



Kansas Register

Ron Thornburgh, Secretary of State

Vol. 27, No. 51 December 18, 2008 Pages 1845-1864

In this issue . . .	Page
Legislative interim committee schedule	1846
Kansas Department of Credit Unions	
Notice of application for change in field of membership	1847
Department of Administration—Division of Facilities Management	
Notice of commencement of negotiations for engineering services	1847
Pooled Money Investment Board	
Notice of investment rates.....	1847
Leavenworth County	
Request for proposals for waste tire disposal	1847
University of Kansas	
Notice to bidders.....	1848
Department of Administration—Division of Purchases	
Notice to bidders for state purchases.....	1848
Kansas Development Finance Authority	
Notice of hearing on proposed revenue bonds	1848
Kansas Department of Transportation	
Notice of available grant funding	1849
Attorney General	
2008 update to guidelines for takings of private property.....	1849
Kansas Department on Aging	
Notice of hearing on proposed administrative regulations.....	1851
Kansas Insurance Department	
Notice of hearing on proposed administrative regulations.....	1852
State Board of Accountancy	
Notice of hearing on proposed administrative regulations.....	1853
State Conservation Commission	
Notice to contractors	1854
Revised notice to bidders	1854
Department of Wildlife and Parks	
Notice of available grant funding	1854
USDA—Natural Resources Conservation Service	
Notice of Kansas Technical Committee meeting	1855
Department of Health and Environment	
Notice concerning water pollution control permits/applications.....	1855
Request for comments on proposed air quality permit.....	1856
Permanent Administrative Regulations	
Board of Pharmacy	1857
Index to administrative regulations	1858

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of December 18-30. 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 (785) 296-8430. When available, agendas can be found at http://kslegislature.org/klrd. Interim committee memberships can be found on the Legislative Research Department's Web site at http://skyways.lib.ks.us/ksleg/KLRD/Committees.htm.

Date	Room	Time	Committee	Agenda
Dec. 18	Pittsburg State University, Crimson & Gold Ballroom	10:00 a.m.	Special Committee on New Comprehensive Transportation Plan	Presentations from stakeholders; committee discussions.
Dec. 19	143-N	9:00 a.m.	Joint Committee on Health Care Stabilization Fund Oversight	Annual meeting; receipt of Board of Governors' actuarial report.
Dec. 19	535-N	9:00 a.m.	Kansas Electric Transmission Authority	KETA business.
Dec. 19	545-N	10:00 a.m.	Legislative Post Audit	Agenda not available.
Dec. 30	545-N	10:00 a.m.	Eminent Domain in Condemnation of Water Rights	Discussion of recommendations for final report.

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 036523

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

POSTMASTER: Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

© Kansas Secretary of State 2008. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
Ron Thornburgh
Secretary of State
1st Floor, Memorial Hall
120 S.W. 10th Ave.
Topeka, KS 66612-1594
(785) 296-4564
www.kssos.org



Register Office:
1st Floor, Memorial Hall
(785) 296-3489
Fax (785) 368-8024
kansasregister@kssos.org

State of Kansas

Department of Credit Unions

Notice of Application for Change in Field of Membership

The Kansas Department of Credit Unions has received an application for a change in field of membership from the Dillon Employees' Credit Union, 2700 E. 4th Ave., Hutchinson. The proposed change in field of membership is as follows:

Membership in Dillon Employees' Credit Union shall be limited to persons residing, working or worshipping in, or organizations located within the counties of Barton, Butler, Chase, Cowley, Edwards, Ellsworth, Ford, Harvey, Kingman, Kiowa, Lyon, McPherson, Marion, Pawnee, Pratt, Reno, Rice, Saline, Stafford, and Sumner, and their immediate family members. Membership, once established, may continue even though the Credit Union Member would not be eligible for new membership.

Questions concerning the application may be directed to Cheryl Bishop, Kansas Department of Credit Unions, 400 S. Kansas Ave., Suite B, Topeka, 66603-3438, (785) 296-3021.

John P. Smith
Administrator

Doc. No. 036506

State of Kansas

Department of Administration
Division of Facilities Management

Notice of Commencement of Negotiations for "On-Call" Engineering Services

Notice is hereby given of the commencement of negotiations for "on-call" MEP engineering services for the Department of Administration, Division of Facilities Management. Services are required for restricted (small) projects of \$500,000 or less; two firms may be selected. Contracts will be for one year, renewable for two additional one-year periods.

For more information concerning the scope of services, contact George Werth, (785) 296-0159. Firms interested in providing these services should be familiar with the requirements of Chapter 9 of the Building Design and Construction Manual at the Web site below.

To be considered, five (5) bound proposals and one (1) PDF file on a CD of the following should be provided: a letter of interest, an SF330 Part I, information regarding similar projects, and an SF330 Part II for each firm and consultant. Proposals should be concise and follow the 2008 State Building Advisory Commission guidelines, available to firms at <http://da.ks.gov/fp/> or by contacting Phyllis Fast, Division of Facilities Management, Suite 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-5796, or Phyllis.Fast@da.ks.gov. Submittals should be received by Phyllis Fast before noon January 2.

Marilyn L. Jacobson, Director
Division of Facilities Management

Doc. No. 036527

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. 2007 Supp. 12-1675(b)(c)(d) and K.S.A. 2007 Supp. 12-1675a(g).

Effective 12-15-08 through 12-21-08

Term	Rate
1-89 days	0.14%
3 months	0.03%
6 months	0.25%
1 year	0.39%
18 months	0.58%
2 years	0.59%

Daniel J. Nackley
Director of Investments

Doc. No. 036512

(Published in the Kansas Register December 18, 2008.)

Leavenworth County, Kansas

Request for Proposals

The Leavenworth County Solid Waste Department is accepting bids to perform the following services: (a) provide for the transportation of waste tires collected at the Leavenworth County Transfer Station, (b) provide for the disposal of waste tires, and (c) provide all labor and equipment necessary to perform the transportation and disposal of waste tires.

"Waste tires," as defined in K.S.A. 65-3424, means a whole tire that (1) has been removed from a wheel following a period of use or remains on a wheel removed from a vehicle or aircraft following a period of use, and (2) is no longer suitable for its original intended purpose because of wear, damage, or defect.

The waste tire contractor shall comply with all state, federal or other governmental regulations, obtaining all required licenses or permits concerning the transportation and disposal of waste tires.

Sealed bids will be accepted at the Leavenworth County Clerk's Office, 300 Walnut St., Leavenworth, KS 66048, until noon December 29. Bids will be opened in the clerk's office at that time. Please indicate on the envelope "Waste Tires Bid." All bids will be submitted for review by the Leavenworth County Commission and to the Solid Waste Department for recommendations.

Leavenworth County reserves the right to reject any or all bids, including, without limitation, the right to reject any or all nonconforming or conditional bids, and to reject the bid of any bidder if Leavenworth County believes that it would not be in the best interest of the county to make an award to that bidder.

For additional information, contact Jason Auvil, Leavenworth County Solid Waste Department, 300 Walnut St., Leavenworth, KS 66048, (913) 727-2858.

Jason S. Auvil
Solid Waste Director

Doc. No. 036522

State of Kansas

University of Kansas

Notice to Bidders

The University of Kansas encourages interested vendors to visit the University of Kansas Purchasing Services Web site at <http://www.purchasing.ku.edu/> for a complete listing of all transactions for which KU Purchasing Services, or one of the consortia commonly utilized by KU, are seeking competitive bids. Paper postings of KU Purchasing Services bid transactions may be viewed at the Purchasing Services office located at 1246 W. Campus Road, Room 7, Lawrence, 66045, or persons may contact Purchasing Services at (785) 864-3790, by fax at (785) 864-3454 or by e-mail at purchasing@ku.edu to request a copy of a current bid.

Barry K. Swanson
Associate Comptroller/
Director of Purchasing Services

Doc. No. 036513

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:

- 12/30/2008 11890 Electrical Services — On Call
- 12/31/2008 11889 Mechanical & Plumbing — On Call
- 01/05/2009 11887 Child Safety Seats
- 01/05/2009 11891 Improvements to Lift Station
- 01/05/2009 11898 Emergency Notification System
- 01/06/2009 11884 Aggregate (AB, Ditch Lining, Rip Rap — District #1) — Various Locations
- 01/06/2009 11888 Fuel Tanks — Underground
- 01/06/2009 11892 Grass Seeds & Forbs
- 01/06/2009 11894 Furnish & Install Boiler Control System
- 01/06/2009 11900 Hanger Doors
- 01/15/2009 11895 Counting System, Automatic Low-Background Alpha/Beta
- 02/05/2009 11832 Long-Term Care Coverage

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>

Contractors wishing to bid on the projects listed below must be prequalified. Information regarding prequalification, projects and bid documents can be obtained by calling (785) 296-8899 or by visiting www.da.ks.gov/fp/.

- 01/06/2009 A-010915 Masonry & Interior Finish Repair — Henrion Hall, Wichita State University, Wichita
- 01/08/2009 A-010914 Cornice & Guttering Replacement — Jardine Hall, Wichita State University, Wichita

- 01/14/2009 A-010900 Roof Replacement East Wing — Malloy Hall, Fort Hays State University, Hays
- 01/15/2009 A-011003 Humidifier Replacement — Museum of History, Kansas State Historical Society, Topeka
- 01/20/2009 A-010772 Chiller Replacement — Recreation Center, Parsons State Hospital, Parsons
- 01/20/2009 A-010839 Replace Exterior Doors and Windows — Murphy Hall, University of Kansas, Lawrence

Chris Howe
Director of Purchases

Doc. No. 036528

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Wednesday, December 31, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 000744—Maximum Principal Amount: \$167,512.69. Owner/Operator: Adam Ronnebaum. Description: Acquisition of 220 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Adam Ronnebaum and is located at Section 35, Mitchell Township, Nemaha County, Kansas, approximately 6 miles south of Seneca on Highway 63.

The bond, when issued, will be a limited obligation of the KDFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the KDFA, nor will it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

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

Stephen R. Weatherford
President

Doc. No. 036529

State of Kansas

Department of Transportation

Notice of Available Grant Funding

The Kansas Department of Transportation's Office of Public Transportation announces it is accepting funding requests for state fiscal year 2010 under 49 U.S.C. § 5310; 49 U.S.C. § 5311, including funding for intercity bus transportation; 49 U.S.C. § 5316; and 49 U.S.C. § 5317 under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) for transportation services. In addition, KDOT is accepting requests for state funding made available under the Comprehensive Transportation Program (CTP) for rural transportation providers.

Under 49 U.S.C. § 5310, funding is made available for the purchase of vehicles and equipment for services to the elderly and persons with disabilities; 49 U.S.C. § 5311 provides operating assistance and/or vehicles for transportation services to the elderly, persons with disabilities and the general public; 49 U.S.C. § 5316, Job Access and Reverse Commute program (JARC), is to improve access to transportation services to employment and employment-related activities for welfare recipients and eligible low-income individuals and to transport residents of urbanized areas and nonurbanized areas to suburban employment opportunities; and 49 U.S.C. § 5317, New Freedom formula grant program, aims to provide additional tools to overcome existing barriers facing Americans with disabilities seeking integration into the work force and full participation in society.

Eligible applicants for 49 U.S.C. § 5310 grant funds from the Federal Transit Administration must be private, nonprofit organizations that have been incorporated and registered with the Kansas Secretary of State to do business in Kansas. Applicants for 49 U.S.C. § 5311, 5316 and 5317 grants must be local units of government, Indian tribes, private nonprofit organizations or private operators contracting through any of these parties. Applicants for Section 5311, 5316 and 5317 funds also must be registered with the Kansas Secretary of State to do business in Kansas. All applicants must be active members of their local Coordinated Transit District (CTD) in order to receive federal and/or state transit funding.

A total of approximately \$1.2 million in 49 U.S.C. § 5310 funds; \$8.8 million in 49 U.S.C. § 5311 funds; \$860,000 in 49 U.S.C. § 5316 funds; and \$414,000 in 49 U.S.C. § 5317 funds will be available for the upcoming state fiscal year (July 1, 2009 to June 30, 2010). The federal share of eligible capital cost will not exceed 80 percent of the net cost of each project and the grant applicant share shall be 20 percent of the net cost. The federal share of operating cost will not exceed 50 percent of the net cost of each project. The grant applicant share will not be less than 50 percent of the net cost.

State funds in the amount of \$2,460,000 for rural transit providers are available for state fiscal year 2009 for those who are currently in the 49 U.S.C. § 5310 or 49 U.S.C. § 5311 program or are eligible to be in either of those programs.

Applications must be returned to KDOT on or before January 23. Persons interested in applying should down-

load the appropriate application from the KDOT Web site, <http://www.ksdot.org/burtransplan/pubtrans/index.asp>, and return the completed application to the Kansas Department of Transportation, Office of Public Transportation, 2nd Floor (Planning), Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754.

Persons without Internet access may contact Deanna Bauer at the address above or by calling (785) 296-0826 to request an application.

Deb Miller

Secretary of Transportation

Doc. No. 036499

State of Kansas

Attorney General

2008 Update to Takings Guidelines Evaluating Proposed Governmental Actions and Identifying Potential Takings of Private Property

The information below sets forth issues that were examined in decisions decided by the United States Supreme Court, Tenth Circuit, and the Kansas Supreme Court relating to government takings of privately owned real property.

Pursuant to K.S.A. 77-704 of the Private Property Protection Act, the following summary of decisions constitutes the 2008 update to the Attorney General's Guidelines. The original guidelines may be found in Vol. 14, No. 51 of the Kansas Register, published December 15, 1995. Annual updates may be found in the Kansas Register at Vol. 16, No. 1, published January 2, 1997; Vol. 16, No. 52, published December 25, 1997; Vol. 17, No. 53, published December 31, 1998; Vol. 18, No. 52, published December 30, 1999; Vol. 20, No. 1, published January 4, 2001; Vol. 21, No. 1, published January 3, 2002; Vol. 21, No. 52, published December 26, 2002; Vol. 23, No. 1, published January 1, 2004; Vol. 24, No. 1, published January 6, 2005; Vol. 24, No. 47, published November 24, 2005; Vol. 25, No. 52, published December 28, 2006; and Vol. 27, No. 1, published January 3, 2008.

The guidelines and annual updates also may be found on the Attorney General's Web site at <http://www.ksag.org/content/page/id/66>.

Schuck v. Rural Telephone Service Co., Inc., 286 Kan. 19, 180 P.3d 571 (2008).

Landowner used the property at issue for crop-land and pasture. Rural Telephone and Landowner negotiated an easement whereby the telephone company could bury cables across Landowner's property. Rural Telephone installed cable in early 2003. In January 2006, Landowner discovered that the cable was not buried within the 40-foot-wide negotiated easement. Upon discovering the cable's location, the landowner contacted an attorney who notified Rural Telephone that it had placed the cable outside the easement.

Rural Telephone figured that approximately 2,430 feet of cable had been placed outside the negotiated easement. The parties entered into negotiations. The landowner requested \$40,000 in damages, and in return, would allow

(continued)

Rural Telephone to keep its cable in the current location and outside the negotiated easement.

After negotiations failed, Landowner filed an action for ejection and trespass against the telephone company. Rural Telephone Company filed petition for eminent domain, seeking an additional, permanent easement that would allow it to keep the cable buried in the mistaken location. Landowner then filed a petition for a temporary and permanent injunction to prevent Telephone Company from proceeding with the eminent domain action.

Rural Telephone admitted that the cable was outside the easement but maintained that relocating the cable would interrupt service and degrade the system. Rural Telephone asserted that the taking was necessary in order for the telephone company to maintain, inspect, and repair its cable. Landowner maintained that cable's location negatively affected his property because it presented an obstacle to laying water lines or making other improvements to the property.

The district court concluded that Rural Telephone, as a Kansas telephone public utility, has the power of eminent domain under K.S.A. 17-618 and K.S.A. 17-1903. In this instance, the taking of the property for public use was necessary to carry out the lawful corporate purposes of Rural Telephone (i.e. providing telephone service, toll service, video service, wireless service, and internet service to the public of northwest Kansas).

The district court ruled that Landowner failed to prove that Rural Telephone acted fraudulently, in bad faith, or abused its discretion when it buried its cable in 2003. Thus, the district court denied Landowner's request for an injunction. The court concluded that the violation of the negotiated easement was the result of a good-faith mistake and opined that relocation of the cable would ultimately cause lower quality of services to the subscribers. Landowner appealed the district court's denial of his action seeking to enjoin the telephone company from proceeding with its eminent domain action.

The Kansas Supreme Court affirmed the district court but noted that its holding is limited to the facts. The Court indicated that it did not condone Rural Telephone's failure to conform with the easement.

Landowner also unsuccessfully argued that Rural Telephone had essentially filed an "impermissible inverse condemnation action." An inverse condemnation proceeding is initiated by the party having a property interest and is available when the government has taken private property for public use without the initiation of formal condemnation proceedings. The court held that Rural Telephone could not have initiated an inverse condemnation action because it was not the interest-holder in the property.

Isely v. City of Wichita, 38 Kan. App. 2d 1022, 174 P.3d 919 (2008).

Lessors granted a 99 year lease to Lessee development company. Unbeknownst to Lessors, Lessee granted a roadway and utility easement to the City of Wichita. Lessor filed an inverse condemnation action against the City. The district court ruled against Lessors on the basis that Lessors weren't entitled to possession of the property until 2058 and, therefore, there was no "taking." The Kansas

Court of Appeals reversed the district court after concluding that City's physical occupation of Lessors' land constituted a compensable taking even though the Lessors were not in current possession. The City had argued that it didn't owe compensation because its easement was limited to the duration of the lease. The appellate court was not swayed—holding that the limited duration of the easement did not change the fact that the City's road occupied a portion of the Lessors' land by virtue of the permanent nature of the roadway.

Estate of Kirkpatrick v. City of Olathe, 39 Kan. App.2d 162, 178 P.3d 667 (2008).

City condemned Kirkpatrick's land to construct a traffic roundabout. After completion of construction, Kirkpatrick experienced water in his basement which he contended was caused by the roundabout construction. He [and later his estate] filed a Tort Claims action contending that the City "had damaged or taken his property" as a result of the construction. The district court, in analyzing the inverse condemnation claim, concluded that the City had "taken" Kirkpatrick's property by virtue of its failure to pay for the damages caused by the construction. The Kansas Court of Appeals reversed the district court - agreeing with the City's position that its actions did not constitute a compensable "taking."

The Court noted that attempts to harmonize Kansas law on inverse condemnation have not been easy because the statutory language provides that a taking includes "property damaged." However, case law appears to require that property rights be taken to the exclusion of the owner, not just that the property be damaged in some way.

In contrast to other jurisdictions, the definition of "taking," in Kansas, is narrow. Inverse condemnation will not lie unless the government has acquired possession as well as the right of possession and control to the exclusion of the former owner. Mere damage to an adjoining property is not a compensable taking unless the damage was necessary to the completion of the public use project.

In this case, the city did not need to divert water in order to complete its construction project. The court explained that the city excavated adjacent land and changed the grade during construction, but this did not mean that any property or property right was taken. The city may have also caused more water to invade Kirkpatrick's property than before the construction, but any such invasion or diversion of water was not necessary to the public improvement.

Finally, the court concluded that the Kirkpatrick estate did not allege or present any authority supporting an argument for a common law *property* right that was taken by the City. The right to quiet enjoyment is not a recognized property right but a personal right that can be harmed by a nuisance, or as a promise from a seller to a buyer that no other person has a superior title that could force the buyer from the purchased land.

Stephen N. Six
Attorney General

Doc. No. 036519

State of Kansas

Department on Aging

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, February 24, in Room 3-West of the New England Building, 503 S. Kansas Ave., Topeka, to consider the adoption of the following proposed rules and regulations as permanent regulations of the Kansas Department on Aging.

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 Patsy Samson, Policy Analyst, Kansas Department on Aging, 500 S. Kansas, Topeka, 66603, or by e-mail at Patsy.Samson@aging.ks.gov. 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.

Any individual with a disability or limited English proficiency is welcome to attend and participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Patsy Samson at (785) 296-0378 or TTY (785) 291-3167. Handicapped parking is located at the east side of the building's entrance on Kansas Avenue. The New England Building is accessible to individuals with disabilities.

The regulations are proposed for adoption on a permanent basis. The proposed rules and regulations and economic impact statements are available at www.aging.kansas.org. The content of the proposed regulations is largely the same as regulations that were previously administered by the Kansas Department of Health and Environment. Pursuant to K.S.A. 39-925, the administration of the adult care home licensure act has been transferred to the Secretary of Aging, and regulations are being revised accordingly. A summary of the proposed regulations and their economic impact follows:

Article 39 — Adult Care Homes

Revocation of K.A.R. 26-39-144. Definitions. This regulation is being revoked and replaced with the new proposed regulation.

Adoption of K.A.R. 26-39-100. Definitions. These definitions, which apply to all adult care homes, were previously contained in K.A.R. 26-39-144 and K.A.R. 28-39-144. These definitions have been revised to update certain terminology to promote person-centered care and to provide clarity and consistency.

Economic Impact: None

Revocation of K.A.R. 28-39-145a. Licensure of adult care homes. This regulation is being revoked and replaced with the new proposed regulation.

Adoption of K.A.R. 26-39-101. Licensure of adult care homes. Licensure requirements, which apply to all adult care homes, were previously contained in K.A.R. 28-39-

145a. Licensure fees have been increased and requirements for administration of more than one adult care home have been revised. In addition, this regulation has been revised to update certain terminology to promote person-centered care and to provide clarity and consistency.

Economic impact: Licensure fees for adult care homes, which have not changed since 1991, will increase by 100%. The anticipated additional income, based on licensed beds as of October 1, 2008, is \$532,685. The increased annual fiscal impact on the average size adult care home provider is as follows: Nursing Facility (82 beds) - \$1,280; Nursing Facility for Mental Health (65 beds) - \$1,025; Intermediate Care Facilities for the Mentally Retarded (7 beds) - \$155; Assisted Living Facility (47 beds) - \$755; Residential Health Care Facility (33 beds) - \$545; Homes Plus (7 beds) - \$155; Boarding Care Homes (6 beds) - \$140; and Adult Day Care (36 slots) - \$590. The methodology for determining the cost of licensure is not changing. These rates reflect inflationary costs for administration of these homes.

Revocation of K.A.R. 28-39-148. Admission, transfer and discharge rights of residents in adult care homes. This regulation is being revoked and replaced with the new proposed regulation.

Adoption of K.A.R. 26-39-102. Admission, transfer, and discharge rights of residents in adult care homes. The new proposed regulation does not have an economic impact, as it primarily enacts previous statutory and regulatory requirements.

Revocation of K.A.R. 28-39-147. Rights of residents in adult care homes licensed as nursing facilities, assisted living facilities, residential health care facilities, home plus, boarding care homes and adult day care facilities. This regulation is being revoked and replaced with the new proposed regulation.

Adoption of K.A.R. 26-39-103. Resident rights in adult care homes. The new proposed regulation does not have a significant economic impact, as it primarily enacts previous statutory and regulatory requirements.

Revocation of K.A.R. 28-39-146. Receivership of adult care homes. This regulation is being revoked and replaced with the new proposed regulation.

Adoption of K.A.R. 26-39-104. Receivership of adult care homes. The new proposed regulation does not have an economic impact, as it primarily enacts previous statutory and regulatory requirements.

Adoption of K.A.R. 26-39-105. Adoptions by reference: general. The new proposed regulation consolidates materials previously adopted by reference in assisted living/residential health care, homes plus, and adult day care regulations. This proposed regulation does not have a significant economic impact, as it primarily updates materials adopted by reference and enacted in previous statutory and regulatory requirements.

Revocation of K.A.R. 28-39-240 through K.A.R. 28-39-253, assisted living/residential health care (ALF/RHC) facilities, and K.A.R. 26-39-243, resident functional capacity screening. These regulations are being revoked and replaced with the new proposed regulations.

(continued)

Adoption of K.A.R. 26-41-101 through K.A.R. 26-41-106 and K.A.R. 26-41-200 through K.A.R. 26-41-207. Assisted living/residential health care (ALF/RHC) facilities. The new proposed regulations do not have a significant economic impact, as these regulations primarily enact previous statutory and regulatory requirements. The effects of the recommendations on the costs of providing care to residents are not easily calculated as it is unknown how many providers already meet the proposed regulatory requirements, and those that do may experience a reduction in costs. Some of the additional costs incurred by certain providers are likely to produce long-term savings as a result of increased resident health and safety that cannot be quantified.

Revocation of K.A.R. 28-39-425 through K.A.R. 28-39-436, home plus, and K.A.R. 26-39-427, resident functional capacity screening. These regulations are being revoked and replaced with the new proposed regulations.

Adoption of K.A.R. 26-42-101 through K.A.R. 26-42-106 and K.A.R. 26-42-200 through K.A.R. 26-42-207. Homes plus. The new proposed regulations do not have a significant economic impact, as these regulations primarily enact previous statutory and regulatory requirements. The effects of the recommendations on the costs of providing care to residents are not easily calculated as it is unknown how many providers already meet the proposed regulatory requirements and those that do may experience a reduction in costs. Some of the additional costs incurred by certain providers are likely to produce long-term savings as a result of increased resident health and safety that cannot be quantified.

Revocation of K.A.R. 28-39-275 through K.A.R. 28-39-288, adult day care facilities, and K.A.R. 26-39-278, resident functional capacity screening. These regulations are being revoked and replaced with the new proposed regulations.

Adoption of K.A.R. 26-43-101 through K.A.R. 26-43-106 and K.A.R. 26-43-200 through K.A.R. 26-43-207. Adult day care facilities. The new proposed regulations do not have a significant economic impact, as these regulations primarily enact previous statutory and regulatory requirements. The effects of the recommendations on the costs of providing care to residents are not easily calculated as it is unknown how many providers already meet the proposed regulatory requirements and those that do may experience a reduction in costs. Some of the additional costs incurred by certain providers are likely to produce long-term savings as a result of increased resident health and safety that cannot be quantified.

A copy of these regulations and the economic impact statements may be obtained by contacting the Kansas Department on Aging or via the agency's Web site at www.agingkansas.org.

Kathy Greenlee
Secretary of Aging

Doc. No. 036520

State of Kansas

Kansas Insurance Department

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Tuesday, February 24, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of a proposed rule and regulation.

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 rule and regulation. All interested parties may submit written comments prior to the hearing to John Wine, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678, via facsimile at (785) 291-3673, or via e-mail at jwine@ksinsurance.org. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

A summary of the proposed regulation and its economic impact follows:

K.A.R. 40-2-28. Preneed insurance contracts; minimum standards for determining reserves. This regulation is being proposed to establish the 1980 Commissioners Standard Ordinary Life Valuation Mortality Table as the valuation mortality table used in determining the minimum reserves for preneed life insurance contracts. Preneed life insurance is defined as any life insurance policy or certificate that is issued in combination with, in support of, with an assignment to, or as a guarantee for a prearrangement agreement for goods and services to be provided at the time of and immediately following the death of the insured. Goods and services may include, but are not limited to, embalming, cremation, body preparation, viewing or visitation, coffin or urn, memorial stone and transportation of the deceased. The status of the policy or contract as preneed insurance is determined at the time of issue in accordance with the policy form filing. K.S.A. 40-409(d)(i) provides for any ordinary mortality table adopted after 1980 by the National Association of Insurance Commissioners, that is approved by regulation promulgated by the commissioner for use in determining the minimum standard of valuation for such policies. Without this regulation, the minimum reserves for preneed life insurance contracts issued on and after January 1, 2009, would be determined by use of the 2001 Commissioners Standard Ordinary Life Valuation Mortality Table, which is not an appropriate valuation mortality table for preneed life insurance contracts because it is based on fully underwritten mortality experience. Preneed life insurance contracts are written on a simplified and/or guaranteed issue basis and are not typically subject to medical underwriting.

The proposed regulation is not mandated by federal law.

There will not be any economic impact on life insurance companies affected by this proposed regulation because the current minimum reserve valuation mortality standard requires the use of the 1980 Commissioners Standard Ordinary Life Valuation Mortality Table. The proposed regulation K.A.R. 40-2-28 provides for the

continued use of such mortality table for all preneed contracts issued on and after January 1, 2009, and is generally consistent with the requirements in other states. The proposed regulation would not have any economic impact on government agencies, regulated entities, large or small businesses or the general public.

The proposed regulation achieves the stated purpose of establishing minimum reserves that are appropriate for preneed life insurance contracts by the most effective and least costly method in accordance with K.S.A. 40-409(d)(i), and therefore no other methods were considered.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and the 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 John Wine at (785) 296-7847 or via e-mail at jwine@ksinsurance.org. Any individual desiring a copy of this regulation and/or the policy and procedure that is being adopted by reference, if applicable, may obtain a copy from the department's Web site, www.ksinsurance.org, under the Legal Issues link, or by contacting John Wine. The charge for copies is 50 cents per page.

Sandy Praeger
Kansas Insurance Commissioner

Doc. No. 036515

State of Kansas

Board of Accountancy

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9:30 a.m. Thursday, April 30, in Room 106 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes in existing rules and regulations of the Board of Accountancy.

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 executive director of the Board of Accountancy, Suite 556, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. 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.

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 statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Judy Jenks at (785) 296-2162 or by e-mail at info@ksboa.ks.gov. Handicapped parking is located at the south end of Landon State Office Building, and the north entrance to the building is accessible to individuals with disabilities.

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

K.A.R. 74-4-7. Continuing professional education requirements. Amendments to this regulation set forth acceptable courses relating to the topic of ethics and eliminate outdated language.

K.A.R. 74-4-8. Continuing professional education programs; requirements. Amendments to this regulation clarify the responsibilities of the program sponsor and eliminate outdated language.

K.A.R. 74-5-2. Definitions. Amendments to this regulation update materials adopted by reference and specify excluded sections.

K.A.R. 74-5-2a. Definitions of terms in the AICPA professional standards. This is a new regulation adopting materials by reference.

K.A.R. 74-5-101. Independence. Amendments to this regulation update materials by reference and eliminate unnecessary language.

K.A.R. 74-5-102. Integrity and objectivity. Amendments to this regulation update materials by reference and eliminate unnecessary language.

K.A.R. 74-5-103. Commissions and referral fees. Amendments to this regulation clarify the adoption by reference.

K.A.R. 74-5-201. General standards. Amendments to this regulation clarify the adoption by reference.

K.A.R. 74-5-202. Compliance with standards. Amendments to this regulation transfer compliance to another regulation already in place.

K.A.R. 74-5-301. Confidential client information. Amendments to this regulation clarify the adoption by reference.

K.A.R. 74-5-302. Retention of client records. Amendments to this regulation transfer the compliance to another regulation already in place.

K.A.R. 74-5-401. Acts discreditable. Amendments to this regulation clarify the adoption by reference.

K.A.R. 74-5-403. Advertising. Amendments to this regulation clarify the adoption by reference.

K.A.R. 74-5-405a. Certified public accountants who own a separate business. Amendments to this regulation clarify the adoption by reference.

K.A.R. 74-5-406. Firm names. Amendments to this regulation clarify the definition of a fictitious firm name.

K.A.R. 74-7-4. Notification; firm registration; sole proprietors. Amendments to this regulation clarify the requirements of sole practitioners performing attest services.

K.A.R. 74-11-6. Definitions. Amendments to this regulation update materials adopted by reference.

Copies of the regulations and the economic impact statement may be obtained by contacting the Board of Accountancy or from the board's Web site at www.ksboa.org.

Susan L. Somers
Executive Director

Doc. No. 036516

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for detention dam Site 2 rehabilitation, in Harvey County, will be received by the Sand Creek Watershed Joint District No. 68 at the district office, 1405 S. Spencer Road, Newton, 67114-4126, (316) 283-0370, until 7 p.m. January 8, and then opened. Bids may be delivered just prior to opening at the place of opening. A copy of the invitation for bids and the rehabilitation plans and specifications can be reviewed at the site showing or obtained from the district office.

Greg A. Foley
Executive Director

Doc. No. 036517

State of Kansas

Department of Wildlife and Parks

Notice of Available Grant Funding

Application materials for the State Wildlife Grants (SWG) are now available from the Kansas Department of Wildlife and Parks (KDWP). The SWG is a federal grant program, which is funded in part by CFDA 15.634 Fish and Wildlife Service, Department of the Interior, and administered in Kansas by the Kansas Department of Wildlife and Parks. The priority of this program is to fund projects that benefit nongame fish and wildlife and their associated habitats. Federal regulations require that projects benefit "species of greatest conservation need," which may include listed federal and state endangered and threatened species.

KDWP will distribute up to \$400,000 of SWG funds through competitive subgrants. Eligible applicants include local governments, nonprofit corporations and educational institutions. Federal regulations require that a minimum of 50 percent of project costs be matched with nonfederal funds.

To be eligible, proposals must address issues and strategies identified in the Kansas Comprehensive Wildlife Conservation Plan, entitled "A Future for Kansas Wildlife." Higher priority consideration will be given to research proposals that specifically address the following:

- Distribution, population dynamics, habitat requirements, and life history characteristics that further define specific habitat correlations with Broadhead Skink (*Eumeces laticeps*), Smooth Earth Snake (*Virginia valeriae*), Redbelly Snake (*Storeria occipitomaculata*), Delta Hydrobe (*Probythinella emarginata*), or Spotted Skunk (*Spilogale putorius*).
- The impacts of wind energy production and transmission in priority habitats as designated in the FKW. Special consideration will be given to projects that quantify the impacts of habitat fragmentation and/or large vertical structures (e.g., powerlines, turbines) on nesting dynamics of grassland birds or the behavior of migration/resident birds and/or bats.
- The impacts of in-stream obstructions (impoundments, low-water crossings, enclosed culverts, and

diversions) on aquatic organism passage (AOP) in priority aquatic habitats as designated in the FKW. Special consideration will be given to projects that (1) evaluate the effectiveness of different engineering designs toward mitigating the impact of current in-stream obstructions on AOP, river and stream continuity, and wildlife passage.

Potential applicants have the option of submitting preliminary applications for review by March 27. The deadline for final applications is April 24. For more information concerning this program or to request application materials, contact the Office of Federal Aid, Kansas Department of Wildlife and Parks, 1020 S.W. Kansas Ave., Room 200, Topeka, 66612, (785) 296-2281. Persons with special communication needs may utilize the Kansas Relay Center, (800) 766-3777.

J. Michael Hayden
Secretary of Wildlife and Parks

Doc. No. 036521

State of Kansas

State Conservation Commission

Revised Notice to Bidders

Sealed bids for the design-dredge services for hydraulic dredging of Mission Lake, city of Horton, Brown County, Kansas, will be received by the city of Horton at P.O. Box 30, 205 E. 8th St., Horton, 66439, until **5 p.m. February 9** (extended from the previous deadline of January 9), at which time and place bids will be publicly opened and read aloud.

The design-dredge project for Mission Lake consists of the design-dredge removal of up to 1,000,000 cubic yards of sediment from Mission Lake, a property of the city of Horton. The project is located in the northeastern part of the city of Horton, east of Highway 73. The scope of work for this design-dredge project follows:

1. Engineer plans and specification for sediment removal and confined disposal facility (CDF).
2. Acquisition of permits.
3. Construction of confined disposal facility (CDF).
4. Mobilization of dredge equipment.
5. Dredging of up to 1,000,000 cubic yards of sediment.
6. Land reclamation and environmental remediation.
7. Demobilization of dredge equipment.

Additional bid details for each scope of work item may be accessed online at <http://www.kwo.org/MissionLake.htm>.

Questions regarding the project and RFP can be directed to Jim Whisenant, Horton city administrator, (785) 486-2681 or hortonca@hortonkansas.net.

Greg A. Foley
Executive Director

Doc. No. 036518

(Published in the Kansas Register December 18, 2008.)

**USDA—Natural Resources
Conservation Service**

Notice of Kansas Technical Committee Meeting

The Kansas Technical Committee will meet by teleconference from 10:30 a.m. to noon Wednesday, January 21, for the following purposes:

- Wetlands Reserve Program: annual review of geographic rate caps.
- Farm and Ranch Lands Protection Program: discuss the subcommittee’s recommendation to expand the area of eligibility for the program.

For more information, contact Jeffrey L. Gross, Assistant State Conservationist for Water Resources, at (785) 823-4550 or jeffrey.gross@ks.usda.gov, or Troy J. Munsch, Assistant State Conservationist for Programs, at (785) 823-4580 or troy.munsch@ks.usda.gov, U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), 760 S. Broadway, Salina, 67401-4604, or fax (785) 823-4540.

For teleconference information, contact Rosie Collins at (785) 823-4566 not later than January 14 for the call-in number information or any special needs.

Eric B. Banks
State Conservationist

Doc. No. 036524

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-08-382/388

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Lehman Farms, LLC Brent Lehman 7625 N. Anderson Road Newton, KS 67114	SE/4 of Section 18, T22S, R01E, Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-B007

This is a new permit with a change in operation for an existing certified facility for 200 head (80 animal units) of swine weighing greater than 55 pounds and 200 head (280 animal units) of mature dairy cattle. The change in operation includes no longer confining swine or mature dairy cattle at the facility. The facility will have the capacity for 100 head (100 animal units) of cattle weighing greater than 700 pounds and 200 head (100 animal units) of cattle weighing less than 700 pounds, for a total of 300 head (200 animal units) of cattle.

Name and Address of Applicant	Legal Description	Receiving Water
Poky Feeders, Inc. Joe Morgan 600 East Road 30 Scott City, KS 67871	SW/4 of Section 17 & S/2 of Section 18 & NE/4 of Section 19 & SW/4 of Section 08, T20S, R32W, Scott County	Upper Arkansas River Basin

Kansas Permit No. A-UASC-C017

Federal Permit No. KS0086576

This is a reissuance of a permit for an existing, expanding facility with modifications. The proposed capacity of the facility is 4,270 head (1,708 animal units) of swine weighing more than 55 pounds, 5,440 head (544 animal units) of swine weighing less than 55 pounds, and 59,450 head (59,450 animal units) of beef cattle weighing more than 700 pounds. This represents an increase of 6,000 head of cattle weighing greater than 700 pounds. New confinement pens will be constructed in the southwest quarter of Section 17. The existing south-east wastewater retention structure in Area C will be enlarged to provide additional waste storage capacity for the new pens.

Name and Address of Applicant	Legal Description	Receiving Water
4-R Farms, Inc - Royce’s Place Roger Becker 761 J Road Corning, KS 66417	SE/4 of NE/4 of Section 33, T04S, R12E, Nemaha County	Big Blue River Basin

Kansas Permit No. A-BBNM-S001

This is a reissuance of a permit with a modification for an existing facility for 370 head (148 animal units) of swine weighing greater than 55 pounds. The modification includes the addition of 50 head (25 animal units) of cattle weighing less than 700 pounds to the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Grecian Farms Genetics, Inc. Stanley Grecian 3845 G Road Palco, KS 67657	W/2 of Section 02, T10S, R21W, Graham County	Saline River Basin

Kansas Permit No. A-SAGH-S001

This permit is being reissued for an existing facility with a maximum capacity of 2,230 head (892 animal units) of swine more than 55 pounds and 1,030 head (103 animal units) of swine 55 pounds or less, for a total of 995 animal units. This represents a decrease in animal units from the previous permit due to the facility downsizing from a federal permit to a state permit.

Name and Address of Applicant	Legal Description	Receiving Water
Harder Farms, Inc Richard Harder 14325 N.W. 80th St. Whitewater, KS 67154	NE/4 of Section 28, T24S, R03E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-B010

This is a reissuance of a permit for an existing facility for 400 head (400 animal units) of cattle weighing greater than 700 pounds, 450 head

(continued)

(225 animal units) of cattle weighing less than 700 pounds and 800 head (320 animal units) of swine weighing greater than 55 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Golden Belt Feeders - Lyons, LLC Galen Mitchell / Merlin Grimes 2240 Ave. P Lyons, KS 67554	NW/4 of Section 22, T20S, R07W, Rice County	Lower Arkansas River Basin

Kansas Permit No. A-ARRC-C001 Federal Permit No. KS0080730

This permit is being reissued for an existing facility with a maximum capacity of 6,000 head (6,000 animal units) of beef cattle more than 700 pounds. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Hornung Starter Yard Norbert Hornung 30023 O Road Offerle, KS 67563	NE/4 of Section 33, T25S, R20W, Edwards County	Upper Arkansas River Basin

Kansas Permit No. A-UAED-C003 Federal Permit No. KS0090158

This is a reissuance of a permit for an existing facility for 3,000 head (3,000 animal units) of cattle weighing greater than 700 pounds.

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 January 17 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-08-382/388) 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.

Roderick L. Bremby
Secretary of Health and Environment

Doc. No. 036525

State of Kansas

Department of Health and Environment

Request for Comments

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

Kinder Morgan, 370 Van Gordon St., Denver, Colorado, owns and operates Syracuse compressor station located at Section 31, T21S, R40W, Hamilton County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Ethyl Evans, (620) 225-0596, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business January 20.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air and Radiation, not later than the close of business January 20 in order for the Secretary of Health and Environment to consider the request.

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

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

practicable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Patricia Scott, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 036514

State of Kansas

Board of Pharmacy

Permanent Administrative Regulations

Article 18.—UTILIZATION OF UNUSED MEDICATIONS

68-18-1. Transferring unused medications. (a) Each administrator or operator of an adult care home, pharmacist-in-charge of a mail service pharmacy, and administrator of a medical care facility who wants to become a donating entity, as defined in L. 2008, ch. 9, sec. 2 and amendments thereto, shall submit to the board written notification of intent to participate in the unused medications program. The notification shall be submitted on a form approved by the board.

(b) Before the transfer of each unused medication to a qualifying center or clinic, each mail service pharmacy and medical care facility that has become a donating entity as specified in subsection (a) shall perform the following:

(1) Determine the quality and suitability of each unused medication by a pharmacist's verification that the unused medication meets the following requirements:

(A) Can be identified;

(B) is in the manufacturer's sealed container, a pharmacy unit-dose package, or a hermetically sealed tamper-evident package from the pharmacy;

(C) has not passed its beyond-use date;

(D) is not a controlled substance;

(E) has not been adulterated; and

(F) is not a medication that can be dispensed only to a patient or resident registered with the drug manufacturer;

(2) remove the name of the patient or resident and all of the patient's or resident's personal identifiers in order to protect confidentiality;

(3) consult with the qualifying center or clinic to determine whether the qualifying center or clinic is willing to accept each unused medication; and

(4) ensure that the qualifying center or clinic has a consulting pharmacist and is registered with the board to accept unused medications.

(c) Before the transfer of each unused medication to a qualifying center or clinic, each adult care home that has become a donating entity as specified in subsection (a) shall meet the requirements specified in paragraphs (b)(2), (3), and (4).

(d) When a donating entity transfers an unused medication to a qualifying center or clinic, the donating entity shall meet the following requirements:

(1) Complete a manifest on a form approved by the board; and

(2) include a copy of the manifest with the unused medications.

(e) Each donating entity shall maintain a copy of the manifest that the donating entity provided to the qualifying center or clinic for at least five years. The donating entity shall also maintain a copy of the manifest that was signed and returned by the qualifying center or clinic for at least five years.

(f) A donating entity shall not transfer an unused medication that can be dispensed only to a patient or resident registered with the drug manufacturer. (Authorized by and implementing L. 2008, ch. 9, §7; effective Jan. 2, 2009.)

68-18-2. Accepting unused medications. (a) Each qualifying center or clinic that elects to participate in the unused medications program shall submit to the board written notification of intent to participate on a form approved by the board.

(b) Each qualifying center or clinic shall maintain all unused medications in a storage unit with controlled access.

(c) After the acceptance of each unused medication from an adult care home that has become a donating entity as specified in K.A.R. 68-18-1(a), each qualifying center or clinic shall perform the following:

(1) Determine the quality and suitability of each unused medication by verification of a pharmacist that the unused medication meets the following requirements, in addition to the requirements of L. 2008, ch. 9, sec. 4 and amendments thereto:

(A) Can be identified; and

(B) is not a medication that can be dispensed only to a patient or resident registered with the drug manufacturer;

(2) ensure that the name of the patient or resident and all of the patient's or resident's personal identifiers have been removed in order to protect confidentiality;

(3) check each unused medication against the manifest to resolve any discrepancies with the donating entity; and

(4) complete the manifest and return a copy of the manifest to the donating entity.

(d) After the acceptance of each unused medication from a mail service pharmacy or a medical care facility that has become a donating entity as specified in K.A.R. 68-18-1(a), each qualifying center or clinic shall perform the following:

(1) Determine the quality and suitability of each unused medication by the verification of a pharmacist or practitioner that the unused medication meets the following requirements, in addition to the requirements of L. 2008, ch. 9, sec. 4 and amendments thereto:

(A) Can be identified; and

(B) is not a medication that can be dispensed only to a patient or resident registered with the drug manufacturer; and

(2) meet all of the requirements specified in paragraphs (c)(2), (3), and (4).

(continued)

(e) Each qualifying center or clinic shall maintain a copy of the manifest that was provided by the donating entity for at least five years. The qualifying center or clinic shall also maintain a copy of the manifest signed and returned to the donating agency for at least five years.

(f) A qualifying center or clinic shall not accept or dispense an unused medication that can be dispensed only to a patient or resident registered with the drug manufacturer. (Authorized by and implementing L. 2008, ch. 9, §7; effective Jan. 2, 2009.)

68-18-3. Recall of unused medications. (a) If an unused medication is recalled and the qualifying center or clinic does not have the lot number on the label to differentiate between the recalled medications and the non-recalled medications, all of the unused medications shall be destroyed.

(b) If a donating entity has transferred an unused medication to a qualifying center or clinic, the medication is

subsequently recalled, and the donating entity has been notified of the recall, the donating entity shall be responsible for notifying the qualifying center or clinic of the recall.

(c) Each qualifying center or clinic in possession of any unused medication that is expired, adulterated, or recalled shall make a manifest for and destroy that medication.

(d) Following the destruction of any unused medications, the manifest shall be signed by the consulting pharmacist and a witness to verify the destruction. Each drug destruction manifest shall be maintained for at least five years. (Authorized by and implementing L. 2008, ch. 9, §7; effective Jan. 2, 2009.)

Debra Billingsley
Executive Secretary

Doc. No. 036526

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 2006 Volumes and the 2007 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-64-1	New	V. 26, p. 1393

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-3-1	Amended (T)	V. 27, p. 1091
3-3-1	Amended	V. 27, p. 1517
3-3-2	New (T)	V. 27, p. 1091
3-3-2	New	V. 27, p. 1517
3-4-1	Amended	V. 26, p. 1045
3-4-2	Amended	V. 26, p. 1045
3-4-4	Amended	V. 26, p. 1045
3-4-5	Amended	V. 26, p. 1045
3-4-6	Amended	V. 26, p. 1045

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-2-8	Amended	V. 27, p. 16
4-2-20	Amended	V. 27, p. 16
4-3-47	Amended	V. 27, p. 16
4-3-49	Amended	V. 27, p. 16
4-3-51	Amended	V. 27, p. 16
4-6-1	New	V. 27, p. 1741
4-6-2	New	V. 27, p. 1741
4-6-3	New	V. 27, p. 1741
4-7-900	Amended	V. 27, p. 1022
4-7-901	Revoked	V. 27, p. 1022
4-7-902	Amended	V. 27, p. 1022
4-7-903	Amended	V. 27, p. 1023
4-7-904	Amended	V. 27, p. 1023
4-8-14a	Amended	V. 26, p. 489
4-8-27	Amended	V. 26, p. 489
4-8-28	Amended	V. 26, p. 489
4-8-29	Amended	V. 26, p. 489
4-8-30	Amended	V. 26, p. 489
4-8-31	Amended	V. 26, p. 489
4-8-33	Amended	V. 26, p. 489
4-8-34	Amended	V. 26, p. 489

4-8-35	Amended	V. 26, p. 489
4-8-39	Amended	V. 26, p. 490
4-8-42	Amended	V. 26, p. 490
4-11-2	Amended	V. 26, p. 100
4-11-3	Amended	V. 26, p. 100
4-11-15	New	V. 26, p. 101
4-13-1	Amended	V. 27, p. 186
4-13-3	Amended	V. 27, p. 187
4-13-9	Amended	V. 27, p. 188
4-13-11	Revoked	V. 27, p. 188
4-13-13	Amended	V. 27, p. 188
4-13-20	Amended	V. 27, p. 190
4-13-21	Amended	V. 27, p. 191
4-13-22	Amended	V. 27, p. 191
4-13-23	Amended	V. 27, p. 191
4-13-24	Amended	V. 27, p. 191
4-13-33	Amended	V. 27, p. 191
4-13-40	Amended	V. 27, p. 1023
4-13-41	Revoked	V. 27, p. 1023
4-13-42	Revoked	V. 27, p. 1023
4-13-60	Amended	V. 27, p. 1023
4-13-61	Revoked	V. 27, p. 1023
4-13-64	Amended	V. 27, p. 1023
4-13-65	Amended	V. 27, p. 1024
4-15-9	Amended	V. 26, p. 81
4-15-11	Amended	V. 27, p. 1024
4-15-12	Revoked	V. 27, p. 1024
4-15-13	Amended	V. 27, p. 1024
4-15-14	Amended	V. 27, p. 1024
4-16-1a	Amended	V. 27, p. 1741
4-16-1c	Amended	V. 27, p. 1742
4-16-7a	Amended	V. 27, p. 1024
4-16-300	Amended	V. 27, p. 1025
4-16-301	Revoked	V. 27, p. 1025
4-16-302	Amended	V. 27, p. 1025
4-16-303	Amended	V. 27, p. 1025
4-16-304	Amended	V. 27, p. 1025
4-16-305	Amended	V. 27, p. 1025
4-17-300	Amended	V. 27, p. 1026
4-17-301	Revoked	V. 27, p. 1026
4-17-302	Amended	V. 27, p. 1026
4-17-303	Amended	V. 27, p. 1026
4-17-304	Amended	V. 27, p. 1026
4-17-305	Amended	V. 27, p. 1027
4-19-1	Amended	V. 26, p. 173
4-20-11	Amended	V. 27, p. 1027
4-28-5	Amended	V. 27, p. 1742
4-28-8		
through		
4-28-16	New	V. 27, p. 191-195

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-1-1	Amended	V. 27, p. 1549
5-1-2	Amended	V. 27, p. 1553
5-1-7	Amended	V. 27, p. 1553

5-2-4	New	V. 27, p. 1554
5-3-3	Amended	V. 27, p. 1554
5-3-4	Amended	V. 27, p. 1555
5-3-5d	Amended	V. 27, p. 1555
5-3-16	Amended	V. 27, p. 1555
5-4-2	New	V. 27, p. 1556
5-5-6c	New	V. 27, p. 1556
5-5-13	Amended	V. 27, p. 1556
5-5-14	Amended	V. 27, p. 1557
5-6-2	Amended	V. 27, p. 1557
5-6-5	Amended	V. 27, p. 1557
5-9-1a		
through		
5-9-1d	New	V. 27, p. 1557, 1558
5-14-10	Amended	V. 27, p. 1558
5-40-1	Amended	V. 26, p. 642
5-40-2	Amended	V. 26, p. 644
5-40-2a	New	V. 26, p. 646
5-40-2b	New	V. 26, p. 647
5-40-3	Amended	V. 26, p. 647
5-40-4	Amended	V. 26, p. 647
5-40-5	Amended	V. 26, p. 648
5-40-5a	New	V. 26, p. 648
5-40-8	Amended	V. 26, p. 648
5-40-9	Revoked	V. 26, p. 648
5-40-10	Revoked	V. 26, p. 648
5-40-11	Revoked	V. 26, p. 648
5-40-12	Amended	V. 26, p. 648
5-40-13	Revoked	V. 26, p. 649
5-40-20	New	V. 26, p. 649
5-40-21	New	V. 26, p. 649
5-40-22	New	V. 26, p. 649
5-40-23	New	V. 26, p. 650
5-40-24	Amended	V. 27, p. 1438
5-40-26	New	V. 26, p. 651
5-40-30	New	V. 26, p. 651
5-40-31	New	V. 26, p. 652
5-40-32	New	V. 26, p. 653
5-40-33	New	V. 26, p. 653
5-40-40	New	V. 26, p. 653
5-40-41	New	V. 26, p. 654
5-40-42	New	V. 26, p. 654
5-40-43	New	V. 26, p. 655
5-40-44	New	V. 26, p. 655
5-40-45	New	V. 26, p. 655
5-40-46	New	V. 26, p. 655
5-40-50	New	V. 26, p. 656
5-40-51	New	V. 26, p. 656
5-40-52	New	V. 26, p. 657
5-40-53	New	V. 26, p. 657
5-40-54	New	V. 26, p. 657
5-40-55	New	V. 26, p. 658
5-40-56	New	V. 26, p. 658
5-40-57	New	V. 26, p. 658
5-40-70	New	V. 26, p. 659
5-40-71	New	V. 26, p. 659
5-40-72	New	V. 26, p. 659
5-40-73	New	V. 26, p. 659

5-40-73a	New	V. 26, p. 660
5-40-74	New	V. 26, p. 661
5-40-75	New	V. 26, p. 661
5-40-76	New	V. 26, p. 662
5-40-77	New	V. 26, p. 662
5-40-90	New	V. 26, p. 662
5-40-91	New	V. 26, p. 663
5-40-92	New	V. 26, p. 663
5-40-93	New	V. 26, p. 663
5-40-94	New	V. 26, p. 663
5-40-100	New	V. 26, p. 663
5-40-101	New	V. 26, p. 663
5-40-102	New	V. 26, p. 664
5-40-103	New	V. 26, p. 664
5-40-104	New	V. 26, p. 664
5-40-105	New	V. 26, p. 664
5-40-106	New	V. 26, p. 664
5-42-1	Amended	V. 26, p. 664
5-42-5	New	V. 26, p. 665
5-44-7	New	V. 26, p. 666
5-45-1	Amended	V. 27, p. 1439
5-45-4	Amended	V. 27, p. 1440
5-45-19		
through		
5-45-23	New	V. 27, p. 1441, 1442

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-16-1	Amended	V. 27, p. 1548
7-16-2	Amended	V. 27, p. 1548
7-17-1	Amended	V. 27, p. 965
7-17-4	Amended	V. 27, p. 966
7-17-11	Amended	V. 27, p. 966
7-17-19	Amended	V. 27, p. 966
7-17-21	Amended	V. 27, p. 966
7-17-22	Amended	V. 27, p. 966
7-17-24	Amended	V. 27, p. 967
7-21-1	Amended	V. 27, p. 967
7-21-2	Amended	V. 27, p. 967
7-21-3	Revoked	V. 27, p. 967
7-21-4	New	V. 27, p. 967
7-23-13	Revoked	V. 27, p. 968
7-37-2	Revoked	V. 27, p. 968
7-38-2	Revoked	V. 27, p. 968
7-44-1		
through		
7-44-7	New	V. 26, p. 505, 506
7-45-1	New	V. 27, p. 968
7-45-2	New	V. 27, p. 968

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-20-1	Amended	V. 26, p. 507
10-20-2	Amended	V. 26, p. 507
10-20-2a	Amended	V. 26, p. 507
10-20-4	Amended	V. 26, p. 507

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-6-1		
through		
11-6-6	New	V. 27, p. 1633, 1634
11-8-3	Amended	V. 26, p. 1543
11-8-4	Amended	V. 26, p. 1543
11-12-1		
through		
11-12-7	New	V. 26, p. 1184-1187
11-12-1	Amended	V. 27, p. 1374
11-12-2	Amended	V. 27, p. 1375
11-12-3	Amended	V. 27, p. 1376
11-12-4	Amended	V. 27, p. 1377
11-12-6	Amended	V. 27, p. 1377

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

Reg. No.	Action	Register
14-8-2	Amended	V. 26, p. 1906
14-8-3	Amended	V. 26, p. 1906
14-8-6	Revoked	V. 27, p. 1214
14-8-7	Amended	V. 27, p. 1214
14-8-8	Revoked	V. 27, p. 1214

14-8-12	Revoked	V. 27, p. 1214
14-16-23	Revoked	V. 26, p. 1906
14-16-24	Revoked	V. 26, p. 1906
14-17-7	New	V. 27, p. 1214
14-24-1		
through		
14-24-6	New	V. 26, p. 1907

AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-25-1	New	V. 27, p. 356

AGENCY 19: GOVERNMENTAL ETHICS COMMISSION

Reg. No.	Action	Register
19-20-4	Amended	V. 27, p. 1020
19-20-5	New	V. 27, p. 1021
19-27-2	Amended	V. 27, p. 1021

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-6-1	Amended	V. 27, p. 1834
22-6-2	Revoked	V. 27, p. 1834
22-6-3	Revoked	V. 27, p. 1834
22-6-4	Revoked	V. 27, p. 1834
22-6-5	Amended	V. 27, p. 1834
22-6-6	Revoked	V. 27, p. 1834
22-6-7	Revoked	V. 27, p. 1835
22-6-8	Revoked	V. 27, p. 1835
22-6-9	Amended	V. 27, p. 1835
22-6-12	Amended	V. 27, p. 1835
22-6-13	Revoked	V. 27, p. 1835
22-6-14	Revoked	V. 27, p. 1835
22-6-18		
through		
22-6-27	New	V. 27, p. 1835-1837

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-5	Amended	V. 26, p. 1115
28-1-6	Amended	V. 26, p. 1115
28-1-20	Amended	V. 27, p. 989
28-4-117	Amended	V. 27, p. 990
28-4-120	Amended	V. 27, p. 990
28-4-121	New	V. 27, p. 990
28-4-122	Amended	V. 27, p. 317
28-4-311	Amended	V. 27, p. 317
28-4-312		
through		
28-4-317	Revoked	V. 27, p. 317, 318
28-4-430	Amended	V. 27, p. 991
28-4-800		
through		
28-4-825	New	V. 27, p. 318-334
28-15-35	Amended	V. 26, p. 825
28-15-36	Amended	V. 26, p. 829
28-15-36a	Amended	V. 26, p. 829
28-15-37	Amended	V. 26, p. 830
28-16-28g	Amended	V. 27, p. 779
28-16-56c	Amended	V. 26, p. 283
28-16-56d	Amended	V. 26, p. 284
28-18-1	Amended	V. 26, p. 284
28-18-2	Amended	V. 26, p. 288
28-18-4	Amended	V. 26, p. 289
28-18-8	Amended	V. 26, p. 289
28-18-9	Amended	V. 26, p. 290
28-18-11	Amended	V. 26, p. 1929
28-18-12	Amended	V. 26, p. 290
28-18-13	Amended	V. 26, p. 291
28-18-14	Amended	V. 26, p. 292
28-18-16	New	V. 26, p. 292
28-18-17	New	V. 26, p. 293
28-18a-1	Amended	V. 26, p. 294
28-18a-2	Amended	V. 26, p. 298
28-18a-4	Amended	V. 26, p. 299
28-18a-8	Amended	V. 26, p. 299
28-18a-9	Amended	V. 26, p. 300
28-18a-11	Amended	V. 26, p. 1929
28-18a-12	Amended	V. 26, p. 300
28-18a-19	Amended	V. 26, p. 301
28-18a-21	Amended	V. 26, p. 302
28-18a-22	Amended	V. 26, p. 302

28-18a-26	Amended	V. 26, p. 303
28-18a-32	Revoked	V. 26, p. 303
28-18a-33	New	V. 26, p. 303
28-19-720	Amended	V. 26, p. 951
28-19-728	New	V. 26, p. 951
28-19-728a		
through		
28-19-728f	New	V. 26, p. 951, 952
28-19-735	Amended	V. 26, p. 953
28-19-750	Amended	V. 26, p. 953
28-23-16	Revoked	V. 27, p. 191
28-24-1		
through		
28-24-14	Amended	V. 26, p. 1510-1514
28-24-15	Revoked	V. 26, p. 1514
28-24-16	Revoked	V. 26, p. 1514
28-24a-1	New	V. 26, p. 1514
28-24a-2	New	V. 26, p. 1514
28-24a-3	New	V. 26, p. 1515
28-29-28	Amended	V. 26, p. 1610
28-29-29	Amended	V. 26, p. 1611
28-29-29a	Amended	V. 26, p. 1611
28-29-29b	New	V. 26, p. 1612
28-29-30	Amended	V. 26, p. 1612
28-29-31	Amended	V. 26, p. 1613
28-29-31a	New	V. 26, p. 1614
28-29-32	Amended	V. 26, p. 1614
28-29-33	Amended	V. 26, p. 1615
28-29-2011	New	V. 26, p. 1615
28-29-2101	Amended	V. 26, p. 1615
28-32-1	Revoked	V. 27, p. 247
28-32-2	Revoked	V. 27, p. 247
28-32-4	Revoked	V. 27, p. 247
28-32-5	Revoked	V. 27, p. 247
28-32-6	Revoked	V. 27, p. 247
28-32-7	Revoked	V. 27, p. 247
28-32-8		
through		
28-32-14	New	V. 27, p. 247-249
28-35-135a	Amended	V. 26, p. 1142
28-35-135d	Amended	V. 26, p. 1144
28-35-135n	Amended	V. 26, p. 1145
28-35-135p	Amended	V. 26, p. 1145
28-35-135r	Amended	V. 26, p. 1147
28-35-177a	Amended	V. 26, p. 1148
28-35-178a	Amended	V. 26, p. 1149
28-35-178b	Amended	V. 26, p. 1150
28-35-180a	Amended	V. 26, p. 1151
28-35-181d	Amended	V. 26, p. 1152
28-35-181m	Amended	V. 26, p. 1153
28-35-181n	Amended	V. 26, p. 1154
28-35-181o	Amended	V. 26, p. 1155
28-35-182c	Amended	V. 26, p. 1155
28-35-184a	Amended	V. 26, p. 1156
28-35-201	Amended	V. 26, p. 1156
28-35-202	Revoked	V. 26, p. 1158
28-35-203	Amended	V. 26, p. 1158
28-35-216a	Amended	V. 26, p. 1159
28-35-230g	New	V. 26, p. 1159
28-35-289	Amended	V. 26, p. 1160
28-35-292	Amended	V. 26, p. 1162
28-35-308	Amended	V. 26, p. 1162
28-35-349	Amended	V. 26, p. 1162
28-35-450	Amended	V. 26, p. 1162
28-36-33		
through		
28-36-49	Revoked (T)	V. 26, p. 1682
28-36-33		
through		
28-36-49	Revoked	V. 27, p. 73
28-36-70		
through		
28-36-89	New (T)	V. 26, p. 1682-1696
28-36-70		
through		
28-36-89	New	V. 27, p. 73-87
28-36-101		
through		
28-36-108	Amended	V. 26, p. 1776-1779
28-36-109	New	V. 26, p. 1780
28-38-18	Amended	V. 27, p. 1742
28-38-19	Amended	V. 27, p. 1743
28-38-21	Amended	V. 27, p. 1743

(continued)

28-38-22	Amended	V. 27, p. 1744
28-38-23	Amended	V. 27, p. 1744
28-38-29	Amended	V. 27, p. 1745
28-46-2	Revoked	V. 26, p. 214
28-46-2a	New	V. 26, p. 215
28-46-25	Amended	V. 26, p. 215
28-46-26	Revoked	V. 26, p. 215
28-46-26a	New	V. 26, p. 215
28-46-34a	New	V. 26, p. 215
28-46-38	Amended	V. 26, p. 216
28-54-1		
through		
28-54-7	New	V. 26, p. 1640-1642
28-59-5	Amended	V. 27, p. 462
28-61-11	Amended	V. 27, p. 464

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-98	Amended	V. 26, p. 1905
30-5-65	Revoked	V. 26, p. 1091
30-5-78	Revoked	V. 27, p. 1022
30-10-15a	Revoked	V. 27, p. 1345
30-10-15b	Revoked	V. 27, p. 1345
30-10-17	Revoked	V. 27, p. 1345
30-10-18	Revoked	V. 27, p. 1345
30-10-23a	Revoked	V. 27, p. 1346
30-10-23b	Revoked	V. 27, p. 1346
30-10-25	Revoked	V. 27, p. 1346
30-10-26	Revoked	V. 27, p. 1346
30-10-27	Revoked	V. 27, p. 1346
30-10-200	Revoked	V. 27, p. 1346
30-10-210	Revoked	V. 27, p. 1346
30-63-32	New	V. 27, p. 664
30-64-24	Revoked	V. 27, p. 665

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-37	Amended	V. 26, p. 1393
40-1-48	Amended	V. 27, p. 1709
40-1-51	Revoked	V. 26, p. 1364
40-2-20	Amended	V. 26, p. 101
40-2-29	New	V. 27, p. 15
40-2-30	New	V. 26, p. 1545
40-3-25	Amended	V. 27, p. 15
40-3-34	Revoked	V. 26, p. 1423
40-3-52	New	V. 27, p. 133
40-4-41	Amended	V. 27, p. 434
40-4-41a		
through		
40-4-41j	Revoked	V. 27, p. 434, 435
40-7-19	Amended	V. 26, p. 881
40-7-20a	Amended	V. 26, p. 103
40-7-25	Amended	V. 26, p. 488

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-101	Amended	V. 27, p. 1126
44-6-114e	Amended	V. 27, p. 1128
44-6-115a	Amended	V. 27, p. 1134
44-6-125	Amended	V. 27, p. 1135
44-6-127		
through		
44-6-132	New	V. 27, p. 1135-1138
44-6-136	Amended	V. 26, p. 819
44-11-111	Amended	V. 26, p. 819
44-11-113	Amended	V. 26, p. 820
44-11-123	Amended	V. 26, p. 820
44-12-103	Amended	V. 26, p. 1074
44-12-105	Amended	V. 26, p. 1075
44-12-106	Amended	V. 26, p. 1075
44-12-107	Amended	V. 26, p. 1075
44-12-208	Amended	V. 26, p. 1075
44-12-210	Amended	V. 26, p. 1075
44-12-211	New	V. 26, p. 1075
44-12-212	New	V. 26, p. 1075
44-12-304	Amended	V. 26, p. 1075
44-12-306	Amended	V. 26, p. 1076
44-12-308	Amended	V. 26, p. 1076
44-12-312	Amended	V. 26, p. 1076
44-12-315	Amended	V. 26, p. 1076
44-12-320a	New	V. 26, p. 1076

44-12-325	Amended	V. 26, p. 1076
44-12-601	Amended	V. 26, p. 1077
44-12-901	Amended	V. 26, p. 1079
44-12-902	Amended	V. 26, p. 1079
44-12-903	New	V. 26, p. 1079
44-12-1101	Amended	V. 26, p. 1080
44-12-1201	Amended	V. 26, p. 1080
44-12-1301	Amended	V. 26, p. 1080
44-12-1302	Amended	V. 26, p. 1081
44-12-1303	Amended	V. 26, p. 1081
44-12-1306	Amended	V. 26, p. 1081
44-12-1308	Amended	V. 26, p. 1081
44-13-101a	Amended	V. 26, p. 1082
44-13-106	Amended	V. 26, p. 1082
44-13-201	Amended	V. 26, p. 1082
44-13-201a	New	V. 26, p. 1083
44-13-201b	Amended	V. 26, p. 1084
44-13-202	Amended	V. 26, p. 1084
44-13-307	Amended	V. 26, p. 1085
44-13-402	Amended	V. 26, p. 1085
44-13-403	Amended	V. 26, p. 1085
44-13-404	Amended	V. 26, p. 1087
44-13-405a	Amended	V. 26, p. 1088
44-13-406	Amended	V. 26, p. 1089
44-13-408	Amended	V. 26, p. 1089
44-13-603	Amended	V. 26, p. 1089
44-13-610	Amended	V. 26, p. 1089
44-13-701	Amended	V. 26, p. 1090
44-13-703	Amended	V. 26, p. 1090
44-13-704	Amended	V. 26, p. 1090
44-15-101a	Amended	V. 26, p. 820
44-15-102	Amended	V. 26, p. 821
44-15-104	Amended	V. 26, p. 822
44-16-104a	New	V. 26, p. 822

AGENCY 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-45-1	Amended	V. 27, p. 1466
49-45-2	Amended	V. 27, p. 1466
49-45-3	Amended	V. 27, p. 1466
49-45-4	Amended	V. 27, p. 1466
49-45-4a	Amended	V. 27, p. 1466
49-45-5	Amended	V. 27, p. 1466
49-45-6	Amended	V. 27, p. 1466
49-45-7	Amended	V. 27, p. 1467
49-45-8	Amended	V. 27, p. 1467
49-45-9	Amended	V. 27, p. 1467
49-45-20	Amended	V. 27, p. 1467
49-45-28	Amended	V. 27, p. 1467
49-45-29	Amended	V. 27, p. 1467
49-45-29b	New	V. 27, p. 1467
49-45-31	Amended	V. 27, p. 1467
49-45-34	Amended	V. 27, p. 1467
49-45-35	Amended	V. 27, p. 1467
49-45-36	New	V. 26, p. 1647
49-45-47	Amended	V. 27, p. 1467
49-50-6	Amended	V. 26, p. 1647
49-50-20	Amended	V. 26, p. 1647

AGENCY 50: DEPARTMENT OF LABOR— DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-3-2	Amended	V. 26, p. 1642

AGENCY 51: DEPARTMENT OF LABOR— DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-9-7	Amended	V. 26, p. 1639

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-1-103	Amended	V. 27, p. 1603
60-1-104	Amended	V. 27, p. 1603
60-2-101	Amended	V. 27, p. 1604
60-2-102	Amended	V. 27, p. 1605, 1670
60-2-104	Amended	V. 27, p. 1606
60-2-107	Amended	V. 27, p. 1606
60-2-108	Amended	V. 27, p. 1607
60-3-106	Amended	V. 27, p. 1607
60-3-106a	Amended	V. 27, p. 1608
60-3-113	Amended	V. 27, p. 1608
60-3-114	Amended	V. 27, p. 1608
60-4-101	Amended	V. 26, p. 446
60-7-106	Amended	V. 26, p. 447

60-7-111	New	V. 27, p. 1609
60-8-101	Amended	V. 26, p. 448
60-9-106	Amended	V. 26, p. 1112
60-11-119	Amended	V. 26, p. 448
60-17-102	Amended	V. 26, p. 448
60-17-103	Amended	V. 26, p. 449
60-17-104	Amended	V. 26, p. 449
60-17-105	Amended	V. 26, p. 450
60-17-107	Amended	V. 26, p. 450
60-17-108	Amended	V. 26, p. 451
60-17-110	Amended	V. 26, p. 451

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-1	Amended	V. 26, p. 126
63-2-26	New	V. 27, p. 108
63-4-1	Amended	V. 27, p. 108
63-5-1	Amended	V. 26, p. 126

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 27, p. 315
66-6-4	Amended	V. 27, p. 316
66-9-5	Amended	V. 26, p. 1024
66-10-1	Amended	V. 27, p. 317
66-10-10a	Amended	V. 26, p. 1024
66-11-5	Amended	V. 26, p. 1025

AGENCY 67: BOARD OF EXAMINERS IN THE FITTING AND DISPENSING OF HEARING INSTRUMENTS

Reg. No.	Action	Register
67-5-3	Revoked	V. 26, p. 692
67-5-4	Amended	V. 26, p. 692
67-5-5	New	V. 26, p. 692

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-5-16	Amended	V. 26, p. 488
68-7-11	Amended	V. 26, p. 1112
68-7-12	Amended	V. 26, p. 1114
68-7-12b	Amended	V. 27, p. 1518
68-7-20	Amended	V. 27, p. 435
68-11-2	Amended	V. 27, p. 1518
68-20-17	Amended	V. 26, p. 488
68-20-23	New (T)	V. 27, p. 1709

AGENCY 69: BOARD OF COSMETOLOGY (by Dept. of Health and Environment)

Reg. No.	Action	Register
69-12-6	Revoked	V. 26, p. 1515
69-12-13	Revoked	V. 26, p. 1515

AGENCY 70: BOARD OF VETERINARY EXAMINERS

Reg. No.	Action	Register
70-5-1	Amended	V. 26, p. 1863

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-2	Amended	V. 26, p. 1954
74-1-3	Amended	V. 26, p. 1954
74-1-6	Amended	V. 26, p. 1955
74-1-8	Amended	V. 26, p. 1955
74-2-7	Amended	V. 26, p. 1955
74-4-1a	Amended	V. 26, p. 126
74-4-7	Amended	V. 27, p. 626
74-4-8	Amended	V. 27, p. 626
74-4-9	Amended	V. 27, p. 627
74-4-10	Amended	V. 27, p. 627
74-5-2	Amended	V. 26, p. 1956
74-5-101	Amended	V. 26, p. 1957
74-5-105	Revoked	V. 26, p. 127
74-5-201	Amended	V. 26, p. 1957
74-5-202	Amended	V. 26, p. 1957
74-5-204	Revoked	V. 26, p. 1957
74-5-403	Amended	V. 26, p. 128
74-5-405a	New	V. 26, p. 1957
74-5-406	Amended	V. 26, p. 1958
74-5-408	New	V. 26, p. 128
74-6-1	Amended	V. 26, p. 1958
74-7-2	Amended	V. 26, p. 1958
74-11-6	Amended	V. 26, p. 128

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-2	Amended	V. 27, p. 1801
81-5-7	Amended	V. 27, p. 1156
81-7-2	Amended	V. 27, p. 1156
81-14-1	Amended	V. 27, p. 1157
81-14-2	Amended	V. 27, p. 1801
81-14-5	Amended	V. 27, p. 1159
81-14-9	Amended	V. 27, p. 1163

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-103	Amended	V. 26, p. 1609
82-3-107	Amended	V. 27, p. 1518
82-3-108	Amended	V. 27, p. 1519
82-3-111	Amended	V. 27, p. 1520
82-3-119	Revoked	V. 26, p. 1643
82-3-123	Amended	V. 26, p. 1643
82-3-123a	Amended	V. 26, p. 1644
82-3-124	Amended	V. 26, p. 1644
82-3-131	Amended	V. 26, p. 1645
82-3-135a	Amended	V. 27, p. 1521
82-3-135b	Amended	V. 27, p. 1521
82-3-138	Amended	V. 27, p. 1521
82-3-140	Amended	V. 26, p. 1645
82-3-300	Amended	V. 26, p. 1645
82-3-303	Amended	V. 26, p. 823
82-3-304	Amended	V. 26, p. 824
82-3-402	Amended	V. 27, p. 1521
82-3-408	Amended	V. 26, p. 1646
82-3-603a	New	V. 26, p. 1610
82-4-30a	Amended (T)	V. 26, p. 1930
82-4-30a	Amended	V. 27, p. 1020
82-11-1	Amended	V. 27, p. 43
82-11-3	Amended	V. 27, p. 43
82-11-4	Amended	V. 27, p. 44
82-11-7	Amended	V. 27, p. 49
82-11-8	Amended	V. 27, p. 49

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-2	Amended	V. 26, p. 1728
86-1-5	Amended	V. 26, p. 1728
86-1-10	Amended	V. 26, p. 1729
86-1-11	Amended	V. 26, p. 1730
86-1-13	Amended	V. 26, p. 1731
86-1-15	Amended	V. 26, p. 1732
86-1-17	Amended	V. 26, p. 1732
86-1-18	Amended	V. 26, p. 1733
86-1-19	Amended	V. 26, p. 1733
86-1-20	New	V. 26, p. 1734
86-2-3	Revoked	V. 26, p. 1734
86-2-5	Revoked	V. 26, p. 1734
86-2-7	Revoked	V. 26, p. 1734
86-3-3	Revoked	V. 26, p. 1734
86-3-8	Amended	V. 26, p. 1734
86-3-9	Amended	V. 26, p. 1734
86-3-15	Amended	V. 26, p. 1734
86-3-19	Amended (T)	V. 27, p. 1090
86-3-19	Amended	V. 27, p. 1517
86-3-21	Amended	V. 26, p. 1735
86-3-22	Amended	V. 26, p. 1735
86-3-26a	New	V. 26, p. 1736
86-3-30	New (T)	V. 27, p. 1091
86-3-30	New	V. 27, p. 1517

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-3-8	Revoked	V. 26, p. 1141
88-3-8a	New	V. 26, p. 1141
88-3-12	Amended	V. 26, p. 1141
88-24-1	Amended	V. 26, p. 1142
88-24-2	Amended	V. 26, p. 1142
88-29-1		
through		
88-29-19	New	V. 26, p. 216-229
88-30-1	New	V. 26, p. 1544
88-30-2	New	V. 26, p. 1544
88-30-3	New	V. 26, p. 1544

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-200	Amended	V. 27, p. 1027
91-1-201	Amended	V. 27, p. 1028
91-1-202	Amended	V. 26, p. 1218
91-1-203	Amended	V. 27, p. 1030
91-1-204	Amended	V. 27, p. 1034
91-1-205	Amended	V. 27, p. 1036
91-1-207	Amended	V. 27, p. 1037
91-1-209	Amended	V. 27, p. 1037
91-1-210	Amended	V. 27, p. 1038
91-1-220	Amended	V. 27, p. 1038
91-1-221	Amended	V. 27, p. 1040
91-1-234	New	V. 26, p. 1226
91-19-1	Amended	V. 27, p. 1041
91-19-6	Amended	V. 27, p. 1041
91-40-1	Amended	V. 27, p. 274
91-40-2	Amended	V. 27, p. 279
91-40-3	Amended	V. 27, p. 279
91-40-5	Amended	V. 27, p. 280
91-40-7		
through		
91-40-12	Amended	V. 27, p. 281-284
91-40-16	Amended	V. 27, p. 285
91-40-17	Amended	V. 27, p. 285
91-40-21	Amended	V. 27, p. 286
91-40-22	Amended	V. 27, p. 287
91-40-26		
through		
91-40-31	Amended	V. 27, p. 287-289
91-40-33	Amended	V. 27, p. 290
91-40-34	Amended	V. 27, p. 290
91-40-35	Amended	V. 27, p. 290
91-40-37	Revoked	V. 27, p. 291
91-40-38	Amended	V. 27, p. 291
91-40-39	Revoked	V. 27, p. 291
91-40-41	Amended	V. 27, p. 291
91-40-42	Amended	V. 27, p. 291
91-40-42a	New	V. 27, p. 292
91-40-43	Amended	V. 27, p. 293
91-40-44	Amended	V. 27, p. 293
91-40-45	Amended	V. 27, p. 293
91-40-46	Amended	V. 27, p. 294
91-40-48	Amended	V. 27, p. 294
91-40-50	Amended	V. 27, p. 294
91-40-51	Amended	V. 27, p. 295

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-114	New	V. 27, p. 865
92-12-140		
through		
92-12-145	New	V. 27, p. 866, 867
92-19-16a	Amended	V. 26, p. 408
92-19-16b	New	V. 26, p. 409
92-19-55a	Revoked	V. 26, p. 409
92-19-70	Revoked	V. 27, p. 868
92-19-81	Amended	V. 26, p. 409
92-21-7	Revoked	V. 26, p. 409
92-21-8	Revoked	V. 26, p. 409
92-21-10	Revoked	V. 26, p. 409
92-21-14	Amended	V. 26, p. 409
92-21-16	Revoked	V. 26, p. 409
92-21-17	Revoked	V. 26, p. 409
92-27-1		
through		
92-27-5	New	V. 26, p. 1648, 1649
92-52-14	New	V. 27, p. 1214
92-52-15	New	V. 27, p. 1214
92-52-16	New	V. 27, p. 1215

AGENCY 94: COURT OF TAX APPEALS

Reg. No.	Action	Register
94-2-1		
through		
94-2-5	Amended (T)	V. 27, p.1091-1093
94-2-1		
through		
94-2-5	Amended	V. 27, p.1522-1524
94-2-8		
through		
94-2-16	Amended (T)	V. 27, p. 1093-1095

94-2-8		
through		
94-2-16	Amended	V. 27, p. 1524-1526
94-2-19	Amended (T)	V. 27, p. 1095
94-2-19	Amended	V. 27, p. 1527
94-2-20	Amended (T)	V. 27, p. 1096
94-2-20	Amended	V. 27, p. 1527
94-2-21	Amended (T)	V. 27, p. 1096
94-2-21	Amended	V. 27, p. 1528
94-3-1	Amended (T)	V. 27, p. 1097
94-3-1	Amended	V. 27, p. 1529
94-3-2	Amended (T)	V. 27, p. 1098
94-3-2	Amended	V. 27, p. 1529
94-4-1	Amended (T)	V. 27, p. 1098
94-4-1	Amended	V. 27, p. 1530
94-4-2	Amended (T)	V. 27, p. 1098
94-4-2	Amended	V. 27, p. 1530

AGENCY 97: KANSAS COMMISSION ON VETERANS' AFFAIRS

Reg. No.	Action	Register
97-6-1	New	V. 26, p. 484
97-6-2	New	V. 26, p. 485
97-6-4		
through		
97-6-11	New	V. 26, p. 485-488

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

Reg. No.	Action	Register
99-25-1	Amended	V. 27, p. 108
99-25-9	Amended	V. 27, p. 108
99-25-11	New	V. 27, p. 109
99-27-2	Amended	V. 27, p. 1019
99-27-3	Revoked	V. 27, p. 1019
99-27-4	Amended	V. 27, p. 1019
99-27-5	Amended	V. 27, p. 1019

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended	V. 26, p. 1258
100-11-1	Amended (T)	V. 27, p. 1602
100-15-5	Amended	V. 26, p. 384
100-15-6	Amended	V. 26, p. 385
100-22-6	New	V. 26, p. 1642
100-22-7	New	V. 26, p. 1043
100-22-8	New	V. 26, p. 1367
100-22-8	Revoked (T)	V. 26, p. 1929
100-22-8	Revoked	V. 27, p. 357
100-22-8a	New (T)	V. 26, p. 1929
100-22-8a	New	V. 27, p. 357
100-28a-1	Amended	V. 26, p. 1753
100-28a-1	Amended (T)	V. 27, p. 1602
100-29-7	Amended	V. 27, p. 209
100-49-4	Amended	V. 26, p. 1258
100-49-10	New	V. 26, p. 1367
100-54-4	Amended	V. 27, p. 209
100-54-7	Amended	V. 26, p. 1043
100-54-8	Amended	V. 26, p. 1044
100-55-4	Amended	V. 27, p. 209
100-69-1	Amended	V. 27, p. 1672
100-69-2	Revoked	V. 27, p. 1672
100-72-1	Amended (T)	V. 27, p. 1602
100-73-1	Amended	V. 26, p. 1258
100-73-9	Amended	V. 27, p. 315

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-7	Revoked	V. 26, p. 881
102-1-12	Amended	V. 27, p. 407
102-1-13	Amended	V. 26, p. 1774
102-2-3	Amended	V. 26, p. 1775
102-2-7	Amended	V. 27, p. 1801
102-2-10	Revoked	V. 26, p. 881
102-3-2	Amended	V. 26, p. 1775
102-3-8a	Revoked	V. 26, p. 881
102-3-12a	Amended	V. 27, p. 1117
102-4-1a	Amended	V. 27, p. 1803
102-4-2	Amended	V. 26, p. 1775
102-4-6a	Amended	V. 27, p. 1805
102-4-6b	New	V. 27, p. 1806

(continued)

102-4-8a	Revoked	V. 26, p. 881
102-4-10a	Amended	V. 27, p. 1806
102-4-12	Amended	V. 27, p. 1120
102-5-2	Amended	V. 26, p. 1776
102-5-8	Revoked	V. 26, p. 881
102-5-12	Amended	V. 27, p. 1122
102-6-8	Amended	V. 26, p. 881
102-6-12	Amended	V. 27, p. 1124

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-11-1	Amended (T)	V. 27, p. 1233
105-11-1	Amended	V. 27, p. 1838

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-5-5	New	V. 27, p. 1548

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-13-10	Amended	V. 26, p. 1752
110-13a-1	New	V. 27, p. 1063
110-13a-2	New	V. 27, p. 1063
110-13a-3	New	V. 27, p. 1064
110-15-1 through 110-15-4	New	V. 26, p. 1864
110-16-1 through 110-16-4	New	V. 26, p. 1865, 1866
110-17-1 through 110-17-4	New	V. 26, p. 1866, 1867
110-18-1 through 110-18-4	New	V. 26, p. 1867, 1868
110-19-1 through 110-19-4	New	V. 27, p. 1064, 1065
110-20-1 through 110-20-4	New	V. 27, p. 1065, 1066

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 by the Kansas Lottery from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed by the Kansas Lottery from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed by the Kansas Lottery from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. The following regulations were filed after January 1, 2008:

Reg. No.	Action	Register
111-2-211	New	V. 27, p. 992
111-2-212	New	V. 27, p. 1559
111-2-213	New	V. 27, p. 1560
111-4-2614	Amended	V. 27, p. 964
111-4-2645 through 111-4-2656	New	V. 27, p. 436-442
111-4-2657 through 111-4-2662	New	V. 27, p. 992-996
111-4-2663 through 111-4-2664	New	V. 27, p. 1489
111-4-2683 through 111-4-2684	New	V. 27, p. 1560-1570
111-4-2702 through 111-4-2695	New	V. 27, p. 1634-1644
111-4-2703 through 111-4-2710	Amended	V. 27, p. 1709
111-4-2711 through 111-4-2715	New	V. 27, p. 1672-1677
111-4-2715	New	V. 27, p. 1677-1680

111-4-2716 through 111-4-2726	New	V. 27, p. 1709-1718
111-4-2727 through 111-4-2744	New	V. 27, p. 1746-1761
111-5-81	Amended	V. 27, p. 1490
111-5-83	Amended	V. 27, p. 1490
111-5-84	Amended	V. 27, p. 1491
111-5-90	Amended	V. 27, p. 1491
111-5-127	Amended	V. 27, p. 442
111-5-128	Amended	V. 27, p. 443
111-5-132	Amended	V. 27, p. 443
111-5-165 through 111-5-169	New	V. 27, p. 1491-1493
111-7-223 through 111-7-232	New	V. 27, p. 1493-1495
111-7-223a	New	V. 27, p. 1762
111-9-152	New	V. 27, p. 1762

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-4-9a	Amended	V. 27, p. 19
112-4-14a	Amended	V. 27, p. 19
112-5-1	Amended	V. 27, p. 19
112-6-1	Amended	V. 27, p. 20
112-7-6	Amended	V. 27, p. 20
112-7-8	Amended	V. 27, p. 21
112-7-15a	Amended	V. 27, p. 21
112-7-16	Amended	V. 27, p. 22
112-7-18a	Amended	V. 27, p. 22
112-7-20	Amended	V. 27, p. 23
112-8-9	Amended	V. 27, p. 23
112-10-12	Amended	V. 27, p. 23
112-10-32	Amended	V. 27, p. 23
112-11-10	Amended	V. 27, p. 24
112-11-20	Amended	V. 27, p. 24
112-18-1	Amended	V. 27, p. 26
112-100-1 through 112-100-7	New	V. 27, p. 1378
112-104-1 through 112-104-33	New	V. 27, p. 1378-1406
112-105-1 through 112-105-7	New	V. 27, p. 1406-1408
112-106-1 through 112-106-7	New	V. 27, p. 1408-1411
112-112-1 through 112-112-9	New	V. 27, p. 1411-1413

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 27, p. 1704
115-2-3	Amended	V. 27, p. 1264
115-2-3a	Amended	V. 27, p. 1705
115-2-5	Amended	V. 27, p. 1265
115-4-4	Amended	V. 27, p. 403
115-4-4a	Amended	V. 27, p. 403
115-4-6	Amended	V. 27, p. 109
115-4-6a	Revoked	V. 27, p. 112
115-4-13	Amended	V. 27, p. 404
115-4-14	Revoked	V. 27, p. 112
115-7-1	Amended	V. 27, p. 1707
115-7-2	Amended	V. 27, p. 1708
115-7-8	Amended	V. 27, p. 405
115-7-9	Amended	V. 27, p. 406
115-8-1	Amended	V. 27, p. 572
115-8-7	Amended	V. 26, p. 1364
115-8-9	Amended	V. 27, p. 1265
115-8-10	Amended	V. 27, p. 1265
115-8-13	Amended	V. 27, p. 112
115-9-9	Amended	V. 26, p. 641
115-18-7	Amended	V. 27, p. 406
115-18-10	Amended	V. 26, p. 1727
115-18-12	Amended	V. 26, p. 1728
115-18-20	Amended	V. 26, p. 1728

115-18-21	New	V. 27, p. 1708
115-30-1	Amended	V. 26, p. 1364
115-30-5	Amended	V. 26, p. 1365
115-30-7	Amended	V. 26, p. 1365
115-30-8	Amended	V. 26, p. 1365
115-30-10	Amended	V. 26, p. 1366
115-30-12	New	V. 26, p. 1366

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 26, p. 1259
117-2-1	Amended	V. 26, p. 1259
117-2-2	Amended	V. 26, p. 1260
117-2-2a	Amended	V. 27, p. 16
117-2-3	Amended	V. 26, p. 1261
117-2-4	Amended	V. 26, p. 1261
117-3-1	Amended	V. 26, p. 1262
117-3-2	Amended	V. 26, p. 1265
117-3-2a	Amended	V. 27, p. 17
117-3-4	Amended	V. 26, p. 1264
117-4-1	Amended	V. 26, p. 1264
117-4-2	Amended	V. 26, p. 1265
117-4-2a	Amended	V. 27, p. 17
117-4-3	Amended	V. 26, p. 1266
117-4-4	Amended	V. 26, p. 1266
117-5-2a	Amended	V. 27, p. 18
117-6-1	Amended	V. 27, p. 357
117-6-2	Amended	V. 26, p. 1267
117-7-1	Amended	V. 27, p. 18
117-8-1	Amended	V. 27, p. 19

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-4-4	Amended	V. 26, p. 46

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-2-1	Amended	V. 26, p. 1908
121-3-1	Amended	V. 26, p. 1908
121-5-4	New	V. 26, p. 1909
121-9-1	New	V. 26, p. 1910
121-10-1	New	V. 27, p. 1099
121-10-2	New	V. 27, p. 1099

AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION

Reg. No.	Action	Register
128-1-1	New (T)	V. 27, p. 106
128-1-1	New	V. 27, p. 358
128-2-1	New	V. 27, p. 360
128-2-3 through 128-2-13	New	V. 27, p. 360-362
128-2-12	New (T)	V. 27, p. 107
128-3-1	New	V. 27, p. 362
128-4-1 through 128-4-9	New	V. 27, p. 363-367
128-4a-1	New	V. 27, p. 367
128-5-1	New	V. 27, p. 367
128-5-2	New	V. 27, p. 368
128-6-1	New	V. 27, p. 368
128-6-2	New	V. 27, p. 371
128-6-4	New	V. 27, p. 374

AGENCY 129: KANSAS HEALTH POLICY AUTHORITY

Reg. No.	Action	Register
129-5-1	Amended	V. 27, p. 628
129-5-65	New	V. 26, p. 1091
129-5-78	New	V. 27, p. 1022
129-5-108	New	V. 27, p. 1346
129-10-15a	New	V. 27, p. 1346
129-10-15b	New	V. 27, p. 1348
129-10-17	New	V. 27, p. 1348
129-10-18	New	V. 27, p. 1350
129-10-23a	New	V. 27, p. 1353
129-10-23b	New	V. 27, p. 1353
129-10-25	New	V. 27, p. 1354
129-10-26	New	V. 27, p. 1355
129-10-27	New	V. 27, p. 1356
129-10-200	New	V. 27, p. 1356
129-10-210	New	V. 27, p. 1358

Order a custom-made loose-leaf binder for the Kansas Register!

Custom-made binders are available to attractively hold up to a year's worth of your copies of the Kansas Register for permanent use. The high quality, durable casebound swinge-hinge binders are manufactured by ABZ Binder. (A swinge-hinge binder has more capacity and allows for easier interfiling than standard ring binders.) The three-inch binder features dark blue supported vinyl covering and gold imprinting, with a label holder on the spine.

\$15 each, includes shipping and handling.
 (Kansas residents must include applicable state and local sales tax.)



In this issue . . .

Kansas Department of Health and Environment Requests for comments on proposed air quality permits	34, 39
Annual Program Report for the Voluntary Cleanup and Property Redevelopment Program	35
Notice of hearing on proposed air quality permit	36
Notice concerning Kansas water pollution control permits	37
Pooled Money Investment Board Notice of investment rates	35
State Banking Board Notice of 2002 meeting schedule	36
Department of Administration Public notice	37
Wildlife and Parks Commission Notice of hearing on proposed administrative regulations	39
Attorney General Opinions 2001-48 through 2001-56	39
Information Network of Kansas Notice of meeting	40
City of Overland Park Notice to bidders	42
Department of Administration—Division of Purchases Notice to bidders for state purchases	42
	43

Please send _____

Total enclosed _____

Clip and mail

Kansas Register Binders @ \$15

(Note: Kansas residents must include applicable state and local sales tax.)

Ship to:

Shipping is by
 U.P.S. Delivery Service—
 Street address is necessary.

Mail this form, with payment, to: Kansas Register, Secretary of State, 1st Floor,
 Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594

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

Use this form or a copy of it to enter a subscription:

_____ **One-year subscription @ \$80 ea.**
**(Kansas residents must include
applicable state and local sales tax.)**

Total Enclosed
(Make check payable to the Kansas Register)

Send to: _____

(Please, no
more than
4 address
lines.)

Zip code must be included

Rec. No. _____ Exp. _____ Code _____

This space for Register office use only.

Use this form or a copy of it to enter a name or address change:

Remove your mailing label (above) and affix it here:



Indicate change of name or address
here:

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