



Kansas Register

Kris W. Kobach, Secretary of State

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State of Kansas

Office of the Governor

Executive Order 11-20
Governor's Reward

WHEREAS, the Kansas Bureau of Investigation and the Ford County Sheriff's Office are investigating the homicide of Pedro Morales that occurred on December 24, 2010 in their jurisdiction, and;

WHEREAS, the body of Pedro Morales was discovered in a ditch along a low-maintenance road in rural Ford County, Kansas, having been killed by a single gunshot wound to the head, and;

WHEREAS, despite multiple hours of interviews and investigation, all potential leads in the case have come to a dead end;

NOW, THEREFORE, by virtue of the authority vested in me as the Governor of the State of Kansas by K.S.A. 75-113, I do hereby offer a reward of five thousand dollars (\$5,000.00) for information leading to the arrest and conviction of the individual or individuals who committed the homicide of Pedro Morales.

This document shall be filed as Executive Order No. 11-20 with the Secretary of State and shall become effective immediately.

Dated July 11, 2011.

Sam Brownback
Governor

Doc. No. 039608

State of Kansas

Office of the Governor

Executive Order 11-21
Governor's Reward

WHEREAS, the Hutchison Police Department is investigating the homicide of Jennifer Heckel that occurred in its jurisdiction, and;

WHEREAS, on June 14, 2011, at approximately 7:08 p.m., the Hutchison Police Department was dispatched to 501 Coronado, a single family dwelling on the southwest corner of Coronado and Monroe in Hutchison, Kansas, and;

WHEREAS, on arriving the police discovered the deceased body of Jennifer Heckel, cause of death was determined to be gunshot wounds, and the manner of death was ruled to be homicide;

NOW, THEREFORE, by virtue of the authority vested in me as the Governor of the State of Kansas by K.S.A. 75-113, I do hereby offer a reward of five thousand dollars (\$5,000.00) for information leading to the arrest and conviction of the individual or individuals who committed the homicide of Jennifer Heckel.

This document shall be filed as Executive Order No. 11-21 with the Secretary of State and shall become effective immediately.

Dated July 11, 2011.

Sam Brownback
Governor

Doc. No. 039609

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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. 2010 Supp. 12-1675(b)(c)(d) and K.S.A. 2010 Supp. 12-1675a(g).

Effective 7-18-11 through 7-24-11

Term	Rate
1-89 days	0.06%
3 months	0.01%
6 months	0.06%
1 year	0.16%
18 months	0.26%
2 years	0.36%

Scott Miller
Director of Investments

Doc. No. 039602

State of Kansas

Office of the Governor**Executive Order 11-22**

WHEREAS, Article 1, §3 of the Constitution of the State of Kansas vests the supreme power of the state in the Governor; and

WHEREAS, Homeland Security Presidential Directive 9 has tasked the Secretary of the Department of Homeland Security to coordinate "countermeasure research and development of new methods for detection, prevention technologies, agent characterization, and dose response relationships for high-consequence agents;" and

WHEREAS, to meet this need, the Department of Homeland Security ("DHS") and its federal partners initiated plans for a National Bio and Agro Defense Facility ("NBAF"); and

WHEREAS, NBAF will enhance protection from both natural and intentional threats by modernizing and integrating high-security facilities, thus enhancing our nation's capacity to assess potential threats to humans and animals alike; and

WHEREAS, DHS has selected Manhattan, Kansas as the location for NBAF and already invested more than \$150 million on site preparation, engineering, design, and site specific risk-assessments; and

WHEREAS, Kansas has committed \$105 million of matching state funds to the NBAF project and \$35 million of research funding for transitioning the NBAF mission to Manhattan, Kansas, both of which require active management; and

WHEREAS, the administrations of former Governor Sebelius, former Governor Parkinson, past members of the Kansas Congressional Delegation, and past Kansas legislative leaders have worked in unison to show Kansas' united support for NBAF; and

WHEREAS, continued coordination of actions on behalf of the State of Kansas with federal, state, and private sector actors regarding funding, site planning, risk mitigation, resource allocation, transition research, legislative

activity, and the many other complex aspects of the NBAF project is of high priority for the Kansas economy;

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby create the National Bio and Agro Defense Facility in Kansas Steering Committee ("Committee") which shall be organized as set forth below:

1. The Committee shall be composed of the following members: 1) all members of the Kansas Congressional Delegation; 2) the President and Minority Leader of the Kansas Senate; 3) the Speaker and Minority Leader of the Kansas House of Representatives; 4) the immediate past Governor of Kansas; 5) The Chairman of the Kansas Board of Regents; 6) The Chairman of the Kansas Bioscience Authority; 7) The President of Kansas State University; 8) The Mayor of Manhattan, Kansas.
2. The Governor shall designate the chair.
3. The Committee is advisory in nature and shall provide a forum for coordination of the NBAF project on behalf of the State of Kansas.
4. The Committee shall meet at least annually and at the call of the chair. Meetings may commence by conference call if necessary.

This document shall be filed with the Secretary of State as Executive Order No. 11-22 and shall become effective immediately.

IT IS SO ORDERED.

Dated July 15, 2011.

Sam Brownback
Governor

Doc. No. 039625

State of Kansas

Department on Aging**Request for Applications for
PEANE Special Project Grants**

The Kansas Department on Aging has a Special Project Grant opportunity for the Prevention of Elder Abuse, Neglect and Exploitation (PEANE). The grant period is from September 1, 2011 to August 31, 2012. Any Kansas public agency or private not-for-profit corporation registered with the Office of the Secretary of State may apply for these funds.

Applications are now being accepted for proposals to address education, training or research for the prevention of elder abuse, neglect, financial abuse or exploitation of older individuals. Only project proposals requesting \$7,000 or less will be considered.

To request an application, contact Blanche C. Parks at (785) 296-0463 or (800) 432-3535. The completed application must be returned to the Kansas Department on Aging, 503 S. Kansas Ave., Topeka, 66603-3404, by 5 p.m. Friday, August 12.

Shawn Sullivan
Secretary of Aging

Doc. No. 039611

State of Kansas

**Board of Regents
Procurement Committee**

Notice of Hearing

Pursuant to K.S.A. 76-7,125 et seq., the Kansas Board of Regents Procurement Committee will conduct a public hearing at 9 a.m. Friday, August 5, in the Kathy Rupp Conference Room at the Kansas Board of Regents' office, 1000 S.W. Jackson, Suite 520, Topeka, regarding the westside renovations at the Bill Snyder Family Stadium at Kansas State University. The estimated construction cost is \$60 million. The purpose of the hearing is for the public to have an opportunity to comment on a request from Kansas State University for construction management at-risk services.

If additional information is needed, contact David McMullen, KSU assistant university architect, at (785) 532-6377. Any updates regarding the hearing can be found at www.k-state.edu/purchasing/rfq (click on 40254).

Carla Bishop
Director of Purchasing
Kansas State University

Doc. No. 039626

State of Kansas

Kansas Housing Resources Corporation

Notice of Hearing

The Kansas Housing Resources Corporation will conduct a public hearing from 10:30 a.m. to noon Tuesday, August 16, in the KHRC's main conference room, Suite 300, 611 S. Kansas Ave., Topeka, on housing needs and issues for citizens to have input into the development of the 2012 Kansas Consolidated Plan. The Consolidated Plan is the state's policy framework for federal community development and housing programs.

Resources available in 2012 are estimated to include approximately \$15,291,289 from the Community Development Block Grant (CDBG), \$7,481,173 from HOME Investment Partnerships (HOME), \$904,345 from the Emergency Shelter Grant (ESG), and \$384,759 from Housing Opportunities for Persons with AIDS (HOPWA) programs.

The state also is soliciting input on barriers to fair housing in preparation to update its Analysis of Impediments to Fair Housing Choice. A fair housing survey will be available at the hearing.

Individuals with disabilities or limited English proficiency are welcome to attend and participate in the public hearing. Persons in need of a sign language interpreter, an assistive listening device, large print or Braille material, or other accommodation to attend this hearing are asked to notify the KHRC at least five days prior to the meeting. Requests for accommodation may be made to the KHRC, 611 S. Kansas Ave., Suite 300, Topeka, 66603-3803, (785) 296-3649, or via the Kansas Relay Service at (800) 766-3777.

Christine Reimler
Consolidated Plan Coordinator

Doc. No. 039612

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' Web sites 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/. Additional contact info: phone: 620-341-5145, fax: 620-341-5073, e-mail: thouse@emporia.edu. Mailing address: Emporia State University, Controller's Office/Purchasing, Campus Box 4021, 1200 Commercial, Emporia, KS 66801.

Fort Hays State University – Bid postings: www.fhsu.edu/bids. Additional contact info: phone: 785-628-4251, fax: 785-628-4046, e-mail: 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. Additional contact info: phone: 785-532-6214, fax: 785-532-5577, e-mail: 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. Additional contact info: phone: 620-235-4169, fax: 620-235-4166, e-mail: jensch@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

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

Carla K. Bishop
Chair of Regents Purchasing Group
Director of Purchasing
Kansas State University

Doc. No. 039551

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for items listed will be received by the Director of Purchases until 2 p.m. on the date indicated. For more information, call (785) 296-2376:

- 07/27/2011 EVT0000773 Replace Rooftop A/C Units
- 08/01/2011 EVT0000774 Audit Services – Independent 3rd Party Auditor of Kansas Universal Serv. Fund (KUSF) and the KUSF Administrator
- 08/02/2011 EVT0000775 Ice and Snow Removal Chemicals

- 08/11/2011 EVT0000761 Online Auction Services
- 08/16/2011 EVT0000770 Website Redesign-Services

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

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

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

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

Chris Howe
Director of Purchases

Doc. No. 039622

State of Kansas

Legislature

Interim Committee Schedule

The Legislative Research Department gives notice that the following legislative committees plan to meet—based on current information and subject to change—during the period of July 22-August 2. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY 711, or e-mail LegServ@las.ks.gov. The 2011 interim committee memberships and committee agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/Committees>.

Date	Room	Time	Committee	Agenda
July 22	152-S	9:00 a.m.	Joint Committee on Administrative Rules & Regulations	Review of the rules and regulations proposed for adoption by: Wildlife and Parks Commission; Kansas Court of Tax Appeals; Kansas Department of Health and Environment; Kansas Board of Regents; Kansas Department of Commerce; Kansas Racing and Gaming Commission; Kansas Department of Administration; Kansas Department on Aging.
July 22	346-S	9:00 a.m.	KPERS Study Commission	Organizational meeting and election of officers.
July 26	Hutchinson Community College	9:00 a.m.	Special Committee on Redistricting	Redistricting public hearings.
July 26	Wichita State University	3:00 p.m.	Special Committee on Redistricting	Redistricting public hearings.
July 27	KSU - Salina	9:00 a.m.	Special Committee on Redistricting	Redistricting public hearings.
July 27	Kansas State University	3:00 p.m.	Special Committee on Redistricting	Redistricting public hearings.
Aug. 2	Chanute – Neosho County Community College	10:00 a.m.	Special Committee on Redistricting	Redistricting public hearings.
Aug. 2	Pittsburg State University	3:00 p.m.	Special Committee on Redistricting	Redistricting public hearings.

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 039617

(Published in the Kansas Register July 21, 2011.)

**Summary Notice of Bond Sale
City of Garden City, Kansas
\$2,360,000
General Obligation Bonds
Series 2011**

Details of the Sale

Subject to the terms and requirements of the Official Notice of Bond Sale dated July 5, 2011, of the city of Garden City, Kansas, bids to purchase the city's General Obligation Bonds, Series 2011, will be received at the City Administrative Center, 301 N. 8th, Garden City, KS 67846, or by telefacsimile at (620) 276-1169, until 11 a.m. Tuesday, August 2, 2011. Bids received will be considered by the governing body at its meeting at 1 p.m. on the sale date.

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

Good Faith Deposit

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

Details of the Bonds

The bonds are dated August 1, 2011, and will be issued as registered bonds in the denomination of \$5,000 or any integral multiple thereof. Interest on the bonds is payable semiannually on May 1 and November 1 of each year, beginning May 1, 2012. Principal of the bonds becomes due on November 1 in the years and amounts as shown below:

Maturity Schedule

Principal Amount	Maturity Date
\$220,000	2012
245,000	2013
250,000	2014
260,000	2015
265,000	2016
275,000	2017
280,000	2018
180,000	2019
190,000	2020
195,000	2021

Payment of Principal and Interest

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

Book-Entry Bonds

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

Delivery of the Bonds

The city will prepare the bonds at its expense and will deliver the registered bonds to DTC on or about August 23, 2011.

Legal Opinion

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

Financial Matters

The city's current assessed valuation for purposes of calculating statutory debt limitations is \$179,247,827. As of August 1, 2011, the city's total outstanding general obligation debt (including the bonds) is \$27,460,000.

Additional Information

For additional information, contact the city clerk at the address and telephone number shown below or the city's financial advisor, Chuck Bouilly, George K. Baum & Co., 100 N. Main, Suite 810, Wichita, KS 67202, (316) 264-9351.

City of Garden City, Kansas
By Stacey L. Frizzell, City Clerk
City Administrative Center, 301 N. 8th
Garden City, KS 67846
(620) 276-1234
Fax (620) 276-1169

Doc. No. 039621

(Published in the Kansas Register July 21, 2011.)

**Summary Notice of Bond Sale
City of Roeland Park, Kansas
\$1,565,000*
General Obligation Bonds, Series 2011-2
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the Notice of Bond Sale dated July 5, 2011, written and electronic bids will be received on behalf of the clerk of the city of Roeland Park, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 11 a.m. August 1, 2011, for the purchase of the above-referenced bonds. No bid of less than 99.5 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 25, 2011, and will become due on December 1 in the years as follows:

Year	Principal Amount*
2012	\$ 50,000
2013	65,000
2014	70,000
2015	70,000
2016	165,000
2017	180,000
2018	190,000
2019	85,000
2020	85,000
2021	90,000
2022	95,000
2023	100,000

2024	105,000
2025	105,000
2026	110,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning June 1, 2012.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

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

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 25, 2011, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2010 is \$71,175,347. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$9,570,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the undersigned at the address set forth below.

Written and Facsimile Bid and Good Faith Deposit

Delivery Address:

Debra L. Mootz, Clerk
4600 W. 51st St.
Roeland Park, KS 66205
(913) 722-2600
Fax (913) 722-3713
E-mail: dlmootz@roelandpark.org

Dated July 5, 2011.

City of Roeland Park, Kansas

*Preliminary; subject to change.

Doc. No. 039620

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 1 p.m. August 17 and then publicly opened:

District One – Northeast

District—73-106 KA-2583-01 – U.S. 73 milling at multiple locations in District One. (State Funds)

Johnson—35-46 KA-2324-01 – I-35 improvements to allow for bus operations on shoulders in Johnson County, signing, patching and guardrail, 7.8 miles. (State Funds)

Osage—75-70 KA-2228-01 – U.S. 75 bridge repair in Osage County. (State Funds)

Wabaunsee—99-99 KA-0702-02 – K-99, grading, bridge and surfacing. (State Funds)

Wabaunsee—99-99 KA-0703-01 – K-99 Mill Creek bridge at the west junction of K-4, bridge replacement. (Federal Funds)

Wabaunsee—70-99 KA-2245-01 – I-70 bridge repair in Wabaunsee County. (State Funds)

Wyandotte—35-105 KA-2493-01 – I-35 pavement marking, 1.7 miles. (Federal Funds)

District Two – Northcentral

District—15-106 KA-2588-01 – K-15 milling at various locations in District Two. (State Funds)

Saline—70-85 K-6779-02 – I-70, 0.5 mile west of County Route 1050, east to the Saline-Dickinson county line, 1.6 miles, interchange reconstruction. (Federal Funds)

District Three – Northwest

District—40-106 KA-2584-01 – U.S. 40 milling in District Three. (State Funds)

Sherman—70-91 KA-0719-01 – I-70 from K-253 east to 0.5 mile east of the Sherman-Thomas county line, milling and overlay, 8.4 miles. (Federal Funds)

District Four – Southeast

Bourbon—6 C-3855-01 – County road 1 mile north and 3.6 miles east of Fort Scott, grading, bridge and surfacing, 0.2 mile. (Federal Funds)

Labette—50 C-4365-01 – County road 2 miles north and 1.7 miles east of Angola, grading and bridge, 0.2 mile. (Federal Funds)

Montgomery—63 KA-2176-01 – South Kansas and Oklahoma Railroad at the Cherryvale yard, railroad improvement. (Federal Funds)

District Five – Southeast

District—56-106 KA-2585-01 – U.S. 56 milling in District Five. (State Funds)

District—106 KA-2585-01 – Milling at various locations in District Five. (State Funds)

Sedgwick—235-87 KA-1857-01 – I-235/K-96 and Meridian Avenue in Wichita, lighting, 0.5 mile. (Federal Funds)

(continued)

District Six – Southwest

District—25-106 KA-2586-01 – K-25 milling in District Six, 16.9 miles. (State Funds)

Finney—50-28 K-8246-02 – U.S. 50 corridor from the Kearny-Finney county line east to north junction of U.S. 83, seeding and sodding, 12 miles. (Federal Funds)

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

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

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

Deb Miller
Secretary of Transportation

Doc. No. 039623

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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

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

**Public Notice No. KS-AG-11-133/134
Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Apple-A-Day-Foods Kyle Strahm 1969 200th Road Sabetha, KS 66534 Kansas Permit No. A-MONM-M030	SE/4 of Section 30, T01S, R14E, Nemaha County	Missouri River Basin

This permit is being reissued for a confined animal feeding operation for 135 head (189 animal units) of mature dairy cattle, 140 head (140 animal units) of cattle weighing greater than 700 pounds, 100 head (50 animal units) of cattle weighing less than 700 pounds, 100 head (40 animal units) of swine weighing greater than 55 pounds and 100 head (10 animal units) of swine weighing 55 pounds or less. This represents a decrease in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Bohnen Cattle Co. Bruce M. Bohnen 19623 Grant Dorrance, KS 67634 Kansas Permit No. A-SHRS-B002	SW/4 of Section 10, T14S, R12W, Russell County	Smoky Hill River Basin

This permit is being reissued for an existing facility with a maximum capacity of 800 head (400 animal units) of cattle 700 pounds or less. There is no change in the permitted animal units from the previous permit.

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

All comments regarding the draft documents or application notices received on or before August 20 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-11-133/134) and name of the applicant/permittee when preparing comments.

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

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

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

Doc. No. 039616

State of Kansas

**Department of Health
and Environment**

**Notice of Hearing on Proposed
Administrative Regulations**

The Kansas Department of Health and Environment, Division of Environment, Bureau of Waste Management (BWM), will conduct a public hearing at 10 a.m. Tuesday September 27, in the Prairie Conference Room, third floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of proposed new solid waste regulation K.A.R. 28-29-1a, concerning modifications to obsolete references and text. A summary of the proposed regulation and the estimated economic impact follows:

K.A.R. 28-29-1a. In a recent rulemaking, many of the hazardous waste regulations were either modified or revoked and replaced with new regulations. Due to these changes, the references to the hazardous waste regulations that are found in the solid waste regulations are no longer accurate. The hazardous waste rulemaking also revised the classification of hazardous waste generators, so use of the old generators names in the solid waste regulations is no longer correct. In addition, some air and water regulations referenced in the solid waste regulations have been revoked. This proposed new regulation serves to correct obsolete terms and references that appear throughout the solid waste regulations until the individual regulations containing the terms and references can be amended.

Economic Impact: The proposed regulation does not subject the regulated community to any additional requirements or costs. There is no increase in costs to the agency or to other governmental agencies or units.

The time period between the publication of this notice and September 30 serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to 5 p.m. September 30 to Christine Mennicke, Kansas Department of Health and Environment, Bureau of Waste Management, 1000 S.W. Jackson, Suite 320, Topeka, 66612, by fax to (785) 296-8909, or by e-mail to cmennicke@kdheks.gov. During the hearing, all interested parties will be given a reasonable opportunity to present their views orally on the proposed regulatory action as well as an opportunity to submit their written comments. In order to give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

Copies of the proposed regulation and the corresponding regulatory impact statement may be obtained on the BWM Web site at www.kdheks.gov/waste/ or by contacting Christine Mennicke at (785) 296-0724 or cmennicke@kdheks.gov. Questions pertaining to the proposed regulation should be directed to Christine Mennicke.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and the corresponding regulatory impact statement in an accessible format.

Requests for accommodation should be made at least five working days in advance of the hearing by contacting Christine Mennicke.

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

Doc. No. 039619

State of Kansas

**Department of Labor
Division of Workers Compensation**

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 1 p.m. Friday, October 7, in the seventh floor conference room, 800 S.W. Jackson, Topeka, to consider the adoption of an amendment to a permanent regulation of the Division of Workers Compensation.

The 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to the director of the Division of Workers Compensation, 800 S.W. Jackson, Suite 600, Topeka, 66612-1227, or by contacting Anne Haught at (785) 296-0850 or anne.haught@dol.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit oral presentation to 10 minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Request for accommodation should be made at least five working days in advance of the hearing by contacting Anne Haught. Parking for individuals with disabilities is located on the second level of 800 S.W. Jackson's enclosed parking. Also, the west entrance of the building is accessible to individuals with disabilities.

Copies of the regulation and its economic impact statement may be obtained from the Division of Workers Compensation or by contacting Anne Haught. The following is a brief summary of the proposed regulation:

K.A.R. 51-7-8. Computation of compensation. The proposed change to this regulation is made in accordance with Section 8 of 2011 House Bill 2134, amending K.S.A. 44-510(d). The language now includes not only the loss of a member but the loss of use of a member in determining functional impairment and permanent partial general disability. This language does not extend benefits but clarifies existing language.

Karin Brownlee
Secretary of Labor

Doc. No. 039603

State of Kansas

Department of Agriculture

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, September 21, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of proposed regulations.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Agriculture, 109 S.W. 9th, 4th Floor, Topeka, 66612, or by e-mail at leslie.garner@kda.ks.gov. Comments also may be made through the department's Web site, <http://www.ksda.gov>, under the proposed regulation.

All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

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

K.A.R. 4-27-1. The proposed regulation increases license application fees authorized by K.S.A. 36-502, as amended by 2011 HB 2282.

Economic Impact Statement: The anticipated economic impact on the agency is \$7,000 in increased application fees. When coupled with a projected increase in license fees of \$15,000 resultant of the amendment of K.S.A. 36-502 by 2011 HB 2282, the combined increase in revenues will allow the hiring of 1.00 FTE.

The proposed regulation is not known to affect other governmental agencies. The increased application fees would impact new lodging facilities applying for a license, as well as existing facilities that have a change of ownership or allow their licenses to expire. The anticipated financial impact to private businesses and individuals will be negligible.

K.A.R. 4-28-7. The proposed regulation establishes license and application fees.

Economic Impact Statement: The changes are expected to have no economic impact on the Kansas Department of Agriculture, other governmental agencies, private businesses and individuals.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Leslie Garner at (785) 296-4623 or fax (785) 368-6668. Handicapped parking is located at the southwest corner of 9th and Kansas Ave., and the north entrance to the building is accessible to individuals with disabilities.

Copies of the regulations and their economic impact statements may be obtained by contacting Leslie Garner

at the contact information above or by accessing the department's Web site at <http://www.ksda.gov>.

Dale A. Rodman
Secretary of Agriculture

Doc. No. 039610

State of Kansas

Behavioral Sciences Regulatory Board

Notice of Hearing on Proposed
Administrative Regulations

The Behavioral Sciences Regulatory Board will conduct a public hearing from 10 to 11:30 a.m. Friday, September 23, in the board's conference room at 712 S. Kansas Ave., Topeka, to consider adopting proposed permanent rules and regulations for addiction counseling.

This 60-day notice of the public hearing constitutes a public comment period for purposes of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to Tom Hawk, Executive Director, Behavioral Sciences Regulatory Board, 712 S. Kansas Ave., Topeka, 66603-3817. E-mail comments may be directed to tom.hawk@bsrb.state.ks.us. All interested parties will be given a reasonable opportunity to present their views orally at the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Leslie Allen, licensing manager, at (785) 296-3240, or the Kansas Relay Center at (800) 766-3777. There is designated accessible parking on Kansas Avenue, and the front entrance of the board office is accessible.

A copy of the full text of the regulations and the economic impact statement may be reviewed or obtained at the board office or from the board's Web site at <http://www.ink.org/public/bsrb.org> (under proposed regulations). The following is a summary of the proposed regulations and economic statement. The board does not have a less costly or less intrusive method for achieving the stated purpose of the regulations.

K.A.R. 102-7-1 through 102-7-12 implement House Bill 2577, the Licensed Addictions Counselors Act, passed by the 2010 Legislature, and SB 100, which was passed as part of House Bill 2182 by the 2011 Legislature.

Economic Impact: There would be a positive economic impact to the Behavioral Sciences Regulatory Board, the state of Kansas, and other governmental agencies. There would be an economic impact to the new applicants and licensees of the Kansas Behavioral Sciences Regulatory Board. There would not be an economic impact to the public.

Tom Hawk, Ph.D.
Executive Director

Doc. No. 039613

State of Kansas

Department of Revenue

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Department of Revenue at 10 a.m. Tuesday, September 27, in the secretary's conference room, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider amendments to an income tax regulation.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulation. All interested parties may submit written public comments on the proposed regulation prior to the hearing to Kathleen Smith, Tax Specialist, Office of Policy and Research, Department of Revenue, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1588, or through e-mail at kathleen_smith@kdor.ks.gov.

All interested parties will be given a reasonable opportunity to present their views, either orally or in writing or both, concerning the adoption of the proposed regulation. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Kathleen Smith at (785) 296-3081 or TTY (785) 296-6461. Disabled parking is located in State Parking Lot No. 2, south of the Docking Building facing Harrison Street. The east entrance to the Docking Building is accessible.

This regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and the economic impact follows:

Article 12.—INCOME TAX

Amendments to K.A.R. 92-12-66a. This regulation specifies factors to be considered, definitions to be used and processes to be followed in determining whether petitions for abatement submitted to the secretary of revenue should be approved or denied. The regulation clarifies the contents of the report of an abatement that is filed with the secretary of state, Legislative Post Audit and the attorney general and that it is available for public inspection.

Economic Impact: The Department of Revenue does not anticipate any impact on the department, other government agencies, or private businesses or individuals.

A copy of this regulation and the economic impact statement may be obtained from the Office of Policy and Research at the address above or via the department's Web site at www.ksrevenue.org.

Nick Jordan
Secretary of Revenue

Doc. No. 039604

State of Kansas

Department of Health
and EnvironmentPermanent Administrative
Regulations**Article 16.—WATER POLLUTION CONTROL**

28-16-28g. Surface water register. The classification and use designations of surface waters of the state shall be those identified in the department's "Kansas surface water register," dated December 15, 2010, which is hereby adopted by reference. (Authorized by K.S.A. 2010 Supp. 82a-2010; implementing K.S.A. 2010 Supp. 82a-2001, 82a-2002, 82a-2003, 82a-2004, and 82a-2005; effective Jan. 28, 2005; amended May 20, 2005; amended Sept. 15, 2006; amended May 25, 2007; amended June 6, 2008; amended Feb. 26, 2010; amended Aug. 5, 2011.)

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

Doc. No. 039606

State of Kansas

Department of Revenue
Division of Alcoholic Beverage ControlPermanent Administrative
Regulations**Article 13.—RETAIL LIQUOR DEALERS**

14-13-12. Defective liquor containers; repurchase by retailer. (a) No retailer shall knowingly sell any liquor containers that leak, contain foreign matter in the bottle, are short-filled, have broken federal seals, have badly soiled or stained labels, or are otherwise not fit for resale to the general public.

(b) Any retailer may perform the following:

(1) Buy back from a customer any item of alcoholic liquor when required by the distributor to do so;

(2) buy back any item of alcoholic liquor from a club, drinking establishment, or caterer for which the club, drinking establishment, or caterer has obtained the approval of the director to close out;

(3) buy back or exchange, within 24 hours of delivery, any item of alcoholic liquor that is damaged, as described in subsection (a); and

(4) buy back, with written permission from the director and within three business days after the end of an event conducted under a temporary permit issued under K.S.A. 41-2645 and amendments thereto, any beer sold to the holder of the temporary permit. (Authorized by and implementing K.S.A. 41-210 and K.S.A. 41-211; effective May 1, 1988; amended Aug. 5, 2011.)

Nick Jordan
Secretary of Revenue

Doc. No. 039615

State of Kansas

Kansas Health Policy Authority

Permanent Administrative
RegulationsArticle 1.—CLIENT ASSESSMENT, REFERRAL, AND
EVALUATION (CARE) PROGRAM

120-1-2. (Authorized by and implementing K.S.A. 39-968 and K.S.A. 65-6804; effective, T-120-8-22-05, Aug. 22, 2005; effective Dec. 2, 2005; revoked Aug. 5, 2011.)

Andy Allison, Ph.D.
Executive Director

Doc. No. 039624

State of Kansas

State Fire Marshal

Permanent Administrative
RegulationsArticle 19.—CERTIFICATION OF
FIRE INVESTIGATORS

22-19-2. Certification of fire investigators. Certification may be granted at one of two levels: certified fire investigator I or certified fire investigator II. (a) Each individual seeking certification at either level shall apply on a form approved by the state fire marshal. Any individual that meets and demonstrates the following criteria may be certified by the state fire marshal:

- (1) Is a United States citizen;
- (2) has been fingerprinted, with a search of local, state, and national fingerprint files to determine whether the applicant has a criminal record;
- (3) has not been convicted, does not have an expunged conviction, and on and after July 1, 1995, has not been placed on diversion by any state or the federal government for a crime that is a felony or its equivalent under the uniform code of military justice;
- (4) has not been convicted, does not have an expunged conviction, and has not been placed on diversion by any state or the federal government for a misdemeanor crime of domestic violence or its equivalent under the uniform code of military justice, if the misdemeanor crime of domestic violence was committed on or after the effective date of this regulation;
- (5) is the holder of a high school diploma or furnishes evidence of successful completion of an examination indicating an equivalent achievement;
- (6) is of good moral character;
- (7) is free of any physical or mental condition that could adversely affect the applicant's performance of a fire investigator's duties;
- (8) is at least 21 years of age;
- (9) is recommended by the agency head of the applicant's jurisdiction;
- (10)(A) Provides proof of successful completion of a fire investigation course, within the past five calendar years, that meets or exceeds the "standard for professional qualifications for fire investigator" established by the national fire protection association in publication number 1033,

2009 edition, which is hereby adopted by reference, and all law enforcement training required under K.S.A. 74-5607a et seq., and amendments thereto, and applicable regulations. Each applicant who completed an approved fire investigation course more than five years before the date of application shall submit proof of the applicant's successful completion of the course and proof of the applicant's fire investigation responsibilities within the past five calendar years; or

(B) achieves a score of at least 80 percent on the fire investigation graded examination. Any applicant may take this examination only once. If an applicant scores less than 80 percent, the applicant shall meet the requirement in paragraph (a)(10)(A); and

(11) submits a completed criminal history form. Each applicant shall also provide proof that the applicant has submitted fingerprints to the Kansas bureau of investigation.

(b) Each applicant for certified fire investigator II shall, in addition to meeting all of the requirements in subsection (a), successfully complete a firearms training course approved for law enforcement officers and be employed full-time by a fire department or law enforcement agency. Each applicant for a certified fire investigator II shall maintain firearms qualifications annually and shall provide documentation of this to the state fire marshal.

(c) Any applicant who is a part-time or volunteer certified fire investigator I may apply for certification as a fire investigator II with a written recommendation from the local law enforcement agency.

(d) Comparable qualifications from another state or jurisdiction may be recognized by the state fire marshal.

(e) Certification as a fire investigator I or II shall be valid for three years.

(f) Any certification issued under this regulation may be suspended or revoked by the state fire marshal if the state fire marshal finds that the certification holder has not accumulated and documented at least 60 points in each three-year period following initial certification and has not provided this documentation to the state fire marshal as follows:

(1) Training points shall be earned at the rate of one point for every clock-hour of department-approved training attended or taught, and 10 points shall be earned for every college-level course of three or more credit hours for which the applicant achieves a grade of C or higher if the course content directly relates to fire investigation skills. No more than 10 points shall be applied from instructing. At least 30 points shall be earned in this category, and a maximum of 40 points may be applied towards recertification.

(2) Experience points shall be earned for performing fire scene investigation and reporting or for the supervision of fire scene investigation and reporting. Points shall be earned at the rate of one point per fire investigation performed or supervised. At least 10 points shall be earned in this category, and a maximum of 20 points may be earned.

(3) Each individual shall be required to accumulate and document at least 10 points of training in law enforcement-related courses.

(g) Points shall not be carried over from one three-year period into another. A fire investigator who is certified before the effective date of this regulation shall not be required to meet the requirements in paragraph (f)(3) until the individual's next three-year certification period following the effective date of this regulation.

(h) For each subsequent three-year certification, each individual shall provide the following to the state fire marshal no later than 60 days before the expiration of the individual's current certification:

(1) A completed certification form approved by the state fire marshal;

(2) originals or legible copies of all documents establishing the points earned; and

(3) a notarized statement of eligibility for the subsequent three-year certification.

(i) If an individual's certification lapses for more than six months, the individual shall complete all applicable requirements in subsections (a) through (e). (Authorized by and implementing K.S.A. 31-157; effective, T-84-43, Dec. 21, 1983; effective May 1, 1984; amended May 10, 1993; amended Aug. 27, 1999; amended Aug. 5, 2011.)

22-19-3. (Authorized by and implementing K.S.A. 31-157; effective, T-84-43, Dec. 21, 1983; effective May 1, 1984; amended May 10, 1993; amended Aug. 27, 1999; revoked Aug. 5, 2011.)

22-19-5. Filing reports with state fire marshal. (a) Each person certified as a fire investigator I or II shall file a report of every fire investigation conducted by that individual with the state fire marshal within 30 days. The report shall contain all information on the current report form used by the state fire marshal's deputies, including the following:

(1) The name and birthdate of the owner;

(2) the name and birthdate of each suspect, if any, and either the driver's license or other identification number of each suspect;

(3) the name, the birthdate, and either the driver's license or other identification number of each witness; and

(4) the name of the insurance company, policy number, and amount of insurance coverage.

(b) Supplemental reports shall be filed indicating disposition of the case.

(c) Each report shall be submitted through the investigative database used by the state fire marshal's investigations division.

(d) Failure to file the reports specified in this regulation shall be grounds for suspension or revocation of the certificate pursuant to K.A.R. 22-1-5. (Authorized by K.S.A. 2009 Supp. 31-133; implementing K.S.A. 2009 Supp. 31-137; effective May 10, 1993; amended Aug. 5, 2011.)

Doug Jorgensen
State Fire Marshal

Doc. No. 039607

State of Kansas

Department of Agriculture Division of Water Resources

Permanent Administrative Regulations

Article 22.—EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

5-22-4a. Water flowmeter requirement. Each non-domestic, nontemporary well meeting any of the following conditions shall be equipped with a water flowmeter that meets or exceeds the requirements of K.A.R. 5-22-4:

(a) A well operated under the authority of an approval of application issued on or after September 1, 1987;

(b) a well operated under the approval of an application for change in the place of use, the point of diversion, or the use made of the water, or any combination of these, filed after September 1, 1987;

(c) a well that meets the standards for being a standby well as specified in K.A.R. 5-22-1;

(d) a well for which a certificate of appropriation was issued on or after July 1, 1995;

(e) a well not equipped with a water flowmeter before December 31, 2010. Each such well shall be equipped with a water flowmeter that meets or exceeds the requirements of K.A.R. 5-22-4, pursuant to the following schedule:

(1) On or before December 31, 2012, each well in the northeast quarter of every section located within the district boundaries;

(2) on or before December 31, 2013, each well in the southeast quarter of every section located within the district boundaries;

(3) on or before December 31, 2014, each well in the southwest quarter of every section located within the district boundaries; and

(4) on or before December 31, 2015, each well in the northwest quarter of every section located within the district boundaries; or

(f) a well for which the board determines it is necessary to have a water flowmeter to ensure any of the following:

(1) The accuracy of reported water use;

(2) compliance with the terms, conditions, and limitations of the water right, approval of application, or approval of change; or

(3) nonimpairment of other water rights. (Authorized by and implementing K.S.A. 2010 Supp. 82a-1028; effective Jan. 10, 2003; amended Aug. 5, 2011.)

5-22-4d. Water flowmeter installation procedures.

(a) If installation of a water flowmeter is required by the board, the owner of the approval of application or the water right shall be notified of the requirement in writing.

(b) A water flowmeter shall be installed on a new or replacement point of diversion within 30 days after the point of diversion is operational, or before the diversion of water, whichever occurs first.

(c) Unless otherwise specified by the board, a water flowmeter shall be installed on an existing point of diversion within 30 days of the issuance of the water flow-

(continued)

meter order by the district, or before the diversion of water, whichever occurs first.

(d) An extension of time to install the water flowmeter may be granted by the board, or the board's designee, if a request for an extension of time is filed with the district before the expiration of the time to install the water flowmeter and one of the following conditions is met:

(1) The water right owner has a contract with a vendor to install a water flowmeter, but the vendor cannot complete the installation within the time allowed.

(2) Weather, site conditions, or other conditions beyond the control of the owner prevent the water flowmeter from being installed within the time allowed.

(3) The owner demonstrates any other reason constituting good cause why the water flowmeter cannot be installed within the time allowed and that granting an extension of time will not be adverse to the public interest.

(e) The water right owner shall notify the district within 30 days after the required water flowmeter is installed. The notification shall be submitted on a form prescribed by the board, or the board's designee.

(f) An inspection of the water flowmeter installation may be made by the board, or the board's designee, to determine if the water flowmeter has been properly installed in accordance with the requirements of K.A.R. 5-22-4, K.A.R. 5-22-4a, and K.A.R. 5-22-4b.

(g) If an inspection is made by the board or the board's designee, the owner shall be notified by the board, or the board's designee, of the results of the inspection in writing. (Authorized by and implementing K.S.A. 82a-706a and K.S.A. 2010 Supp. 82a-1028; effective Nov. 12, 2004; amended Aug. 5, 2011.)

David W. Barfield, P.E.
Chief Engineer
Division of Water Resources

Doc. No. 039614

State of Kansas

State Corporation Commission

Permanent Administrative Regulations

Article 11.—NATURAL GAS PIPELINE SAFETY

82-11-4. Transportation of natural and other gas by pipeline; minimum safety standards. The federal rules and regulations titled "transportation of natural and other gas by pipeline: minimum federal safety standards," 49 C.F.R. Part 192, including appendices B, C, D, and E, as in effect on October 1, 2010, with the exception of portions that include jurisdiction beyond the state of Kansas, including off-shore pipelines, the outer continental shelf, and states other than Kansas, are adopted by reference with the following exceptions, deletions, additions, and modifications:

(a) 49 C.F.R. 192.7(b) shall be deleted and replaced by the following: "(b) Any incorporated document shall be available for inspection at the gas pipeline safety section's Topeka, Kansas office. All incorporated materials are also available for inspection in the Office of Pipeline Safety,

Pipeline and Hazardous Materials Safety Administration, 1200 New Jersey Avenue, S.E., Washington, D.C., 20590-0001 or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030 or access the following website: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html. These materials have been approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. In addition, the incorporated materials are available from the respective organizations listed in paragraph (c)(1) of this section."

(b) 49 C.F.R. 192.181(a) shall be deleted and replaced by the following: "(a) Each high-pressure distribution system shall have valves spaced to reduce the time to shut down a section of main in an emergency. Each operator shall specify in its operation and maintenance manual the criteria as to how valve locations are determined using, as a minimum, the considerations of operating pressure, the size of the mains, and the local physical conditions. The emergency manual shall include instructions on where operating personnel can find maps and other means of locating emergency valves during an emergency. Each area of residential development constructed after May 1, 1989 shall be provided with at least one valve to isolate it from other areas."

(c) 49 C.F.R. 192.199(e) shall be deleted and replaced by the following: "(e) Have discharge stacks, vents, or outlet ports designed to prevent accumulation of water, ice, or snow, located where gas can be discharged into the atmosphere without undue hazard. At town border stations and district regulator settings, the gas shall be discharged upward at a minimum height of six feet from the ground or past the overhang of any adjacent building, whichever is greater."

(d) 49 C.F.R. 192.199(h) shall be deleted and replaced by the following: "(h) Except for a valve that will isolate the system under protection from its source of pressure, shall be designed to prevent unauthorized access to or operation of any stop valve that will make the pressure relief valve or pressure limiting device inoperative including:

"(1) valves that would bypass the pressure regulator or relief devices; and

"(2) shut-off valves in regulator control lines that, if operated, would cause the regulator to be inoperative."

(e) The following shall be added to 49 C.F.R. 192.199: "(i) At town border stations and district regulator settings, this section shall require pressure relief or pressure limiting devices regardless of installation date."

(f) 49 C.F.R. 192.307 shall be deleted and replaced by the following: "Inspection of materials. Each length of pipe and each other component shall be visually inspected at the site of installation to ensure that it has not sustained any visually determinable damage that could impair its serviceability. Except for short sections of pipe with external coating applied after installation, each coated length of pipe shall be checked for defects in the coating using an instrument that is calibrated according to manufacturer's specifications prior to lowering the pipe into the ditch."

(g) The following subsection shall be added to 49 C.F.R. 192.317: “(d) Each aboveground pipeline shall be placed underground, with the following exceptions:

- “(1) Regulator station piping;
- “(2) bridge crossings;
- “(3) aerial crossings or spans;
- “(4) short segments of piping for valves intentionally brought above the ground, including risers, piping at compressor, processing or treating facilities, block gate settings, sectionalizing valves and district regulator sites;
- “(5) distribution mains specifically designed to be above the ground and have the approval of the landowner to provide service to commercial customers from the aboveground main and associated service line or lines; or
- “(6) pipelines in class 1 locations that were in natural gas service before May 1, 1989.”

(h) The following shall be added to 49 C.F.R. 192.317: “(e) Each pipeline constructed after May 1, 1989, shall be placed under ground, with the following exceptions:

- “(1) Regulator station piping;
- “(2) bridge crossings;
- “(3) aerial crossings or spans;
- “(4) short segments of piping for valves intentionally brought above ground, including risers, piping at compressor, processing or treating facilities, block gate settings, sectionalizing valves and district regulator sites; or
- “(5) distribution mains specifically designed to be above ground and have the approval of the landowner to provide service to commercial customers from the aboveground main and associated service line or lines.”

(i) 49 C.F.R. 192.453 shall be deleted and replaced by the following: “(a) The corrosion control procedures required by 49 C.F.R. 192.605(b)(2), including those for the design, installation, operation, and maintenance of cathodic protection systems, must be carried out by, or under the direction of, a person qualified in pipeline corrosion control methods.

“(b) Any unprotected steel service or yard line found to have active corrosion shall be either provided with cathodic protection and monitored annually as required by K.A.R. 82-11-4 (m) or replaced. In areas where there is no active corrosion, each operator shall, at intervals not exceeding three years, reevaluate these pipelines.

“(c) In lieu of conducting electrical surveys on unprotected steel service lines and yard lines, each operator may implement one of the following options:

“(1) Conduct annual leakage surveys at intervals not exceeding 15 months, but at least once each calendar year, on all unprotected steel service lines and yard lines and initiate a program to apply cathodic protection for all unprotected steel service lines and yard lines; or

“(2) conduct annual leakage surveys at intervals not exceeding 15 months, but at least once each calendar year, on all unprotected steel service lines and yard lines and initiate a preventative maintenance program for replacement of service and yard lines. The preventative maintenance program to be used in conjunction with the annual leak survey of unprotected steel service and yard lines shall include the following:

“(A) After the annual leakage survey of all unprotected steel service and yard lines is completed, the operator shall prepare a summary listing of the leak survey results.

“(B) The summary listing shall include the number of leaks found and the number of lines replaced in a defined area.

“(C) An operator’s replacement program for all service or yard lines in the defined area shall be initiated no later than when the sum of the number of unprotected steel service or yard lines with existing or repaired corrosion leaks and the number of unprotected steel service or yard lines already replaced due to corrosion equals 25% or more of the unprotected steel service or yard lines installed within that defined area.

“(D) The replacement program, once initiated for a defined area, shall be completed by an operator within 18 months.

“(E) Operators, at their option, may have separate preventative maintenance programs for service lines and yard lines but must consistently follow their selection.

“(d) For a city of the third class, or a city having a population of 2,000 or less, which is an operator of a natural gas distribution system, a replacement program for unprotected steel yard lines may comply with paragraph (c)(2)(D) of this section or include the following requirements in their replacement plan:

- “(1) Perform leakage surveys at six month intervals;
- “(2) Notify all customers in the defined area with a written recommendation that all unprotected steel yard lines should be scheduled for replacement; and
- “(3) Replace all unprotected steel yard lines in the defined area that exhibit active corrosion.”

(j) 49 C.F.R. 192.455(a) shall be deleted and replaced by the following: “(a) Except as provided in paragraphs (c) and (f) of this section, each buried, submerged pipeline, or exposed pipeline, installed after July 31, 1971, shall be protected against external corrosion by various methods, including the following:

- “(1) An external protective coating meeting the requirements of 49 C.F.R. 192.461; and
- “(2) A cathodic protection system designed to protect the pipeline in accordance with this subpart, installed and placed in operation within one year after completion of construction.”

(k) 49 C.F.R. 192.455(b) shall be deleted.

(l) 49 C.F.R. 192.457(b) shall be deleted and replaced by the following: “(b) Except for cast iron or ductile iron pipelines, each of the following buried, exposed or submerged pipelines installed before August 1, 1971, shall be cathodically protected in accordance with this subpart in areas in which active corrosion is found:

- “(1) Bare or ineffectively coated transmission lines;
- “(2) bare or coated pipes at compressor, regulator, and measuring stations; and
- “(3) bare or coated distribution lines.”

(m) 49 C.F.R. 192.465(a) shall be deleted and replaced by the following: “Each pipeline that is under cathodic protection shall be tested at least once each calendar year, but in intervals not exceeding 15 months, to determine whether the cathodic protection meets the requirements of 192.463. If tests at those intervals are impractical for separately protected short sections of mains or transmission lines not in excess of 100 feet, or separately protected service lines, these pipelines may be surveyed on a sam-

(continued)

pling basis. At least one-third of the separately protected short sections, distributed over the entire system, shall be surveyed each calendar year, with a different one-third checked each subsequent year, so that the entire system is tested in each three-year period."

(n) 49 C.F.R. 192.465(d) shall be deleted and replaced by the following: "(d) Each operator shall begin corrective measures within 30 days, or more promptly if necessary, on any deficiencies indicated by the monitoring."

(o) 49 C.F.R. 192.465(e) shall be deleted and replaced by the following: "(e) After the initial evaluation required by 49 C.F.R. 192.455 (b) and K.A.R. 82-11-4(l), each operator shall, at least every three calendar years at intervals not exceeding 39 months, reevaluate its unprotected pipelines and cathodically protect them in accordance with this subpart in areas in which active corrosion is found. The operator shall determine the areas of active corrosion by electrical survey, where practical."

(p) The following shall be added to 49 C.F.R. 192.465: "(f) It shall be considered practical to conduct electrical surveys in all areas, except the following:

"(1) Where the pipe lies under wall-to-wall pavement;

"(2) where the pipe is in a common trench with other utilities;

"(3) in areas with stray current; or

"(4) in areas where the pipeline is under pavement, regardless of depth, and more than two feet away from an unpaved area.

"(g) Where an electrical survey is impractical as listed in paragraph (f) of this section, the operator shall conduct leakage surveys using leak detection equipment in accordance with K.A.R. 82-11-4(dd) and evaluate for areas of active corrosion. The evaluation for active corrosion shall include review and analysis of leak repair records, corrosion monitoring records, exposed pipe inspection records, and the analysis of the pipeline environment.

"(h) for unprotected steel transmission lines and mains, a repair/replacement program shall be established based upon the number of leaks in a defined area.

(q) 49 C.F.R. 192.491(a) shall be deleted and replaced by the following: "(a) For as long as the pipeline remains in service, each operator shall maintain records and maps to show the locations of all cathodically protected piping, cathodic protection facilities other than unrecorded galvanic anodes installed before August 1, 1971, and neighboring structures bonded to the cathodic protection system."

(r) 49 C.F.R. 192.491(b) shall be deleted.

(s) 49 C.F.R. 192.509(b) shall be deleted and replaced by the following: "(b) Each steel main that is to be operated at less than 1 p.s.i.g. shall be tested to at least 10 p.s.i.g. and each main to be operated at or above 1 p.s.i.g. shall be tested to at least 100 p.s.i.g."

(t) The following shall be added to 49 C.F.R. 192.517(a): "(8) Test date. (9) Description of facilities being tested."

(u) 49 C.F.R. 192.517(b) shall be deleted and replaced by the following: "For any pipeline installed after May 1, 1989, each operator shall make, and retain for the useful life of the pipeline, a record of each test performed under §§ 192.509, 192.511 and 192.513."

(v) 49 C.F.R. 192.553(a)(1) shall be deleted and replaced by the following: "(1) At the end of each incremental in-

crease, the pressure shall be held constant while the entire segment of pipeline that is affected is checked for leaks. This leak survey by flame ionization shall be conducted within eight hours after the stabilization of each incremental pressure increase provided in the uprating procedure. If the operator elects to not conduct the leak survey within the specified time frame because of nightfall or other circumstance, the pressure increment in the line shall be reduced that day with repetition of that particular increment during the next day that the uprating procedure is continued."

(w) 49 C.F.R. 192.603(b) shall be deleted and replaced by the following: "(b) Each operator shall establish a written operating and maintenance plan meeting the requirements of this part and keep records necessary to administer the plan. This plan and future revisions shall be submitted to the gas pipeline safety section."

(x) The following shall be added to 49 C.F.R. 192.603:

"(d) Each operator shall have regulator and relief valve test, maintenance and capacity calculation records in its possession whether the town border station is owned by the operator or by a wholesale supplier, if the supplier's relief valve capacity is utilized to provide protection for the operator's system.

"(e) Each operator shall be responsible for ensuring that all work completed by its consultants and contractors complies with this part."

(y) The following shall be added to 49 C.F.R. 192.605(b):

"(13) Classifying underground leaks according to K.A.R. 82-11-4(bb).

"(14) Performing leakage surveys of underground pipelines.

"(15) Identifying conditions which will require patrols of a distribution system at intervals shorter than the maximum intervals listed in K.A.R. 82-11-4 (cc)."

(z) 49 C.F.R. 192.617 shall be deleted and replaced by the following: "Investigation of failures. (a) Each operator shall establish procedures for analyzing accidents and failures, including:

"(1) The maintenance of records that contain information for each failure including the type of pipe and the reason for failure.

"(2) The selection of samples of the failed facility or equipment for laboratory examination, where appropriate, for the purpose of determining the causes of the failure and minimizing the possibility of recurrence.

"(b) Each operator shall investigate each accident and failure."

(aa) 49 C.F.R. 192.625(f) shall be deleted and replaced by the following:

"(f) Each operator shall assure the proper concentration of odorant and shall maintain records of these samplings for at least two years in accordance with this section. Proper concentration of odorant shall be assured by conducting periodic sampling of combustible gases as follows:

"(1) Conduct monthly odorometer sampling of combustible gases at selected points in the system; and

"(2) conduct sniff tests during each service call where access to a source of gas in the ambient air is readily available.

“(g) Operators of master meter systems may comply with this requirement by the following:

“(1) Receiving written verification from their gas source that the gas has the proper concentration of odorant; and

“(2) Conducting periodic sniff tests at the extremities of the system to confirm that the gas contains odorant.”

(bb) 49 C.F.R. 192.703 shall be deleted and replaced by the following: “General. (a) No person shall operate a segment of pipeline unless it is maintained in accordance with this subpart.

“(b) Odorometers and leak detection equipment shall be calibrated according to manufacturer’s specifications. Leak detection equipment shall be tested monthly with a calibration gas of known hydrocarbon concentration, except if equipment is not used, then testing with calibration gas shall be performed prior to the next use.

“(c) Each segment of pipeline that becomes unsafe shall be replaced, repaired or removed from service within five days of the operator being notified of the existence of the unsafe condition. Minimum requirements for response to each class of leak are as follows:

“(1) A class 1 leak requires immediate repair or continuous action until the conditions are no longer hazardous. After conditions are no longer hazardous, a class 1 leak shall be replaced, repaired, or removed from service within five days of the operator being notified of its existence.

“(2) A class 2 leak shall be repaired within six months after detection. Under adverse soil conditions, a class 2 leak shall be monitored weekly to ensure that the leak will not represent a probable hazard and that it reasonably can be expected to remain nonhazardous.

“(3) A class 3 leak shall be rechecked at least every six months and repaired or replaced within 30 months.

“(d) Each operator shall inspect and classify all reports of gas leaks within two hours of notification.

“(e) Each underground leak shall be classified using the operator’s underground leak classification procedure as follows:

“(1) A class 1 leak means a leak that represents an existing or probable hazard to persons or property, and requires immediate repair or continuous action until the conditions are no longer hazardous. This class of leak may include the following conditions:

“(A) Any leak which, in the judgment of operating personnel at the scene, is regarded as an immediate hazard;

“(B) any leak in which escaping gas has ignited;

“(C) any indication that gas has migrated into or under a building, or into a tunnel;

“(D) any percentage reading gas in air at the outside wall of a building, or where gas would likely migrate to an outside wall of a building;

“(E) any reading of 4% gas in air, or greater, in a confined space;

“(F) any reading of 4% gas in air, or greater, in a small substructure from which gas would likely migrate to the outside wall of a building; or

“(G) any leak that can be seen, heard, or felt, and which is in a location that may endanger the general public or property.

“(2) A class 2 leak means a leak that is nonhazardous at the time of detection, but justifies scheduled repair based on probable future hazard. This class of leak may include the following conditions:

“(A) any reading of 2% gas in air, or greater, under a sidewalk in a wall-to-wall paved area that does not qualify as a class 1 leak;

“(B) any reading of 5% gas in air, or greater, under a street in a wall-to-wall paved area that has significant gas migration and does not qualify as a class 1 leak;

“(C) any reading less than 4% gas in air in a small substructure from which gas would likely migrate creating a probable future hazard;

“(D) any reading between 1% gas in air and 4% gas in air in a confined space;

“(E) any reading on a pipeline operating at 30% SMYS, or greater, in a class 3 or 4 location, which does not qualify as a class 1 leak;

“(F) any reading of 4% gas in air, or greater, in a gas associated substructure; or

“(G) any leak which, in the judgment of operating personnel at the scene, is of significant magnitude to justify scheduled repair.

“(3) A class 3 leak means a leak that is nonhazardous at the time of detection and can reasonably be expected to remain nonhazardous. This class of leak may include the following conditions:

“(A) any reading of less than 4% gas in air in a small gas associated substructure;

“(B) any reading under a street in areas without wall-to-wall paving where it is unlikely the gas could migrate to the outside wall of a building; or

“(C) any reading of less than 1% gas in air in a confined space.”

(cc) 49 C.F.R. 192.721(a) shall be deleted and replaced by the following two paragraphs: “(a) The frequency with which mains are patrolled shall be determined by the severity of the conditions which could cause failure or leakage, and the consequent hazards to public safety. Intervals between patrols shall not be longer than those prescribed in the following table:

Maximum Intervals Between Patrols

Location of Line	Mains in places or on structures where anticipated physical movement or external loading could cause failure or leakage	Mains at all other locations
Inside business districts	4½ months, but at least four times each calendar year	7½ months, but at least twice each calendar year
Outside business districts	7½ months, but at least twice each calendar year	18 months, but at least once each calendar year”

“(b) Service lines and yard lines shall be patrolled at least once every three calendar years at intervals not exceeding 42 months.”

(dd) 49 C.F.R. 192.723 shall be deleted and replaced by the following:

“Distribution systems: leak surveys and procedures.

“(a) Each operator of a distribution system shall conduct periodic leakage surveys using leak detection equip-

(continued)

ment in accordance with this section. The leak detection equipment used for this survey shall utilize a continuously sampling technology.

“(b) The type and scope of the leakage control program shall be determined by the nature of the operations and the local conditions. A leakage survey using leak detection equipment shall be conducted on all distribution mains and shall meet the following minimum requirements:

“(1) In business districts, a leakage survey shall include tests of the atmosphere in gas, electric, telephone, sewer and water system manholes, at cracks in pavement and sidewalks, and at other locations providing an opportunity for finding gas leaks. This survey shall be conducted at intervals on the distribution mains within the business district as frequently as necessary with the maximum interval between surveys not exceeding 15 months, but at least once each calendar year.

“(2) A leakage survey with leak detection equipment shall be conducted on the distribution mains outside the business areas. The survey shall be made as frequently as necessary, but it shall meet the following minimum requirements:

“i. Cathodically unprotected steel mains and ductile iron mains located in class 2, 3, and 4 areas shall be surveyed at least once each calendar year at intervals not exceeding 15 months.

“ii. Cathodically unprotected steel mains and ductile iron mains located in class 1 areas, cathodically protected bare steel mains, cast iron mains, and mains constructed of PVC plastic shall be surveyed at least once every three calendar years at intervals not exceeding 39 months.

“iii. Cathodically protected externally coated steel mains and mains constructed of polyethylene plastic shall be surveyed at least once every five calendar years at intervals not exceeding 63 months.

“(3) Operators in existence on January 1, 2007 must be in compliance with paragraph (b)(2) of this section no later than June 1, 2010. Prior to compliance with subparagraphs (b)(2)(i) and (b)(2)(ii) of this section, a leakage survey with leak detection equipment of the distribution system shall be conducted outside business districts as frequently as necessary, but it shall be performed at least once every 3 calendar years at intervals not exceeding 39 months.

“(c) Except for the service lines and yard lines described in paragraph (d) of this section, a leakage survey using leak detection equipment shall be conducted for all service lines and yard lines as follows:

“(1) In business districts, this survey shall be conducted as frequently as necessary with the maximum interval between surveys not exceeding 15 months, but at least once each calendar year.

“(2) Outside business districts, the survey shall be made as frequently as necessary, but it shall meet the following minimum requirements:

“i. Cathodically unprotected steel service or yard lines and service or yard lines constructed of PVC plastic, cast iron, or copper shall be surveyed at least once each calendar year at intervals not exceeding 15 months.

“ii. Cathodically protected bare steel service or yard lines shall be surveyed at least once every three years at intervals not exceeding 39 months.

“iii. Cathodically protected externally coated steel service or yard lines and service or yard lines constructed of polyethylene plastic shall be surveyed at least once every five calendar years at intervals not exceeding 63 months.

“(d) For yard lines more than 300 feet in length and operating at a pressure less than 10 p.s.i.g., only the portion within 300 feet of a habitable dwelling must be leak surveyed in accordance with these regulations.

“(e) Each operator’s operations and maintenance manual shall state that company-designated employees are to be trained in and conduct vegetation leak surveys where vegetation is suitable to such analysis.

“(f) Each leakage survey record shall be kept for at least six years.”

(ee) The following shall be added to 49 C.F.R. 192.755:

“(c) Each operator with cast iron piping shall institute all of the following for the purposes of evaluation and replacement of cast iron pipelines:

“(1) Each time a leak in the body of a cast iron pipe is discovered, collect a coupon from the joint of pipe that is leaking within five feet of the leak site.

“(2) Conduct laboratory analysis on all coupons to determine the percentage of graphitization. Using the following equation:

$$\text{Percent of Graphitization} = \frac{(\text{Maximum Depth of Graphitization})}{(\text{Wall Thickness})} \times 100$$

“(3) Replace at least one city block (approximately 500 feet) within 120 days of the operator’s discovery of a leak in cast iron pipe due to external corrosion or each time the laboratory analysis of a coupon shows graphitization equal to or greater than the following:

Diameter	Percent Graphitization
2.0 inch	25%
3.0 inch and 4.0 inch	60%
6.0 inch and 8.0 inch	75%
10.0 inch or greater	90%

“(4) Submit coupons for analysis within 30 days of collection. Retain all sampling records for the life of the facility, but not less than five years.

“(5) For each operator with cast iron piping that is 3 inches or less in nominal diameter, have a replacement program that will remove all cast iron piping with nominal diameter of 3 inches and smaller from natural gas service by January 1, 2013.”

(ff) 49 C.F.R. 192.801(b)(3) shall be deleted and replaced by the following: “(3) Is performed as requirement of K.A.R. 82-11-4; and.” (Authorized by and implementing K.S.A. 66-1,150; effective, T-82-10-28-88, Oct. 28, 1988; effective, T-82-2-25-89, Feb. 25, 1989; revoked, T-82-3-31-89, April 30, 1989; effective May 1, 1989; amended April 16, 1990; amended March 12, 1999; amended July 7, 2003; amended Jan. 25, 2008; amended June 26, 2009; amended Aug. 5, 2011.)

82-11-10. Drug and alcohol testing. The federal regulations titled “drug and alcohol testing,” 49 C.F.R. Part 199 as in effect October 1, 2010, are adopted by ref-

erence only as they apply to operators of pipeline facilities that deal in the transportation of natural gas by pipeline, with the following modifications:

(a) 49 C.F.R. 199.1 shall be deleted and replaced by the following: "This regulation requires operators of pipeline facilities subject to K.A.R. 82-11-4 to test covered employees for the presence of prohibited drugs and alcohol."

(b) 49 C.F.R. 199.2 shall be deleted and replaced by the following:

"(a) This part applies to operators of intrastate natural gas pipelines within the state of Kansas.

"(b) This part does not apply to covered functions performed on:

"(1) Master meter systems, as defined in K.A.R. 82-11-3; or

"(2) pipeline systems that transport only petroleum gas or petroleum gas/air mixtures."

(c) 49 C.F.R. 199.3 shall be deleted and replaced by the following: "As used in this part:

"(a) 'accident' means an incident involving gas pipeline facilities reportable under K.A.R. 82-11-3;

"(b) 'administrator' means the Administrator, Pipeline and Hazardous Materials Safety Administration or the state corporation commission of the state of Kansas;

"(c) 'covered employee, employee, or individual to be tested' means a person who performs a covered function, including persons employed by operators, contractors engaged by operators, and persons employed by such contractors;

"(d) 'covered function' means an operations, maintenance, or emergency response function regulated by K.A.R. 82-11-4 and K.A.R. 82-11-8 that is performed on a pipeline;

"(e) 'DOT Procedures' means the Procedures for Transportation Workplace Drug and Alcohol Testing Programs published by the Office of the Secretary of Transportation in 49 C.F.R. Part 40;

"(f) 'fail a drug test' means that the confirmation test results show positive evidence under DOT Procedures of a prohibited drug in the employee's system;

"(g) 'operator' means a person who owns or operates pipeline facilities subject to K.A.R. 82-11-1, et seq.;

"(h) 'pass a drug test' means that initial testimony or confirmation testing under DOT Procedures does not show evidence of the presence of a prohibited drug in the person's system;

"(i) 'performs a covered function' includes actually performing, ready to perform, or immediately available to perform a covered function;

"(j) 'positive rate for random drug testing' means the number of verified positive results for random drug tests conducted under this part plus the number of refusals of random drug tests required by this part, divided by the total number of random drug tests results (i.e., positives, negatives, and refusals) under this part;

"(k) 'prohibited drug' means any of the following substances specified in Schedule I or Schedule II of the Controlled Substances Act, 21 U.S.C. §812 — marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP);

"(l) 'refuse to submit, refuse, or refuse to take' means behavior consistent with DOT Procedures concerning refusal to take a drug test or refusal to take an alcohol test;

"(m) 'state agency' means the state corporation commission of the state of Kansas."

(d) 49 C.F.R. 199.7 shall be deleted and replaced by the following:

"(a) Each operator who seeks a waiver under 49 C.F.R. 40.21 from the stand-down restriction must submit an application for waiver in duplicate to the state corporation commission of Kansas and the Associate Administrator for Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE, Washington, DC 20590-0001;

"(b) Each application must:

"(1) Identify 49 C.F.R. 40.21 as the rule from which the waiver is sought;

"(2) Explain why the waiver is requested and describe the employees to be covered by the waiver;

"(3) Contain the information required by 49 C.F.R. 40.21 and any other information or arguments available to support the waiver requested; and

"(4) Unless good cause is shown in the application, be submitted at least 60 days before the proposed effective date of the waiver.

"(c) No public hearing or other proceeding is held directly on an application before its disposition under this section. If the Associate Administrator determines that the application contains adequate justification, the Associate Administrator grants the waiver. If the Associate Administrator determines that the application does not justify granting the waiver, the Associate Administrator denies the application. The Associate Administrator notifies each applicant of the decision to grant or deny an application."

(e) 49 C.F.R. 199.9 shall be deleted.

(f) 49 C.F.R. 199.100 shall be deleted and replaced by the following: "The purpose of this subpart is to establish programs designed to help prevent accidents and injuries resulting from the use of prohibited drugs by employees who perform covered functions for operators of certain pipeline facilities subject to K.A.R. 82-11-4."

(g) 49 C.F.R. 199.200 shall be deleted and replaced by the following: "The purpose of this subpart is to establish programs designed to help prevent accidents and injuries resulting from the misuse of alcohol by employees who perform covered functions for operators of certain pipeline facilities subject to K.A.R. 82-11-4." (Authorized by and implementing K.S.A. 66-1,150; effective April 16, 1990; amended March 12, 1999; amended July 7, 2003; amended June 26, 2009; amended Aug. 5, 2011.)

Article 12.—WIRE-STRINGING RULES

82-12-7. Utility requirements for telecommunication supply lines. A utility may proceed with construction of any telecommunication supply line if both of the following requirements are met:

(a) Before beginning construction, the utility shall give written notice to all of the following entities that have facilities within mile of any contemplated telecommunication supply line construction or change in construction:

(1) Railroads; and

(continued)

(2) any other utilities, unless the utilities have executed a joint use or other agreement covering the area in which the construction is proposed.

(b) The proposed telecommunication supply line construction shall meet the following requirements:

- (1) Be within the utility's certified area; and
(2) not result in any objection from other utilities or railroads that have been given written notice as required

by subsection (a). (Authorized by and implementing K.S.A. 66-183; effective Aug. 11, 1995; amended Aug. 5, 2011.)

Patrice Petersen-Klein
Executive Director

Doc. No. 039605

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 2010 Supplement of the Kansas Administrative Regulations.

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AGENCY 3: KANSAS STATE TREASURER

Table with 3 columns: Reg. No., Action, Register. Lists regulations 3-3-2.

AGENCY 4: DEPARTMENT OF AGRICULTURE

Table with 3 columns: Reg. No., Action, Register. Lists regulations 4-1-2 through 4-10-4.

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28-4-370		
through		
28-4-379	Revoked	V. 29, p. 1024
28-4-503	Amended	V. 29, p. 1662
28-4-505	Amended	V. 29, p. 1662
28-4-514	Amended	V. 29, p. 1663
28-4-520	New	V. 29, p. 1663
28-4-521	New	V. 29, p. 1663
28-4-1300		
through		
28-4-1318	New	V. 29, p. 1024-1032
28-16-28g	Amended	V. 29, p. 181
28-19-200a	New	V. 29, p. 1634
28-19-202	Amended	V. 29, p. 1509
28-19-325	New	V. 29, p. 1634
28-19-350	Amended	V. 29, p. 1635
28-19-517	Amended	V. 29, p. 1510
28-19-645a	New (T)	V. 30, p. 232
28-19-712	New	V. 29, p. 866
28-19-712a		
through		
28-19-712d	New	V. 29, p. 867
28-19-713	New	V. 29, p. 867
28-19-713a		
through		
28-19-713d	New	V. 29, p. 867, 868
28-19-720	Amended	V. 29, p. 1510
28-19-728	Revoked	V. 29, p. 1511
28-19-728a		
through		
28-19-728f	Revoked	V. 29, p. 1511
28-19-735	Amended	V. 29, p. 1511
28-19-750	Amended	V. 29, p. 1511
28-19-750a	Amended	V. 29, p. 1511
28-21-1	Revoked	V. 29, p. 725
28-21-6	Revoked	V. 29, p. 725
28-21-7	Revoked	V. 29, p. 725
28-21-8	Revoked	V. 29, p. 725
28-21-9	Revoked	V. 29, p. 725
28-21-10	Revoked	V. 29, p. 726
28-21-11	Revoked	V. 29, p. 726
28-21-20a	Revoked	V. 29, p. 726
28-21-21a	Revoked	V. 29, p. 726
28-21-22a	Revoked	V. 29, p. 726

28-21-23a	Revoked	V. 29, p. 726
28-21-24a	Revoked	V. 29, p. 726
28-21-25a	Revoked	V. 29, p. 726
28-21-26a	Revoked	V. 29, p. 726
28-21-27a	Revoked	V. 29, p. 726
28-21-28a	Revoked	V. 29, p. 726
28-21-29a	Revoked	V. 29, p. 726
28-21-30a	Revoked	V. 29, p. 726
28-21-31a	Revoked	V. 29, p. 726
28-21-32a	Revoked	V. 29, p. 726
28-21-33a	Revoked	V. 29, p. 726
28-21-34a	Revoked	V. 29, p. 726
28-21-35a	Revoked	V. 29, p. 726
28-21-40a	Revoked	V. 29, p. 726
28-21-41a	Revoked	V. 29, p. 726
28-21-42a	Revoked	V. 29, p. 726
28-21-43a	Revoked	V. 29, p. 726
28-21-44a	Revoked	V. 29, p. 726
28-21-50a	Revoked	V. 29, p. 726
28-21-51a	Revoked	V. 29, p. 726
28-21-52a	Revoked	V. 29, p. 726
28-21-53a	Revoked	V. 29, p. 726
28-21-54a	Revoked	V. 29, p. 726
28-21-55a	Revoked	V. 29, p. 726
28-21-56a	Revoked	V. 29, p. 726
28-21-57a	Revoked	V. 29, p. 726
28-21-58a	Revoked	V. 29, p. 726
28-21-59a	Revoked	V. 29, p. 726
28-21-60a	Revoked	V. 29, p. 726
28-21-61a	Revoked	V. 29, p. 726
28-21-62a	Revoked	V. 29, p. 726
28-21-63	Revoked	V. 29, p. 726
28-21-64	Revoked	V. 29, p. 726
28-21-70a	Revoked	V. 29, p. 726
28-21-71a	Revoked	V. 29, p. 726
28-21-72a	Revoked	V. 29, p. 726
28-21-82		
through		
28-21-85	Revoked	V. 29, p. 726
28-23-4	Revoked	V. 29, p. 726
28-23-9	Revoked	V. 29, p. 726
28-23-10	Revoked	V. 29, p. 726
28-23-20		
through		
28-23-24	Revoked	V. 29, p. 726
28-23-26		
through		
28-23-32	Revoked	V. 29, p. 726
28-23-34		
through		
28-23-36	Revoked	V. 29, p. 727
28-23-41		
through		
28-23-55	Revoked	V. 29, p. 727
28-23-70	Revoked	V. 29, p. 727
28-23-71	Revoked	V. 29, p. 727
28-23-73	Revoked	V. 29, p. 727
28-23-75	Revoked	V. 29, p. 727
28-23-78		
through		
28-23-80	Revoked	V. 29, p. 727
28-31-1	Revoked	V. 30, p. 414
28-31-2	Revoked	V. 30, p. 414
28-31-3	Revoked	V. 30, p. 414
28-31-4	Amended	V. 30, p. 414
28-31-5	Revoked	V. 30, p. 415
28-31-6	Amended	V. 30, p. 415
28-31-7	Revoked	V. 30, p. 415
28-31-8	Revoked	V. 30, p. 415
28-31-8b	Revoked	V. 30, p. 415
28-31-9	Revoked	V. 30, p. 415
28-31-10	Amended	V. 30, p. 415
28-31-12	Amended	V. 30, p. 416
28-31-13	Amended	V. 30, p. 417
28-31-14	Revoked	V. 30, p. 417
28-31-15	Revoked	V. 30, p. 417
28-31-16	Revoked	V. 30, p. 417
28-31-100	New	V. 30, p. 417
28-31-100a	New	V. 30, p. 418
28-31-100d	New	V. 30, p. 418
28-31-100e	New	V. 30, p. 419
28-31-100f	New	V. 30, p. 420
28-31-100p	New	V. 30, p. 420
28-31-100q	New	V. 30, p. 420
28-31-100r	New	V. 30, p. 420
28-31-100s	New	V. 30, p. 421
28-31-124	New	V. 30, p. 422
28-31-124a	New	V. 30, p. 423
28-31-124b	New	V. 30, p. 423

28-31-124c	New	V. 30, p. 423
28-31-124d	New	V. 30, p. 424
28-31-124e	New	V. 30, p. 424
28-31-260	New	V. 30, p. 425
28-31-260a	New	V. 30, p. 426
28-31-261	New	V. 30, p. 426
28-31-261a	New	V. 30, p. 427
28-31-262	New	V. 30, p. 427
28-31-262a	New	V. 30, p. 427
28-31-263	New	V. 30, p. 428
28-31-263a	New	V. 30, p. 429
28-31-264	New	V. 30, p. 429
28-31-264a	New	V. 30, p. 431
28-31-265	New	V. 30, p. 432
28-31-265a	New	V. 30, p. 433
28-31-266	New	V. 30, p. 433
28-31-267	New	V. 30, p. 434
28-31-267a	New	V. 30, p. 434
28-31-268	New	V. 30, p. 434
28-31-270	New	V. 30, p. 434
28-31-270a	New	V. 30, p. 435
28-31-273	New	V. 30, p. 436
28-31-279	New	V. 30, p. 436
28-31-279a	New	V. 30, p. 437
28-34-126	New (T)	V. 30, p. 1000
28-34-127	New (T)	V. 30, p. 1000
28-34-129		
through		
28-34-144	New (T)	V. 30, p. 1000-1006
28-35-135l	Amended	V. 30, p. 195
28-35-135t	Amended	V. 30, p. 196
28-35-135w	Amended	V. 30, p. 197
28-35-175a	Amended	V. 30, p. 198
28-35-178b	Amended	V. 30, p. 198
28-35-178e	Amended	V. 30, p. 200
28-35-178j	Amended	V. 30, p. 201
28-35-180b	Amended	V. 30, p. 201
28-35-181a	Amended	V. 30, p. 203
28-35-181e	Revoked	V. 30, p. 203
28-35-181j	Amended	V. 30, p. 203
28-35-181m	Amended	V. 30, p. 204
28-35-181o	Amended	V. 30, p. 205
28-35-192b	Amended	V. 30, p. 206
28-35-192c	Amended	V. 30, p. 206
28-35-192d	Revoked	V. 30, p. 207
28-35-192e	Amended	V. 30, p. 207
28-35-192g	Amended	V. 30, p. 207
28-35-194a	Amended	V. 30, p. 207
28-35-212a	Amended	V. 30, p. 208
28-35-216a	Amended	V. 30, p. 209
28-35-225b	New	V. 30, p. 210
28-35-231c	Amended	V. 30, p. 210
28-35-242	Amended	V. 30, p. 210
28-35-264	Amended	V. 30, p. 210
28-35-334	Amended	V. 30, p. 211
28-35-346	Amended	V. 30, p. 212
28-35-411	Amended	V. 30, p. 212
28-36-30	Revoked	V. 29, p. 727
28-36-31	Revoked	V. 29, p. 727
28-36-70		
through		
28-36-89	Revoked	V. 29, p. 727
28-36-101		
through		
28-36-109	Revoked	V. 29, p. 727
28-39-162	Revoked	V. 29, p. 1777
28-39-162a	Revoked	V. 29, p. 1777
28-39-162b	Revoked	V. 29, p. 1777
28-39-162c	Revoked	V. 29, p. 1777
28-43-1		
through		
28-43-11	Revoked	V. 29, p. 1137
28-46-1	Amended	V. 29, p. 1138
28-46-2a	Amended	V. 29, p. 1138
28-46-3		
through		
28-46-22	Amended	V. 29, p. 1139-1141
28-46-27	Amended	V. 29, p. 1141
28-46-28	Amended	V. 29, p. 1141
28-46-29	Amended	V. 29, p. 1141
28-46-29a	New	V. 29, p. 1142
28-46-30	Amended	V. 29, p. 1142
28-46-30a	New	V. 29, p. 1142
28-46-30b	New	V. 29, p. 1144
28-46-31	Amended	V. 29, p. 1144
28-46-33	Amended	V. 29, p. 1144
28-46-34	Amended	V. 29, p. 1145
28-46-35	Amended	V. 29, p. 1145

(continued)

28-46-40	Amended	V. 29, p. 1145
28-46-41	Amended	V. 29, p. 1145
28-46-44	Amended	V. 29, p. 1145
28-46-45	New	V. 29, p. 1145
28-53-1	Amended	V. 30, p. 463
28-53-2	Amended	V. 30, p. 463
28-53-4	Amended	V. 30, p. 463
28-61-1	Amended	V. 29, p. 419
28-61-2	Amended	V. 30, p. 336
28-61-3	Amended	V. 30, p. 337
28-61-4	Amended	V. 30, p. 337
28-61-5	Amended	V. 29, p. 420
28-61-8	Amended	V. 29, p. 422
28-72-1	Revoked	V. 29, p. 357
28-72-1a	New	V. 29, p. 357
28-72-1c	New	V. 29, p. 357
28-72-1d	New	V. 29, p. 358
28-72-1e	New	V. 29, p. 358
28-72-1g	New	V. 29, p. 358
28-72-1h	New	V. 29, p. 358
28-72-1i	New	V. 29, p. 359
28-72-1k	New	V. 29, p. 359
28-72-1l	New	V. 29, p. 359
28-72-1m	New	V. 29, p. 360
28-72-1n	New	V. 29, p. 360
28-72-1o	New	V. 29, p. 360
28-72-1p	New	V. 29, p. 360
28-72-1r	New	V. 29, p. 361
28-72-1s	New	V. 29, p. 361
28-72-1t	New	V. 29, p. 361
28-72-1v	New	V. 29, p. 361
28-72-1x	New	V. 29, p. 361
28-72-2	Amended	V. 29, p. 361
28-72-3	Amended	V. 29, p. 362
28-72-4	Amended	V. 29, p. 362
28-72-4a	Amended	V. 29, p. 366
28-72-4b	Revoked	V. 29, p. 368
28-72-4c	Amended	V. 29, p. 368
28-72-5	Amended	V. 29, p. 369
28-72-6	Amended	V. 29, p. 370
28-72-6a	New	V. 29, p. 371
28-72-7	Amended	V. 29, p. 373
28-72-7a	New	V. 29, p. 373
28-72-8	Amended	V. 29, p. 374
28-72-9	Amended	V. 29, p. 375
28-72-10	Amended	V. 29, p. 376
28-72-10a	New	V. 29, p. 377
28-72-11	Amended	V. 29, p. 378
28-72-12	Amended	V. 29, p. 378
28-72-13	Amended	V. 29, p. 379
28-72-14	Amended	V. 29, p. 379
28-72-15	Amended	V. 29, p. 380
28-72-16	Amended	V. 29, p. 380
28-72-17	Amended	V. 29, p. 381
28-72-18	Amended	V. 29, p. 382
28-72-18a	Amended	V. 29, p. 383
28-72-18b	Amended	V. 29, p. 384
28-72-18c	Amended	V. 29, p. 384
28-72-18d	Amended	V. 29, p. 385
28-72-18e	Amended	V. 29, p. 386
28-72-19	Amended	V. 29, p. 387
28-72-20	Amended	V. 29, p. 387
28-72-21	Amended	V. 29, p. 387
28-72-22	Amended	V. 29, p. 388
28-72-51	Amended	V. 29, p. 388
28-72-52	Amended	V. 29, p. 389
28-72-53	Amended	V. 29, p. 389

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-5-118a	Revoked	V. 29, p. 293

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-39-2	Amended (T)	V. 29, p. 1090
36-39-2	Amended	V. 29, p. 1416
36-39-4	Amended (T)	V. 29, p. 1091
36-39-4	Amended	V. 29, p. 1416
36-39-6	Amended (T)	V. 29, p. 1091
36-39-6	Amended	V. 29, p. 1416
36-42-1		
through		
36-42-9	New	V. 29, p. 502-504

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-22	Amended	V. 30, p. 722
40-1-37	Amended	V. 30, p. 193

40-1-48	Amended	V. 29, p. 1752
40-3-33	Revoked	V. 30, p. 232
40-3-43	Amended	V. 29, p. 1337
40-4-43	New	V. 29, p. 703
40-7-26	New	V. 29, p. 1752
40-7-27	New	V. 29, p. 1753
40-9-23	New	V. 29, p. 1813
40-10-16	New	V. 30, p. 556

AGENCY 48: DEPARTMENT OF LABOR—EMPLOYMENT SECURITY BOARD OF REVIEW

Reg. No.	Action	Register
48-1-1		
through		
48-1-6	Amended	V. 29, p. 15-17
48-2-1		
through		
48-2-5	Amended	V. 29, p. 17
48-3-1	Amended	V. 29, p. 18
48-3-2	Amended	V. 29, p. 18
48-3-4	Amended	V. 29, p. 18
48-3-5	Amended	V. 29, p. 18
48-4-1	Amended	V. 29, p. 18
48-4-2	Amended	V. 29, p. 18

AGENCY 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-55-1		
through		
49-55-12	New	V. 29, p. 675, 676

AGENCY 50: DEPARTMENT OF LABOR—DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-2-21a	New (T)	V. 29, p. 701
50-2-21a	New	V. 29, p. 1214

AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-9-7	Amended	V. 29, p. 1508

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-16-105	Revoked	V. 29, p. 1115

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 29, p. 990

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-8-6	Amended	V. 29, p. 794
66-10-1	Amended	V. 29, p. 794
66-12-1	Amended	V. 29, p. 794
66-14-10	Amended	V. 29, p. 794

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 29, p. 465
68-2-22	Amended	V. 30, p. 537
68-7-11	Amended	V. 29, p. 1053
68-7-21	New	V. 29, p. 465
68-20-10a	Amended	V. 30, p. 538
68-20-24	New (T)	V. 30, p. 357
68-20-25	New (T)	V. 30, p. 357
68-20-26	New (T)	V. 30, p. 357
68-20-27	New (T)	V. 30, p. 357
68-20-28	New (T)	V. 30, p. 635
68-20-29	New (T)	V. 30, p. 635
68-21-1		
through		
68-21-7	New	V. 29, p. 1417-1420
68-21-2	Amended	V. 30, p. 370

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-5-1		
through		
71-5-6	Revoked	V. 29, p. 1593
71-5-7		
through		
71-5-13	New	V. 29, p. 1593-1597

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-8	Amended	V. 29, p. 1636
74-4-9	Amended	V. 29, p. 1638
74-5-2	Amended	V. 29, p. 1638
74-5-101	Amended	V. 29, p. 1639
74-5-202	Amended	V. 29, p. 1639
74-5-203	Amended	V. 29, p. 1639
74-6-2	Amended	V. 29, p. 1640
74-11-6	Amended	V. 29, p. 1640
74-11-7	Amended	V. 29, p. 1640
74-12-1	Amended	V. 29, p. 1641
74-15-2	Revoked	V. 29, p. 1641

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-20-1	Revoked	V. 30, p. 866
81-20-2	Revoked	V. 30, p. 866
81-22-1	Amended	V. 30, p. 866
81-22-2	Revoked	V. 30, p. 866
81-23-1	Revoked	V. 30, p. 867
81-23-2	Revoked	V. 30, p. 867
81-24-1	Revoked	V. 30, p. 867
81-25-1	Revoked	V. 30, p. 867
81-25-2	Revoked	V. 30, p. 867
81-25-3	Revoked	V. 30, p. 867
81-26-3	Revoked	V. 30, p. 867
81-28-1	Revoked	V. 30, p. 867
81-28-2	Revoked	V. 30, p. 867
81-30-1	Revoked	V. 30, p. 867

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-219	Amended	V. 29, p. 1099
82-3-101a	New	V. 29, p. 1508
82-3-311a	New	V. 29, p. 181
82-3-1100		
through		
82-3-1120	New	V. 29, p. 182-190
82-4-2	Amended	V. 29, p. 1443
82-4-3a	Amended	V. 29, p. 1443
82-4-3d	Amended	V. 29, p. 1444
82-4-3f	Amended	V. 29, p. 1390
82-4-3n	New	V. 29, p. 1444
82-4-3o	New	V. 29, p. 1445
82-4-6a	Amended	V. 29, p. 1446
82-4-8h	Amended	V. 29, p. 1446
82-4-21	Amended	V. 29, p. 1446
82-4-22	Amended	V. 29, p. 1446
82-4-23	Amended	V. 29, p. 1447
82-4-24a	Amended	V. 29, p. 1447
82-4-26	Amended	V. 29, p. 1447
82-4-26a	Amended	V. 29, p. 1447
82-4-27	Amended	V. 29, p. 1447
82-4-27a	Amended	V. 29, p. 1448
82-4-27c	Amended	V. 29, p. 1448
82-4-27e	Amended	V. 29, p. 1449
82-4-28	Revoked	V. 29, p. 1449
82-4-28a	Revoked	V. 29, p. 1449
82-4-28b	Revoked	V. 29, p. 1449
82-4-30a	Amended (T)	V. 29, p. 702
82-4-30a	Amended	V. 29, p. 1392
82-4-31	Revoked	V. 29, p. 1450
82-4-32	Amended	V. 29, p. 1450
82-4-33	Amended	V. 29, p. 1450
82-4-35	Amended	V. 29, p. 1450
82-4-35a	Amended	V. 29, p. 1450
82-4-37	Revoked	V. 29, p. 1450
82-4-40	Amended	V. 29, p. 1450
82-4-42	Amended	V. 29, p. 1450
82-4-48	Amended	V. 29, p. 1451
82-4-48a	Amended	V. 29, p. 1451
82-4-53	Amended	V. 29, p. 1451
82-4-54	Amended	V. 29, p. 1452
82-4-55	Amended	V. 29, p. 1452
82-4-56a	Amended	V. 29, p. 1452
82-4-57	Amended	V. 29, p. 1453
82-4-58	Amended	V. 29, p. 1453
82-4-62	Revoked	V. 29, p. 1453
82-4-63	Amended	V. 29, p. 1453
82-4-65	Amended	V. 29, p. 1453
82-4-77	Amended	V. 29, p. 1454
82-16-1		
through		
82-16-6	New	V. 29, p. 1598-1601

82-17-1 through 82-17-5 New V. 29, p. 1136, 1137

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-24-1	Amended	V. 29, p. 1415
88-28-1	Amended	V. 30, p. 193
88-28-6	Amended	V. 29, p. 408
88-29-1	Amended	V. 30, p. 946
88-29-3 through 88-29-7	Amended	V. 30, p. 947, 948
88-29-7a	New	V. 30, p. 949
88-29-8	Amended	V. 30, p. 949
88-29-8c	New	V. 30, p. 949
88-29-9 through 88-29-12	Amended	V. 30, p. 949-952
88-29-18	Amended	V. 30, p. 953
88-29-19	Amended	V. 30, p. 953
88-29a-5	New	V. 30, p. 954
88-29a-6	New	V. 30, p. 955
88-29a-7	New	V. 30, p. 955
88-29a-7a	New	V. 30, p. 956
88-29a-8	New	V. 30, p. 956
88-29a-8c	New	V. 30, p. 956
88-29a-9	New	V. 30, p. 956
88-29a-10	New	V. 30, p. 957
88-29a-11	New	V. 30, p. 958
88-29a-18	New	V. 30, p. 959
88-29a-19	New	V. 30, p. 960
88-30-1	Amended	V. 30, p. 194

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-40-1	Amended	V. 29, p. 1093
91-40-27	Amended	V. 29, p. 1098

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-3	Revoked	V. 30, p. 280
92-19-3a	New	V. 30, p. 280
92-19-3b	New	V. 30, p. 283
92-19-3c	New	V. 30, p. 285
92-19-10	Revoked	V. 30, p. 285
92-19-16a	Amended	V. 30, p. 285
92-19-16b	Revoked	V. 30, p. 286
92-19-40	Revoked	V. 30, p. 286
92-19-42	Revoked	V. 30, p. 286
92-19-49b	Amended	V. 30, p. 286
92-19-55b	New	V. 30, p. 287
92-19-59	Amended	V. 30, p. 289
92-19-73	Amended	V. 30, p. 289
92-24-23	Amended	V. 29, p. 1633
92-51-25a	New	V. 29, p. 1281

AGENCY 94: COURT OF TAX APPEALS

Reg. No.	Action	Register
94-2-1 through 94-2-21	Revoked	V. 29, p. 1478, 1479
94-5-1 through 94-5-25	New	V. 29, p. 1479-1485

Agency 97: COMMISSION ON VETERANS' AFFAIRS

Reg. No.	Action	Register
97-7-1 through 97-7-6	New	V. 29, p. 252-254

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

Reg. No.	Action	Register
99-25-1	Amended	V. 29, p. 1242
99-25-5	Amended	V. 29, p. 1242
99-25-12	New	V. 29, p. 1242

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended	V. 29, p. 650
100-29-1	Amended	V. 29, p. 598
100-49-4	Amended	V. 29, p. 651
100-55-1	Amended	V. 29, p. 704

100-55-7 Amended V. 29, p. 651
 100-69-12 New V. 29, p. 704
 100-72-2 Amended V. 29, p. 705
 100-73-2 Amended V. 29, p. 598

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-2-3	Amended	V. 29, p. 340
102-5-3	Amended	V. 30, p. 371
102-7-1	New (T)	V. 30, p. 986
102-7-2	New (T)	V. 30, p. 987
102-7-3	New (T)	V. 30, p. 987
102-7-4	New (T)	V. 30, p. 990
102-7-4a	New (T)	V. 30, p. 991
102-7-4b	New (T)	V. 30, p. 992
102-7-5	New (T)	V. 30, p. 993
102-7-6	New (T)	V. 30, p. 993
102-7-7	New (T)	V. 30, p. 995
102-7-7a	New (T)	V. 30, p. 995
102-7-8	New (T)	V. 30, p. 996
102-7-9	New (T)	V. 30, p. 996
102-7-10	New (T)	V. 30, p. 997
102-2-11	New (T)	V. 30, p. 997
102-7-11a	New (T)	V. 30, p. 999
102-7-12	New (T)	V. 30, p. 999

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-4-1	Amended (T)	V. 29, p. 1338
105-4-1	Amended	V. 29, p. 1506
105-5-2	Amended (T)	V. 29, p. 1339
105-5-2	Amended	V. 29, p. 1506
105-5-3	Amended (T)	V. 29, p. 1339
105-5-3	Amended	V. 29, p. 1506
105-5-6	Amended (T)	V. 29, p. 1339
105-5-6	Amended	V. 29, p. 1506
105-5-7	Amended (T)	V. 29, p. 1339
105-5-7	Amended	V. 29, p. 1507
105-5-8	Amended (T)	V. 29, p. 1340
105-5-8	Amended	V. 29, p. 1507
105-11-1	Amended (T)	V. 29, p. 1340
105-11-1	Amended	V. 29, p. 1507

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended (T)	V. 29, p. 1340
108-1-1	Amended	V. 30, p. 166
108-1-3	Amended (T)	V. 29, p. 1342
108-1-3	Amended	V. 30, p. 168
108-1-4	Amended (T)	V. 29, p. 1344
108-1-4	Amended	V. 30, p. 170

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-1-1a	New (T)	V. 30, p. 138
109-1-1a	New	V. 30, p. 573
109-5-1	Amended (T)	V. 30, p. 138
109-5-1	Amended	V. 30, p. 573
109-5-1a	New (T)	V. 30, p. 139
109-5-1a	New	V. 30, p. 574
109-5-1b	New (T)	V. 30, p. 139
109-5-1b	New	V. 30, p. 574
109-5-1d	New (T)	V. 30, p. 139
109-5-1d	New	V. 30, p. 574
109-5-1e	New (T)	V. 30, p. 139
109-5-1e	New	V. 30, p. 574
109-5-1f	New (T)	V. 30, p. 139
109-5-1f	New	V. 30, p. 574
109-5-3	Amended	V. 29, p. 1282
109-5-4	Revoked	V. 29, p. 113
109-5-7a	New (T)	V. 30, p. 139
109-5-7a	New	V. 30, p. 574
109-5-7b	New (T)	V. 30, p. 140
109-5-7b	New	V. 30, p. 575
109-5-7d	New (T)	V. 30, p. 141
109-5-7d	New	V. 30, p. 576
109-6-1	Amended	V. 29, p. 113
109-6-2	Amended	V. 29, p. 113
109-8-1	Amended (T)	V. 30, p. 141
109-8-1	Amended	V. 30, p. 576
109-10-1a	New (T)	V. 30, p. 141
109-10-1a	New	V. 30, p. 577
109-10-1b	New (T)	V. 30, p. 142
109-10-1b	New	V. 30, p. 577

109-10-1d New (T) V. 30, p. 142
 109-10-1d New V. 30, p. 577
 109-10-1e New (T) V. 30, p. 142
 109-10-1e New V. 30, p. 577
 109-10-1f New (T) V. 30, p. 142
 109-10-1f New V. 30, p. 577
 109-10-1g New (T) V. 30, p. 142
 109-10-1g New V. 30, p. 578
 109-10-6 Amended (T) V. 30, p. 143
 109-10-6 Amended V. 30, p. 578
 109-10-7 New V. 29, p. 113
 109-11-1 Amended V. 29, p. 1283
 109-11-1a New (T) V. 30, p. 143
 109-11-1a New V. 30, p. 578
 109-11-3 Amended V. 29, p. 1284
 109-11-3a New (T) V. 30, p. 144
 109-11-3a New V. 30, p. 579
 109-11-4 Amended V. 29, p. 1284
 109-11-6 Amended V. 29, p. 1285
 109-11-6a New (T) V. 30, p. 144
 109-11-6a New V. 30, p. 579
 109-15-2 Amended V. 29, p. 1285

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-4-1 through 110-4-5	Amended	V. 30, p. 25-27
110-21-1 through 110-21-5	New	V. 30, p. 411-413
110-22-1 through 110-22-5	New (T)	V. 30, p. 984, 985

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 Kansas Register. The following regulations were filed after December 1, 2009:

Reg. No.	Action	Register
111-2-30	Amended	V. 29, p. 215
111-2-230	Amended	V. 30, p. 232
111-2-231	Amended	V. 30, p. 233
111-2-232	Amended	V. 29, p. 215
111-2-233	Amended	V. 29, p. 215
111-2-234	New	V. 29, p. 746
111-2-235 through 111-2-240	New	V. 29, p. 1214, 1215
111-2-241	New	V. 29, p. 1247
111-2-242	New	V. 29, p. 1247
111-2-243 through 111-2-248	New	V. 29, p. 1512, 1513
111-2-247	Amended	V. 30, p. 233
111-2-248	Amended	V. 30, p. 233
111-2-249 through 111-2-252	New	V. 30, p. 233, 234
111-2-249	Amended	V. 30, p. 357
111-2-253	New	V. 30, p. 241
111-2-254	New	V. 30, p. 241
111-2-255	Amended	V. 30, p. 358
111-4-2899 through 111-4-2907	New	V. 29, p. 9-14
111-4-2908 through 111-4-2911	New	V. 29, p. 149-152
111-4-2911a	New	V. 29, p. 152
111-4-2912 through 111-4-2923	New	V. 29, p. 153-157
111-4-2924 through 111-4-2930	New	V. 29, p. 216-222

(continued)

111-4-2931 through 111-4-2938	New	V. 29, p. 467-473
111-4-2939 through 111-4-2948	New	V. 29, p. 569-575
111-4-2949 through 111-4-2984	New	V. 29, p. 746-769
111-4-2949 through 111-4-2984	New	V. 29, p. 746-769
111-4-2985 through 111-4-2988	New	V. 29, p. 1180-1183
111-4-2989	New	V. 29, p. 1216
111-4-2990	New	V. 29, p. 1217
111-4-2991	New	V. 29, p. 1218
111-4-2992 through 111-4-3011	New	V. 29, p. 1248-1259
111-4-3012 through 111-4-3022	New	V. 29, p. 1513-1522
111-4-3023 through 111-4-3027	New	V. 30, p. 234-237
111-4-3028 through 111-4-3031	New	V. 30, p. 241-243
111-4-3032 through 111-4-3045	New	V. 30, p. 249-258
111-4-3046 through 111-4-3054	New	V. 30, p. 358-364
111-5-175 through 111-5-179	New	V. 29, p. 157-159
111-5-180 through 111-5-194	New	V. 29, p. 222-228
111-5-181	Amended	V. 29, p. 1522
111-5-184	Amended	V. 29, p. 1523
111-5-186	Amended	V. 29, p. 1524
111-5-194	Amended	V. 29, p. 1525
111-7-243 through 111-7-248	New	V. 30, p. 259, 260
111-9-162	New	V. 29, p. 229
111-9-163	New	V. 29, p. 229
111-9-164	New	V. 29, p. 230
111-9-165	New	V. 29, p. 769
111-9-166	New	V. 29, p. 1184
111-9-167	New	V. 29, p. 1526
111-9-168	New	V. 29, p. 1526
111-9-169	New	V. 29, p. 1527
111-9-170	New	V. 30, p. 261
111-15-1	Amended	V. 30, p. 238
111-15-3	Amended	V. 30, p. 365
111-201-1 through 111-201-17	New	V. 29, p. 73-79
111-301-1 through 111-301-6	New	V. 29, p. 79, 80
111-301-7 through 111-301-12	New	V. 30, p. 244-248
111-301-13 through 111-301-20	New	V. 30, p. 366-368
111-302-1 through 111-302-6	New	V. 29, p. 82-86
111-302-4	Amended	V. 30, p. 249
111-303-1 through 111-303-5	New	V. 29, p. 87-89

111-304-1 through 111-304-6	New	V. 29, p. 89-91
111-305-1 through 111-305-6	New	V. 29, p. 474, 475
111-306-1 through 111-306-6	New	V. 29, p. 1185-1187
111-306-4	Amended	V. 29, p. 1260
111-306-6	Amended	V. 29, p. 1219
111-307-1 through 111-307-7	New	V. 29, p. 1189-1191
111-308-1 through 111-308-7	New	V. 29, p. 1261-1263
111-309-1 through 111-309-6	New	V. 29, p. 1528-1530
111-310-1 through 111-310-6	New	V. 29, p. 1530-1532
111-311-1 through 111-311-7	New	V. 29, p. 1532-1535
111-312-1 through 111-312-8	New	V. 30, p. 239, 240
111-312-6	Amended	V. 30, p. 368
111-312-8	Amended	V. 30, p. 368

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-101-6	Amended	V. 30, p. 290
112-102-8	Amended	V. 30, p. 290
112-103-2	Amended	V. 30, p. 291
112-103-4	Amended	V. 30, p. 292
112-103-5	Amended	V. 30, p. 292
112-103-8	Amended	V. 30, p. 292
112-103-15	Amended	V. 30, p. 292
112-104-1	Amended	V. 30, p. 293
112-104-8	Amended	V. 30, p. 294
112-104-13	Amended	V. 30, p. 295
112-104-14	Amended	V. 30, p. 297
112-104-15	Amended	V. 30, p. 297
112-104-16	Amended	V. 30, p. 298
112-104-32	Amended	V. 30, p. 300
112-105-1	Amended	V. 30, p. 301
112-105-2	Amended	V. 30, p. 301
112-105-3	Amended	V. 30, p. 301
112-106-1	Amended	V. 30, p. 301
112-106-2	Amended	V. 30, p. 303
112-106-5	Amended	V. 30, p. 303
112-106-6	Amended	V. 30, p. 304
112-107-3	Amended	V. 30, p. 304
112-107-5	Amended	V. 30, p. 307
112-107-10	Amended	V. 30, p. 308
112-107-21	Amended	V. 30, p. 309
112-107-22	Amended	V. 30, p. 310
112-108-18	Amended	V. 30, p. 311
112-108-36	Amended	V. 30, p. 312
112-108-55	Amended	V. 30, p. 313
112-110-3	Amended	V. 30, p. 313
112-112-1	Amended	V. 30, p. 314
112-112-3	Amended	V. 30, p. 314
112-112-4	Amended	V. 30, p. 314
112-112-7	Amended	V. 30, p. 315
112-112-9	Amended	V. 30, p. 315

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	Amended	V. 30, p. 943
115-2-1	Amended	V. 29, p. 1602
115-2-2	Amended	V. 30, p. 331

115-2-3	Amended	V. 30, p. 331
115-2-3a	Amended	V. 29, p. 1603
115-4-2	Amended	V. 29, p. 408
115-4-4	Amended	V. 29, p. 658
115-4-4a	Amended	V. 29, p. 659
115-4-6	Amended	V. 29, p. 409
115-4-6b	New	V. 30, p. 332
115-4-11	Amended	V. 30, p. 332
115-5-1	Amended	V. 30, p. 944
115-5-2	Amended	V. 30, p. 945
115-7-1	Amended	V. 29, p. 1606
115-7-8	Revoked	V. 29, p. 1607
115-7-9	Amended	V. 30, p. 536
115-8-1	Amended	V. 29, p. 1092
115-16-5	Amended	V. 30, p. 334
115-18-7	Amended	V. 29, p. 659
115-18-20	Amended	V. 29, p. 1608
115-20-7	New	V. 29, p. 659

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-2-1	Amended	V. 29, p. 412
117-2-2	Amended	V. 29, p. 413
117-3-1	Amended	V. 29, p. 414
117-3-2	Amended	V. 29, p. 415
117-4-1	Amended	V. 29, p. 416
117-4-2	Amended	V. 29, p. 417
117-6-1	Amended	V. 29, p. 656
117-6-3	Amended	V. 29, p. 656
117-7-1	Amended	V. 30, p. 92
117-8-1	Amended	V. 29, p. 418

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-10-1	Amended	V. 29, p. 675

AGENCY 123: JUVENILE JUSTICE AUTHORITY

Reg. No.	Action	Register
123-2-111	New (T)	V. 29, p. 1115
123-2-111	New	V. 29, p. 1415

AGENCY 129: KANSAS HEALTH POLICY AUTHORITY

Reg. No.	Action	Register
129-5-118	Amended	V. 29, p. 293
129-5-118a	New	V. 29, p. 294
129-5-118b	Amended	V. 29, p. 296
129-10-31	New	V. 30, p. 92

AGENCY 130: HOME INSPECTORS REGISTRATION BOARD

Reg. No.	Action	Register
130-1-2	New (T)	V. 29, p. 38
130-1-2	New	V. 29, p. 567
130-1-3	New (T)	V. 29, p. 38
130-1-3	New	V. 29, p. 567
130-1-4	Amended	V. 29, p. 567
130-3-1	New (T)	V. 29, p. 38
130-3-1	New	V. 29, p. 568
130-4-1	New (T)	V. 29, p. 39
130-4-1	New	V. 29, p. 794
130-4-2	New (T)	V. 29, p. 39
130-4-2	New	V. 29, p. 794
130-5-2	New	V. 29, p. 569

AGENCY 131: COMMITTEE ON SURETY BONDS AND INSURANCE

Reg. No.	Action	Register
131-1-1	New	V. 30, p. 195

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