB 350**, AN ACT concerning motor vehicles; relating to vehicle registration, fees; creating the Kansas highway patrol staffing and training fund; amending K.S.A. 2015 Supp. 8-145 and repealing the existing section, by Committee on Transportation.

**SB 351**, AN ACT concerning the state board of healing arts; relating to the licensure of acupuncturists; amending K.S.A. 2015 Supp. 65-2872 and repealing the existing section, by Committee on Public Health and Welfare.

**SB 352**, AN ACT concerning real estate; relating to licensing requirements for nonresidents; amending K.S.A. 58-3040 and repealing the existing section, by Committee on Commerce.

**SB 353**, AN ACT concerning property taxation; relating to exemptions; allowing county appraisers to exempt certain federal property without order of the board of tax appeals; amending K.S.A. 2015 Supp. 79-213 and repealing the existing section, by Committee on Assessment and Taxation.

**SB 354**, AN ACT making and concerning appropriations for the fiscal years ending June 30, 2016, June 30, 2017, and June 30, 2018, for the state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements, procedures and acts incidental to the foregoing; amending K.S.A. 2015 Supp. 74-50,107, 74-99b34, 75-6609 and 79-34,161 and repealing the existing sections, by Committee on Ways and Means.

**SB 355**, AN ACT concerning crimes, punishment and criminal procedure; dealing with criminal use of weapons; relating to possession of firearms; amending K.S.A. 2015 Supp. 21-6301, 38-2202, 75-7c25 and 75-7c26 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 356**, AN ACT concerning school districts; relating to capital improvements; creating the school district bond project review board; amending K.S.A. 2015 Supp. 75-2319 and repealing the existing section, by Committee on Education.

**SB 357**, AN ACT concerning education; relating to longitudinal reading programs; requiring the state department of education to study such programs, by Committee on Education.

**SB 358**, AN ACT concerning the nurse educator service scholarship; relating to the definition of school of nursing; amending K.S.A. 2015 Supp. 74-32,220 and repealing the existing section, by Committee on Education.

**SB 359**, AN ACT concerning property taxation; relating to county appraisers; market study analysis; persons eligible to be appointed to office of appraiser, removal; amending K.S.A. 19-432 and 79-1460a and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 360**, AN ACT concerning open meetings; relating to certain justifications for closing meetings; amending K.S.A. 2015 Supp. 75-4319 and repealing the existing section, by Committee on Judiciary.

**SB 361**, AN ACT concerning the open records act; relating to definitions; public agency and public record; amending K.S.A. 2015 Supp. 45-217 and repealing the existing section, by Committee on Judiciary.

**SB 362**, AN ACT concerning the criminal justice information system; relating to electronically stored information; hearsay exception for official record, authentication of record; amending K.S.A. 60-465 and K.S.A. 2015 Supp. 22-4701, 22-4705 and 60-460 and repealing the existing sections, by Committee on Judiciary.

**SB 363**, AN ACT concerning the state board of healing arts; relating to the licensure of acupuncturists; amending K.S.A. 2015 Supp. 65-2872 and repealing the existing section, by Senators O'Donnell, Arpke, Baumgardner, Bruce, Fitzgerald, Francisco, Haley, Hawk, Holland, Holmes, Kelly, Kerschen, King, LaTurner, Longbine, Love, Masterson, McGinn, Olson, Petersen, Pettey, Powell, Smith, Wagle, Wilborn and Wolf.

**SB 364**, AN ACT updating statutory references necessitated by 2012 Executive Reorganization Order 41; amending K.S.A. 75-5309, 76-157 and 76-158 and K.S.A. 2015 Supp. 21-5909, 36-502, 38-2006, 38-2212, 39-1702, 40-4702, 65-689, 75-7d01, 75-5321a and 75-7033 and repealing the existing sections, by Committee on Public Health and Welfare.

**SB 365**, AN ACT concerning economic development of environmentally contaminated property; relating to liability for cleanup costs; enacting the contaminated property redevelopment act, by Committee on Commerce.

**SB 366**, AN ACT relating to economic development; concerning

(continued)

price controls on the purchase or sale of private residential or commercial property; amending K.S.A. 12-16,120 and repealing the existing section, by Committee on Commerce.

**SB 367**, AN ACT concerning children and minors; relating to juvenile justice; amending K.S.A. 12-4112 and 20-167 and K.S.A. 2015 Supp. 8-241, 8-2110, 12-4117, 38-2202, 38-2232, 38-2242, 38-2243, 38-2255, 38-2260, 38-2288, 38-2302, 38-2304, 38-2313, 38-2325, 38-2330, 38-2331, 38-2332, 38-2342, 38-2343, 38-2344, 38-2346, 38-2347, 38-2360, 38-2361, 38-2366, 38-2367, 38-2368, 38-2369, 38-2371, 38-2372, 38-2373, 38-2374, 38-2375, 38-2376, 38-2377, 38-2389, 65-5603, 72-1113, 72-8222, 72-89b03, 72-89c02, 74-4914, 75-7023, 75-7038, 75-7044, 75-7046 and 79-4803 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 38-2334, 38-2335, 38-2364 and 38-2365, by Committee on Corrections and Juvenile Justice.

**SB 368**, AN ACT concerning certain elections; dealing with limitations on the use of public funds; amending K.S.A. 10-120a and K.S.A. 2015 Supp. 25-4169a and repealing the existing sections, by Committee on Ethics and Elections.

**SB 369**, AN ACT concerning the Kansas mortgage business act; relating to the state bank commissioner; amending K.S.A. 9-2206 and K.S.A. 2015 Supp. 9-2201, 9-2202, 9-2203, 9-2205, 9-2208, 9-2209, 9-2211, 9-2212, 9-2216 and 9-2216a and repealing the existing sections, by Committee on Financial Institutions and Insurance.

**SB 370**, AN ACT concerning insurance; relating to the payment of certain insurance proceeds; cities and counties; amending K.S.A. 40-3901, 40-3902, 40-3903, 40-3904, 40-3905 and 40-3907 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

**SB 371**, AN ACT enacting the KanCare bridge to a healthy Kansas program, by Committee on Federal and State Affairs.

**SB 372**, AN ACT concerning public assistance; relating to recovery of assistance debt; verification of identity and income; fraud investigations; child care subsidies; work requirements; lifetime benefit limits; amending K.S.A. 39-719b and K.S.A. 2015 Supp. 39-702 and 39-709 and repealing the existing sections, by Committee on Public Health and Welfare.

**SB 373**, AN ACT concerning motor vehicles; relating to driver's licenses; operating vehicles with temporary registration; amending K.S.A. 2015 Supp. 8-235 and repealing the existing section, by Committee on Transportation.

**SB 374**, AN ACT concerning sureties; relating to justification and approval; amending K.S.A. 22-2806 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**SB 375**, AN ACT concerning intellectual disability; relating to the definition of significantly subaverage general intellectual functioning; amending K.S.A. 2015 Supp. 76-12b01 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**SB 376**, AN ACT concerning law enforcement agencies; relating to reports of missing persons; amending K.S.A. 2015 Supp. 75-712c and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**SB 377**, AN ACT concerning driving; relating to preliminary screening test of breath or saliva; reasonable suspicion; amending K.S.A. 2015 Supp. 8-1012 and repealing the existing section, by Committee on Judiciary.

**SB 378**, AN ACT concerning employment; relating to prohibiting discrimination or retaliation; victims of domestic violence or sexual assault; complaint procedure; application of Kansas act against discrimination; amending K.S.A. 2015 Supp. 44-1131 and 44-1133 and repealing the existing sections, by Committee on Judiciary.

**SB 379**, AN ACT concerning alcoholic beverages; relating to farm wineries; amending K.S.A. 2015 Supp. 41-311 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 380**, AN ACT concerning taxation; relating to motor vehicles, exemption of military personnel vehicles; amending K.S.A. 2015 Supp. 79-5107 and repealing the existing section, by Committee on Federal and State Affairs.

### Senate Resolutions

**SR 1757**, by Senators Abrams and Arpke A RESOLUTION congratulating and commending the members of the 2016 Kansas Teacher of the Year team.

Doc. No. 044275

## State of Kansas

### Board of Accountancy

#### Permanent Administrative Regulations

#### Article 1.—EXAMINATIONS

**74-1-3. Retaking the examination and granting of credits.** (a) Each testing candidate shall be deemed to have passed the examination if the candidate obtains credit for passing each of the four test sections. Credit for passing a test section shall be valid from the date of the examination regardless of the date on which the testing candidate receives actual notice of the passing grade.

(b) A testing candidate may take the test sections individually and in any order. Credit for passing any test section shall be valid for 18 months from the date of testing regardless of the number of sections taken or the scores on any failed sections.

(c) Each testing candidate shall pass all four test sections within a rolling 18-month period that begins on the date the first test section passed is taken. If all four test sections are not passed within this 18-month period, credit for any test section passed outside the 18-month period shall expire.

(d) A testing candidate shall not retake a failed section within the same examination window. An examination window shall be equal to a calendar quarter (Jan-Mar, Apr-Jun, Jul-Sep, Oct-Dec). Eligible candidates will be permitted to test no less than two (2) months out of each examination window.

(e) Each testing candidate shall retain credit for any test section passed in another state if the credit would have been given if the testing candidate had taken the examination in Kansas.

(f) Notwithstanding subsections (a), (b), and (c), the period of time in which to pass all sections of the examination may be extended by the board upon a showing that the credit was lost by reason of circumstances beyond the testing candidate's control. (Authorized by K.S.A. 1-202 and K.S.A. 2015 Supp. 1-304; implementing K.S.A. 2015 Supp. 1-304; effective Jan. 1, 1966; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended Jan. 12, 1996; amended Nov. 14, 2003; amended January 11, 2008; amended Feb. 19, 2016.)

**74-1-4. Transfer of examination credit.** An applicant for the certificate of certified public accountant who has passed one or more sections of the uniform certified public accountant examination under the jurisdiction of another state shall be given conditional credit by the board for passing those subjects if the applicant meets the following requirements:

(a) Has established residence in Kansas;

(b) has passed one or more sections of the uniform certified public accountant examination in accordance with K.A.R. 74-1-3, with the grades determined by the advisory grading service of the board of examiners of the American institute of certified public accountants;

(c) meets the education requirement prescribed by K.S.A. 1-302a, and amendments thereto; and

(d) at the time of applying to transfer the credit earned in another state, is still eligible to be reexamined in that

state except for reason of change of residence. (Authorized by K.S.A. 1-202; implementing K.S.A. 1-302; effective Jan. 1, 1966; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended May 25, 2012; amended Feb. 19, 2016.)

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

**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 concentration in accounting courses. 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. 2014 Supp. 1-302a; implementing K.S.A. 2014 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; amended Feb. 19, 2016.)

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

**74-4-8. Continuing professional education programs; requirements.** (a) A program designed to allow a participant to learn a given subject through interaction with an instructor and other participants in a classroom or conference setting, or intrafirm program using the internet, may be approved for continuing professional education credit under K.A.R. 74-4-7 if the program meets the following conditions:

(1) It is a formal program of learning that maintains or improves the professional competence of a certified public accountant and requires attendance.

(2) Participants are informed in advance of the learning objectives, prerequisites, program level, program content, any requirements for advance preparation, instructional delivery methods, recommended CPE credit, and course registration requirements.

(3) The program is at least 50 minutes in length.

(4) The program is conducted by a person qualified in the subject area.

(5) The program sponsor issues to each participant a certificate of attendance that reflects the name of the program sponsor, title and description of content, date and location of the program, delivery method of the course, name of the participant, signature of a representative of the program sponsor, and number of CPE contact hours.

(6) A record of registration and attendance is retained for five years by the program sponsor.

(b) The following types of programs addressing the subjects of accounting, auditing, consulting services, specialized knowledge and applications, taxation, management of a practice, ethics, or personal development may qualify as acceptable continuing professional education if the programs meet the requirements of subsection (a):

(1) Programs of the American institute of certified public accountants, state societies and local chapters of certified public accountants, and providers of continuing education courses;

(continued)

(2) technical sessions at meetings of the American institute of certified public accountants, and of state societies and local chapters of certified public accountants;

(3) university or college credit courses. Each semester hour of credit shall equal 15 hours of continuing education credit. Each quarter hour of credit shall equal 10 hours of continuing education credit;

(4) university or college non-credit courses. These courses shall qualify for continuing professional education credit that equals the number of actual, full 50-minute class hours attended; and

(5) formal, organized, in-firm or interfirm educational programs.

(c) Hours from personal development courses shall not exceed 30 percent of the total number of continuing education hours required for permit renewal. Personal development courses, which shall be defined as courses dealing with self-management and self-improvement both inside and outside of the business environment, shall be limited to courses on communication, leadership, character development, dealing effectively with others, interviewing, counseling, career planning, emotional growth and learning, and social interactions and relationships.

(d) Any author of a published article or book and any writer of a continuing professional education program may receive continuing professional education credit for the actual research and writing time if all of the following conditions are met:

(1) The board determines that the research and writing maintain or improve the professional competence of the author or writer.

(2) The number of credit hours claimed is consistent with the quality and scope of the article, book, or program.

(3) The article or book has been published or the program was created during the biennial period for which credit is claimed.

(e)(1) Group internet-based programs and individual self-study programs that allow a participant to learn a particular subject without the major involvement of an instructor may be eligible for continuing education credit if all of the following requirements are met:

(A) The program sponsor shall meet one of the following requirements:

(i) Has been approved by NASBA's national registry of continuing professional education sponsors or NASBA's quality assurance service;

(ii) is sponsored through the American institute of certified public accountants; or

(iii) is sponsored through a state society of certified public accountants.

(B) The program shall require registration.

(C) The sponsor shall provide a certificate of satisfactory completion.

(2) In addition to meeting the requirements specified in paragraph (e)(1), each individual self-study program shall meet the following requirements:

(A) The program shall include a final examination.

(B) Each participant shall be required to score at least 70 percent on the final examination.

(f) The amount of credit for group internet-based programs and self-study programs shall be determined by the board, as follows:

(1) Programs may be approved for one hour of continuing professional education credit for each 50 minutes of participation and one-half credit for each 25-minute period of participation after the first hour of credit has been earned.

(2) The amount of credit shall not exceed the number of recommended hours assigned by the program sponsor.

(g) Independent study programs that are designed to allow a participant to learn a given subject under the guidance of a continuing professional education program sponsor may be eligible for continuing professional education credit if all of the following conditions are met:

(1) The program meets one of the following requirements:

(A) Has been approved by NASBA's national registry of continuing professional education sponsors or NASBA's quality assurance service;

(B) is sponsored through the American institute of certified public accountants; or

(C) is sponsored through a state society of certified public accountants.

(2) The participant has a written learning contract with a program sponsor that contains a recommendation of the number of credit hours to be awarded upon successful completion of the program.

(3) The program sponsor reviews and signs a report indicating that all of the requirements of the independent study program, as outlined in the learning contract, are satisfied.

(4) The program is completed in 15 weeks or less.

(h) A participant in an independent study program may receive up to one hour of credit for each 50 minutes of participation and one-half hour of credit for each 25-minute period of participation after the first hour of credit has been earned. (Authorized by K.S.A. 1-202 and K.S.A. 75-1119; implementing K.S.A. 1-202, K.S.A. 2014 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 Feb. 14, 1994; amended Sept. 25, 1998; amended Nov. 2, 2001; amended Nov. 15, 2002; amended Nov. 14, 2003; amended May 27, 2005; amended May 19, 2006; amended May 23, 2008; amended May 29, 2009; amended Nov. 29, 2010; amended May 25, 2012; amended Feb. 19, 2016.)

**74-4-9. Continuing professional education controls and reporting.** (a) When 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 following:

(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;

(E) the delivery method of the course;

(F) the name of the participant;

(G) the signature of a representative of the program sponsor; and

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

(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. 2014 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; amended Feb. 19, 2016.)

## 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 specified in this subsection, including definitions and interpretations, published by the AICPA, which are hereby adopted by reference. As used in the following AICPA professional standards, "member" shall mean a person or firm subject to the board's regulation:

(1) "clarified statements on auditing standards" in "AICPA professional standards," volume 1, pages 31-1214, as in effect on June 1, 2014;

(2) "statements on standards for attestation engagements" in "AICPA professional standards," volume 1, pages 1253-1583, as in effect on June 1, 2014;

(3) "standards for accounting and review services" in "AICPA professional standards," volume 2, pages 1621-1807, as in effect on June 1, 2014;

(4) statement on standards for accounting and review services (SSARS) no. 21, "statements on standards for accounting and review services: clarification and recodification," including the appendices and exhibits, as in effect on December 15, 2015;

(5) "code of professional conduct" in "AICPA professional standards," volume 2, pages 1833-2294, except for pages 2027-2032 and 2043-2056, as in effect on June 1, 2014, except for the following:

(A) Part 1, Section 1.800, "form of organization and name";

(B) section 1.810.020, "partner designation";

(C) section 1.810.030, "a member's responsibility for nonmember practitioners";

(D) section 1.810.040, "attest engagement performed with a former partner";

(E) section 1.810.050, "alternative practice structures"; and

(F) section 1.820.040, "use of a common brand name in firm name";

(6) "statements on standards for valuation services" in "AICPA professional standards," volume 2, pages 2461-2512, as in effect on June 1, 2014;

(7) "consulting services" in "AICPA professional standards," volume 2, pages 2513-2518, as in effect on June 1, 2014;

(8) "quality control" in "AICPA professional standards," volume 2, pages 2521-2554, as in effect on June 1, 2014;

(9) "standards for performing and reporting on peer reviews" in "AICPA professional standards," volume 2, pages 2555-2731, as in effect on June 1, 2014;

(10) "tax services" in "AICPA professional standards," volume 2, pages 2739-2774, as in effect on June 1, 2014; and

(11) "personal financial planning" in "AICPA professional standards," volume 2, pages 2787-2798, as in effect on June 1, 2014.

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 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 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:

(continued)

(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, 2014, except for the following portions: the forward, the preamble, and appendixes A-F;

(B) statement of federal financial accounting standards 46, "deferral of the transition to basic information for long-term projections," dated October 17, 2014, except appendix A; and

(C) statement of federal financial accounting standards 47, "reporting entity," dated December 23, 2014, except appendixes A-E;

(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, 2014;

(3) "codification of governmental accounting and financial reporting standards," except for pages ix through xvii, issued by the governmental accounting standards board, as in effect on June 30, 2014; and

(4) "international financial reporting standards®" (IFRSs®), part A, issued by the international accounting standards board, as in effect on January 1, 2014, except part A, pages A1 through A19.

(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 and appendixes I and III.

(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.

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

(1) In "bylaws and rules of the public company accounting oversight board" as in effect on May 19, 2014, section 3, "auditing and related professional practice standards," part 1, "general requirements," and part 5, "ethics and independence"; and

(2) "auditing standards," "attestation standards," and "interim standards" as contained in the "PCAOB standards and related rules," published by the AICPA and dated January 2014.

(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; amend-

ed 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; amended Feb. 19, 2016.)

**74-5-2a. Definitions of terms in the AICPA code of professional conduct.** (a) The definitions of the terms in ET 0.400 of the AICPA "code of professional conduct," as adopted by reference in K.A.R. 74-5-2, shall be applicable wherever these terms are used in this article, including any document adopted by reference in this article.

(b) The term "member," as used in the AICPA "code of professional conduct," shall mean any certified public accountant, firm, or licensed municipal public accountant. (Authorized by and implementing K.S.A. 1-202; effective May 29, 2009; amended Feb. 19, 2016.)

**74-5-2b. Applicability of AICPA professional standards.** The AICPA professional standards shall apply to each certified public accountant, firm, and licensed municipal public accountant as defined in K.A.R. 74-5-2, regardless of whether the person or entity is a member of the AICPA. (Authorized by and implementing K.S.A. 1-202; effective Feb. 19, 2016.)

**74-5-101. Independence.** (a) Each certified public accountant, firm, and licensed municipal public accountant shall be independent in the performance of professional services as required by the following standards, as applicable:

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

(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, a firm'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; amended Feb. 19, 2016.)

**74-5-102. Integrity and objectivity.** (a) In the performance of professional services, each certified public accountant, firm, and licensed municipal public accountant shall maintain objectivity and integrity, shall be free of conflicts of interest, and shall not knowingly misrepresent facts to others or subordinate the accountant's or firm's judgment to another's judgment. In tax practice, any certified public accountant, firm, or licensed municipal public accountant may resolve doubt in favor of the client if there is reasonable support for that position.



(b) Each certified public accountant, firm, and licensed municipal public accountant shall comply with the following applicable standards:

(1) AICPA "code of professional conduct," including the interpretations, as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2(b)(5), which shall be used in determining whether integrity and objectivity have been maintained;

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

(3) PCAOB rules, section 3, "professional standards," part 5, "ethics," as adopted by reference in K.A.R. 74-5-2. (Authorized by and implementing K.S.A. 1-202 and K.S.A. 75-1119; effective Jan. 1, 1966; 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 May 29, 2009; amended Feb. 19, 2016.)

**74-5-103. Commissions and referral fees.** Each certified public accountant or firm shall comply with the AICPA "code of professional conduct" regarding commissions and referral fees, including the interpretations, as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2(b)(5). (Authorized by and implementing K.S.A. 1-202; effective May 1, 1978; amended July 13, 1992; amended Jan. 12, 1996; amended Jan. 8, 1999; amended Sept. 10, 1999; amended May 27, 2005; amended May 29, 2009; amended Feb. 19, 2016.)

**74-5-104. Contingent fees.** Each certified public accountant or firm shall comply with the AICPA "code of professional conduct" regarding contingent fees, including the definitions and interpretations, as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2(b)(5). (Authorized by and implementing K.S.A. 1-202; effective May 1, 1978; amended July 13, 1992; amended Jan. 8, 1999; amended Sept. 10, 1999; amended May 27, 2005; amended Feb. 19, 2016.)

**74-5-201. General standards.** (a) Each certified public accountant, firm, or licensed municipal public accountant shall meet the following requirements:

(1) Undertake only those professional services that the CPA, firm, or licensed municipal public accountant can reasonably expect to be completed with professional competence;

(2) exercise due professional care in the performance of professional services;

(3) adequately plan and supervise the performance of professional services; and

(4) obtain sufficient relevant data to afford a reasonable basis for conclusions or recommendations in relation to any professional services performed.

(b) The AICPA "code of professional conduct" regarding general standards, including the interpretations as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2, shall be used in determining whether there is compliance with the general standards. (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 May 27, 2005; amended Jan. 11, 2008; amended May 29, 2009; amended Feb. 19, 2016.)

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

(13) the AICPA personal financial planning executive committee; and

(14) the AICPA peer review board.

(b) Each licensed municipal public accountant shall comply with applicable, generally accepted auditing standards in the 2015 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; amended Feb. 19, 2016.)

**74-5-203. Accounting principles.** Each certified public accountant, firm, or licensed municipal public accountant shall comply with the AICPA "code of professional conduct" regarding accounting principles, including the interpretations, as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2(b)(5). (Authorized by and implementing K.S.A. 1-202 and K.S.A. 75-1119; effective Jan. 1, 1966; 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.

(continued)

17, 2000; amended May 27, 2005; amended May 19, 2006; amended Nov. 29, 2010; amended Feb. 19, 2016.)

**74-5-301. Confidential client information.** (a) A certified public accountant, firm, or licensed municipal public accountant shall not disclose any confidential client information without the consent of the client.

(b) The AICPA "code of professional conduct," including the interpretations as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2(b)(5), shall be used by the board in determining compliance with subsection (a). (Authorized by and implementing K.S.A. 1-202; effective Jan. 1, 1966; amended Jan. 1, 1974; amended May 1, 1978; amended Sept. 25, 1998; amended May 27, 2005; amended May 29, 2009; amended Feb. 19, 2016.)

**74-5-401. Acts discreditable.** (a) A certified public accountant or firm shall not commit any act discreditable to the profession.

(b) The AICPA "code of professional conduct," including the interpretations of the AICPA professional standards adopted by reference in K.A.R. 74-5-2(b)(5), shall be used by the board in determining whether a certified public accountant or firm has committed an act discreditable to the profession. (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 Nov. 15, 2002; amended May 27, 2005; amended May 29, 2009; amended Feb. 19, 2016.)

**74-5-403. Advertising.** (a) A certified public accountant or firm shall not advertise in a manner that is false, misleading, or deceptive.

(b) The use of any non-CPA's name or the name of any firm not registered with the board as a firm, pursuant to K.S.A. 1-308 and K.S.A. 1-316 and amendments thereto, in any advertisement or publication in any medium or under any heading used for certified public accountants shall be prohibited.

(c) The AICPA "code of professional conduct," including the interpretations as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2(b)(5), shall be used by the board in determining whether a certified public accountant has violated subsection (a). (Authorized by and implementing K.S.A. 1-202; effective May 1, 1978; amended May 1, 1985; amended July 22, 1991; amended May 27, 2005; amended Feb. 16, 2007; amended May 29, 2009; amended Feb. 19, 2016.)

**74-5-405a. Certified public accountants who own a separate business.** Each certified public accountant in the practice of certified public accountancy who owns an interest in a separate business shall comply with ET section 1.810.010, titled "ownership of separate business," of the AICPA "code of professional conduct," as contained in the AICPA professional standards adopted by reference in K.A.R. 74-5-2(b)(5). (Authorized by K.S.A. 1-202; implementing K.S.A. 1-202 and K.S.A. 2014 Supp. 1-311; effective Jan. 11, 2008; amended May 29, 2009; amended Feb. 19, 2016.)

**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 name as registered with the board each time the firm or professional name is used.

(5) The term "& Company," "& Associate," or "Group" is 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 contains anything other than the name or names of one or more present or former owners, partners, members, or shareholders or the term "certified public accountant" or "CPA," or the plural form of either of these two terms. 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 term "& 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 ac-

countant 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. 2014 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; amended Feb. 19, 2016.)

**74-5-407. Cooperation with the board.** Each certified public accountant, firm, 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, and providing information and documentation as requested by the board, sent by mail to the last known preferred mailing address on file with the board, within a reasonable time frame specified by the board or appearing before the board, or any 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; amended Feb. 19, 2016.)

## 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 standards adopted by reference in K.A.R. 74-5-2 that are contained in the "AICPA professional standards," volumes 1 and 2, published by the AICPA, as in effect on June 1, 2014.

(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 two of the AICPA professional standards, as adopted by reference in K.A.R. 74-5-2(b)(9).

(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 reporting on peer reviews." (Authorized by and implementing K.S.A. 1-202, K.S.A. 2014 Supp. 1-312, and K.S.A. 2014 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; amended Feb. 19, 2016.)

**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, if applicable:

(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

(continued)

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. 2014 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; amended Feb. 19, 2016.)

**Article 15.—UNIFORM ACCOUNTANCY ACT**

**74-15-1. Adoption of the uniform accountancy act.**

For purposes of determining substantial equivalency, the board hereby adopts by reference sections 5(c), 5(d), and 5(f) of the “uniform accountancy act,” fifth edition, July 2007. In section 5(c), all references to “the effective date of this act” shall be stricken and replaced with “January 1, 2007.” (Authorized by K.S.A. 1-202; implementing K.S.A. 2015 Supp. 1-321 and 1-322; effective Nov. 17, 2000; amended Feb. 19, 2016.)

Susan L. Somers  
Executive Director

Doc. No. 044272

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2015 Supplement of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-16-4	Amended	V. 35, p. 44
1-16-8	Amended	V. 35, p. 44
1-16-15	Amended	V. 35, p. 45
1-16-18	Amended	V. 35, p. 45
1-16-18a	Amended	V. 35, p. 46
1-45-22	Amended	V. 34, p. 1227

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

Reg. No.	Action	Register
5-22-7	Amended	V. 34, p. 513

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-23-14	Amended	V. 34, p. 1032
7-23-15	New	V. 34, p. 1033

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

Reg. No.	Action	Register
14-19-40	New (T)	V. 34, p. 824
14-19-40	New	V. 34, p. 1053
14-20-42	New (T)	V. 34, p. 825
14-20-42	New	V. 34, p. 1054
14-21-23	New (T)	V. 34, p. 825
14-21-23	New	V. 34, p. 1054

**AGENCY 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-14-1 through 16-14-9	New (T)	V. 34, p. 962, 963
16-14-1 through		

16-14-9 New V. 34, p. 1228, 1229

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

Reg. No.	Action	Register
28-4-94	New	V. 34, p. 420
28-16-28b	Amended	V. 34, p. 190
28-16-28c	Amended	V. 34, p. 194
28-16-28d	Amended	V. 34, p. 196
28-16-28e	Amended	V. 34, p. 197
28-16-28f	Amended	V. 34, p. 199
28-16-58	Amended	V. 34, p. 200
28-19-274	New	V. 34, p. 1140

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

Reg. No.	Action	Register
30-10-19	Revoked	V. 35, p. 46
30-44-2	Amended	V. 35, p. 63
30-44-6	New	V. 35, p. 63

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-28	Amended	V. 34, p. 216
40-1-37	Amended	V. 34, p. 120
40-1-48	Amended	V. 34, p. 120
40-2-20	Amended	V. 34, p. 1202
40-4-29a	Amended	V. 34, p. 996
40-4-37e	Amended	V. 34, p. 120
40-9-118	Amended	V. 34, p. 103
40-9-126	New	V. 34, p. 103

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-4-103	Amended	V. 34, p. 260

**AGENCY 61: BOARD OF BARBERING**

Reg. No.	Action	Register
61-3-7	Amended	V. 34, p. 190
61-3-22	Amended	V. 34, p. 190

**AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY**

Reg. No.	Action	Register
65-5-6	Amended	V. 34, p. 480
65-5-10	Revoked	V. 34, p. 481
65-5-11	Revoked	V. 34, p. 481
65-5-13	New	V. 34, p. 481

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-14-1	Amended	V. 34, p. 617
66-14-2	Amended	V. 34, p. 617
66-14-3	Amended	V. 34, p. 618
66-14-5	Amended	V. 34, p. 618
66-14-7	Amended	V. 34, p. 618

66-14-10 Amended V. 34, p. 618  
66-14-11 Amended V. 34, p. 619

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-2-22	Amended	V. 34, p. 70
68-16-1 through 68-16-9	Revoked	V. 34, p. 70
68-20-10a	Amended	V. 34, p. 70
68-20-31	New (T)	V. 34, p. 103
68-20-31	New	V. 34, p. 480

**AGENCY 69: BOARD OF COSMETOLOGY**

Reg. No.	Action	Register
69-11-1	Amended	V. 34, p. 996
69-15-1	Amended	V. 34, p. 996
69-15-14	Amended	V. 34, p. 997
69-15-30	Amended	V. 34, p. 998

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

Reg. No.	Action	Register
81-1-1	Amended	V. 34, p. 1301
81-2-1	Amended	V. 34, p. 1303
81-3-1	Amended	V. 34, p. 1304
81-3-2	Amended	V. 34, p. 1052
81-3-5	Amended	V. 34, p. 1305
81-3-6	Amended	V. 34, p. 1306
81-3-7	Amended	V. 34, p. 1310
81-4-1	Amended	V. 34, p. 1311
81-4-4	Amended	V. 34, p. 1312
81-5-7	Amended	V. 34, p. 1312
81-5-15	Amended	V. 34, p. 1312
81-5-17	Amended	V. 34, p. 1313
81-5-21	Amended	V. 34, p. 1313
81-6-1	Amended	V. 34, p. 1313
81-7-1	Amended	V. 34, p. 1314
81-7-2	Amended	V. 34, p. 1314
81-14-1	Amended	V. 34, p. 1315
81-14-2	Amended	V. 34, p. 1052
81-14-5	Amended	V. 34, p. 1316
81-14-11	Amended	V. 34, p. 1321
81-21-1	Revoked	V. 34, p. 1053
81-22-1	Revoked	V. 34, p. 1053
81-22-3	Revoked	V. 34, p. 1053
81-23-3	Revoked	V. 34, p. 1053
81-24-2	Revoked	V. 34, p. 1053
81-24-3	Revoked	V. 34, p. 1053
81-25-4	Revoked	V. 34, p. 1053
81-26-1	Revoked	V. 34, p. 1053
81-26-2	Revoked	V. 34, p. 1053
81-27-1	Revoked	V. 34, p. 1053
81-27-2	Revoked	V. 34, p. 1053
81-29-1	Revoked	V. 34, p. 1053
81-29-2	Revoked	V. 34, p. 1053

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-2-402	Revoked	V. 34, p. 900
82-2-506	Revoked	V. 34, p. 900
82-2-507	Revoked	V. 34, p. 900
82-3-100	Amended	V. 34, p. 900
82-3-106	Amended	V. 34, p. 900
82-3-109	Amended	V. 34, p. 901
82-3-203	Amended	V. 34, p. 902
82-3-207	Amended	V. 34, p. 902
82-3-208	Amended	V. 34, p. 902
82-3-209	Amended	V. 34, p. 902
82-3-304	Amended	V. 34, p. 1100
82-3-312	Amended	V. 34, p. 903
82-3-1100 through 82-3-1120	Revoked	V. 34, p. 903
82-4-3a	Amended (T)	V. 34, p. 373
82-4-3a	Amended	V. 34, p. 846
82-4-3f	Amended	V. 34, p. 515
82-4-3g	Amended	V. 34, p. 518

**AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS**

Reg. No.	Action	Register
85-4-1	Amended	V. 34, p. 177
85-7-1	Amended	V. 34, p. 177

**AGENCY 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-1-5	Amended	V. 34, p. 1159

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-3-8a	Amended (T)	V. 34, p. 961
88-3-8a	Amended	V. 34, p. 1266
88-3-12	Revoked (T)	V. 34, p. 961
88-3-12	Revoked	V. 34, p. 1267
88-24-2	Amended	V. 34, p. 247
88-26-1 through 88-26-8	Amended	V. 34, p. 247-250
88-26-7	Amended (T)	V. 34, p. 961
88-26-7	Amended	V. 34, p. 1267
88-26-9 through 88-26-16	Revoked	V. 34, p. 250
88-28-6	Amended	V. 34, p. 250
88-29-1	Amended	V. 34, p. 313
88-29-5	Amended	V. 34, p. 314
88-29-6	Amended	V. 34, p. 314
88-29-7	Amended	V. 34, p. 315
88-29-7a	Amended	V. 34, p. 315
88-29-11	Amended	V. 34, p. 315
88-29a-1	Amended	V. 34, p. 316
88-29a-5	Amended	V. 34, p. 318
88-29a-6	Amended	V. 34, p. 318
88-29a-7	Amended	V. 34, p. 318
88-29a-7a	Amended	V. 34, p. 319
88-29b-1	Amended	V. 34, p. 319
88-29b-4	Amended	V. 34, p. 320
88-29b-5	Amended	V. 34, p. 321
88-29b-6	Amended	V. 34, p. 322
88-29b-7	Amended	V. 34, p. 323
88-29b-7a	Amended	V. 34, p. 324

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-23-9 through		

92-23-23	Revoked	V. 35, p. 63, 64
92-23-25	Revoked	V. 35, p. 64
92-23-30	Revoked	V. 35, p. 64
92-23-31	Revoked	V. 35, p. 64
92-23-37 through 92-23-40		
92-23-40	Revoked	V. 35, p. 64
92-23-41 through 92-23-59		
92-23-59	New	V. 35, p. 64-67
92-23-70 through 92-23-75		
92-23-75	New	V. 35, p. 67, 68
92-56-1	Amended	V. 34, p. 1140
92-56-2	Amended	V. 34, p. 1141
92-56-4	Amended	V. 34, p. 1356

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

Reg. No.	Action	Register
93-9-1	New	V. 34, p. 260

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-28a-1a	New (T)	V. 34, p. 1334
100-28a-6	Amended (T)	V. 34, p. 1334
100-28a-9	Amended (T)	V. 34, p. 1335
100-28a-9a	New (T)	V. 34, p. 1335
100-28a-10	Amended (T)	V. 34, p. 1335
100-28a-11	Amended (T)	V. 34, p. 1336
100-28a-12	Amended (T)	V. 34, p. 1336
100-28a-13	Amended (T)	V. 34, p. 1336
100-28a-14	Amended (T)	V. 34, p. 1337
100-28a-15	Amended (T)	V. 34, p. 1337
100-28a-17	Amended (T)	V. 34, p. 1337

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

Reg. No.	Action	Register
105-5-2	Amended	V. 34, p. 1248
105-5-3	Amended	V. 34, p. 1248
105-5-6	Amended	V. 34, p. 1248
105-5-7	Amended	V. 34, p. 1249
105-5-8	Amended	V. 34, p. 1249
105-11-1	Amended	V. 34, p. 1249

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

Reg. No.	Action	Register
109-2-8	Amended	V. 34, p. 71
109-5-1	Amended	V. 34, p. 1299
109-5-1a through 109-5-1d		
109-5-1d	Amended	V. 34, p. 1299, 1300
109-5-2	Revoked	V. 34, p. 1300
109-8-1	Amended	V. 34, p. 1300
109-10-1	Revoked	V. 34, p. 344
109-10-1c	Amended	V. 34, p. 344
109-10-1e	Amended	V. 34, p. 345
109-10-2	Revoked	V. 34, p. 345
109-10-7	Amended	V. 34, p. 345
109-11-3a	Amended	V. 34, p. 345
109-11-4a	Amended	V. 34, p. 346
109-11-6a	Amended	V. 34, p. 346
109-11-10	Revoked	V. 34, p. 347

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regu-

lations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*.

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

Reg. No.	Action	Register
115-1-1	Amended	V. 34, p. 1204
115-2-1	Amended	V. 34, p. 1206
115-4-11	Amended	V. 34, p. 1208
115-4-13	Amended	V. 34, p. 1210
115-7-1	Amended	V. 34, p. 1211
115-7-2	Amended	V. 34, p. 103
115-7-10	Amended	V. 34, p. 1212
115-9-6	Amended	V. 34, p. 104
115-30-1	Amended	V. 34, p. 104

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-7-1	Amended	V. 34, p. 420

**AGENCY 123: DEPARTMENT OF CORRECTIONS—DIVISION OF JUVENILE SERVICES**

Reg. No.	Action	Register
123-6-105	Amended	V. 34, p. 868
123-6-105a	New	V. 34, p. 868
123-15-107	New	V. 24, p. 1183

**AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION**

Reg. No.	Action	Register
127-2-2	Amended	V. 34, p. 347

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

Reg. No.	Action	Register
129-5-1	Amended (T)	V. 34, p. 100
129-5-1	Amended	V. 34, p. 340
129-5-10 through 129-5-21		
129-5-21	New	V. 34, p. 943, 944
129-10-18	Amended	V. 35, p. 46
129-10-19	New	V. 35, p. 49

**AGENCY 132: KANSAS 911 COORDINATING COUNCIL**

Reg. No.	Action	Register
132-1-1	New	V. 34, p. 103

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

---