



Kansas Register

Kris W. Kobach, Secretary of State

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November 8, 2012

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State of Kansas

Legislature

Interim Committee Schedule

The Legislative Research Department gives notice that the following legislative committees plan to meet during the period of November 8-20, based on current information and subject to change. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at 785-296-2391 or TTY 711, or email LegServ@las.ks.gov.

Date	Room	Time	Committee	Agenda
Nov. 8	144-S	10:00 a.m.	Joint Committee on Corrections and Juvenile Justice	Kansas Sentencing Commission will present on FY 2013 adult inmate prison population projections and the Department of Corrections will provide an update on agency operations, and the efforts of the Justice Reinvestment Working Group and the Pew Center on the states' Results First initiative.
Nov. 8	546-S	10:00 a.m.	Joint Committee on Claims Against the State	Review claims.
Nov. 8	548-S	10:00 a.m.	Joint Committee on Home- and Community-Based Services Oversight	Historic spending for waivers and historic waiting lists; KanCare update; overview of KanCare employment-related pilots; quarterly report for first quarter of FY 2013 on average daily census for state institutions and long-term care facilities, savings on transfers to HCBS waiver, and HCBS savings fund balance; KanCare implementation; KanCare oversight considerations; discussion of committee recommendations.
Nov. 9	144-S	9:00 a.m.	Joint Committee on Corrections and Juvenile Justice	Juvenile Justice Authority will provide an update on its operations and discuss the recent LPA audit of the Topeka Juvenile Correctional Complex.

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Date	Room	Time	Committee	Agenda
Nov. 9	546-S	9:00 a.m.	Joint Committee on Claims Against the State	Review claims.
Nov. 13	152-S	10:00 a.m.	Joint Committee on Energy and Environmental Policy	Water issues including: water rights, Republican River update, water plan funding, algae blooms and nutrient management update, drought update, eastern Kansas water supply, and effect of water constraints on power production.
Nov. 13	144-S	9:00 a.m.	Joint Committee on State Building Construction	Board of Regents five-year plan.
Nov. 13	548-S	1:30 p.m.	Legislative Coordinating Council	Legislative matters.
Nov. 13	546-S	10:00 a.m.	Legislative Educational Planning	Review of topics assigned by the Legislative Coordinating Council; review of Kansas charter school law compared to Arizona's; conference call with Rich Ogston, Carpe Diem Charter School; update on Governor's School Efficiency Task Force.
Nov. 14	548-S	10:00 a.m.	Legislative Budget	Review consensus revenue estimates; update on KanCare; review previous topics and possible recommendations.
Nov. 14	152-S	9:30 a.m.	Special Committee on Rural Broadband	Background on FCC reform of Universal Service Fund, testimony on effect of the reform on rural broadband expansion, broadband mapping.
Nov. 14	144-S	9:00 a.m.	Legislative Post Audit	Kansas Juvenile Correctional Complex (Part II—Education and Substance Abuse Programs); state assets performance audit; the annual report.
Nov. 15	548-S	9:00 a.m.	Legislative Budget	Reports on airfare services; judicial branch update on budget, fee revenue and e-filing.
Nov. 16	Kansas Corporation Commission, 1500 S.W. Arrowhead, Topeka	10:00 a.m.	Kansas Electric Transmission Authority (KETA)	Agenda not available.
Nov. 16			Health Care Stabilization Fund Oversight	Rescheduled to Nov. 30.
Nov. 19	152-S	10:00 a.m.	Joint Committee on Energy and Environmental Policy	Issues include oil and gas production; severance tax changes; water for fracturing; land spreading of drilling muds; fracturing regulation development; pipeline update; EPA regulations update; energy emergency management plans; GIS mapping; corn prices and ethanol; and a Treece update.
Nov. 20	152-S	9:00 a.m.	Joint Committee on Energy and Environmental Policy	Issues include wind energy updates and wind incentives; discussion of renewable energy standards and costs; energy from organic waste; electricity storage; and LEPP.

Jeffrey M. Russell
 Director of Legislative
 Administrative Services

State of Kansas

Board of Regents Universities

Notice to Bidders

The universities of the Kansas Board of Regents encourage interested vendors to visit the various universities' purchasing offices' websites for a listing of all transactions, including construction projects, for which the universities' purchasing offices, or one of the consortia commonly utilized by the universities, are seeking information, competitive bids or proposals. The referenced construction projects may include project delivery construction procurement act projects pursuant to K.S.A. 76-7,125 et seq.

Emporia State University – Bid postings: www.emporia.edu/busaff/. Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: 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, email: purchasing@fhsu.edu. Mailing address: Fort Hays State Purchasing Office, 601 Park St., 318 Sheridan Hall, Hays, KS 67601.

Kansas State University – Bid postings: www.k-state.edu/purchasing/rfq. Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: kspurch@k-state.edu. Mailing address: Division of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

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

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

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

Wichita State University – Bid postings: www.wichita.edu/purchasing. Additional contact info: phone: 316-978-3080, fax: 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Jim Hughes
Chair of Regents Purchasing Group
Director of Purchasing
Pittsburg State University

Doc. No. 040656

State of Kansas

Department of Transportation

Notice to Consulting Firms

The Kansas Department of Transportation is seeking a qualified consulting firm prequalified in Category 211 — Highway Design — Major Facility, and Category 221 — Non-Standard Span Bridge Design, for the projects as listed below. A PDF (1MB maximum size) of the interest response must be emailed to David J. Nagy, P.E., assistant to the bureau chief of design/contracts engineer, at DavidN@ksdot.org. Interest and experience responses are limited to four pages, the subject line of the reply email and the PDF file name must read "Project # of Interest — Firm Name," a letter of interest is required for each project of interest, and must be received by noon November 15 for the consulting firm to be considered. Categories may be viewed at www.ksdot.org/divengdes/prequal.

Project#

235-87 KA-3109-01 — Road and Bridge Design
235-87 KA-3110-01 — Road and Bridge Design
32-105 KA-3079-01 — Road and Bridge Design
35-46 KA-3083-01 — Bridge Design Only
69-46 KA-3084-01 — Bridge Design Only

These projects include bridge design or both road and bridge design as indicated above.

The Consultant Shortlist Committee will select three to five of the most highly qualified firms expressing interest and schedule an individual interview for each project. The consulting firms can more thoroughly discuss their experience related to the project at the interview and will be expected to discuss their approach to this project in detail and the personnel to be assigned to this project.

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

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

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

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

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

Mike King
Secretary of Transportation

Doc. No. 041041

State of Kansas
Department of Transportation
Notice of Industry Workshop

The Kansas Department of Transportation is hosting an industry workshop for the Johnson County Gateway: I-435/I-35/K-10 Phase 2 design-build project. The Phase 2 project boundaries are generally 95th Street to the north on I-435 and I-35, College Boulevard to the south on I-35, Woodland to the west on K-10 and US-69 on the east. This free workshop will provide an update on the gateway's preliminary design and an overview of the project scope, budget and procurement process. If you are a contractor, designer, DBE/WBE or specialty business this workshop may be of interest to you. All industry representatives are invited to attend and ask questions of KDOT and their project management consultant, HNTB.

The workshop will be held from 1:30 to 4:30 p.m. Tuesday, December 4, at the KDOT Olathe Metro Office, 1290 S. Enterprise, Olathe. The three-hour meeting will include a presentation, questions/answers and opportunity for networking.

Persons interested in attending the workshop are asked to register by December 3. Persons unable to attend are asked to submit a letter of interest to rarthur@hntb.com or call Robyn Arthur at 816-527-2457.

For additional information on the project, visit the project website at www.jocogateway.com or contact Burt Morey, KDOT project manager, at 913-764-4525 or bmorey@ksdot.org.

Mike King
 Secretary of Transportation

Doc. No. 041058

State of Kansas
Department of Administration
Office of Facilities and Property Management
Notice of Requested Architectural Services

Notice is hereby given of the commencement of the selection process for architectural services for the Research Center Remodel of Mosier Hall at Kansas State University, Manhattan. Work will include selective interior demolition and remodeling of a 15,000 sq. ft. area and the rebuilding of laboratories, laboratory support, administrative suite, offices and conference space. All new HVAC, plumbing and electrical are required. A penthouse for an independent HVAC system will be placed on the roof.

Interested firms must have substantial experience in similar remodeling projects in research areas of a veterinary hospital or similar facilities. There is a short time frame for the project, which must be available for occupancy in the first part of December 2013. The estimated construction cost is \$6,000,000.

For more information and a program contact Abe Fat-tye at 785-532-1725.

To be considered, one (1) PDF file and one (1) bound proposal of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects.

State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end. Proposals should be less than 5MB and follow the current State Building Advisory Commission guidelines, which can be found in Part B — Chapter 2 of the Building Design and Construction Manual at www.da.ks.gov/fp/manual.htm. Proposals should be sent to Barbara Schilling, Office of Facilities and Property Management, Suite 700, 800 SW Jackson, Topeka, 66612-1216. If you have questions call 785-291-3695 or email Barb.Schilling@da.ks.gov. Both the PDF and bound proposal submittals shall be delivered to the attention of Barbara Schilling before noon November 26.

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

Doc. No. 041057

State of Kansas
Department of Administration
Procurement and Contracts
Notice to Bidders

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

Please Note: Effective November 13, 2012, Procurement and Contracts will move and receive all bidding documents in its new location at 800 S.W. Jackson, Suite 600, Topeka, 66612. Bids will no longer be accepted at 900 S.W. Jackson after this date.

- 11/20/2012 EVT0001823 Doors, Door and Window Frames and Hardware
- 11/27/2012 EVT0001807 Data Card Readers & Accessories
- 11/28/2012 EVT0001830 Snow Removal Services
- 11/28/2012 EVT0001827 Well Plugging (C20130025) Beech So. (Cooke) Lease Project
- 11/30/2012 EVT0001829 Printing, Kansas Medicine + Science Magazine
- 12/03/2012 EVT0001825 Tree Piling

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

<http://www.da.ks.gov/purch/contracts/bids.aspx>

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

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

- 11/29/2012 A-012009 Add ADA Handrails to Interior Stair — Lippincott Hall, University of Kansas, Lawrence

Information regarding prequalification, projects and bid documents can be obtained at 785-296-8899 or <http://da.ks.gov/fp/>.

Chris Howe, Director
 Procurement and Contracts

Doc. No. 041064

State of Kansas

Secretary of State

Executive Appointments

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

State Senator, 8th District

John Kriehauser, 10600 W. 97th Terrace, Overland Park, 66214. Succeeds Tim Owens, resigned.

Advisory Council on Aging

Stephanie Waggoner, 4005 S. Mennonite Road, Garden City, 67846. Term expires June 30, 2015. Succeeds Ruth Jones.

Kansas Credit Union Council

Jacqueline Cully, 1101 W. 24th, Hutchinson, 67502. Term expires March 15, 2014. Succeeds Robert Corwin.

Kansas Commission the Deaf and Hard of Hearing

Eileen M. Honors, 14038 W. 113th Terrace, Lenexa, 66215. Term expires April 29, 2015. Reappointed.

Kansas Council on Developmental Disabilities

Kristin Fairbank, 1341 College, Hays, 67601. Term expires Oct. 1, 2014. Reappointed.

Kansas Commission on Disability Concerns

George Beard, 7126 Parallel Parkway, Kansas City, KS 66112. Term expires Aug. 31, 2015. Reappointed.

Shanti Ramcharan, 1009 Chestnut St., Emporia, 66801. Term expires Aug. 31, 2015. Succeeds Patricia Levy.

Emergency Medical Services Board

Keith C. Olsen, 1438 140th St., Horton, 66439. Term expires May 13, 2015. Succeeds Bob A. Boaldin.

Kansas Statewide Independent Living Council

Deone Wilson, 3630 Whitetail Lane, Emporia, 66801. Term expires Aug. 17, 2015. Succeeds Shari Coatney.

Kansas Works State Board

Eugene Sicard, P.O. Box 115, Concordia, 66901. Serves at the pleasure of the Governor.

Kansas Military Advisory Board

Brig. Gen. Jonathan Small, 1931 S.W. Indian Woods Lane, Topeka, 66611. Succeeds Brig. Gen. James AuBuchon.

Kansas Naturopathic Advisory Council

Garet King, 7144 Craig St., Overland Park, 66204. Term expires Dec. 31, 2014. Succeeds Daphne Roberts.

State Board of Nursing

Garet King, 7144 Craig St., Overland Park, 66204. Term expires June 30, 2016. Succeeds Robert Harvey.

James B. Pearson Fellowship Selection Board

Dr. Gregory L. Schneider, 2806 S.W. Arvon Place, Topeka, 66614. Term expires Dec. 31, 2015. Succeeds Kenneth E. North.

Pooled Money Investment Board

Robert Chestnut, 1105 Oak Tree Drive, Lawrence, 66049. Term expires March 15, 2016. Reappointed.

Kris W. Kobach
Secretary of State

Doc. No. 041065

(Published in the Kansas Register November 8, 2012.)

Flint Hills Area Transportation Agency

Request for Bids for Construction Services (Reissue)

General contractors are invited to submit a lump sum bid on the bid form provided for a general contract, under seal to the owner, at the Riley County Public Works Department, lower level conference room, 6215 Tuttle Creek Blvd., Manhattan, KS 66503, until 2:30 p.m. November 15, 2012, for the construction of an administrative office building and shop maintenance building for the Flint Hills Area Transportation Agency at 5815 Marlatt Ave., Manhattan (Architect's Project No. 11060). Bids will be opened and read aloud at 2:30 p.m. November 15. Bids received after this time will not be accepted.

Copies of the drawings, specifications and other contract documents are on file and available for public inspection at the office of the architect, Anderson Knight Architects, P.A., 2505 Anderson Ave., Suite 201, Manhattan, KS 66502, 785-539-0806. Interested bidders may secure a CD with a set of drawings, specifications and all other contract documents in PDF format upon receipt of cash or certified check made payable to the architect in the amount of \$15 for each CD. The above amount includes standard USPS mail. If next-day air or second-day delivery is requested by the bidder, an additional non-refundable fee of \$20 for next-day air or \$15 for second-day delivery is required. Bidders shall use complete sets of bidding documents in preparing bids, and neither the owner nor the architect assumes responsibility for errors or misinterpretations resulting from the use of incomplete sets of bidding documents.

All bids shall be accompanied with bid security in the amount of 5 percent of the bid, including additive alternates, in the form of a bid bond, certified check or cashier's check, in accordance with Section 00 2113, Instructions to Bidders, Document AIA A310, and two copies of Document AIA Form 305, Bidders Qualification Forms.

A pre-bid conference will not be held.

Bids will be required to be submitted under a condition of irrevocability for a period of 60 days after submission.

Bidders are advised that liquidated damages shall apply to this project as stated in Document 00 2113, Instructions to Bidders.

The owner (Flint Hills Area Transportation Agency) reserves the right to accept any bid, to waive irregularities in bids and in bidding, and to reject any or all bids.

This project is funded by the American Recovery and Reinvestment Act (ARRA).

The Disadvantaged Business Enterprise (DBE) goal is set at \$160,000.

Anne Smith
Director

Doc. No. 041051

State of Kansas

Secretary of State

Code Mortgage Rate for November

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of November 1, 2012 through November 30, 2012, is 12 percent.

Kris W. Kobach
Secretary of State

Doc. No. 041046

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, November 29, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the K DFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 000849 — Maximum Principal Amount: \$171,500. Owner/Operator: Kurt M. and Brittin M. Wilson. Description: Acquisition of 156 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Kurt M. and Brittin M. Wilson and is located at the Southeast Quarter of Section 19, Township 2, Range 6, Marshall County, Kansas, approximately 4 miles south of Breman at Jayhawk and 2nd Road.

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

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

Tim Shallenburger
President

Doc. No. 041054

State of Kansas

Secretary of State

Usury Rate for November

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 November 1, 2012 through November 30, 2012, is 4.34 percent.

Kris W. Kobach
Secretary of State

Doc. No. 041047

State of Kansas

Department of Health and Environment

Request for Bids

Pursuant to the Kansas Childhood Lead Poisoning Prevention Program, sealed bids for lead hazard reduction at the following properties will be received by the Kansas Department of Health and Environment until 2 p.m. on the date indicated. For more information, call 316-683-6629:

November 27, 2012

IFB 264-13-24

Project Safe at Home Wichita

- Property #1 1707 N. Glendale
Wichita, KS 67208
- Property #2 1614 N. St. Francis
Wichita, KS 67214
- Property #3 209 S. McComas
Wichita, KS 67213
- Property #4 116 S. Sheridan
Wichita, KS 67213
- Property #5 1034 N. Lewellen
Wichita, KS 67203
- Property #6 1258 S. Minneapolis
Wichita, KS 67211
- Property #7 1539 S. Topeka
Wichita, KS 67211
- Property #8 2209 E. Ward
Wichita, KS 67211
- Property #9 1208 N. Jackson
Wichita, KS 67203
- Property #10 1908 S. Edgemoor
Wichita, KS 67218

Contractors will be required to attend a walk-through of each property in order to be eligible to respond to the Invitation for Bid. For times and actual locations call 316-683-6629 or go to the following website:

(continued)

http://www.kshealthyhomes.org

The above-referenced bid documents can be downloaded at the website listed above.

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

Doc. No. 041055

State of Kansas

Department of Health
and Environment

Notice Concerning Kansas/Federal Water
Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

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

Public Notice No. KS-AG-12-333-337

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Fred Henry — Boehm Feedlot	NE/4 of Section 10, T03S, R13E,	Missouri River Basin
Fred L. Henry 1478 96th Road Goff, KS 66428	Nemaha County	

Kansas Permit No. A-MONM-B010

This is a new permit for an existing facility for the proposed maximum capacity of 999 head (999 animal units) of cattle weighing greater than 700 pounds. The facility is proposed to construct a waste management system to control surface runoff from approximately 17.1 acres of open lot pens, farmstead area and associated feedlot areas. The waste management system will include diversion channels and berms, a sediment basin and an earthen retention control structure.

Name and Address of Applicant	Legal Description	Receiving Water
Lee Springer (Elk City Facility)	SW/4 of Section 16, T32S, R14E,	Verdigris River Basin
Lee Springer 3321 CR 5800 Independence, KS 67301	Montgomery County	

Kansas Permit No. A-VEMG-H011 Federal Permit No. KS0099023

This permit is being reissued for an existing swine facility for 2,874 head (1,149.6 animal units) of swine weighing more than 55 pounds and 1,860 head (186 animal units) of swine weighing 55 pounds or less,

for a total permitted capacity of 4,734 head (1,335.6 animal units) of swine. There is no change in the permitted animal units from the previous permit. An approved Nutrient Management Plan for the facility is on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Hahn Inc. Jay Hahn, Sec. 27610 N.E. 231 Road Hanston, KS 67849	NE/4 of Section 07, T22S, R21W, Hodgeman County	Upper Arkansas River Basin

Kansas Permit No. A-UAHG-C011 Federal Permit No. KS0097926

This permit is being reissued for an existing facility for 1,500 head (750 animal units) of cattle weighing less than 700 pounds. This represents a change in the type of animal and a decrease in the permitted animal units from the previously permitted capacity of 1,500 head (1,500 animal units) of cattle weighing more than 700 pounds. There are no structural changes being proposed to the facility or to the waste management system. An approved Nutrient Management Plan for the facility is on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Eagle Ridge Robert D. Allen 524 17th Road Haddam, KS 66944	NE/4 of Section 14, T03S, R01E, Washington County	Lower Republican River Basin

Kansas Permit No. A-LRWS-S028

This permit is being reissued for an existing facility with a maximum capacity of 1,370 head (548 animal units) of swine more than 55 pounds and 1,400 head (140 animal units) of swine 55 pounds or less, for a total of 2,770 head (688 animal units) of swine. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
D S & R Cordel Robert M. Cordel 429 30th Road Cawker City, KS 67430	SE/4 of Section 17, T05S, R10W, Jewell County	Solomon River Basin

Kansas Permit No. A-SOJW-S020

This permit is being reissued for an existing facility with a maximum capacity of 1,910 head (764 animal units) of swine more than 55 pounds and 940 head (94 animal units) of swine 55 pounds or less, for a total of 2,850 head (858 animal units) of swine. There is no change in the permitted animal units.

Public Notice No. KS-Q-12-160/162

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
APAC — Kansas P.O. Box 23910 Overland Park, KS 66283	West Mission Creek via Unnamed Tributary	Pit dewatering & Stormwater Runoff

Kansas Permit No. I-KS06-PO04 Federal Permit No. KS0001546

Legal Description: NE¼, NE¼, SW¼, S21, T11S, R23E, Wyandotte County, KS

Facility Name: Bonner Springs Quarry — Plant #3

Facility Description: The proposed action consists of reissuing an existing permit for discharge of wastewater during quarry operations. This facility is engaged in a limestone quarrying operation, with a portable crusher. Outfall 001 consists of treated stormwater runoff and washwater, which is collected in an on-site settling pond, which then discharges to a detention pond. The water in the detention pond is recycled and is used to wash rock. This pond usually only discharges during or after a heavy rainfall event. Outfalls 002 and 003 consist of stormwater runoff. The proposed permit contains limits

for total suspended solids and generic water-quality language to protect waters of the state.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Kaman Corporation 1332 Blue Hills Ave. Bloomfield, CT 06002	Lower Arkansas River	Noncontact Cooling Water
Kansas Permit No. I-AR94-CO66 Federal Permit No. KS0096652		
Legal Description: NW¼, S36, T27S, R1W, Sedgwick County, KS		
Facility Name: Kaman Composites (f.k.a. Plastic Fabricating Co., Inc.)		
Facility Location: 1650 McComas St., Wichita, KS 67213		

Facility Description: The proposed action is to reissue an existing permit for discharge of noncontact cooling water. This facility fabricates aircraft and aerospace composite parts using low- and high-pressure lamination, thermoplastic sheet forming and metal/composite assemblies. On-site well water, used for noncontact additive free cooling is discharged to the storm sewer. All other process and domestic wastewater is discharged to the city sanitary sewer. The proposed permit contains generic water-quality language to protect waters of the state.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Rock Creek Stone LLC 434 Road 70 Olpe, KS 66865	North Branch Verdigris River via Rock Creek	Pit dewatering & Stormwater Runoff
Kansas Permit No. I-VE45-PO02 Federal Permit No. KS0100366		
Legal Description: NW¼, S34, T20S, R10E, Lyon County, KS		
Facility Name: Olpe Site		

Facility Description: The proposed action consists of reissuing an existing permit for discharge of wastewater during quarry operations. The permittee strip mines slab rock made of gray limestone. Outfall 001A1 and Outfall 002A1 consist of stormwater runoff. The proposed permit contains generic water-quality language to protect waters of the state.

Public Notice No. KS-NQ-12-020

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

Name and Address of Applicant	Legal Location	Type of Discharge
Parks, Inc. John C. Culver 11987 S.W. Highway 54 Augusta, KS 67010	NW¼, S25, T27S, R3E, Butler County, KS	Nonoverflowing
Kansas Permit No. I-WA03-NP02 Federal Tracking No. KSJ000153		

Facility Description: This action consists of reissuing an existing Kansas Water Pollution Control Permit for an existing nonoverflowing lagoon treatment facility. The facility is a full-service car dealership. On-site well water is used in the restrooms (domestic wastewater) and in a single-wash bay, with a capacity for two vehicles. Wastewater from restrooms and a vehicle wash bay flow via a mud trap into a two-cell earthen wastewater stabilization lagoon system. Wastewater from degreasing operations and shop floor washing is collected separately and disposed of in a manner acceptable to KDHE. The proposed permit requires monitoring of water meter flow rates, lagoon freeboard and off-site wastewater disposal. Contained in the permit is a schedule of compliance requiring the permittee to reduce water usage or expand the current wastewater treatment system to handle the current amount of wastewater produced.

Public Notice No. KS-EG-12-007

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the state of Kansas:

Name and Address of Applicant
Wheatland Electric Cooperative
1820 W. Kansas Ave.
Garden City, KS 67846
Facility Location: Garden City, Kansas

Well & Permit Number	Location
#1 / KS-01-055-003	Latitude: 37.973677, Longitude: -100.894935, Finney County, KS
#2 / KS-01-055-004	Latitude: 37.973265, Longitude: -100.894939, Finney County, KS
#3 / KS-01-055-005	Latitude: 37.972853, Longitude: -100.89494, Finney County, KS

Facility Description: The proposed action is to reissue three existing Class I Injection Well permits. The injection fluids are described as nonhazardous liquid waste consisting of effluent from reverse osmosis water treatment and cooling tower blowdown water. Disposal is by gravity flow. Injection is to be made into the Arbuckle formation from a depth of approximately 5,720 to a top depth of approximately 750 feet. The estimated maximum rate of injection to all three wells will be 1,872,000 gallons per day combined. All construction, monitoring and operation of these wells will meet the requirements that apply to Class I injection wells under the Kansas UIC regulations, K.A.R. 28-46-1 through 28-46-44.

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 December 8 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-12-333/337, KS-Q-12-160/162, KS-NQ-12-020, KS-EG-007) and name of the applicant/permittee when preparing comments.

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

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

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

Doc. No. 041060

State of Kansas

**Department of Administration
Office of Management Analysis
and Standards**

Public Notice

Under requirements of K.S.A. 65-34,117 (c), as amended, records of the Office of Management Analysis and Standards show the unobligated balances are \$3,428,041.81 in the Underground Petroleum Storage Tank Release Trust Fund and \$1,773,503.40 in the Above-ground Petroleum Storage Tank Release Trust Fund at October 31, 2012.

Martin Eckhardt, Director
Office of Management
Analysis and Standards

Doc. No. 041062

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. 2011 Supp. 12-1675(b)(c)(d) and K.S.A. 2011 Supp. 12-1675a(g).

Effective 11-5-12 through 11-11-12

Term	Rate
1-89 days	0.17%
3 months	0.12%
6 months	0.16%
1 year	0.21%
18 months	0.25%
2 years	0.29%

Scott Miller
Director of Investments

Doc. No. 041045

(Published in the Kansas Register November 8, 2012.)

City of Bennington, Kansas

****Revised****

**Notice of Intent to Seek Private Placement
General Obligation Bonds, Series 2012**

Notice is hereby given that the city of Bennington, 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 \$77,000. 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 October 22, 2012.

Judith Swagerty
City Clerk

Doc. No. 041061

State of Kansas

Governmental Ethics Commission

Opinion No. 2012-06

Written October 24, 2012, to Megan Ziegler, Hutchinson.

Synopsis: A Kansas Department of Health and Environment (KDHE) Radiation Control Inspector whose employment responsibilities do not include inspection of x-ray equipment at Newman University, whose inspection reports are, therefore, not instrumental in KDHE's licensure decision, and who would not be involved in any KDHE administration or enforcement action for non-compliance of the x-ray equipment, may be employed as an adjunct professor by Newman University to teach physics.

Cited herein: K.S.A. 46-286.

Dear Ms. Ziegler:

This opinion is in response to your letter dated September 18, 2012, wherein you request an opinion from the Kansas Governmental Ethics Commission concerning application of the state conflict of interest laws, K.S.A. 46-215 *et seq.* We note at the outset that the Commission's jurisdiction is limited to the applicability of K.S.A. 46-215 *et seq.*, and the Commission's opinion does not address whether some other statutory system, common law theory, or agency rule or regulation applies to your inquiry.

Factual Statement

You are employed as a Radiation Control Inspector by the Kansas Department of Health and Environment (KDHE). Other Radiation Control Inspectors also employed by KDHE are responsible for inspecting the x-ray equipment at Newman University. Reports generated by these employees form the basis for granting or denying a license to Newman University to operate the x-ray equipment. You are not involved in the administration or enforcement actions that potentially could be taken against Newman University if the x-ray equipment is not compliant with applicable KDHE regulations.

Question

May a KDHE Radiation Control Inspector whose employment responsibilities do not include inspection of x-ray equipment at Newman University, whose inspection reports are, therefore, not instrumental in KDHE's licensure decision, and who would not be involved in any KDHE administration or enforcement action for non-compliance of the x-ray equipment, be employed as an adjunct professor by Newman University to teach physics?

Analysis and Opinion

K.S.A. 46-286 (a) is the statute that addresses this situation:

No state officer or employee, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position.

Since you do not directly participate in the licensure, inspection, administration or enforcement of any KDHE regulation regarding the x-ray equipment at Newman

University, you may be employed as an adjunct professor to teach physics at that university.

Opinion No. 2012-07

Written October 24, 2012, to Sandy Hashman.

Synopsis: Although the Medicaid/KanCare contract consisted of both competitive bid components as well as negotiated components, an SRS employee who contributed formal non-negotiable behavioral health language used in the request for proposal (RFP), did not approve or disapprove the contract, or provide significant factual or specific information, advice or recommendations in relation to any negotiated terms of the contract and was not substantially involved in the preparation of any negotiated portion of the contract. Thus, the employee did not “participate in the making of the contract” with the successful vendor as that term is used in K.S.A. 2011 Supp. 46-233(a)(2).

Cited herein: K.S.A. 2011 Supp. 46-233.

Dear Ms. Hashman:

This opinion is in response to your email dated October 2, 2012, in which you requested an opinion from the Kansas Governmental Ethics Commission, concerning application of the state conflict of interest laws, K.S.A. 46-215 *et seq.* We note at the outset that the Commission’s jurisdiction is limited to the applicability of K.S.A. 46-215 *et seq.*, and the Commission’s opinion does not address whether some other statutory system, common law theory, or agency rule or regulation applies to your inquiry.

Factual Statement

You inform the Commission that you were employed by Social and Rehabilitation Services (SRS) until May 2012, and then by the Kansas Department of Aging and Disability Services (KDADS) until September 2012. During the fall of 2011, when the Medicaid/KanCare request for proposal (RFP) was being drafted, in your capacity at SRS, you contributed formal non-negotiable behavioral health language to be used in the RFP, which was then developed by Kansas Department of Health and Environment (KDHE). This was the extent of your participation in the RFP preparation. You had no role in the subsequent contract letting process which followed published notice and competitive bidding.

The contract letting process involved team evaluators reviewing the submitted bids against assigned sections of the RFP, and determining whether the bid met the RFP requirements. All of the team evaluators’ comments were then submitted to the team co-leader who compiled the comments into a document that was submitted to the team leader. That person compiled all comments from all teams which were then submitted to the project director, who then forwarded the comments to the Procurement Negotiation Committee (PNC), which is comprised of the following persons or their designee: (1) the Secretary of the Department of Administration; (2) the Director of Purchases; and (3) the chief administrative officer of the state agency desiring to make the procurement,¹ which in the Medicaid/KanCare contract was the Secretary of KDHE.

Based on information provided online concerning the Medicaid/KanCare RFP, the contract was a combined competitive bid/negotiated contract.² Any negotiation that may have subsequently occurred was conducted by the PNC, with technical or subject matter expertise provided by the team leaders and/or co-leaders.

Question

As a former SRS employee, who contributed formal non-negotiable behavioral health language that was used in the Medicaid/KanCare RFP development, am I prohibited under the state level conflict of interest laws from employment with a successful bidder selected pursuant to the RFP?

Analysis and Opinion

As a person who left employment at SRS and then KDADS within the past two years, the issue you raise is controlled by K.S.A. 2011 Supp. 46-233(a)(2), which in pertinent part provides:

[W]henever any individual has *participated* as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business as an employee, independent contractor or subcontractor until two years after performance of the contract is completed or until two years after the individual terminates employment as a state office or employee, whichever is sooner.³

To be “[s]ubstantially involved in the preparation or *participate in the making of a contract*” means:

having approved or disapproved a contract or having provided *significant factual or specific information* or advice or recommendations *in relation to the negotiated terms of the contract*.⁴

This conflict of interest statute does not apply to “contracts let after competitive bidding has been advertised for by published notice; . . .”⁵

Regarding a combined competitive bid/negotiated contract, however, such as the contract at issue here, since 2000 the Commission has taken the following position:

[A]n individual who is substantially involved in the preparation of a pure competitive bid contract or whose involvement in a contract is limited to the competitive bid portion of a competitively bid/negotiated contract, will not be subject to the prohibitions contained in K.S.A. [1999 Supp.] 46-233(a) and (b). Conversely, an individual who is substantially involved in the preparation of a pure negotiated contract or who is substantially involved in the preparation of the negotiated portion of a competitively bid/negotiated type of contract will be subject to the prohibitions contained in K.S.A. [1999 Supp.] 46-233(a) and (b).⁶

Although you may have provided “significant factual or specific information,” this was done as an early part of the RFP development, well before any terms of the combined competitive bid/negotiated contract, if any, were negotiated. Additionally, because you contributed only non-negotiable language to the RFP development, you were not substantially involved in the preparation of any negotiated portion of the Medicaid/KanCare contract.

(continued)

Conclusion

Although the Medicaid/KanCare contract consisted of both competitive bid components as well as negotiated components, as an SRS employee who contributed formal non-negotiated behavioral health language used in the request for proposal (RFP), you did not approve or disapprove the contract, or provide significant factual or specific information, advice or recommendations in relation to any negotiated terms of the contract, and was not substantially involved in the preparation of any negotiated portion of the contract. Thus, you did not "participate in the making of the contract" with the successful vendor as that term is used in K.S.A. 2011 Supp. 46-233(a)(2). Consequently, you are not prohibited under the state level conflict of interest laws from future employment with the selected Medicaid/KanCare vendor.

¹ K.S.A. 75-37,102.

² <http://www.kdheks.gov/hcf/kancare/index.htm>. Section 1.1 of the RFP, Purpose, states: "The State of Kansas is issuing this RFP to obtain competitive responses from VENDORS to provide managed care for the Kansas Medicaid and CHIP programs. . . . The State encourages and solicits the widest-possible range of responses to this RFP."

Section 1.5.21 of the RFP, Negotiated Procurement, states: "This is a negotiated procurement pursuant to K.S.A. 75-37,102. Final evaluation and award will be made by the Procurement Negotiating Committee (PNC) consisting of the following individuals (or their designees): . . ."

Section 1.5.22 of the RFP, Competition, states: "The purpose of this RFP is to seek competition. The VENDOR shall advise the Division of Purchases if any specification, language, or other requirement inadvertently restricts or limits proposing to a single source. . . ."

³ Emphasis added.

⁴ K.S.A. 2010 Supp. 46-233(e)(2) (emphasis added).

⁵ K.S.A. 2011 Supp. 46-233(d)(1).

⁶ Governmental Ethics Commission Opinion No. 2000-48.

Opinion No. 2012-08

Written October 24, 2012, to Shari Feist Albrecht, Topeka.

Synopsis: Because to date, no regional disposal facility has been sited in the Central Interstate Low-Level Radioactive Waste Compact Party State of Kansas, *currently* K.S.A. 46-286 does not prohibit a Commissioner on the Kansas Corporation Commission (KCC) from also serving as the Kansas Commissioner of the Central Interstate Low-Level Radioactive Waste Compact Commission.

In the event a regional disposal facility is sited in Kansas, K.S.A. 46-286 would not prohibit a Commissioner on the KCC from also serving as the Kansas Commissioner of the Compact Commission.

Cited herein: K.S.A. 46-286.

Dear Ms. Feist Albrecht:

This opinion is in response to your letter dated September 6, 2012, wherein you request an opinion from the Kansas Governmental Ethics Commission, concerning application of the state conflict of interest laws, K.S.A. 46-215 *et seq.* We note at the outset that the Commission's jurisdiction is limited to the applicability of K.S.A. 25-215 *et seq.*, and the Commission's opinion does not address whether some other statutory system, common law theory, or agency rule or regulation applies to your inquiry.

Factual Statement

You currently serve as the Kansas Commissioner on the Central Interstate Low-Level Radioactive Waste Compact

Commission (Compact Commission). The Compact Commission is comprised of the Party States of Arkansas, Kansas, Louisiana, and Oklahoma. You explain that the Compact Commission administers the Low-Level Radioactive Waste Act, which has, as its purpose, to provide for the economical management of low-level radioactive wastes pursuant to the Low-Level Radioactive Waste Compact Law. You also serve as a Commissioner on the Kansas Corporation Commission (KCC), which the Compact Law designates as the rate-review agency for the state of Kansas in the event a regional disposal facility is sited in Kansas. You were appointed by the Governor and confirmed by the Senate to hold this position on the KCC.

Question

Does the Kansas conflict of interest statute, K.S.A. 46-286, prohibit a Commissioner on the KCC from also serving as the Kansas Commissioner on the Compact Commission, (1) currently and (2) in the event a regional disposal facility is sited in Kansas.

Analysis and Opinion

The Central Interstate Low-Level Radioactive Waste Compact Act

In 1982, K.S.A. 65-34a01, *et seq.*, the Central Interstate Low-Level Radioactive Waste Compact Act was passed, with an effective date of July 1, 1982.¹ This Act gave effect to the federal Low-Level Radioactive Waste Policy Act,² which "encouraged states to enter into compacts for the efficient management of [nonfederal radioactive] wastes."³ The purpose of the Kansas Act was set out in Article I, Policy and Purpose:

It is the purpose of this compact to provide the framework for such a cooperative effort; to promote the health, safety and welfare of the citizens and the environment of the region; to limit the number of facilities needed to effectively and efficiently manage low-level radioactive wastes and to encourage the reduction of the generation thereof; and to distribute the costs, benefits and obligations among the party states.⁴

The Act also provided for a Central Interstate Low-Level Radioactive Waste Compact Commission, comprised of representatives from member states.⁵ The Kansas representative on the Compact Commission was to be the Secretary of the Department of Health and Environment.⁶ Additionally, the KCC was designated as the rate-review agency for the state of Kansas.⁷

However, in 1993, the Kansas Central Interstate Low-Level Radioactive Waste Compact Act was repealed and re-codified in substantially the same form, with the exception of the effective date, which was changed as follows:

This act shall take effect and be in force from and after the date upon which the appropriate authority of the state of Nebraska issues a license or permit for the operation of a low-level radioactive waste disposal facility in the state of Nebraska which is accessible to the members of the central interstate low-level radioactive waste compact, and its publication in the statute book.

To date, Nebraska has not issued such a license or permit.⁸

Additionally, in 1993 the Kansas representative on the Commission was altered to be a person appointed by the

Governor, subject to Senate confirmation.⁹ This statutory provision remains in effect,¹⁰ as does the provision designating the Kansas Corporation Commission as the rate-review agency for the state of Kansas.¹¹

In 1995 a United States District Court for the District of Nebraska determined:

Until Nebraska issues a license for the proposed disposal facility, the original Compact, as consented to by Congress remains in effect under Kansas law. . . . Congress specifically granted its consent to each and every part and article of the Compact. For many purposes, Congress's consent to the Compact transformed the Compact into a law of the United States.¹²

This conclusion was affirmed by the 8th Circuit Court of Appeals in 2004:

The terms of the Compact became federal law when it was approved by Congress. . . . It was Congress, through its approval of the Compact, which established a regulatory scheme to govern the mutual rights and obligations of the party states.¹³

Further, in 2005, the Compact Commission adopted the following resolution, which currently remains in effect:

The Commission, having received and considered information regarding the availability and adequacy of options for the processing, storage and disposal of LLRW [low level radioactive waste], has determined that no need currently exists for the siting, construction and operation of a disposal facility in the Compact region.¹⁴

The result of the foregoing: Although the Compact Commission remains in existence, the Central Interstate Low-Level Radioactive Waste Compact Act itself is not currently in effect under *Kansas* law. However, this Compact is in effect pursuant to *federal* law,¹⁵ which addresses the subject of disposal rates in Article 3(c) of the Compact:

Rates shall be charged to any user of the regional facility, set by the operator of a regional facility and shall be fair and reasonable and be subject to the approval of the host state. Such approval shall be based upon criteria established by the Commission [*i.e.*, the CIC].¹⁶

To date, no regional disposal facility has been sited in any of the Party States, including Kansas.¹⁷

In the event that a regional low-level radioactive waste disposal facility applies for a license to be sited in Kansas, the KCC would exercise the rate-review function, as specified in the Compact. Under the Compact, the state of Kansas would "regulate and license"¹⁸ such a regional facility. This regulation and licensing function, as well as enforcement, would be under the auspices of the Kansas Department of Health and Environment (KDHE),¹⁹ and not the KCC.

K.S.A. 46-286

The conflict of interest statute potentially in issue is K.S.A. 46-286:

(a) No state officer or employee, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position.

(b) This section shall not apply to any appointed . . . members of a state . . . commission, except that no member of such . . . commission shall participate in any license, inspection or contract on behalf of their state . . . commission with any outside organization with which such member is associated.

As a Governor's appointee to the KCC, the controlling section of K.S.A. 46-286 is (b), which prohibits you from participating, as a member of the Compact Commission, in the licensing and inspection of any regional disposal facility for low-level radioactive waste.

Turning now to the questions posed: First, *currently* does K.S.A. 46-286 prohibit you as a Commissioner on the KCC from also serving as the Kansas Commissioner on the Compact Commission?

As indicated, to date, no regional disposal facility has been sited in the Central Interstate Low-level Radioactive Waste Compact Party State of Kansas. Consequently, members of the KCC do not currently have any role as a rate-review agency under Article 3 of the Central Interstate Low-Level Radioactive Waste Compact. As such, a conflict of interest under K.S.A. 46-286 does not arise. Thus, *currently* K.S.A. 46-286 does not prohibit you from serving on the KCC from also serving as the Kansas Commissioner on the Compact Commission.

Second, *in the event a regional disposal facility is sited in Kansas*, does K.S.A. 46-286 prohibit you as a Commissioner on the KCC from also serving as the Kansas Commissioner on the Compact Commission?

Again, as indicated in this event, KDHE would be the Kansas agency to license and inspect such a regional facility. The KCC's role would be limited to approval of disposal rates set by the facility to be charged to users of the facility, based on the Compact Commission's established criteria. As such, a conflict of interest under K.S.A. 46-286 would not arise. Thus, *in the event a regional disposal facility is sited in Kansas*, K.S.A. 46-286 does not prohibit you from serving on the KCC and also serving as the Kansas Commissioner on the Compact Commission.

¹ L. 1982, ch. 254, sec. 1.

² L. 1982, ch. 254, sec. 1, Article 1.

³ *Id.*

⁴ *Id.*

⁵ L. 1982, ch. 254, sec. 1 Article 4.

⁶ L. 1982, ch. 267, sec. 1.

⁷ L. 1982, ch. 267, sec. 3.

⁸ Email from opinion requester, Shari Feist Albrecht, September 18, 2012.

⁹ L. 1993, ch. 2, sec. 1.

¹⁰ K.S.A. 2011 Supp. 65-34a02.

¹¹ K.S.A. 65-34a04.

¹² *State of Nebraska v. Central Interstate Low-Level Radioactive Waste Commission*, 902 F. Supp. 1046, 1048, 1049 (D. Nebr. 1995)

¹³ *Entergy Arkansas, Inc. v. Nebraska*, 358 F.3d 528, 542 (8th Cir. 2004)

¹⁴ Opinion request letter from Shari Feist Albrecht, September 7, 2012.

¹⁵ *Supra* n. 12 and 13.

¹⁶ 42 U.S.C. § 222 note, Article 3.

¹⁷ Opinion request letter from Shari Feist Albrecht, September 7, 2012.

¹⁸ 42 U.S.C. § 222 note, Article 3.

¹⁹ K.S.A. 48-1620; K.S.A. 65-3433.

G. Daniel Harden, Chairman
By Direction of the Commission

Doc. No. 041050

State of Kansas

Office of the Governor

Executive Directive No. 12-434

Authorizing Expenditure of Federal Funds

By virtue of the authority vested in the Governor as the head of the Executive Branch of the State of Kansas, the following transactions are hereby authorized:

Pursuant to the authority of the Office of the Governor to receive and expend federal funds, and pursuant to the authority granted the Governor by Chapter 175, Section 177 of *The 2012 Session Laws of Kansas*, approval is hereby granted to the Governor's Grants Program for expenditure in FY 2013 of monies in the federal fund "State Victims' Assistance Academy Initiative."

I have conferred with the Director of the Budget and members of my staff, and I have determined that the guidelines set forth in KSA 75-3711 and 75-3711c have been applied and that none of the foregoing actions exceeds the limitations contained therein.

Dated October 25, 2012.

Sam Brownback
Governor

Doc. No. 041053

State of Kansas

Department of Revenue

Division of Alcoholic Beverage Control

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Department of Revenue at 9 a.m. Thursday, January 10, in Room 230, secretary's conference room, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider amendments, revocations and adoption of alcoholic beverage control regulations. Copies of these proposed regulations may be found at www.ksrevenue.org.

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

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

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Kathleen Smith at 785-296-3081 or TTY 785-296-6461. Disabled parking is

located in State Parking Lot No. 2, south of the Docking Building facing Harrison Street. The east entrance to the Docking Building is accessible.

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

Article 13.—RETAIL LIQUOR DEALER

Amendments to K.A.R. 14-13-1. This amendment implements Section 3 of 2012 Substitute for House Bill 2689, allowing retail licensees to serve free samples of alcoholic liquor on the licensed premises and at adjacent premises monitored and regulated by the Division of ABC. Specifically, the amendment adds a definition of "adjacent premises," "mixer" and "tasting event."

Other definitions that were not used in the act, were mere restatements of the statutory definitions or were inconsistent with those definitions were removed. Definitions of "manager" and "crime opposed to decency and morality" were added.

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

Amendments to K.A.R. 14-13-2. This amendment removes many licensing requirements that are mere restatements of the statute and adds a section allowing the director to reject an application for a variety of reasons listed in the regulations. Other amendments were technical or language revisions requested by the Department of Administration or the attorney general's office.

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

Revocation of K.A.R. 14-13-3. This regulation establishes procedures for a "short method" of license renewal.

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

Amendments to K.A.R. 14-13-4. This amendment clarifies requirements for licensees located in cities and counties that require a local occupation or license tax, and requires such licensees to post proof of payment to be posted in a conspicuous place on the licensed premises.

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

Amendments to K.A.R. 14-13-5. This amendment removes the requirement that retailers notify ABC within five days of hiring an employee and replaces it with a requirement that the retailer maintain a roster of employees, containing the employee's name, date of birth and gender. Subsection (c), concerning persons a retailer may not hire, was removed as it is merely restatement of a statute.

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

Amendments to K.A.R. 14-13-6. This amendment provides a procedure to allow a retailer to change the location of its business upon written permission of the director. The amendment includes what information the

licensee is required to submit for the director's review and provides reasons why the director may deny such a request.

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

Amendments to K.A.R. 14-13-7. Nothing material is changing, other than the request for a duplicate license must now be made upon forms prescribed by the director. This is mainly a technical amendment.

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

Amendments to K.A.R. 14-13-8. This amendment requires a retailer wishing to transfer its inventory to another licensee to submit certain information to the director for approval. The amendment further provides reasons why the director may deny the retailer's request and also provides a method of dealing with liquor that has been abandoned by the retailer.

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

Amendments to K.A.R. 14-13-9. This amendment adds public venues to the types of licensed premises a retailer may sell and deliver alcoholic liquor to. The section requiring retailers to use delivery vehicles that have been registered with ABC to deliver alcoholic liquor to licensed premises was removed.

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

Amendments to K.A.R. 14-13-10. This amendment allows a retailer to maintain records of purchases and sales of alcoholic liquor in electronic format. The requirement that proof of the alcoholic liquor purchased be included on the invoice or sales slip was removed, as it serves no real purpose.

The amendment also adds the new public venue to the list of licensees to which a retailer selling alcoholic liquor must issue a numbered sales slip or invoice containing the required information.

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

Revocation of K.A.R. 14-13-11. This regulation provides restrictions and requirements for signs on and about the retailer's premises.

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

Amendments to K.A.R. 14-13-13. This amendment implements Section 3 of Substitute for HB 2689, allowing retail licensees to serve free samples of alcoholic liquor on the licensed premises and at adjacent premises monitored and regulated by the Division of ABC. Specifically, the regulation was amended to remove the prohibitions on open containers and consumption of liquor on the licensed premises. The prohibition on a retailer accepting credit cards for payment of alcoholic liquor was removed as it contradicts current state law.

Additional amendments were made to clean up outdated language.

Economic Impact: The Department of Revenue does not anticipate any impact on the department or other government agencies. Licensees may see some increase in business through samples.

Amendments to K.A.R. 14-13-15. This amendment provides a procedure for retailers wishing to change their doing business as ("d/b/a") names and reasons why the director may refuse a request to change a d/b/a name.

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

Adoption of 14-13-16. Tasting events; requirements; prohibitions. This new regulation implements the provisions of Section 3 of Substitute for HB 2689, allowing retail licensees to serve free samples of alcoholic liquor on the licensed premises and at adjacent premises monitored and regulated by the Division of ABC. The regulation establishes procedures for conduct of the event, record keeping and storage of liquor.

Economic Impact: The Department of Revenue does not anticipate any impact on the department or other government agencies. Licensees may see an increase in sales of alcoholic liquor through the sampling program.

Adoption of 14-13-17. Tasting events; supplier participation; requirements; prohibitions. This new regulation implements the provisions of Section 3 of Substitute for HB 2689, allowing suppliers to participate in tasting events conducted by a retail liquor store licensee on the licensed premises and at adjacent premises monitored and regulated by the Division of ABC. The regulation establishes procedures for a supplier's conduct of the event, record keeping and storage of liquor.

Economic Impact: The Department of Revenue does not anticipate any impact on the department or other government agencies. Licensees may see an increase in sales of alcoholic liquor through the sampling program.

Adoption of 14-13-18. Change of ownership; notice to director. This new regulation requires a retailer to notify ABC at least 20 days prior to a transfer of ownership in a business entity holding a license. The notice must include all information necessary to determine the continued eligibility of the licensee.

Economic Impact: The Department of Revenue does not anticipate any impact on the department or other government agencies. Licensees may see an increase in sales of alcoholic liquor through the sampling program.

A copy of the regulations and the economic impact statements may be obtained from the Kansas Department of Revenue, Office of Policy and Research, at the contact information above or from the department's website at www.ksrevenue.org.

Nick Jordan
Secretary of Revenue

Doc. No. 041056

State of Kansas

Wildlife, Parks and Tourism Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Wildlife, Parks and Tourism Commission at 7 p.m. Thursday, January 10, at Butler County Community College, Clifford Stone Community Room, 901 S. Haverhill Road, El Dorado, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks and Tourism.

A regulatory hearing on business of the Wildlife, Parks and Tourism Commission will begin at 7 p.m. January 10 at the location listed above. There will be public comment periods at the beginning of the evening meeting for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete business matters, the commission will reconvene at 9 a.m. January 11 at the same location.

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

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulations. All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife, Parks and Tourism, 1020 S. Kansas Ave., Suite 200, Topeka, 66612, or to sheila.kemmis@ksoutdoors.com if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-9-8. This permanent regulation establishes the requirements and exemptions for the migratory bird harvest information program. The proposed amendments would update the regulation to conform with current program practices as well as update the exemption requirements to conform with statutory changes from the past legislative session.

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

K.A.R. 115-14-14. This permanent regulation establishes the requirements for taking, banding and trans-

porting raptors. The proposed amendment is necessary to conform with federal law related to possession of raptors and relates to banding and marking of captive bred raptors.

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

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by writing the chairman of the commission at the address above, electronically on the department's website at www.kdwpt.state.ks.us, or by calling 785-296-2281.

Gerald Lauber
Chairman

Doc. No. 041052

State of Kansas

Department of Revenue
Division of Alcoholic Beverage ControlTemporary Administrative
Regulations

Article 13.—RETAIL LIQUOR DEALER

14-13-1. Definitions. As used in this article, unless the context clearly requires otherwise, the following terms shall have the meanings specified in this regulation:

(a) "Adjacent premises" means an enclosed permanent structure that is contiguous to the licensed premises and may be located in front of, beside, behind, below, or above the licensed premises. Adjacent premises shall be under the direct or indirect control of the retailer. This term shall not include empty lots, parking lots, temporary structures, or enclosed structures not contiguous to the licensed premises.

(b) "Beneficial interest" means any ownership interest by a person or that person's spouse in a business, corporation, partnership, trust, association, or other form of business organization.

(c) "Bulk wine" means wine that is sold to a club either by a retailer or a distributor in barrels, casks, or bulk containers that individually exceed 20 liters.

(d) "Church" means a building that is owned or leased by a religious organization and is used exclusively as a place for religious worship and other activities ordinarily conducted by a religious organization.

(e) "Crime opposed to decency and morality" means a crime involving any of the following:

- (1) Prostitution;
- (2) procuring any person;
- (3) solicitation of a child under 18 years of age for any immoral act involving sex;
- (4) possession or sale of narcotics, marijuana, amphetamines, or barbiturates;
- (5) rape;
- (6) incest;
- (7) gambling;
- (8) adultery; or
- (9) bigamy.

(f) "Licensed premises" means those areas described in an application for a retailer's license that are under the control of the applicant and are intended as the area in which alcoholic liquor is to be sold for consumption off the licensed premises or stored for later sale.

(g) "Manager" means a person with the status, duties, and authority to have control over the licensee's business operation, finances, or disbursement of business funds including any of the following:

(1) The authority to make decisions concerning the day-to-day operations of the business;

(2) the authority to hire or fire employees;

(3) the authority to sign business checks;

(4) the authority to direct payment of business funds; or

(5) supervision of those employees responsible for any of these duties.

(h) "Mixer" means any liquid capable of being consumed by a human being that may be combined with alcoholic liquor for consumption.

(i) "Tasting event" means any time during which a retailer or supplier is serving free samples of alcoholic liquor on the retailer's licensed premises or at adjacent premises monitored and regulated by the director.

This regulation shall become effective on October 29, 2012. (Authorized by K.S.A. 41-210; implementing K.S.A. 2011 Supp. 41-102, as amended by L. 2012, ch. 144, sec. 4; effective May 1, 1988; amended Aug. 6, 1990; amended, T-14-11-9-92, Nov. 9, 1992; amended Dec. 21, 1992; amended, T-14-6-28-12, July 1, 2012; amended, T-14-10-25-12, Oct. 29, 2012.)

14-13-13. Prohibited conduct of retailer. (a) A retailer shall not permit gambling or the possession of a gambling or gaming device of any kind or character on or in the licensed premises. However, any retailer may sell, operate, possess, and offer to the public lottery tickets permitted by the Kansas lottery act if the retailer is authorized by the Kansas lottery commission to do so.

(b) A retailer shall not, as a condition for the sale or delivery of alcoholic liquor to a customer or to any other licensee who is licensed under the liquor control act or the club and drinking establishment act, require that the other licensee or customer purchase or contract to purchase alcoholic liquor of another form, quantity, or brand in addition to or partially in lieu of that specifically ordered or desired by the licensee or customer.

(c) A retailer shall not sell or deliver alcoholic liquor of a particular form or brand to a customer or to any other licensee who is licensed under the liquor control act or the club and drinking establishment act under any arrangement, agreement, or understanding, direct or implied, such that the sale or delivery will be made only if the other licensee or customer also buys or accepts delivery of a quantity of alcoholic liquor of another form or brand.

(d) A retailer shall not refuse to permit the director or any agent or employee of the director to inspect the licensed premises and any alcoholic liquor in the retailer's possession or under the retailer's control upon the licensed premises or upon any other premises where the retailer has stored any alcoholic liquor.

(e) A retailer shall not make any false or misleading representations with respect to any alcoholic liquor product or any licensed premises or in connection with a sales transaction relating to brand, type, proof, or age of an alcoholic liquor or beer. A retailer shall not deceive or attempt to deceive a customer by removing or changing any label or sanitation cover from a container of alcoholic liquor.

(f) A retailer shall not sell or remove any alcoholic liquor from the licensed premises on any day other than a legal day for the sale of alcoholic liquor at retail, after the legal closing hour or before the legal opening hour.

(g) A retailer shall not, directly or indirectly, offer or furnish any gifts, prizes, premiums, rebates, or similar inducements with the sale of any alcoholic liquor, nor shall any retailer directly or indirectly offer, furnish, or sell any alcoholic liquor at less than its cost plus enforcement tax, except according to the following:

(1) Any retailer may include in the sale of alcoholic liquor any goods included by the manufacturer in packaging with the alcoholic liquor. Goods included by the manufacturer shall be packaged with one or more original packages of alcoholic liquor in such a manner as to be delivered to the consumer as a single unit. A retailer shall not sell or give away goods included by a manufacturer that are not packaged as a single unit with the original package of alcoholic liquor as shipped by the manufacturer.

(2) Any retailer may distribute consumer advertising specialty items, subject to the limitations imposed by this regulation. For the purposes of this regulation, consumer advertising specialty items shall be limited to the following: ashtrays, bottle or can openers, corkscrews, matches, printed recipes, informational pamphlets, cards and leaflets, blotters, post cards, posters, printed sports schedules, pens, pencils, and other items of minimal value as approved by the director. Each consumer advertising specialty item shall contain advertising material relating to a brand name of alcoholic liquor or to the operation of the retail liquor store distributing the consumer advertising specialty item. No charge may be made for any consumer advertising specialty item or any purchase required in order to receive any consumer advertising specialty item.

(h) A retailer shall not open or permit to be opened, on the licensed premises, any container or original package containing alcoholic liquor or cereal malt beverage, except as provided in K.A.R. 14-13-16 and K.A.R. 14-13-17.

(i) A retailer shall not permit the drinking of alcoholic liquors or cereal malt beverage in, on, or about the licensed premises, except that any consumer who is at least 21 years of age may sample alcoholic liquor available for sale by the retailer, on the licensed premises and at adjacent premises monitored and regulated by the director, except as provided in K.A.R. 14-13-16 and K.A.R. 14-13-17.

(j) A retailer shall not allow an intoxicated person to frequent, loiter, or be employed upon the licensed premises.

A retailer's manager or employee shall not become intoxicated while on duty for the licensee.

(continued)

(k) A retailer shall not permit any other person to use the licensed premises for the purpose of carrying on any business activity other than the sale of alcoholic liquor.

(l) A retailer shall not accept or receive from any agent or employee of any licensed distributor any cash rebate or thing of value, or enter into or be a party to any agreement or transaction with any licensed distributor, directly or indirectly, that would result in, or have as its purpose, the purchase of any alcoholic liquor by the retailer at a price less than the listed price that has been filed by the distributor in the office of the director.

(m) A retailer shall not sell, give, or deliver any intoxicating liquor to any person under the age of 21 years. A retailer shall not sell, give, or deliver any intoxicating liquor to any person if the retailer knows or has reason to know that the intoxicating liquor is being obtained for a person under 21 years of age.

(n) A retailer shall not purchase or sell any alcoholic liquor on credit. A retailer shall not enter into any transaction or scheme the purpose of which is to buy or sell alcoholic liquor on credit. The following transactions shall be considered to be buying or selling alcoholic liquor on credit:

- (1) Taking or giving a postdated check;
- (2) giving an insufficient funds check;
- (3) taking a check with knowledge that there are insufficient funds to pay the check upon presentment;
- (4) accepting delivery from a distributor without making payment for the alcoholic liquor when delivered or before delivery;
- (5) making delivery to a club, drinking establishment, or caterer without receiving payment before or at the time of delivery; and
- (6) allowing any alcoholic liquor to be removed from the licensed premises without receiving payment for the alcoholic liquor.

(o) A retailer shall not fail to make the reports or keep the records required by these regulations. A retailer shall not do anything that is otherwise prohibited by any other provision of these regulations.

(p) A retailer who is authorized by the Kansas lottery commission to sell lottery tickets shall not commingle the proceeds from the sale of the lottery tickets with the proceeds from the sale of alcoholic liquor.

(q) A retailer shall not refill a package of alcoholic liquor and shall not sell alcoholic liquor in anything other than the original package.

This regulation shall become effective on October 29, 2012. (Authorized by K.S.A. 41-210; implementing K.S.A. 41-211, K.S.A. 41-308, as amended by L. 2012, ch. 144, sec. 10, K.S.A. 41-702, K.S.A. 41-703, K.S.A. 41-717, as amended by L. 2012, ch. 144, sec. 26, K.S.A. 41-718, as amended by L. 2012, ch. 144, sec. 27; effective May 1, 1988; amended, T-14-11-9-92, Nov. 9, 1992; amended Dec. 21, 1992; amended, T-14-6-28-12, July 1, 2012; amended, T-14-10-25-12, Oct. 29, 2012.)

14-13-16. Tasting events; requirements; prohibitions. Any retailer may provide free samples of alcoholic liquor offered for sale by the retailer to members of the general public on the retailer's licensed premises and at adjacent premises as approved by the director.

(a) No retailer shall receive payment from any person, either directly or indirectly, to conduct a tasting event.

(b)(1) Each container of alcoholic liquor to be sampled shall be removed from the retailer's inventory.

(2) The retailer shall clearly mark each container of alcoholic liquor removed from inventory for sampling as reserved for samples only. The marking shall not obscure the label of the alcoholic liquor container.

(c) No samples of alcoholic liquor may be served on a retailer's licensed premises or on adjacent premises at any time other than those hours and days during which the retailer may sell alcoholic liquor, pursuant to K.S.A. 41-712 and amendments thereto.

(d) Except as specifically allowed by this subsection, no employee of the retailer who is on duty may consume alcoholic liquor during the tasting event.

The owner or manager of a retail premises may consume wine from an original container sufficient to verify that the wine has not deteriorated in quality or has otherwise become unfit for human consumption.

(e) The director, or any agent or employee of the director, shall be granted immediate entry to and inspection of any adjacent premises used for tasting events at any time the adjacent premises are occupied. Failure to grant immediate entry shall be grounds for revocation of the retailer's license.

(f) Except as specifically allowed in this subsection, no retailer may provide any food, service, or other thing of value other than samples of alcoholic liquor at any tasting event.

(1) Any retailer conducting a tasting event on the licensed premises may provide cups and napkins.

(2) Any retailer conducting a tasting event on adjacent premises may provide cups, napkins, food, mixers, and other similar items.

(g) A licensed distributor or its agent, employee, or representative shall not purchase alcoholic liquor for tasting, pour samples, or provide any supplies or things of value, except that an agent, employee, or representative of a distributor may provide education on the product or products being sampled.

(h) The mixing of alcoholic liquor with any other substance shall be prohibited on the licensed premises. Alcoholic liquor may be mixed with other substances for sampling during tasting events on adjacent premises.

(i)(1) Any partially used container of alcoholic liquor removed from the licensed premises for tasting at adjacent premises shall be disposed of or returned to the licensed premises before the retailer's close of business on the same date the container was removed.

(2) Each retailer shall perform one of the following for each partially used container of alcoholic liquor used for sampling:

- (A) Dispose of the container;
- (B) store the container on the licensed premises in a secured, locked storage area, separate from containers of alcoholic liquor available for purchase; or
- (C) secure the container with a tamperproof seal around the opening of the container.

(j) Each retailer engaged in tasting events shall keep, for at least three years, records of all alcoholic liquor removed from inventory for the tasting events. These re-

cords shall be available for inspection by the director, any agent or employee of the director, or the secretary, upon request.

(1) Each record required by this regulation shall be maintained on the licensed premises of the retailer for at least 90 days after the date on which the alcoholic liquor was removed from inventory. These records may be maintained in electronic format but shall be capable of being printed immediately upon request.

(2) After 90 days, any record required by this regulation may be stored electronically and maintained off the licensed premises. Each record shall be provided in electronic or paper format, upon request.

This regulation shall become effective on October 29, 2012. (Authorized by K.S.A. 41-210; implementing L. 2012, ch. 144, sec. 3; effective, T-14-6-28-12, July 1, 2012; effective, T-14-10-25-12, Oct. 29, 2012.)

14-13-17. Tasting events; supplier participation; requirements; prohibitions. Any supplier may participate in a retail tasting event through the supplier's employee or agent. For the purpose of this regulation, "supplier" shall mean any person holding a permit issued pursuant to K.S.A. 41-331, and amendments thereto.

(a) A supplier's "agent" may include a third party contracted for the purpose of conducting the tasting. This term shall not include a licensed distributor or any agent, employee, or representative of a licensed distributor.

(b) For the purpose of participation in tasting events, each licensed distributor who also possesses a Kansas supplier permit shall be limited to providing educational information about the product or products being sampled. A distributor or its agent or employee shall not participate in any other manner in a tasting event.

(c) The supplier shall purchase alcoholic liquor to be sampled at a tasting event from the retailer. For each purchase under this regulation, the retailer shall provide the supplier with a numbered invoice or sales slip that contains the following information:

- (1) The date of purchase;
- (2) the name and license number of the retailer;
- (3) the name and Kansas permit number of the supplier;
- (4) the brand, size, and quantity of all alcoholic liquor purchased; and
- (5) the subtotal of the cost of the alcoholic liquor and the total cost of the purchase, including enforcement tax.

(d) Any supplier may store containers of alcoholic liquor used for sampling at a tasting event on the retailer's licensed premises if all of the following conditions are met:

- (1) Each container of alcoholic liquor is clearly marked, in a manner that does not obscure the label, as reserved for samples only.
- (2) The container is secured in a locked storage area separate from containers of alcoholic liquor available for purchase or is secured with a tamper-proof seal around the opening of the container.
- (3) The container is accompanied by a copy of the invoice provided to the supplier by the retailer.

(e)(1) Any supplier participating in a tasting event on the retailer's licensed premises may provide cups, napkins, food, and similar items.

(2) Any supplier participating in a tasting event on the retailer's adjacent premises may provide nonalcoholic mixers, cups, napkins, food, and similar items.

(f) Each retailer who sells alcoholic liquor to a supplier participating in a tasting event shall keep a copy of the invoice or sales slip required by this regulation for at least three years. The records required by this subsection shall be available for inspection by the director, any agent or employee of the director, or the secretary, upon request.

(1) Each record required by this regulation shall be maintained on the retailer's licensed premises for at least 90 days after the sale. These records may be maintained in electronic format but shall be capable of being printed immediately upon request.

(2) After 90 days, any record required by this regulation may be stored electronically and maintained off the licensed premises. Each record shall be provided in electronic or paper format, upon request.

This regulation shall become effective on October 29, 2012. (Authorized by K.S.A. 41-210; implementing L. 2012, ch. 144, sec. 3; effective, T-14-6-28-12, July 1, 2012; effective, T-14-10-25-12, Oct. 29, 2012.)

Nick Jordan
Secretary of Revenue

Doc. No. 041059

State of Kansas

Attorney General

Temporary Administrative
Regulations

**Article 12.—BATTERER INTERVENTION
PROGRAM REQUIREMENTS AND
CERTIFICATION**

16-12-1. Scope. The regulations in this article shall provide for the certification of, and shall set the standards for the services and programs required of, certified batterer intervention programs, including the following: (a) Any certified batterer intervention program providing the domestic violence offender assessment pursuant to K.S.A. 12-4509, K.S.A. 21-5414, K.S.A. 21-6604, or K.S.A. 22-2909, and amendments thereto; and

(b) any program operating or providing services as a batterer intervention program, domestic violence or abuse intervention program, or domestic violence educational program for those convicted of a domestic violence-designated offense or as part of a diversion agreement in a complaint alleging a domestic violence offense, as defined in K.S.A. 21-5111 and amendments thereto.

This regulation shall become effective on October 26, 2012. (Authorized by L. 2012, ch. 162, sec. 11; implementing L. 2012, ch. 162, secs. 1 and 11; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012.)

16-12-2. Definitions. Words or phrases used in this article or in the batterer intervention program certification act ("act") but not defined in this regulation shall have the same definition as specified in the act or in K.S.A. 21-5111, and amendments thereto. Each of the fol-

(continued)

lowing terms, as used in this article, shall have the meaning specified in this regulation: (a) "Continuing education" means formally organized programs or activities that are designed for and have content intended to enhance the knowledge, skill, values, ethics, and ability to practice as an "agent or employee thereof," as defined by L. 2012, ch. 162, sec. 13 and amendments thereto.

(b) "Controlled substance" means any drug, substance, or immediate precursor included in any of the schedules designated in K.S.A. 65-4105, 65-4107, 65-4109, 65-4111, and 65-4113, and amendments thereto.

(c) "Remedial or other requirements" means either of the following:

(1) Completion of additional education or training for agents or employees to address the concerns identified by the attorney general; or

(2) changes to the structure of the program to address the concerns identified by the attorney general.

(d) "Supervisee" means an agent or employee of a certified batterer intervention program who receives instruction or direction for the purpose of development of responsibility, skill, knowledge, attitudes, and ethical standards of practice in batterer intervention services from a batterer intervention program director, program supervisor, or program coordinator.

(e) "Unprofessional conduct," for an agent or employee who is not licensed by the Kansas behavioral sciences regulatory board, means any of the following acts:

(1) Obtaining or attempting to obtain a certification or temporary permit by means of fraud, bribery, deceit, misrepresentation, or concealment of a material fact;

(2) failing to notify the attorney general, within a reasonable period of time, that any one of the following conditions applies to an agent or employee:

(A) Had a professional license, credential, permit, registration, or certification limited, conditioned, qualified, restricted, suspended, revoked, refused by the proper regulatory authority in Kansas or of another state, territory, or the District of Columbia. A certified copy of the action taken by the jurisdiction shall be conclusive evidence of this action;

(B) has voluntarily surrendered a professional license, credential, permit, registration, or certification while a complaint or investigation is pending by the proper regulatory authority;

(C) has been demoted, terminated, suspended, reassigned, or asked to resign from employment, or has resigned from employment, for misfeasance, malfeasance, or nonfeasance; or

(D) has been convicted of a felony;

(3) knowingly allowing another individual to use one's permit or certification unlawfully;

(4) impersonating another individual holding a permit or certification;

(5) having been convicted of a crime resulting from or relating to the provision of certified batterer intervention services;

(6) furthering the certification or permit application of another person who is known to be unqualified with respect to character, education, or other relevant eligibility requirements according to K.A.R. 16-12-4;

(7) knowingly aiding or abetting anyone who does not have certification or a permit to represent that individual as a person who does have certification or a permit;

(8) failing or refusing to cooperate in a timely manner with any request from the attorney general for a response or assistance with respect to the attorney general's investigation of any report of an alleged violation of the batterer intervention program certification act or any law filed against oneself or any other applicant. It shall be prima facie evidence of failing or refusing to cooperate within this subsection if a person takes longer than 30 days to provide the requested response, information, or assistance, unless the person shows good cause or receives an extension by the attorney general;

(9) offering to perform or performing services outside the scope of one's training, education, and competency;

(10) treating any offender, victim, or supervisee in a cruel manner, including the intentional infliction of pain or suffering;

(11) discriminating against any offender, victim, or supervisee on the basis of color, race, gender, religion, national origin, or disability;

(12) failing to provide each offender with a description of services, consultation, reports, fees, billing, intervention regimen, or schedule, or failing to reasonably comply with these descriptions;

(13) failing to inform each offender or supervisee of any financial interests that might accrue to the provider from referral to any other service or from the use of any tests, books, or apparatus;

(14) failing to inform each offender, victim, and supervisee of the purposes for which information is obtained, the manner in which the information may be used, and the limits of confidentiality regarding the provision of batterer intervention services;

(15) revealing information, a confidence, or secret of any victim, or failing to protect the confidences, secrets, or information contained in a victim's records, except when at least one of the following conditions is met:

(A) Disclosure is required by law;

(B) disclosure is authorized by law because the confidential information shows that the person could seriously harm an individual or the public; or

(C) the provider, or the provider's employee or agent, is a party to a civil, criminal, or disciplinary investigation or action arising from the batterer intervention program practice, in which case disclosure shall be limited to that action;

(16) failing to protect the confidences of, secrets of, or information concerning other persons when providing an offender with access to that offender's records;

(17) engaging in professional activities, including billing practices and advertising, involving dishonesty, fraud, deceit, or misrepresentation;

(18) using alcohol or illegally using any controlled substance while performing duties or services as a batterer intervention provider;

(19) making sexual advances toward, engaging in physical intimacies or sexual activities with, or exercising undue influence over any person who, within the past 24 months, has been a victim or offender receiving batterer

intervention services, or a victim or offender's known family members;

(20) exercising undue influence over any victim, offender, or supervisee, including promoting sales of services or goods, in a manner that will exploit the person or persons for the purpose of financial gain, personal gratification, or advantage of oneself or a third party;

(21) directly or indirectly offering or giving to a third party or soliciting, receiving, or agreeing to receive from a third party any fee or other consideration for the referral of the victim or offender;

(22) permitting any person to share in the fees for professional services, other than a partner, employee, an associate in a professional firm, or a consultant providing batterer intervention services;

(23) soliciting or assuming professional responsibility for offenders served by another batterer intervention program without informing and attempting to coordinate continuity of offender services with that program;

(24) making claims of professional superiority that one cannot substantiate;

(25) guaranteeing that satisfaction or a cure will result from the performance of professional services;

(26) claiming or using any secret or special method of intervention or techniques that one refuses to divulge to the attorney general;

(27) continuing or ordering tests, procedures, interventions, or services not warranted by the condition or best interests of the offender;

(28) failing to maintain for each offender and victim a record that conforms to the following minimal standards:

(A) Contains a unique identifying number or other method for specific identification of the offender and victim;

(B) indicates the offender's initial reason for seeking the provider's services;

(C) contains specific information concerning the offender's condition, including the Kansas domestic violence offender assessment, affidavits, police reports, and other documents related to criminal activity as allowed by law and available to the provider;

(D) summarizes the intervention, tests, procedures, and services that were obtained, performed, ordered, or recommended and the findings and results of each;

(E) documents the offender's progress during the course of intervention;

(F) contains only those terms and abbreviations that are comprehensible to similar professional practitioners;

(G) indicates the date and nature of any professional service that was provided; and

(H) describes the manner and process by which the professional relationship terminated;

(29) taking credit for work not performed personally, whether by giving inaccurate or misleading information or by failing to disclose accurate or material information;

(30) making or filing a report that one knows to be erroneous, incomplete, or misleading;

(31) failing to retain offender's records for at least two years after the date of termination of the professional relationship, unless otherwise provided by law;

(32) failing to exercise supervision over any supervisee;

(33) failing to inform an offender if services are provided or delivered under supervision or direction;

(34) engaging in, or attempting to engage in, any relationship in which the objectivity or competency of the provider may become impaired or compromised due to any of the following present, previous, or future relationships with a victim, offender, or supervisee:

(A) Familial;

(B) sexual;

(C) emotional; or

(D) financial; or

(35) using without a temporary permit or certification, or continuing to use after the expiration of a permit or certification, any title or abbreviation prescribed by the attorney general for use only by those with a current temporary permit or certification.

(f) "Unprofessional conduct," for an agent or employee who is licensed by the Kansas behavioral sciences regulatory board, means any of the following acts:

(1) Any determination by the Kansas behavioral sciences regulatory board of a violation of laws or regulations related to one's licensure. A certified copy of the action taken by the Kansas behavioral sciences regulatory board shall be conclusive evidence of this action;

(2) obtaining or attempting to obtain a certification or temporary permit by means of fraud, bribery, deceit, misrepresentation, or concealment of a material fact;

(3) failing to notify the attorney general of any complaint, investigation, or finding regarding the licensee within 10 days, unless the person shows good cause or receives an extension by the attorney general;

(4) failing to notify the attorney general that any one of the following conditions applies to the licensee:

(A) Has been demoted, terminated, suspended, reassigned, or asked to resign from employment, or has resigned from employment, for misfeasance, malfeasance, or nonfeasance; or

(B) has been convicted of a felony;

(5) knowingly allowing another individual to use one's temporary permit or certification unlawfully;

(6) impersonating another individual holding a temporary permit or certification;

(7) having been convicted of a crime resulting from or relating to the provision of certified batterer intervention program services;

(8) furthering the certification or permit application of another person who is known to be unqualified with respect to character, education, or other relevant eligibility requirements;

(9) knowingly aiding or abetting anyone who does not have certification or a permit to represent that individual as a person who does have certification or a permit;

(10) failing or refusing to cooperate in a timely manner with any request from the attorney general for a response or assistance with respect to the attorney general's investigation of any report of an alleged violation of the batterer intervention program certification act or any law filed against oneself or any other applicant. It shall be prima facie evidence of failing or refusing to cooperate within this subsection if a person takes longer than 30 days to provide the requested response, information, or

(continued)

assistance, unless the person shows good cause or receives an extension by the attorney general;

(11) revealing information, a confidence, or secret of any victim, or failing to protect the confidences, secrets, or information contained in a victim's records, unless one of these conditions is met:

(A) Disclosure is required by law;

(B) disclosure is authorized by law because the confidential information shows that the person could seriously harm an individual or the public; or

(C) the provider, or the agent or employee of the provider, is a party to a civil, criminal, or disciplinary investigation or action arising from the batterer intervention program practice, in which case disclosure shall be limited to that action;

(12) claiming or using any secret or special method of intervention or techniques that one refuses to divulge to the attorney general;

(13) failing to maintain for each offender and victim a record that conforms to the following minimal standards:

(A) Contains a unique identifying number or other method for specific identification of the offender and victim;

(B) indicates the offender's initial reason for seeking the provider's services;

(C) contains specific information concerning the offender's condition, including the "Kansas domestic violence offender assessment form," affidavits, police reports, and other documents related to criminal activity as allowed by law and available to the provider;

(D) summarizes the intervention, tests, procedures, and services that were obtained, performed, ordered, or recommended and the findings and results of each;

(E) documents the offender's progress during the course of intervention;

(F) contains only those terms and abbreviations that are comprehensible to similar professional practitioners;

(G) indicates the date and nature of any professional service that was provided; and

(H) describes the manner and process by which the professional relationship terminated; or

(14) using without a temporary permit or certification, or continuing to use after the expiration of a permit or certification, any title or abbreviation prescribed by the attorney general for use only by those with a current permit or certification.

This regulation shall become effective on October 26, 2012. (Authorized by L. 2012, ch. 162, secs. 5, 11; implementing L. 2012, ch. 162, secs. 5, 6, 11; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012.)

16-12-3. Continuing education. (a) Continuing education hours shall be approved by the attorney general.

(b) Continuing education hours shall include those hours required for a temporary permit, initial certification, renewal certification, and certification reinstatement.

(c) Each batterer intervention program "agent or employee thereof," as defined by L. 2012, ch. 162, sec. 13 and amendments thereto, shall meet the following requirements:

(1) Complete 40 hours of continuing education as described in "the essential elements and standards of batterer intervention programs in Kansas," which is adopted by reference in K.A.R. 16-12-4; and

(2) complete 12 hours of documented and approved continuing education oriented to the enhancement of a batterer intervention program agent's or employee's practice, values, ethics, skills, or knowledge during each two-year renewal period. Continuing education hours accumulated in excess of the requirement shall not be carried over to the next renewal period.

(d) One hour of continuing education credit shall consist of at least 50 minutes of classroom instruction or at least one clock-hour of other types of acceptable continuing education experiences listed in subsection (e). One-half hour of continuing education credit may be granted for each 30 minutes of acceptable continuing education. Credit shall not be granted for fewer than 30 minutes.

(e) Acceptable continuing education, subject to approval, whether taken within the state or outside the state, shall include the following:

(1) An academic domestic violence course or an academic course oriented to the enhancement of a batterer intervention program agent's or employee's practice, values, ethics, skills, or knowledge that is taken for academic credit. Each agent or employee shall be granted 15 continuing education hours for each academic credit hour that is successfully completed. The maximum number of allowable continuing education hours shall be 15;

(2) an academic domestic violence course or an academic course oriented to the enhancement of a batterer intervention program agent's or employee's practice, values, ethics, skills, or knowledge that is audited. Each agent or employee shall receive continuing education credit on the basis of the actual contact time that the agent or employee spends attending the course, up to a maximum of 15 hours per academic credit hour. The maximum number of allowable continuing education hours shall be 15;

(3) a seminar, institute, conference, workshop, or course oriented to the enhancement of a batterer intervention program agent's or employee's practice, values, ethics, skills, or knowledge. The maximum number of allowable continuing education hours shall be 15; and

(4) an activity oriented to the enhancement of a batterer intervention program agent's or employee's practice, values, ethics, skills, or knowledge, consisting of completing a computerized interactive learning module, viewing a telecast or videotape, listening to an audiotape, or reading, if a posttest is provided. The maximum number of allowable continuing education hours shall be 15.

(f) Approval of continuing education credit shall not be granted for the second or any subsequent identical program if the programs are completed within the same renewal period.

(g) Continuing education credit shall not be granted for the following:

(1) In-service training, if the training is for job orientation or job training or is specific to the employing agency; and

(2) any activity for which the agent or employee cannot demonstrate to the attorney general's satisfaction that the

program's goals and objectives are to enhance the practice, values, ethics, skills, or knowledge in batterer intervention.

(h) Each agent or employee shall maintain individual, original continuing education records for at least two years. These records shall document the agent's or employee's attendance at, participation in, or completion of each continuing education activity.

(i) Each of the following forms of documentation shall be accepted as proof that an agent or employee has completed that continuing education activity:

(1) An official transcript or other document indicating the agent's or employee's passing grade for an academic course;

(2) a statement signed by the instructor of an academic course indicating the number of actual contact hours that the agent or employee attended for an audited academic course;

(3) a signed statement from the provider of a seminar, institute, conference, workshop, or course indicating that the agent or employee attended the continuing education program; and

(4) for each videotape, audiotape, computerized interactive learning module, or telecast that the agent or employee utilized for continuing education purposes, a written statement from the agent or employee specifying the media format, content title, presenter or sponsor, content description, length, activity date, and copy of the agent's or employee's completed posttest or score.

This regulation shall become effective on October 26, 2012. (Authorized by and implementing L. 2012, ch. 162, secs. 5, 11; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012.)

16-12-4. Program requirements. Each holder of a temporary permit, initial certification, renewal certification, or certification reinstatement shall perform the following: (a) Adopt and follow the standards, elements, and other program requirements described in the document titled "the essential elements and standards of batterer intervention programs in Kansas," dated June 15, 2012, by the Kansas attorney general's office, which is hereby adopted by reference except for the acknowledgements, table of contents, philosophy and purpose, and theoretical overview of batterer intervention programs; and

(b) submit the attorney general's document titled "certified batterer intervention program statistical report" with the required information. This document, dated June 13, 2012, is hereby adopted by reference. The "certified batterer intervention program statistical report" shall be completed and submitted to the attorney general on or before January 5 and July 5 in each year of certification or the first business day following these deadlines if the deadlines fall on a weekend or state or federal holiday.

This regulation shall become effective on October 26, 2012. (Authorized by L. 2012, ch. 162, secs. 5, 11; implementing L. 2012, ch. 162, secs. 5, 11; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012.)

16-12-5. Domestic violence offender assessment. (a) The document titled "Kansas attorney general do-

mestic violence offender assessment form," dated March 3, 2011, by the Kansas attorney general is hereby adopted by reference. This document is also known as "KDVOA."

(b) Except as specified in subsection (c), the KDVOA shall be completed by one of the following: an individual who is licensed to practice in Kansas as a psychologist, baccalaureate social worker, master social worker, specialist clinical social worker, marriage and family therapist, addiction counselor, clinical addiction counselor, clinical marriage and family therapist, professional counselor, clinical professional counselor, master's level psychologist, or clinical psychotherapist.

(c) Any person who is not licensed as provided in subsection (b) and who is completing the KDVOA as an employee of or volunteer for a batterer intervention program before January 1, 2013 may continue to complete these assessments on and after January 1, 2013 if the person remains an employee of or volunteer for the same program and the program remains a certified batterer intervention program. Whenever the person is no longer an employee of or volunteer for the program in which the person was employed or volunteering before January 1, 2013, the person shall not be allowed to complete the KDVOA for any certified batterer intervention program without meeting the license requirements in subsection (b).

This regulation shall become effective on October 26, 2012. (Authorized by K.S.A. 2011 Supp. 75-755 and L. 2012, ch. 162, sec.11; implementing K.S.A. 2011 Supp. 21-6604, as amended by L. 2012, ch. 162, sec. 16, and L. 2012, ch. 162, secs. 1, 5; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012.)

16-12-6. Temporary permit; application. Each applicant seeking a temporary permit shall submit an application, on a form provided by the attorney general, to the attorney general. The completed application for a temporary permit shall include the following: (a) The applicant's full name and residential address;

(b) the name under which the applicant intends to do business and the business address;

(c) a statement of the general nature of the business in which the applicant intends to engage;

(d) a statement of the education and work experience of the applicant and any "agent or employee thereof," as defined by L. 2012, ch. 162, sec. 13 and amendments thereto;

(e) a statement that the applicant has met any other qualifications specified in "the essential elements and standards of batterer intervention programs in Kansas," which is adopted by reference in K.A.R. 16-12-4;

(f) payment of the temporary permit application fee of \$50.00; and

(g) any other information, evidence, statements, or documents supporting the application for temporary permit that are required by the attorney general, including the following:

(1) A copy of completed certificates documenting domestic violence-specific continuing education hours for each "agent or employee thereof," as defined by L. 2012, ch. 162, sec. 13 and amendments thereto;

(continued)

(2) proof of current licensure by the behavioral sciences regulatory board; and

(3) a copy of the core curriculum to be used in batterer intervention services.

This regulation shall become effective on October 26, 2012. (Authorized by L. 2012, ch. 162, sec. 11; implementing L. 2012, ch. 162, sec. 2; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012.)

16-12-7. Initial certification; application. Each applicant seeking initial certification shall submit an application, on a form provided by the attorney general, to the attorney general. The completed application for initial certification shall include the following: (a) The applicant's full name and residential address;

(b) the name under which the applicant intends to do business and the business address;

(c) a statement of the general nature of the business in which the applicant intends to engage;

(d) a statement of the education and work experience of the applicant and any "agent or employee thereof," as defined by L. 2012, ch. 162, sec. 13 and amendments thereto;

(e) a statement that the applicant has met any other qualifications specified in "the essential elements and standards of batterer intervention programs in Kansas," which is adopted by reference in K.A.R. 16-12-4;

(f) payment of the initial application fee of \$100.00; and

(g) any other information, evidence, statements, or documents supporting the application for initial certification that are required by the attorney general, including the following:

(1) A copy of completed certificates totaling 40 domestic violence-specific continuing education hours for each "agent or employee thereof," as defined by L. 2012, ch. 162, sec. 13 and amendments thereto;

(2) proof of current licensure by the behavioral sciences regulatory board for each licensed "agent or employee thereof," as defined by L. 2012, ch. 162, sec. 13 and amendments thereto;

(3) a copy of the core curriculum to be used in batterer intervention services;

(4) demonstration by the applicant of an established relationship with the domestic violence victim service program that serves the geographical area in which the batterer intervention program is located; and

(5) a copy of release of information and offender agreement forms.

This regulation shall become effective on October 26, 2012. (Authorized by L. 2012, ch. 162, sec. 11; implementing L. 2012, ch. 162, sec. 2; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012.)

16-12-8. Renewal certification; application. Each applicant seeking renewal certification shall submit an application, on a form provided by the attorney general, to the attorney general. The completed application for renewal certification shall include the following: (a) The applicant's full name and residential address;

(b) the name under which the applicant intends to do business and the business address;

(c) a statement of the general nature of the business in which the applicant intends to engage;

(d) a statement of the educational and work experience of the applicant and any "agent or employee thereof," as defined by L. 2012, ch. 162, sec. 13 and amendments thereto;

(e) a statement that the applicant has met any other qualifications described in "the essential elements and standards of batterer intervention programs in Kansas," which is adopted by reference in K.A.R. 16-12-4;

(f) payment of the renewal application fee of \$100.00; and

(g) any other information, evidence, statements, or documents supporting the application for renewal certification that are required by the attorney general, including the following:

(1) A copy of completed certificates totaling 12 domestic violence-specific continuing education hours for each "agent or employee thereof," as defined by L. 2012, ch. 162, sec. 13 and amendments thereto;

(2) proof of current licensure by the Kansas behavioral sciences regulatory board for each licensed "agent or employee thereof," as defined by L. 2012, ch. 162, sec. 13 and amendments thereto; and

(3) demonstration by the applicant of an established relationship with the domestic violence victim service program that serves the geographical area in which the certified batterer intervention program is located.

This regulation shall become effective on October 26, 2012. (Authorized by L. 2012, ch. 162, sec. 11; implementing L. 2012, ch. 162, sec. 2; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012.)

16-12-9. Certification reinstatement; application. Each applicant seeking certification reinstatement shall submit an application, on a form provided by the attorney general, to the attorney general. The completed application for certification reinstatement shall include the following:

(a) The applicant's full name and residential address;

(b) the name under which the applicant intends to do business and the business address;

(c) a statement of the general nature of the business in which the applicant intends to engage;

(d) a statement of the education and work experience of the applicant and any "agent or employee thereof," as defined L. 2012, ch. 162, sec. 13 and amendments thereto;

(e) a statement that the applicant has met any other qualifications described in "the essential elements and standards of batterer intervention programs in Kansas," which is adopted by reference in K.A.R. 16-12-4;

(f) payment of the reinstatement application fee of \$100.00;

(g) a statement regarding the reason requiring reinstatement of certification; and

(h) any other information, evidence, statements, or documents supporting the application for reinstatement that are required by the attorney general, including the following:

(1) A copy of completed certificates totaling 12 domestic violence-specific continuing education hours for each "agent or employee thereof," as defined by L. 2012, ch. 162, sec. 13 and amendments thereto;

(2) proof of current licensure by the Kansas behavioral sciences regulatory board for each licensed "agent or em-

ployee thereof," as defined by L. 2012, ch. 162, sec. 13 and amendments thereto; and

(3) demonstration by the applicant of an established relationship with the domestic violence victim service program that serves the geographical area in which the batterer intervention program is located.

This regulation shall become effective on October 26, 2012. (Authorized by L. 2012, ch. 162, sec. 11; implementing L. 2012, ch. 162, sec. 2; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012.)

16-12-10. Evaluating and monitoring certified batterer intervention programs. (a) For the purposes of evaluation and monitoring certified batterer intervention programs, the attorney general shall have the right to complete site visits, as needed, for the following:

- (1) Any applicant's program;
 - (2) any program issued a temporary permit to act as a certified batterer intervention program; and
 - (3) any certified batterer intervention program.
- (b) These site visits may include the following:
- (1) Observing groups or assessment services;
 - (2) reviewing offender and victim files, records, or documents related to the provision of batterer intervention services;
 - (3) contacting community members or third parties who could provide information related to services provided in the capacity of a batterer intervention program;
 - (4) interviewing offenders who are receiving or have received services from the program;
 - (5) interviewing victims or family members associated with the offenders who are receiving or have received services from the batterer intervention program; and
 - (6) performing any other activities identified as necessary in evaluating and monitoring the program.

This regulation shall become effective on October 26, 2012. (Authorized by L. 2012, ch. 162, sec. 11; implementing L. 2012, ch. 162, secs. 8, 11; effective, T-16-6-28-12, June 28, 2012; effective, T-16-10-25-12, Oct. 26, 2012.)

Derek Schmidt
Attorney General

Doc. No. 041049

State of Kansas

Department of Wildlife, Parks and Tourism

Permanent Administrative Regulations

Article 1.—DEFINITIONS

115-1-1. Definitions. (a) Except as specified in subsection (b), the following definitions shall apply to all of the department's regulations.

- (1) "Arrow" means a missile shot from a bow or a crossbow.
- (2) "Artificial lure" means a man-made fish-catching device used to mimic a single prey item. Artificial lures may be constructed of natural, nonedible, or synthetic materials. Multiple hooks, if present, shall be counted as a single hook on an artificial lure.

(3) "Bag limit" means the maximum number of any species, except fish and frogs, that may be taken by a person in a calendar day.

(4) "Bait fish" means a member of the minnow or carp family (*Cyprinidae*), sucker family (*Catostomidae*), top minnows or killifish family (*Cyprinodontidae*), shad family (*Clupeidae*), and sunfish family (*Centrarchidae*), but excluding black basses and crappie. The fish listed in K.A.R. 115-15-1 and in K.A.R. 115-15-2 shall not be considered as bait fish.

(5) "Bird dog" means a dog used to point, flush, or retrieve game birds, migratory birds, or both.

(6) "Bow" means a handheld device with a cord that connects both of its two ends and that is designed to propel an arrow. This term shall include long, recurve, and compound bows.

(7) "Bridle path" means an established, maintained, and marked pathway for the riding of animals.

(8) "Camping" means erecting a shelter or arranging bedding, or both, or parking a recreation vehicle or other vehicle for the purpose of remaining overnight.

(9) "Camping unit" means any vehicle or shelter specifically used for sleeping upon a portion of department lands or waters.

(10) "Cast net" means a circular or conical weighted net designed to be cast mouth-downward by hand and withdrawn by lines attached to its margin.

(11) "Creel limit" means the maximum total number of any species of fish or frogs that may be taken by a person in a calendar day.

(12) "Crossbow" means a transverse-mounted bow with a cord that connects the two ends and that is designed to propel an arrow, including compound crossbows. The arrow is released by a mechanical trigger.

(13) "Culling" means replacing one live fish held by an angler for another live fish of the same species if the daily creel limit for that species of fish has not been met.

(14) "Department lands and waters" means state parks, state lakes, recreational grounds, wildlife areas, sanctuaries, fish hatcheries, natural areas, historic sites, and other lands, waters, and facilities that are under the jurisdiction and control of the secretary through ownership, lease, license, cooperative agreement, memorandum of understanding, or other arrangement.

(15) "Depth finder" means an electronic device used to locate fish or determine underwater structures.

(16) "Dip net" means a handheld net that has rigid support about the mouth and is used to land fish.

(17) "Draft livestock" means horses, mules, donkeys, and oxen used singly or in tandem with other horses, mules, donkeys, and oxen for pulling purposes.

(18) "Drag event" means a competitive event in which hounds pursue a scent trail. The event may involve a caged, pen-raised furbearer that is not released from the cage during the event.

(19) "Dryland set" means any trapping device that is placed or set on land or is not in contact with water.

(20) "Eyass" means a young of the year raptor not yet capable of flight.

(21) "Falconer" means the holder of a falconry permit.

(continued)

(22) "Falconry" means the taking of wildlife with a trained raptor.

(23) "Field trial event for dogs" means a competitive event involving at least six dogs that are judged on hunting or running ability.

(24) "Firearm" means a rimfire or centerfire rifle, handgun, or shotgun; a muzzleloading shotgun, rifle, or handgun; or a cap-and-ball pistol.

(25) "Fire ring" means an open-topped, man-made, fire-retaining device.

(26) "Fireplace" means an enclosed, man-made, fire-retaining device.

(27) "Fishing line" means any hand-operated string or cord, utilizing hooks that may be used in conjunction with rods, poles, reels, bows, or spearguns.

(28) "Fish trap" means a device for catching fish consisting of a net or other structure that diverts the fish into an enclosure arranged to make escape more difficult than entry.

(29) "Fully automatic firearm" means a firearm capable of firing more than one round with a single trigger pull.

(30) "Gaff" means a hook attached to a rigid pole.

(31) "Gig" means a hand-operated spear with one or more prongs with or without barbs.

(32) "Group camping area" means any area within a state park designated by posted notice for camping by organized groups.

(33) "Haggard" means an adult raptor in mature plumage.

(34) "Hook" means a device with a single shaft and one or more points with or without barbs, used for catching fish and frogs.

(35) "Imping" means the repair of damaged feathers.

(36) "Kill site" means the location of the wildlife carcass as positioned in the field immediately after being harvested.

(37) "Length limit" means the minimum length of a fish allowed in order to take it and not release it to the waters immediately. For the purpose of this paragraph, the length of the fish shall be measured from the tip of the snout to the end of the tail, with the mouth closed and the tail lobes pressed together.

(38) "Moorage site" means a location designated for the fastening or securing of a vessel.

(39) "Nonsport fish" means carp, drum, white amur, threadfin and gizzard shad, goldfish, gar, suckers including carpsuckers and buffalo, eel, sturgeon, goldeye, white perch, and bowfin.

(40) "Orthopedic device" means a device that attaches to the body and is required to enable a handicapped person to walk.

(41) "Overflow camping area" means an area in a state park that is separate from the designated overnight camping area and that may be used for a maximum of 24 continuous hours of camping if no alternative camping facilities are available within reasonable driving distances.

(42) "Passage" means an immature raptor on first fall migration still in immature plumage.

(43) "Pen-raised wildlife" means any wildlife raised in captivity.

(44) "Pets" means domesticated wildlife, including dogs and cats.

(45) "Possession limit" means the maximum total number of a species that can be retained per person at any one time.

(46) "Prime camping site" means any site within a state park so designated by posted notice of the secretary and subject to an additional charge.

(47) "Raptors" means members of the order Falconiformes or Strigiformes and specifically falcons, hawks, and owls.

(48) "Raw pelt" means the undressed skin of an animal with its hair, wool, or fur in its natural state, without having undergone any chemical preservation converting the skin to a leather condition.

(49) "Recreational vehicle" means a vehicle or trailer unit that contains sleeping or housekeeping accommodations, or both.

(50) "Running" means the pursuing or chasing of furbearers or rabbits with hounds. This term shall not include the capturing, killing, injuring, or possessing of furbearers or rabbits, or having a firearm or other weapon in possession while running, except during established furbearer or rabbit hunting seasons.

(51) "Sanctioned or licensed coyote field trial" means a competitive event that involves only sight or trail hounds and that has been advertised in one of the national foxhound journals at least 30 days before the event.

(52) "Sanctioned or licensed furbearer field trial" means a competitive event in which dogs pursue unrestrained furbearers and that is sanctioned or licensed by any of the national kennel or field dog organizations for the express purpose of improving the quality of the breed through the awarding of points or credits toward specific class championships or other national recognition.

(53) "Seine" means a net with a float line and lead line designed to be pulled through the water for the purpose of catching fish.

(54) "Set line" means a string or cord that is anchored at one point, does not have more than two hooks, and is not associated with a hand-operated mechanical reel.

(55) "Sight hound" means a dog used to pursue furbearers, rabbits, hares, or coyotes by sight.

(56) "Skin and scuba diving" means swimming or diving while equipped with a face mask or goggles, allowing underwater vision and possibly involving an underwater breathing apparatus.

(57) "Snagging" means the hooking of a fish in any part of its anatomy other than the inside of the mouth.

(58) "Speargun" means a device used to propel a spear through the water by mechanical means or compressed gas.

(59) "Sport fish" means northern pike, walleye, saugeye, sauger, yellow perch, striped bass, white bass, black bass including largemouth, spotted, and smallmouth bass, striped bass hybrid, trout, muskellunge, tiger muskie, channel catfish, blue catfish, flathead catfish, paddlefish, and panfish including bullhead, black and white crappie, bluegill, redear sunfish, green sunfish, warmouth, and rock bass.

(60) "State fishing lake" means a department facility that contains the words "state fishing lake" in the name of the area.

(61) "Tip-up" means an ice fishing device designed to signal the strike of a fish.

(62) "Trail hound" means a dog used to trail furbearers, rabbits, hares, or coyotes by scent.

(63) "Transfer" means any of the following:

(A) To reassign one's license, permit, or other issue of the department to another individual;

(B) to exchange any license, permit, or other issue of the department between individuals; or

(C) to carry another individual's license, permit, or other issue of the department when that individual is not present.

(64) "Trot line" means a string or cord anchored at one or more points that does not have more than 25 hooks and is not associated with a hand-operated mechanical reel.

(65) "Turkey" means wild turkey.

(66) "Unattended fishing line" means any fishing line set to catch fish that is not marked or tagged as required by K.A.R. 115-7-2 or K.A.R. 115-17-11 and not immediately attended by the operator of the fishing line.

(67) "Wake" means the waves thrown by a vessel moving on water.

(68) "Water race" means a competitive event in which hounds pursue a scent device or a caged, pen-raised furbearer through water. The furbearer is not released during the event.

(69) "Water set" means any trapping device that has the gripping portion at least half-submerged when placed or set in flowing or pooled water and remains at least half-submerged in contact with the flowing or pooled water.

(b) Exceptions to the definitions in this regulation shall include the following:

(1) The context requires a different definition.

(2) The defined term is specifically defined differently within the department's other regulations. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25; effective Dec. 26, 1989; amended June 8, 1992; amended Sept. 19, 1997; amended Nov. 21, 2003; amended July 22, 2011; amended Nov. 26, 2012.)

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.

Table with 2 columns: License/Permit Name and Fee Amount. Includes Resident hunting license (\$18.00), Resident senior hunting license (9.00), Resident hunting license (one-time purchase, valid from 16 years of age through 20 years of age) (40.00), Nonresident hunting license (70.00), Nonresident junior hunting license (under 16 years of age) (35.00), 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).

Table with 2 columns: License/Permit Name and Fee Amount. Includes 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), 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), Wild turkey game tag: Resident: turkey game tag (1-bird limit) (10.00), Nonresident: turkey game tag (1-bird limit) (20.00), 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), 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) (50.00), Nonresident: antelope permit (archery only) (200.00), Nonresident: deer permit application fee (20.00), Nonresident: mule deer stamp (100.00), 48-hour waterfowl hunting permit (25.00), Field trial permit: game birds (20.00), Lifetime hunting license (440.00) or eight quarterly installment payments of (60.00), Migratory waterfowl habitat stamp (5.00), Special dark goose hunting permit (5.00), Sandhill crane hunting permit: validation fee (5.00), Disabled person hunt-from-a-vehicle permit (0).

(b) Fishing licenses and permits.

Table with 2 columns: License/Permit Name and Fee Amount. Includes Resident fishing license (18.00), Resident senior fishing license (annual purchase, 65 years of age through 74 years of age) (9.00), Resident fishing license (one-time purchase, valid from 16 years of age through 20 years of age) (40.00), 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).

(continued)

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 senior combination hunting and fishing license (annual purchase, 65 years of age through 74 years of age)	18.00
Resident combination hunting and fishing license (one-time purchase, valid from 16 years of age through 20 years of age)	70.00
Resident lifetime combination hunting and fishing license	880.00
or eight quarterly installment payments of	120.00
Resident senior lifetime combination hunting and fishing license (one-time purchase, valid 65 years of age and older) ..	40.00
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

(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 January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, L. 2012, Ch. 154,

Sec. 1, and K.S.A. 2011 Supp. 32-988, as amended by L. 2012, Ch. 154, Sec. 7; 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; amended Jan. 1, 2011; amended Jan. 1, 2013.)

115-2-2. Motor vehicle permit fees. (a) The following motor vehicle permit fees shall be in effect for state parks and for other areas requiring a motor vehicle permit:

Daily motor vehicle permit	\$3.50
Senior or disabled daily motor vehicle permit	1.75
Annual motor vehicle permit	22.50
Senior or disabled annual motor vehicle permit	11.25
Easy pass annual motor vehicle permit	15.00

(b) Each daily motor vehicle permit shall expire at 2:00 p.m. on the day following its effective date.

(c) Annual motor vehicle permits shall not be valid during designated special events.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 8-134, as amended by L. 2012, Ch. 164, Sec. 1, K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and K.S.A. 32-901, as amended by L. 2012, Ch. 164, Sec. 2; effective Jan. 22, 1990; amended Oct. 12, 1992; amended Aug. 21, 1995; amended Jan. 1, 2001; amended Jan. 1, 2003; amended Jan. 1, 2005; amended Jan. 1, 2007; amended April 8, 2011; amended Jan. 1, 2012; amended Jan. 1, 2013.)

Article 4.—BIG GAME

115-4-15. Restitution scoring system; white-tailed deer; mule deer; elk; antelope. (a) For the purpose of establishing restitution values, each of the following terms shall have the meaning specified in this subsection:

(1) "Abnormal point" means a point that is nontypical in shape or location.

(2) "Antler burr" means the elevated bony rim around the antler base of a deer or elk that is just above the skin of the pedicle.

(3) "First normal point" means the longest, first point immediately above, but not part of, the antler burr. If this point is branched, the longest and straightest portion of the point shall be used for measurement. All other points branching from this point shall be considered abnormal points.

(4) "Gross score" means the number derived by totaling certain measurements taken from the antlers or horns of a big game animal in accordance with this regulation.

(5) "Inside spread of the main antler beams" means the measurement at right angles to the center line of the skull at the widest point between main antler beams.

(6) "Length of the main antler beam" means the measurement from the lowest outside edge of the antler burr over the outer curve to the most distant point of what is or appears to be the main antler beam beginning at the

place on the antler burr where the center line along the outer curve of the beam intersects the antler burr.

(7) "Normal point" means a point that projects from the main antler beam in a typical shape or location.

(8) "Point" means a projection on the antler of a deer or elk that is at least one inch long as measured from its tip to the nearest edge of the antler beam and the length of which exceeds the width of its base by one inch or more. "Point" shall not include an antler beam tip.

(b) All measurements shall be made to the nearest $\frac{1}{8}$ of an inch using a flexible steel tape that is $\frac{1}{4}$ inch wide.

(c) The gross score of an antlered whitetail deer shall be determined by adding together all of the following measurements:

(1) The inside spread of the main antler beams, not to exceed the length of the longest main antler beam;

(2) the length of the main antler beam on the deer's right side;

(3) the length of the main antler beam on the deer's left side;

(4) the total length of all abnormal points on the right and left antlers;

(5) the total length of all normal points on the right and left antlers as measured from the nearest edge of the main antler beam over the outer curve to the tip. To determine the baseline for normal point measurement, the tape shall be laid along the outer curve of the antler beam so that the top edge of the tape coincides with the top edge of the antler beam on both sides of the point; and

(6) the following circumference measurements from the right and left antlers:

(A) The circumference taken at the smallest place between the antler burr and the first normal point on the main antler beam. If the first normal point is missing, the circumference shall be taken at the smallest place between the antler burr and the second normal point;

(B) the circumference taken at the smallest place between the first normal point and the second normal point on the main antler beam. If the first normal point is missing, the circumference shall be taken at the smallest place between the antler burr and the second normal point;

(C) the circumference taken at the smallest place between the second normal point and the third normal point on the main antler beam; and

(D) the circumference taken at the smallest place between the third normal point and the fourth normal point on the main antler beam. If the fourth normal point is missing, the circumference shall be taken halfway between the third normal point and the tip of the main antler beam.

(d) The gross score of an antlered mule deer shall be determined by adding together all of the following measurements:

(1) The inside spread of the main antler beams, not to exceed the length of the longest main antler beam;

(2) the length of the main antler beam on the deer's right side;

(3) the length of the main antler beam on the deer's left side;

(4) the total length of all abnormal points on the right and left antlers;

(5) the total length of all normal points on the right and left antlers as measured from the nearest edge of the main antler beam over the outer curve to the tip. To determine the baseline for normal point measurement, the tape shall be laid along the outer curve of the antler beam so that the top edge of the tape coincides with the top edge of the antler beam on both sides of the point; and

(6) the following circumference measurements from the right and left antlers:

(A) The circumference taken at the smallest place between the antler burr and the first normal point on the main antler beam. If the first normal point is missing, the circumference shall be taken at the smallest place between the antler burr and the second normal point;

(B) the circumference taken at the smallest place between the first normal point and the second normal point on the main antler beam. If the first normal point is missing, the circumference shall be taken at the smallest place between the antler burr and the second normal point;

(C) the circumference taken at the smallest place between the main antler beam and the third normal point; and

(D) the circumference taken at the smallest place between the second normal point and the fourth normal point. If the fourth normal point is missing, the circumference shall be taken halfway between the second normal point and the tip of the main antler beam.

(e) The gross score of an antlered elk shall be determined by adding together all of the following measurements:

(1) The inside spread of the main antler beams, not to exceed the length of the longest main antler beam;

(2) the length of the main antler beam on the elk's right side;

(3) the length of the main antler beam on the elk's left side;

(4) the total length of all abnormal points on the right and left antlers;

(5) the total length of all normal points on the right and left antlers as measured from the nearest edge of the main antler beam over the outer curve to the tip. To determine the baseline for normal point measurement, the tape shall be laid along the outer curve of the antler beam so that the top edge of the tape coincides with the top edge of the antler beam on both sides of the point; and

(6) the following circumference measurements from the right and left antlers:

(A) The circumference taken at the smallest place between the first normal point and the second normal point on the main antler beam;

(B) the circumference taken at the smallest place between the second normal point and the third normal point on the main antler beam;

(C) the circumference taken at the smallest place between the third normal point and the fourth normal point on the main antler beam; and

(D) the circumference taken at the smallest place between the fourth normal point and the fifth normal point on the main antler beam. If the fifth normal point is missing, the circumference shall be taken halfway between the fourth normal point and the tip of the main antler beam.

(continued)

(f) The gross score of an antelope shall be determined by adding together all of the following measurements:

(1) The length of the right horn measured along the center of the outer curve from the tip of the horn to a point in line with the lowest edge of the base, using a straight edge to establish the line end;

(2) the length of the left horn measured along the center of the outer curve from the tip of the horn to a point in line with the lowest edge of the base, using a straight edge to establish the line end;

(3) the circumference of the base of each horn, measured at a right angle to the axis of the horn, not to follow the irregular edge of the horn. The line of the measurement shall be entirely on horn material;

(4) three circumference measurements on each horn based on the criteria specified in this paragraph. The length of the longest horn shall be divided by four. Starting at the base, each horn shall be marked at these quarters, even though the other horn may be shorter. The circumference shall be measured at these marks at a right angle to the axis of the horn. If the prong of the horn interferes with the first measurement from the base, this measurement shall be taken immediately below the swelling of the prong. If the second measurement from the base falls in the swelling of the prong, this measurement shall be taken immediately above the swelling of the prong; and

(5) the length of the prong measured from the tip of the prong along the upper edge of the outer side to the horn, then continuing around the horn, at a right angle to the long axis of the horn, to a point at the rear of the horn where a straight edge crossing the back of both horns touches the horn. If there is a crack where the prong extends from the horn, the length of the prong shall be taken passing over the entire crack. Once the initial prong length is taken, the width of the crack shall be measured and deducted from the initial prong length. The adjusted length shall be the recorded length of the prong.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and K.S.A. 2011 Supp. 32-1032, as amended by L. 2012, Ch. 154, Sec. 9; effective Jan. 1, 2013.)

Article 7.—FISH AND FROGS

115-7-3. Fish; taking and use of baitfish or minnows. (a) Baitfish may be taken for noncommercial purposes by any of the following means:

(1) A seine not longer than 15 feet and four feet deep with mesh not larger than $\frac{1}{4}$ inch;

(2) a fish trap with mesh not larger than $\frac{1}{4}$ inch and a throat not larger than one inch in diameter;

(3) a dip or cast net with mesh not larger than $\frac{3}{8}$ inch; or

(4) a fishing line.

(b) Each fish trap shall be tagged with the operator's name and address when the fish trap is in use.

(c) Baitfish taken, except gizzard shad, shall not exceed 12 inches in total length.

(d) The possession limit shall be 500 baitfish.

(e) Live baitfish, except for bluegill and green sunfish from non-designated aquatic nuisance waters and bait-

fish from designated aquatic nuisance waters, may be caught and used as live bait only within the common drainage where caught. However, live baitfish shall not be transported and used above any upstream dam or barrier that prohibits the normal passage of fish. Bluegill and green sunfish collected from non-designated aquatic nuisance waters may be possessed or used as live bait anywhere in the state. Live baitfish collected from designated aquatic nuisance waters shall be possessed or used as live bait only while on that water and shall not be transported from the water alive.

(f) No person shall import live baitfish that does not meet the requirements of K.A.R. 115-17-2 and K.A.R. 115-17-2a.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25; effective Sept. 10, 1990; amended Nov. 20, 2009; amended Jan. 1, 2012; amended Jan. 1, 2013.)

115-7-10. Fishing; special provisions. (a) A person who takes any fish from a body of water shall not tag, mark, brand, clip any fin of, mutilate, or otherwise disfigure any fish in a manner that would prevent species identification, examination of fins, recovery of tags, or determination of sex, age, or length of the fish before releasing the fish back into the body of water, unless a permit authorizing this activity has been issued to that person by the department.

(b) No person may possess any live fish upon departure from any designated aquatic nuisance body of water, except during a department-permitted fishing tournament. During a department-permitted fishing tournament, any individual may possess live fish upon departure from designated aquatic nuisance waters along the most direct route to the weigh-in site if the individual possesses a department authorization certificate as a participant in the tournament. Designated aquatic nuisance waters shall be those specified in the department's "Kansas designated aquatic nuisance waters tables," dated October 2, 2012, which is hereby adopted by reference.

(c) Each person who purchases live baitfish from a commercial bait dealer shall possess the receipt while fishing with the live baitfish.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25; effective Nov. 20, 2009; amended Jan. 1, 2012; amended Jan. 1, 2013.)

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 "KDWPT fisheries and wildlife division public land special use restrictions," dated July 31, 2012, is hereby adopted by reference.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25; effective Dec. 4, 1989; amended July 13, 2001; amended May 16, 2008; amended May 15, 2009; amended July 23, 2010; amended Nov. 14, 2011; amended Jan. 1, 2013.)

115-8-19. Personal conduct on department lands and waters; provisions, restrictions and penalties. (a) The conduct, actions, or activities of persons on department lands and waters shall be subject to provisions and restrictions as established by posted notice. The following general provisions and restrictions shall apply:

(1) No person shall advertise, engage in, or solicit any business, or make a charge for any event or service except as authorized by the department.

(2) Quiet hours shall be observed between the hours of 11:00 p.m. and 6:00 a.m. Except as authorized by the department, each action that will alarm, anger, or disturb others shall be prohibited during quiet hours. Any individual who has knowledge or probable cause to believe that the individual's actions will alarm, anger, or disturb others or who engages in noisy conduct during quiet hours may be subject to the provisions of subsection (b).

(3) Subject to the provisions of K.A.R. 115-8-21 and K.A.R. 115-8-1 and to other posted provisions or restrictions, any individual may possess, consume, or drink alcoholic liquor, as defined in K.S.A. 41-102 and amendments thereto.

(b) In addition to penalties prescribed by law or regulation, failure to comply with laws, regulations, permit conditions, or posted restrictions by an individual may result in the individual or equipment of the individual being removed from departmental lands or waters.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and L. 2012, Ch. 144, Sec. 29; effective Jan. 30, 1995; amended Jan. 1, 2013.)

Article 18.—SPECIAL PERMITS

115-18-18. Hand fishing permit; requirements, restrictions, and permit duration. (a) Each individual who wants to hand fish for flathead catfish during those periods of time on those bodies of water established by K.A.R. 115-25-14 shall be required to have a hand fishing permit.

(b) Each hand fishing permit shall be valid statewide through December 31 of the year in which the permit is issued.

(c) Each hand fishing permit shall be validated by the signature of the permit holder written across the face of the permit. A hand fishing permit shall not be transferable. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25; effective Nov. 27, 2006; amended Nov. 26, 2012.)

115-18-22. Senior pass valid for hunting and fishing; requirements, restrictions, and permit duration. (a) Any Kansas resident age 65 and older may apply to the secretary for a senior pass valid for hunting and fishing.

(b) For the purposes of this regulation, the term "resident" shall have the meaning specified in K.S.A. 32-701, and amendments thereto, except that a person shall have maintained that person's place of permanent abode in this state for not less than one year immediately preceding that person's application for a senior pass valid for hunting and fishing.

(c) A senior pass valid for hunting and fishing shall not be made invalid because the holder of that senior pass subsequently resides outside of the state.

(d) Each nonresident holder of a senior pass valid for hunting and fishing shall be eligible under the same conditions as those for a Kansas resident for a big game or wild turkey permit upon proper application to the secretary.

(e) A senior pass shall not be transferable.

(f) Each senior pass shall be valid during the life of the holder and shall expire upon the death of the holder.

This regulation shall be effective on and after January 1, 2013. (Authorized by and implementing K.S.A. 32-807, as amended by L. 2012, Ch. 47, Sec. 25, and L. 2012, Ch. 154, Sec. 1; effective Jan. 1, 2013.)

Robin L. Jennison
Secretary of Wildlife,
Parks and Tourism

Doc. No. 041048

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2011 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-9-5a	New (T)	V. 30, p. 983
1-9-5a	New	V. 30, p. 1414
1-64-1	Revoked	V. 31, p. 171
1-65-1	New	V. 30, p. 44
1-66-1	New	V. 30, p. 44
1-66-2	New	V. 30, p. 45
1-66-3	New	V. 30, p. 45
1-67-1	New	V. 30, p. 45
1-67-2	New	V. 30, p. 45
1-67-3	New	V. 30, p. 45
1-68-1	New	V. 30, p. 45
1-68-2	New	V. 30, p. 46

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-1-2	Amended	V. 30, p. 635
4-1-5	Amended	V. 30, p. 635
4-1-6	Revoked	V. 30, p. 636
4-1-8	Revoked	V. 30, p. 636
4-1-9	Amended	V. 30, p. 636
4-1-9a	New	V. 30, p. 636
4-1-9b	New	V. 30, p. 637
4-1-11	Revoked	V. 30, p. 637
4-1-13	Amended	V. 30, p. 637
4-1-14	Amended	V. 30, p. 637
4-1-17	Amended	V. 30, p. 638
4-3-47	Amended (T)	V. 30, p. 25
4-3-47	Amended	V. 30, p. 411
4-3-48	Revoked	V. 30, p. 411
4-3-49	Amended	V. 30, p. 1179
4-3-50	Amended	V. 30, p. 411
4-3-51	Amended	V. 30, p. 1179
4-15-4	Amended	V. 31, p. 570
4-15-5	Amended (T)	V. 30, p. 1628
4-15-5	Amended	V. 31, p. 301
4-15-6	Amended	V. 31, p. 301
4-15-7	Amended	V. 31, p. 570
4-15-8	Amended	V. 31, p. 570
4-15-9	Amended	V. 31, p. 571
4-15-9a	New	V. 31, p. 571
4-15-10	Amended	V. 31, p. 571
4-15-13	Amended	V. 31, p. 572
4-27-1	Amended (T)	V. 30, p. 985
4-27-1	Amended	V. 30, p. 1414
4-28-3	Revoked	V. 31, p. 1276
4-28-4	Revoked	V. 31, p. 1276
4-28-6	Amended (T)	V. 31, p. 998
4-28-6	Amended	V. 31, p. 1276
4-28-7	Amended (T)	V. 30, p. 985
4-28-7	Revoked	V. 31, p. 1277
4-28-31	New (T)	V. 31, p. 998
4-28-31	New	V. 31, p. 1277

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-9-3	Amended	V. 31, p. 773
5-16-1	Amended (T)	V. 30, p. 1237
5-16-1	Amended	V. 30, p. 1629
5-16-3	Amended (T)	V. 30, p. 1237
5-16-3	Amended	V. 30, p. 1629
5-16-5	Amended (T)	V. 30, p. 1238
5-16-5	Amended	V. 30, p. 1630
5-21-4	Amended	V. 30, p. 369
5-22-4a	Amended	V. 30, p. 1025

5-22-4d	Amended	V. 30, p. 1025
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AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-23-4	Amended	V. 31, p. 197
7-23-14	New	V. 31, p. 197
7-36-7	New	V. 31, p. 198
7-36-8	New	V. 31, p. 199
7-46-1	New	V. 31, p. 199
7-46-2	New	V. 31, p. 199
7-46-3	New	V. 31, p. 200

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

Reg. No.	Action	Register
14-10-6	Amended	V. 31, p. 13
14-10-7		
through		
14-10-10	Revoked	V. 31, p. 13
14-10-11	Amended	V. 31, p. 13
14-10-12		
through		
14-10-15	Revoked	V. 31, p. 13
14-10-16	Amended	V. 31, p. 13
14-10-17	New	V. 31, p. 14
14-10-18	New	V. 31, p. 14
14-13-1	Amended (T)	V. 31, p. 999
14-13-12	Amended	V. 30, p. 1023
14-13-13	Amended (T)	V. 31, p. 999
14-13-16	New (T)	V. 31, p. 1000
14-13-17	New (T)	V. 31, p. 1001

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-12-1		
through		
16-12-10	New (T)	V. 31, p. 991-996

AGENCY 19: GOVERNMENTAL ETHICS COMMISSION

Reg. No.	Action	Register
19-22-1	Amended	V. 30, p. 92
19-23-1	Amended	V. 30, p. 92
19-30-4	Revoked	V. 30, p. 92

AGENCY 20: CRIME VICTIMS COMPENSATION BOARD

Reg. No.	Action	Register
20-2-5	Revoked	V. 31, p. 1031
20-3-1	Revoked	V. 31, p. 1031
20-3-2	Revoked	V. 31, p. 1031

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-1-1	Amended	V. 30, p. 46
22-1-2	Amended	V. 30, p. 46
22-1-3	Amended	V. 30, p. 46
22-8-13	Amended	V. 30, p. 47
22-10-3	Amended	V. 30, p. 47
22-11-6	Revoked	V. 30, p. 48
22-11-8	Amended	V. 30, p. 48
22-15-7	Revoked	V. 30, p. 49
22-18-3	Amended	V. 30, p. 49
22-19-2	Amended	V. 30, p. 1024
22-19-3	Revoked	V. 30, p. 1025
22-19-5	Amended	V. 30, p. 1025
22-25-1	New	V. 31, p. 973
22-25-2	New	V. 31, p. 974

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-1-1	Amended	V. 30, p. 915
26-1-5	Amended	V. 30, p. 916
26-1-6	Amended	V. 30, p. 916
26-1-7	Revoked	V. 30, p. 917
26-1-8	New	V. 30, p. 917
26-2-3	Amended	V. 30, p. 917
26-2-9	Revoked	V. 30, p. 918
26-2-10	New	V. 30, p. 919
26-3-1	Amended	V. 30, p. 920
26-3-4	Revoked	V. 30, p. 921
26-4-1	Amended	V. 30, p. 921
26-4-6		
through		
26-4-15	Revoked	V. 30, p. 921
26-4a-1	Revoked	V. 30, p. 921
26-4a-2	New	V. 30, p. 921

26-5-2		
through		
26-5-10	Revoked	V. 30, p. 922
26-8-2	Amended	V. 30, p. 922
26-8-5	Amended	V. 30, p. 922
26-8-8	Amended	V. 30, p. 922
26-9-1	Amended	V. 30, p. 922
26-11-1		
through		
26-11-3	Revoked	V. 30, p. 923
26-42-103	New	V. 30, p. 1349

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-27	New	V. 30, p. 111
28-1-30	New	V. 30, p. 369
28-1-31	New	V. 30, p. 370
28-1-32	New	V. 30, p. 370
28-4-93	New	V. 31, p. 80
28-4-113	Amended	V. 31, p. 80
28-4-114	Amended	V. 31, p. 81
28-4-114a	New	V. 31, p. 83
28-4-115	Amended	V. 31, p. 83
28-4-115a	New	V. 31, p. 85
28-4-116	Amended	V. 31, p. 86
28-4-116a	New	V. 31, p. 87
28-4-120	Revoked	V. 31, p. 88
28-4-121	Revoked	V. 31, p. 88
28-4-428a	New	V. 31, p. 88
28-4-440	Amended	V. 31, p. 89
28-16-28g	Amended	V. 30, p. 1023
28-19-645a	New (T)	V. 30, p. 232
28-19-645a	New	V. 30, p. 1181
28-29-1a	New	V. 30, p. 1541
28-31-1	Revoked	V. 30, p. 414
28-31-2	Revoked	V. 30, p. 414
28-31-3	Revoked	V. 30, p. 414
28-31-4	Amended	V. 30, p. 414
28-31-5	Revoked	V. 30, p. 415
28-31-6	Amended	V. 30, p. 415
28-31-7	Revoked	V. 30, p. 415
28-31-8	Revoked	V. 30, p. 415
28-31-8b	Revoked	V. 30, p. 415
28-31-9	Revoked	V. 30, p. 415
28-31-10	Amended	V. 31, p. 196
28-31-12	Amended	V. 30, p. 416
28-31-13	Amended	V. 30, p. 417
28-31-14	Revoked	V. 30, p. 417
28-31-15	Revoked	V. 30, p. 417
28-31-16	Revoked	V. 30, p. 417
28-31-100	New	V. 30, p. 417
28-31-100a	New	V. 30, p. 418
28-31-100d	New	V. 30, p. 418
28-31-100e	New	V. 30, p. 419
28-31-100f	New	V. 30, p. 420
28-31-100p	New	V. 30, p. 420
28-31-100q	New	V. 30, p. 420
28-31-100r	New	V. 30, p. 420
28-31-100s	New	V. 30, p. 421
28-31-124	New	V. 30, p. 422
28-31-124a	New	V. 30, p. 423
28-31-124b	New	V. 30, p. 423
28-31-124c	New	V. 30, p. 423
28-31-124d	New	V. 30, p. 424
28-31-124e	New	V. 30, p. 424
28-31-260	New	V. 30, p. 425
28-31-260a	New	V. 30, p. 426
28-31-261	New	V. 30, p. 426
28-31-261a	New	V. 30, p. 427
28-31-262	New	V. 30, p. 427
28-31-262a	New	V. 30, p. 427
28-31-263	New	V. 30, p. 428
28-31-263a	New	V. 30, p. 429
28-31-264	New	V. 30, p. 429
28-31-264a	New	V. 30, p. 431
28-31-265	New	V. 30, p. 432
28-31-265a	New	V. 30, p. 433
28-31-266	New	V. 30, p. 433
28-31-267	New	V. 30, p. 434
28-31-267a	New	V. 30, p. 434
28-31-268	New	V. 30, p. 434
28-31-270	New	V. 30, p. 434
28-31-270a	New	V. 30, p. 435
28-31-273	New	V. 30, p. 436
28-31-279	New	V. 30, p. 436
28-31-279a	New	V. 30, p. 437
28-34-126	New (T)	V. 30, p. 1000
28-34-126	New	V. 30, p. 1471

28-34-127	New (T)	V. 30, p. 1000
28-34-127	New	V. 30, p. 1472
28-34-129		
through		
28-34-144	New (T)	V. 30, p. 1000-1006
28-34-129		
through		
28-34-144	New	V. 30, p. 1472-1478
28-35-135l	Amended	V. 30, p. 195
28-35-135t	Amended	V. 30, p. 196
28-35-135w	Amended	V. 30, p. 197
28-35-175a	Amended	V. 30, p. 198
28-35-178b	Amended	V. 30, p. 198
28-35-178e	Amended	V. 30, p. 200
28-35-178j	Amended	V. 30, p. 201
28-35-180b	Amended	V. 30, p. 201
28-35-181a	Amended	V. 30, p. 203
28-35-181e	Revoked	V. 30, p. 203
28-35-181j	Amended	V. 30, p. 203
28-35-181m	Amended	V. 30, p. 204
28-35-181o	Amended	V. 30, p. 205
28-35-192b	Amended	V. 30, p. 206
28-35-192c	Amended	V. 30, p. 206
28-35-192d	Revoked	V. 30, p. 207
28-35-192e	Amended	V. 30, p. 207
28-35-192g	Amended	V. 30, p. 207
28-35-194a	Amended	V. 30, p. 207
28-35-212a	Amended	V. 30, p. 208
28-35-216a	Amended	V. 30, p. 209
28-35-225b	New	V. 30, p. 210
28-35-231c	Amended	V. 30, p. 210
28-35-242	Amended	V. 30, p. 210
28-35-264	Amended	V. 30, p. 210
28-35-334	Amended	V. 30, p. 211
28-35-346	Amended	V. 30, p. 212
28-35-411	Amended	V. 30, p. 212
28-35-600		
through		
28-35-608	New	V. 31, p. 90-93
28-38-18	Amended	V. 30, p. 1346
28-39-169a	Amended	V. 30, p. 1346
28-39-169b	Amended	V. 30, p. 1347
28-39-169c	Amended	V. 30, p. 1348
28-53-1	Amended	V. 30, p. 463
28-53-2	Amended	V. 30, p. 463
28-53-4	Amended	V. 30, p. 463
28-54-1		
through		
28-54-5	Amended	V. 31, p. 280-282
28-56-1		
through		
28-56-10	New	V. 31, p. 708-711
28-61-2	Amended	V. 30, p. 336
28-61-3	Amended	V. 30, p. 337
28-61-4	Amended	V. 30, p. 337

AGENCY 30: DEPARTMENT FOR CHILDREN AND FAMILIES (FORMERLY DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES)

Reg. No.	Action	Register
30-46-10	Amended (T)	V. 31, p. 887
30-46-10	Amended	V. 31, p. 1126

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-22	Amended	V. 30, p. 722
40-1-37	Amended	V. 31, p. 887
40-1-48	Amended	V. 31, p. 887
40-3-33	Revoked	V. 30, p. 232
40-4-42c	Amended	V. 31, p. 170
40-5-7	Revoked	V. 31, p. 114
40-10-16	New	V. 30, p. 556

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-5-115	Amended	V. 31, p. 301
44-9-101	Amended	V. 31, p. 302
44-9-105	Amended	V. 31, p. 303
44-9-107	New	V. 31, p. 304
44-9-501		
through		
44-9-504	New	V. 31, p. 304, 305
44-11-111	Amended	V. 31, p. 193
44-11-113	Amended	V. 31, p. 194
44-11-119	Amended	V. 31, p. 195

44-11-121	Amended	V. 31, p. 195
44-11-123	Amended	V. 31, p. 195
44-11-127	Amended	V. 31, p. 195
44-11-129	Amended	V. 31, p. 196
44-11-132	Amended	V. 31, p. 196

AGENCY 45: PRISONER REVIEW BOARD

Reg. No.	Action	Register
45-100-1	Revoked	V. 31, p. 306
45-500-1		
through		
45-500-4	Revoked	V. 31, p. 306

AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION

Reg. No.	Action	Register
51-3-8	Amended	V. 30, p. 1649
51-7-8	Amended	V. 30, p. 1541
51-9-7	Amended	V. 30, p. 1577

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-11-101	Amended	V. 31, p. 572
60-11-102	Amended	V. 31, p. 573
60-11-103	Amended	V. 31, p. 573
60-11-104	Amended	V. 31, p. 574
60-11-104a	Amended	V. 31, p. 574
60-11-105	Amended	V. 31, p. 574
60-11-106	Amended	V. 31, p. 575
60-11-107	Amended	V. 31, p. 575
60-11-113	Amended	V. 31, p. 575
60-11-116	Amended	V. 31, p. 575
60-11-118	Amended	V. 31, p. 576
60-11-119	Amended	V. 31, p. 576
60-11-120	Amended	V. 31, p. 576
60-11-121	Amended	V. 31, p. 576
60-13-112	Amended	V. 31, p. 576
60-16-102	Amended	V. 31, p. 577
60-16-103	Amended	V. 31, p. 577
60-16-104	Amended	V. 31, p. 578
60-17-101	Amended	V. 31, p. 580
60-17-104	Amended	V. 31, p. 580
60-17-105	Amended	V. 31, p. 581
60-17-110	Amended	V. 31, p. 581
60-17-111	Amended	V. 31, p. 581

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-6	Amended	V. 30, p. 1215
63-4-1	Amended	V. 30, p. 1215
63-6-2	Amended	V. 30, p. 1215
63-6-3	Amended	V. 30, p. 1216
63-7-1	Amended	V. 30, p. 1216
63-7-2	Amended	V. 30, p. 1217
63-7-6	Amended	V. 30, p. 1217
63-7-7	Amended	V. 30, p. 1217
63-7-9	New	V. 30, p. 1218
63-7-10	New	V. 30, p. 1218
63-7-11	New	V. 30, p. 1218

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-7-1	Amended	V. 30, p. 1681
66-9-7	Amended	V. 30, p. 1681
66-10-1	Amended	V. 30, p. 1681
66-10-3	Amended	V. 30, p. 1681
66-12-1	Amended	V. 30, p. 1681

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-2-22	Amended	V. 30, p. 537
68-20-10a	Amended	V. 30, p. 538
68-20-24	New (T)	V. 30, p. 357
68-20-25	New (T)	V. 30, p. 357
68-20-26	New (T)	V. 30, p. 357
68-20-27	New (T)	V. 30, p. 357
68-20-28	New (T)	V. 30, p. 635
68-20-29	New (T)	V. 30, p. 635
68-20-30	New (T)	V. 31, p. 1049
68-21-2	Amended	V. 30, p. 370
68-22-1		
through		
68-22-5	New	V. 30, p. 1515

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-12-3	Amended	V. 31, p. 1314
69-13-4	New	V. 31, p. 1314

AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS

Reg. No.	Action	Register
70-7-1	Amended	V. 31, p. 14

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-4-1	Amended	V. 30, p. 1680

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-4	Amended	V. 31, p. 607
74-2-7	Amended	V. 31, p. 607
74-4-3a	Amended	V. 31, p. 608
74-4-7	Amended	V. 31, p. 608
74-4-8	Amended	V. 31, p. 609
74-4-10	Amended	V. 31, p. 610
74-5-2	Amended	V. 31, p. 610
74-5-101	Amended	V. 31, p. 611
74-5-202	Amended	V. 31, p. 612
74-5-302	Revoked	V. 31, p. 612
74-11-6	Amended	V. 31, p. 612

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-2-1	Amended	V. 30, p. 1048
81-5-21	New	V. 30, p. 1049
81-20-1	Revoked	V. 30, p. 866
81-20-2	Revoked	V. 30, p. 866
81-22-1	Amended	V. 30, p. 866
81-22-2	Revoked	V. 30, p. 866
81-23-1	Revoked	V. 30, p. 867
81-23-2	Revoked	V. 30, p. 867
81-24-1	Revoked	V. 30, p. 867
81-25-1	Revoked	V. 30, p. 867
81-25-2	Revoked	V. 30, p. 867
81-25-3	Revoked	V. 30, p. 867
81-26-3	Revoked	V. 30, p. 867
81-28-1	Revoked	V. 30, p. 867
81-28-2	Revoked	V. 30, p. 867
81-30-1	Revoked	V. 30, p. 867

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-4-1	Amended	V. 30, p. 1478
82-4-2a	New	V. 30, p. 1480
82-4-3a	Amended	V. 30, p. 1480
82-4-3f	Amended	V. 30, p. 1481
82-4-3g	Amended	V. 30, p. 1484
82-4-3i	Amended	V. 30, p. 1486
82-4-6d	Amended	V. 30, p. 1488
82-4-8a	Amended	V. 30, p. 1489
82-4-20	Amended	V. 30, p. 1489
82-11-4	Amended	V. 30, p. 1026
82-11-10	Amended	V. 30, p. 1030
82-12-7	Amended	V. 30, p. 1085

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-28-1	Amended	V. 30, p. 193
88-28-6	Amended (T)	V. 30, p. 1047
88-28-6	Amended	V. 30, p. 1377
88-29-1	Amended	V. 31, p. 380
88-29-3		
through		
88-29-7	Amended	V. 30, p. 947, 948
88-29-5	Amended	V. 31, p. 381
88-29-6	Amended	V. 31, p. 382
88-29-7	Amended	V. 31, p. 382
88-29-7a	Amended	V. 31, p. 382
88-29-8	Amended	V. 30, p. 949
88-29-8c	New	V. 30, p. 949
88-29-9		
through		
88-29-12	Amended	V. 30, p. 949-952
88-29-10	Amended	V. 31, p. 382
88-29-11	Amended	V. 31, p. 1426
88-29-18	Amended	V. 30, p. 953
88-29-19	Amended	V. 30, p. 953
88-29a-5	Amended	V. 31, p. 383
88-29a-6	Amended	V. 31, p. 384
88-29a-7	Amended	V. 31, p. 384
88-29a-7a	Amended	V. 31, p. 385
88-29a-8	New	V. 30, p. 956

(continued)

88-29a-8c	New	V. 30, p. 956
88-29a-9	New	V. 30, p. 956
88-29a-10	Amended	V. 31, p. 385
88-29a-11	Amended	V. 31, p. 387
88-29a-18	Amended	V. 31, p. 388
88-29a-19	Amended	V. 31, p. 389
88-30-1	Amended	V. 30, p. 194

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-200		
through		
91-1-204	Amended	V. 30, p. 1050-1057
91-1-209	Amended	V. 31, p. 974
91-1-230	Amended	V. 30, p. 1060
91-1-231	Amended	V. 30, p. 1060
91-1-232	Amended	V. 30, p. 1061
91-1-235	Amended	V. 30, p. 1062
91-1-236	Amended	V. 30, p. 1063

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-66a	Amended	V. 30, p. 1415
92-19-3	Revoked	V. 30, p. 280
92-19-3a	New	V. 30, p. 280
92-19-3b	New	V. 30, p. 283
92-19-3c	New	V. 30, p. 285
92-19-10	Revoked	V. 30, p. 285
92-19-16a	Amended	V. 30, p. 285
92-19-16b	Revoked	V. 30, p. 286
92-19-40	Revoked	V. 30, p. 286
92-19-42	Revoked	V. 30, p. 286
92-19-49b	Amended	V. 30, p. 286
92-19-55b	New	V. 30, p. 287
92-19-59	Amended	V. 30, p. 289
92-19-73	Amended	V. 30, p. 289

AGENCY 94: COURT OF TAX APPEALS

Reg. No.	Action	Register
94-3-2	Amended	V. 30, p. 1213
94-5-8	Amended	V. 30, p. 1213

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-28a-5	Amended	V. 31, p. 323
100-28a-10	Amended	V. 31, p. 324

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-5-3	Amended	V. 30, p. 371
102-6-1	Revoked	V. 31, p. 114
102-6-2	Revoked	V. 31, p. 114
102-6-4	Revoked	V. 31, p. 114
102-6-5	Revoked	V. 31, p. 114
102-6-8	Revoked	V. 31, p. 114
102-6-9	Revoked	V. 31, p. 114
102-6-9a	Revoked	V. 31, p. 114
102-6-10	Revoked	V. 31, p. 114
102-6-11	Revoked	V. 31, p. 114
102-6-12	Revoked	V. 31, p. 114
102-7-1	New (T)	V. 30, p. 1542
102-7-1	New	V. 31, p. 16
102-7-2	New (T)	V. 30, p. 1543
102-7-2	New	V. 31, p. 17
102-7-3	New (T)	V. 30, p. 1543
102-7-3	New	V. 31, p. 17
102-7-4	New (T)	V. 30, p. 1546
102-7-4	New	V. 31, p. 20
102-7-4a	New (T)	V. 30, p. 1548
102-7-4a	New	V. 31, p. 21
102-7-4b	New (T)	V. 30, p. 1548
102-7-4b	New	V. 31, p. 22
102-7-5	New (T)	V. 30, p. 1549
102-7-5	New	V. 31, p. 23
102-7-6	New (T)	V. 30, p. 1550
102-7-6	New	V. 31, p. 23
102-7-7	New (T)	V. 30, p. 1552
102-7-7	New	V. 31, p. 25
102-7-7a	New (T)	V. 30, p. 1552
102-7-7a	New	V. 31, p. 25
102-7-8	New (T)	V. 30, p. 1552
102-7-8	New	V. 31, p. 26
102-7-9	New (T)	V. 30, p. 1552
102-7-9	New	V. 31, p. 26
102-7-10	New (T)	V. 30, p. 1553
102-7-10	New	V. 31, p. 27

102-7-11	New (T)	V. 30, p. 1554
102-7-11	New	V. 31, p. 27
102-7-11a	New (T)	V. 30, p. 1556
102-7-11a	New	V. 31, p. 29
102-7-12	New (T)	V. 30, p. 1556
102-7-12	New	V. 31, p. 29

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-3-2	Amended (T)	V. 31, p. 1002
105-3-2	Amended	V. 31, p. 1313
105-4-2	Amended (T)	V. 30, p. 1086
105-4-2	Amended	V. 30, p. 1466
105-4-3	Amended (T)	V. 30, p. 1086
105-4-3	Amended	V. 30, p. 1466
105-11-1	Amended (T)	V. 30, p. 1086
105-11-1	Amended	V. 30, p. 1466

AGENCY 106: COMMISSION ON PEACE OFFICERS' STANDARDS AND TRAINING (FORMERLY LAW ENFORCEMENT TRAINING COMMISSION)

Reg. No.	Action	Register
106-1-1		
through		
106-1-8	Revoked (T)	V. 31, p. 1002
106-1-1		
through		
106-1-8	Revoked	V. 31, p. 1221
106-2-1	New (T)	V. 31, p. 1002
106-2-1	New	V. 31, p. 1221
106-2-2	New (T)	V. 31, p. 1003
106-2-2	New	V. 31, p. 1221
106-2-2a	New (T)	V. 31, p. 1003
106-2-2a	New	V. 31, p. 1221
106-2-3	New (T)	V. 31, p. 1004
106-2-3	New	V. 31, p. 1223
106-2-4	New (T)	V. 31, p. 1005
106-2-4	New	V. 31, p. 1223
106-3-1		
through		
106-3-6	New (T)	V. 31, p. 1005, 1006
106-3-1		
through		
106-3-6	New	V. 31, p. 1223, 1224
106-4-1	New (T)	V. 31, p. 1006
106-4-1	New	V. 31, p. 1224

AGENCY 107: LAW ENFORCEMENT TRAINING CENTER

Reg. No.	Action	Register
107-1-1		
through		
107-1-5	Revoked (T)	V. 31, p. 1007
107-1-1		
through		
107-1-5	Revoked	V. 31, p. 1225
107-2-1	Revoked (T)	V. 31, p. 1007
107-2-1	Revoked	V. 31, p. 1225
107-3-1	Revoked (T)	V. 31, p. 1007
107-3-1	Revoked	V. 31, p. 1226

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 30, p. 166
108-1-3	Amended	V. 30, p. 168
108-1-4	Amended	V. 30, p. 170

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-1-1	Amended	V. 31, p. 48
109-1-1a	New (T)	V. 30, p. 138
109-1-1a	New	V. 30, p. 573
109-1-2	Amended	V. 31, p. 51
109-2-1	Amended	V. 31, p. 51
109-2-2	Amended	V. 31, p. 51
109-2-4	Revoked	V. 31, p. 52
109-2-5	Amended	V. 31, p. 52
109-2-6	Amended	V. 31, p. 54
109-2-8	Amended	V. 31, p. 55
109-2-10a	New	V. 31, p. 56
109-2-11	Amended	V. 31, p. 57
109-2-12	Amended	V. 31, p. 58
109-2-13	Amended	V. 31, p. 58
109-3-3	New	V. 31, p. 246

109-3-4	New	V. 31, p. 247
109-3-5	Amended	V. 31, p. 1295
109-5-1	Amended (T)	V. 30, p. 138
109-5-1	Amended	V. 30, p. 573
109-5-1a	New (T)	V. 30, p. 139
109-5-1a	New	V. 30, p. 574
109-5-1b	New (T)	V. 30, p. 139
109-5-1b	New	V. 30, p. 574
109-5-1c	New	V. 31, p. 247
109-5-1d	New (T)	V. 30, p. 139
109-5-1d	New	V. 30, p. 574
109-5-1e	New (T)	V. 30, p. 139
109-5-1e	New	V. 30, p. 574
109-5-1f	New (T)	V. 30, p. 139
109-5-1f	New	V. 30, p. 574
109-5-5	Amended	V. 30, p. 1154
109-5-7a	New (T)	V. 30, p. 139
109-5-7a	New	V. 30, p. 574
109-5-7b	New (T)	V. 30, p. 140
109-5-7b	New	V. 30, p. 575
109-5-7c	New (T)	V. 31, p. 245
109-5-7c	New	V. 31, p. 497
109-5-7d	New (T)	V. 30, p. 141
109-5-7d	New	V. 30, p. 576
109-7-1	Amended	V. 31, p. 248
109-8-1	Amended (T)	V. 30, p. 141
109-8-1	Amended	V. 30, p. 576
109-8-2	New	V. 31, p. 225
109-9-1	Amended	V. 30, p. 1154
109-9-4	Amended	V. 30, p. 1154
109-10-1a	New (T)	V. 30, p. 141
109-10-1a	New	V. 30, p. 577
109-10-1b	New (T)	V. 30, p. 142
109-10-1b	New	V. 30, p. 577
109-10-1c	New	V. 31, p. 225
109-10-1d	New (T)	V. 30, p. 142
109-10-1d	New	V. 30, p. 577
109-10-1e	New (T)	V. 30, p. 142
109-10-1e	New	V. 30, p. 577
109-10-1f	New (T)	V. 30, p. 142
109-10-1f	New	V. 30, p. 577
109-10-1g	New (T)	V. 30, p. 142
109-10-1g	New	V. 30, p. 578
109-10-3	Amended	V. 30, p. 1155
109-10-5	Revoked	V. 30, p. 1155
109-10-6	Amended (T)	V. 30, p. 143
109-10-6	Amended	V. 30, p. 578
109-11-1a	New (T)	V. 30, p. 143
109-11-1a	New	V. 30, p. 578
109-11-3a	New (T)	V. 30, p. 144
109-11-3a	New	V. 30, p. 579
109-11-4a	New	V. 31, p. 225
109-11-6a	New (T)	V. 30, p. 144
109-11-6a	New	V. 30, p. 579
109-13-1	Amended	V. 31, p. 248
109-15-1	Amended	V. 30, p. 1155
109-15-2	Amended	V. 30, p. 1156

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-4-1		
through		
110-4-5	Amended	V. 30, p. 25-27
110-21-1		
through		
110-21-5	New	V. 30, p. 411-413
110-22-1		
through		
110-22-5	New (T)	V. 30, p. 984, 985
110-22-1		
through		
110-22-6	New	V. 30, p. 1416, 1417

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. A list of regulations filed from December 1, 2009 through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 Kansas Register. The following regulations were filed after December 22, 2011:

Reg. No.	Action	Register
111-2-270 through 111-2-276	New	V. 31, p. 114-116
111-2-277 through 111-2-282	New	V. 31, p. 582, 583
111-2-283 through 111-2-286	New	V. 31, p. 648
111-4-3135	New	V. 31, p. 116
111-4-3136	New	V. 31, p. 121
111-4-3137 through 111-4-3144	New	V. 31, p. 274-278
111-4-3158 through 111-4-3159	New	V. 31, p. 345-354
111-4-3162 through 111-4-3163	New	V. 31, p. 583-587
111-4-3171 through 111-4-3172	New	V. 31, p. 613-617
111-4-3181 through 111-5-23	New	V. 31, p. 649-656
111-5-28	Amended	V. 31, p. 355-358
111-5-31	Amended	V. 31, p. 359
111-5-33	Amended	V. 31, p. 279
111-5-82	Amended	V. 31, p. 657
111-5-83	Amended	V. 31, p. 657
111-5-194	Amended	V. 31, p. 359
111-5-200	New	V. 31, p. 360
111-5-201 through 111-5-206	New	V. 31, p. 618, 619
111-9-174	New	V. 31, p. 122
111-9-175	New	V. 31, p. 123
111-9-176	New	V. 31, p. 124
111-9-177	New	V. 31, p. 360
111-17-3	New	V. 31, p. 279
111-17-4	New	V. 31, p. 619
111-201-14	Amended	V. 31, p. 361
111-301-6	Amended	V. 31, p. 658
111-401-1 through 111-401-50	New	V. 31, p. 389-407
111-401-51 through 111-401-118	New	V. 31, p. 427-449
111-401-119 through 111-401-166	New	V. 31, p. 528-552
111-501-9	Amended	V. 31, p. 124
111-501-12	Amended	V. 31, p. 659
111-501-14 through 111-501-26	New	V. 31, p. 124-129
111-501-35 through 111-501-81	New	V. 31, p. 129-146
111-501-82 through 111-501-102	New	V. 31, p. 620-628
AGENCY 112: RACING AND GAMING COMMISSION		
112-100-2	Amended	V. 30, p. 1605
112-101-6	Amended	V. 30, p. 290

112-101-8	Amended	V. 30, p. 1605
112-102-2	Amended	V. 30, p. 1605
112-102-8	Amended	V. 30, p. 290
112-102-10	Amended	V. 30, p. 1605
112-103-2	Amended	V. 30, p. 291
112-103-4	Amended	V. 30, p. 292
112-103-5	Amended	V. 30, p. 292
112-103-8	Amended	V. 30, p. 292
112-103-11	Amended	V. 30, p. 1605
112-103-15	Amended	V. 30, p. 292
112-104-1	Amended	V. 30, p. 293
112-104-5	Amended	V. 30, p. 1606
112-104-6	Amended	V. 30, p. 1606
112-104-8	Amended	V. 30, p. 294
112-104-13	Amended	V. 30, p. 295
112-104-14	Amended	V. 30, p. 297
112-104-15	Amended	V. 30, p. 297
112-104-16	Amended	V. 30, p. 298
112-104-32	Amended	V. 30, p. 300
112-104-42	New	V. 30, p. 1608
112-105-1	Amended	V. 30, p. 301
112-105-2	Amended	V. 30, p. 301
112-105-3	Amended	V. 30, p. 301
112-106-1	Amended	V. 30, p. 301
112-106-2	Amended	V. 30, p. 303
112-106-5	Amended	V. 30, p. 303
112-106-6	Amended	V. 30, p. 304
112-107-3	Amended	V. 30, p. 304
112-107-5	Amended	V. 30, p. 307
112-107-10	Amended	V. 30, p. 308
112-107-21	Amended	V. 30, p. 309
112-107-22	Amended	V. 30, p. 310
112-108-18	Amended	V. 30, p. 311
112-108-23	Amended	V. 30, p. 1609
112-108-36	Amended	V. 30, p. 312
112-108-55	Amended	V. 30, p. 313
112-110-1	Amended	V. 30, p. 1611
112-110-3	Amended	V. 30, p. 313
112-110-14	Amended	V. 30, p. 1612
112-112-1	Amended	V. 30, p. 314
112-112-3	Amended	V. 30, p. 314
112-112-4	Amended	V. 30, p. 314
112-112-7	Amended	V. 30, p. 315
112-112-9	Amended	V. 30, p. 315
AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS, AND TOURISM		
115-1-1	Amended	V. 30, p. 943
115-2-2	Amended	V. 30, p. 1665
115-2-3	Amended	V. 30, p. 1466
115-2-3a	Revoked	V. 30, p. 1180
115-4-2	Amended	V. 31, p. 425
115-4-4	Amended	V. 31, p. 426
115-4-4a	Amended	V. 31, p. 427
115-4-6b	New	V. 30, p. 332
115-4-11	Amended	V. 30, p. 332
115-5-1	Amended	V. 30, p. 944
115-5-2	Amended	V. 30, p. 945
115-7-3	Amended	V. 30, p. 1665
115-7-6	Amended	V. 30, p. 1665
115-7-9	Amended	V. 30, p. 536
115-7-10	Amended	V. 30, p. 1665
115-8-1	Amended	V. 30, p. 1467
115-8-2	Amended	V. 31, p. 953
115-8-6	Amended	V. 30, p. 1665
115-8-9	Amended	V. 30, p. 1467
115-8-10	Amended	V. 30, p. 1468
115-8-12	Amended	V. 30, p. 1666
115-8-13	Amended	V. 30, p. 1180
115-8-23	New	V. 31, p. 953
115-8-24	New	V. 31, p. 954
115-14-1 through 115-14-6	Revoked	V. 31, p. 1142
115-14-8	Revoked	V. 31, p. 1142
115-14-9	Revoked	V. 31, p. 1142

115-14-10	Revoked	V. 31, p. 1142
115-14-11 through 115-14-15	New	V. 31, p. 1142-1151
115-16-3	Amended	V. 30, p. 1180
115-16-5	Amended	V. 30, p. 334
115-17-1	Amended	V. 30, p. 1468
115-17-2	Amended	V. 30, p. 1468
115-17-2a	New	V. 30, p. 1469
115-17-3	Amended	V. 30, p. 1469
115-17-4	Amended	V. 30, p. 1470
115-17-5	Amended	V. 30, p. 1470
115-17-6 through 115-17-9	Amended	V. 31, p. 954, 955
115-17-10	Amended	V. 30, p. 1470
115-17-11	Amended	V. 30, p. 1470
115-17-12	Amended	V. 30, p. 1471
115-18-1	Amended	V. 31, p. 1152
115-20-7	Amended	V. 31, p. 956
115-30-13	New	V. 30, p. 1666
AGENCY 117: REAL ESTATE APPRAISAL BOARD		
117-2-2	Amended	V. 31, p. 1066
117-2-2a	Amended	V. 31, p. 1067
117-3-2	Amended	V. 31, p. 1067
117-3-2a	Amended	V. 31, p. 1068
117-4-2	Amended	V. 31, p. 1069
117-4-2a	Amended	V. 31, p. 1070
117-5-2	Amended	V. 31, p. 1070
117-5-2a	Amended	V. 31, p. 1071
117-7-1	Amended	V. 31, p. 683
117-8-1	Revoked	V. 31, p. 1071
117-20-1 through 117-20-7	New (T)	V. 31, p. 997
117-20-1	New	V. 31, p. 1248
117-20-2	New	V. 31, p. 1248
117-20-4	New	V. 31, p. 1248
117-20-5	New	V. 31, p. 1248
117-20-6	New	V. 31, p. 1248
AGENCY 120: KANSAS HEALTH POLICY AUTHORITY (FORMERLY HEALTH CARE DATA GOVERNING BOARD)		
120-1-2	Revoked	V. 30, p. 1024
AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT—DIVISION OF HEALTH CARE FINANCE		
129-5-1	Amended	V. 31, p. 1248
129-10-31	New	V. 30, p. 92
AGENCY 130: HOME INSPECTORS REGISTRATION BOARD		
130-2-1	Amended (T)	V. 30, p. 1629
130-2-1	Amended	V. 31, p. 224
AGENCY 131: COMMITTEE ON SURETY BONDS AND INSURANCE		
131-1-1	New	V. 30, p. 195
AGENCY 132: KANSAS 911 COORDINATING COUNCIL		
132-2-1	New	V. 31, p. 223
132-4-1	New	V. 31, p. 224

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