



Kansas Register

Chris Biggs, Secretary of State

Vol. 29, No. 27

July 8, 2010

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USDA—Natural Resources Conservation Service

Notice of Kansas Technical Committee Meeting

The Kansas Technical Committee will meet from 10 a.m. to noon Wednesday, July 28, at the NRCS Conference Center, 747 S. Duvall, Salina. The agenda will cover the following:

Wetlands Reserve Program (WRP)

- Review Geographical Area Rate Caps for Fiscal Year (FY) 2011
- Setting threshold limits for continuous approval of applications
- Review of WRP eligible practice list
- Acceptable structures on WRP easements

Grassland Reserve Program (GRP)

- Review Geographical Area Rate Cap for FY 2011

Other agenda items may be sent by July 14 to Troy J. Munsch, Assistant State Conservationist for Programs, NRCS, 760 S. Broadway, Salina, 67401-4604, or e-mail at troy.munsch@ks.usda.gov. Persons requiring special assistance to attend the meeting should contact Troy Munsch at the contact information above or by calling (785) 823-4580.

NRCS is an equal opportunity provider and employer.

Eric B. Banks
State Conservationist

Doc. No. 038498

State of Kansas

Office of the State Bank Commissioner

Notice of Revocation

WHEREAS, pursuant to Kansas Statutes Annotated K.S.A. 9-1715(b), the State Bank Commissioner issued Special Order 2005-1 on November 18, 2005 to empower Kansas state chartered banks to purchase and hold life insurance in a manner consistent with the parameters outlined in the Interagency Statement on the Purchase and Risk Management of Life Insurance, issued on December 7, 2004 by The Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of Thrift Supervision; and

WHEREAS, during the 2010 legislative session, the Kansas Legislature amended K.S.A. 9-1101(24) to include the authority granted in Special Order 2005-1, with such amendment taking effect on July 1, 2010; and

WHEREAS, the State Bank Commissioner deems Special Order 2005-1 to be no longer necessary beginning on July 1, 2010 and thereafter;

NOW, THEREFORE, Special Order 2005-1 is hereby revoked by the State Bank Commissioner. This revocation shall take effect the 1st day of July, 2010.

IT IS SO ORDERED.

Judi Stork
Acting State Bank Commissioner

Doc. No. 038503

State of Kansas

State Fair Board

Notice of Meeting

The Kansas State Fair Board will meet at 10:30 a.m. Wednesday, July 14, in Hutchinson. For more information, call Denny Stoecklein at (620) 669-3600.

Tom R. Tunnell
President

Doc. No. 038495

State of Kansas

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Final Written Determinations, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&A's, Information Guides and Notices published by the Department of Revenue for June 2010. Copies can be obtained by accessing the Policy Information Library located on the Internet at www.ksrevenue.org or by calling the Office of Policy and Research at (785) 296-3081.

Private Letter Rulings

P-2010-003 Sales tax treatment of untethered hot air balloon rides.

Opinion Letters

- O-2010-004 Bond requirements for out-of-state contractors.
O-2010-005 Kansas sales tax as applied to application service providers (ASP's).
O-2010-006 Sales tax in Kansas as applied to sales of medical items.
O-2010-007 Installation or application services performed to repair damages to motor vehicles.

Final Written Determinations

No new publications

Revenue Rulings

19-2010-01 Application of 2010 House Bill 2554 to Business and Job Development Tax Credits.

Notices

- 10-03 Instruction for reporting sales receipts on sales tax returns filed for July 2010.
10-04 2010 Motor Fuel Legislative Update.
10-05 Kansas Retailers' Sales or Compensating Use Tax Simplified Electronic Return Policies.

Memorandums

2010 Legislative Enactments & Changes.

Property Valuation Division Directives

No new publications

Q&A's

No new publications

Information Guides

Tire Dealer Self-Audit Fact Sheet.
Golf Course and Country Club Self-Audit Fact Sheet.

Joan Wagnon
Secretary of Revenue

Doc. No. 038512

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 12-15. 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. The 2010 interim committee memberships and committee agendas can be found at http://skyways.lib.ks.us/ksleg/KLRD/Committees.htm.

Date	Room	Time	Committee	Agenda
July 12	548-S	10:00 a.m.	Kansas Electric Transmission Authority	KETA business.
July 15	152-S	1:30 p.m.	Legislative Coordinating Council	Legislative matters.
July 15	548-S	11:00 a.m.	Senate Confirmation Oversight Committee	Confirmations for various nominees.

Jeffrey M. Russell
Director of Legislative
Administrative Services

Doc. No. 038515

State of Kansas

Secretary of State

Usury Rate for July

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of July 1, 2010 through July 31, 2010, is 5.74 percent.

Chris Biggs
Secretary of State

Doc. No. 038490

State of Kansas

Secretary of State

Notice of Judgment Interest Rate

Pursuant to the provisions of K.S.A. 16-204, the rate of interest on judgments rendered by courts of the state of Kansas pursuant to the code of civil procedure is 4.75 percent during the period of July 1, 2010 through June 30, 2011.

Chris Biggs
Secretary of State

Doc. No. 038492

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. 2009 Supp. 12-1675(b)(c)(d) and K.S.A. 2009 Supp. 12-1675a(g).

Effective 7-5-10 through 7-11-10

Term	Rate
1-89 days	0.16%
3 months	0.14%
6 months	0.21%
1 year	0.39%
18 months	0.49%
2 years	0.58%

Elizabeth B.A. Miller
Director of Investments

Doc. No. 038493

State of Kansas

Social and Rehabilitation Services

Request for Proposals

The Department of Social and Rehabilitation Services will accept applications for the provision of social services to refugees for the service period October 1, 2010 through September 30, 2011. Applications must be postmarked by August 6. Applications postmarked after that date will not be considered.

Instructions for completing the application are described in the request for proposals (RFP), available at <http://www.srs.ks.gov/Pages/Default.aspx> or upon request from Lewis A. Kimsey, Social and Rehabilitation Services, Refugee Resettlement Program, Room 681-W, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, (785) 296-0147.

Don Jordan
Secretary of Social and
Rehabilitation Services

Doc. No. 038510

State of Kansas

Secretary of State

Code Mortgage Rate for July

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of July 1, 2010 through July 31, 2010, is 12 percent.

Chris Biggs
Secretary of State

Doc. No. 038491

State of Kansas

Social and Rehabilitation Services

Request for Proposals

The Department of Social and Rehabilitation Services and the Kansas Children’s Cabinet and Trust Fund announce the release of a request for proposals. This grant is for community-based child abuse and neglect prevention.

The federal CBCAP RFP offer grants to family resource and support programs, up to a maximum amount of \$250,000 over a one-year grant period (with two renewals based on outcomes), focused primarily on prevention of child abuse and neglect. Proposals may include a wide range of activities undertaken in support of the overall goal of the initiative, which is to provide evidence-based/evidence-informed practices to prevent child abuse and neglect.

Vendors interested in applying can download the RFP at www.kschildrenscabinet.org, or a copy of the RFP may be obtained by contacting Dyogga Adegboro, Kansas Children’s Cabinet and Trust Fund, Room 152, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 368-7044 or Dyogga.Adegboro@srs.ks.gov. Complete proposals must be received in the above office not later than 5 p.m. July 22.

Don Jordan
Secretary of Social and
Rehabilitation Services

Doc. No. 038509

State of Kansas

Board of Regents Universities

Notice to Bidders

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities’ Purchasing Offices’ Web sites for a listing of all transactions, including construction projects, for which the universities’ Purchasing Offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids or proposals.

Emporia State University — Bid postings: www.emporia.edu/busaff/purchasing/vendor-procedures.htm. Additional contact info: Phone 620-341-5145, fax 620-341-5073, e-mail thouse@emporia.edu. Mailing address: Emporia State University, Controller’s Office/Purchasing, Campus Box 4021, 1200 Commercial, Emporia, KS 66801.

Fort Hays State University — Bid postings: www.fhsu.edu/purchasing/bids. Additional contact info: Phone 785-628-4251, fax

785-628-4046, e-mail purchasing@fhsu.edu. Mailing address: Fort Hays State Purchasing Office, 601 Park St., Sheridan Hall 318, Hays, KS 67601.

Kansas State University — Bid postings: www.k-state.edu/purchasing/rfq. Additional contact info: Phone 785-532-6214, fax 785-532-5577, e-mail kspurch@k-state.edu. Mailing address: Controller’s Office/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

Pittsburg State University — Bid postings: www.pittstate.edu/office/purchasing. Additional contact info: Phone 620-235-4169, fax 620-235-4166, e-mail jensch@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

University of Kansas — Electronic bid postings: <http://www.purchasing.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 7, Lawrence, KS 66045. Additional contact info: Phone 785-864-5971, fax 785-864-3454, e-mail purchasing@ku.edu.

University of Kansas Medical Center — Bid postings: <http://www2.kumc.edu/finance/purchasing/bids.html>. Additional contact info: Phone 913-588-1100, fax 913-588-1102. Mailing address: University of Kansas Medical Center; Purchasing Department, Mail Stop 2034; 3901 Rainbow Blvd., Kansas City, KS 66160.

Wichita State University — Bid Postings: www.wichita.edu/purchasing. Additional contact info: Phone 316-978-3030, fax 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Barry Swanson
Chair of Regents Purchasing Group
Director of Purchasing
and Strategic Sourcing
University of Kansas

Doc. No. 038494

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.

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/.

- 07/22/2010 A-011396 Metal Roof Retrofit - Kitchen/Dining & Supply Maintenance, Topeka Correctional Facility, Topeka
- 07/28/2010 A-011376 Subarea Bay Addition — Dodge City, Dept. of Transportation, Topeka
- 07/29/2010 A-011461 Partial TPO Reroof — Commons Building — El Dorado Correctional Facility, El Dorado

Chris Howe
Director of Purchases

Doc. No. 038518

State of Kansas

Secretary of State**Executive Appointments**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions, and county officials are included in the Kansas Directory, which is available on the Secretary of State's Web site at www.kssos.org. The following appointments were recently filed with the Secretary of State:

Lane County Sheriff

Robert P. Williams, P.O. Box 574, Dighton, 67839. Succeeds Donald Wilson, resigned.

State Board of Accountancy

Jeffrey A. Leiserowitz, 4969 W. 132nd Terrace, Leawood, 66209. Term expires July 31, 2013. Reappointed.

Patricia A. O'Sullivan, 8241 Greenbriar Court, Wichita, 67226. Term expires July 31, 2013. Reappointed.

Rodney G. Van Norden, 1703 Grandview Drive East, Garden City, 67846. Term expires July 31, 2013. Reappointed.

Advisory Council on Aging

Leo P. Bracciano, 1060 Hartland Dr., Lawrence, 66049. Term expires June 30, 2013. Reappointed.

Rita L. Griffith, 13717 Manor, Leawood, 66224. Term expires June 30, 2012. Reappointed.

Ray Huber, 2438 Morning Dew, Wichita, 67205. Term expires June 30, 2012. Reappointed.

Barbara G. Hutchinson, 403 Grant St., Circleville, 66416. Term expires June 30, 2013. Reappointed.

Luella M. Janzen, 310 Willow Road, Hillsboro, 67063. Term expires June 30, 2013. Reappointed.

John E. Lehman, 606 N. 13th Circle Drive, Sabetha, 66534. Term expires June 30, 2013. Reappointed.

Trish K. Moore, 9803 W. 121st St., Overland Park, 66213. Term expires June 30, 2012. Reappointed.

William J. Moriarity, 116 W. 38th, Hays, 67601. Term expires June 30, 2012. Reappointed.

Kansas Animal Health Department

Opal Featherston, 17520 K-9 Highway, Whiting, 66552. Term expires July 31, 2013. Reappointed.

Terry W. Schwarz, 465 800 Ave., Carlton, 67448. Term expires July 31, 2013. Reappointed.

Athletic Commission

Rep. Tom Burroughs, 3131 S. 73rd Terrace, Kansas City, KS 66106. Term expires June 14, 2014. Reappointed.

Athletic Trainers Council

John W. Burns, 1921 S.W. 32nd Terrace, Topeka, 66611. Term expires June 30, 2013. Reappointed.

Advisory Committee for the Blind and Visually Impaired

Madeleine Burkindine, 11900 Wenonga Lane, Leawood, 66209. Serves at the pleasure of the Governor.

Laridda Z. Williams, 723 S.W. Taylor St., Apt. 28, Topeka, 66603. Serves at the pleasure of the Governor.

Advisory Commission for Children With Special Health Care Needs

Dr. Rebecca H. Reddy, 345 N. Roosevelt, Wichita, 67208. Term expires Feb. 27, 2013. Succeeds Stephen Meyers.

Dairy Marketing Advisory Board

Rabecca Harris, P.O. Box 429, Hutchinson, 67504. Term expires March 15, 2013. Succeeds Jerald Grey.

Kansas Commission for the Deaf and Hard of Hearing

Gregory E. Heller, 4988 W. 129th Place, Leawood, 66209. Term expires April 29, 2013. Reappointed.

Madeleine E. Starks, 2511 N. Peckham, Wichita, 67228. Term expires April 29, 2013. Reappointed.

Delta Dental Plan of Kansas Board of Directors

Elizabeth Kinch, 601 Honeybrook Lane, Derby, 67037. Term expires April 30, 2014. Reappointed.

Kansas Dental Board

Dr. Richard T. Darnall, 424 S.W. Westchester Road, Topeka, 66606. Term expires April 30, 2014. Reappointed.

Susan Rodgers, 607 Miley, Lansing, 66043. Term expires April 30, 2014. Succeeds Jane Criser.

James R. Showalter, 3621 S.W. York Way, Topeka, 66606. Term expires April 30, 2014. Reappointed.

Kansas Development Finance Authority

Audrey Langworthy, Vice Chair, 6324 Ash St., Prairie Village, 66208.

Kansas Hispanic and Latino American Affairs Commission

Jesse R. Romo, 2370 S.W. Ashworth Place, Topeka, 66614. Term expires June 30, 2011. Succeeds Susana Valdivinos.

Maria C. Ysaac-Bemlares, 7835 Elizabeth Ave., Kansas City, KS 66112. Term expires June 30, 2013. Reappointed.

Kansas Council for Interstate Adult Supervision

Tyler Garretson, 15608 Linden St., Overland Park, 66224. Term expires June 30, 2014. Reappointed.

Kansas Works State Board

Carol S. Perry, P.O. Box 3822, Topeka, 66604. Serves at the pleasure of the Governor.

Board of Examiners in Optometry

Dr. Joseph B. Sullivan, 9115 Windwood, Wichita, 67226. Term expires April 20, 2013. Reappointed.

Physician Assistant Council

Jay L. Wedel, 11 Park View Road, Hesston, 67062. Term expires Oct. 31, 2012. Succeeds Robert Blanken.

State Board of Technical Professions

Vincent Mancini, P.O. Box 699, Sublette, 67877. Term expires June 30, 2014, Reappointed.

**Wichita State University
Board of Trustees**

John L. Rolfe, 1121 N. Glenmoor Court, Wichita, 67206. Term expires June 30, 2013. Succeeds Joan Beren.

Cindy Schwan, 711 N. Linden Court, Wichita, 67206. Term expires June 30, 2013. Reappointed.

James Dennis Senseney, 8525 E. Tipperary St., Wichita, 67206. Term expires June 30, 2013. Reappointed.

Chris Biggs
Secretary of State

Doc. No. 038478

State of Kansas

Department of Transportation

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 9:30 a.m. Wednesday, September 8, in the fourth floor auditorium of the Kansas Department of Transportation's office, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, to consider proposed amendment to Kansas Administrative Regulations 36-39-2, 36-39-4 and 36-39-6. These regulations are a part of the Railroad Assistance Program, which includes loan guarantees, loans and grants to qualified entities. These regulations are proposed for adoption on a permanent basis.

These regulations will have positive economic impact for the state of Kansas.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. Comments may be submitted prior to the hearing to Oswald S. Dwyer, Staff Attorney, Kansas Department of Transportation, Office of Chief Counsel, 3rd Floor West, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3745, or by e-mail to oswald@ksdot.org.

All interested parties will be given a reasonable opportunity at the hearing to present their views. It may be necessary to request each participant to limit any oral presentation to five minutes. Any person requiring visual or communication aid or assistance, building access assistance or other similar assistance should contact the Kansas Department of Transportation office at (785) 296-3831 so appropriate arrangements can be made.

Copies of the regulations and the economic impact statement may be obtained at the address above or by calling (785) 296-0653.

Deb Miller
Secretary of Transportation

Doc. No. 038500

State of Kansas

Board of Technical Professions

Notice of Meetings

The Kansas State Board of Technical Professions will conduct its Complaint Committee meeting at 2 p.m. Thursday, July 22, in Suite 507 of the Landon State Office Building, 900 S.W. Jackson, Topeka. The full board will meet at 10 a.m. Friday, July 23, at the same location. The meetings are open to the public. For more information, call (785) 296-3053.

Jean Boline
Executive Director

Doc. No. 038513

State of Kansas

State Corporation Commission

**Notice of Hearing on Proposed
Administrative Regulations**

The State Corporation Commission will conduct a public hearing at 10 a.m. Tuesday, September 7, in the first floor hearing room at the office of the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, to consider the adoption of proposed rules and regulations of the State Corporation Commission on a permanent basis.

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 Judy Jewsome, Litigation Counsel, State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, 66604, or by e-mail to jjewsome@kcc.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations during the public hearing. In order to provide 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 statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Dawn Dubach at (785) 271-3113 or the Kansas Relay Center at (800) 766-3777. The main entrance located on the southwest side of the building is handicapped accessible. Handicapped parking is located on the southwest side of the State Corporation Commission parking lot.

A summary of the proposed regulations and the economic impact for each follows: (Note: Statements indicating that a regulation is "not anticipated to have any economic impact" are intended to indicate that no economic impact on the State Corporation Commission, other state agencies, state employees or the general public has been identified.)

K.A.R. 82-4-1. This regulation defines the terms used in Article 4 — Motor Carriers of Persons and Property.

(continued)

The proposed amendments to this regulation include edits to reflect the most recent Federal Motor Carrier Safety Administration updates and minor grammar and form corrections. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-2. This regulation establishes the general duties of motor carriers with respect to the Kansas motor carrier safety rules and regulations and the requirements for certificates, permits and licenses. The proposed amendments to this regulation include edits to reflect minor grammar and form corrections and changes to relevant Kansas statutes. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-3a. This regulation adopts relevant portions of the Federal Motor Carrier Safety Administration's (FMCSA) regulations (Title 49 C.F.R. Part 395) governing the maximum driving times for property-carrying and/or passenger carrying commercial motor vehicles. The proposed amendments to this regulation include edits to reflect minor grammar and form corrections and the most recent updates to FMCSA's regulations. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-3d. This regulation adopts relevant portions of the Federal Motor Carrier Safety Administration's (FMCSA) regulations (Title 49 C.F.R. 385), which establish the procedures to be used in determining the safety fitness of a motor carrier. The proposed amendments to this regulation include edits to reflect minor grammar and form corrections and the most recent updates to FMCSA's regulations. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-3f. This regulation adopts relevant portions of the Federal Motor Carrier Safety Administration's (FMCSA) regulations (Title 49 C.F.R. 390), which establish the minimum safety requirements to be followed by motor carriers and their employees, the safety standards for commercial motor vehicles and intermodal equipment. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation. This is an existing regulation establishing minimum safety requirements for those motor carriers and drivers operating commercial motor vehicles. Adoption of this regulation permits the commission the ability to enforce the existing regulation as required by federal law.

K.A.R. 82-4-3n. This regulation adopts relevant portions of the Federal Motor Carrier Safety Administration's (FMCSA) regulations (Title 49 C.F.R. 387), which establish the minimum level of motor carrier liability and property insurance required for those motor carriers that operate in interstate commerce. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation. This is an existing regulation establishing minimum insurance and financial responsibility requirements for those motor carriers operating in interstate commerce. Adoption of this regulation permits the commission the ability to enforce the existing regulation.

K.A.R. 82-4-3o. This regulation adopts relevant portions of the Federal Motor Carrier Safety Administration's (FMCSA) regulations (Title 49 C.F.R. 386, Subpart F), which define "imminent hazard" as it relates to the transportation of hazardous materials, and establishes procedures for addressing such hazards upon identification. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation. This regulation serves to assist law enforcement in identifying and correcting those situations that pose a substantial risk of imminent hazard to Kansans and the general motoring public.

K.A.R. 82-4-6a. This existing regulation establishes the commission's minimum requirements of commercial drivers operating in Kansas. The proposed edits include minor grammar and form corrections and updates to the history portion of this regulation. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation. This is an existing regulation establishing minimum requirements for drivers operating commercial motor vehicles.

K.A.R. 82-4-6d. This existing regulation establishes the application procedures for motor carriers and their drivers with regards to waivers of the federal physical fitness requirements. Drivers not meeting the physical requirements established in Title 49 C.F.R. 391 may not operate a commercial motor vehicle without a valid waiver. This application process permits certain drivers an additional opportunity to prove fitness to operate a commercial motor vehicle. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-8a. This existing regulation establishes the minimum requirement for safety equipment that must be maintained by motor carriers and drivers of commercial motor vehicles. The proposed edits to this regulation adopt the Environmental Protection Agency's (EPA) toxicity standards set out in 40 C.F.R. Part 82, Subpart G. Additionally, the edits include minor grammar and form changes. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-8h. The proposed edits to this existing regulation serve to adopt the Federal Motor Carrier Administration's (FMCSA) marking requirements for owners and operators of commercial motor vehicles. The proposed edits to the rule permit the commission to enforce the FMCSA's requirement that commercial motor vehicles operating in intrastate and/or interstate commerce meet minimum marking requirements to include the posting of the carrier's USDOT number on the commercial motor vehicle. The adoption of this regulation is mandated by Title 49 C.F.R. Part 350. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-21. The proposed edits to this existing regulation correct the regulation's language to reflect the revocation of K.S.A. 66-1,112a, which addressed regulation of contract motor carriers. This regulation addresses the commission's requirements for liability and property insurance for intrastate motor carriers. The commission

does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-22. The proposed edits to this existing regulation correct the regulation's language to reflect the revocation of K.S.A. 66-1,112a, which addressed regulation of contract motor carriers. This regulation addresses the commission's requirements for liability and property insurance for intrastate motor carriers. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-23. The proposed edits to this existing regulation correct the regulation's language to reflect the revocation of K.S.A. 66-1,112a, which addressed regulation of contract motor carriers. This regulation addresses the commission's requirements for liability and property insurance for intrastate motor carriers. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-24a. The proposed edits to this existing regulation correct the regulation's language to reflect the revocation of K.S.A. 66-1,112a, which addressed regulation of contract motor carriers. This regulation addresses the commission's standards relating to the forms used by motor carriers to report the liability and property insurance for intrastate motor carriers. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-26. The proposed edits to this existing regulation correct the regulation's language to reflect the revocation of K.S.A. 66-1,112a, which addressed regulation of contract motor carriers. This regulation set out the commission's general requirements for certificates, permits and licenses. The proposed edits also reflect the commission's most recent policies and procedures related to application of certificates, permits and licenses. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-26a. The proposed edits to this existing regulation correct the regulation's language to reflect the revocation of K.S.A. 66-1,112a, which addressed the commission's regulation of contract motor carriers. This regulation set out the commission's exemptions for certain private motor carriers, from the commission's economic authority requirements. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-27. The proposed edits to this existing regulation update the procedures for filing applications for a certificate of public necessity. This update deletes the prior requirement for the submission testimony detailing the motor carrier's fitness to operate. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-27a. The proposed edits to this existing regulation reflect the recent revocation of K.S.A. 66-1,112a. Additionally, this amendment includes minor grammar and form corrections and other minor updates to the regulation's history section. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-27c. The proposed edits to this existing regulation reflect the revocation of K.S.A. 66-1,112a and

K.S.A. 66-1,121. Additionally, this amendment includes minor grammar and form corrections and other minor updates to the regulation's history section. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-27e. The proposed edits to this existing regulation reflect the revocation of K.S.A. 66-1,112a and K.S.A. 66-1,112c. Additionally, this amendment includes minor grammar and form corrections and other minor updates to the regulation's history section. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-28. The proposed revocation of this regulation is the result of the revocation of K.S.A. 66-1,112a and K.S.A. 66-1,112b. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-28a. The proposed revocation of this regulation is the result of the revocation of K.S.A. 66-1,112a and K.S.A. 66-1,112b. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-28b. The proposed revocation of this regulation reflects this commission's most recent policies and procedures relating to the consolidation of common carrier authority. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-31. The proposed revocation of this regulation reflects the federal deletion of its requirements that motor carriers operating in interstate commerce produce certain receipts and cab cards. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-32. The proposed edits to this existing regulation reflect changes necessitated by the revocation of K.S.A. 66-1,112a. This existing regulation set out the general requirements for the completion of motor carrier applications for certificates and licenses. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-33. The proposed edits to this existing regulation reflect the revocation of K.S.A. 66-1,112a and K.S.A. 66-1,112b. This existing regulation set out the commission's policy regarding the service of process. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-35. The proposed edits to this existing regulation reflect the revocation of K.S.A. 66-1,112a. This existing regulation requires intrastate motor carriers to carry a copy of the carrier's certificates or permits in each vehicle at all times. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-35a. The proposed edits to this existing regulation reflect the revocation of K.S.A. 66-1,112a. This existing regulation requires motor carriers to produce for inspection certain documents upon the request of law enforcement and commission staff. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

(continued)

K.A.R. 82-4-37. The proposed revocation of this regulation is the reflection of the amendments to the federal requirements for the carrying of cab cards. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-40. The proposed amendment to this regulation includes minor grammar and form corrections and updates the history section to reflect the revocation of K.S.A. 66-1,112a. The existing regulation prohibits passengers on property carrying vehicles. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-42. The proposed amendment to this regulation updates the commission's procedures for obtaining emergency and occasional equipment certificates, permits and licenses. These amendments reflect the commission's most current policies and procedures. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-48. The proposed amendment to this regulation includes minor grammar and form changes and updates to the history section of this regulation. This regulation requires motor carriers to issue a bill of lading for household goods tendered in intrastate commerce. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-48a. The proposed amendment to this regulation includes minor grammar and form changes and updates to the history section of this regulation. This existing regulation sets uniform standards for bills of lading and establishes antitrust immunity for certain rates, routes, classification and mileage guides. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-53. The proposed amendment to this regulation includes minor grammar and form changes and updates resulting from the revocation of K.S.A. 66-1,112a, K.S.A. 66-1,112f and K.S.A. 66-1,112e. This existing regulation sets the tariff requirements for common carriers operating in intrastate commerce. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-54. The proposed amendment to this regulation includes minor grammar and form changes and updates resulting from the revocation of K.S.A. 66-1,112a, K.S.A. 66-1,112f and K.S.A. 66-1,112e. This existing regulation sets the tariff requirements for common carriers operating in intrastate commerce. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-55. The proposed amendment to this regulation includes minor grammar and form changes and updates resulting from the revocation of K.S.A. 66-1,112f and K.S.A. 66-1,112e. This existing regulation establishes the procedure for filing a request for postponement of tariff publications. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-56a. The proposed amendment to this regulation includes minor grammar and form changes and updates resulting from the revocation of K.S.A. 66-1,112a and K.S.A. 66-1,112f. This existing regulation establishes

the procedure for filing motor carrier tariffs. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-57. The proposed amendment to this regulation includes minor grammar and form changes and updates resulting from the revocation of K.S.A. 66-1,112a, K.S.A. 66-1,112e and K.S.A. 66-1,112f. This existing regulation establishes the requirement and procedures for filing powers of attorney and concurrence documentation in conjunction with motor carrier tariffs. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-58. The proposed amendment to this regulation includes minor grammar and form changes and updates resulting from the revocation of K.S.A. 66-1,112e and K.S.A. 66-1,112f. This existing regulation grants motor carriers the ability to request suspension or modification of commission regulations relating to motor carrier tariffs. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-62. The proposed revocation of this regulation is necessitated by the revocation of K.S.A. 66-1,112a. This regulation addressed the commission's requirements for contract carriers to issue bills of lading and/or freight bills. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-63. The proposed amendment to this regulation includes minor grammar and form changes and updates resulting from the revocation of K.S.A. 66-1,112a. This existing regulation grants opportunity for protestors or intervenors to be heard at motor carrier hearings to contest an application for a certificate of convenience and necessity, certificate of public services or abandonment of a common carrier certificate. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-65. The proposed amendment to this regulation includes minor grammar and form changes and updates to the history portion of this regulation. This existing regulation establishes the procedure for protests made against motor carriers applying for permits, certificates or abandonment a common carrier certificate. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

K.A.R. 82-4-77. The proposed amendment to this regulation includes minor grammar and form changes and minor updates to the history portion of this regulation. This existing regulation establishes a motor carrier's right of independent action separate from the rights of any organization of which the carrier may be a member or associate. The commission does not anticipate an economic impact resulting from the adoption of this proposed regulation.

Susan K. Duffy
Executive Director

Doc. No. 038499

State of Kansas

Office of the Governor

Executive Order 10-06

WHEREAS, the State of Kansas is committed to a health care delivery system that supports the secure exchange of health information for the purposes of ensuring quality, confidentiality, efficiency and effectiveness of patient-centered health care for all Kansans; and

WHEREAS, on July 24, 2009 the Governor of the State of Kansas identified the Kansas Department of Health and Environment ("KDHE") as the state agency leading health information technology planning and implementation for the State of Kansas; and

WHEREAS, the American Recovery and Reinvestment Act of 2009 ("Recovery Act") committed more than \$2 billion to the Office of the National Coordinator for Health Information Technology ("ONC") to ensure that all Americans have an electronic health record by 2014; and

WHEREAS, \$34 billion in Recovery Act funding is dedicated for financial incentives to Medicaid and Medicare providers nationally for the adoption and meaningful use of electronic health records, and as such, the state has a compelling interest in assisting Kansas providers to qualify for those incentives; and

WHEREAS, ONC released a funding opportunity announcement August 20, 2009 based on the Recovery Act, Title XII — Health Information Technology, Subtitle B — Incentives for the Use of Health Information Technology, §3013, requesting states to take a lead role in the development and implementation of health information exchanges ("HIEs") in the United States; and

WHEREAS, the stated purpose of this funding is to assist in the creation and implementation of the governance, policy and technical infrastructure, which will enable standards-based HIE and a high performance health care system; and

WHEREAS, it is envisioned that HIE will assist in widespread adoption and meaningful use of health information technology as one of the foundational steps in improving the quality and efficiency of health care, to ensure the appropriate and secure electronic exchange and consequent use of health information to improve quality and coordination of care as a critical enabler of a high performance health care system, and to facilitate and expand the secure, electronic movement and use of health information among organizations according to nationally recognized standards; and

WHEREAS, the State of Kansas was awarded funding amounting to \$9,010,066 on February 12, 2010, through the State Health Information Exchange Cooperative Agreement Grant Program ("Program") through the ONC; and

WHEREAS, the formation of a state-wide HIE is contemplated in the grant guidance and will be part of the final strategic and operational plan ("State Plan") for Kansas under the grant; and

WHEREAS, the State Plan is due to ONC by August 31, 2010; and

WHEREAS, the Secretary of KDHE has promoted and the eHealth Advisory Council ("eHAC"), an advisory

council formed by the Secretary of KDHE, recommended the formation of a not-for-profit, public-private partnership for the purpose of operating the Kansas Health Information Exchange consistent with the report of the Kansas Health Information Technology/Health Information Exchange Policy Initiative and the charge of the Kansas Health Information Exchange Commission (Executive Order 07-02) in coordination with state agencies and the Kansas Regional Extension Center.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby establish the Kansas Health Information Exchange, Inc. ("corporation") with the following purposes and charges:

1. The Governor of the State of Kansas shall serve as incorporator of a body politic and corporate to be known as the Kansas Health Information Exchange, Inc. ("corporation"), a Kansas not-for profit corporation which shall be structured to qualify for tax-exemption as a charitable organization and as a supporting organization of the State of Kansas pursuant to §§501(c)(3) and 509(a)(3) of the Internal Revenue Code of 1986 as amended. The Governor shall incorporate the corporation as soon as practical following the issuance of this order.
2. The corporation shall act as a public instrumentality. The corporation's exercise of the authority and powers conferred by this order and pursuant to any contracts necessary between state agencies and the corporation to allow for the full oversight of the corporation in regards to the intent of this order shall be deemed and held to be the performance of an essential governmental function.
3. The corporation shall have all the powers necessary to achieve the purposes specified herein, including the power to:
 - (a) accept and receive grants, gifts, or donations of money, property, services, or other things of value from any public or private entity to be held, used, or applied for any or all of the purposes specified in this order;
 - (b) establish administrative and accounting procedures for the operation of the corporation and enter into contracts as may be necessary under this order;
 - (c) provide and pay the reasonable costs of operation of advisory committees established by the board pursuant to section 4 below. Such costs may include services and technical assistance that may be necessary or desirable to carry out the purposes of this order and such work as may be assigned to or requested of the advisory committee(s) by the board.
 - (d) subject to board approval, enter into contracts, agreements, interstate compacts, or other transactions with any federal, state, county, or municipal agency, or with any individual, corporation, private foundation, enterprise, association, or any other entity within or outside the state for the purpose of fulfilling its mission and duties;

(continued)

- (e) appoint or employ staff, officers, consultants, agents, and advisors, and prescribe their duties and compensation;
 - (f) promulgate and enforce standards for approval and operation of statewide and regional HIEs in the state including, but not limited to, rules regarding (a) access to and use and disclosure of protected health information maintained by or on an HIE, and (b) appropriate administrative, physical, and technical safeguards to ensure the confidentiality, integrity, and availability of protected health information maintained by or on an HIE; and
 - (g) exercise any other powers necessary for the operation and functioning of the corporation within the purposes authorized in this order.
4. The corporation shall be governed by a board of directors ("board") comprised of residents of this state. Upon incorporation and until such time as a board of directors is constituted pursuant to duly adopted bylaws of the corporation, the existing eleven-member steering committee of the eHAC shall act as the transitional board of the corporation, with the Secretary of KDHE acting as the chairperson of such transitional board. The transitional board shall develop and approve bylaws for the corporation consistent with the provisions of this order and applicable law. The transitional board shall continue to advise KDHE in development of the State Plan in collaboration with the eHAC.
 5. The board shall appoint 1 or more advisory committees to assure that the interests of the public and the stakeholders are represented. Any such advisory committee shall be broadly representative and include health care providers (including providers who serve low income and underserved populations), health plans, patient or consumer groups, health information technology vendors, employers, public health departments, health professions training programs, schools and universities, clinical researchers, representatives of regional HIEs and other users of health information technology, including those involved in care coordination of patients.
 6. No part of the funds of the corporation shall inure to the benefit of, or be distributed to, its employees, officers or members of the board, except that the corporation may make reasonable payments for expenses incurred on its behalf relating to any of its lawful purposes and the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to or for its benefit relating to any of its lawful purposes, including to pay its employees reasonable compensation. Upon dissolution of the corporation, any assets remaining after the satisfaction of all the corporation's obligations shall be paid over and become the property of the state and shall inure to the benefit of the residents of the State of Kansas.
 7. The corporation shall be subject to the Kansas open meetings act and the Kansas open records act, except that documents and other materials submitted to the corporation shall not be public records if such records constitute protected health information, are the types of records described by K.S.A. 45-221(a)(1) and (3) or are trade secrets under the uniform trade secrets act (K.S.A. 60-3320 et seq. and amendments thereto).
 8. The corporation shall not be subject to state purchasing laws.
 9. The Governor will submit the corporation to ONC for approval as the official state designated entity for the state of Kansas, replacing KDHE in this role and assuming responsibility for promoting an HIE program. Fiduciary responsibility for the grant and the Office of the Health Information Technology Coordinator will stay with the state, through KDHE, as required by the ONC and the State HIE Cooperative Agreement Grant Program.
 10. Consistent with federal requirements, the corporation shall assure that an HIE is created, operated and maintained in the state for the exchange of health information state-wide, which shall:
 - a. Facilitate the authorized and secure exchange of health information;
 - b. Use information technology to improve health care quality and efficiency through the authorized and secure electronic exchange and use of health information enabling ongoing achievement of meaningful use;
 - c. Connect regional health information exchanges and other stakeholders within the state to each other and to the Nationwide Health Information Network whenever it is established; and
 - d. Connect subscribers to health information exchanges within and outside the state for the purpose of improving health care quality for individuals and patient populations.
 11. The corporation shall facilitate the implementation of the State Plan consistent with the requirements of §3013(e) of the federal public health service act, 42 U.S.C 201 et seq., and related guidance issued by the ONC.
 12. The corporation shall approve HIEs operating within the state consistent with sections 20 and 21 of this order with the intent of protecting the security, privacy and interest of the citizens of Kansas.
 13. The corporation may provide access to aggregated, de-identified health information, to be accessed for research purposes under such terms and conditions and subject to such controls, restrictions and limitations set forth in this order or as may from time-to-time be determined to be necessary or appropriate by the board.
 14. The board of directors of the corporation shall consist of fifteen (15) voting members and two (2) non-voting members for a total of seventeen (17) members as follows:
 - a. The Secretary of the Kansas Department of Health and Environment; or his or her designee;
 - b. The Executive Director of the Kansas Health Policy Authority, or his or her designee;
 - c. The Governor of the State of Kansas, or his or her designee;
 - d. 2 members appointed by the Governor who represent consumers;

- e. 1 member appointed by the Governor who represents employers;
 - f. 1 member appointed by the Governor who represents payers;
 - g. 1 member appointed by the Governor who represents local health departments from a list of 3 names submitted by the Kansas Association of Local Health Departments;
 - h. 3 members appointed by the Governor who represent hospitals, from a list of 3 names for each position submitted by the Kansas Hospital Association. 1 of the hospital representatives appointed herein shall be involved in the administration of a critical access hospital;
 - i. 3 members appointed by the Governor from a list of 3 names for each position by the Kansas Medical Society. At least one of the physicians appointed herein shall be a physician in a primary care specialty;
 - j. 1 member appointed by the Governor who represents pharmacists, from a list of 3 names submitted by the Kansas Pharmacists Association;
 - k. 1 member, who shall be nonvoting, shall be a representative of the University of Kansas Center for Health Information; and
 - l. 1 member, who shall be nonvoting, shall be a representative of the Kansas Health Information Technology Regional Center.
15. Voting members of the board appointed pursuant to subsection 11 of this order shall serve for terms of 4 years, and shall be eligible for re-appointment, but voting members of the board shall not be eligible to serve more than 2 consecutive four-year terms. The members first appointed by the Governor shall serve for terms of 2 years. Upon the expiration of the terms first appointed by the Governor, the Governor shall appoint members to serve for terms of 4 years. Whenever a vacancy occurs regarding a member of the board due to the resignation, death, removal, or expiration of a term, such member shall be appointed according to the process and to the specific position on the board as described in Section 13 of this order. In the event of a vacancy during an expired term due to resignation, death or removal of a board member, the appointment shall be for the remainder of the unexpired portion of the term. Each member of the board shall hold office for the term of appointment and until a successor has been appointed. Any member of the board other than a nonvoting member may be removed by the Governor for malfeasance or misfeasance in office, regularly failing to attend meetings, or for any cause which renders the member incapable of the discharge of the duties of director.
16. The board shall meet at least 4 times per year and at such other times as it deems appropriate, or upon call by the chairperson. The board shall make, amend, and repeal bylaws, standards, procedures, and rules and regulations for the management of its affairs, not contrary to law or inconsistent with this order, as it deems expedient for the governance and management of the corporation and the operation of the health information exchanges authorized herein.
17. The board shall elect a voting member as chair and at least one other voting member as vice-chair annually. The board shall also elect a secretary and treasurer for terms to be determined by the board. The board may elect the same person to serve as both secretary and treasurer. The board may establish an executive committee and other standing or special committees, and prescribe their duties and powers. Any executive committee of the board may exercise all such powers and duties of the board as the board may delegate.
18. Members of the board are entitled to compensation and expenses as provided in K.S.A. 75-3223, and amendments thereto. Members of the board attending board meetings or subcommittee meetings authorized by the board shall be paid mileage and all other applicable expenses, provided such expenses are consistent with policies established from time-to-time by the board.
19. The board shall adopt nondiscrimination and conflict of interest policies that demonstrate a commitment to open, fair, and nondiscriminatory participation by stakeholders.
20. The corporation shall promulgate standards for approval of and operation of statewide and regional HIEs in the state which shall be designated as "approved HIEs" including, but not limited to, the following:
- a. Satisfaction of certification standards for health information exchange promulgated by the federal government;
 - b. Adherence to national recognized standards for interoperability;
 - c. Adoption and adherence to rules promulgated by the corporation regarding access to and use and disclosure of protected health information maintained by or on a health information exchange;
 - d. demonstration of adequate financial resources to sustain continued operations in compliance with the aforementioned standards, rules and safeguards;
 - e. participation in outreach activities for individuals and covered entities;
 - f. conduct of operation in a transparent manner to promote consumer confidence;
 - g. implementation of security breach notification procedures; and
 - h. development of procedures for entering into and enforcing the terms of participation agreements with covered entities which satisfy the requirements established by the corporation.
21. The corporation shall establish and implement:
- (a) a process by which an HIE may apply for and receive approval by demonstrating compliance with the standards promulgated by the corporation pursuant to sections 18 and 19 of this order;
 - (b) a process by which an approved HIE shall be re-approved on appropriate intervals by demonstrating continued compliance with the standards promulgated by the corporation pursuant to sections 18 and 19 of this order; and

(continued)

- (c) a process for the investigation of reported concerns and complaints regarding an approved HIE and imposition of appropriate remedial and proactive measures to address any identified deficiencies.
- (d) a process whereby the Kansas department of health and environment, the Kansas health policy authority, the Kansas department of social and rehabilitation services and other state agencies, including regulatory agencies responsible for licensing and disciplining health care providers may access protected health information maintained by or on an approved HIE, to the extent such agencies are authorized by state or federal law to access such protected health information to carry out their respective duties under applicable law, and whereby these agencies will be able to use the HIE to carry out their statutory responsibilities as consistent with this order.

- 22. Any HIE which is not an approved HIE shall not be eligible for any financial support from the state, or assistance from the state in application for federal funding.
- 23. An approved HIE shall not be compelled by subpoena, court order, or otherwise, to disclose protected health information relating to an individual.
- 24. No use or disclosure of protected health information maintained by or on any approved HIE shall be made except pursuant to rules adopted by the corporation consistent with this order. The assets of the corporation shall be used solely for the purposes of the corporation as established by this order.
- 25. The corporation, in collaboration with departments and agencies of state government, may establish a loan and grant program to provide for the capitalization of electronic medical records systems for eligible health care providers. Health information technology acquired under a grant or loan authorized by this section shall comply with federal standards for meaningful use. An implementation plan for this loan and grant program may be developed which shall be consistent with the State Plan.
- 26. The corporation shall publish an annual report which shall include an audit in accordance with generally accepted accounting principles as of the close of each fiscal year of the corporation. The corporation shall present a report to the Governor and the legislature, setting forth in detail, the operations and transactions conducted by it pursuant to this order. The corporation shall distribute its annual report by such means that will make it widely available to the public.

This document shall be filed with the Secretary of State as Executive Order No. 10-06 and shall become effective immediately.

Dated June 30, 2010.

Mark Parkinson
Governor
Attest: Chris Biggs
Secretary of State

Doc. No. 038517

State of Kansas
Commission on Veterans' Affairs
Notice of Meeting

The Kansas Commission on Veterans' Affairs will host a telephonic meeting at 10 a.m. Wednesday, July 21. The public is invited to attend at one of the following locations: Central Office, Jayhawk Tower, 700 S.W. Jackson, Suite 701, Topeka; Lincoln Hall, Kansas Soldiers' Home, 714 Sheridan, Fort Dodge; and the MacArthur Room at the Timmerman Administration Building, Kansas Veterans' Home, 1220 WWII Memorial Drive, Winfield. For more information, call (785) 296-3976.

Jack Fowler
Executive Director

Doc. No. 038501

State of Kansas
Office of the Governor
Executive Order 10-07

WHEREAS, the State of Kansas must continue to be fiscally responsible as we enter the new fiscal year; and
WHEREAS, the moratorium placed on employee bonuses for Executive Branch agencies in fiscal years 2003 through 2010 resulted in fiscal savings; and

WHEREAS, the State of Kansas has an Award and Recognition Program that authorizes state agencies to recognize and reward employees based on designated program criteria.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby continue the moratorium on employee bonuses for fiscal year 2011 and maintain the dollar amount limit that was established in fiscal year 2006 to continue to provide for flexibility when awards are given through the State of Kansas Award and Recognition Program.

This moratorium applies to any bonus issued by contracted agreements, Memorandums of Agreement, Executive Directives, awards authorized by the Award and Recognition Program and Program Guidelines in excess of \$1,000 per employee per fiscal year, and unclassified bonuses in excess of \$1,000 per employee per fiscal year. No new contracted agreements and Memorandums of Agreement should include bonus provisions.

This moratorium does not apply to the longevity bonus or any cash award based on Memorandums of Agreement involving the Regent institutions' university police officers.

Any exceptions to this moratorium must be approved by the Governor's Office.

This document shall be filed with the Secretary of State as Executive Order No. 10-07 and shall be effective June 13, 2010.

Dated July 1, 2010.

Mark Parkinson
Governor
Attest: Chris Biggs
Secretary of State

Doc. No. 038519

(Published in the Kansas Register July 8, 2010.)

City of Whitewater, Kansas

**Notice of Intent to Seek Private Placement
General Obligation Bonds, Series 2010**

Notice is hereby given that the city of Whitewater, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$275,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds and the passage of an ordinance and adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated June 28, 2010.

Kathleen Wiebe
City Clerk

Doc. No. 038508

(Published in the Kansas Register July 8, 2010.)

Summary Notice of Bond Sale

City of Lenexa, Kansas

\$14,165,000*

General Obligation Bonds, Series 2010B

**(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated July 6, 2010, bids will be received on behalf of the city clerk of the city of Lenexa, Kansas, on behalf of the governing body at the offices of Springsted Incorporated, 380 Jackson St., Suite 300, St. Paul, MN 55101-2887, by delivery; by telephone at (651) 223-3000 or via facsimile at (651) 223-3046; or, in the case of electronic proposals, via PARITY electronic bid submission system, until 11 a.m. July 20, 2010, for the purchase of \$14,165,000* principal amount of General Obligation Bonds, Series 2010B. No bid of less than the 98.8 percent of the par value of the bonds, plus accrued interest to the date of delivery, will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 2010, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2011	\$755,000
2012	785,000
2013	785,000
2014	795,000
2015	805,000
2016	825,000
2017	840,000
2018	865,000
2019	885,000
2020	910,000

2021	850,000
2022	880,000
2023	905,000
2024	925,000
2025	970,000
2026	255,000
2027	265,000
2028	280,000
2029	285,000
2030	300,000

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as provided in the notice of sale, which interest will be payable semi-annually on March 1 and September 1 in each year, beginning March 1, 2011. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the notice of sale.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall either be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$283,300 (2 percent of the principal amount of the bonds), or shall specify the agreement of the bidder to submit such good faith deposit amount by electronic fund transfer through the Federal Reserve system to an account specified by the city by 1 p.m. on the sale date.

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 10, 2010, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2009 is \$1,034,546,894. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$128,190,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Kutak Rock LLP, Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Doug Robinson, the city's finance director, at (913) 477-7544; from the city's financial advisor, Springsted Incorporated of St. Paul, Minnesota, at (651) 223-3000; or from bond counsel, Kutak Rock LLP, 1010 Grand Blvd., Suite 500, Kansas City, MO 64106-2220, (816) 960-0090, Attention: Dorothea Riley.

(continued)

Dated July 8, 2010.

City of Lenexa, Kansas
 By David F. Bryant III, City Clerk
 Lenexa City Hall
 12350 W. 87th St. Parkway
 Lenexa, KS 66215
 (913) 477-7500

*Subject to change.

Doc. No. 038506

(Published in the Kansas Register July 8, 2010.)

Summary Notice of Sale
City of Mission, Kansas
\$3,305,000*
General Obligation Bonds
Series 2010A
(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Written and electronic (as explained below) bids for the purchase of the above-referenced bonds of the city of Mission, Kansas (the issuer), herein described will be received on behalf of the undersigned clerk of the issuer, in the case of written bids, at the address hereinafter set forth, and in the case of electronic bids, via PARITY, on July 21, 2010 (the sale date), until 10 a.m. No bid for less than 99.0 percent of the bonds will be considered. All bids will be publicly evaluated at said time and place, and the award of the bonds will be acted upon by the governing body at its meeting to be held at 7 p.m. on the sale date. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 18, 2010, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2011	\$300,000
2012	305,000
2013	310,000
2014	315,000
2015	320,000
2016	330,000
2017	340,000
2018	350,000
2019	360,000
2020	375,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2011. The Kansas State Treasurer, Topeka, Kansas, will be the paying agent and registrar for the bonds.

Book-Entry-Only System

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

Good Faith Deposit

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

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder(s) on or about August 18, 2010, to DTC for the account of the successful bidder(s).

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the issuer for the year 2009 is \$128,202,267. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, but excluding the notes to be retired with the proceeds of such bonds, is \$33,190,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the undersigned, or from the financial advisor, at the addresses set forth below.

Good Faith Deposit Delivery Address:

Martha Sumrall, Clerk
 City of Mission, Kansas
 6090 Woodson Road
 Mission, KS 66202
 (913) 676-8350
 Fax (913) 722-1415

Financial Advisor—Written and Facsimile Bid and Good Faith Deposit Delivery Address:

Ehlers & Associates, Inc.
 3060 Centre Pointe Drive
 Roseville, MN 55113-1122
 (651) 697-8500
 Fax (651) 697-8555
 E-mail: dpeterson@ehlers-inc.com

Dated June 16, 2010.

City of Mission, Kansas

*Preliminary; subject to change.

Doc. No. 038516

State of Kansas

Public Employees Retirement System**Request for Information**

The Kansas Public Employees Retirement System (KPERERS) is soliciting proposals for information relative to Master Limited Partnership (MLP) Investment Management Services. A copy of the RFI may be downloaded from the KPERERS Web site at www.kpers.org. Respondents should deliver one written copy and one electronic copy of their proposal to the KPERERS offices by 5 p.m. July 30. Questions about the RFI may be directed in writing to Don Lennard, Real Estate Officer/KPERERS, 611 S. Kansas Ave., Topeka, 66603, or via e-mail to rfi_mlp@kpers.org. The deadline for submission of questions is July 23.

Glenn Deck
Executive Director

Doc. No. 038502

(Published in the Kansas Register July 8, 2010.)

Summary Notice of Bond Sale
City of Colby, Kansas

\$5,000,000

General Obligation Bonds, Series 2010-2

**(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated July 6, 2010, written and electronic bids will be received on behalf of the director of finance of the city of Colby, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 2 p.m. July 20, 2010, for the purchase of the above-referenced bonds. No bid of less than 99 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 1, 2010, and will become due on December 1 in the years as follows:

Year	Principal Amount
2011	\$430,000
2012	445,000
2013	460,000
2014	480,000
2015	495,000
2016	510,000
2017	525,000
2018	535,000
2019	550,000
2020	570,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning June 1, 2011.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States, a qualified financial surety bond or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$100,000.

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about August 10, 2010, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2009 is \$44,535,830. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$10,509,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the undersigned, or from the financial advisor, at the addresses set forth below.

Written and Facsimile Bid and Good Faith Deposit**Delivery Address:**

Deborah Zerr, Director of Finance
City Hall
585 N. Franklin
Colby, KS 67701
(785) 460-4400
Fax (785) 460-4444
E-mail: finance@cityofcolby.com

Financial Advisor—Good Faith Deposit**Delivery Address:**

Oppenheimer & Co., Inc.
320 N. Main
Wichita, KS 67202
Attn: Theron L. Froggatte
(316) 264-6300
Fax (316) 264-7999
E-mail: theron.froggatte@opco.com

Dated July 6, 2010.

City of Colby, Kansas

Doc. No. 038511

(Published in the Kansas Register July 8, 2010.)

**Summary Notice of Sale
City of Wichita, Kansas
\$34,420,000*
Aggregate Principal Amount
General Obligation Bonds
Series 801, 802, 802A and 802B
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the official notice of sale dated June 22, 2010, bids will be received by the director of finance on behalf of the city of Wichita, Kansas, at the office of the Department of Finance, 12th Floor, City Hall, 455 N. Main, Wichita, KS 67202-1697, by electronic bids via PARITY electronic bid submission system, until 10 a.m. Tuesday, July 20, 2010, for the purchase of the city's \$21,000,000* principal amount of General Obligation Bonds, Series 801 (the Series 801 Bonds); \$6,085,000* principal amount of General Obligation Bonds, Series 802 (the Series 802 Bonds); \$6,075,000* principal amount of General Obligation Bonds, Series 802A (the Series 802A Bonds); and \$1,260,000* principal amount of General Obligation Bonds, Series 802B (Taxable Under Federal Law) (the Series 802B Bonds). The Series 801, Series 802, Series 802A and Series 802B Bonds are herein collectively referred to as the "bonds." All bids shall be publicly read and tabulated on said date and at said time and place. The bids will be considered and each series of bonds will be awarded by the City Council in the Council Chamber at City Hall at its earliest convenience following the bid opening.

No oral or auction bid for the bonds shall be considered, and no bid of less than the entire principal amount of each series of bonds, plus accrued interest to the date of delivery, will be considered.

Bids must be submitted electronically through PARITY. Each bidder shall be solely responsible for making the necessary arrangements to access PARITY for the purpose of submitting its electronic bid in a timely manner and in compliance with the notice of sale. To the extent any instructions or directions set forth in PARITY conflict with the notice of sale, the terms of the notice of sale shall control. The city shall not be responsible for any failure, misdirection or error in the transmission of a bid through PARITY. For further information about the electronic bidding services of PARITY, potential bidders may contact Ipreo, 1359 Broadway, 2nd Floor, New York, NY 10018, (212) 849-5021. Bidders may be required to be qualified in a manner established by the city before submitting a bid.

Bond Details

The bonds will be in book-entry-only form. The bonds will be issued in the denomination of \$5,000 or any integral multiple thereof; will be dated August 1, 2010 (the dated date); and will become due in the years as follows:

Maturity Schedule - Series 801 Bonds

Maturing December 1	Principal Amount*
2011	\$1,520,000
2012	1,565,000

2013	1,615,000
2014	1,660,000
2015	1,710,000
2016	1,765,000
2017	1,815,000
2018	1,870,000
2019	1,925,000
2020	1,985,000
2021	670,000
2022	695,000
2023	715,000
2024	735,000
2025	755,000

Maturity Schedule - Series 802 Bonds

Maturing December 1	Principal Amount*
2011	\$325,000
2012	335,000
2013	350,000
2014	360,000
2015	370,000
2016	380,000
2017	390,000
2018	400,000
2019	415,000
2020	425,000
2021	440,000
2022	455,000
2023	465,000
2024	480,000
2025	495,000

Maturity Schedule - Series 802A Bonds

Maturing December 1	Principal Amount*
2011	\$225,000
2012	235,000
2013	240,000
2014	245,000
2015	255,000
2016	265,000
2017	270,000
2018	280,000
2019	285,000
2020	295,000
2021	305,000
2022	315,000
2023	320,000
2024	330,000
2025	340,000
2026	350,000
2027	365,000
2028	375,000
2029	385,000
2030	395,000

**Maturity Schedule - Series 802B Bonds
(Taxable Under Federal Law)**

Maturing December 1	Principal Amount*
2011	\$65,000

2012	65,000
2013	65,000
2014	70,000
2015	70,000
2016	75,000
2017	75,000
2018	80,000
2019	80,000
2020	85,000
2021	85,000
2022	90,000
2023	90,000
2024	95,000
2025	95,000
2026	15,000
2027	15,000
2028	15,000
2029	15,000
2030	15,000

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as provided in the notice of sale. Interest on the bonds will be payable semiannually on June 1 and December 1 in each year, beginning June 1, 2011.

Principal Amounts Subject to Change

The city reserves the right to increase or decrease the total principal amount of each series of bonds and the principal amount of any maturity in order to properly size a bond issue, including adjustments based on net bond proceeds received by the city as a result of any premium bid. Adjustments, if required, will be made proportionately to each maturity as permitted by the authorized denominations of such series of bonds. The successful bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of a series of bonds as described. If there is an adjustment in the final aggregate principal amount of a series of bonds or the schedule of principal payments as described above, any premium bid on such series of bonds will be proportionately adjusted. At the request of the city, each successful bidder agrees to resize the applicable bond issue, adjust the premium and provide a revised maturity schedule to the city promptly after receipt of notification of such a request by the city.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

The bidder for each of bonds shall provide the city with a cashier's or certified check drawn on a bank located in the United States, a financial surety bond in a form that complies with the requirements set forth in the notice of sale or the wire transfer of same-day funds in accordance with the requirements set forth in the notice of sale in an amount equal to 2 percent of the principal amount of the applicable series of bonds for which the bid is submitted.

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder(s) on or about

August 19, 2010, at the offices of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations is \$3,548,356,425. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds, is \$667,560,862.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Kutak Rock LLP, Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of each series of bonds will be furnished and paid for by the city and delivered to the successful bidder(s) when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city's Department of Finance, City Hall, 12th Floor, 455 N. Main, Wichita, KS 67202-1679 (Catherine Gilley, Debt Coordinator), (316) 268-4143; or from bond counsel, Kutak Rock LLP, 1010 Grand Blvd., Suite 500, Kansas City, MO 64106-2220, (816) 960-0090, Attention: Dorothea Riley.

Dated June 22, 2010.

City of Wichita, Kansas
By Karen Sublett, City Clerk
City Hall, 13th Floor
455 N. Main
Wichita, KS 67202-1679
(316) 268-4529

*Subject to change.

Doc. No. 038507

State of Kansas

Attorney General

Opinion 2010-10

Criminal Procedure—Aid to Indigent Defendants—State Board of Indigents' Defense Services (BIDS); Prohibition on Interfering with Professional Duties of Counsel; Contractual Provision Between BIDS and Defense Counsel Regarding Payment of BIDS Application Fee. Patricia A. Scalia, Executive Director, State Board of Indigents' Defense Services, Topeka, April 7, 2010.

A contractual provision, which would require appointed counsel to raise the issue of payment of the BIDS application fee at sentencing, does not conflict with the restriction in K.S.A. 22-4520 that prohibits BIDS from making any decision regarding the handling of any case or interfering with appointed counsel in carrying out their professional duties. Cited herein: K.S.A. 22-4520; 22-4529. CN

Opinion 2010-11

State Boards, Commission and Authorities—Law Enforcement Training Center; Commission on Peace Officers' Standards and Training; Qualifications for Applicant for Certification; Juvenile Division. Senator Mark W. Taddiken, 21st District, Clifton, May 11, 2010.

(continued)

An applicant for admission to a law enforcement training course is not disqualified from admission because the applicant was placed on diversion, as a juvenile, for a felony crime. To the extent that the conclusion in Attorney General Opinion No. 99-34 differs, it is withdrawn. Cited herein: K.S.A. 22-2906; K.S.A. 2009 Supp. 38-2301; 38-2356; 74-5605; 74-5616. MF

Opinion 2010-12

Intoxicating Liquors and Beverages—Licensing and Related Provisions; City Option; Beer Distributor's License; Rights of Licensee; Sale of Cereal Malt Beverage to Holders of City-Issued Temporary Cereal Malt Beverage Licenses.

Intoxicating Liquors and Beverages—Certain Prohibited Acts and Penalties; Gift and Loans by Distributor; Furnishing Equipment to the Premises of a Holder of a City-Issued Temporary Cereal Malt Beverage License.

Intoxicating Liquors and Beverages—Cereal Malt Beverages; Retailer's Licensee; Application; Ability of City to Issue Special Event Cereal Malt Beverage License. Thomas W. Groneman, Director, Alcoholic Beverage Control, Kansas Department of Revenue, Topeka, June 16, 2010.

Cereal malt beverage licenses issued pursuant to K.S.A. 41-2702 can only be issued on an annual basis or for the calendar year. As beer distributors can only sell cereal malt beverages to "retailers licensed under K.S.A. 41-2702," such distributors cannot sell cereal malt beverages or furnish equipment to a person holding a license that was not issued on an annual basis or for the calendar year. This does not preclude a city from imposing its own cereal malt beverage license requirement for festivals, concerts, and other short-term events, in addition to the license required pursuant to K.S.A. 41-2702. Cited herein: K.S.A. 2009 Supp. 41-307; 41-703; K.S.A. 41-901; K.S.A. 2009 Supp. 41-2701; 41-2702; 41-2703; Kan. Const., Art. 12, § 5. MF

Opinion 2010-13

Public Health—Healing Arts—Revocation, Suspension, Limitation or Denial of Licenses; Censure of Licensee; Grounds; Application of 2008 Amendment Adding Single Occasion of Ordinary Negligence as Disciplinary Ground to pre-2008 Single Occasion of Ordinary Negligence; Whether Given Retroactive Application. Kathleen Selzler Lippert, Executive Director, Topeka, June 16, 2010.

The 2008 amendment to the healing arts statutes establishing a new basis for disciplinary action for single occasion of substandard patient care operates prospectively. Cited herein: K.S.A. 2009 Supp. 65-2836; 65-2837. MF

Opinion 2010-14

Fees and Salaries—Fees in All Counties and Salaries in Certain Counties; Register of Deeds Technology Fund; Acquisition of Equipment and Technological Services for Storing, Recording, Archiving Retrieving, Maintaining and Handling of Data Recorded or Stored in the Office of the Register of Deeds; Staff Salaries as a Per-

mitted Expense for the Technology Fund. David C. Van Parys, Leavenworth County Counselor, Leavenworth, June 25, 2010.

The purpose of the technology fund is to provide a source of funding enabling counties to acquire computer equipment, associated software, and support to maintain records in an electronic format. Salaries may be an appropriate expenditure provided the activities performed by staff are related to the storing, recording, archiving, retrieving, maintaining and handling of data recorded or stored in the office of the register of deeds. Cited herein: K.S.A. 2009 Supp. 28-115; 28-115a. MJS

Opinion 2010-15

State Boards, Commissions and Authorities—State Highway Commission—Division of Vehicles, Records; Disclosure; Disclosure of Image Information. Representative Scott Schwab, 49th District, Olathe, June 25, 2010.

The federal Driver's Privacy Protection Act of 1994 (DPPA) is considered "other law" for purposes of state law authorizing disclosure of motor vehicle records. The DPPA permits, but does not require, disclosure of a person's photograph or digital image for use by an insurer, an insurance support organization, a self-insured entity, or its agents, employees or contractors in connection with claims investigation activities, antifraud activities, rating or underwriting. Such disclosure is discretionary with the Division of Motor Vehicles based on the Division's judgment that the requestor is in fact an authorized entity and that a photograph or digital image will be used for an authorized purpose. Cited herein: K.S.A. 74-2012; 18 U.S.C. 2721; 18 U.S.C. 2725. MF

Opinion 2010-16

Schools—School District Finance and Quality Performance; Ad Valorem Tax Levy for Financing Costs of Ancillary School Facilities, Cost of Living Weighting, Declining Enrollment Weighting; Meaning of "Taxable Tangible Property." John Vratil, Counsel, Blue Valley Unified School District No. 229, Overland Park; Michael G. Norris, Counsel, Olathe Unified School District No. 233, Overland Park, June 25, 2010.

Motor vehicles are not "taxable tangible property" as that phrase is used in the ancillary school facilities weighting statute, the cost of living weighting statute, and the declining enrollment weighting statute. Cited herein: K.S.A. 72-6405; K.S.A. 2009 Supp. 72-6407; 72-6410; 72-6412; 72-6414; 72-6415; 72-6441; 72-6443; 72-6449; 72-6450; 72-6451; 72-6452; K.S.A. 79-5101; 79-5102; 79-5105; Kan. Const., Art. 11, § 1. MF

Stephen N. Six
Attorney General

Doc. No. 038505

State of Kansas

Department of Health and Environment

Notice of Hearing

A public hearing will be conducted at 2 p.m. Tuesday, August 17, in the Azure Conference Room, fourth floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to discuss the Kansas Public Water Supply Loan Fund (KPWSLF) 2011 Intended Use Plan (IUP). This plan will describe how the KPWSLF will change to comply with new federal requirements including prevailing wage rates, awarding additional subsidy in the form of principal forgiveness, and green project types, and to add new projects to the project priority list. Copies of the IUP can be obtained online at http://www.kdheks.gov/pws/loan/2011_IUP_draft.pdf.

Any individual with a disability may request accommodation to participate in the public hearing. Requests for accommodation should be made at least five working days before the hearing by contacting Linda White at (785) 296-5514.

Comments can be presented at the hearing or in writing prior to the hearing. Written comments should be addressed to Linda White, KDHE, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 038496

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-10-087/093

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Rock Creek Finishing Farms, LLC Steven J. Eichman 13075 Brush Creek Road Westmoreland, KS 66549	SE/4 of Section 28, T08S, R09E, Pottawatomie County	Kansas River Basin
Kansas Permit No. A-KSPT-H001		Federal Permit No. KS0091260

This is a renewal permit and modification for an existing facility for 4,980 head (1,992 animal units) of swine weighing more than 55 pounds each. The permittee is proposing the construction of a mortality composting building. All other aspects of the facility are unchanged.

Name and Address of Applicant	Legal Description	Receiving Water
Wilkens Pork Scott Wilkens 1275 Heritage Road Linn, KS 66953	N/2 of Section 32, T03S, R02E, Washington County	Big Blue River Basin
Kansas Permit No. A-BBWS-H005		Federal Permit No. KS0094137

This permit is being reissued for an existing facility with a maximum capacity of 7,200 head (2,880 animal units) of swine more than 55 pounds. There is no change in the permitted animal units from the previous permit. This facility has an approved NMP (Nutrient Management Plan) on file with the department.

Name and Address of Applicant	Legal Description	Receiving Water
Kansas-Smith Farms, LLC 13 Finishing and 14 Finishing 23179 #5 Road Plains, KS 67869	S/2 of Section 13, T32S, R32W, Seward County	Cimarron River Basin
Kansas Permit No. A-CISW-H004		Federal Permit No. KS0089915

This permit is being reissued for an existing swine facility consisting of two farms for a maximum capacity of 13,960 head (5,584 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units. Farm 13 consists of two enclosed confinement buildings, a settling basin, an anaerobic lagoon and a drying bed, for a total capacity of 5,120 head (2,048 animal units) of swine weighing more than 55 pounds. Farm 14 has not been constructed. Plans for the proposed construction of Farm 14 shall be resubmitted to the department prior to construction. An approved Nutrient Management Plan for the facility is on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Don Van Scoyoc 875 4th Road Longford, KS 67458	SE/4 of Section 16, T10S, R02E, Clay County	Smoky Hill River Basin
Kansas Permit No. A-SHCY-B002		

This is a renewal permit for an existing facility for 300 head (150 animal units) of cattle weighing less than 700 pounds and 100 head (100 animal units) of cattle weighing more than 700 pounds, for a total of 250 animal units. There is no change in animal unit capacity from the previous permit. The permit contains a schedule of compliance to submit a dead animal composting plan for review and approval prior to composting dead animals.

Name and Address of Applicant	Legal Description	Receiving Water
MK Fuhrman LLC 12500 302nd Lancaster, KS 66041	SW/4 of Section 24, T05S, R19E, Atchison County	Missouri River Basin
Kansas Permit No. A-MOAT-S001		

This permit is being reissued for an existing facility with a maximum capacity of 1,050 head (420 animal units) of swine more than 55 pounds and 600 head (60 animal units) of swine 55 pounds or less,

(continued)

for a total of 480 animal units. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Harder & Son Tim Harder 6893 N.E. 75th St. El Dorado, KS 67042	SE/4 of Section 25, T24S, R06E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-S015

This permit is being reissued for an existing swine facility that consists of four enclosed buildings with concrete pits for a capacity of 1,452 head (580.8 animal units) of swine weighing more than 55 pounds and 660 head (66 animal units) of swine weighing 55 pounds or less. There is no change in the permitted animal units from the last permit cycle.

Name and Address of Applicant	Legal Description	Receiving Water
Lynn Rock 1669 1300 Ave. Hope, KS 67451	SE/4 of Section 34, T14S, R03E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-B011

This permit is being reissued to an existing facility with a maximum capacity for 550 head (275 animal units) of cattle weighing less than 700 pounds. There is no change in animal unit capacity from the previous permit.

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

All comments regarding the draft documents or application notices received on or before August 7 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-10-087/093) 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. 038514

State of Kansas

Department of Transportation

Temporary Administrative
Regulations

Article 39.—RAIL SERVICE
ASSISTANCE PROGRAM

36-39-2. Definitions. As used in this article, the following terms shall have the meanings specified in this regulation.

(a) "Applicant" means any qualified entity that submits an application to the secretary for a loan guarantee, a loan, or a grant.

(b) "Board" means the surface transportation board.

(c) "Equipment" means any type of new or rebuilt standard gauge locomotive or general service railroad freight car. General service railroad freight cars may include a boxcar, gondola, open-top or covered hopper car, and flatcar.

(d) "Facilities" means the following:

(1) The track, roadbed, and related structures, including rail, ties, ballast, other track materials, grading, tunnels, bridges, trestles, culverts, repair shops, connecting tracks, and public improvements used or usable for rail service operations;

(2) signals and interlockers; and

(3) terminal or yard facilities, including trailer-on-flatcar and container-on-flatcar terminals, railroad terminal and switching facilities, and service to express companies and railroads and their shippers.

(e) "F.R.A." means federal railroad administration of the United States department of transportation.

(f) "Governmental unit" means any town, city, district, county, commission, agency, authority, board, or other instrumentality of the state or of any of its political subdivisions, including any combination thereof, or a port authority established in accordance with Kansas law.

(g) "Lender" means the obligee, holder, or creditor under an obligation, except that when a bank or trust company is acting as agent or trustee for such an obligee, holder, or creditor, pursuant to an agreement to which the obligor is a part, the term shall refer to the bank or trust company.

(h) "Loan guarantee" means a guarantee by the state of Kansas to pay off the remaining principal of a specific loan under the terms of K.A.R. 36-39-3.

(i) "Obligation" means a loan, note, conditional sale agreement, security agreement, or other obligation issued or granted to finance or refinance facilities or equipment acquisition, construction, rehabilitation, or improvement.

(j) "Obligor" means the debtor under an obligation, including the original debtor and any successor or assignee of the debtor who is approved by the secretary.

(k) "Qualified entity" means any of the following:

(1) Any class II railroad or class III railroad, as defined in 49 C.F.R. part 1201, holding a certificate of public convenience from the surface transportation board;

(2) any class I railroad, as defined in 49 C.F.R. part 1201, that holds a certificate of public convenience from the surface transportation board and is engaged in the construc-

tion and maintenance of railroads, facilities and equipment in Kansas in conjunction with the development of an intermodal facility, as defined in K.S.A. 75-5082 and amendments thereto; or

(3) any governmental unit or Kansas shipper in coordination with a railroad described in this subsection that seeks to facilitate the financing, acquisition, or rehabilitation of railroads, facilities, equipment, and rolling stock in the state of Kansas.

(l) "Secretary" means the secretary of the Kansas department of transportation, or the secretary's designee. (Authorized by K.S.A. 2009 Supp. 75-5046 and K.S.A. 75-5050; implementing K.S.A. 2009 Supp. 75-5046, K.S.A. 75-5047, K.S.A. 2009 Supp. 75-5048, as amended by 2010 HB 2650, sec. 30, and K.S.A. 2009 Supp. 75-5049; effective Aug. 30, 1993; amended July 11, 1997; amended, T-36-6-29-10, June 29, 2010.)

36-39-4. Forms. Each applicant for a loan guarantee shall file an application on the forms provided by the Kansas department of transportation labeled and assembled using the following format:

- (a) Application summary;
- (b) exhibit "A," description of applicant;
- (c) exhibit "B," description of project;
- (d) exhibit "C," description of the ratio of benefit to cost;
- (e) exhibit "D," pro forma cash flow statement;
- (f) exhibit "E," rehabilitation, repair, and construction cost estimate;
- (g) exhibit "F," historic and current financial statements; and
- (h) exhibit "G," identification of officers and directors. (Authorized by and implementing K.S.A. 2009 Supp. 75-5046; effective Aug. 30, 1993; amended, T-36-6-29-10, June 29, 2010.)

36-39-6. Rail service financial assistance; loans and grants. (a) Compliance with the criteria in K.A.R. 36-39-1(a) shall increase the priority standing of an application for a loan or grant to be used to facilitate the financing, acquisition, or rehabilitation of railroads, facilities, equipment, and rolling stock in the state of Kansas.

(b) Monies to be loaned or granted shall originate from the rail service improvement fund.

(c) All funds loaned shall be repaid to the department of transportation within 10 years or less of the notice of acceptance of the project. The repayment shall include an interest rate established in the loan agreement between the secretary and applicant.

(d) Each application shall be submitted in the form prescribed by the Kansas department of transportation. (Authorized by K.S.A. 75-5050; implementing K.S.A. 2009 Supp. 75-5048, as amended by 2010 HB 2650, sec. 30, and K.S.A. 2009 Supp. 75-5049; effective Aug. 30, 1993; amended July 11, 1997; amended, T-36-6-29-10, June 29, 2010.)

Deb Miller
Secretary of Transportation

Doc. No. 038504

State of Kansas

Department of Wildlife and Parks

Permanent Administrative
Regulations

Article 2.—FEES, REGISTRATIONS,
AND OTHER CHARGES

115-2-1. Amount of fees. The following fees shall be in effect for the following licenses, permits, and other issues of the department: (a) Hunting licenses and permits.

(1) Resident hunting license	\$18.00
(2) Nonresident hunting license	70.00
(3) Nonresident junior hunting license (under 16 years of age)	35.00
(4) Resident big game hunting permit:	
General resident: either-sex elk permit	250.00
General resident: antlerless-only elk permit	100.00
General resident youth (under 16 years of age): either-sex elk permit	125.00
General resident youth (under 16 years of age): antlerless-only elk permit	50.00
Landowner/tenant: either-sex elk permit	125.00
Landowner/tenant: antlerless-only elk permit	50.00
Hunt-on-your-own-land: either-sex elk permit	125.00
Hunt-on-your-own-land: antlerless-only elk permit	50.00
General resident: deer permit	30.00
General resident youth (under 16 years of age): deer permit	15.00
General resident: antlerless-only deer permit	15.00
General resident youth (under 16 years of age): antlerless-only deer permit	7.50
Landowner/tenant: deer permit	15.00
Hunt-on-your-own-land: deer permit	15.00
Special hunt-on-your-own-land: deer permit	30.00
General resident: antelope permit	40.00
General resident youth (under 16 years of age): antelope permit	20.00
Landowner/tenant: antelope permit	20.00
Hunt-on-your-own-land: antelope permit	20.00
Antelope preference point service charge	5.00
Any-deer preference point service charge	5.00
Application fee for elk permit	5.00
(5) Wild turkey permit:	
General resident: turkey permit (1-bird limit)	20.00
General resident youth (under 16 years of age): turkey permit (1-bird limit)	10.00
Landowner/tenant: turkey permit (1-bird limit)	10.00
Nonresident: turkey permit (1-bird limit)	30.00
Resident: turkey preference point service charge	5.00
(6) Wild turkey game tag:	
Resident: turkey game tag (1-bird limit)	10.00
Nonresident: turkey game tag (1-bird limit)	20.00
(7) Spring wild turkey permit and game tag combination (2-bird limit, must be purchased before April 1 of year of use):	
General resident: turkey permit and game tag combination (2-bird limit)	25.00
General resident youth (under 16 years of age): turkey permit and game tag combination (2-bird limit)	15.00
Landowner/tenant: turkey permit and game tag combination (2-bird limit)	15.00
Nonresident: turkey permit and game tag combination (2-bird limit)	45.00
(8) Nonresident big game hunting permit:	
Nonresident hunt-on-your-own-land: deer permit	75.00
Nonresident: deer permit (antlered deer)	300.00
Nonresident: deer permit (antlerless only)	75.00
Nonresident: antelope permit (archery only)	200.00
Nonresident: deer permit application fee	20.00

(continued)

Nonresident: mule deer stamp	100.00
(9) 48-hour waterfowl hunting permit	25.00
(10) Field trial permit: game birds	20.00
(11) Lifetime hunting license	440.00
or eight quarterly installment payments of	60.00
(12) Migratory waterfowl habitat stamp	5.00
(13) Special dark goose hunting permit	5.00
(14) Sandhill crane hunting permit: validation fee	5.00
(15) Disabled person hunt-from-a-vehicle permit	0

(b) Fishing licenses and permits.

Resident fishing license	18.00
Nonresident fishing license	40.00
24-hour fishing license	3.00
Three-pole permit	4.00
Tournament bass pass	10.00
Paddlefish permit (six carcass tags)	10.00
Paddlefish permit youth (under 16 years of age) (six carcass tags)	5.00
Hand fishing permit	25.00
Floatline fishing permit	0
Lifetime fishing license	440.00
or eight quarterly installment payments of	60.00
Five-day nonresident fishing license	20.00
Institutional group fishing license	100.00
Special nonprofit group fishing license	50.00
Trout permit	10.00

(c) Combination hunting and fishing licenses and permits.

Resident combination hunting and fishing license	36.00
Resident lifetime combination hunting and fishing license ..	880.00
or eight quarterly installment payments of	120.00
Nonresident combination hunting and fishing license	110.00

(d) Furharvester licenses.

Resident furharvester license	18.00
Resident junior furharvester license	10.00
Lifetime furharvester license	440.00
or eight quarterly installment payments of	60.00
Nonresident furharvester license	250.00
Nonresident bobcat permit (1-bobcat limit per permit)	100.00
Resident fur dealer license	100.00
Nonresident fur dealer license	400.00
Field trial permit: furbearing animals	20.00

(e) Commercial licenses and permits.

Controlled shooting area hunting license	15.00
Resident mussel fishing license	75.00
Nonresident mussel fishing license	1,000.00
Mussel dealer permit	200.00
Missouri river fishing permit	25.00
Game breeder permit	10.00
Controlled shooting area operator license	200.00
Commercial dog training permit	20.00
Commercial fish bait permit	20.00
Commercial prairie rattlesnake harvest permit (without a valid Kansas hunting license)	20.00
Commercial prairie rattlesnake harvest permit (with a valid Kansas hunting license or exempt from this license requirement)	5.00
Commercial prairie rattlesnake dealer permit	50.00
Prairie rattlesnake round-up event permit	25.00

(f) Collection, scientific, importation, rehabilitation, and damage-control permits.

Scientific, educational, or exhibition permit	10.00
Raptor propagation permit	0
Rehabilitation permit	0
Wildlife damage-control permit	0
Wildlife importation permit	10.00
Threatened or endangered species: special permits	0

(g) Falconry.

Apprentice permit	75.00
General permit	75.00
Master permit	75.00

Testing fee	50.00
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(h) Miscellaneous fees.

Duplicate license, permit, stamp, and other issues of the department	10.00
Special departmental services, materials, or supplies	At cost
Vendor bond	
For bond amounts of \$5,000.00 and less	50.00
For bond amounts of more than \$5,000.00	50.00
plus \$6.00 per additional \$1,000.00 coverage or any fraction thereof.	

This regulation shall be effective on and after August 1, 2010. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 2009 Supp. 32-988; effective Dec. 4, 1989; amended Sept. 10, 1990; amended Jan. 1, 1991; amended June 8, 1992; amended Oct. 12, 1992; amended April 11, 1994; amended Aug. 29, 1994; amended June 5, 1995; amended Aug. 21, 1995; amended Feb. 28, 1997; amended July 30, 1999; amended Jan. 2, 2002; amended Jan. 1, 2003; amended Jan. 1, 2004; amended Feb. 18, 2005; amended Jan. 1, 2006; amended May 1, 2006; amended Jan. 1, 2007; amended Jan. 1, 2008; amended Jan. 1, 2009; amended Jan. 1, 2010; amended Aug. 1, 2010.)

Article 8.—DEPARTMENT LANDS AND WATERS

115-8-1. Department lands and waters: hunting, furharvesting, and discharge of firearms. (a) Subject to provisions and restrictions as established by posted notice or as specified in the document adopted by reference in subsection (e), the following activities shall be allowed on department lands and waters:

(1) Hunting during open seasons for hunting on lands and waters designated for public hunting;

(2) furharvesting during open seasons for furharvesting on lands and waters designated for public hunting and other lands and waters as designated by the department;

(3) target practice in areas designated as open for target practice; and

(4) noncommercial training of hunting dogs.

(b) Other than as part of an activity under subsection (a), the discharge of firearms and other sport hunting equipment capable of launching projectiles shall be allowed on department lands and waters only as specifically authorized in writing by the department.

(c) The discharge of fully automatic rifles or fully automatic handguns on department lands and waters shall be prohibited.

(d) Department lands and waters shall be open neither for commercial rabbit and hare furharvesting nor for commercial harvest of amphibians and reptiles.

(e) The department's "KDWP fisheries and wildlife division public land special use restrictions," dated April 6, 2010, is hereby adopted by reference. (Authorized by K.S.A. 32-807; implementing K.S.A. 32-807; effective Dec. 4, 1989; amended July 13, 2001; amended May 16, 2008; amended May 15, 2009; amended July 23, 2010.)

J. Michael Hayden
Secretary of Wildlife
and Parks

Doc. No. 038489

State of Kansas

Department of Education

Permanent Administrative
Regulations

Article 40.—SPECIAL EDUCATION

91-40-1. Definitions. Additional definitions of terms concerning student discipline are provided in K.A.R. 91-40-33. (a) "Adapted physical education" means physical education that is modified to accommodate the particular needs of children with disabilities.

(b) "Agency" means any board or state agency.

(c) "Assistive technology device" means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of a child with a disability. The term shall not include any medical device that is surgically implanted or the replacement of the device.

(d) "Assistive technology service" means any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. This term shall include the following:

(1) Evaluating the needs of a child with a disability, including a functional evaluation of the child in the child's customary environment;

(2) purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by children with disabilities;

(3) selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;

(4) coordinating and using other therapies, interventions, or services with assistive technology devices, including those associated with existing education and rehabilitation plans and programs;

(5) providing training or technical assistance for a child with a disability or, if appropriate, that child's family; and

(6) providing training or technical assistance for professionals including individuals providing education and rehabilitation services, employers, or other individuals who provide services to, employ, or are otherwise substantially involved in the major life functions of a child.

(e) "Audiology" means the following:

(1) Identification of children with hearing loss;

(2) determination of the range, nature, and degree of hearing loss, including referral for medical or other professional attention for the habilitation of hearing;

(3) provision of habilitative activities, including language habilitation, auditory training, lip-reading, hearing evaluation, and speech conservation;

(4) creation and administration of programs for prevention of hearing loss;

(5) counseling and guidance of children, parents, and teachers regarding hearing loss; and

(6) determination of children's needs for group and individual amplification, selecting and fitting an appropriate aid, and evaluating the effectiveness of amplification.

(f) "Autism" means a developmental disability significantly affecting verbal and nonverbal communication

and social interaction, generally evident before age three but not necessarily so, that adversely affects a child's educational performance. Other characteristics often associated with autism are engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. The term shall not apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance.

(g) "Blindness" means a visual impairment that requires dependence on tactile and auditory media for learning.

(h) "Board" means the board of education of any school district.

(i) "Business day" means Monday through Friday, except for federal and state holidays unless holidays are specifically included in the designation of business day in a specific regulation.

(j) "Child find activities" means policies and procedures to ensure that all exceptional children, including exceptional children who are enrolled in private schools and exceptional children who are homeless, regardless of the severity of any disability, are identified, located, and evaluated.

(k) "Child with a disability" means the following:

(1) A child evaluated as having mental retardation, a hearing impairment including deafness, a speech or language impairment, a visual impairment including blindness, emotional disturbance, an orthopedic impairment, autism, traumatic brain injury, any other health impairment, a specific learning disability, deaf-blindness, or multiple disabilities and who, by reason thereof, needs special education and related services; and

(2) for children ages three through nine, a child who is experiencing developmental delays and, by reason thereof, needs special education and related services.

(l) "Consent" means that all of the following conditions are met:

(1) A parent has been fully informed of all information relevant to the activity for which consent is sought, in the parent's native language or other mode of communication.

(2) A parent understands and agrees in writing to the carrying out of the activity for which consent is sought, and the consent describes that activity and lists the records, if any, that will be released and to whom.

(3) A parent understands the following:

(A) The granting of consent is voluntary on the part of the parent and may be revoked at any time.

(B) If the parent revokes consent, the revocation is not retroactive and does not negate an action that has occurred after the consent was given and before the consent was revoked.

(C) The parent may revoke consent in writing for the continued provision of a particular service or placement only if the child's IEP team certifies in writing that the child does not need the particular service or placement for which consent is being revoked in order to receive a free appropriate public education.

(m) "Counseling services" means services provided by qualified social workers, psychologists, guidance counselors, or other qualified personnel.

(continued)

(n) "Day" means a calendar day unless otherwise indicated as business day or school day.

(o) "Deaf-blindness" means the combination of hearing and visual impairments that causes such severe communication and other developmental and educational needs that the needs cannot be accommodated in special education programs solely for the hearing impaired or the visually impaired.

(p) "Deafness" means a hearing impairment that is so severe that it impairs a child's ability to process linguistic information through hearing, with or without amplification, and adversely affects the child's educational performance.

(q) "Developmental delay" means such a deviation from average development in one or more of the following developmental areas that special education and related services are required:

- (1) Physical;
- (2) cognitive;
- (3) adaptive behavior;
- (4) communication; or
- (5) social or emotional development.

The deviation from average development shall be documented and measured by appropriate diagnostic instruments and procedures.

(r) "Department" means the state department of education.

(s) "Early identification and assessment of disabilities" means the implementation of a formal plan for identifying a disability as early as possible in a child's life.

(t) "Educational placement" and "placement" mean the instructional environment in which special education services are provided.

(u) "Emotional disturbance" means a condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

- (1) An inability to learn that cannot be explained by intellectual, sensory, or health factors;
- (2) an inability to build or maintain satisfactory interpersonal relationships with peers and teachers;
- (3) inappropriate types of behavior or feelings under normal circumstances;
- (4) a general pervasive mood of unhappiness or depression; or
- (5) a tendency to develop physical symptoms or fears associated with personal or school problems. The term shall include schizophrenia but shall not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

(v) "Evaluation" means a multisourced and multidisciplinary examination, conducted in accordance with applicable laws and regulations, to determine whether a child is an exceptional child and the nature and extent of the special education and related services that the child needs.

(w) "Exceptional children" means children with disabilities and gifted children.

(x) "Extended school year services" means special education and related services that are provided to a child with a disability under the following conditions:

(1) Beyond the school term provided to nondisabled children;

(2) in accordance with the child's IEP; and

(3) at no cost to the parent or parents of the child.

(y) "Federal law" means the individuals with disabilities education act, as amended, and its implementing regulations.

(z) "Free appropriate public education" and "FAPE" mean special education and related services that meet the following criteria:

(1) Are provided at public expense, under public supervision and direction, and without charge;

(2) meet the standards of the state board;

(3) include an appropriate preschool, elementary, or secondary school education; and

(4) are provided in conformity with an individualized education program.

(aa) "General education curriculum" means the curriculum offered to the nondisabled students of a school district.

(bb) "Gifted" means performing or demonstrating the potential for performing at significantly higher levels of accomplishment in one or more academic fields due to intellectual ability, when compared to others of similar age, experience, and environment.

(cc) "Hearing impairment" means an impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but that does not constitute deafness as defined in this regulation.

(dd) "Homebound instruction" means the delivery of special education and related services in the home of a child with a disability.

(ee) "Hospital instruction" means the delivery of special education and related services to a child with a disability who is confined to a hospital for psychiatric or medical treatment.

(ff) "Independent educational evaluation" means an examination that is obtained by the parent of an exceptional child and is performed by an individual or individuals who are not employed by the agency responsible for the education of the child but who meet state and local standards to conduct the examination.

(gg) "Individualized education program" and "IEP" mean a written statement for each exceptional child that meets the requirements of K.S.A. 72-987, and amendments thereto, and the following criteria:

(1) Describes the unique educational needs of the child and the manner in which those needs are to be met; and

(2) is developed, reviewed, and revised in accordance with applicable laws and regulations.

(hh) "Individualized education program team" and "IEP team" mean a group of individuals composed of the following:

(1) The parent or parents of a child;

(2) at least one regular education teacher of the child, if the child is, or may be, participating in the regular education environment;

(3) at least one special education teacher or, if appropriate, at least one special education provider of the child;

(4) a representative of the agency directly involved in providing educational services for the child who meets the following criteria:

(A) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of exceptional children;

(B) is knowledgeable about the general curriculum; and

(C) is knowledgeable about the availability of resources of the agency;

(5) an individual who can interpret the instructional implications of evaluation results;

(6) at the discretion of the child's parent or the agency, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and

(7) whenever appropriate, the exceptional child.

(ii) "Individualized family service plan" and "IFSP" mean a written plan, in accordance with section 1436 of the federal law, for providing early intervention services to an infant or toddler with a disability and the infant's or toddler's family.

(jj) "Infants and toddlers with disabilities" means children from birth through two years of age who have been determined to be eligible for early intervention services under the federal law.

(kk) "Interpreting services" means the following:

(1) For children who are deaf or hard of hearing, oral transliteration services, cued language transliteration services, sign language transliteration and interpreting services, and transcription services, including communication access real-time translation (CART), C-Print, and TypeWell; and

(2) special interpreting services for children who are deaf-blind.

(ll) "Least restrictive environment" and "LRE" mean the educational placement in which, to the maximum extent appropriate, children with disabilities, including children in institutions or other care facilities, are educated with children who are not disabled, with this placement meeting the requirements of K.S.A. 72-976, and amendments thereto, and the following criteria:

(1) Determined at least annually;

(2) based upon the student's individualized education program; and

(3) provided as close as possible to the child's home.

(mm) "Material change in service" means an increase or decrease of 25 percent or more of the duration or frequency of a special education service, related service, or supplementary aid or service specified on the IEP of an exceptional child.

(nn) "Medical services" means services provided by a licensed physician to determine a child's medically related disability that results in the child's need for special education and related services.

(oo) "Mental retardation" means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a child's educational performance.

(pp) "Multiple disabilities" means coexisting impairments, the combination of which causes such severe educational needs that those needs cannot be accommodated in special education programs solely for one of the impairments. The term shall not include deaf-blindness.

(qq) "Native language" means the following:

(1) If used with reference to an individual of limited English proficiency, either of the following:

(A) The language normally used by that individual, or, in the case of a child, the language normally used by the parent or parents of the child, except as provided in paragraph (1) (B) of this subsection; or

(B) in all direct contact with a child, including evaluation of the child, the language normally used by the child in the home or learning environment.

(2) For an individual with deafness or blindness or for an individual with no written language, the mode of communication is that normally used by the individual, including sign language, braille, or oral communication.

(rr) "Occupational therapy" means the services provided by a qualified occupational therapist and shall include services for the following:

(1) Improving, developing, or restoring functions impaired or lost through illness, injury, or deprivation;

(2) improving the ability to perform tasks for independent functioning if functions are impaired or lost; and

(3) preventing, through early intervention, initial or further impairment or loss of function.

(ss) "Orientation and mobility services" means the services provided to blind or visually impaired students by qualified personnel to enable those students to attain systematic orientation to, and safe movement within, their environments at school, at home, and in the community. This term shall include teaching students the following, as appropriate:

(1) Spatial and environmental concepts and use of information received by the senses, including sound, temperature, and vibrations to establish, maintain, or regain orientation and line of travel;

(2) use of the long cane or a service animal to supplement visual travel skills or to function as a tool for safely negotiating the environment for students with no available travel vision;

(3) the understanding and use of remaining vision and distance low vision aids; and

(4) other concepts, techniques, and tools.

(tt) "Orthopedic impairment" means a severe orthopedic impairment that adversely affects a child's educational performance and includes impairments caused by any of the following:

(1) Congenital anomaly, including clubfoot or the absence of a limb;

(2) disease, including poliomyelitis or bone tuberculosis; or

(3) other causes, including cerebral palsy, amputation, and fractures or burns that cause contractures.

(uu) "Other health impairment" means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment and that meets the following criteria:

(1) Is due to chronic or acute health problems, including asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and

(continued)

(2) adversely affects a child's educational performance.

(vv) "Parent" means any person described in K.S.A. 72-962(m) and amendments thereto.

(ww) "Parent counseling and training" means the following:

(1) Assisting parents in understanding the special needs of their child;

(2) providing parents with information about child development; and

(3) helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP.

(xx) "Physical education" means the development of the following:

(1) Physical and motor fitness;

(2) fundamental motor skills and patterns; and

(3) skills in aquatics, dance, and individual and group games and sports, including intramural and lifetime sports. The term shall include special physical education, adapted physical education, movement education, and motor development.

(yy) "Physical therapy" means therapy services provided by a qualified physical therapist.

(zz) "Private school children" means children with disabilities who are enrolled by their parents in private elementary or secondary schools.

(aaa) "Recreation" means leisure education and recreation programs offered in schools and by community agencies. The term shall include assessment of leisure function and therapeutic recreation services.

(bbb) "Rehabilitation counseling services" means services provided by qualified personnel in individual or group sessions that focus specifically on career development, employment preparation, achieving independence, and integration in the workplace and community of a student with a disability. The term shall also include any vocational rehabilitation services provided to a student with a disability under any vocational rehabilitation program funded under the rehabilitation act of 1973, as amended.

(ccc) "Related services" means developmental, corrective, and supportive services that are required to assist an exceptional child to benefit from special education.

(1) Related services shall include the following:

(A) Art therapy;

(B) assistive technology devices and services;

(C) audiology;

(D) counseling services;

(E) dance movement therapy;

(F) early identification and assessment of disabilities;

(G) interpreting services;

(H) medical services for diagnostic or evaluation purposes;

(I) music therapy;

(J) occupational therapy;

(K) orientation and mobility services;

(L) parent counseling and training;

(M) physical therapy;

(N) recreation, including therapeutic recreation;

(O) rehabilitation counseling services;

(P) school health services;

(Q) school nurse services;

(R) school psychological services;

(S) school social work services;

(T) special education administration and supervision;

(U) special music education;

(V) speech and language services;

(W) transportation; and

(X) other developmental, corrective, or supportive services.

(2) Related services shall not include the provision of any medical device that is surgically implanted, including a cochlear implant, the optimization of the device's functioning, including mapping and maintenance of the device, and replacement of the device.

(ddd) "School age" means the following:

(1) For children identified as gifted, having attained the age at which the local board of education provides educational services to children without disabilities, through the school year in which the child graduates from high school; and

(2) for children with disabilities, having attained age three, through the school year in which the child graduates with a regular high school diploma or reaches age 21, whichever occurs first.

(eee) "School day" means any day, including a partial day, that all children, including children with and without disabilities, are in attendance at school for instructional purposes.

(fff) "School health services" means health services that are specified in the IEP of a child with a disability and that are provided by a school nurse or other qualified person.

(ggg) "School nurse services" means nursing services that are provided by a qualified nurse in accordance with the child's IEP.

(hhh) "School psychological services" means the provision of any of the following services:

(1) Administering psychological and educational tests, and other assessment procedures;

(2) interpreting assessment results;

(3) obtaining, integrating, and interpreting information about child behavior and conditions relating to learning;

(4) consulting with other staff members in planning school programs to meet the special needs of children as indicated by psychological tests;

(5) planning and managing a program of psychological services, including psychological counseling for children and parents; and

(6) assisting in developing positive behavioral intervention strategies.

(iii) "School social work services" means services provided by a qualified social worker and shall include the provision of any of the following services:

(1) Preparing a social or developmental history on a child with a disability;

(2) group and individual counseling with the child and family;

(3) working in partnership with the parent or parents and others on those problems in a child's living situation, at home, at school, and in the community that affect the child's adjustment in school;

(4) mobilizing school and community resources to enable the child to learn as effectively as possible in the child's educational program; and

(5) assisting in developing positive behavioral intervention strategies.

(jjj) "Services plan" means a written statement for each child with a disability enrolled in a private school that describes the special education and related services that the child will receive.

(kkk) "Special education" means the following:

(1) Specially designed instruction, at no cost to the parents, to meet the unique needs of an exceptional child, including the following:

(A) Instruction conducted in the classroom, in the home, in hospitals and institutions, and in other settings; and

(B) instruction in physical education;

(2) paraeducator services, speech-language pathology services, and any other related service, if the service consists of specially designed instruction to meet the unique needs of a child with a disability;

(3) occupational or physical therapy and interpreter services for deaf children if, without any of these services, a child would have to be educated in a more restrictive environment;

(4) travel training; and

(5) vocational education.

(lll) "Specially designed instruction" means adapting, as appropriate to the needs of each exceptional child, the content, methodology, or delivery of instruction for the following purposes:

(1) To address the unique needs of the child that result from the child's exceptionality; and

(2) to ensure access of any child with a disability to the general education curriculum, so that the child can meet the educational standards within the jurisdiction of the agency that apply to all children.

(mmm) "Specific learning disability" means a disorder in one or more of the basic psychological processes involved in understanding or using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term shall not include learning problems that are primarily the result of any of the following:

(1) Visual, hearing, or motor disabilities;

(2) mental retardation;

(3) emotional disturbance; or

(4) environmental, cultural, or economic disadvantage.

(nnn) "Speech-language pathology services" means the provision of any of the following services:

(1) Identification of children with speech or language impairments;

(2) diagnosis and appraisal of specific speech or language impairments;

(3) referral for medical or other professional attention necessary for the habilitation of speech or language impairments;

(4) provision of speech and language services for the habilitation or prevention of communicative impairments; and

(5) counseling and guidance of parents, children, and teachers regarding speech and language impairments.

(ooo) "Speech or language impairment" means a communication disorder, including stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance.

(ppp) "State agency" means the secretary of social and rehabilitation services, the secretary of corrections, and the commissioner of juvenile justice.

(qqq) "State board" means the state board of education.

(rrr) "State institution" means any institution under the jurisdiction of a state agency.

(sss) "Substantial change in placement" means the movement of an exceptional child, for more than 25 percent of the child's school day, from a less restrictive environment to a more restrictive environment or from a more restrictive environment to a less restrictive environment.

(ttt) "Supplementary aids and services" means aids, services, and other supports that are provided in regular education classes, other education-related settings, and extracurricular and nonacademic settings to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate.

(uuu) "Transition services" means a coordinated set of activities for a student with disabilities, designed within a results-oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to postschool activities, including postsecondary education, vocational education, integrated employment including supported employment, continuing and adult education, adult services, independent living, and community participation. The coordinated set of activities shall be based on the individual student's needs, taking into account the student's preferences and interests, and shall include the following:

(1) Instruction;

(2) related services;

(3) community experiences;

(4) the development of employment and other postschool adult living objectives; and

(5) if appropriate, acquisition of daily living skills and a functional vocational evaluation.

(vvv) "Transportation" means the following:

(1) Travel to and from school and between schools;

(2) travel in and around school buildings; and

(3) specialized equipment, including special or adapted buses, lifts, and ramps, if required to provide special transportation for a child with a disability.

(www) "Traumatic brain injury" means an acquired injury to the brain that is caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects educational performance. The term shall apply to open or closed head injuries resulting in impairments in one or more areas, including the following:

(1) Cognition;

(2) language;

(3) memory;

(4) attention;

(5) reasoning;

(6) abstract thinking;

(continued)

- (7) judgment;
- (8) problem solving;
- (9) sensory, perceptual, and motor abilities;
- (10) psychosocial behavior;
- (11) physical functions;
- (12) information processing; and
- (13) speech.

The term shall not include brain injuries that are congenital or degenerative or that are induced by birth trauma.

(xxx) "Travel training" means providing instruction, as appropriate, to children with significant cognitive disabilities, and any other children with disabilities who require this instruction, to enable them to perform the following:

- (1) Develop an awareness of the environment in which they live; and
- (2) learn the skills necessary to move effectively and safely from place to place within various environments, including at school, home, and work, and in the community.

(yyy) "Visual impairment" means an impairment in vision that, even with correction, adversely affects a child's educational performance. The term shall include both partial sight and blindness.

(zzz) "Vocational education" means any organized educational program that is directly related to the preparation of individuals for paid or unpaid employment, or for additional preparation for a career requiring other than a baccalaureate or advanced degree. (Authorized by and implementing K.S.A. 2008 Supp. 72-963; effective May 19, 2000; amended March 21, 2008; amended July 23, 2010.)

91-40-27. Parental consent. (a) Except as otherwise provided in this regulation, each agency shall obtain parental consent before taking any of the following actions:

- (1) Conducting an initial evaluation or any reevaluation of an exceptional child;
- (2) initially providing special education and related services to an exceptional child; or
- (3) making a material change in services to, or a substantial change in the placement of, an exceptional child, unless the change is made under the provisions of K.A.R. 91-40-33 through 91-40-38 or is based upon the child's graduation from high school or exceeding the age of eligibility for special education services.

(b) When screening or other methods used by an agency indicate that a child may have a disability and need special education services, the agency shall make reasonable and prompt efforts to obtain informed consent from the child's parent to conduct an initial evaluation of the child and, if appropriate, to make the initial provision of services to the child.

(c) Unless a judicial order specifies to the contrary, each agency shall recognize the biological or adoptive parent of an exceptional child who is a minor as the educational decision maker for the child if the parent exerts the parent's rights on behalf of the child, even if one or more other persons meet the definition of parent for the particular child.

(d) An agency shall not construe parental consent for initial evaluation as consent for the initial provision of

special education and related services to an exceptional child.

(e) An agency shall not be required to obtain parental consent before taking either of the following actions:

- (1) Reviewing existing data as part of an evaluation, reevaluation, or functional behavioral assessment; or
- (2) administering a test or other evaluation that is administered to all children, unless before administration of that test or evaluation, consent is required of the parents of all children.

(f)(1) If a parent of an exceptional child who is enrolled or is seeking to enroll in a public school does not provide consent for an initial evaluation or any reevaluation, or for a proposed material change in services or a substantial change in the placement of the parent's child, an agency may, but shall not be required to, pursue the evaluation or proposed change by initiating due process or mediation procedures.

(2) If a parent of an exceptional child who is being homeschooled or has been placed in a private school by the parent does not provide consent for an initial evaluation or a reevaluation, or fails to respond to a request to provide consent, an agency shall not pursue the evaluation or reevaluation by initiating mediation or due process procedures.

(3) An agency shall not be in violation of its obligations for identification, evaluation, or reevaluation if the agency declines to pursue an evaluation or reevaluation because a parent has failed to provide consent for the proposed action.

(4) Each agency shall document its attempts to obtain parental consent for action proposed under this regulation.

(g) An agency shall not be required to obtain parental consent for a reevaluation or a proposed change in services or placement of the child if the agency has made attempts, as described in K.A.R. 91-40-17(e)(2), to obtain consent but the parent or parents have failed to respond.

(h) An agency shall not use a parent's refusal to consent to an activity or service to deny the parent or child other activities or services offered by the agency.

(i) If, at any time after the initial provision of special education and related services, a parent revokes consent in writing for the continued provision of all special education, related services, and supplementary aids and services, the following shall apply:

(1) The agency shall not continue to provide special education, related services, and supplementary aids and services to the child but shall provide prior written notice in accordance with K.A.R. 91-40-26 before ceasing the provision of those services.

(2) The agency shall not use the procedures in K.S.A. 72-972a or K.S.A. 72-996, and amendments thereto, or K.A.R. 91-40-28, including the mediation procedures and the due process procedures, in order to obtain an agreement or a ruling that the services may be provided to the child.

(3) The agency shall not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education services, related services, and supplementary aids and services.

(4) The agency shall not be required to convene an IEP team meeting or develop an IEP under K.S.A. 72-987, and amendments thereto, or K.A.R. 91-40-16 through K.A.R. 91-40-19 for the child for further provision of special education, related services, and supplementary aids and services.

(j) If a parent revokes consent in writing for the child's receipt of all special education and related services after the child is initially provided special education and related services, the agency shall not be required to amend the child's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent.

(k) If a parent revokes consent for the continued provision of particular special education, related services, supplementary aids and services, or placements, or any combination of these, and the IEP team certifies in writing that the child does not need the service or placement for which consent is being revoked in order to receive a free appropriate public education, the following shall apply:

(1) The agency shall not continue to provide the particular special education, related services, supplementary aids and services, and placements for which consent was revoked but shall provide prior written notice in accordance with K.A.R. 91-40-26 before ceasing the provision of the particular special education, related services, supplementary aids and services, and placements.

(2) The agency shall not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with the particular special education, related services, supplementary aids and services, or placements, or any combination, for which parental consent was revoked.

(l) If a parent who revoked consent for all special education, related services, and supplementary aids and services under subsection (i) subsequently requests that the person's child be reenrolled in special education, the agency shall conduct an initial evaluation of the child to determine whether the child qualifies for special education before reenrolling the child in special education. If the team evaluating the child determines that no additional data are needed to make any of the determinations specified in K.A.R. 91-40-8(c)(2), the agency shall give written notice to the child's parent in accordance with K.A.R. 91-40-8(e)(2). If the child is determined to be eligible, the agency shall develop an initial IEP. (Authorized by K.S.A. 2008 Supp. 72-963; implementing K.S.A. 2008 Supp. 72-988; effective May 19, 2000; amended May 4, 2001; amended March 21, 2008; amended July 23, 2010.)

Diane DeBacker
Interim Commissioner of Education

Doc. No. 038488

State of Kansas

State Corporation Commission

Permanent Administrative Regulations

Article 1.—RULES OF PRACTICE AND PROCEDURE

82-1-219. General requirements relating to pleadings and other papers. Except as otherwise provided in K.A.R. 82-1-231, each pleading shall contain the formal parts and meet the requirements specified in this regulation.

(a) Caption. The caption of a pleading shall include the heading, the descriptive title of the docket, and the docket number assigned to the matter by the executive director of the commission.

(1) Heading. Each pleading shall contain the heading "BEFORE THE STATE CORPORATION COMMISSION OF THE STATE OF KANSAS" which shall be centered at the top of the first page of the pleading.

(2) Descriptive title. Immediately beneath the heading, and to the left of the center of the page, shall be the descriptive title of the docket. This title shall begin with the words "In the matter of" and shall be followed by a concise statement of the matter presented to the commission for its determination, including, if appropriate, a brief description of the order, authorization, permission, or certificate sought by the party initiating the docket. The name of the party initiating the docket and the names of all other parties to whom the initial pleading is directed shall be stated in the descriptive title, followed by a designation of each party's status in the proceeding. These designations shall include applicant, complainant, defendant, and respondent.

(3) Docket number. Upon the filing of the initial pleading in a docket, a docket number shall be assigned by the executive director of the commission, which shall be placed immediately to the right of the docket title. All pleadings filed in the docket after the formal initiation of the matter shall bear the same caption as that of the original pleading.

(b) Pleading title. The title of the pleading shall be centered immediately beneath the caption and shall describe the pleading contained in the numbered paragraphs that follow.

(c) Numbered paragraphs. Following the title of the pleading, the pertinent allegations of fact and law, in compliance with these regulations, shall be set forth in numbered paragraphs.

(d) Numbered pages. Beginning with the second page of the pleading, each page of the pleading shall be numbered consecutively.

(e) The prayer. The numbered paragraphs of the pleading shall be followed by the prayer, which shall be a concise and complete statement of all relief sought by the pleader. The prayer shall be brief, but shall be complete so that an order granting the prayer includes all of the relief desired and requested by the pleader.

(f) Subscription. Each pleading shall be personally subscribed or executed by one of the following methods:

(1) By the party making the same or by one of the parties, if there is more than one party;

(2) by an officer of the party, if the party is a corporation or association; or

(continued)

(3) for the party, by its attorney. The names and the addresses of all parties shall appear either in the subscription or elsewhere in the pleading. The name, address, telephone number, and telefacsimile number of the attorney for the party who is the pleader shall appear either in the subscription or immediately below it. Abbreviations of names and addresses shall not be used.

(g) Verification. Each pleading shall be verified by the party or by the party's attorney, if the attorney has actual knowledge of the truth of the statements in the pleading or reasonable grounds to believe that the statements are true. Each pleading shall be verified upon affirmation that meets the requirements of K.S.A. 54-104, and amendments thereto. Any pleading by a corporation or an association may be verified by an officer or director of the corporation or association. Written verification may be waived by the commission by order at its discretion.

(h) Certificate of service. Whenever service of a pleading is required by these regulations, the party responsible for effecting service shall endorse a certificate of service upon the pleading to show compliance with these regulations. The certificate shall show service by any method authorized by K.A.R. 82-1-216.

(i) Form. Each pleading shall be typewritten on paper that is 8½" wide and 11" long. The left-hand margin shall not be less than one inch wide. The impression shall be on only one side of the paper and shall be double-spaced, except that lengthy quotations may be single-spaced and indented. Photocopies of the pleading may be filed.

(j) Rejection of document. Each document that contains defamatory, scurrilous, or unethical language shall be rejected and returned to the party filing the document. Papers, correspondence, or pleadings or any copies of papers, correspondence, or pleadings that are not clearly legible shall be rejected and returned to the party filing the document.

(k) Amendments. The amendment of any pleading may be allowed by the commission at its discretion, either by replacement of the original pleading with an amended version of it or by interlineations or deletion of material on the original pleading. (Authorized by and implementing K.S.A. 66-106; effective Jan. 1, 1966; amended Feb. 15, 1977; amended July 23, 1990; amended Oct. 10, 2003; amended July 23, 2010.)

Susan K. Duffy
Executive Director

Doc. No. 038497

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 2008 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

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1-2-64	New	V. 28, p. 1338
1-2-65	New	V. 28, p. 1338
1-7-3	Amended	V. 28, p. 1338
1-7-4	Amended	V. 28, p. 1338
1-7-6	Amended	V. 28, p. 1339
1-7-7	Amended	V. 28, p. 1339
1-7-10	Amended	V. 28, p. 1339
1-7-11	Amended	V. 28, p. 1340
1-7-12	Amended	V. 28, p. 1340
1-14-8	Amended	V. 28, p. 1341
1-16-8	Amended	V. 29, p. 676
1-16-15	Amended	V. 29, p. 677
1-16-18	Amended	V. 29, p. 677
1-16-18a	Amended	V. 29, p. 678
1-16-20	Amended	V. 29, p. 680

AGENCY 3: KANSAS STATE TREASURER

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3-3-1	Amended (T)	V. 27, p. 1091
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3-3-2	New	V. 27, p. 1517
3-3-2	Amended (T)	V. 29, p. 702
3-4-1	Amended	V. 28, p. 1716
3-4-2	Amended	V. 28, p. 1716
3-4-4	Amended	V. 28, p. 1716
3-4-5	Amended	V. 28, p. 1717
3-4-6	Revoked	V. 28, p. 1717
3-4-7	Amended	V. 28, p. 1717

AGENCY 4: DEPARTMENT OF AGRICULTURE

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4-6-1	Amended	V. 28, p. 1594
4-6-2	Amended	V. 28, p. 1594

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4-7-213	Amended	V. 29, p. 1023
4-7-716	Amended	V. 29, p. 1023
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
4-10-1	Amended	V. 29, p. 254
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4-10-1b	New	V. 29, p. 255
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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
7-41-1		
through		
7-41-7	Amended	V. 28, p. 193-195
7-41-8	Revoked	V. 28, p. 195
7-41-9	Revoked	V. 28, p. 195
7-41-10		
through		
7-41-17	Amended	V. 28, p. 195, 196
7-41-18		
through		
7-41-29	Revoked	V. 28, p. 196
7-41-30	Amended	V. 28, p. 196
7-41-31	Revoked	V. 28, p. 196
7-41-32	Amended	V. 28, p. 196
7-41-33	Amended	V. 28, p. 197
7-41-34	New	V. 28, p. 197
7-41-35	New	V. 28, p. 197
7-45-1	New	V. 27, p. 968
7-45-2	New	V. 27, p. 968

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-7-4	Amended (T)	V. 29, p. 703

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-6-1		
through		
11-6-6	New	V. 27, p. 1633, 1634
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
14-8-6	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
14-17-7	New	V. 27, p. 1214

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

Reg. No.	Action	Register
17-24-2	Amended	V. 28, p. 1371
17-24-3	Amended	V. 28, p. 1371
17-24-4	Amended	V. 28, p. 1371
17-24-5	New	V. 28, p. 1373
17-24-6	New	V. 28, p. 1373
17-25-1	New	V. 27, p. 356

**AGENCY 19: GOVERNMENTAL ETHICS
COMMISSION**

Reg. No.	Action	Register
19-6-1	Amended	V. 29, p. 112
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
22-24-3	Amended	V. 28, p. 1367

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-39-100		
through		
26-39-105	New	V. 28, p. 615-623
26-39-144	Revoked	V. 28, p. 623
26-39-243	Revoked	V. 28, p. 649
26-39-278	Revoked	V. 28, p. 649
26-39-427	Revoked	V. 28, p. 649
26-41-101		
through		
26-41-106	New	V. 28, p. 649-651
26-41-200		
through		
26-41-207	New	V. 28, p. 652-657
26-42-101	New	V. 28, p. 657
26-42-102	New	V. 28, p. 658
26-42-104	New	V. 28, p. 659
26-42-105	New	V. 28, p. 659
26-42-200		
through		
26-42-207	New	V. 28, p. 659-664
26-43-101		
through		
26-43-106	New	V. 28, p. 664-667
26-43-200		
through		
26-43-207	New	V. 28, p. 667-671

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

Reg. No.	Action	Register
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
28-4-370		
through		
28-4-379	Revoked	V. 29, p. 1024
28-4-430	Amended	V. 27, p. 991
28-4-800		
through		
28-4-825	New	V. 27, p. 318-334
28-4-1200		
through		
28-4-1218	New	V. 28, p. 1426-1437
28-4-1300		
through		
28-4-1318	New	V. 29, p. 1024-1032
28-16-28g	Amended	V. 29, p. 181
28-17-6	Amended	V. 28, p. 1809
28-17-12	Amended	V. 28, p. 1809
28-19-712	New	V. 29, p. 866
28-19-712a		
through		
28-19-712d	New	V. 29, p. 867
28-19-713	New	V. 29, p. 867
28-19-713a		
through		
28-19-713d	New	V. 29, p. 867, 868
28-19-350	Amended	V. 28, p. 1490
28-21-1	Revoked	V. 29, p. 725
28-21-6	Revoked	V. 29, p. 725
28-21-7	Revoked	V. 29, p. 725
28-21-8	Revoked	V. 29, p. 725
28-21-9	Revoked	V. 29, p. 725
28-21-10	Revoked	V. 29, p. 726
28-21-11	Revoked	V. 29, p. 726
28-21-20a	Revoked	V. 29, p. 726
28-21-21a	Revoked	V. 29, p. 726
28-21-22a	Revoked	V. 29, p. 726
28-21-23a	Revoked	V. 29, p. 726
28-21-24a	Revoked	V. 29, p. 726
28-21-25a	Revoked	V. 29, p. 726
28-21-26a	Revoked	V. 29, p. 726
28-21-27a	Revoked	V. 29, p. 726
28-21-28a	Revoked	V. 29, p. 726
28-21-29a	Revoked	V. 29, p. 726
28-21-30a	Revoked	V. 29, p. 726
28-21-31a	Revoked	V. 29, p. 726
28-21-32a	Revoked	V. 29, p. 726
28-21-33a	Revoked	V. 29, p. 726
28-21-34a	Revoked	V. 29, p. 726
28-21-35a	Revoked	V. 29, p. 726
28-21-40a	Revoked	V. 29, p. 726
28-21-41a	Revoked	V. 29, p. 726
28-21-42a	Revoked	V. 29, p. 726
28-21-43a	Revoked	V. 29, p. 726
28-21-44a	Revoked	V. 29, p. 726
28-21-50a	Revoked	V. 29, p. 726
28-21-51a	Revoked	V. 29, p. 726
28-21-52a	Revoked	V. 29, p. 726
28-21-53a	Revoked	V. 29, p. 726
28-21-54a	Revoked	V. 29, p. 726
28-21-55a	Revoked	V. 29, p. 726
28-21-56a	Revoked	V. 29, p. 726
28-21-57a	Revoked	V. 29, p. 726
28-21-58a	Revoked	V. 29, p. 726
28-21-59a	Revoked	V. 29, p. 726
28-21-60a	Revoked	V. 29, p. 726
28-21-61a	Revoked	V. 29, p. 726
28-21-62a	Revoked	V. 29, p. 726
28-21-63	Revoked	V. 29, p. 726
28-21-64	Revoked	V. 29, p. 726
28-21-70a	Revoked	V. 29, p. 726
28-21-71a	Revoked	V. 29, p. 726
28-21-72a	Revoked	V. 29, p. 726
28-21-82		
through		
28-21-85	Revoked	V. 29, p. 726
28-23-4	Revoked	V. 29, p. 726
28-23-9	Revoked	V. 29, p. 726
28-23-10	Revoked	V. 29, p. 726
28-23-16	Revoked	V. 27, p. 191

(continued)

28-23-20		
through		
28-23-24	Revoked	V. 29, p. 726
28-23-26		
through		
28-23-32	Revoked	V. 29, p. 726
28-23-34		
through		
28-23-36	Revoked	V. 29, p. 727
28-23-41		
through		
28-23-55	Revoked	V. 29, p. 727
28-23-70	Revoked	V. 29, p. 727
28-23-71	Revoked	V. 29, p. 727
28-23-73	Revoked	V. 29, p. 727
28-23-75	Revoked	V. 29, p. 727
28-23-78		
through		
28-23-80	Revoked	V. 29, p. 727
28-29-501	New	V. 28, p. 1809
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
28-36-30	Revoked	V. 29, p. 727
28-36-31	Revoked	V. 29, p. 727
28-36-33		
through		
28-36-49	Revoked	V. 27, p. 73
28-36-70		
through		
28-36-89	Revoked	V. 29, p. 727
28-36-101		
through		
28-36-109	Revoked	V. 29, p. 727
28-38-18	Amended	V. 27, p. 1742
28-38-19	Amended	V. 27, p. 1743
28-38-21	Amended	V. 27, p. 1743
28-38-22	Amended	V. 27, p. 1744
28-38-23	Amended	V. 27, p. 1744
28-38-29	Amended	V. 27, p. 1745
28-39-145a	Revoked	V. 28, p. 623
28-39-146	Revoked	V. 28, p. 623
28-39-147	Revoked	V. 28, p. 623
28-39-148	Revoked	V. 28, p. 623
28-39-164		
through		
28-39-168	Amended	V. 28, p. 798-800
28-39-240		
through		
28-39-253	Revoked	V. 28, p. 672
28-39-275		
through		
28-39-288	Revoked	V. 28, p. 672
28-39-425		
through		
28-39-436	Revoked	V. 28, p. 672
28-45b-1		
through		
28-45b-28	New	V. 28, p. 973-988
28-53-1		
through		
28-53-5	Amended	V. 28, p. 240, 241
28-59-5	Amended	V. 27, p. 462
28-61-1	Amended	V. 29, p. 419
28-61-2	Amended	V. 29, p. 419
28-61-5	Amended	V. 29, p. 420
28-61-8	Amended	V. 29, p. 422
28-61-11	Amended	V. 27, p. 464
28-70-4	New	V. 28, p. 800
28-72-1	Revoked	V., 29, p. 357
28-72-1a	New	V. 29, p. 357
28-72-1c	New	V. 29, p. 357
28-72-1d	New	V. 29, p. 358
28-72-1e	New	V. 29, p. 358
28-72-1g	New	V. 29, p. 358
28-72-1h	New	V. 29, p. 358
28-72-1i	New	V. 29, p. 359
28-72-1k	New	V. 29, p. 359
28-72-1l	New	V. 29, p. 359

28-72-1m	New	V. 29, p. 360
28-72-1n	New	V. 29, p. 360
28-72-1o	New	V. 29, p. 360
28-72-1p	New	V. 29, p. 360
28-72-1r	New	V. 29, p. 361
28-72-1s	New	V. 29, p. 361
28-72-1t	New	V. 29, p. 361
28-72-1v	New	V. 29, p. 361
28-72-1x	New	V. 29, p. 361
28-72-2	Amended	V. 29, p. 361
28-72-3	Amended	V. 29, p. 362
28-72-4	Amended	V. 29, p. 362
28-72-4a	Amended	V. 29, p. 366
28-72-4b	Revoked	V. 29, p. 368
28-72-4c	Amended	V. 29, p. 368
28-72-5	Amended	V. 29, p. 369
28-72-6	Amended	V. 29, p. 370
28-72-6a	New	V. 29, p. 371
28-72-7	Amended	V. 29, p. 373
28-72-7a	New	V. 29, p. 373
28-72-8	Amended	V. 29, p. 374
28-72-9	Amended	V. 29, p. 375
28-72-10	Amended	V. 29, p. 376
28-72-10a	New	V. 29, p. 377
28-72-11	Amended	V. 29, p. 378
28-72-12	Amended	V. 29, p. 378
28-72-13	Amended	V. 29, p. 379
28-72-14	Amended	V. 29, p. 379
28-72-15	Amended	V. 29, p. 380
28-72-16	Amended	V. 29, p. 380
28-72-17	Amended	V. 29, p. 381
28-72-18	Amended	V. 29, p. 382
28-72-18a	Amended	V. 29, p. 383
28-72-18b	Amended	V. 29, p. 384
28-72-18c	Amended	V. 29, p. 384
28-72-18d	Amended	V. 29, p. 385
28-72-18e	Amended	V. 29, p. 386
28-72-19	Amended	V. 29, p. 387
28-72-20	Amended	V. 29, p. 387
28-72-21	Amended	V. 29, p. 387
28-72-22	Amended	V. 29, p. 388
28-72-51	Amended	V. 29, p. 388
28-72-52	Amended	V. 29, p. 389
28-72-53	Amended	V. 29, p. 389
28-73-1	Amended	V. 28, p. 74

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-4-90	Amended	V. 28, p. 916
30-5-78	Revoked	V. 27, p. 1022
30-5-118a	Revoked	V. 29, p. 293
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
30-45-20	New	V. 28, p. 966
30-46-10	Amended	V. 28, p. 966
30-46-17	Amended	V. 28, p. 967
30-63-10	Amended	V. 28, p. 1806
30-63-11	Amended	V. 28, p. 1807
30-63-12	Amended	V. 28, p. 1807
30-63-32	New	V. 27, p. 664
30-64-24	Revoked	V. 27, p. 665

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-42-1		
through		
36-42-9	New	V. 29, p. 502-504

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-37	Amended	V. 28, p. 966
40-1-38	Amended	V. 28, p. 1593

40-1-48	Amended	V. 27, p. 1709
40-2-28	New	V. 28, p. 273
40-3-30	Amended	V. 28, p. 112
40-3-52	New	V. 27, p. 133
40-3-56	New	V. 28, p. 1518
40-3-57	New	V. 28, p. 1518
40-3-58	New	V. 28, p. 1518
40-4-35	Amended	V. 28, p. 915
40-4-36	Amended	V. 28, p. 1252
40-4-37v	New	V. 28, p. 643
40-4-41	Amended	V. 27, p. 434
40-4-41a		
through		
40-4-41j	Revoked	V. 27, p. 434, 435
40-4-43	New	V. 29, p. 703
40-7-20a	Amended	V. 28, p. 604

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

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

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

AGENCY 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-45-1	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
49-45-5	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
49-45-37	Amended	V. 27, p. 1467
49-55-1		
through		
49-55-12	New	V. 29, p. 675, 676

AGENCY 50: DEPARTMENT OF LABOR—DIVISION OF EMPLOYMENT

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

AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-9-7	Amended	V. 28, p. 1536

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
60-2-105	Amended	V. 28, p. 197
60-2-106	Amended	V. 28, p. 197
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	New	V. 27, p. 1608
60-3-114	New	V. 27, p. 1608
60-7-111	New	V. 27, p. 1609
60-9-105	Amended	V. 28, p. 197
60-9-107	Amended	V. 28, p. 198
60-11-101	through	
60-11-105	Amended	V. 28, p. 1252-1254
60-11-107	Amended	V. 28, p. 1254
60-13-103	Amended	V. 28, p. 200
60-13-104	Amended	V. 28, p. 200
60-15-101	Amended	V. 28, p. 200
60-15-102	Amended	V. 28, p. 201
60-15-104	Amended	V. 28, p. 202

AGENCY 63: BOARD OF MORTUARY ARTS

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

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

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

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 27, p. 315
66-6-4	Amended	V. 27, p. 316
66-6-6	Amended	V. 28, p. 1536
66-6-8	Revoked	V. 28, p. 1537
66-6-9	Revoked	V. 28, p. 1537
66-7-2	Amended	V. 28, p. 1537
66-8-1	Revoked	V. 28, p. 1537
66-8-3	Amended	V. 28, p. 1537
66-8-4	Amended	V. 28, p. 1537
66-8-6	Amended	V. 29, p. 794
66-8-7	Amended	V. 28, p. 1537
66-9-4	Amended	V. 28, p. 1538
66-10-1	Amended	V. 29, p. 794
66-10-9	Amended	V. 28, p. 1538
66-10-14	Amended	V. 28, p. 1538
66-11-1	Amended	V. 28, p. 1539
66-11-1a	Amended	V. 28, p. 1539
66-11-1b	Amended	V. 28, p. 1539
66-11-4	Amended	V. 28, p. 1539
66-11-5	Amended	V. 28, p. 44
66-12-1	Amended	V. 29, p. 794
66-14-1	Amended	V. 28, p. 44
66-14-2	Amended	V. 28, p. 45
66-14-3	Amended	V. 28, p. 45
66-14-4	Revoked	V. 28, p. 45
66-14-5	Amended	V. 28, p. 45
66-14-7	Amended	V. 28, p. 45
66-14-10	Amended	V. 29, p. 794

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

Reg. No.	Action	Register
67-3-5	New	V. 28, p. 1187

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 29, p. 465
68-1-1h	New	V. 28, p. 1491
68-1-3a	Amended	V. 28, p. 1491
68-2-20	Amended	V. 28, p. 1765
68-2-22	Amended	V. 28, p. 1491
68-7-11	Amended	V. 29, p. 1053
68-7-12b	Amended	V. 27, p. 1518
68-7-14	Amended	V. 28, p. 1492
68-7-20	Amended	V. 27, p. 435
68-7-21	New	V. 29, p. 465
68-11-2	Amended	V. 27, p. 1518

68-16-3	Amended	V. 28, p. 342
68-18-1	New	V. 27, p. 1857
68-18-2	New	V. 27, p. 1857
68-18-3	New	V. 27, p. 1858
68-19-1	New	V. 28, p. 342
68-20-10a	Amended	V. 29, p. 466
68-20-16	Amended	V. 28, p. 1561
68-20-23	New (T)	V. 27, p. 1709
68-20-23	New	V. 28, p. 192

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-3-8	Amended (T)	V. 28, p. 923
69-11-1	Amended	V. 28, p. 298

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-9-1	through	
71-9-4	New	V. 27, p. 1878
71-10-1	through	
71-10-4	New	V. 27, p. 1879
71-11-1	New	V. 28, p. 1187

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-7	Amended	V. 28, p. 643
74-4-8	Amended	V. 28, p. 644
74-4-9	Amended	V. 27, p. 627
74-4-10	Amended	V. 27, p. 627
74-5-2	Amended	V. 28, p. 645
74-5-2a	New	V. 28, p. 646
74-5-101	Amended	V. 28, p. 646
74-5-102	Amended	V. 28, p. 646
74-5-103	Amended	V. 28, p. 646
74-5-201	Amended	V. 28, p. 646
74-5-202	Amended	V. 28, p. 646
74-5-301	Amended	V. 28, p. 647
74-5-302	Amended	V. 28, p. 647
74-5-401	Amended	V. 28, p. 647
74-5-403	Amended	V. 28, p. 647
74-5-405a	Amended	V. 28, p. 647
74-5-406	Amended	V. 28, p. 647
74-7-4	Amended	V. 28, p. 648
74-11-6	Amended	V. 28, p. 648

AGENCY 75: OFFICE OF THE STATE BANK COMMISSIONER—CONSUMER AND MORTGAGE LENDING DIVISION

Reg. No.	Action	Register
75-6-1	Amended	V. 28, p. 1367
75-6-9	Amended	V. 28, p. 1367
75-6-31	Amended	V. 28, p. 1367
75-6-33	Revoked	V. 28, p. 1368
75-6-34	Revoked	V. 28, p. 1368
75-6-36	New	V. 28, p. 1368
75-6-37	New	V. 28, p. 1368
75-6-38	New	V. 28, p. 1368

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-2	Amended	V. 27, p. 1801
81-3-6	Amended	V. 28, p. 606
81-5-7	Amended	V. 27, p. 1156
81-5-14	Amended	V. 28, p. 571
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. 28, p. 610
81-14-9	Amended	V. 27, p. 1163

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-107	Amended	V. 27, p. 1518
82-3-108	Amended	V. 27, p. 1519
82-3-111	Amended	V. 27, p. 1520
82-3-311a	New	V. 29, p. 181
82-3-135a	Amended	V. 27, p. 1521
82-3-135b	Amended	V. 27, p. 1521
82-3-138	Amended	V. 27, p. 1521
82-3-402	Amended	V. 27, p. 1521

82-3-1100	through	
82-3-1120	New	V. 29, p. 182-190
82-4-3a	through	
82-4-3d	Amended	V. 28, p. 1373-1385
82-4-3e	Revoked	V. 28, p. 1386
82-4-3f	through	
82-4-3m	Amended	V. 28, p. 1386-1397
82-4-20	Amended	V. 28, p. 1397
82-4-30a	Amended	V. 27, p. 1020
82-4-30a	Amended (T)	V. 29, p. 702
82-11-4	Amended	V. 28, p. 917
82-11-10	Amended	V. 28, p. 922
82-14-1	through	
82-14-5	Amended	V. 28, p. 967-971
82-14-6	New	V. 28, p. 972

AGENCY 84: PUBLIC EMPLOYEE RELATIONS BOARD

Reg. No.	Action	Register
84-2-1	Amended	V. 28, p. 872

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-3-19	Amended (T)	V. 27, p. 1090
86-3-19	Amended	V. 27, p. 1517
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
88-28-6	Amended	V. 29, p. 408
88-29-1	Amended (T)	V. 28, p. 1101
88-29-1	Amended	V. 28, p. 1561
88-29-4	Amended (T)	V. 28, p. 1102
88-29-4	Amended	V. 28, p. 1562
88-29-5	Amended (T)	V. 28, p. 1103
88-29-5	Amended	V. 28, p. 1563
88-29-7	Amended (T)	V. 28, p. 1103
88-29-7	Amended	V. 28, p. 1563
88-29-8	Amended (T)	V. 28, p. 1103
88-29-8	Amended	V. 28, p. 1563
88-29-8a	New (T)	V. 28, p. 1103
88-29-8a	New	V. 28, p. 1563
88-29-8b	New (T)	V. 28, p. 1104
88-29-8b	New	V. 28, p. 1564
88-29-9	Amended (T)	V. 28, p. 1104
88-29-9	Amended	V. 28, p. 1564
88-29-11	Amended (T)	V. 28, p. 1105
88-29-11	Amended	V. 28, p. 1565
88-29-12	Amended (T)	V. 28, p. 1106
88-29-12	Amended	V. 28, p. 1566
88-29-18	Amended (T)	V. 28, p. 1107
88-29-18	Amended	V. 28, p. 1567
88-29-19	Amended (T)	V. 28, p. 1108
88-29-19	Amended	V. 28, p. 1568

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-200	Amended	V. 28, p. 1222
91-1-201	Amended	V. 27, p. 1028
91-1-202	Amended	V. 28, p. 1223
91-1-203	Amended	V. 28, p. 1225
91-1-204	Amended	V. 28, p. 1229
91-1-205	Amended	V. 28, p. 1232
91-1-207	Amended	V. 27, p. 1037
91-1-209	Amended	V. 27, p. 1037
91-1-210	Amended	V. 27, p. 1038
91-1-216	Amended	V. 28, p. 1233
91-1-220	Amended	V. 27, p. 1038
91-1-221	Amended	V. 27, p. 1040
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

(continued)

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
92-12-145	Amended	V. 28, p. 604
92-19-70	Revoked	V. 27, p. 868
92-26-1	Amended	V. 28, p. 170
92-26-4	Amended	V. 28, p. 170
92-28-1		
through		
92-28-4	New	V. 28, p. 113
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: COMMISSION ON VETERANS' AFFAIRS

Reg. No.	Action	Register
97-1-1	Revoked	V. 28, p. 459
97-1-1a	New	V. 28, p. 459
97-1-2	Revoked	V. 28, p. 460
97-1-2a	New	V. 28, p. 460
97-1-3	Revoked	V. 28, p. 460
97-1-3a	New	V. 28, p. 460
97-1-4	Revoked	V. 28, p. 460
97-1-4a	New	V. 28, p. 460

97-1-5	Revoked	V. 28, p. 461
97-1-5a	New	V. 28, p. 461
97-1-6a	New	V. 28, p. 461
97-2-1	Revoked	V. 28, p. 462
97-2-1a	New	V. 28, p. 462
97-2-2	Revoked	V. 28, p. 462
97-2-2a	New	V. 28, p. 462
97-2-3		
through		
97-2-8	Revoked	V. 28, p. 462
97-3-1	Revoked	V. 28, p. 462
97-3-1a	New	V. 28, p. 462
97-3-2	Revoked	V. 28, p. 462
97-3-2a	New	V. 28, p. 462
97-3-3	Revoked	V. 28, p. 463
97-3-3a	New	V. 28, p. 463
97-3-4		
through		
97-3-9	Revoked	V. 28, p. 463
97-4-1a	New	V. 28, p. 463
97-7-1		
through		
97-7-6	New	V. 29, p. 252-254

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

Reg. No.	Action	Register
99-25-1	Amended	V. 27, p. 108
99-25-5	Amended	V. 28, p. 522
99-25-9	Amended	V. 27, p. 108
99-25-11	New	V. 27, p. 109
99-26-1	Amended	V. 28, p. 522
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. 29, p. 650
100-22-8	Revoked	V. 27, p. 357
100-22-8a	New	V. 27, p. 357
100-28a-1	Amended	V. 28, p. 112
100-28a-2	Amended	V. 28, p. 1736
100-28a-10	Amended	V. 28, p. 572
100-29-1	Amended	V. 29, p. 598
100-29-3a	Amended	V. 28, p. 1737
100-29-16	Amended	V. 28, p. 1060
100-49-4	Amended	V. 29, p. 651
100-54-1	Amended	V. 28, p. 1594
100-54-4	Amended	V. 27, p. 209
100-54-8	Amended	V. 28, p. 1595
100-55-1	Amended	V. 29, p. 704
100-55-4	Amended	V. 27, p. 209
100-55-7	Amended	V. 29, p. 651
100-55-9	Amended	V. 28, p. 572
100-69-1	Amended	V. 27, p. 1672
100-69-2	Revoked	V. 27, p. 1672
100-69-10	Amended	V. 28, p. 572
100-69-12	New	V. 29, p. 704
100-72-1	Amended	V. 28, p. 112
100-72-2	Amended	V. 29, p. 705
100-72-7	Amended	V. 28, p. 273
100-73-1	Amended (T)	V. 28, p. 923
100-73-1	Amended	V. 28, p. 1282
100-73-2	Amended	V. 29, p. 598
100-73-9	Amended	V. 27, p. 315

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-8a	New	V. 28, p. 114
102-1-12	Amended	V. 27, p. 407
102-1-13	Amended (T)	V. 28, p. 1101
102-1-13	Amended	V. 28, p. 1426
102-2-3	Amended	V. 29, p. 340
102-2-7	Amended	V. 27, p. 1801
102-2-8	Amended	V. 28, p. 114
102-2-11a	New	V. 28, p. 116
102-2-12	Amended	V. 28, p. 116
102-3-9b	New	V. 28, p. 117
102-3-12a	Amended	V. 27, p. 1117
102-4-1a	Amended	V. 27, p. 1803

102-4-6a	Amended	V. 27, p. 1805
102-4-6b	New	V. 27, p. 1806
102-4-9b	New	V. 28, p. 117
102-4-10a	Amended	V. 27, p. 1806
102-4-12	Amended	V. 27, p. 1120
102-5-9a	New	V. 28, p. 118
102-5-12	Amended	V. 27, p. 1122
102-6-9a	New	V. 28, p. 118
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. 28, p. 1079
105-11-1	Amended	V. 28, p. 1457

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 29, p. 1055
108-1-3	Amended	V. 29, p. 1057
108-1-4	Amended	V. 29, p. 1059

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-2-9	Amended	V. 28, p. 1030
109-3-1	Amended	V. 28, p. 1030
109-5-2	Amended	V. 28, p. 574
109-5-3	Amended	V. 28, p. 574
109-5-4	Revoked	V. 29, p. 113
109-5-5	New	V. 27, p. 1548
109-5-6	New	V. 28, p. 575
109-6-1	Amended	V. 29, p. 113
109-6-2	Amended	V. 29, p. 113
109-6-3	Revoked	V. 28, p. 575
109-10-7	New	V. 29, p. 113
109-15-1	New	V. 28, p. 575
109-15-2	New	V. 28, p. 576

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-13a-1	New	V. 27, p. 1063
110-13a-2	New	V. 27, p. 1063
110-13a-3	New	V. 27, p. 1064
110-19-1		
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 from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 Kansas Register. The following regulations were filed after December 1, 2009:

Reg. No.	Action	Register
111-2-30	Amended	V. 29, p. 215
111-2-232	Amended	V. 29, p. 215
111-2-233	Amended	V. 29, p. 215
111-2-234	New	V. 29, p. 746
111-4-2899		
through		
111-4-2907	New	V. 29, p. 9-14
111-4-2908		
through		
111-4-2911	New	V. 29, p. 149-152
111-4-2911a	New	V. 29, p. 152
111-4-2912		
through		
111-4-2923	New	V. 29, p. 153-157

111-4-2924		
through		
111-4-2930	New	V. 29, p. 216-222
111-4-2931		
through		
111-4-2938	New	V. 29, p. 467-473
111-4-2939		
through		
111-4-2948	New	V. 29, p. 569-575
111-4-2949		
through		
111-4-2984	New	V. 29, p. 746-769
111-4-2949		
through		
111-4-2984	New	V. 29, p. 746-769
111-5-175		
through		
111-5-179	New	V. 29, p. 157-159
111-5-180		
through		
111-5-194	New	V. 29, p. 222-228
111-9-162	New	V. 29, p. 229
111-9-163	New	V. 29, p. 229
111-9-164	New	V. 29, p. 230
111-9-165	New	V. 29, p. 769
111-9-165	New	V. 29, p. 769
111-201-1		
through		
111-201-17	New	V. 29, p. 73-79
111-301-1		
through		
111-301-6	New	V. 29, p. 79, 80
111-302-1		
through		
111-302-6	New	V. 29, p. 82-86
111-303-1		
through		
111-303-5	New	V. 29, p. 87-89
111-304-1		
through		
111-304-6	New	V. 29, p. 89-91
111-305-1		
through		
111-305-6	New	V. 29, p. 474, 475

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-12-15	New	V. 28, p. 797
112-13-6	New	V. 28, p. 376
112-100-1		
through		
112-100-7	New	V. 27, p. 1378
112-101-1		
through		
112-101-16	New	V. 28, p. 376-379
112-102-1		
through		
112-102-13	New	V. 28, p. 1161-1163
112-103-1		
through		
112-103-12	New	V. 28, p. 376-382
112-103-15	New	V. 28, p. 382
112-103-16	New	V. 28, p. 382
112-104-1		
through		
112-104-33	New	V. 27, p. 1378-1406
112-104-34		
through		
112-104-41	New	V. 28, p. 1457-1459
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
112-107-1	New	V. 28, p. 424
112-107-2	New	V. 28, p. 424
112-107-3	New	V. 28, p. 424
112-107-5	New	V. 28, p. 428
112-107-6	New	V. 28, p. 428

112-107-7	New	V. 28, p. 428
112-107-9	New	V. 28, p. 429
112-107-10	New	V. 28, p. 429
112-107-11	New	V. 28, p. 430
112-107-13		
through		
112-107-32	New	V. 28, p. 430-440
112-107-34	New	V. 28, p. 441
112-108-1		
through		
112-108-57	New	V. 28, p. 1766-1788
112-110-1		
through		
112-110-13	New	V. 28, p. 464-470
112-111-1		
through		
112-111-5	New	V. 28, 470-472
112-112-1		
through		
112-112-9	New	V. 27, p. 1411-1413
112-113-1	New	V. 28, p. 382
112-114-1		
through		
112-114-6	New	V. 28, p. 472
112-114-8		
through		
112-114-12	New	V. 28, p. 472, 473
112-114-14	New	V. 28, p. 473

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 28, p. 1595
115-2-3	Amended	V. 27, p. 1264
115-2-3a	Amended	V. 28, p. 1596
115-2-5	Amended	V. 27, p. 1265
115-4-2	Amended	V. 29, p. 408
115-4-4	Amended	V. 29, p. 658
115-4-4a	Amended	V. 29, p. 659
115-4-6	Amended	V. 29, p. 409
115-4-6a	Revoked	V. 27, p. 112
115-4-11	Amended	V. 29, p. 67
115-4-13	Amended	V. 27, p. 404
115-4-14	Revoked	V. 27, p. 112
115-5-1	Amended	V. 28, p. 1250
115-5-2	Amended	V. 28, p. 1251
115-6-1	Amended	V. 28, p. 1251
115-7-1	Amended	V. 29, p. 411
115-7-2	Amended	V. 27, p. 1708
115-7-3	Amended	V. 28, p. 1599
115-7-8	Amended	V. 27, p. 405
115-7-9	Amended	V. 27, p. 406
115-7-10	New	V. 28, p. 1600
115-8-1	Amended	V. 28, p. 571
115-8-6	Amended	V. 28, p. 1600
115-8-9	Amended	V. 27, p. 1265
115-8-10	Amended	V. 27, p. 1265
115-8-13	Amended	V. 27, p. 112
115-15-1	Amended	V. 28, p. 1079
115-15-2	Amended	V. 28, p. 1080
115-18-7	Amended	V. 29, p. 659
115-18-21	New	V. 27, p. 1708
115-20-7	New	V. 29, p. 659

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 28, p. 373
117-2-1	Amended	V. 29, p. 412
117-2-2	Amended	V. 29, p. 413
117-2-2a	Amended	V. 28, p. 373
117-3-1	Amended	V. 29, p. 414
117-3-2	Amended	V. 29, p. 415
117-3-2a	Amended	V. 28, p. 373
117-4-1	Amended	V. 29, p. 416
117-4-2	Amended	V. 29, p. 417
117-4-2a	Amended	V. 28, p. 374
117-5-2	Amended	V. 28, p. 374
117-5-2a	Amended	V. 28, p. 375
117-6-1	Amended	V. 29, p. 656
117-6-3	Amended	V. 29, p. 656

117-7-1	Amended	V. 28, p. 375
117-8-1	Amended	V. 29, p. 418
117-10-1	New	V. 28, p. 375

AGENCY 121: DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
121-9-1	Amended	V. 28, p. 457
121-10-1	Amended	V. 29, p. 675
121-10-2	New	V. 27, p. 1099
121-11-1	New	V. 28, p. 457
121-11-2	New	V. 28, p. 457
121-12-1	New	V. 28, p. 459

AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION

Reg. No.	Action	Register
127-2-1	New	V. 28, p. 192
127-2-2	New	V. 28, p. 192
127-2-3	New	V. 28, p. 193

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
129-5-78	Amended	V. 28, p. 1464
129-5-108	Amended	V. 27, p. 1346
129-5-118	Amended	V. 29, p. 293
129-5-118a	New	V. 29, p. 294
129-5-118b	Amended	V. 29, p. 296
129-10-15a	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

AGENCY 130: HOME INSPECTORS REGISTRATION BOARD

Reg. No.	Action	Register
130-1-1	New	V. 28, p. 1737
130-1-2	New (T)	V. 29, p. 38
130-1-2	New	V. 29, p. 567
130-1-3	New (T)	V. 29, p. 38
130-1-3	New	V. 29, p. 567
130-1-4	Amended	V. 29, p. 567
130-1-5	New	V. 28, p. 1738
130-2-1	New	V. 28, p. 1738
130-3-1	New (T)	V. 29, p. 38
130-3-1	New	V. 29, p. 568
130-4-1	New (T)	V. 29, p. 39
130-4-1	New	V. 29, p. 794
130-4-2	New (T)	V. 29, p. 39
130-4-2	New	V. 29, p. 794
130-5-2	New	V. 29, p. 569

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