



# Kansas Register

Kris W. Kobach, Secretary of State

Vol. 31, No. 15

April 12, 2012

Pages 457-488

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## State of Kansas

## Legislature

## Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced March 29-30 by the 2012 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 58-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at <http://www.kslegislature.org/li/>.

## House Current Resolutions

**HCR 5034**, by Representatives O'Neal and Davis, A CONCURRENT RESOLUTION relating to the 2012 regular session of the legislature; extending such session beyond 90 calendar days; and providing for adjournment thereof.

## House Resolutions

**HR 6027**, by Representatives Mah, Alford, Arpke, Aurand, Ballard, Bethell, Billinger, Bollier, Boman, Bowers, Brookens, Brown, Bruchman, Brunk, Burgess, Burroughs, Calloway, Carlin, Carlson, Cassidy, Collins, Colloton, Crum, Davis, DeGraaf, Denning, Dillmore, Donohoe, Fawcett, Feuerborn, Finney, Flaharty, Frownfelter, Fund, Garber, D. Gatewood, S. Gatewood, Goico, Gonzalez, Goodman, Gordon, Grange, Grant, Gregory, Grosserode, Hayzlett, Hedke, Henderson, Henry, Hermanson, Hildabrand, Hill, Hineman, Hoffman, C. Holmes, M. Holmes, Howell, Huebert, Johnson, Kelley, Kelly, Kerschen, Kiegerl, Kinzer, Kleebe, Knox, Kuether, Landwehr, Lane, LeDoux, Loganbill, Mast, McCray-Miller,

McLeland, Meier, Meigs, Mesa, Montgomery, Mosier, Moxley, O'Brien, O'Hara, O'Neal, Osterman, Otto, Patton, Pauls, Peck, Peterson, Phelps, Pottorff, Powell, Prescott, Proehl, Rhoades, Roth, Rubin, Ruiz, Ryckman, Scapa, Schroeder, Schwab, Schwartz, Seiwert, Shultz, Siegfried, Slattery, Sloan, Smith, Spalding, Suellentrop, Swanson, Tietze, Trimmer, Tyson, Vickrey, Victors, Ward, Weber, Wetta, Williams, Winn, K. Wolf, B. Wolf, Wolfe Moore and Worley, A RESOLUTION designating March 30 as "Welcome Home Vietnam Veterans Day."

## Senate Resolutions

**SR 1851**, by Senator Longbine, A RESOLUTION designating every Sunday as "Cooking With Kids Day."

**SR 1852**, by Senator V. Schmidt, A RESOLUTION encouraging participation in the American Public Health Association and the Kansas Public Health Association National Public Health Week, April 2-8, 2012.

**SR 1853**, by Senator Holland, A RESOLUTION recognizing and designating June 18-24, 2012, as Amateur Radio Week.

**SR 1854**, by Senators Kelly, Abrams, Apple, Bruce, Brungardt, Donovan, Emler, Faust-Goudeau, Francisco, Haley, Hensley, Holland, Huntington, Kelsey, King, Kultala, Longbine, Love, Lynn, Marshall, Masterson, McGinn, Merrick, Morris, Olson, Ostmeyer, Owens, Petersen, Pilcher-Cook, Pyle, Reitz, A. Schmidt, V. Schmidt, Schodorf, Taddiken, Teichman, Umbarger, Vratil and Wagle, A RESOLUTION designating March 30 as "Welcome Home Vietnam Veterans Day."

**SR 1855**, by Senator Hensley, A RESOLUTION in memory of Don Dunn.

**SR 1856**, by Senator V. Schmidt, A RESOLUTION in recognition of Meningitis Angels, the Kansas State and Local Health Departments, the Kansas Immunization Program, Northeast Kansas Area Schools and the Cruzline Drum Line all working together to educate on and eradicate vaccine preventable bacterial meningitis.

Doc. No. 040414

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

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



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**State of Kansas  
State Employees Health Care Commission**

**Notice of Meeting**

The Kansas State Employees Health Care Commission will meet at 1:30 p.m. Monday, April 16, in Room 106 of the Landon State Office Building, 900 S.W. Jackson, Topeka. For more information, contact Laurie Knowlton with the State Employee Health Plan at (785) 296-6280.

Dennis Taylor  
Chair

Doc. No. 040420

**State of Kansas  
Historic Sites Board of Review**

**Notice of Meeting**

The Kansas Historic Sites Board of Review will meet at 9 a.m. Saturday, May 12, in the classrooms in the Kansas Museum of History, 6425 S.W. 6th Ave., Topeka. The board will consider the following items:

- Approval of minutes of February 18, 2012, meeting.
- Historic Preservation Fund grant committee report and discussion.
- National Register of Historic Places — nominations:
  - Arvonias School — West 9th St., Arvonias Township, Osage County
  - Calvanistic Methodist Church — 8090 W. 9th St., Arvonias Township, Osage County
  - Battin Apartments Historic District — 1700 S. Elpyco, Wichita, Sedgwick County
  - Cudahy Packing Plant — 2300 N. Broadway, Wichita, Sedgwick County
  - Congregational Church — 315 6th St., Osawatomie, Miami County
  - Osawatomie Soldiers' Monument — Northeast corner of 9th & Main St., Miami County
  - David R. Gorden House — 400 N. Cedar St., Abilene, Dickinson County
  - Riverside Park — North Oregon St., Oswego, Labette County
  - Gish Building — 317, 319 S. Main St., El Dorado, Butler County
  - Norden Bombsight Storage Vaults — 305 Flint Road, Pratt Army Air Field, Pratt County

- National Register of Historic Places — relocation request:
  - Long Shoals Bridge — Bourbon County

Persons requiring special accommodations to attend the meeting should contact the Cultural Resources Division of the Kansas State Historical Society, 6425 S.W. 6th Ave., Topeka, 66615-1099, (785) 272-8681, ext. 240, at least two weeks prior to the meeting to discuss how the board may ensure participation.

Jennie Chinn  
Executive Director

Doc. No. 040430

**State of Kansas  
Board of Technical Professions**

**Notice of Meetings**

The Kansas State Board of Technical Professions will conduct its Complaint Committee meeting at 2 p.m. Thursday, April 26, and the full board will meet at 10 a.m. Friday, April 27, in Suite 507 of the Landon State Office Building, 900 S.W. Jackson, Topeka. Both meetings are open to the public. For more information, call (785) 296-3053.

Jean Boline  
Executive Director

Doc. No. 040417

**State of Kansas  
State Historical Society**

**Notice of Meeting**

The Kansas State Historical Society will accept public comments regarding the 2012 round of Historic Preservation Fund grants from 9 a.m. to noon Friday, May 11, in the State Archives and Library at the Kansas Historical Society, 6425 S.W. 6th Ave., Topeka. Grant applicants and members of the public are welcome to comment about specific grant applications or the program in general to the grant review committee at that time.

Persons requiring special accommodations to attend the meeting should contact the Cultural Resources Division of the Kansas State Historical Society, 6425 S.W. 6th Ave., Topeka, 66615-1099, (785) 272-8681, ext. 240, at least two weeks prior to the meeting to discuss how the committee may ensure participation.

Jennie Chinn  
Executive Director

Doc. No. 040431

**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 4-9-12 through 4-15-12**

| Term      | Rate  |
|-----------|-------|
| 1-89 days | 0.14% |
| 3 months  | 0.05% |
| 6 months  | 0.14% |
| 1 year    | 0.22% |
| 18 months | 0.28% |
| 2 years   | 0.34% |

Scott Miller  
Director of Investments

Doc. No. 040413

(Published in the Kansas Register April 12, 2012.)

## City of Overland Park, Kansas

### Notice to Bidders

Sealed bids for **Metcalf Avenue/Shawnee Mission Parkway Bus Corridor Transit Center, Overland Park Project ST-1346**, will be received by the city of Overland Park, Kansas, at the office of the city clerk, City Hall, 8500 Santa Fe Drive, Overland Park, 66212, until 2 p.m. local time May 15, 2012. At that time all sealed bids will be transferred to the City Council Chamber, City Hall, where they will be publicly opened and read aloud. Any bid received after the designated closing time will be returned unopened.

All bids shall be submitted in sealed envelopes addressed to the city clerk of Overland Park, Kansas, and marked "Bid For: Metcalf Avenue/Shawnee Mission Parkway Bus Corridor Transit Center." Copies of plans, specifications, bid documents and other contract documents are on file at the office of the city of Overland Park, Public Works Department, 8500 Santa Fe Drive, Overland Park, 66212, (913) 895-6040. Plans may be purchased or viewed at [www.kcblueprint.com](http://www.kcblueprint.com). Hard copy sets of half-size plans and specifications or digital downloads will be available for a nonrefundable cost of \$125 with a check made payable to Olsson Associates. Plans may be picked up at 2106 Swift, North Kansas City, MO 64117. For questions, contact the consulting engineer, Olsson Associates, at (913) 381-1170, attention Paul Moore.

Neither the city nor the consultant shall be responsible for the accuracy, completeness or sufficiency of any bid documents obtained from any source other than the source indicated above. Obtaining copies of plans, specifications, bid documents and other contract documents from any other source(s) may result in obtaining incomplete and inaccurate information. Obtaining these documents from any source other than directly from the source listed herein also may result in failure to receive any addenda, corrections or other revisions to these documents that may be issued.

Contractors should read and be fully familiar with all contract documents before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations, and shall include in its bid a sum to cover the cost of all items of the work.

Should a bidder find "defects" as defined in paragraph GC3 of the General Conditions, it shall follow the procedures outlined in paragraph GC3 to bring same to the attention of the city. Changes necessitated thereby shall be in the form of addenda issued by the consulting engineer.

All bidders shall verify that they have considered all written addenda. Neither the city nor the consulting engineer shall be responsible for oral instructions.

Any written addenda issued during the time of bidding shall be covered and included in the bid. There will be no clarifications or exceptions allowed on the bid. Bids are for a total bid package.

Bids shall be made upon the form provided in ink, printed or typewritten. Numbers shall be stated both in

writing and in figures, the signature shall be longhand, and the complete form shall be without alteration or erasure.

No oral, telegraphic, facsimile or telephonic bids or alterations will be considered.

The following items must be included in the sealed envelope with the bid:

- a. Bid
- b. 5% Bid Security—bid bond, cashier's check or certified check (see below)
- c. Signed Documents
  - Buy America Certification
  - Lobbying Certification
  - Lobbying Disclosure Form LLL
  - Tax Clearance Certificate
  - Anti-Collusion and Fraud Affidavit
  - Non-Collusive Proposal Certification

Each bidder shall file with its bid a bid bond, a cashier's check or a certified check drawn on any acceptable bank, made payable to the city of Overland Park, Kansas, in an amount of not less than 5 percent of the total bid, which shall be retained by the city of Overland Park until a contract for the project has been executed. Bid bonds will be returned to the unsuccessful bidders, with the exception of the second qualifying bidder, at such time as their bids are rejected. The bid deposit of the successful bidder and the second qualifying bidder will be returned when satisfactory bonds in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been furnished and the contract documents have been executed.

In the event the successful bidder is unable to execute the contract, for whatever reason, the city may exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of the city clerk prior to the time and date for bid opening; provided, however, that no bidder may withdraw its bid for a period of 30 days from the date set for the opening thereof. All bidders agree that rejection shall create no liability on the part of the city because of such rejection. It is understood by all bidders that an unsuccessful bidder has no cause of action against the city for bid preparation costs. The filing of any bid in response to this invitation shall constitute an agreement of the bidder to these conditions.

A pre-bid conference will be held at 2:30 p.m. Thursday, May 3, in Conference Room 1 of the Overland Park City Hall.

Berry Lutz, Contract Specialist  
Public Works Department  
City of Overland Park, Kansas

Doc. No. 040427

(Published in the Kansas Register April 12, 2012.)

## City of Overland Park, Kansas

### Notice to Bidders

Sealed bids for **Metcalf Avenue/Shawnee Mission Parkway Bus Corridor Main Transit Project, Overland Park Project ST-1346**, will be received by the city of Overland Park, Kansas, at the office of the city clerk, City Hall, 8500 Santa Fe Drive, Overland Park, 66212, until 2 p.m. local time May 15, 2012. At that time all sealed bids will be transferred to the City Council Chamber, City Hall, where they will be publicly opened and read aloud. Any bid received after the designated closing time will be returned unopened.

All bids shall be submitted in sealed envelopes addressed to the city clerk of Overland Park, Kansas, and marked "Bid For: Metcalf Avenue/Shawnee Mission Parkway Bus Corridor Main Transit Project." Copies of plans, specifications, bid documents and other contract documents are on file at the office of the city of Overland Park, Public Works Department, 8500 Santa Fe Drive, Overland Park, 66212, (913) 895-6040. Plans may be purchased or viewed at [www.kcblueprint.com](http://www.kcblueprint.com). Hard copy sets of half-size plans and specifications or digital downloads will be available for a nonrefundable cost of \$165 with a check made payable to Olsson Associates. Plans may be picked up at 2106 Swift, North Kansas City, MO 64117. For questions, contact the consulting engineer, Olsson Associates, at (913) 381-1170, attention Paul Moore.

Neither the city nor the consultant shall be responsible for the accuracy, completeness or sufficiency of any bid documents obtained from any source other than the source indicated above. Obtaining copies of plans, specifications, bid documents and other contract documents from any other source(s) may result in obtaining incomplete and inaccurate information. Obtaining these documents from any source other than directly from the source listed herein also may result in failure to receive any addenda, corrections or other revisions to these documents that may be issued.

Contractors should read and be fully familiar with all contract documents before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations, and shall include in its bid a sum to cover the cost of all items of the work.

Should a bidder find "defects" as defined in paragraph GC3 of the General Conditions, it shall follow the procedures outlined in paragraph GC3 to bring same to the attention of the city. Changes necessitated thereby shall be in the form of addenda issued by the consulting engineer.

All bidders shall verify that they have considered all written addenda. Neither the city nor the consulting engineer shall be responsible for oral instructions.

Any written addenda issued during the time of bidding shall be covered and included in the bid. There will be no clarifications or exceptions allowed on the bid. Bids are for a total bid package.

Bids shall be made upon the form provided in ink, printed or typewritten. Numbers shall be stated both in

writing and in figures, the signature shall be longhand, and the complete form shall be without alteration or erasure.

No oral, telegraphic, facsimile or telephonic bids or alterations will be considered.

The following items must be included in the sealed envelope with the bid:

- a. Bid
- b. 5% Bid Security—bid bond, cashier's check or certified check (see below)
- c. Signed Documents
  - Buy America Certification
  - Lobbying Certification
  - Lobbying Disclosure Form LLL
  - Tax Clearance Certificate
  - Anti-Collusion and Fraud Affidavit
  - Non-Collusive Proposal Certification

Each bidder shall file with its bid a bid bond, a cashier's check or a certified check drawn on any acceptable bank, made payable to the city of Overland Park, Kansas, in an amount of not less than 5 percent of the total bid, which shall be retained by the city of Overland Park until a contract for the project has been executed. Bid bonds will be returned to the unsuccessful bidders, with the exception of the second qualifying bidder, at such time as their bids are rejected. The bid deposit of the successful bidder and the second qualifying bidder will be returned when satisfactory bonds in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been furnished and the contract documents have been executed.

In the event the successful bidder is unable to execute the contract, for whatever reason, the city may exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of the city clerk prior to the time and date for bid opening; provided, however, that no bidder may withdraw its bid for a period of 30 days from the date set for the opening thereof. All bidders agree that rejection shall create no liability on the part of the city because of such rejection. It is understood by all bidders that an unsuccessful bidder has no cause of action against the city for bid preparation costs. The filing of any bid in response to this invitation shall constitute an agreement of the bidder to these conditions.

A pre-bid conference will be held at 1:30 p.m. Thursday, May 3, in Conference Room 1 of the Overland Park City Hall.

Berry Lutz, Contract Specialist  
Public Works Department  
City of Overland Park, Kansas

Doc. No. 040428

(Published in the Kansas Register April 12, 2012.)

**City of Wichita, Kansas****Notice to Bidders**

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, May 18, for the following project:

**(KDOT Project No. 15-87U-0036-01/472-85041/211501)  
(OCA Code 707036)  
Paving**

2012 KLINK, NB K-15, I-135 to KTA

Requests for the bid documents and plans should be directed to City Blue Print at (316) 265-6224 or to Kim Pelton at (316) 268-4499. Other questions should be directed to the respective design engineer, (316) 268-4501.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of 5 percent with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Kim Pelton at (316) 268-4499 for extra sets of plans and specifications.

Jody Doyle  
Administrative Aide  
City of Wichita—Engineering

Doc. No. 040425

**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:

|            |            |  |
|------------|------------|--|
| 04/24/2012 | EVT0001340 | Boats, Trailers & Motors                                     |
| 04/25/2012 | EVT0001343 | Ready Mix Concrete   |
| 04/26/2012 | EVT0001341 | Actuarial Services   |
| 05/08/2012 | EVT0001328 | Update State Hazard Mitigation Plan                          |
| 05/08/2012 | EVT0001334 | Document Imaging, Storage & Destruction Services             |
| 05/10/2012 | EVT0001321 | Environmental Services for State & Federally Funded Programs |
| 05/16/2012 | EVT0001329 | Rate Analysis — Child Care Market                            |

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

<http://www2.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>

05/01/2012 A-011505 Chemical Storage Building —

05/01/2012 A-011939

05/03/2012 A-011792

05/09/2012 A-011463

05/09/2012 A-011522(A)

South Douglas County — Dept. of Transportation, Topeka  
Reroof Area Shop — Syracuse — Dept. of Transportation — Topeka  
Housing Unit Control Upgrades — Units A, B, C, D & E — El Dorado Correctional Facility, El Dorado  
Addition and Renovations — Rhatigan Student Center — Wichita State University, Wichita  
Spark Suppression — Kansas Tech Center — Pittsburg State University, Pittsburg

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. 040426

**State of Kansas****Board of Regents Universities****Notice to Bidders**

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

**Emporia State University** – Bid postings: [www.emporia.edu/busaff/](http://www.emporia.edu/busaff/). Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: [thouse@emporia.edu](mailto:thouse@emporia.edu). Mailing address: Emporia State University, Controller's Office/Purchasing, Campus Box 4021, 1200 Commercial, Emporia, KS 66801.

**Fort Hays State University** – Bid postings: [www.fhsu.edu/bids](http://www.fhsu.edu/bids). Additional contact info: phone: 785-628-4251, fax: 785-628-4046, email: [purchasing@fhsu.edu](mailto:purchasing@fhsu.edu). Mailing address: Fort Hays State Purchasing Office, 601 Park St., 318 Sheridan Hall, Hays, KS 67601.

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

**Pittsburg State University** – Bid postings: [www.pittstate.edu/office/purchasing](http://www.pittstate.edu/office/purchasing). Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: [jensch@pittstate.edu](mailto: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](mailto:purchasing@ku.edu).

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

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

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

Doc. No. 039551

**State of Kansas**

**Kansas Housing Resources Corporation  
 Emergency Solutions Grants Program (ESG)**

**Notice of Draft Substantial Amendment to the 2011  
 Kansas Consolidated Plan Annual Action Plan**

The Kansas Housing Resources Corporation (KHRC) has prepared a Draft Substantial Amendment to its 2011 State of Kansas Consolidated Plan Annual Action Plan in accordance with the State’s citizen participation plan and the requirements of 24 CFR part 91 as amended by the Interim Rule.

1. **SF-424 — signed and including DUNNS (to be submitted with amendment)**
2. **Summary of Consultation Process**

KHRC collaborates on a recurring basis with the Balance of State CoC and the Johnson County CoC. All funds from the State’s ESG funding are made available to these non-ESG entitlement continuums. During regular CoC meetings in March and April, surveys were completed that identified which activities ESG should prioritize. During recent discussion, the following performance standards for ESG were identified:

- A. Reduce the average length of time persons are homeless.
- B. Improve employment rate and income amount of families and individuals who are homeless.
- C. Reduce number of families and individuals who become homeless (first time homeless).

3. **Summary of Citizen Participation Process**

KHRC will provide a 30-day public comment period of the Draft Substantial Amendment to the FY 2011 Consolidated Plan Annual Action Plan. The public input process will include notification through a notice published in the Kansas Register and posting the document on KHRC’s web-site, [www.kshousingcorp.org](http://www.kshousingcorp.org) and the Kansas Statewide Homeless Coalition’s website, [www.kshomeless.org](http://www.kshomeless.org). The public will also have an opportunity to provide public comment at the Kansas Statewide Homeless Coalition Homeless Summit being held on April 23 - 24, 2012. After public comments are received, KHRC will summa-

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 rize the comments or views received as well as the comments or views not accepted, including the reasons for not accepting those comments or views. Public comment period ends May 12, 2012. All comments should be sent to:

James Chiselom, Program Manager, ESG  
 Kansas Housing Resources Corp.  
 611 South Kansas Ave.  
 Topeka, KS 66603  
[jchiselom@kshousingcorp.org](mailto:jchiselom@kshousingcorp.org)

4. **Match**

At this time, KHRC has not obligated the second allocation of FY 2011 ESG funds and therefore does not have actual match figures by types of match. KHRC will require all sub recipients to make matching contributions to supplement the ESG program in an amount that equals the amount of ESG funds provided by KHRC. The sub recipient must identify the source of match at the time of applying for ESG. Matching contributions may be obtained from any source, including any Federal source other than the ESG program, as well as state, local, and private sources.

5. **Proposed Activities and Overall Budget**

KHRC anticipates using 2011 second round ESG funds for Homelessness Prevention, Rapid Re-Housing, HMIS and administrative activities. These activities will be targeted to households whose income is 0-30% of Area Median Family Income and to individuals and families that are in the following “at risk” homeless categories: Chronically homeless, HIV/AIDS, Elderly, Veterans, Mental Health, Youth, Domestic Violence Victims and Substance abuse. KHRC anticipates serving both, persons who meet the definition of homeless and “at risk” of homelessness.

KHRC estimates 2011 ESG will serve a total of 1000 individuals.

The table below is an estimate of how 2011 second allocation ESG funds will be allocated to the eligible activities. KHRC anticipates that the final amounts budgeted, once 2011 allocation ESG contracts are executed, will be different than the proposed allocations indicated in the following table. KHRC will share administrative funds with all sub recipients.

| Activity  | Funding Amount   |
|---|------------------|
| Homelessness Prevention — housing relocation and stabilization services | \$ 50,000        |
| Homelessness Prevention — rental assistance                             | \$100,000        |
| Rapid Re-Housing — housing relocation and stabilization services        | \$ 75,000        |
| Rapid Re-Housing - rental assistance                                    | \$175,000        |
| HMIS  | \$ 47,914        |
| Administration (State and amount shared with sub recipients)            | \$ 60,780        |
| <b>Total Funds Committed</b>  | <b>\$508,694</b> |

(continued)

KHRC will emphasize objectives by prioritizing applicants whose projects propose to achieve the following outcomes: exiting to permanent housing destination, diverting shelter enrollments, receiving case management, maintaining permanent housing, persons with higher incomes at program exit, persons with more non-cash benefits at program exit, and increased employment rates upon service exits. Applicants whose proposed projects meet these objectives will rank more competitively.

Kansas is a state with many rural areas which have limited service providers addressing the needs of homeless persons and those at-risk of homelessness. To address this need, KHRC's ESG scoring criteria for 2012 will provide preference for applicants serving persons in rural counties.

ESG funds which will be received for second round FY 2011 will be awarded within 60 days of receipt of the HUD grant agreement. The State ESG contracts for second round FY 2012 funds are anticipated to begin on September 1, 2012, and will end August 31, 2013. However, the contract period will depend upon the date that the HUD grant agreement is executed. Any unexpended funds will be re-distributed in the following ESG program year in separate contracts.

#### **6. Written Standards for Provision of ESG Assistance**

KHRC will require FY 2012 ESG awardees to establish and implement written standards for providing emergency shelter and street outreach activities of the ESG program prior to executing contracts.

KHRC will require awardees to establish written standards that include:

- A. Standard policies and procedures for evaluating individuals' and families' eligibility for assistance under Emergency Solutions Grant (ESG).
- B. Policies and procedures for coordination among emergency shelter providers, essential service providers, homelessness prevention and rapid re-housing assistance providers, other homeless assistance providers and mainstream service and housing providers.
- C. Policies and procedures for determining and prioritizing eligibility of individuals and families to receive homelessness prevention assistance and eligibility of families and individuals to receive rapid re-housing assistance.
- D. Standards for determining the shared cost of rent and utilities that each program participant must pay, if any, while receiving homelessness prevention or rapid re-housing assistance.
- E. Standards for determining how long a particular program participant will be provided with rental assistance, and whether and how the amount of that assistance will be adjusted over time.
- F. Standards for determining the type, amount and duration of housing stabilization and/or relocation services to provide a program participant, including the limits, if any, on the homelessness prevention or rapid re-housing assistance that each program participant may receive such as:

1. The maximum amount of assistance.
2. The maximum number of months the program participant receives assistance.
3. The maximum number of times the program participant may receive assistance.

#### **7. Describe Process for Making Sub-awards**

KHRC will continue to utilize the application process used with our Emergency Solutions Grant program. KHRC will sub-grant ESG funds to cities and counties in non-ESG entitlement funded areas. We recognize the importance of individual cities and counties to identify sub-recipients and coordinate the specific services outlined in ESG for their individual jurisdictions. KHRC will also accept applications and provide direct funding to agencies and organizations that serve "at risk" homeless populations and are capable of providing ESG services on a statewide level for that "at risk" homeless population.

KHRC will announce the NOFA for the ESG funds and begin to accept applications as described above. Depending on when HUD signs the grant agreement, deadlines for receipt of applications will be established. An Application Review Committee will rank applications received in response to the NOFA. The scoring criteria will include: Project Description, Identified Need, Coordination of Potential Local Homeless Assistance and Housing Programs, Past Performance, Administrative Capacity and Support System Availability. In addition, the Competitive Application Process will allow additional ESG funding in entitlement cities which have the highest concentration of potentially eligible families and individuals.

#### **8. Homeless Participation Requirement**

The requirement is not applicable to States.

#### **9. Performance Standards**

KHRC recognizes that performance standards will evolve over the next few years as the ESG Interim Rule is implemented and as ESG sub recipients improve their program outcomes through the evaluation of HMIS data and integration of ESG services into their local Continuum of Care. This first year of implementation of the Emergency Solutions Grant will allow KHRC to gain baseline data about specific performance measures and performance standards. Baseline information from FY 2011 second allocation will be used to further refine measures and standards for the FY 2013 ESG funds.

#### **10. Certifications (to be submitted with amendment) Requirements for Optional Changes to the FY 2012 Annual Action Plan**

##### **1. Centralized or Coordinated Assessment System**

If the recipient's jurisdiction, or a portion of the recipient's jurisdiction, currently has a centralized or coordinated assessment system, and the recipient or sub recipients utilize the centralized or coordinated assessment system, the recipient should describe the assessment system in the substantial amendment.



2. Monitoring

| FY 2011 Detailed Budget Table      |   |   |                            |                     |                        |
|------------------------------------|---|---|----------------------------|---------------------|------------------------|
| First Allocation                   | \$904,347.00                                  | FY 2011   |                            |                     |                        |
| Second Allocation                  | \$508,694.00                                  | Emergency Shelter Grants/Emergency Solutions Grants |                            |                     |                        |
| Grant Amount                       | \$1,413,039.00                                | Program Allocations                                 |                            |                     |                        |
| Total Administration               | \$105,977.93                                  | First Allocation                                    |                            | Second Allocation   | Total Fiscal Year 2011 |
|                                    | Eligible Activities                           | Activity Amount                                     | Reprogrammed Amount        | Activity Amount     | Activity Amount        |
| Emergency Shelter Grants Program   | Homeless Assistance                           | \$744,633.00  | \$0.00                     |                     | \$744,633.00           |
|                                    | Rehab/Conversion                              | \$3,268.00  |                            |                     | \$3,268.00             |
|                                    | Operations                                    | \$471,365.00  |                            |                     | \$471,365.00           |
|                                    | Essential Services                            | \$270,000.00  |                            |                     | \$270,000.00           |
|                                    | Homelessness Prevention                       | \$114,500.00  |                            |                     | \$114,500.00           |
|                                    | Administration                                | \$45,214.00   |                            |                     | \$45,214.00            |
|                                    | <b>Emergency Shelter Grants Subtotal</b>      | <b>\$904,347.00</b>                                 | <b>\$0.00</b>              |                     | <b>\$904,347.00</b>    |
| Emergency Solutions Grants Program | Emergency Shelter**                           |   |                            | \$0.00              | \$0.00                 |
|                                    | Renovation**                                  |   |                            | \$0.00              | \$0.00                 |
|                                    | Operation**                                   |   |                            | \$0.00              | \$0.00                 |
|                                    | Essential Service**                           |   |                            | \$0.00              | \$0.00                 |
|                                    | URA Assistance**                              |   |                            | \$0.00              | \$0.00                 |
|                                    | Street Outreach - Essential Services**        |   |                            | \$0.00              | \$0.00                 |
|                                    | HMIS  |   |                            | \$47,912.00         | \$47,912.00            |
|                                    | Rapid Re-housing                              |   | \$0.00                     | \$250,000.00        | \$250,000.00           |
|                                    | Housing Relocation and Stabilization Services |   |                            | \$75,000.00         | \$75,000.00            |
|                                    | Tenant-Based Rental Assistance                |   |                            |                     | \$0.00                 |
|                                    | Project-Based Rental Assistance               |   |                            | \$175,000.00        | \$175,000.00           |
| Homelessness Prevention            |   | \$0.00  | \$150,000.00               | \$150,000.00        |                        |
|                                    | Housing Relocation and Stabilization Services |   |                            | \$50,000.00         | \$50,000.00            |
|                                    | Tenant-Based Rental Assistance                |   |                            |                     | \$0                    |
|                                    | Project-Based Rental Assistance               |   |                            | \$100,000.00        | \$100,000.00           |
|                                    | Administration                                |   |                            | \$60,780.00         | \$60,780.00            |
|                                    | <b>Emergency Solutions Grants Subtotal</b>    |   | <b>\$0.00</b>              | <b>\$508,692.00</b> | <b>\$508,692.00</b>    |
|                                    |   |   | <b>Total Grant Amount:</b> |                     | <b>\$1,413,039.00</b>  |

\*\*Allowable only if the amount obligated for homeless assistance activities using funds from the first allocation is less than the expenditure limit for emergency shelter and street outreach activities (see Section III.B. of this Notice).

James Chisolom  
ESG Program Manager

State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale at public auction the following tract of land:

Tract KID-223

5.05 acres in Wichita, Kansas

SE Quadrant K-96 and I-235

Part of Lot 1, Block 1 Cherokee Sunrise Addition

Located in SE/4 of Sec. 25-26S-1W

and SW/4 of Sec. 30-26S-1E

A complete legal description is available on request.

The sale will be conducted at noon Tuesday, May 15, at the site, located at 3741 N. Meridian Circle (west on West 37th St. North, past Womer, turn north on North Meridian Ave.).

To schedule an appointment for inspection or for additional information, contact Brad Saville, Landmark Commercial Real Estate, at (316) 262-2442.

Terms of Sale:

A down payment of \$10,000 is due at the time of the sale. The balance of the purchase price must be paid on or before 3 p.m. June 18, 2012. The successful bidder will receive a bill of sale on the day of the sale and a quit claim deed after the balance is paid. If the balance of the purchase price is not paid on or before 3 p.m. June 18, 2012, the down payment will be forfeited to the seller.

The seller reserves the right to reject any and all bids and is not responsible for accidents. No further bids will be entertained or any offers considered after the formal bidding is called to a close.

Sold Subject to the Following:

The tract will be sold subject to the easement for the right of ingress and egress, reconstruction and maintenance of all existing utilities and appurtenances thereto, as well as the following restrictive covenant: Grantees, for their heirs and assigns, do hereby covenant and agree, said covenant to run with the land, that the land conveyed herein shall not be used for billboards, signboards or other outdoor advertising purposes.

The prospective buyer is encouraged to research the chain of title of the tract.

The Kansas Department of Transportation makes no representations concerning the condition, value or suitability of use for this property or the improvements, attachments, fixtures, apparatuses and appliances thereof, if any. The property and said improvements, etc., will be sold in the present "as is" condition, without warranties or guarantees of any kind.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

Mike King
Interim Secretary of Transportation

Doc. No. 040424

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-12-098/102

Pending Permits for Confined Feeding Facilities

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: KC Pork, Inc., Kent F. Condray, 451 3rd Road, Clifton, KS 66937; NW/4 & SE/4 of Section 15, & NE/4 of Section 21, T05S, R01E, Washington County; Lower Republican River Basin.

Kansas Permit No. A-LRWS-H002 Federal Permit No. KS0085740
This permit is being reissued for an existing swine facility for 6,190 head (2,476 animal units) of swine weighing more than 55 pounds and 8,332 head (833.2 animal units) of swine weighing 55 pounds or less, for a total capacity of 14,522 head (3,309.2 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.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Kim-Mac Farms, Randel McCabe, 6075 County Road 1950, Elk City, KS 67344; SW/4 of Section 16, T31S, R14E, Montgomery County; Verdigris River Basin.

Kansas Permit No. A-VEMG-S025
This is a permit reissuance for an existing facility with the maximum capacity of 2,050 head (820 animal units) of swine weighing greater than 55 pounds and 1,000 head (100 animal units) of swine weighing 55 pounds or less, for a total of 920 animal units of swine. The facility consists of seven confinement buildings and eight earthen retention structures. The Northeast Unit and Southwest Unit are not currently populated.

Table with 3 columns: Name and Address of Applicant, Legal Description, Receiving Water. Row 1: Peterson Farms, Dan R. Peterson, 3056 Bluestem, Burdick, KS 66838; NW/4 of Section 02, T18S, R05E, Marion County; Neosho River Basin.

Kansas Permit No. A-NEMN-S004

This permit is being reissued for an existing facility with a maximum capacity of 200 head (80 animal units) of swine more than 55 pounds and 200 head (20 animal units) of swine 55 pounds or less, for a total of 400 head (100 animal units) of swine. This represents a decrease in animal units from the previous permit.

| Name and Address of Applicant   | Legal Description                                     | Receiving Water               |
|---|---|-------------------------------|
| Stuhlsatz Farms<br>Daryl Stuhlsatz<br>5301 S. 247th West<br>Goddard, KS 67052 | SE/4 of Section 22,<br>T28S, R03W,<br>Sedgwick County | Lower Arkansas<br>River Basin |

Kansas Permit No. A-ARSG-M036

This permit is being reissued for an existing facility for 85 head (119 animal units) of mature dairy cattle, 25 head (25 animal units) of cattle weighing more than 700 pounds and 30 head (15 animal units) of cattle weighing 700 pounds or less, for a total capacity of 159 animal units. There is no change in the permitted animal units from the previous permit.

| Name and Address of Applicant  | Legal Description                                 | Receiving Water         |
|--|---|-------------------------|
| Wagon Bed Feeders, LLC<br>Lee Isaac<br>P.O. Box 521<br>Hugoton, KS 67951 | W/2 of Section 25,<br>T30S, R37W, Grant<br>County | Cimarron River<br>Basin |

Kansas Permit No. A-CIGT-C007 Federal Permit. KS0096363

This permit is being reissued for an existing facility for 2,000 head (2,000 animal units) of cattle weighing more than 700 pounds and 5,000 head (2,500 animal units) of cattle weighing 700 pounds or less, for a total capacity of 4,500 animal units. 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.

**Public Notice No. KS-NQ-12-006**

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-f):

| Name and Address of Applicant  | Legal Location                             | Type of Discharge |
|--|--|-------------------|
| Unified School District #310<br>16115 S. Langdon Road<br>Langton, KS 67583 | SW¼, S16, T25S,<br>R9W, Reno County,<br>KS | Nonoverflowing    |

Kansas Permit No. M-AR54-NO01 Federal Tracking No. KSJ000660  
Facility Name: Fairfield High School

Facility Description: This action consists of issuing a new Kansas Water Pollution Control Permit for a new facility. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit.

**Public Notice No. KS-EG-12-004**

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**  
Northern Natural Gas Company (NNG)  
1111 S. 103rd St.  
Omaha, NE 68124-1000  
Facility Location: Cunningham, Kansas

| Well & Permit Number       | Location                              | Latitude / Longitude  |
|----------------------------|---------------------------------------|-----------------------|
| #WIW #1 /<br>KS-05-151-001 | NW/4, S1, T27S,<br>R11W, Pratt County | 37.732257/-98.4784462 |

|                            |  |                          |
|----------------------------|--|--------------------------|
| #WIW #2 /<br>KS-05-151-002 | SW/4, S26, T26S,<br>R11W, Pratt County | 37.75147191/-98.50108340 |
| #WIW #3 /<br>KS-05-151-003 | SE/4, S23, T26S,<br>R11W, Pratt County | 37.76572/-98.483733      |

Facility Description: The proposed action is to issue three new Class V Brine Injection Well Permits. Brine produced from the Arbuckle Formation will be injected for the purpose of stabilizing the pressure in the Viola Formation to prevent the migration of storage gas. Injection will be by gravity flow. Injection is to be made into the Viola Formation from a depth of approximately 4,293 feet to a top depth of approximately 4,285 feet below ground surface. The maximum rate of injection to these disposal wells is 168,000 gallons per day per well. All construction, monitoring and operation of these wells will meet the requirements that apply to Class V injection wells under the Kansas UIC regulations, K.A.R. 28-46-1 through 28-46-44, and other requirements of KDHE.

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 May 12 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-12-098/102, KS-NQ-12-006, KS-EG-12-004) 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. 040323

## 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 \$8,542,487.73 in the Underground Petroleum Storage Tank Release Trust Fund and \$2,606,148.59 in the Above-ground Petroleum Storage Tank Release Trust Fund at March 31, 2012.

Martin Eckhardt, Director  
Office of Management Analysis  
and Standards

Doc. No. 040421

## State of Kansas

**Department of Health  
and Environment**

**Notice of Hearing**

The Kansas Department of Health and Environment has prepared three draft Kansas Underground Injection Control Permits for proposed new Class V brine injection wells for Northern Natural Gas Company (NNG) at its facility located at 20307 N.E. 150th Ave., Cunningham, 67035. The public was informed of the availability of these proposed permits for Northern Natural Gas Company through Public Notice No. KS-EG-12-004 dated April 12, 2012.

In conformance with K.A.R. 28-16-61, a public hearing on the proposed permits has been scheduled at 7 p.m. Wednesday, May 16, at the Pratt Community Center, 619 N. Main St., Pratt. The hearing will continue until all speakers have had an opportunity to speak or until 9 p.m., whichever occurs first.

Copies of the permit applications, the proposed KDHE permits and other pertinent documents may be viewed at the KDHE Topeka office or may be requested by contacting the Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367, (785) 296-5524 or fax (785) 296-5509. Appropriate copying charges will be assessed for each request.

Persons wishing to comment on the proposed permit may do so at the public hearing or may submit written statements to the address above by May 16. It is recommended that persons wishing to speak at the public hearing supply the hearing officer with a written copy of the testimony the day of the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing process and may request the proposed permits in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting KDHE at the address above.

The Secretary of Health and Environment will make a final permit decision after consideration of applicable

requirements of state statutes and regulations and of comments received during the public notice and public hearing processes.

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

Doc. No. 040416

## 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:

**April 20, 2012**

**IFB 264-12-14**

**Project Safe at Home Wichita**

|             |  |
|-------------|--|
| Property #1 | 314 Curtis<br>Pratt, KS 67124          |
| Property #2 | 1907 Hart Ave.<br>Dodge City, KS 67801 |

Contractors will be required to attend a walkthrough 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:

<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. 040415

## State of Kansas

**Secretary of State**

**Certification of New State Laws**

I, Kris W. Kobach, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

Kris W. Kobach  
Secretary of State

\_\_\_\_\_  
(Published in the Kansas Register April 12, 2012.)

**HOUSE BILL No. 2769**

AN ACT concerning property taxation; relating to exemptions; certain housing on military installations; amending K.S.A. 2011 Supp. 79-201a and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 2011 Supp. 79-201a is hereby amended to read as

follows: 79-201a. The following described property, to the extent herein specified, shall be exempt from all property or *ad valorem* taxes levied under the laws of the state of Kansas:

*First.* All property belonging exclusively to the United States, except property which congress has expressly declared to be subject to state and local taxation.

*Second.* All property used exclusively by the state or any municipality or political subdivision of the state. All property owned, being acquired pursuant to a lease-purchase agreement or operated by the state or any municipality or political subdivision of the state, including property which is vacant or lying dormant, which is used or is to be used for any governmental or proprietary function and for which bonds may be issued or taxes levied to finance the same, shall be considered to be used exclusively by the state, municipality or political subdivision for the purposes of this section. The lease by a municipality or political subdivision of the state of any real property owned or being acquired pursuant to a lease-purchase agreement for the purpose of providing office space necessary for the performance of medical services by a person licensed to practice medicine and surgery or osteopathic medicine by the board of healing arts pursuant to K.S.A. 65-2801 *et seq.*, and amendments thereto, dentistry services by a person licensed by the Kansas dental board pursuant to K.S.A. 65-1401 *et seq.*, and amendments thereto, optometry services by a person licensed by the board of examiners in optometry pursuant to K.S.A. 65-1501 *et seq.*, and amendments thereto, or K.S.A. 74-1501 *et seq.*, and amendments thereto, podiatry services by a person licensed by the board of healing arts pursuant to K.S.A. 65-2001 *et seq.*, and amendments thereto, or the practice of psychology by a person licensed by the behavioral sciences regulatory board pursuant to K.S.A. 74-5301 *et seq.*, and amendments thereto, shall be construed to be a governmental function, and such property actually and regularly used for such purpose shall be deemed to be used exclusively for the purposes of this paragraph. The lease by a municipality or political subdivision of the state of any real property, or portion thereof, owned or being acquired pursuant to a lease-purchase agreement to any entity for the exclusive use by it for an exempt purpose, including the purpose of displaying or exhibiting personal property by a museum or historical society, if no portion of the lease payments include compensation for return on the investment in such leased property shall be deemed to be used exclusively for the purposes of this paragraph. All property leased, other than motor vehicles leased for a period of at least one year and property being acquired pursuant to a lease-purchase agreement, to the state or any municipality or political subdivision of the state by any private entity shall not be considered to be used exclusively by the state or any municipality or political subdivision of the state for the purposes of this section except that the provisions of this sentence shall not apply to any such property subject to lease on the effective date of this act until the term of such lease expires but property taxes levied upon any such property prior to tax year 1989, shall not be abated or refunded. Any property constructed or purchased with the proceeds of industrial revenue bonds issued prior to July 1, 1963, as authorized by K.S.A. 12-1740 to 12-1749, and amendments thereto, or purchased with proceeds of improvement district bonds issued prior to July 1, 1963, as authorized by K.S.A. 19-2776, and amendments thereto, or with proceeds of bonds issued prior to July 1, 1963, as authorized by K.S.A. 19-3815a and 19-3815b, and amendments thereto, or any property improved, purchased, constructed, reconstructed or repaired with the proceeds of revenue bonds issued prior to July 1, 1963, as authorized by K.S.A. 13-1238 to 13-1245, inclusive, and amendments thereto, or any property improved, reimproved, reconstructed or repaired with the proceeds of revenue bonds issued after July 1, 1963, under the authority of K.S.A. 13-1238 to 13-1245, inclusive, and amendments thereto, which had previously been improved, reconstructed or repaired with the proceeds of revenue bonds issued under such act on or before July 1, 1963, shall be exempt from taxation for so long as any of the revenue bonds issued to finance such construction, reconstruction, improvement, repair or purchase shall be outstanding and unpaid. Any property constructed or purchased with the proceeds of any revenue bonds authorized by K.S.A. 13-1238 to 13-1245, inclusive, 19-2776, 19-3815a and 19-3815b, and amendments thereto, issued on or after July 1, 1963, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Any property, all or any portion of which is constructed or purchased with the proceeds of revenue bonds authorized by K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, issued on or after July 1, 1963 and prior to July 1, 1981, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Except as hereinafter provided, any property constructed or purchased wholly with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 to 12-1749, inclusive,

and amendments thereto, shall be exempt from taxation only for a period of 10 calendar years after the calendar year in which the bonds were issued. Except as hereinafter provided, any property constructed or purchased in part with the proceeds of revenue bonds issued on or after July 1, 1981, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, shall be exempt from taxation to the extent of the value of that portion of the property financed by the revenue bonds and only for a period of 10 calendar years after the calendar year in which the bonds were issued. The exemption of that portion of the property constructed or purchased with the proceeds of revenue bonds shall terminate upon the failure to pay all taxes levied on that portion of the property which is not exempt and the entire property shall be subject to sale in the manner prescribed by K.S.A. 79-2301 *et seq.*, and amendments thereto. Property constructed or purchased in whole or in part with the proceeds of revenue bonds issued on or after January 1, 1995, under the authority of K.S.A. 12-1740 to 12-1749, inclusive, and amendments thereto, and used in any retail enterprise identified under NAICS sectors 44 and 45, except facilities used exclusively to house the headquarters or back office operations of such retail enterprises identified thereunder, shall not be exempt from taxation. For the purposes of the preceding provision "NAICS" means the North American industry classification system, as developed under the authority of the office of management and budget of the office of the president of the United States. "Headquarters or back office operations" means a facility from which the enterprise is provided direction, management, administrative services, or distribution or warehousing functions in support of transactions made by the enterprise. Property purchased, constructed, reconstructed, equipped, maintained or repaired with the proceeds of industrial revenue bonds issued under the authority of K.S.A. 12-1740 *et seq.*, and amendments thereto, which is located in a redevelopment project area established under the authority of K.S.A. 12-1770 *et seq.*, and amendments thereto, shall not be exempt from taxation. Property purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under authority of K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto, for any poultry confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903, and amendments thereto, shall not be exempt from such taxation. Property purchased, acquired, constructed, reconstructed, improved, equipped, furnished, repaired, enlarged or remodeled with all or any part of the proceeds of revenue bonds issued under the authority of K.S.A. 12-1740 to 12-1749a, inclusive, and amendments thereto, for a rabbit confinement facility on agricultural land which is owned, acquired, obtained or leased by a corporation, as such terms are defined by K.S.A. 17-5903, and amendments thereto, shall not be exempt from such taxation.

*Third.* All works, machinery and fixtures used exclusively by any rural water district or township water district for conveying or production of potable water in such rural water district or township water district, and all works, machinery and fixtures used exclusively by any entity which performed the functions of a rural water district on and after January 1, 1990, and the works, machinery and equipment of which were exempted hereunder on March 13, 1995.

*Fourth.* All fire engines and other implements used for the extinguishment of fires, with the buildings used exclusively for the safekeeping thereof, and for the meeting of fire companies, whether belonging to any rural fire district, township fire district, town, city or village, or to any fire company organized therein or therefor.

*Fifth.* All property, real and personal, owned by county fair associations organized and operating under the provisions of K.S.A. 2-125 *et seq.*, and amendments thereto.

*Sixth.* Property acquired and held by any municipality under the municipal housing law, (K.S.A. 17-2337 *et seq.*), and amendments thereto, except that such exemption shall not apply to any portion of the project used by a nondwelling facility for profit making enterprise.

*Seventh.* All property of a municipality, acquired or held under and for the purposes of the urban renewal law, (K.S.A. 17-4742 *et seq.*), and amendments thereto, except that such tax exemption shall terminate when the municipality sells, leases or otherwise disposes of such property in an urban renewal area to a purchaser or lessee which is not a public body entitled to tax exemption with respect to such property.

*Eighth.* All property acquired and held by the Kansas armory board for armory purposes under the provisions of K.S.A. 48-317, and amendments thereto.

*Ninth.* All property acquired and used by the Kansas turnpike authority under the authority of K.S.A. 68-2001 *et seq.*, and amendments thereto, K.S.A. 68-2030 *et seq.*, and amendments thereto, K.S.A. 68-2051

(continued)

*et seq.*, and amendments thereto, and K.S.A. 68-2070 *et seq.*, and amendments thereto.

*Tenth.* All property acquired and used for state park purposes by the Kansas department of wildlife and parks.

*Eleventh.* The state office building constructed under authority of K.S.A. 75-3607 *et seq.*, and amendments thereto, and the site upon which such building is located.

*Twelfth.* All buildings erected under the authority of K.S.A. 76-6a01 *et seq.*, and amendments thereto, and all other student union buildings and student dormitories erected upon the campus of any institution mentioned in K.S.A. 76-6a01, and amendments thereto, by any other non-profit corporation.

*Thirteenth.* All buildings, as the same is defined in subsection (c) of K.S.A. 76-6a13, and amendments thereto, which are erected, constructed or acquired under the authority of K.S.A. 76-6a13 *et seq.*, and amendments thereto, and building sites acquired therefor.

*Fourteenth.* All that portion of the waterworks plant and system of the city of Kansas City, Missouri, now or hereafter located within the territory of the state of Kansas pursuant to the compact and agreement adopted by K.S.A. 79-205, and amendments thereto.

*Fifteenth.* All property, real and personal, owned by a groundwater management district organized and operating pursuant to K.S.A. 82a-1020, and amendments thereto.

*Sixteenth.* All property, real and personal, owned by the joint water district organized and operating pursuant to K.S.A. 80-1616 *et seq.*, and amendments thereto.

*Seventeenth.* All property, including interests less than fee ownership, acquired for the state of Kansas by the secretary of transportation or a predecessor in interest which is used in the administration, construction, maintenance or operation of the state system of highways, regardless of how or when acquired.

*Eighteenth.* Any building used primarily as an industrial training center for academic or vocational education programs designed for and operated under contract with private industry, and located upon a site owned, leased or being acquired by or for an area vocational school, an area vocational-technical school, a technical college, or a community college, as defined by K.S.A. 72-4412, and amendments thereto, and the site upon which any such building is located.

*Nineteenth.* For all taxable years commencing after December 31, 1997, all buildings of an area vocational school, an area vocational-technical school, a technical college or a community college, as defined by K.S.A. 72-4412, and amendments thereto, which are owned and operated by any such school or college as a student union or dormitory and the site upon which any such building is located.

*Twentieth.* For all taxable years commencing after December 31, 1997, all personal property which is contained within a dormitory that is exempt from property taxation and which is necessary for the accommodation of the students residing therein.

*Twenty-First.* All real property from and after the date of its transfer by the city of Olathe, Kansas, to the Kansas state university foundation, all buildings and improvements thereafter erected and located on such property, and all tangible personal property, which is held, used or operated for educational and research purposes at the Kansas state university Olathe innovation campus located in the city of Olathe, Kansas.

*Twenty-Second.* All real property, and all tangible personal property, owned by postsecondary educational institutions, as that term is defined in K.S.A. 74-3201b, and amendments thereto, or by the board of regents on behalf of the postsecondary educational institutions, which is leased by a for profit company and is actually and regularly used exclusively for research and development purposes so long as any rental income received by such postsecondary educational institution or the board of regents from such a company is used exclusively for educational or scientific purposes. Any such lease or occupancy described in this section shall be for a term of no more than five years.

*Twenty-Third.* Any and all housing developments and related improvements located on United States department of defense military installations in the State of Kansas, which are developed pursuant to the military housing privatization initiative, 10 U.S.C. § 2871 *et seq.*, or any successor thereto, and which are provided exclusively or primarily for use by military personnel of the United States and their families.

Except as otherwise specifically provided, the provisions of this section shall apply to all taxable years commencing after December 31, 2009-2010.

Sec. 2. K.S.A. 2011 Supp. 79-201a is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 12, 2012.)

## SENATE BILL No. 301

AN ACT concerning the state board of technical professions; relating to terms of members; amending K.S.A. 74-7006 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 74-7006 is hereby amended to read as follows: 74-7006. (a) Whenever a vacancy occurs in the membership of the board by reason of the expiration of a term of office, the governor shall appoint a successor of like qualifications. *Except as provided in subsection (e)*, all appointments shall be for terms of four years, but no member shall be appointed for more than three successive four-year terms.

(b) The terms of members appointed to the board shall commence on the July 1 immediately following the day of expiration of the preceding term, regardless of when the appointment is made, and *except as provided in subsection (e)*, shall expire on June 30 of the fourth year of the member's term.

(c) Each member shall serve until a successor is appointed and qualified. Whenever a vacancy shall occur in the membership of the board for any reason other than the expiration of a member's term of office, the governor shall appoint a successor of like qualifications to fill the unexpired term.

(d) The governor may remove any member of the board for misconduct, incompetency, neglect of duty; or for any other sufficient cause.

(e) (1) *The following members whose terms begin July 1, 2012, shall serve initial terms as follows:*

(A) *One member licensed as both an engineer and as a land surveyor shall serve a term of one year.*

(B) *One member from the general public shall serve a term of one year.*

(C) *One member licensed as a geologist shall serve a term of three years.*

(D) *One member licensed as a land surveyor shall serve a term of two years.*

(2) *The terms of members specified in this subsection shall expire on June 30 in the last year of such member's term. Upon reappointment, members shall serve a term of not more than four years.*

(3) *No member specified in this subsection shall serve more than four consecutive terms.*

Sec. 2. K.S.A. 74-7006 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 12, 2012.)

## HOUSE BILL No. 2593

AN ACT concerning interstate banking; relating to commission approval; amending K.S.A. 9-532, 9-533 and 9-534 and K.S.A. 2011 Supp. 9-535 and repealing the existing sections.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 9-532 is hereby amended to read as follows: 9-532. With prior approval of the commissioner, any bank holding company may acquire, directly or indirectly, ownership or control of, or power to vote, any of the voting shares of, an interest in, or all or substantially all of the assets of a Kansas state chartered bank or of a ~~Kansas~~ bank holding company *that has an ownership interest in a Kansas state chartered bank.*

Request for approval shall be made by filing an application in such form as required by the commissioner, containing the information prescribed by K.S.A. 9-533, and amendments thereto, and by rules and regulations adopted by the commissioner. At the time of filing the application, the applicant shall pay to the commissioner a fee in an amount established by rules and regulations adopted by the commissioner.

Sec. 2. K.S.A. 9-533 is hereby amended to read as follows: 9-533. An application filed pursuant to K.S.A. 9-532, and amendments thereto, shall provide the following information and include the following documents:

(a) A copy of any application by applicant seeking approval by a federal agency of the acquisition of the voting shares or assets of a Kansas state chartered bank or of a ~~Kansas~~ bank holding company *that has an ownership interest in a Kansas state chartered bank*, and of any supplemental material or amendments filed with the application.

(b) Copies of the public sections of the most recent CRA performance evaluations for all banks which are subsidiaries of the applicant

(Published in the Kansas Register April 12, 2012.)

## SENATE BILL No. 310

AN ACT concerning water; relating to local enhanced management areas; groundwater management districts.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. (a) Whenever a groundwater management district recommends the approval of a local enhanced management plan within the district to address any of the conditions set forth in subsections (a) through (d) of K.S.A. 82a-1036, and amendments thereto, the chief engineer shall review the local enhanced management plan submitted by the groundwater management district. The chief engineer's review shall be limited to whether the plan:

- (1) Proposes clear geographic boundaries;
- (2) pertains to an area wholly within the groundwater management district;
- (3) proposes goals and corrective control provisions as provided in subsection (f) adequate to meet the stated goals;
- (4) includes a compliance monitoring and enforcement element; and
- (5) is consistent with state law.

If, based on such review, the chief engineer finds that the local enhanced management plan is acceptable for consideration, the chief engineer shall initiate, as soon as practicable thereafter, proceedings to designate a local enhanced management area.

(b) In any case where proceedings to designate a local enhanced management area are initiated, the chief engineer shall conduct an initial public hearing on the question of designating such an area as a local enhanced management area according to the local enhanced management plan. The initial public hearing shall resolve the following findings of fact:

- (1) Whether one or more of the circumstances specified in subsection (a) through (d) of K.S.A. 82a-1036, and amendments thereto, exist;
- (2) whether the public interest of K.S.A. 82a-1020, and amendments thereto, requires that one or more corrective control provisions be adopted; and
- (3) whether the geographic boundaries are reasonable.

The chief engineer shall conduct a subsequent hearing or hearings only if the initial public hearing is favorable on all three issues of fact and the expansion of geographic boundaries is not recommended. At least 30 days prior to the date set for any hearing, written notice of such hearing shall be given to every person holding a water right of record within the area in question and by one publication in any newspaper of general circulation within the area in question. The notice shall state the question and shall denote the time and place of the hearing. At every such hearing, documentary and oral evidence shall be taken and a complete record of the same shall be kept.

(c) The subject matter of the hearing or hearings set forth in subsection (b) shall be limited to the local enhanced management plan that the chief engineer previously reviewed pursuant to subsection (a) and set for hearing.

(d) Within 120 days of the conclusion of the final public hearing set forth in subsections (b) and (c), the chief engineer shall issue an order of decision:

- (1) Accepting the local enhanced management plan as sufficient to address any of the conditions set forth in subsections (a) through (d) of K.S.A. 82a-1036, and amendments thereto;
- (2) rejecting the local enhanced management plan as insufficient to address any of the conditions set forth in subsections (a) through (d) of K.S.A. 82a-1036, and amendments thereto;
- (3) returning the local enhanced management plan to the groundwater management district, giving reasons for the return and providing the district with the opportunity to resubmit a revised plan for public hearing within 90 days of the return of the deficient plan; or
- (4) returning the local enhanced management plan to the groundwater management district and proposing modifications to the plan, based on testimony at the hearing or hearings, that will improve the administration of the plan, but will not impose reductions in groundwater withdrawals that exceed those contained in the plan. If the groundwater management district approves of the modifications proposed by the chief engineer, the district shall notify the chief engineer within 90 days of receipt of return of the plan. Upon receipt of the groundwater management district's approval of the modifications, the chief engineer shall accept the modified local management plan. If the groundwater management district does not approve of the modifications proposed by the chief engineer, the local management plan shall not be accepted.

*(continued)*

which were assigned a rating of "needs to improve record of meeting community credit needs" or "substantial noncompliance in meeting community needs" under the federal community reinvestment act of 1977, 12 U.S.C. § 2901 *et seq.*

(c) Statements of the financial condition and future prospects, including current and projected capital positions and levels of indebtedness, of the applicant and the Kansas state chartered bank or Kansas bank holding company that has an ownership interest in a Kansas state chartered bank which is the subject of the application filed pursuant to K.S.A. 9-532, and amendments thereto.

(d) Information as to how the applicant proposes to adequately meet the convenience and needs of the community served by the Kansas state chartered bank or Kansas bank holding company that has an ownership interest in a Kansas state chartered bank which is the subject of the application filed pursuant to K.S.A. 9-532, and amendments thereto, and the communities served by other Kansas banks which are subsidiaries of the applicant, in accordance with the federal community reinvestment act of 1977, 12 U.S.C. § 2901 *et seq.*

(e) A list of the name and location of each subsidiary bank of the applicant, together with each subsidiary's most recent examination date, and assigned composite CAMEL rating, and information reflecting each subsidiary's total assets, capital ratios, return on assets ratio and loan to deposit ratios.

(f) Any additional information the commissioner deems necessary.

Sec. 3. K.S.A. 9-534 is hereby amended to read as follows: 9-534. In determining whether to approve an application filed pursuant to K.S.A. 9-532, and amendments thereto, the commissioner shall consider the following factors:

(a) Whether the banks already subsidiaries of the applicant are operated in a safe, sound and prudent manner.

(b) Whether banks already subsidiaries of the applicant have provided adequate and appropriate services to their communities, including services contemplated by the federal community reinvestment act of 1977, 12 U.S.C. § 2901 *et seq.*

(c) Whether the applicant proposes to provide adequate and appropriate services, including services contemplated by the federal community reinvestment act of 1977, 12 U.S.C. § 2901 *et seq.*, in the communities served by the Kansas state chartered bank or by the Kansas bank subsidiaries of the Kansas bank holding company that has an ownership interest in a Kansas state chartered bank.

(d) Whether the proposed acquisition will result in a Kansas state chartered bank or Kansas bank holding company that has an ownership interest in a Kansas state chartered bank that has adequate capital and good earnings prospects.

(e) Whether the financial condition of the applicant or any of its subsidiary banks would jeopardize the financial stability of the Kansas state chartered bank or Kansas bank holding company that has an ownership interest in a Kansas state chartered bank which is the subject of the application.

Sec. 4. K.S.A. 2011 Supp. 9-535 is hereby amended to read as follows: 9-535. (a) The commissioner shall approve the application if the commissioner determines that the application favorably meets each and every factor prescribed in K.S.A. 9-534, and amendments thereto, the proposed acquisition is in the interest of the depositors and creditors of the Kansas state chartered bank or Kansas bank holding company that has an ownership interest in a Kansas state chartered bank which is the subject of the proposed acquisition and in the public interest generally. Otherwise, the application shall be denied.

(b) Within 15 days after the commissioner's approval or denial, the applicant shall have the right to appeal in writing to the state banking board the commissioner's determination by filing a notice of appeal with the commissioner. The state banking board shall fix a date for hearing, which hearing shall be held within 45 days after such notice of appeal is filed. The board shall conduct the hearing in accordance with the provisions of the Kansas administrative procedure act and render its decision affirming or rescinding the determination of the commissioner. Any action of the board pursuant to this section is subject to review in accordance with the Kansas judicial review act. An applicant who files an appeal to the state banking board of the commissioner's determination shall pay to the commissioner a fee in an amount established by rules and regulations of the commissioner, adopted pursuant to K.S.A. 9-1713, and amendments thereto, to defray the board's expenses associated with conducting the appeal.

Sec. 5. K.S.A. 9-532, 9-533 and 9-534 and K.S.A. 2011 Supp. 9-535 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the Kansas register.

(e) In any case where the chief engineer issues an order of decision accepting the local enhanced management plan pursuant to subsection (d), the chief engineer, within a reasonable time, shall issue an order of designation that designates the area in question as a local enhanced management area.

(f) The order of designation shall define the boundaries of the local enhanced management area and shall indicate the circumstances upon which the findings of the chief engineer are made. The order of designation may include any of the following corrective control provisions set forth in the local enhanced management plan:

(1) Closing the local enhanced management area to any further appropriation of groundwater. In which event, the chief engineer shall thereafter refuse to accept any application for a permit to appropriate groundwater located within such area;

(2) determining the permissible total withdrawal of groundwater in the local enhanced management area each day, month or year, and, insofar as may be reasonably done, the chief engineer shall apportion such permissible total withdrawal among the valid groundwater right holders in such area in accordance with the relative dates of priority of such rights;

(3) reducing the permissible withdrawal of groundwater by any one or more appropriators thereof, or by wells in the local enhanced management area;

(4) requiring and specifying a system of rotation of groundwater use in the local enhanced management area; or

(5) any other provisions making such additional requirements as are necessary to protect the public interest.

The chief engineer is hereby authorized to delegate the enforcement of any corrective control provisions ordered for a local enhanced management area to the groundwater management district in which that area is located, upon written request by the district.

(g) The order of designation shall follow, insofar as may be reasonably done, the geographical boundaries recommended by the local enhanced management plan.

(h) Except as provided in subsection (f), the order of designation of a local enhanced management area shall be in full force and effect from the date of its entry in the records of the chief engineer's office unless and until its operation shall be stayed by an appeal from an order entered on review of the chief engineer's order pursuant to K.S.A. 2011 Supp. 82a-1901, and amendments thereto, and in accordance with the provisions of the Kansas judicial review act. The chief engineer upon request shall deliver a copy of such order to any interested person who is affected by such order and shall file a copy of the same with the register of deeds of any county within which any part of the local enhanced management area lies.

(i) If the holder of a groundwater right within the local enhanced management area applies for review of the order of designation pursuant to K.S.A. 2011 Supp. 82a-1901, and amendments thereto, the provisions of the order with respect to the inclusion of the holder's water right within the area may be stayed in accordance with the Kansas administrative procedure act.

(j) Unless otherwise specified in the proposed enhanced management plan and included in the order of designation, a public hearing to review the designation of a local enhanced management area shall be conducted by the chief engineer within seven years after the order of designation is final. A subsequent review of the designation shall occur within 10 years after the previous public review hearing or more frequently as determined by the chief engineer. Upon the request of a petition signed by at least 10% of the affected water users in a local enhanced management area, a public review hearing to review the designation shall be conducted by the chief engineer. This requested public review hearing shall not be conducted more frequently than every four years.

(k) The chief engineer shall adopt rules and regulations to effectuate and administer the provisions of this section.

(l) The provisions of this section shall be part of and supplemental to the provisions of K.S.A. 82a-1020 through K.S.A. 82a-1040, and amendments thereto.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 12, 2012.)

## SENATE BILL No. 322

AN ACT concerning courts; relating to court fees and costs; relating to the judicial branch surcharge fund; amending K.S.A. 65-409 and K.S.A. 2011 Supp. 8-2107, 8-2110, 21-6614, 22-2410, 23-2510, 28-170, 28-172a, 28-177, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2314, 59-104, 60-2001, 60-2203a, 61-2704 and 61-4001 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 21-6614a, 21-6614b, 21-6614c, 22-2410a, 28-177a, 38-2312a and 38-2312b.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 2011 Supp. 8-2107 is hereby amended to read as follows: 8-2107. (a) (1) Notwithstanding any other provisions of the uniform act regulating traffic on highways, when a person is stopped by a police officer for any of the offenses described in subsection (d) and such person is not immediately taken before a judge of the district court, the police officer may require the person stopped, subject to the provisions of subsection (c), to deposit with the officer a valid Kansas driver's license in exchange for a receipt therefor issued by such police officer, the form of which shall be approved by the division of vehicles. Such receipt shall be recognized as a valid temporary Kansas driver's license authorizing the operation of a motor vehicle by the person stopped until the date of the hearing stated on the receipt. The driver's license and a written copy of the notice to appear shall be delivered by the police officer to the court having jurisdiction of the offense charged as soon as reasonably possible. If the hearing on such charge is continued for any reason, the judge may note on the receipt the date to which such hearing has been continued and such receipt shall be recognized as a valid temporary Kansas driver's license until such date, but in no event shall such receipt be recognized as a valid Kansas driver's license for a period longer than 30 days from the date set for the original hearing. Any person who has deposited a driver's license with a police officer under this subsection (a) shall have such license returned upon final determination of the charge against such person.

(2) In the event the person stopped deposits a valid Kansas driver's license with the police officer and fails to appear in the district court on the date set for appearance, or any continuance thereof, and in any event within 30 days from the date set for the original hearing, the court shall forward such person's driver's license to the division of vehicles with an appropriate explanation attached thereto. Upon receipt of such person's driver's license, the division shall suspend such person's privilege to operate a motor vehicle in this state until such person appears before the court having jurisdiction of the offense charged, the court makes a final disposition thereof and notice of such disposition is given by the court to the division. No new or replacement license shall be issued to any such person until such notice of disposition has been received by the division. The provisions of K.S.A. 8-256, and amendments thereto, limiting the suspension of a license to one year, shall not apply to suspensions for failure to appear as provided in this subsection (a).

(b) No person shall apply for a replacement or new driver's license prior to the return of such person's original license which has been deposited in lieu of bond under this section. Violation of this subsection (b) is a class C misdemeanor. The division may suspend such person's driver's license for a period of not to exceed one year from the date the division receives notice of the disposition of the person's charge as provided in subsection (a).

(c) (1) In lieu of depositing a valid Kansas driver's license with the stopping police officer as provided in subsection (a), the person stopped may elect to give bond in the amount specified in subsection (d) for the offense for which the person was stopped. When such person does not have a valid Kansas driver's license, such person shall give such bond. Such bond shall be subject to forfeiture if the person stopped does not appear at the court and at the time specified in the written notice provided in K.S.A. 8-2106, and amendments thereto.

(2) Such bond may be a cash bond, a bank card draft from any valid and unexpired credit card approved by the division of vehicles or superintendent of the Kansas highway patrol or a guaranteed arrest bond certificate issued by either a surety company authorized to transact such business in this state or an automobile club authorized to transact business in this state by the commissioner of insurance. If any of the approved bank card issuers redeem the bank card draft at a discounted rate, such discount shall be charged against the amount designated as the fine for the offense. If such bond is not forfeited, the amount of the bond less the discount rate shall be reimbursed to the person providing the bond by the use of a bank card draft. Any such guaranteed arrest bond certificate shall be signed by the person to whom it is issued and shall contain a printed statement that such surety company or auto-



mobile club guarantees the appearance of such person and will, in the event of failure of such person to appear in court at the time of trial, pay any fine or forfeiture imposed on such person not to exceed an amount to be stated on such certificate.

(3) Such cash bond shall be taken in the following manner: The police officer shall furnish the person stopped a stamped envelope addressed to the judge or clerk of the court named in the written notice to appear and the person shall place in such envelope the amount of the bond, and in the presence of the police officer shall deposit the same in the United States mail. After such cash payment, the person stopped need not sign the written notice to appear, but the police officer shall note the amount of the bond mailed on the notice to appear form and shall give a copy of such form to the person. If the person stopped furnishes the police officer with a guaranteed arrest bond certificate or bank card draft, the police officer shall give such person a receipt therefor and shall note the amount of the bond on the notice to appear form and give a copy of such form to the person stopped. Such person need not sign the written notice to appear, and the police officer shall present the notice to appear and the guaranteed arrest bond certificate or bank card draft to the court having jurisdiction of the offense charged as soon as reasonably possible.

(d) The offenses for which appearance bonds may be required as provided in subsection (c) and the amounts thereof shall be as follows: On and after July 1, 1996:

|  |      |
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| Reckless driving .....   | \$82 |
| Driving when privilege is canceled, suspended or<br>revoked .....  | 82   |
| Failure to comply with lawful order of officer.....  | 57   |
| Registration violation (registered for 12,000 pounds or<br>less).....  | 52   |
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(e) In the event of forfeiture of any bond under this section, \$75 of the amount forfeited shall be regarded as a docket fee in any court having jurisdiction over the violation of state law.

(f) None of the provisions of this section shall be construed to conflict with the provisions of the nonresident violator compact.

(g) When a person is stopped by a police officer for any traffic infraction and the person is a resident of a state which is not a member of the nonresident violator compact, K.S.A. 8-1219 et seq., and amendments thereto, or the person is licensed to drive under the laws of a foreign country, the police officer may require a bond as provided for under subsection (c). The bond shall be in the amount specified in the uniform fine schedule in subsection (c) of K.S.A. 8-2118, and amendments thereto, plus \$75 which shall be regarded as a docket fee in any court having jurisdiction over the violation of state law.

(h) When a person is stopped by a police officer for failure to provide proof of financial security pursuant to K.S.A. 40-3104, and amendments thereto, and the person is a resident of another state or the person is licensed to drive under the laws of a foreign country, the police officer may require a bond as provided for under subsection (c). The bond shall be in the amount of \$75, plus \$75 which shall be regarded as a docket fee in any court having jurisdiction over the violation of state law.

(i) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, ~~2012~~ 2013, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

Sec. 2. K.S.A. 2011 Supp. 8-2110 is hereby amended to read as follows: 8-2110. (a) Failure to comply with a traffic citation means failure either to: (1) Appear before any district or municipal court in response to a traffic citation and pay in full any fine and court costs imposed; or (2) otherwise comply with a traffic citation as provided in K.S.A. 8-2118, and amendments thereto. Failure to comply with a traffic citation is a misdemeanor, regardless of the disposition of the charge for which such citation was originally issued.

(b) (1) In addition to penalties of law applicable under subsection (a), when a person fails to comply with a traffic citation, except for illegal parking, standing or stopping, the district or municipal court in which the person should have complied with the citation shall mail notice to

the person that if the person does not appear in district or municipal court or pay all fines, court costs and any penalties within 30 days from the date of mailing notice, the division of vehicles will be notified to suspend the person's driving privileges. The district or municipal court may charge an additional fee of \$5 for mailing such notice. Upon the person's failure to comply within such 30 days of mailing notice, the district or municipal court shall electronically notify the division of vehicles. Upon receipt of a report of a failure to comply with a traffic citation under this subsection, pursuant to K.S.A. 8-255, and amendments thereto, the division of vehicles shall notify the violator and suspend the license of the violator until satisfactory evidence of compliance with the terms of the traffic citation has been furnished to the informing court. When the court determines the person has complied with the terms of the traffic citation, the court shall immediately electronically notify the division of vehicles of such compliance. Upon receipt of notification of such compliance from the informing court, the division of vehicles shall terminate the suspension or suspension action.

(2) (A) In lieu of suspension under paragraph (1), the driver may submit to the division of vehicles a written request for restricted driving privileges, with a non-refundable \$25 application fee, to be applied by the division of vehicles for additional administrative costs to implement restricted driving privileges. The division shall remit all restricted driving privilege application fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the division of vehicles operating fund.

(B) Upon review and approval of the driver's eligibility, the driving privileges will be restricted by the division of vehicles for a period up to one year or until the terms of the traffic citation have been complied with and the court shall immediately electronically notify the division of vehicles of such compliance. If the driver fails to comply with the traffic citation within the one year restricted period, the driving privileges will be suspended by the division of vehicles until the court determines the person has complied with the terms of the traffic citation and the court shall immediately electronically notify the division of vehicles of such compliance. Upon receipt of notification of such compliance from the informing court, the division of vehicles shall terminate the suspension action. When restricted driving privileges are approved pursuant to this section, the person's driving privileges shall be restricted to driving only under the following circumstances: (i) In going to or returning from the person's place of employment or schooling; (ii) in the course of the person's employment; (iii) during a medical emergency; and (iv) in going to and returning from probation or parole meetings, drug or alcohol counseling or any place the person is required to go by a court. The provisions of this paragraph shall expire on January 1, 2012.

(c) Except as provided in subsection (d), when the district or municipal court notifies the division of vehicles of a failure to comply with a traffic citation pursuant to subsection (b), the court shall assess a reinstatement fee of \$59 for each charge on which the person failed to make satisfaction regardless of the disposition of the charge for which such citation was originally issued and regardless of any application for restricted driving privileges. Such reinstatement fee shall be in addition to any fine, restricted driving privilege application fee, district or municipal court costs and other penalties. The court shall remit all reinstatement fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit 42.37% of such moneys to the division of vehicles operating fund, 31.78% to the community alcoholism and intoxication programs fund created by K.S.A. 41-1126, and amendments thereto, 10.59% to the juvenile detention facilities fund created by K.S.A. 79-4803, and amendments thereto, and 15.26% to the judicial branch nonjudicial salary adjustment fund created by K.S.A. 2011 Supp. 20-1a15, and amendments thereto.

(d) The district court or municipal court shall waive the reinstatement fee provided for in subsection (c), if the failure to comply with a traffic citation was the result of such person enlisting in or being drafted into the armed services of the United States, being called into service as a member of a reserve component of the military service of the United States, or volunteering for such active duty, or being called into service as a member of the state of Kansas national guard, or volunteering for such active duty, and being absent from Kansas because of such military service. In any case of a failure to comply with a traffic citation which occurred on or after August 1, 1990, and prior to the effective date of this act, in which a person was assessed and paid a reinstatement fee and the person failed to comply with a traffic citation because the person

(continued)

was absent from Kansas because of any such military service, the reinstatement fee shall be reimbursed to such person upon application therefor. The state treasurer and the director of accounts and reports shall prescribe procedures for all such reimbursement payments and shall create appropriate accounts, make appropriate accounting entries and issue such appropriate vouchers and warrants as may be required to make such reimbursement payments.

(e) Except as provided further, the reinstatement fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, ~~2012~~ 2013, the supreme court may impose an additional charge, not to exceed \$22 per reinstatement fee, to fund the costs of non-judicial personnel.

Sec. 3. K.S.A. 2011 Supp. 21-6614 is hereby amended to read as follows: 21-6614. (a) (1) Except as provided in subsections (b), (c) ~~and~~, (d) ~~and~~ (e), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, nondrug crimes ranked in severity levels 6 through 10 or any felony ranked in severity level 4 of the drug grid, may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.

(2) Except as provided in subsections (b), (c) ~~and~~, (d) ~~and~~ (e), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.

(b) Except as provided in subsections (c) ~~and~~, (d) ~~and~~ (e), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed, the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any nondrug crime ranked in severity levels 1 through 5 or any felony ranked in severity levels 1 through 3 of the drug grid, or:

(1) Vehicular homicide, as defined in K.S.A. 21-3405, prior to its repeal, or K.S.A. 2011 Supp. 21-5406, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;

(3) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;

(4) violating the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state which is in substantial conformity with that statute;

(5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;

(6) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603 or 8-1604, and amendments thereto, or required by a law of another state which is in substantial conformity with those statutes;

(7) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or

(8) a violation of K.S.A. 21-3405b, prior to its repeal.

(c) No person may petition for expungement until 10 or more years have elapsed since the person satisfied the sentence imposed, the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a violation of K.S.A. 8-1567, and amendments thereto, including any diversion for such violation.

(d) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses:

(1) Rape as defined in K.S.A. 21-3502, prior to its repeal, or K.S.A. 2011 Supp. 21-5503, and amendments thereto;

(2) indecent liberties with a child or aggravated indecent liberties with a child as defined in K.S.A. 21-3503 or 21-3504, prior to their repeal, or K.S.A. 2011 Supp. 21-5506, and amendments thereto;

(3) criminal sodomy as defined in subsection (a)(2) or (a)(3) of K.S.A. 21-3505, prior to its repeal, or subsection (a)(3) or (a)(4) of K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(4) aggravated criminal sodomy as defined in K.S.A. 21-3506, prior to its repeal, or K.S.A. 2011 Supp. 21-5504, and amendments thereto;

(5) indecent solicitation of a child or aggravated indecent solicitation of a child as defined in K.S.A. 21-3510 or 21-3511, prior to their repeal, or K.S.A. 2011 Supp. 21-5508, and amendments thereto;

(6) sexual exploitation of a child as defined in K.S.A. 21-3516, prior to its repeal, or K.S.A. 2011 Supp. 21-5510, and amendments thereto;

(7) aggravated incest as defined in K.S.A. 21-3603, prior to its repeal, or K.S.A. 2011 Supp. 21-5604, and amendments thereto;

(8) endangering a child or aggravated endangering a child as defined in K.S.A. 21-3608 or 21-3608a, prior to their repeal, or K.S.A. 2011 Supp. 21-5601, and amendments thereto;

(9) abuse of a child as defined in K.S.A. 21-3609, prior to its repeal, or K.S.A. 2011 Supp. 21-5602, and amendments thereto;

(10) capital murder as defined in K.S.A. 21-3439, prior to its repeal, or K.S.A. 2011 Supp. 21-5401, and amendments thereto;

(11) murder in the first degree as defined in K.S.A. 21-3401, prior to its repeal, or K.S.A. 2011 Supp. 21-5402, and amendments thereto;

(12) murder in the second degree as defined in K.S.A. 21-3402, prior to its repeal, or K.S.A. 2011 Supp. 21-5403, and amendments thereto;

(13) voluntary manslaughter as defined in K.S.A. 21-3403, prior to its repeal, or K.S.A. 2011 Supp. 21-5404, and amendments thereto;

(14) involuntary manslaughter as defined in K.S.A. 21-3404, prior to its repeal, or K.S.A. 2011 Supp. 21-5405, and amendments thereto;

(15) sexual battery as defined in K.S.A. 21-3517, prior to its repeal, or K.S.A. 2011 Supp. 21-5505, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed;

(16) aggravated sexual battery as defined in K.S.A. 21-3518, prior to its repeal, or K.S.A. 2011 Supp. 21-5505, and amendments thereto;

(17) a violation of K.S.A. 8-2,144, and amendments thereto, including any diversion for such violation; or

(18) any conviction for any offense in effect at any time prior to July 1, 2011, that is comparable to any offense as provided in this subsection.

(e) *Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.*

(f) (1) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecutor and the arresting law enforcement agency. The petition shall state the:

(A) Defendant's full name;

(B) full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;

(C) defendant's sex, race and date of birth;

(D) crime for which the defendant was arrested, convicted or diverted;

(E) date of the defendant's arrest, conviction or diversion; and

(F) identity of the convicting court, arresting law enforcement authority or diverting authority.

(2) Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$100. On and after ~~April 15, 2010 through June 30, 2011~~ the effective date of this act through June 30, 2013, the supreme court may impose a charge, not to exceed ~~\$15~~ \$19 per case, to fund the costs of non-judicial personnel. The charge established in this section shall be the only fee collected or moneys in the nature of a fee collected for the case. Such charge shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

(3) All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the Kansas parole board.

(g) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement;

(3) the expungement is consistent with the public welfare.

~~(g)~~(h) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2011 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;

(F) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(G) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(H) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(I) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;

(J) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto; or

(K) for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 2011 Supp. 75-7c01 *et seq.*, and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

~~(h)~~(i) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

~~(h)~~(j) Subject to the disclosures required pursuant to subsection ~~(h)~~(h), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute

may state that such person has never been arrested, convicted or diverted of such crime, but the expungement of a felony conviction does not relieve an individual of complying with any state or federal law relating to the use or possession of firearms by persons convicted of a felony.

~~(k)~~(k) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

(1) The person whose record was expunged;

(2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;

(3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;

(4) the secretary of social and rehabilitation services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services of any person whose record has been expunged;

(5) a person entitled to such information pursuant to the terms of the expungement order;

(6) a prosecutor, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;

(7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;

(8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(9) the governor or the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;

(10) the Kansas racing and gaming commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications of the following under the Kansas expanded lottery act: (A) Lottery gaming facility managers and prospective managers, racetrack gaming facility managers and prospective managers, licensees and certificate holders; and (B) their officers, directors, employees, owners, agents and contractors;

(11) the Kansas sentencing commission;

(12) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;

(13) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;

(14) the Kansas commission on peace officers' standards and training and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 *et seq.*, and amendments thereto;

(15) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto; or

(16) the attorney general and the request is accompanied by a statement that the request is being made to aid in determining qualifications

(continued)

for a license to carry a concealed weapon pursuant to the personal and family protection act; or

(17) the Kansas bureau of investigation for the purposes of:

(A) Completing a person's criminal history record information within the central repository, in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(l) The provisions of subsection (k)(17) shall apply to records created prior to, on and after July 1, 2011.

Sec. 4. K.S.A. 2011 Supp. 22-2410 is hereby amended to read as follows: 22-2410. (a) Any person who has been arrested in this state may petition the district court for the expungement of such arrest record.

(b) When a petition for expungement is filed, the court shall set a date for hearing on such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. When a petition for expungement is filed, the official court file shall be separated from the other records of the court, and shall be disclosed only to a judge of the court and members of the staff of the court designated by a judge of the district court, the prosecuting attorney, the arresting law enforcement agency, or any other person when authorized by a court order, subject to any conditions imposed by the order. Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$100. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2012 2013, the supreme court may impose an additional charge, not to exceed \$19 per docket fee, to fund the costs of non-judicial personnel. The petition shall state:

- (1) The petitioner's full name;
- (2) the full name of the petitioner at the time of arrest, if different than the petitioner's current name;
- (3) the petitioner's sex, race and date of birth;
- (4) the crime for which the petitioner was arrested;
- (5) the date of the petitioner's arrest; and
- (6) the identity of the arresting law enforcement agency.

No surcharge or fee shall be imposed to any person filing a petition pursuant to this section, who was arrested as a result of being a victim of identity theft under K.S.A. 21-4018, prior to its repeal, or subsection (a) of K.S.A. 2011 Supp. 21-6107, and amendments thereto, or who has had criminal charges dismissed because a court has found that there was no probable cause for the arrest, the petitioner was found not guilty in court proceedings or the charges have been dismissed. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(c) At the hearing on a petition for expungement, the court shall order the arrest record and subsequent court proceedings, if any, expunged upon finding: (1) The arrest occurred because of mistaken identity;

- (2) a court has found that there was no probable cause for the arrest;
- (3) the petitioner was found not guilty in court proceedings; or
- (4) the expungement would be in the best interests of justice and: (A) Charges have been dismissed; or (B) no charges have been or are likely to be filed.

(d) When the court has ordered expungement of an arrest record and subsequent court proceedings, if any, the order shall state the information required to be stated in the petition and shall state the grounds for expungement under subsection (c). The clerk of the court shall send a certified copy of the order to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest. If an order of expungement is entered, the petitioner shall be treated as not having been arrested.

(e) If the ground for expungement is as provided in subsection (c)(4), the court shall determine whether, in the interests of public welfare, the records should be available for any of the following purposes: (1) In any application for employment as a detective with a private detective agency, as defined in K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services;

(2) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(3) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(4) to aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(5) in any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(6) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(7) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; or

(8) in any other circumstances which the court deems appropriate.

(f) The court shall make all expunged records and related information in such court's possession, created prior to, on and after July 1, 2011, available to the Kansas bureau of investigation for the purposes of:

(1) Completing a person's criminal history record information within the central repository in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(2) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(g) Subject to any disclosures required under subsection (e), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records have been expunged as provided in this section may state that such person has never been arrested.

(h) Whenever a petitioner's arrest records have been expunged as provided in this section, the custodian of the records of arrest, incarceration due to arrest or court proceedings related to the arrest, shall not disclose the arrest or any information related to the arrest, except as directed by the order of expungement or when requested by the person whose arrest record was expunged.

(i) The docket fee collected at the time the petition for expungement is filed shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

Sec. 5. K.S.A. 2011 Supp. 23-2510 is hereby amended to read as follows: 23-2510. (a) The judge or clerk of the district court shall collect from the applicant for a marriage license a fee of \$59.

(b) The clerk of the court shall remit all fees prescribed by this section to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury. Of each remittance, the state treasurer shall credit 38.98% to the protection from abuse fund, 15.19% to the family and children trust account of the family and children investment fund created by K.S.A. 38-1808, and amendments thereto, 16.95% to the crime victims assistance fund created by K.S.A. 74-7334, and amendments thereto, 15.25% to the judicial branch nonjudicial salary adjustment fund created by K.S.A. 2011 Supp. 20-1a15, and amendments thereto, and the remainder to the state general fund.

(c) Except as provided further, the marriage license fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for a marriage license. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2012 2013, the supreme court may impose an additional charge, not to exceed \$26.50 per marriage license fee, to fund the costs of non-judicial personnel.

Sec. 6. K.S.A. 2011 Supp. 28-170 is hereby amended to read as follows: 28-170. (a) The docket fee prescribed by K.S.A. 60-2001, and amendments thereto, and the fees for service of process, shall be the only costs assessed for services of the clerk of the district court and the sheriff in any case filed under chapter 60 or chapter 61 of the Kansas Statutes Annotated, and amendments thereto, except that no fee shall be charged for an action filed under K.S.A. 60-3101 et seq., and under K.S.A. 60-31a01 et seq., and amendments thereto. For services in other matters in which no other fee is prescribed by statute, the following fees shall be charged and collected by the clerk. Only one fee shall be charged for each bond, lien or judgment:

- 1. For filing, entering and releasing a bond, mechanic's lien, notice of intent to perform, personal property tax judgment or any judgment on which execution process cannot be issued..... \$14

2. For filing, entering and releasing a judgment of a court of this state on which execution or other process can be issued ..... \$24
3. For a certificate, or for copying or certifying any paper or writ, such fee as shall be prescribed by the district court.

(b) The fees for entries, certificates and other papers required in naturalization cases shall be those prescribed by the federal government and, when collected, shall be disbursed as prescribed by the federal government. The clerk of the court shall remit to the state treasurer at least monthly all moneys received from fees prescribed by subsection (a) or (b) or received for any services performed which may be required by law. The state treasurer shall deposit the remittance in the state treasury and credit the entire amount to the state general fund.

(c) In actions pursuant to the revised Kansas code for care of children (K.S.A. 2011 Supp. 38-2201 *et seq.*, and amendments thereto), the revised Kansas juvenile justice code (K.S.A. 2011 Supp. 38-2301 *et seq.*, and amendments thereto), the act for treatment of alcoholism (K.S.A. 65-4001 *et seq.*, and amendments thereto), the act for treatment of drug abuse (K.S.A. 65-5201 *et seq.*, and amendments thereto), or the care and treatment act for mentally ill persons (K.S.A. 59-2945 *et seq.*, and amendments thereto), the clerk shall charge an additional fee of \$1 which shall be deducted from the docket fee and credited to the prosecuting attorneys' training fund as provided in K.S.A. 28-170a, and amendments thereto.

(d) In actions pursuant to the revised Kansas code for care of children (K.S.A. 2011 Supp. 38-2201 *et seq.*, and amendments thereto), the revised Kansas juvenile justice code (K.S.A. 2011 Supp. 38-2301 *et seq.*, and amendments thereto), the act for treatment of alcoholism (K.S.A. 65-4001 *et seq.*, and amendments thereto), the act for treatment of drug abuse (K.S.A. 65-5201 *et seq.*, and amendments thereto), or the care and treatment act for mentally ill persons (K.S.A. 59-2945 *et seq.*, and amendments thereto), the clerk shall charge an additional fee of \$.50 which shall be deducted from the docket fee and credited to the indigents' defense services fund as provided in K.S.A. 28-172b, and amendments thereto.

(e) Except as provided further, the bond, lien or judgment fee established in subsection (a) shall be the only fee collected or moneys in the nature of a fee collected for such bond, lien or judgment. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2012 2013, the supreme court may impose an additional charge, not to exceed \$22 per bond, lien or judgment fee, to fund the costs of non-judicial personnel.

Sec. 7. K.S.A. 2011 Supp. 28-172a is hereby amended to read as follows: 28-172a. (a) Except as otherwise provided in this section, whenever the prosecuting witness or defendant is adjudged to pay the costs in a criminal proceeding in any county, a docket fee shall be taxed as follows:

(1) On and after July 1, 2009 through June 30, 2013:

|                                 |          |
|---------------------------------|----------|
| Murder or manslaughter .....    | \$182.50 |
| Other felony .....              | 173.00   |
| Misdemeanor.....                | 138.00   |
| Forfeited recognizance .....    | 74.50    |
| Appeals from other courts ..... | 74.50    |

(2) On and after July 1, 2013:

|                                 |          |
|---------------------------------|----------|
| Murder or manslaughter .....    | \$180.50 |
| Other felony .....              | 171.00   |
| Misdemeanor.....                | 136.00   |
| Forfeited recognizance .....    | 72.50    |
| Appeals from other courts ..... | 72.50    |

(b) (1) Except as provided in paragraph (2), in actions involving the violation of any of the laws of this state regulating traffic on highways (including those listed in subsection (c) of K.S.A. 8-2118, and amendments thereto), a cigarette or tobacco infraction, any act declared a crime pursuant to the statutes contained in chapter 32 of the Kansas Statutes Annotated, and amendments thereto, or any act declared a crime pursuant to the statutes contained in article 8 of chapter 82a of the Kansas Statutes Annotated, and amendments thereto, whenever the prosecuting witness or defendant is adjudged to pay the costs in the action, on and after July 1, 2009 through June 30, 2013, a docket fee of \$76 shall be charged, and on and after July 1, 2013, a docket fee of \$74 shall be charged. When an action is disposed of under subsections (a) and (b) of K.S.A. 8-2118 or subsection (f) of K.S.A. 79-3393, and amendments thereto, on and after July 1, 2009 through June 30, 2013, the docket fee to be paid as court costs shall be \$76, and on and after July 1, 2013, the docket fee to be paid as court costs shall be \$74.

(2) In actions involving the violation of a moving traffic violation under K.S.A. 8-2118, and amendments thereto, as defined by rules and regulations adopted under K.S.A. 8-249, and amendments thereto, whenever the prosecuting witness or defendant is adjudged to pay the costs in the action, on and after July 1, 2009 through June 30, 2013, a docket fee of \$76 shall be charged, and on and after July 1, 2013, a docket fee of \$74 shall be charged. When an action is disposed of under subsection (a) and (b) of K.S.A. 8-2118, and amendments thereto, on and after July 1, 2009 through June 30, 2013, the docket fee to be paid as court costs shall be \$76, and on and after July 1, 2013, the docket fee to be paid as court costs shall be \$74.

(c) If a conviction is on more than one count, the docket fee shall be the highest one applicable to any one of the counts. The prosecuting witness or defendant, if assessed the costs, shall pay only one fee. Multiple defendants shall each pay one fee.

(d) Statutory charges for law library funds, the law enforcement training center fund, the prosecuting attorneys' training fund, the juvenile detention facilities fund, the judicial branch education fund, the emergency medical services operating fund and the judiciary technology fund shall be paid from the docket fee; the family violence and child abuse and neglect assistance and prevention fund fee shall be paid from criminal proceedings docket fees. All other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Additional fees shall include, but are not limited to, fees for Kansas bureau of investigation forensic or laboratory analyses, fees for detention facility processing pursuant to K.S.A. 12-16,119, and amendments thereto, fees for the sexual assault evidence collection kit, fees for conducting an examination of a sexual assault victim, fees for service of process outside the state, witness fees, fees for transcripts and depositions, costs from other courts, doctors' fees and examination and evaluation fees. No sheriff in this state shall charge any district court of this state a fee or mileage for serving any paper or process.

(e) In each case charging a violation of the laws relating to parking of motor vehicles on the statehouse grounds or other state-owned or operated property in Shawnee county, Kansas, as specified in K.S.A. 75-4510a, and amendments thereto, or as specified in K.S.A. 75-4508, and amendments thereto, the clerk shall tax a fee of \$2 which shall constitute the entire costs in the case, except that witness fees, mileage and expenses incurred in serving a warrant shall be in addition to the fee. Appearance bond for a parking violation of K.S.A. 75-4508 or 75-4510a, and amendments thereto, shall be \$3, unless a warrant is issued. The judge may order the bond forfeited upon the defendant's failure to appear, and \$2 of any bond so forfeited shall be regarded as court costs.

(f) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2012 2013, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

Sec. 8. K.S.A. 2011 Supp. 28-177 is hereby amended to read as follows: 28-177. (a) Except as provided further in this section and K.S.A. 2011 Supp. 28-178, and amendments thereto, the fees established by legislative enactment shall be the only fee collected or moneys in the nature of a fee collected for court procedures. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. Court procedures shall include docket fees, filing fees or other fees related to access to court procedures. On and after the effective date of this act through June 30, 2012 2013, the supreme court may impose an additional charge, not to exceed \$26.50 per fee or the amount established by the applicable statute, whichever amount is less, to fund the costs of non-judicial personnel.

(b) Any Such additional charge imposed by the court pursuant to K.S.A. 8-2107, 8-2110, ~~21-4619, prior to its repeal~~, 22-2410, 23-108a, 28-170, 28-172a, 59-104, ~~60-1621~~, 60-2001, 60-2203a, 61-2704 and, 61-4001 and 65-409 and K.S.A. 2011 Supp. 21-6614, 28-178, 28-179, 32-1049a, 38-2215, 38-2312 and 38-2314 and K.S.A. 2011 Supp. 21-6614, and amendments thereto, shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the judicial branch surcharge fund, which is hereby created in the state treasury.

(c) All moneys credited to the judicial branch surcharge fund shall be used for compensation of non-judicial personnel and shall not be expended for compensation of judges or justices of the judicial branch.

(continued)

(d) All expenditures from the judicial branch surcharge fund shall be made in accordance with appropriation acts and upon warrants of the director of accounts and reports issued pursuant to payrolls approved by the chief justice of the Kansas supreme court or by a person or persons designated by the chief justice.

Sec. 9. K.S.A. 2011 Supp. 28-178 is hereby amended to read as follows: 28-178. (a) In addition to any other fees specifically prescribed by law, on and after the effective date of this act through June 30, ~~2012~~ 2013, the supreme court may impose a charge, not to exceed \$12.50 per fee, to fund the costs of non-judicial personnel, on the following:

(1) A person who requests an order or writ of execution pursuant to K.S.A. 60-2401 or 61-3602, and amendments thereto.

(2) Persons who request a hearing in aid of execution pursuant to K.S.A. 60-2419, and amendments thereto.

(3) A person requesting an order for garnishment pursuant to article 7 of chapter 60 of the Kansas Statutes Annotated, and amendments thereto, or article 35 of chapter 61 of the Kansas Statutes Annotated, and amendments thereto.

(4) Persons who request a writ or order of sale pursuant to K.S.A. 60-2401 or 61-3602, and amendments thereto.

(5) A person who requests a hearing in aid of execution pursuant to K.S.A. 61-3604, and amendments thereto.

(6) A person who requests an attachment against the property of a defendant or any one or more of several defendants pursuant to K.S.A. 60-701 or 61-3501, and amendments thereto.

(b) The clerk of the district court shall remit all revenues received from the fees imposed pursuant to subsection (a) to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the judicial branch surcharge fund.

(c) The fees established in this section shall be the only fee collected or moneys in the nature of a fee collected for such court procedures. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee.

Sec. 10. K.S.A. 2011 Supp. 28-179 is hereby amended to read as follows: 28-179. (a) No post-decree motion petitioning for a modification or termination of separate maintenance, for a change in legal custody, residency, visitation rights or parenting time or for a modification of child support shall be filed or docketed in the district court without payment of a docket fee in the amount of \$42 on and after July 1, 2009 through June 30, 2013, and \$40 on and after July 1, 2013, to the clerk of the district court.

(b) A poverty affidavit may be filed in lieu of a docket fee as established in K.S.A. 60-2001, and amendments thereto.

(c) The docket fee shall be the only costs assessed in each case for services of the clerk of the district court and the sheriff. The docket fee shall be disbursed in accordance with subsection (f) of K.S.A. 20-362, and amendments thereto.

(d) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, ~~2012~~ 2013, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

Sec. 11. K.S.A. 2011 Supp. 32-1049a is hereby amended to read as follows: 32-1049a. (a) Failure to comply with a wildlife ~~and parks~~, *parks and tourism* citation means failure to:

(1) Appear before any district court in response to a wildlife ~~and parks~~, *parks and tourism* citation and pay in full any fine, court costs, assessments or fees imposed;

(2) fully pay or satisfy all fines, court costs, assessments or fees imposed as a part of the sentence of any district court for violation of the wildlife ~~and parks~~, *parks and tourism* laws of this state; or

(3) otherwise comply with a wildlife ~~and parks~~, *parks and tourism* citation as provided in K.S.A. 32-1049, and amendments thereto.

Failure to comply with a wildlife ~~and parks~~, *parks and tourism* citation is a class C misdemeanor, regardless of the disposition of the charge for which such citation, complaint or charge was originally issued.

(b) The term "citation" means any complaint, summons, notice to appear, ticket, warrant, penalty assessment or other official document issued for the prosecution of the wildlife ~~and parks~~, *parks and tourism* laws or rules and regulations of this state.

(c) In addition to penalties of law applicable under subsection (a) when a person fails to comply with a wildlife ~~and parks~~, *parks and tourism* citation or sentence for a violation of wildlife ~~and parks~~, *parks and*

*tourism* laws or rules and regulations, the district court in which the person should have complied shall mail a notice to the person that if the person does not appear in the district court or pay all fines, court costs, assessments or fees, and any penalties imposed within 30 days from the date of mailing, the *Kansas* department of wildlife ~~and parks~~, *parks and tourism* shall be notified to forfeit or suspend any license, permit, stamp or other issue of the department. Upon receipt of a report of a failure to comply with a wildlife ~~and parks~~, *parks and tourism* citation under this section, and amendments thereto, the department shall notify the violator and suspend or forfeit the license, permit, stamp or other issue of the department held by the violator until satisfactory evidence of compliance with the wildlife ~~and parks~~, *parks and tourism* citation or sentence of the district court for violation of the wildlife ~~and parks~~, *parks and tourism* laws or rules and regulations of this state are furnished to the informing court. Upon receipt of notification of such compliance from the informing court, the department shall terminate the suspension action, unless the violator is otherwise suspended.

(d) Except as provided in subsection (e), when the district court notifies the department of a failure to comply with a wildlife ~~and parks~~, *parks and tourism* citation or failure to comply with a sentence of the district court imposed on violation of a wildlife ~~and parks~~, *parks and tourism* law or rule and regulation, the court shall assess a reinstatement fee of \$50 for each charge or sentence on which the person failed to make satisfaction, regardless of the disposition of the charge for which such citation was originally issued. Such reinstatement fee shall be in addition to any fine, court costs and other assessments, fees or penalties. The court shall remit all reinstatement fees to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each remittance, the state treasurer shall deposit the entire amount in the state treasury and shall credit such moneys to the state general fund.

(e) The district court shall waive the reinstatement fee provided for in subsection (d), if the failure to comply with a wildlife ~~and parks~~, *parks and tourism* citation was the result of such person enlisting in or being drafted into the armed services of the United States of America, being called into service as a member of a reserve component of the military service of the United States of America, or volunteering for such active duty or being called into service as a member of the Kansas national guard or volunteering for such active duty and being absent from Kansas because of such military service. The state treasurer and the director of accounts and reports shall prescribe procedures for all such reimbursement payments and shall create appropriate accounts, make appropriate accounting entries and issue such appropriate vouchers and warrants as may be required to make such reimbursement payments.

(f) Except as provided further, the reinstatement fee established in subsection (d) shall be the only fee collected or moneys in the nature of a fee collected for such reinstatement. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2013, the supreme court may impose an additional charge, not to exceed \$22 per reinstatement fee, to fund the costs of non-judicial personnel.

Sec. 12. K.S.A. 2011 Supp. 38-2215 is hereby amended to read as follows: 38-2215. (a) *Docket fee*. The docket fee for proceedings under this code, if one is assessed as provided in this section, shall be \$34. Only one docket fee shall be assessed in each case. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, ~~2012~~ 2013, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) *Expenses*. The expenses for proceedings under this code, including fees and mileage allowed witnesses and fees and expenses approved by the court for appointed attorneys, shall be paid by the board of county commissioners from the general fund of the county.

(c) *Assessment of docket fee and expenses*. (1) *Docket fee*. The docket fee may be assessed or waived by the court conducting the initial dispositional hearing and the docket fee may be assessed against the complaining witness or person initiating the proceedings or a party or interested party other than the state, a political subdivision of the state, an agency of the state or of a political subdivision of the state, or a person acting in the capacity of an employee of the state or of a political subdivision of the state. Any docket fee received shall be remitted to the state treasurer pursuant to K.S.A. 20-362, and amendments thereto.

(2) *Expenses*. Expenses may be assessed against the complaining witness, a person initiating the proceedings, a party or an interested party, other than the state, a political subdivision of the state, an agency of the state or of a political subdivision of the state or a person acting in the

capacity of an employee of the state or of a political subdivision of the state. When expenses are recovered from a person against whom they have been assessed the general fund of the county shall be reimbursed in the amount of the recovery. If it appears to the court in any proceedings under this code that expenses were unreasonably incurred at the request of any party the court may assess that portion of the expenses against the party.

(d) *Cases in which venue is transferred.* If venue is transferred from one county to another, the court from which the case is transferred shall send to the receiving court a statement of expenses paid from the general fund of the sending county. If the receiving court collects any of the expenses owed in the case, the receiving court shall pay to the sending court an amount proportional to the sending court's share of the total expenses owed to both counties. The expenses of the sending county shall not be an obligation of the receiving county except to the extent that the sending county's proportion of the expenses is collected by the receiving court. All amounts collected shall first be applied toward payment of the docket fee.

Sec. 13. K.S.A. 2011 Supp. 38-2312 is hereby amended to read as follows: 38-2312. (a) Except as provided in subsection (b) and (c), any records or files specified in this code concerning a juvenile may be expunged upon application to a judge of the court of the county in which the records or files are maintained. The application for expungement may be made by the juvenile, if 18 years of age or older or, if the juvenile is less than 18 years of age, by the juvenile's parent or next friend.

(b) There shall be no expungement of records or files concerning acts committed by a juvenile which, if committed by an adult, would constitute a violation of K.S.A. 21-3401, prior to its repeal, or K.S.A. 2011 Supp. 21-5402, and amendments thereto, murder in the first degree; K.S.A. 21-3402, prior to its repeal, or K.S.A. 2011 Supp. 21-5403, and amendments thereto, murder in the second degree; K.S.A. 21-3403, prior to its repeal, or K.S.A. 2011 Supp. 21-5404, and amendments thereto, voluntary manslaughter; K.S.A. 21-3404, prior to its repeal, or K.S.A. 2011 Supp. 21-5405, and amendments thereto, involuntary manslaughter; K.S.A. 21-3439, prior to its repeal, or K.S.A. 2011 Supp. 21-5401, and amendments thereto, capital murder; K.S.A. 21-3442, prior to its repeal, or subsection (a)(3) of K.S.A. 2011 Supp. 21-5405, and amendments thereto, involuntary manslaughter while driving under the influence of alcohol or drugs; K.S.A. 21-3502, prior to its repeal, or K.S.A. 2011 Supp. 21-5503, and amendments thereto, rape; K.S.A. 21-3503, prior to its repeal, or subsection (a) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, indecent liberties with a child; K.S.A. 21-3504, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5506, and amendments thereto, aggravated indecent liberties with a child; K.S.A. 21-3506, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5504, and amendments thereto, aggravated criminal sodomy; K.S.A. 21-3510, prior to its repeal, or subsection (a) of K.S.A. 2011 Supp. 21-5508, and amendments thereto, indecent solicitation of a child; K.S.A. 21-3511, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5508, and amendments thereto, aggravated indecent solicitation of a child; K.S.A. 21-3516, prior to its repeal, or K.S.A. 2011 Supp. 21-5510, and amendments thereto, sexual exploitation; K.S.A. 21-3603, prior to its repeal, or subsection (b) of K.S.A. 2011 Supp. 21-5604, and amendments thereto, aggravated incest; K.S.A. 21-3608, prior to its repeal, or subsection (a) of K.S.A. 2011 Supp. 21-5601, and amendments thereto, endangering a child; K.S.A. 21-3609, prior to its repeal, or K.S.A. 2011 Supp. 21-5602, and amendments thereto, abuse of a child; or which would constitute an attempt to commit a violation of any of the offenses specified in this subsection.

(c) *Notwithstanding any other law to the contrary, for any offender who is required to register as provided in the Kansas offender registration act, K.S.A. 22-4901 et seq., and amendments thereto, there shall be no expungement of any conviction or any part of the offender's criminal record while the offender is required to register as provided in the Kansas offender registration act.*

(e)(d) When a petition for expungement is filed, the court shall set a date for a hearing on the petition and shall give notice thereof to the county or district attorney. The petition shall state: (1) The juvenile's full name; (2) the full name of the juvenile as reflected in the court record, if different than (1); (3) the juvenile's sex and date of birth; (4) the offense for which the juvenile was adjudicated; (5) the date of the trial; and (6) the identity of the trial court. Except as otherwise provided by law, a petition for expungement shall be accompanied by a docket fee in the amount of \$100. On and after the effective date of this act through June 30, 2012 2013, the supreme court may impose a charge, not to exceed \$19 per case, to fund the costs of non-judicial personnel. All petitions for expungement shall be docketed in the original action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner.

(e)(1) After hearing, the court shall order the expungement of the records and files if the court finds that:

(A) The juvenile has reached 23 years of age or that two years have elapsed since the final discharge;

(B) since the final discharge of the juvenile, the juvenile has not been convicted of a felony or of a misdemeanor other than a traffic offense or adjudicated as a juvenile offender under the revised Kansas juvenile justice code and no proceedings are pending seeking such a conviction or adjudication; and

(C) the circumstances and behavior of the petitioner warrant expungement.

(2) The court may require that all court costs, fees and restitution shall be paid.

(e)(f) Upon entry of an order expunging records or files, the offense which the records or files concern shall be treated as if it never occurred, except that upon conviction of a crime or adjudication in a subsequent action under this code the offense may be considered in determining the sentence to be imposed. The petitioner, the court and all law enforcement officers and other public offices and agencies shall properly reply on inquiry that no record or file exists with respect to the juvenile. Inspection of the expunged files or records thereafter may be permitted by order of the court upon petition by the person who is the subject thereof. The inspection shall be limited to inspection by the person who is the subject of the files or records and the person's designees.

(g) ~~Copies~~ A certified copy of any order made pursuant to subsection (a) or (e)(d) shall be sent to each public officer and agency in the county having possession of any the Kansas bureau of investigation, which shall notify every juvenile or criminal justice agency which may possess records or files ordered to be expunged. If the officer or agency fails to comply with the order within a reasonable time after its receipt, the officer or such agency may be adjudged in contempt of court and punished accordingly.

(h) The court shall inform any juvenile who has been adjudicated a juvenile offender of the provisions of this section.

(i) Nothing in this section shall be construed to prohibit the maintenance of information relating to an offense after records or files concerning the offense have been expunged if the information is kept in a manner that does not enable identification of the juvenile.

(j) Nothing in this section shall be construed to permit or require expungement of files or records related to a child support order registered pursuant to the revised Kansas juvenile justice code.

(k) Whenever the records or files of any adjudication have been expunged under the provisions of this section, the custodian of the records or files of adjudication relating to that offense shall not disclose the existence of such records or files, except when requested by:

(1) The person whose record was expunged;

(2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been expunged;

(3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;

(4) the secretary of social and rehabilitation services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services of any person whose record has been expunged;

(5) a person entitled to such information pursuant to the terms of the expungement order;

(6) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(7) the governor or the Kansas racing commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission; or

(8) the Kansas sentencing commission; or

(9) the Kansas bureau of investigation, for the purposes of:

(A) Completing a person's criminal history record information within the central repository in accordance with K.S.A. 22-4701 et seq., and amendments thereto; or

(B) providing information or documentation to the federal bureau of investigation, in connection with the national instant criminal background check system, to determine a person's qualification to possess a firearm.

(continued)

(l) The provisions of subsection (k)(9) shall apply to all records created prior to, on and after July 1, 2011.

Sec. 14. K.S.A. 2011 Supp. 38-2314 is hereby amended to read as follows: 38-2314. (a) Docket fee. The docket fee for proceedings under this code, if one is assessed as provided by this section, shall be \$34. Only one docket fee shall be assessed in each case. Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2012 2013, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) Expenses. The expenses for proceedings under this code, including fees and mileage allowed witnesses and fees and expenses approved by the court for appointed attorneys, shall be paid by the board of county commissioners from the general fund of the county.

(c) Assessment of docket fee and expenses. (1) Docket fee. The docket fee may be assessed or waived by the court conducting the initial sentencing hearing and may be assessed against the juvenile or the parent of the juvenile. Any docket fee received shall be remitted to the state treasurer pursuant to K.S.A. 20-362, and amendments thereto.

(2) Expenses. Expenses may be waived or assessed against the juvenile or a parent of the juvenile. When expenses are recovered from a party against whom they have been assessed the general fund of the county shall be reimbursed in the amount of the recovery.

(3) Prohibited assessment. Docket fees or expenses shall not be assessed against the state, a political subdivision of the state, an agency of the state or of a political subdivision of the state or a person acting in the capacity of an employee of the state or of a political subdivision of the state.

(d) Cases in which venue is transferred. If venue is transferred from one county to another, the court from which the case is transferred shall send to the receiving court a statement of expenses paid from the general fund of the sending county. If the receiving court collects any of the expenses owed in the case, the receiving court shall pay to the sending court an amount proportional to the sending court's share of the total expenses owed to both counties. The expenses of the sending county shall not be an obligation of the receiving county except to the extent that the sending county's proportionate share of the expenses is collected by the receiving court. Unless otherwise ordered by the court, all amounts collected shall first be applied toward payment of restitution, then toward the payment of the docket fee.

Sec. 15. K.S.A. 2011 Supp. 59-104 is hereby amended to read as follows: 59-104. (a) Docket fee. (1) Except as otherwise provided by law, no case shall be filed or docketed in the district court under the provisions of chapter 59 of the Kansas Statutes Annotated, and amendments thereto, or of articles 40 and 52 of chapter 65 of the Kansas Statutes Annotated, and amendments thereto, without payment of an appropriate docket fee as follows:

(A) On and after July 1, 2009 through June 30, 2013:

|   |         |
|---|---------|
| Treatment of mentally ill .....   | \$59.00 |
| Treatment of alcoholism or drug abuse.....                                      | 36.50   |
| Determination of descent of property.....                                       | 51.50   |
| Termination of life estate .....  | 50.50   |
| Termination of joint tenancy .....  | 50.50   |
| Refusal to grant letters of administration.....                                 | 50.50   |
| Adoption .....  | 50.50   |
| Filing a will and affidavit under K.S.A. 59-618a.....                           | 50.50   |
| Guardianship.....   | 71.50   |
| Conservatorship .....   | 71.50   |
| Trusteeship .....   | 71.50   |
| Combined guardianship and conservatorship .....                                 | 71.50   |
| Certified probate proceedings under K.S.A. 59-213, and amendments thereto ..... | 25.50   |
| Decrees in probate from another state .....                                     | 110.50  |
| Probate of an estate or of a will.....  | 111.50  |
| Civil commitment under K.S.A. 59-29a01 et seq.....                              | 35.50   |

(B) On and after July 1, 2013:

|   |       |
|---|-------|
| Treatment of mentally ill .....                       | 34.50 |
| Treatment of alcoholism or drug abuse.....            | 34.50 |
| Determination of descent of property.....             | 49.50 |
| Termination of life estate .....                      | 48.50 |
| Termination of joint tenancy .....                    | 48.50 |
| Refusal to grant letters of administration.....       | 48.50 |
| Adoption .....  | 48.50 |
| Filing a will and affidavit under K.S.A. 59-618a..... | 48.50 |
| Guardianship.....                                     | 69.50 |

|   |        |
|---|--------|
| Conservatorship .....   | 69.50  |
| Trusteeship .....   | 69.50  |
| Combined guardianship and conservatorship .....                                 | 69.50  |
| Certified probate proceedings under K.S.A. 59-213, and amendments thereto ..... | 23.50  |
| Decrees in probate from another state.....                                      | 108.50 |
| Probate of an estate or of a will.....  | 109.50 |
| Civil commitment under K.S.A. 59-29a01 et seq.....                              | 33.50  |

(2) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2012 2013, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) Poverty affidavit in lieu of docket fee and exemptions. The provisions of subsection (b) of K.S.A. 60-2001 and K.S.A. 60-2005, and amendments thereto, shall apply to probate docket fees prescribed by this section.

(c) Disposition of docket fee. Statutory charges for the law library and for the prosecuting attorneys' training fund shall be paid from the docket fee. The remainder of the docket fee shall be paid to the state treasurer in accordance with K.S.A. 20-362, and amendments thereto.

(d) Additional court costs. Other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Other fees shall include, but not be limited to, witness fees, appraiser fees, fees for service of process outside the state, fees for depositions, transcripts and publication of legal notice, executor or administrator fees, attorney fees, court costs from other courts and any other fees and expenses required by statute. All additional court costs shall be taxed and billed against the parties or estate as directed by the court. No sheriff in this state shall charge any district court in this state a fee or mileage for serving any paper or process.

Sec. 16. K.S.A. 2011 Supp. 60-2001 is hereby amended to read as follows: 60-2001. (a) Docket fee. Except as otherwise provided by law, no case shall be filed or docketed in the district court, whether original or appealed, without payment of a docket fee in the amount of \$156 on and after July 1, 2009 through June 30, 2013, and \$154 on and after July 1, 2013, to the clerk of the district court. Except as provided further, the docket fee established in this subsection shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2012 2013, the supreme court may impose an additional charge, not to exceed \$22 per docket fee, to fund the costs of non-judicial personnel.

(b) Poverty affidavit in lieu of docket fee. (1) Effect. In any case where a plaintiff by reason of poverty is unable to pay a docket fee, and an affidavit so stating is filed, no fee will be required. An inmate in the custody of the secretary of corrections may file a poverty affidavit only if the inmate attaches a statement disclosing the average account balance, or the total deposits, whichever is less, in the inmate's trust fund for each month in: (A) The six-month period preceding the filing of the action; or (B) the current period of incarceration, whichever is shorter. Such statement shall be certified by the secretary. On receipt of the affidavit and attached statement, the court shall determine the initial fee to be assessed for filing the action and in no event shall the court require an inmate to pay less than \$3. The secretary of corrections is hereby authorized to disburse money from the inmate's account to pay the costs as determined by the court. If the inmate has a zero balance in such inmate's account, the secretary shall debit such account in the amount of \$3 per filing fee as established by the court until money is credited to the account to pay such docket fee. Any initial filing fees assessed pursuant to this subsection shall not prevent the court, pursuant to subsection (d), from taxing that individual for the remainder of the amount required under subsection (a) or this subsection.

(2) Form of affidavit. The affidavit provided for in this subsection shall be in the following form and attached to the petition:

State of Kansas, \_\_\_\_\_ County.

In the district court of the county: I do solemnly swear that the claim set forth in the petition herein is just, and I do further swear that, by reason of my poverty, I am unable to pay a docket fee.

(c) Disposition of fees. The docket fees and the fees for service of process shall be the only costs assessed in each case for services of the clerk of the district court and the sheriff. For every person to be served by the sheriff, the persons requesting service of process shall provide proper payment to the clerk and the clerk of the district court shall forward the service of process fee to the sheriff in accordance with



K.S.A. 28-110, and amendments thereto. The service of process fee, if paid by check or money order, shall be made payable to the sheriff. Such service of process fee shall be submitted by the sheriff at least monthly to the county treasurer for deposit in the county treasury and credited to the county general fund. The docket fee shall be disbursed in accordance with K.S.A. 20-362, and amendments thereto.

(d) *Additional court costs.* Other fees and expenses to be assessed as additional court costs shall be approved by the court, unless specifically fixed by statute. Other fees shall include, but not be limited to, witness fees, appraiser fees, fees for service of process, fees for depositions, alternative dispute resolution fees, transcripts and publication, attorney fees, court costs from other courts and any other fees and expenses required by statute. All additional court costs shall be taxed and billed against the parties as directed by the court. No sheriff in this state shall charge any mileage for serving any papers or process.

Sec. 17. K.S.A. 2011 Supp. 60-2203a is hereby amended to read as follows: 60-2203a. (a) After the commencement of any action in any district court of this state, or the courts of the United States in the state of Kansas or in any action now pending heretofore commenced in such courts, which does not involve title to real estate, any party to such action may give notice in any other county of the state of the pendency of the action by filing for record with the clerk of the district court of such other county a verified statement setting forth the parties to the action, the nature of the action, the court in which it is pending, and the relief sought, which shall impart notice of the pendency of the action and shall result in the same lien rights as if the action were pending in that county. The lien shall be effective from the time the statement is filed, but not to exceed four months prior to the entry of judgment except as provided in subsection (c). The party filing such notice shall within 30 days after any satisfaction of the judgment entered in such action, or any other final disposition thereof, cause to be filed with such clerk of the district court a notice that all claims in such action are released. If the party filing fails or neglects to do so after reasonable demand by any party in interest, such party shall be liable in damages in the same amounts and manner as is provided by law for failure of a mortgagee to enter satisfaction of a mortgage. Upon the filing of such a notice of the pendency of an action the clerk shall charge a fee of \$14 and shall enter and index the action in the same manner as for the filing of an original action. Upon the filing of a notice of release, the notice shall likewise be entered on the docket. Except as provided further, the fee established in this subsection shall be the only fee collected or moneys in the nature of a fee collected for the court procedure. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2012 2013, the supreme court may impose an additional charge, not to exceed \$22 per fee, to fund the costs of non-judicial personnel.

(b) Any notice of the type provided for in subsection (a) which was filed on or after January 10, 1977, and prior to the effective date of this act shall be deemed to impart notice of the pendency of the action in the same manner as if the provisions of subsection (a) were in force and effect on and after January 10, 1977.

(c) Notwithstanding the foregoing provisions of this section, the filing of a notice of the pendency of an action pursuant to subsection (a) shall create no lien rights against the property of an employee of the state or a municipality prior to the date judgment is rendered if the pleadings in the pending action allege a negligent or wrongful act or omission of the employee while acting within the scope of such employee's employment, regardless of whether or not it is alleged in the alternative that the employee was acting outside of such employee's employment. A judgment against an employee shall become a lien upon such employee's property in the county where notice is filed pursuant to subsection (a) when the judgment is rendered only if it is found that: (1) The employee's negligent or wrongful act or omission occurred when the employee was acting outside the scope of such employee's employment; or (2) the employee's conduct which gave rise to the judgment was because of actual fraud or actual malice of the employee. In such cases the lien shall not be effective prior to the date judgment was rendered. As used in this subsection (c), "employee" shall have the meaning ascribed to such term in K.S.A. 75-6102, and amendments thereto.

Sec. 18. K.S.A. 2011 Supp. 61-2704 is hereby amended to read as follows: 61-2704. (a) An action seeking the recovery of a small claim

shall be considered to have been commenced at the time a person files a written statement of the person's small claim with the clerk of the court if, within 90 days after the small claim is filed, service of process is obtained or the first publication is made for service by publication. Otherwise, the action is deemed commenced at the time of service of process or first publication. An entry of appearance shall have the same effect as service.

(b) Upon the filing of a plaintiff's small claim, the clerk of the court shall require from the plaintiff a docket fee of \$39 on and after July 1, 2009 through June 30, 2013, and \$37 on and after July 1, 2013, if the claim does not exceed \$500; or \$59 on and after July 1, 2009 through June 30, 2013, and \$57 on and after July 1, 2013, if the claim exceeds \$500; unless for good cause shown the judge waives the fee. The docket fee shall be the only costs required in an action seeking recovery of a small claim. No person may file more than 20 small claims under this act in the same court during any calendar year.

(c) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2012 2013, the supreme court may impose an additional charge, not to exceed \$12.50 per docket fee, to fund the costs of non-judicial personnel.

Sec. 19. K.S.A. 2011 Supp. 61-4001 is hereby amended to read as follows: 61-4001. (a) *Docket fee.* (1) No case shall be filed or docketed pursuant to the code of civil procedure for limited actions without the payment of a docket fee in the amount of \$37 on and after July 1, 2009, through June 30, 2013, and \$35 on and after July 1, 2013, if the amount in controversy or claimed does not exceed \$500; \$57 on and after July 1, 2009, through June 30, 2013, and \$55 on and after July 1, 2013, if the amount in controversy or claimed exceeds \$500 but does not exceed \$5,000; or \$103 on and after July 1, 2009, through June 30, 2013, and \$101 on and after July 1, 2013, if the amount in controversy or claimed exceeds \$5,000. If judgment is rendered for the plaintiff, the court also may enter judgment for the plaintiff for the amount of the docket fee paid by the plaintiff.

~~(b) Poverty affidavit; additional court costs; exemptions for the state and municipalities. The provisions of subsections (b), (c) and (d) of K.S.A. 60-2001 and 60-2005, and amendments thereto, shall be applicable to lawsuits brought under the code of civil procedure for limited actions.~~

~~(c)(2) Except as provided further, the docket fee established in this section shall be the only fee collected or moneys in the nature of a fee collected for the docket fee. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2012 2013, the supreme court may impose an additional charge, not to exceed \$19 per docket fee, to fund the costs of non-judicial personnel.~~

~~(b) Poverty affidavit; additional court costs; exemptions for the state and municipalities. The provisions of subsections (b), (c) and (d) of K.S.A. 60-2001 and 60-2005, and amendments thereto, shall be applicable to lawsuits brought under the code of civil procedure for limited actions.~~

Sec. 20. K.S.A. 65-409 is hereby amended to read as follows: 65-409. (a) The clerk of the district court shall charge a fee of \$5 \$14 for entering and filing a lien statement under this act.

(b) *Except as provided further, the lien fee established in subsection (a) shall be the only fee collected or moneys in the nature of a fee collected for such lien. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2013, the supreme court may impose an additional charge, not to exceed \$22 per lien fee, to fund the costs of non-judicial personnel.*

Sec. 21. K.S.A. 65-409 and K.S.A. 2011 Supp. 8-2107, 8-2110, 21-6614, 21-6614a, 21-6614b, 21-6614c, 22-2410, 22-2410a, 23-2510, 28-170, 28-172a, 28-177, 28-177a, 28-178, 28-179, 32-1049a, 38-2215, 38-2312, 38-2312a, 38-2312b, 38-2314, 59-104, 60-2001, 60-2203a, 61-2704 and 61-4001 are hereby repealed.

Sec. 22. This act shall take effect and be in force from and after its publication in the Kansas register.

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the Kansas Register issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the Kansas Administrative Regulations and the 2010 Supplement of the Kansas Administrative Regulations.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 1-9-5a to 1-68-2.

AGENCY 3: KANSAS STATE TREASURER

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

AGENCY 4: DEPARTMENT OF AGRICULTURE

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 4-1-2 to 4-10-16.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 4-10-17 to 4-13-25.

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 4-13-25b through 4-28-30.

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 5-1-4 to 5-25-15.

AGENCY 7: SECRETARY OF STATE

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 7-16-1 to 7-46-3.

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Lists regulations 9-7-4 and 9-27-1.

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

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 14-6-2a to 14-24-6.

AGENCY 16: KANSAS ATTORNEY GENERAL

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 16-11-1 through 16-11-8.

AGENCY 19: GOVERNMENTAL ETHICS COMMISSION

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 19-6-1 to 19-30-4.

AGENCY 22: STATE FIRE MARSHAL

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 22-1-1 to 22-19-5.

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| 26-1-7    | Revoked | V. 30, p. 917       |
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| 28-21-61a  | Revoked | V. 29, p. 726  |
| 28-21-62a  | Revoked | V. 29, p. 726  |
| 28-21-63   | Revoked | V. 29, p. 726  |
| 28-21-64   | Revoked | V. 29, p. 726  |
| 28-21-70a  | Revoked | V. 29, p. 726  |
| 28-21-71a  | Revoked | V. 29, p. 726  |
| 28-21-72a  | Revoked | V. 29, p. 726  |
| 28-21-82   |         |                |
| through    |         |                |
| 28-21-85   | Revoked | V. 29, p. 726  |
| 28-23-4    | Revoked | V. 29, p. 726  |
| 28-23-9    | Revoked | V. 29, p. 726  |
| 28-23-10   | Revoked | V. 29, p. 726  |
| 28-23-20   |         |                |
| through    |         |                |
| 28-23-24   | Revoked | V. 29, p. 726  |
| 28-23-26   |         |                |
| through    |         |                |
| 28-23-32   | Revoked | V. 29, p. 726  |
| 28-23-34   |         |                |
| through    |         |                |
| 28-23-36   | Revoked | V. 29, p. 727  |
| 28-23-41   |         |                |
| through    |         |                |
| 28-23-55   | Revoked | V. 29, p. 727  |
| 28-23-70   | Revoked | V. 29, p. 727  |
| 28-23-71   | Revoked | V. 29, p. 727  |
| 28-23-73   | Revoked | V. 29, p. 727  |
| 28-23-75   | Revoked | V. 29, p. 727  |
| 28-23-78   |         |                |
| through    |         |                |
| 28-23-80   | Revoked | V. 29, p. 727  |
| 28-29-1a   | 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     |
| 28-36-30   | Revoked | V. 29, p. 727       |
| 28-36-31   | Revoked | V. 29, p. 727       |
| 28-36-70   |         |                     |
| through    |         |                     |
| 28-36-89   | Revoked | V. 29, p. 727       |
| 28-36-101  |         |                     |
| through    |         |                     |
| 28-36-109  | Revoked | V. 29, p. 727       |
| 28-38-18   | Amended | V. 30, p. 1346      |

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| 28-39-162  | Revoked | V. 29, p. 1777      |
| 28-39-162a | Revoked | V. 29, p. 1777      |
| 28-39-162b | Revoked | V. 29, p. 1777      |
| 28-39-162c | Revoked | V. 29, p. 1777      |
| 28-39-169a | Amended | V. 30, p. 1346      |
| 28-39-169b | Amended | V. 30, p. 1347      |
| 28-39-169c | Amended | V. 30, p. 1348      |
| 28-43-1    |         |                     |
| through    |         |                     |
| 28-43-11   | Revoked | V. 29, p. 1137      |
| 28-46-1    | Amended | V. 29, p. 1138      |
| 28-46-2a   | Amended | V. 29, p. 1138      |
| 28-46-3    |         |                     |
| through    |         |                     |
| 28-46-22   | Amended | V. 29, p. 1139-1141 |
| 28-46-27   | Amended | V. 29, p. 1141      |
| 28-46-28   | Amended | V. 29, p. 1141      |
| 28-46-29   | Amended | V. 29, p. 1141      |
| 28-46-29a  | New     | V. 29, p. 1142      |
| 28-46-30   | Amended | V. 29, p. 1142      |
| 28-46-30a  | New     | V. 29, p. 1142      |
| 28-46-30b  | New     | V. 29, p. 1144      |
| 28-46-31   | Amended | V. 29, p. 1144      |
| 28-46-33   | Amended | V. 29, p. 1144      |
| 28-46-34   | Amended | V. 29, p. 1145      |
| 28-46-35   | Amended | V. 29, p. 1145      |
| 28-46-40   | Amended | V. 29, p. 1145      |
| 28-46-41   | Amended | V. 29, p. 1145      |
| 28-46-44   | Amended | V. 29, p. 1145      |
| 28-46-45   | New     | V. 29, p. 1145      |
| 28-53-1    | Amended | V. 30, p. 463       |
| 28-53-2    | Amended | V. 30, p. 463       |
| 28-53-4    | Amended | V. 30, p. 463       |
| 28-54-1    |         |                     |
| through    |         |                     |
| 28-54-5    | Amended | V. 31, p. 280-282   |
| 28-61-1    | Amended | V. 29, p. 419       |
| 28-61-2    | Amended | V. 30, p. 336       |
| 28-61-3    | Amended | V. 30, p. 337       |
| 28-61-4    | Amended | V. 30, p. 337       |
| 28-61-5    | Amended | V. 29, p. 420       |
| 28-61-8    | Amended | V. 29, p. 422       |
| 28-72-1    | Revoked | V. 29, p. 357       |
| 28-72-1a   | New     | V. 29, p. 357       |
| 28-72-1c   | New     | V. 29, p. 357       |
| 28-72-1d   | New     | V. 29, p. 358       |
| 28-72-1e   | New     | V. 29, p. 358       |
| 28-72-1g   | New     | V. 29, p. 358       |
| 28-72-1h   | New     | V. 29, p. 358       |
| 28-72-1i   | New     | V. 29, p. 359       |
| 28-72-1k   | New     | V. 29, p. 359       |
| 28-72-1l   | New     | V. 29, p. 359       |
| 28-72-1m   | New     | V. 29, p. 360       |
| 28-72-1n   | New     | V. 29, p. 360       |
| 28-72-1o   | New     | V. 29, p. 360       |
| 28-72-1p   | New     | V. 29, p. 360       |
| 28-72-1r   | New     | V. 29, p. 361       |
| 28-72-1s   | New     | V. 29, p. 361       |
| 28-72-1t   | New     | V. 29, p. 361       |
| 28-72-1v   | New     | V. 29, p. 361       |
| 28-72-1x   | New     | V. 29, p. 361       |
| 28-72-2    | Amended | V. 29, p. 361       |
| 28-72-3    | Amended | V. 29, p. 362       |
| 28-72-4    | Amended | V. 29, p. 362       |
| 28-72-4a   | Amended | V. 29, p. 366       |
| 28-72-4b   | Revoked | V. 29, p. 368       |
| 28-72-4c   | Amended | V. 29, p. 368       |
| 28-72-5    | Amended | V. 29, p. 369       |
| 28-72-6    | Amended | V. 29, p. 370       |
| 28-72-6a   | New     | V. 29, p. 371       |
| 28-72-7    | Amended | V. 29, p. 373       |
| 28-72-7a   | New     | V. 29, p. 373       |
| 28-72-8    | Amended | V. 29, p. 374       |
| 28-72-9    | Amended | V. 29, p. 375       |
| 28-72-10   | Amended | V. 29, p. 376       |
| 28-72-10a  | New     | V. 29, p. 377       |
| 28-72-11   | Amended | V. 29, p. 378       |
| 28-72-12   | Amended | V. 29, p. 378       |
| 28-72-13   | Amended | V. 29, p. 379       |
| 28-72-14   | Amended | V. 29, p. 379       |
| 28-72-15   | Amended | V. 29, p. 380       |
| 28-72-16   | Amended | V. 29, p. 380       |
| 28-72-17   | Amended | V. 29, p. 381       |
| 28-72-18   | Amended | V. 29, p. 382       |
| 28-72-18a  | Amended | V. 29, p. 383       |
| 28-72-18b  | Amended | V. 29, p. 384       |
| 28-72-18c  | Amended | V. 29, p. 384       |
| 28-72-18d  | Amended | V. 29, p. 385       |
| 28-72-18e  | Amended | V. 29, p. 386       |

|          |         |               |
|----------|---------|---------------|
| 28-72-19 | Amended | V. 29, p. 387 |
| 28-72-20 | Amended | V. 29, p. 387 |
| 28-72-21 | Amended | V. 29, p. 387 |
| 28-72-22 | Amended | V. 29, p. 388 |
| 28-72-51 | Amended | V. 29, p. 388 |
| 28-72-52 | Amended | V. 29, p. 389 |
| 28-72-53 | Amended | V. 29, p. 389 |

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

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

**AGENCY 36: DEPARTMENT OF TRANSPORTATION**

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

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

| Reg. No. | Action  | Register       |
|----------|---------|----------------|
| 40-1-22  | Amended | V. 30, p. 722  |
| 40-1-37  | Amended | V. 30, p. 193  |
| 40-1-48  | Amended | V. 29, p. 1752 |
| 40-3-33  | Revoked | V. 30, p. 232  |
| 40-3-43  | Amended | V. 29, p. 1337 |
| 40-4-42c | Amended | V. 31, p. 170  |
| 40-4-43  | New     | V. 29, p. 703  |
| 40-5-7   | Revoked | V. 31, p. 114  |
| 40-7-26  | New     | V. 29, p. 1752 |
| 40-7-27  | New     | V. 29, p. 1753 |
| 40-9-23  | New     | V. 29, p. 1813 |
| 40-10-16 | New     | V. 30, p. 556  |

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

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

**AGENCY 49: DEPARTMENT OF LABOR**

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

**AGENCY 50: DEPARTMENT OF LABOR—DIVISION OF EMPLOYMENT**

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

**AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION**

| Reg. No. | Action  | Register       |
|----------|---------|----------------|
| 51-3-8   | 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       |
|-----------|---------|----------------|
| 60-16-105 | Revoked | V. 29, p. 1115 |

**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 65: BOARD OF EXAMINERS IN OPTOMETRY**

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

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

| Reg. No. | Action  | Register       |
|----------|---------|----------------|
| 66-7-1   | Amended | V. 30, p. 1681 |
| 66-8-6   | Amended | V. 29, p. 794  |
| 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 |
| 66-14-10 | Amended | V. 29, p. 794  |

**AGENCY 68: BOARD OF PHARMACY**

| Reg. No.  | Action  | Register            |
|-----------|---------|---------------------|
| 68-1-1b   | Amended | V. 29, p. 465       |
| 68-2-22   | Amended | V. 30, p. 537       |
| 68-7-11   | Amended | V. 29, p. 1053      |
| 68-7-21   | New     | V. 29, p. 465       |
| 68-20-10a | Amended | V. 30, p. 538       |
| 68-20-24  | New (T) | V. 30, p. 357       |
| 68-20-25  | New (T) | V. 30, p. 357       |
| 68-20-26  | New (T) | V. 30, p. 357       |
| 68-20-27  | New (T) | V. 30, p. 357       |
| 68-20-28  | New (T) | V. 30, p. 635       |
| 68-20-29  | New (T) | V. 30, p. 635       |
| 68-21-1   |         |                     |
| through   |         |                     |
| 68-21-7   | New     | V. 29, p. 1417-1420 |
| 68-21-2   | Amended | V. 30, p. 370       |
| 68-22-1   |         |                     |
| through   |         |                     |
| 68-22-5   | New     | V. 30, p. 1515      |

**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      |
| 71-5-1   |         |                     |
| through  |         |                     |
| 71-5-6   | Revoked | V. 29, p. 1593      |
| 71-5-7   |         |                     |
| through  |         |                     |
| 71-5-13  | New     | V. 29, p. 1593-1597 |

**AGENCY 74: BOARD OF ACCOUNTANCY**

| Reg. No. | Action  | Register       |
|----------|---------|----------------|
| 74-4-8   | Amended | V. 29, p. 1636 |
| 74-4-9   | Amended | V. 29, p. 1638 |

|          |         |                |
|----------|---------|----------------|
| 74-5-2   | Amended | V. 29, p. 1638 |
| 74-5-101 | Amended | V. 29, p. 1639 |
| 74-5-202 | Amended | V. 29, p. 1639 |
| 74-5-203 | Amended | V. 29, p. 1639 |
| 74-6-2   | Amended | V. 29, p. 1640 |
| 74-11-6  | Amended | V. 29, p. 1640 |
| 74-11-7  | Amended | V. 29, p. 1640 |
| 74-12-1  | Amended | V. 29, p. 1641 |
| 74-15-2  | Revoked | V. 29, p. 1641 |

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

| Reg. No. | Action  | Register       |
|----------|---------|----------------|
| 81-2-1   | 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          |
|-----------|-------------|-------------------|
| 82-1-219  | Amended     | V. 29, p. 1099    |
| 82-3-101a | New         | V. 29, p. 1508    |
| 82-3-120  | Amended     | V. 29, p. 1508    |
| 82-3-311a | New         | V. 29, p. 181     |
| 82-3-1100 |             |                   |
| through   |             |                   |
| 82-3-1120 | New         | V. 29, p. 182-190 |
| 82-4-1    | Amended     | V. 30, p. 1478    |
| 82-4-2    | Amended     | V. 29, p. 1443    |
| 82-4-2a   | New         | V. 30, p. 1480    |
| 82-4-3a   | Amended     | V. 30, p. 1480    |
| 82-4-3d   | Amended     | V. 29, p. 1444    |
| 82-4-3f   | Amended     | V. 30, p. 1481    |
| 82-4-3g   | Amended     | V. 30, p. 1484    |
| 82-4-3i   | Amended     | V. 30, p. 1486    |
| 82-4-3n   | New         | V. 29, p. 1444    |
| 82-4-3o   | New         | V. 29, p. 1445    |
| 82-4-6a   | Amended     | V. 29, p. 1446    |
| 82-4-6d   | Amended     | V. 30, p. 1488    |
| 82-4-8a   | Amended     | V. 30, p. 1489    |
| 82-4-8h   | Amended     | V. 29, p. 1446    |
| 82-4-20   | Amended     | V. 30, p. 1489    |
| 82-4-21   | Amended     | V. 29, p. 1446    |
| 82-4-22   | Amended     | V. 29, p. 1446    |
| 82-4-23   | Amended     | V. 29, p. 1447    |
| 82-4-24a  | Amended     | V. 29, p. 1447    |
| 82-4-26   | Amended     | V. 29, p. 1447    |
| 82-4-26a  | Amended     | V. 29, p. 1447    |
| 82-4-27   | Amended     | V. 29, p. 1447    |
| 82-4-27a  | Amended     | V. 29, p. 1448    |
| 82-4-27c  | Amended     | V. 29, p. 1448    |
| 82-4-27e  | Amended     | V. 29, p. 1449    |
| 82-4-28   | Revoked     | V. 29, p. 1449    |
| 82-4-28a  | Revoked     | V. 29, p. 1449    |
| 82-4-28b  | Revoked     | V. 29, p. 1449    |
| 82-4-30a  | Amended (T) | V. 29, p. 702     |
| 82-4-30a  | Amended     | V. 29, p. 1392    |
| 82-4-31   | Revoked     | V. 29, p. 1450    |
| 82-4-32   | Amended     | V. 29, p. 1450    |
| 82-4-33   | Amended     | V. 29, p. 1450    |
| 82-4-35   | Amended     | V. 29, p. 1450    |
| 82-4-35a  | Amended     | V. 29, p. 1450    |
| 82-4-37   | Revoked     | V. 29, p. 1450    |
| 82-4-40   | Amended     | V. 29, p. 1450    |
| 82-4-42   | Amended     | V. 29, p. 1450    |
| 82-4-48   | Amended     | V. 29, p. 1451    |
| 82-4-48a  | Amended     | V. 29, p. 1451    |
| 82-4-53   | Amended     | V. 29, p. 1451    |
| 82-4-54   | Amended     | V. 29, p. 1452    |
| 82-4-55   | Amended     | V. 29, p. 1452    |
| 82-4-56a  | Amended     | V. 29, p. 1452    |
| 82-4-57   | Amended     | V. 29, p. 1453    |
| 82-4-58   | Amended     | V. 29, p. 1453    |
| 82-4-62   | Revoked     | V. 29, p. 1453    |
| 82-4-63   | Amended     | V. 29, p. 1453    |
| 82-4-65   | Amended     | V. 29, p. 1453    |

|          |         |                      |
|----------|---------|----------------------|
| 82-4-77  | Amended | V. 29, p. 1454       |
| 82-11-4  | Amended | V. 30, p. 1026       |
| 82-11-10 | Amended | V. 30, p. 1030       |
| 82-12-7  | Amended | V. 30, p. 1085       |
| 82-16-1  |         |                      |
| through  |         |                      |
| 82-16-6  | New     | V. 29, p. 1598-1601  |
| 82-17-1  |         |                      |
| through  |         |                      |
| 82-17-5  | New     | V. 29, p. 1136, 1137 |

**AGENCY 88: BOARD OF REGENTS**

| Reg. No.  | Action      | Register           |
|-----------|-------------|--------------------|
| 88-24-1   | Amended     | V. 29, p. 1415     |
| 88-28-1   | Amended     | V. 30, p. 193      |
| 88-28-6   | Amended (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      |
| 88-29-18  | 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      |
| 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 |
| 91-1-230 | 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      |
| 91-40-1  | Amended | V. 29, p. 1093      |
| 91-40-27 | Amended | V. 29, p. 1098      |

**AGENCY 92: DEPARTMENT OF REVENUE**

| Reg. No.  | Action  | Register       |
|-----------|---------|----------------|
| 92-12-66a | 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  |
| 92-24-23  | Amended | V. 29, p. 1633 |
| 92-51-25a | New     | V. 29, p. 1281 |

**AGENCY 94: COURT OF TAX APPEALS**

| Reg. No. | Action  | Register             |
|----------|---------|----------------------|
| 94-2-1   |         |                      |
| through  |         |                      |
| 94-2-21  | Revoked | V. 29, p. 1478, 1479 |
| 94-3-2   | Amended | V. 30, p. 1213       |
| 94-5-1   |         |                      |
| through  |         |                      |
| 94-5-25  | New     | V. 29, p. 1479-1485  |

|   |               |                   |
|---|---------------|-------------------|
| 94-5-8  | Amended       | V. 30, p. 1213    |
| <b>Agency 97: COMMISSION ON VETERANS' AFFAIRS</b> |               |                   |
| <b>Reg. No.</b>                                   | <b>Action</b> | <b>Register</b>   |
| 97-7-1  |               |                   |
| through   |               |                   |
| 97-7-6  | New           | V. 29, p. 252-254 |

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

| Reg. No. | Action  | Register       |
|----------|---------|----------------|
| 99-25-1  | Amended | V. 29, p. 1242 |
| 99-25-9  | Amended | V. 29, p. 1242 |
| 99-25-12 | New     | V. 29, p. 1242 |

**AGENCY 100: BOARD OF HEALING ARTS**

| Reg. No.   | Action  | Register      |
|------------|---------|---------------|
| 100-11-1   | Amended | V. 29, p. 650 |
| 100-28a-5  | Amended | V. 31, p. 323 |
| 100-28a-10 | Amended | V. 31, p. 324 |
| 100-29-1   | Amended | V. 29, p. 598 |
| 100-49-4   | Amended | V. 29, p. 651 |
| 100-55-1   | Amended | V. 29, p. 704 |
| 100-55-7   | Amended | V. 29, p. 651 |
| 100-69-12  | New     | V. 29, p. 704 |
| 100-72-2   | Amended | V. 29, p. 705 |
| 100-73-2   | Amended | V. 29, p. 598 |

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

| Reg. No.  | Action  | Register       |
|-----------|---------|----------------|
| 102-2-3   | Amended | V. 29, p. 340  |
| 102-5-3   | Amended | V. 30, p. 371  |
| 102-6-1   | 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       |
|----------|-------------|----------------|
| 105-4-1  | Amended (T) | V. 29, p. 1338 |
| 105-4-1  | Amended     | V. 29, p. 1506 |
| 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 |

(continued)

|          |             |                |
|----------|-------------|----------------|
| 105-5-2  | Amended (T) | V. 29, p. 1339 |
| 105-5-2  | Amended     | V. 29, p. 1506 |
| 105-5-3  | Amended (T) | V. 29, p. 1339 |
| 105-5-3  | Amended     | V. 29, p. 1506 |
| 105-5-6  | Amended (T) | V. 29, p. 1339 |
| 105-5-6  | Amended     | V. 29, p. 1506 |
| 105-5-7  | Amended (T) | V. 29, p. 1339 |
| 105-5-7  | Amended     | V. 29, p. 1507 |
| 105-5-8  | Amended (T) | V. 29, p. 1340 |
| 105-5-8  | Amended     | V. 29, p. 1507 |
| 105-11-1 | Amended (T) | V. 30, p. 1086 |
| 105-11-1 | Amended     | V. 30, p. 1466 |

**AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION**

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

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

| Reg. No.  | Action      | Register       |
|-----------|-------------|----------------|
| 109-1-1   | 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   | New         | V. 31, p. 247  |
| 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  |
| 109-5-3   | Amended     | V. 29, p. 1282 |
| 109-5-4   | Revoked     | V. 29, p. 113  |
| 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  |
| 109-5-7d  | New (T)     | V. 30, p. 141  |
| 109-5-7d  | New         | V. 30, p. 576  |
| 109-6-1   | Amended     | V. 29, p. 113  |
| 109-6-2   | Amended     | V. 29, p. 113  |
| 109-7-1   | 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  |
| 109-10-7  | New         | V. 29, p. 113  |
| 109-11-1  | Amended     | V. 29, p. 1283 |
| 109-11-1a | New (T)     | V. 30, p. 143  |
| 109-11-1a | New         | V. 30, p. 578  |
| 109-11-3  | Amended     | V. 29, p. 1284 |
| 109-11-3a | New (T)     | V. 30, p. 144  |
| 109-11-3a | New         | V. 30, p. 579  |
| 109-11-4  | Amended     | V. 29, p. 1284 |
| 109-11-4a | New         | V. 31, p. 225  |
| 109-11-6  | Amended     | V. 29, p. 1285 |
| 109-11-6a | New (T)     | V. 30, p. 144  |
| 109-11-6a | New         | V. 30, p. 579  |
| 109-13-1  | 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 Dec. 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 Kansas Register. The following regulations were filed after Dec. 22, 2011:

| Reg. No.    | Action  | Register          |
|-------------|---------|-------------------|
| 111-2-270   |         |                   |
| through     |         |                   |
| 111-2-276   | New     | V. 31, p. 114-116 |
| 111-4-3135  | New     | V. 31, p. 116     |
| 111-4-3136  | New     | V. 31, p. 121     |
| 111-4-3137  |         |                   |
| through     |         |                   |
| 111-4-3142  | New     | V. 31, p. 274-278 |
| 111-4-3144  |         |                   |
| through     |         |                   |
| 111-4-3158  | New     | V. 31, p. 345-354 |
| 111-5-23    |         |                   |
| through     |         |                   |
| 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     |
| 111-5-194   | Amended | V. 31, p. 359     |
| 111-5-200   | New     | V. 31, p. 360     |
| 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     |
| 111-201-14  | Amended | V. 31, p. 361     |
| 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 |
| 111-501-9   | Amended | V. 31, p. 124     |
| 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 |

**AGENCY 112: RACING AND GAMING COMMISSION**

| Reg. No.   | Action  | Register       |
|------------|---------|----------------|
| 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**

| Reg. No.  | Action  | Register       |
|-----------|---------|----------------|
| 115-1-1   | Amended | V. 30, p. 943  |
| 115-2-1   | Amended | V. 29, p. 1602 |
| 115-2-2   | Amended | V. 30, p. 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  |
| 115-4-6   | Amended | V. 29, p. 409  |
| 115-4-6b  | New     | V. 30, p. 332  |
| 115-4-11  | Amended | V. 30, p. 332  |
| 115-5-1   | Amended | V. 30, p. 944  |
| 115-5-2   | Amended | V. 30, p. 945  |
| 115-7-1   | Amended | V. 29, p. 1606 |
| 115-7-3   | Amended | V. 30, p. 1665 |
| 115-7-6   | Amended | V. 30, p. 1665 |
| 115-7-8   | Revoked | V. 29, p. 1607 |
| 115-7-9   | Amended | V. 30, p. 536  |
| 115-7-10  | Amended | V. 30, p. 1665 |
| 115-8-1   | Amended | V. 30, p. 1467 |
| 115-8-6   | 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 |
| 115-16-3  | 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 |

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|-----------|---------|----------------|
| 115-17-5  | Amended | V. 30, p. 1470 |
| 115-17-10 | Amended | V. 30, p. 1470 |
| 115-17-11 | Amended | V. 30, p. 1470 |
| 115-17-12 | Amended | V. 30, p. 1471 |
| 115-18-7  | Amended | V. 29, p. 659  |
| 115-18-20 | Amended | V. 29, p. 1608 |
| 115-20-7  | New     | V. 29, p. 659  |
| 115-30-13 | New     | V. 30, p. 1666 |

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

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

**AGENCY 120: KANSAS HEALTH POLICY AUTHORITY (FORMERLY HEALTH CARE DATA GOVERNING BOARD)**

| Reg. No. | Action  | Register       |
|----------|---------|----------------|
| 120-1-2  | Revoked | V. 30, p. 1024 |

**AGENCY 121: DEPARTMENT OF CREDIT UNIONS**

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

**AGENCY 123: JUVENILE JUSTICE AUTHORITY**

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

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

| Reg. No.   | Action  | Register      |
|------------|---------|---------------|
| 129-5-1    | Amended | V. 31, p. 171 |
| 129-5-118  | Amended | V. 29, p. 293 |
| 129-5-118a | New     | V. 29, p. 294 |
| 129-5-118b | Amended | V. 29, p. 296 |
| 129-10-31  | New     | V. 30, p. 92  |

**AGENCY 130: HOME INSPECTORS REGISTRATION BOARD**

| Reg. No. | Action  | Register      |
|----------|---------|---------------|
| 130-1-2  | New (T) | V. 29, p. 38  |
| 130-1-2  | New     | V. 29, p. 567 |

|         |             |                |
|---------|-------------|----------------|
| 130-1-3 | New (T)     | V. 29, p. 38   |
| 130-1-3 | New         | V. 29, p. 567  |
| 130-1-4 | Amended     | V. 29, p. 567  |
| 130-2-1 | Amended (T) | V. 30, p. 1629 |
| 130-2-1 | Amended     | V. 31, p. 224  |
| 130-3-1 | New (T)     | V. 29, p. 38   |
| 130-3-1 | New         | V. 29, p. 568  |
| 130-4-1 | New (T)     | V. 29, p. 39   |
| 130-4-1 | New         | V. 29, p. 794  |
| 130-4-2 | New (T)     | V. 29, p. 39   |
| 130-4-2 | New         | V. 29, p. 794  |
| 130-5-2 | New         | V. 29, p. 569  |

**AGENCY 131: COMMITTEE ON SURETY BONDS AND INSURANCE**

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

**AGENCY 132: KANSAS 911 COORDINATING COUNCIL**

| Reg. No. | Action | Register      |
|----------|--------|---------------|
| 132-2-1  | New    | V. 31, p. 223 |
| 132-4-1  | New    | V. 31, p. 224 |

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