



# Kansas Register

Kris W. Kobach, Secretary of State

Vol. 35, No. 3

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Pages 25-52

## In this issue ...

Page

<b>Board of Emergency Medical Services</b>	
Notice of meetings.....	26
<b>Advisory Committee on Trauma</b>	
Notice of meeting .....	26
<b>Board of Adult Care Home Administrators</b>	
Notice of 2015 meeting schedule.....	26
<b>Kansas Children’s Cabinet and Trust Fund</b>	
Notice of meeting .....	26
<b>Department of Administration—Office of Facilities and Property Management</b>	
Notice of requested landscape architectural services .....	27
<b>Kansas Board of Regents Universities</b>	
Notice to bidders .....	27
<b>Department of Agriculture—Division of Animal Health</b>	
Notice of hearing on proposed administrative regulations .....	27
<b>Pooled Money Investment Board</b>	
Notice of investment rates.....	28
<b>Kansas Department of Transportation</b>	
Notice to contractors .....	28
<b>Wildlife, Parks and Tourism Commission</b>	
Notice of hearing on proposed administrative regulations .....	29
<b>Attorney General</b>	
Opinions 2015-11 through 2015-19.....	30
<b>Kansas Guardianship Program</b>	
Notice of meeting .....	31
<b>Department of Health and Environment</b>	
Request for comments on proposed air quality permit .....	31
Notice of major administrative actions at hazardous waste facilities.....	32
Notice concerning water pollution control permits/applications .....	33
Notice of hearing on proposed Kansas Public Water Supply Loan Fund 2016 Intended Use Plan revision.....	35
<b>Kansas Development Finance Authority</b>	
Notice of hearing on proposed revenue bonds.....	35
<b>Department of Agriculture—Division of Conservation</b>	
Notice to contractors .....	36
Notice of authorization to proceed with on-call engineering services.....	36
<b>City of Overland Park</b>	
Notice to bidders .....	36
<b>Notice of Bond Sale</b>	
City of Hutchinson .....	37
Unified Government of Wyandotte County/Kansas City, Kansas .....	42
<b>Office of the Governor</b>	
Executive order 16-01, protecting Kansas from terrorism.....	38
<b>Department of Administration—Procurement and Contracts</b>	
Notice to bidders for state purchases .....	38
<b>State Board of Healing Arts</b>	
Notice of hearings on proposed administrative regulations.....	39
<b>Department of Revenue—Division of Property Valuation</b>	
Notice of hearing on proposed administrative regulation.....	40
<b>Kansas Racing and Gaming Commission</b>	
Notice of hearing on proposed administrative regulations .....	41
<b>Department for Children and Families</b>	
Request for proposals for Early Head Start Child Care Partnership grants.....	41
Request for proposals for Early Head Start Home Visitation grants.....	42
<b>Legislative bills and resolutions introduced January 11-13.....</b>	<b>43</b>
<b>Permanent Administrative Regulations</b>	
Department of Administration.....	44
Department of Health and Environment—Division of Health Care Finance .....	46
<b>Index to administrative regulations .....</b>	<b>50</b>

## State of Kansas

**Board of Emergency Medical Services****Notice of Meetings**

The Board of Emergency Medical Services will meet at 9 a.m. Friday, February 5, 2016, in Room 509 of the Landon State Office Building, 900 S.W. Jackson, Topeka. Meetings for the Planning and Operations Committee, the Education, Examination, Certification and Training Committee, the Investigation Committee and the Executive Committee will be held Thursday, February 4, 2016, starting at 9 a.m. at the same location. Items on the agenda for the board meeting can be found on the board's website at <http://www.ksbems.org>.

All meetings of the board are open to the public. For more information, contact the executive director, Room 1031, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1228 or 785-296-7296.

Joseph House  
Executive Director

Doc. No. 044222

## State of Kansas

**Advisory Committee on Trauma****Notice of Meeting**

The Advisory Committee on Trauma will meet from 10 a.m. to 3 p.m. Wednesday, February 3, 2016, at the Kansas Medical Society, 623 S.W. 10th Ave., Topeka.

Susan Mosier, M.D.  
Secretary of Health  
and Environment

Doc. No. 044229

## State of Kansas

**Board of Adult Care Home Administrators****Notice of 2015 Meeting Schedule**

The Complaint Investigatory Committee of the Board of Adult Care Home Administrators will meet at 11 a.m. March 4, June 3, September 9 and December 9, 2016, at Rasmussen College, 620 S.W. Governor View, Topeka, Kansas. The regular quarterly meeting of the Board of Adult Care Home Administrators will follow at 1 p.m. on the same dates in the same location.

Brenda Kroll, Licensing Administrator  
Health Occupations Credentialing

Doc. No. 044220

## State of Kansas

**Children's Cabinet and Trust Fund****Notice of Meeting**

The Kansas Children's Cabinet and Trust Fund will conduct a board meeting from 9:30 a.m. to 1 p.m. Friday, February 5, 2016, in Marvin Auditorium Room 101-A at the Topeka & Shawnee County Public Library, 1515 S.W. 10th Ave., Topeka.

Janice Suzanne Smith  
Executive Director

Doc. No. 044230

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## State of Kansas

**Department of Administration  
Office of Facilities and Property Management**
**Notice of Requested "On-Call"  
Landscape Architectural Services**

Notice is hereby given of the commencement of the selection process for "on-call" landscape architectural services for small projects at Fort Hays State University. Services are required for projects of \$1,000,000 or less. One firm will be selected. Contracts will be for three years.

For more information contact Dana Cunningham at [dcunning@fhsu.edu](mailto:dcunning@fhsu.edu) or 785-628-4424. Firms interested in providing these services should be familiar with the requirements found in Part B – Chapter 4 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at <http://admin.ks.gov/offices/ofpm/dcc/f-and-d>. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 MB and follow the current State Building Advisory Commission guidelines which can be found in Part B – Chapter 2 of the Building Design and Construction Manual at <http://www.admin.ks.gov/offices/ofpm/dcc/bdcm>.

Proposals should be sent on a CD, DVD or flash drive along with a transmittal to Randy Riveland, Office of Facilities and Property Management, Suite 700, 800 S.W. Jackson, Topeka, 66612-1216. Proposals sent via email will no longer be accepted and paper copies of the proposals are no longer required. It is the proposer's responsibility to ensure proposals are received by the closing date and time. Delays in mail delivery or any other means of transmittal, including couriers or agents of the issuing entity, shall not excuse late proposal submissions. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of Randy Riveland by 2 p.m. on or before February 5, 2016.

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

Doc. No. 044223

## 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 infor-

mation, 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: [tshepher@emporia.edu](mailto:tshepher@emporia.edu). Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801-5415.

**Fort Hays State University** – Bid postings: [www.fhsu.edu/purchasing/bids](http://www.fhsu.edu/purchasing/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: [purch@pittstate.edu](mailto:purch@pittstate.edu). Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

**University of Kansas** – Electronic bid postings: <http://www.procurement.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 20, 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.

Kathy Herrman  
Chair of Regents Purchasing Group  
Director of Purchasing  
Fort Hays State University

Doc. No. 043663

## State of Kansas

**Department of Agriculture  
Division of Animal Health**
**Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Tuesday, March 22, 2016, in the first floor meeting room, Room 124, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, to consider the adoption of proposed regulations.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving

(continued)

ing written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the secretary of agriculture, 1320 Research Park Drive, Manhattan, 66502, or by email at [ronda.hutton@kda.ks.gov](mailto:ronda.hutton@kda.ks.gov). All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. These regulations are proposed for adoption on a permanent basis. A summary of the proposed regulations and their economic impact follows:

**K.A.R. 9-18-31** states the methods pet animal licensees must follow for the euthanasia of animals.

**K.A.R. 9-26-1** is the existing regulation related to euthanasia of pet animals, and is to be revoked.

**Economic Impact Statement:**

The regulations are proposed for adoption by the Kansas Animal Health Commissioner to implement the Kansas Pet Animal Act. K.S.A. 47-1718, amended in 2015, which requires the Commissioner to promulgate rules and regulations regarding acceptable methods of euthanasia of pet animals, consistent with, or more stringent than, guidelines adopted by the American Veterinary Medical Association. The existing regulation on this subject will be revoked. These proposed regulations are not mandated by Federal Law.

The proposed regulations should not have a negative fiscal impact upon the Kansas Department of Agriculture.

No significant financial impact on other governmental agencies or private businesses or individuals is expected. K.A.R. 9-18-31 prohibits the use of inhaled carbon monoxide as a method of euthanasia, which would require an animal shelter or other licensed pet animal facility to employ another approved method pursuant to the AVMA guidelines.

No other less costly or intrusive methods were considered.

The proposed regulations are not expected to have an environmental impact.

Any individual with a disability may request accommodations in order to participate in the public hearing and may request the proposed regulations and impact statements in an accessible format. Requests for accommodations should be made at least five working days in advance of the hearing by contacting Ronda Hutton at 785-564-6715 or by fax at 785-564-6777. Handicapped parking is located on the west side of the building located at 1320 Research Park Drive, Manhattan, and the west entrance to the building is accessible to individuals with disabilities.

Copies of the regulations and their economic impact statements may be obtained by contacting Ronda M. Hutton at the contact information above or by accessing the department's website at [agriculture.ks.gov](http://agriculture.ks.gov). Comments may also be made through our website under the proposed regulation.

Jackie McClaskey  
Secretary of Agriculture

Doc. No. 044225

**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. 2014 Supp. 12-1675(b)(c)(d) and K.S.A. 2014 Supp. 12-1675a(g).

<b>Effective 1-18-16 through 1-24-16</b>	
<b>Term</b>	<b>Rate</b>
1-89 days	0.36%
3 months	0.33%
6 months	0.50%
12 months	0.75%
18 months	0.87%
2 years	0.97%

Scott Miller  
Director of Investments

Doc. No. 044219

**State of Kansas**

**Department Of Transportation**

**Notice to Contractors**

Electronic copies of the letting proposals and plans are available on the KDOT website at <http://www.ksdot.org/burconsmain/contracts/proposal.asp>. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "NonBid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid no later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject your bid. The Secretary reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2007 edition of the Kansas Department of Transportation's *Standard Specifications for State Road and Bridge Construction*.

KDOT will only accept electronic internet proposals using the Bid Express website at <http://www.bidx.com> until 1 p.m. local time February 17, 2016. KDOT will open and read these proposals at the Eisenhower State Office Building, 700 S.W. Harrison, Topeka, at 1:30 p.m. local time February 17, 2016. An audio broadcast of the bid letting is available at <http://www.ksdot.org/burconsmain/audio.asp>.

Each bidder shall certify that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This certification shall be in the form of a required contract provision provided by the state to each prospective bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will

make the bid nonresponsive and not eligible for award consideration.

#### District One – Northeast

**Lyon**–99-56 KA-4240-01 – K-99, from the north city limits of Emporia, north and east to 0.1 mile north of the K170/K99 junction, milling and overlay, 10.5 miles. (State Funds)

#### District Two – North Central

**Dickinson**–70 21 KA-4237-01–I-70, from 0.4 mile west of K-15 (Abilene), east to 2.3 miles east of east K-43 junction, special maintenance, 8.4 miles. (State Funds)

**Mitchell**–14-62 KA-3045-01–K-14, from 2,260 feet north of 8th Street, then north 1,090 feet in Beloit, grade and surfacing, 0.2 mile. (State Funds)

**Morris**–64 TE-0382-01–From the existing River Walk Trail south to the Flint Hills Nature Trail and north to Market Street, pedestrian and bicycle paths. (Federal Funds)

**Republic**–81-79 KA-3237-01 – U.S. 81, from 8.5 miles north of the Republic/Cloud county line, north to 1 mile north of U.S. 36, pavement reconstruction, 3.7 miles. (State Funds)

#### District Three – Northwest

**Phillips**–74 C-4698-01–3 miles north and 4.0 miles east of Long Island, bridge replacement, 0.3 mile. (Federal Funds)

**Phillips**–36-74 KA-4239-01- U.S. 36, from the east city limits of Phillipsburg, east 13.58 miles to the Phillips/Smith county line, sealing, 13.6 miles. (State Funds)

**Smith**–92 C-4704-01–1.5 miles south and 2.0 miles east of Smith Center, bridge replacement, 0.3 mile. (Federal Funds)

#### District Four – Southeast

**Crawford**–07-19 KA355201–Girard Geometric Improvement, K-47/K-7 intersection, intersection improvement, 0.3 mile. (State Funds)

**Statewide**–106 KA-4241-01–U.S.166, from the east end of Bridge #085 (U.S. 166 over Neosho River near Chetopa), east to the Labette/Cherokee county line; U.S. 166, from the Cherokee/Labette county line, east to the west city limits of Baxter Springs, ¾-inch overlay, 18.7 miles. (State Funds)

**Statewide**–106 KA-4250-01- K-58, from the K-99 junction east 12.5 miles to the Greenwood /Coffey county line; K-58, from the Greenwood/Coffey county line east 13.2 miles to U.S. 75 junction; K-249, from the K-99 junction north .71 mile to the K-58 junction, sealing, 26.4 miles. (State Funds)

#### District Five – South Central

**Barton**–56-5 KA-2051-01 – U.S. 56, bridge #005, 5.8 miles east of U.S. 56/K-156 junction (from the west city limits of Ellinwood, east to 0.5 mile east of the east city limits of Ellinwood), bridge replacement, 1.7 miles. (Federal Funds)

**Barton**–5 TE-0375-01–K-4 overlook, located 2.2 miles east of Redwing, construct parking lot and sidewalks for overlook, landscaping and beautification. (Federal Funds)

**Barton**–5 TE-0423-01–K-4 overlook, located 2.2 miles east of Redwing, install a viewing tower, landscaping and beautification. (Federal Funds)

**Harvey**–135-40 KA-4236-01–I-135, from the Harvey/Sedgwick county line north to the south city limits of

Newton, 3-inch overlay, 7.5 miles. (State Funds)

**Sedgwick**–235-87 KA-3109-01–I-235, Bridges #096 and #097 (Arkansas River) located 1.09 and 1.08 miles north-east of Bickell Street; bridge #098 (25th Street) located at the junction of I-235/25th Street; bridges #099 and #100 (Wichita Flood Control Canal) located 0.69 & 0.7 mile northeast of 25th Street, bridge replacement. (Federal Funds)

#### District Six – Southwest

**Ford**–400-29 KA-4238-01 – U.S. 400, from the end of the concrete pavement, southeast to Ford/Ensign Road (north of Ford), slurry seal, 14.5 miles. (State Funds)

Mike King  
Secretary of Transportation

Doc. No. 044226

### State of Kansas

## Wildlife, Parks and Tourism Commission

### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted by the Wildlife, Parks and Tourism Commission at 6:30 p.m. Thursday, March 24, 2016, at the Kansas Historical Museum, 6425 S.W. 6th, Topeka, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks and Tourism.

A general discussion and workshop meeting on business of the Wildlife, Parks and Tourism Commission will begin at 1 p.m. March 24 at the location listed above. The meeting will recess at approximately 5 p.m., then resume at 6:30 p.m. at the same location for the regulatory hearing and more business. There will be public comment periods at the beginning of the afternoon and evening meeting for any issues not on the agenda and additional comment periods will be available during the meeting on agenda items. Old and new business may also be discussed at this time. If necessary to complete business matters, the Commission will reconvene at 9 a.m. March 25 at the same location.

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

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulations.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife, Parks and Tourism, 1020 S. Kansas Ave., Suite 200, Topeka, 66612 or to sheila.kemmis@ksoutdoors.com if electronically. All interested parties will be given a reasonable opportunity at the hearing

(continued)

to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

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

**K.A.R. 115-8-1.** This permanent regulation establishes special restrictions for department lands and waters. The proposed amendments are updates to the public lands division reference document.

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

**K.A.R. 115-25-8.** This exempt regulation establishes the open season, bag limits and permits for elk season. The proposed version of the regulation merely updates the season dates for the 2016-2017 season.

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

**K.A.R. 115-25-9.** This exempt regulation establishes the open season, bag limits and permits for deer season. The proposed version of the regulation merely updates the dates for the 2016-2017 season.

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

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

Gerald Lauber  
Chairman

Doc. No. 044234

State of Kansas

Attorney General

Opinion 2015-11

**Re: State Departments; Public Officers and Employees—Firearms—Personal and Family Protection Act; Restrictions on Carrying Concealed Handgun; Liabilities; Sign Requirements June 24, 2015**

**Synopsis:** The definition of “state or municipal building” in the Personal and Family Protection Act (PFPA) excludes county-owned buildings leased in their entirety by private entities. A private non-profit entity that leases a county-owned building is not required to install adequate security measures in order to prohibit the carrying of concealed handguns inside the building. The PFPA shields private entities from increased liability following the 2013 amendments to the PFPA. Cited herein: K.S.A. 2014 Supp. 75-7c01; 75-7c10; 75-7c20; 75-7c24; 75-6102; K.S.A. 2013 Supp. 75-7c10; K.A.R. 16-11-7; K.A.R. 16-13-1. SF

Opinion 2015-12

**Re: Schools—Community Colleges—Community College Elections—Board of Trustees; Composition; Methods of Election; Membership Prohibited for College Employees; Terms of Members**

**Synopsis:** A member of a community college's board of trustees shall not be an employee of the community college; there is no provision allowing a member of the board of trustees to defer his or her term while working as an employee of the community college. Cited herein: K.S.A. 2014 Supp. 71-201; K.S.A. 71-1403(d); 71-1412.

Opinion 2015-13

**RE: Counties and County Officers—Hospitals and Related Facilities; Definitions; Deposit of Hospital Moneys, Transfer of Money to Not-for-Profit Corporation; Title to Property July 23, 2015**

**Synopsis:** The board of county commissioners has the authority to establish a county hospital and an additional hospital or clinic under the Hospital and Related Facilities Act. Such hospital or clinic must be located within the territorial boundaries of the county. The title for the property of the hospital and clinic is vested in the name of the county where they are located. The board that operates and manages the county hospital cannot use hospital moneys to fund directly a clinic located outside the territorial boundaries of the county where the county hospital is located. The board also is limited in the types of hospital moneys that it can transfer to a not-for-profit corporation and must first determine if such transfer is in the best interests of the hospital and the residents within the county that the hospital serves. Cited herein: K.S.A. 13-14b01; 13-14b08; 14-693; K.S.A. 2014 Supp. 14-695; K.S.A. 19-101; K.S.A. 2014 Supp. 19-101a; K.S.A. 19-4601; 19-4603; 19-4605; 19-4606 K.S.A. 2014 Supp. 19-4608; 19-4610; K.S.A. 19-4611; 19-4613; 19-4624; 19-4625; 80-2503. JLA

Opinion 2015-14

**Re: Crimes and Punishments—Crimes Against the Public Safety—Criminal Use of Weapons**

**Unfair Trade and Consumer Protection—Manufacturers of Firearms, Firearms Accessories, Ammunition—Second Amendment Protection Act; Personal Firearms, Accessories and Ammunition Manufactured in Kansas, July 27, 2015**

**Synopsis:** The defense of compliance with the National Firearms Act (NFA) is available to a person in possession of a firearm sound suppressor that is manufactured in Kansas and remains within Kansas state borders. State law requires a person to comply with the NFA if he or she wishes to lawfully possess *any* firearm sound suppressor in Kansas, including those that are manufactured in Kansas and remain within Kansas state borders. Cited herein: K.S.A. 2014 Supp. 21-6301, as amended by L. 2015, Ch. 16, § 2; 50-1201; 50-1203; 50-1204; 50-1206; 26 U.S.C. § 5845. SF

Opinions 2015-15

**RE: Cities and Municipalities—Libraries—Powers and Duties of Board; Investment of Gifts and Donations**

**Cities and Municipalities—Miscellaneous Provisions—Investment of Public Moneys by Governmental Subdivisions, Units and Entities; Conditions and Limitations; Investments of Gifts and Donations September 17, 2015**

**Synopsis:** K.S.A. 12-1225(h) authorizes a municipal library organized under K.S.A. 12-1218 *et seq.* to invest an unrestricted gift or donation in the manner the board believes will best serve the interests of the library, but such investment is not limited to the investments authorized in K.S.A. 2015 Supp. 12-1675. Gifts and donations received by the library board are public funds. Investments must be prudent in order to insure the financial integrity of such public funds, and the library board must retain the power to control the investments and cannot delegate such power to a private entity. Cited herein: K.S.A. 2-1920; 12-1225; K.S.A. 2015 Supp. 12-1675; 12-5809; K.S.A. 17-1338; K.S.A. 2015 Supp. 19-101a; K.S.A. 20-3130; 73-436; 80-404. JLA

**Opinion 2015-16**

**Re: Fire Protection—Fire Safety and Prevention—Fire Safety and Prevention; School Buildings; Construction, Reconstruction or Renovation Requirements; Building Plans, Certification; Rules and Regulations September 22, 2015**

**Synopsis:** State law preempts local building and electric codes for school buildings as a matter of statewide concern. A city may not condition the grant of a building permit for a school building on compliance with local building codes. Cited herein: Kan. Const. Art. 12, §5; K.S.A. 2015 Supp. 31-150. CP

**Opinion 2015-17**

**Re: State Departments; Public Officers and Employees—Firearms—Personal and Family Protection Act; Restrictions on Carrying a Concealed Handgun; Concealed Handguns in Public Buildings**

**Synopsis:** The Personal and Family Protection Act (PFPA) does not authorize a city to adopt a “prescreen” process whereby certain members of the public may apply to be approved to bypass security measures at the public entrances to the city hall. Cited herein: K.S.A. 2015 Supp. 21-6309; 75-7c01; K.S.A. 2012 Supp. 75-7c10; K.S.A. 2015 Supp. 75-7c10; 75-7c17; 75-7c20; 75-6102.

**Opinion 2015-18**

**Re: Roads and Bridges—Roads—General Provisions—Laying Out and Opening Roads—Laying Out, Altering or Vacating Roads**

**Roads and Bridges—Roads—General Provisions—Laying Out and Opening Roads—Laying Out, Altering or Vacating Roads; Notice October 26, 2015**

**Synopsis:** Before vacating a road on its own motion, a board of county commissioners must follow the statutory notice requirements contained in K.S.A. 68-102a. The viewing and report requirements contained in K.S.A. 2015 Supp. 68-104 and K.S.A. 68-106 only apply when a road is installed, altered, or removed following a petition of any adjacent landowner. Cited herein: K.S.A. 68-102;

68-102a; 68-103; K.S.A. 2015 Supp. 68-104; K.S.A. 68-106; L. 1931, Ch. 243, § 2; L. 1981, Ch. 173, § 67; L. 1999, Ch. 146, §§ 1, 2. CP

**Opinion 2015-19**

**Re: Constitution of the State of Kansas—Judicial—Selection of Justices of the Supreme Court; Supreme Court Nominating Commission; Prohibition Against Members Holding Public Office by Appointment; Prohibition Against Holding Any Other Public Office by Appointment November 18, 2015**

**Synopsis:** A person selected by the Secretary of the Kansas Department of Health and Environment to serve as a Deputy Secretary in the Division of Environment does not hold a “public office by appointment,” and therefore is not prohibited from simultaneously serving as a non-attorney member of the Supreme Court Nominating Commission. Cited herein: K.S.A. 20-119; 20-120; 20-124; Kan. Const., Art. 3, § 5. AEA

Derek Schmidt  
Attorney General

Doc. No. 044232

**State of Kansas**

**Kansas Guardianship Program**

**Notice of Meeting**

The Kansas guardianship Program will conduct its governing board meeting from 3:30 to 5 p.m. Wednesday, January 27, 2016, at the State Capitol Building, Room 121-E, Topeka. For more information call 785-587-8555.

Jean Krahn  
Executive Director

Doc. No. 044233

**State of Kansas**

**Kansas Department of Health and Environment**

**Request for Comments**

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

Frito-Lay, Inc., 7701 Legacy Drive, Plano, TX 75024, owns and operates a potato, corn, and specialty snack producer facility located at 4236 S.W. Kirklawn Ave., Topeka, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process are

(continued)

available for public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Northeast District Office, 800 West 24th St., Lawrence. To obtain or review the proposed permit and supporting documentation contact Allyson Prue, 785-296-1994, at the KDHE central office, or Pat Simpson, 785-842-4600, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Allyson Prue, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than noon Monday, February 22, 2016.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Allyson Prue, KDHE, Bureau of Air, no later than noon on Monday, February 22, 2016, in order for the Secretary of Health and Environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region 7, Air Permitting and Compliance Branch, 11201 Renner Blvd., Lenexa, KS 66219, 913-551-7960, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Susan Mosier, M.D.  
Secretary of Health  
and Environment

Doc. No. 044227

## State of Kansas

### Department of Health and Environment

#### Notice of Major Administrative Actions at Hazardous Waste Facilities

The Hazardous Waste Permits Section of the Bureau of Waste Management has available for review a list of all permit modifications and major administrative actions for facilities that treat, store or dispose of hazardous waste in Kansas that were finalized or approved from January 1, 2015 through December 31, 2015. The publication of this list fulfills the requirement of the Memorandum of Agreement as agreed upon by Kansas Department of Health and Environment and the Environmental Protection Agency.

dum of Agreement as agreed upon by Kansas Department of Health and Environment and the Environmental Protection Agency.

For further information contact Miles Stotts, chief, Hazardous Waste Permits Section, at 785-296-1609.

#### Abbott Laboratories — EPA I.D. KSD981495567

02/03/2015 Approval of Post-Closure Plan, Sampling and Analysis Plan, and Operation and Maintenance Plan

#### Air Products Manufacturing Corporation — EPA I.D. KSD007237746

03/09/2015 Temporary Authorization Approval for storing hazardous waste liquids in tank trucks or rail cars for off-site treatment during repair of boiler permitted to burn hazardous waste liquids for energy recovery

#### Ash Grove Cement Company — EPA I.D. KSD031203318

01/26/2015 Class 1 permit modification, Part A update and notification of new facility site contact  
04/17/2015 Class 1 permit modification, contingency plan updates to the emergency coordinator, emergency contacts, and contingency plan certification  
07/20/2015 Temporary authorization, extension of 10-day rail car unloading requirement during facility comprehensive performance testing

#### Cessna Pawnee — EPA I.D. KSD007233596

01/12/2015 Finalized the Groundwater Monitoring and Corrective Action System Operation and Maintenance Inspection Report

#### CHS Inc. (Formerly NCRA) — EPA I.D. KSD007145956

03/18/2015 Class 1 Permit Modification Approval for Revised Post-Closure Plan for Hazardous Waste Land Farm (includes bundle cleaning slab design and operation)  
06/01/2015 Class 1 Permit Modification, Revised Part A received as notification of facility ownership change from NCRA to CHS Inc. on September 1, 2015  
12/09/2015 Approval of CHS Inc. Revised Hazardous Waste Land Farm Sampling and Analysis Plan  
12/14/2015 Class 1 Permit Modification Approval of CHS Inc. Revised Hazardous Waste Land Farm Post-Closure Plan

#### Clean Harbor – Wichita — EPA I.D. KSD007246846

03/10/2015 Class 1 Permit modification for Contingency Plan modification  
04/27/2015 Class 1 Permit modification for change of site contact person

#### Coffeyville Resources Refining and Marketing, LLC — EPA I.D. KSD007138605

01/13/2015 Environmental Agreement to transition RCRA Corrective Action Oversight from EPA to KDHE.

#### Day & Zimmermann — EPA I.D. KSR000511964

01/30/2015 Review and Approval of Soil Sampling Report and Draft Soil Remediation Work Plan for corrective action in 1000 and 1100 Area Solid Waste Management Units (SWMUs)  
06/04/2015 Review and Approval of Final Soil, Surface Water, and Sediment Sampling Work Plan for corrective action outside of the Open Detonation Grounds within the 2700 Area SWMU



- 07/10/2015 Review and Approval of Final Closure Report for several permitted Hazardous Waste Storage Facilities
- 09/21/2015 Hazardous Waste Management Facility Draft Permit 45-day public comment period begins
- 10/16/2015 Review and Approval of Draft Aboveground Storage Tank Soil Sampling Report and Soil Remediation Work Plan for corrective action in 1000 and 1100 Area SWMUs
- 12/18/2015 Hazardous Waste Management Facility Permit issued; effective January 18, 2016

**E.I. DuPont De Nemours & Company Inc. – EPA I.D. KSD133579698**

- 04/06/2015 Operation and Maintenance Inspection
- 12/31/2015 Operation and Maintenance Inspection Report

**Former Farmland Nitrogen Plant – EPA I.D. KSD007128507**

- 05/15/2015 CRS Unit Soil Remediation Project Completed

**Great Plains Development Authority – EPA I.D. KS0213820467**

- 12/11/2015 Approval of the Closure Plan Schedule for Igloo A019

**Kansas State University – EPA I.D. KSD980632772**

- 05/13/2015 Approval of Revised Sampling and Analysis Plan

**MRP Properties Company, LLC – EPA I.D. KSD087418695**

- 10/26/2015 Operation and Maintenance Inspection at Facility

**Safety-Kleen – Dodge City – EPA I.D. KSD980686844**

- 04/06/2015 Conditional Approval of the Facility Wide Closure Work Plan
- 09/17/2015 Approval of Closure of permitted units–10,000 Gallon Above-ground Storage Tank, Return/Fill Station Dumpster, and Container Storage Area

**Systech Environmental Corp – EPA I.D. KSD980633259**

- 03/12/2015 Class 1 permit modification, hazardous waste storage Tank #6 Recertification with minor ancillary piping changes
- 06/16/2015 Class 1 permit modification, updated Facility Emergency Contact
- 08/10/2015 Class 1 permit modification, updated Facility Emergency Contact

**Williams Petroleum Services (WPS), LLC – EPA I.D. KSD007235138**

- 02/03/2015 Approval of Post-Closure Plan and Sampling and Analysis Plan
- 05/18/2015 Human Health Risk Assessment Completed

Susan Mosier, M.D.  
Secretary of Health  
and Environment

Doc. No. 044231

**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. En-

vironmental 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-16-011/017**

**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Leo Schwartz Pork Chop Acres, Inc. 2051 20 <sup>th</sup> Road Washington, KS 66968	SE/4 of Section 20, T02S, R04E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-S024

This permit is being reissued for an existing facility with a maximum capacity of 500 head (200 animal units) of swine more than 55 pounds and 600 head (60 animal units) of swine 55 pounds or less, for a total of 260 animal units. This represents a decrease in permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Dr. Bill Pannbacker Camp Creek Feedlot 2109 18 <sup>th</sup> Road Washington, KS 66968	SE/4 of Section 10, T03S, R03E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-B011

This is a renewal permit for a new facility with the maximum capacity of 950 head (950 animal units) of cattle weighing greater than 700 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Cecil Wiebe 7231 N.W. 170 <sup>th</sup> St. Burns, KS 66840	NE/4 of Section 10, T23S, R04E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-B006

This permit is being reissued for an existing facility with a maximum capacity of 500 head (200 animal units) of swine more than 55 pounds, 200 head (200 animal units) of cattle more than 700 pounds, and 550 head (275 animal units) of cattle 700 pounds or less, for a total of 675 animal units of swine and cattle. There is no change in the permitted animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Quentin Ensz Cedar Ridge Farms, Inc. 7680 N.W. 120th Potwin, KS 67123	SW/4 of Section 34, T23S, R04E, Butler County	Walnut River Basin

Kansas Permit No. A-WABU-S002

(continued)

This is a renewal permit for an existing facility with a maximum capacity of 835 head (334 animal units) of swine weighing more than 55 pounds, 250 head (25 animal units) of swine weighing 55 pounds or less, 300 head (300 animal units) of cattle weighing more than 700 pounds and 300 head (150 animal units) of cattle weighing less than 700 pounds for a total capacity of 1,685 head (809 animal units). There is no change in the permitted animal units.

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

This is a renewal permit for an existing facility for the confined feeding of 12,720 head (5,088 animal units) of swine weighing more than 55 pounds, and 4,960 head (496 animal units) of swine weighing less than 55 pounds. There is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Dennis Bradford Bradford Feedyard 28326 S.E. D Road Jetmore, KS 67854	S/2 of Section 18, T24S, R23W, Hodgeman County	Upper Arkansas River Basin
Kansas Permit No. A-UAHG-C010		Federal Permit No. KS0096261

This is a renewal permit for an existing facility with a maximum capacity of 3,500 head (1,750 animal units) of cattle weighing 700 pounds or less. There is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Virgil J. Katzer 17640 N.W. 1600 Road Garnett, KS 66032	NW/4 of Section 27, T20S, R19E, Anderson County	Marais des Cygnes River Basin
Kansas Permit No. A-MCAN-S029		

This is a renewal permit for an existing facility with a maximum capacity of 400 head (160 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units.

**Public Notice No. KS-Q-16-002/005**

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Adorers of the Blood of Christ 1165 S.W. Boulevard Wichita, KS 67213	Wichita/Valley Center Floodway via Wichita Storm Drainage via Convent Lake	Cooling Water
Kansas Permit No. I-AR94-CO49		Federal Permit No. KS0100137
Legal Description: NW¼, S25, T27S, R1W, Sedgwick County, KS		
Facility Name: Wichita Center Convent & Newman University Science Bldg.		

The proposed action consists of reissuance of an existing Kansas/NP-DES Water Pollution Control permit for an existing facility. Water from two wells is seasonally pumped into chiller cooling systems and directly into Convent Lake. This is a single pass system that uses no chemicals. The proposed permit contains generic language to protect waters of the state.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Bonner Springs, City of P.O. Box 38 Bonner Springs, KS 66012	Kansas River	Process Wastewater
Kansas Permit No. I-KS06-PO07		Federal Permit No. KS0099791
Legal Description: SW¼, SW¼, S28, T11S, R23E, Wyandotte County, KS		

Facility Name: Bonner Springs Water Treatment Plant

Facility Location: 12401 Kaw Drive, Bonner Springs, KS 66012

The proposed action consists of reissuance of an existing Kansas/NP-DES Water Pollution Control permit for an existing facility. This is a public water treatment plant that treats and removes iron and manganese from well water, using oxidants and high pressure filtration. Chemicals used in the treatment process include chlorine, sodium fluoride, potassium permanganate, polymers, phosphates, ammonium sulfate and zinc orthophosphate for corrosion control. Sodium thiosulfate is added to the settling tank to reduce the chlorine residual. After settling, the tank contents are decanted and the clear supernatant is discharged to the Kansas River via Outfall 001A1. The residual wastewater with the settled solids is drained into the city sanitary sewer. The proposed permit contains limits for total suspended solids, total residual chlorine, and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
N.R. Hamm Quarry Inc. P.O. Box 17 Perry, KS 66073	Vermillion Creek via Indian Creek via Unnamed Tributary	Pit De-Watering and Stormwater Runoff
Kansas Permit No. I-KS79-PO02		Federal Permit No. KS0080977

Legal Description: SE½, S3; NE¼ & SE¼, S10; NW¼, S11, T7S, R10E, Pottawatomie County, KS

Facility Name: Hamm – Kufahl (Onaga) Quarry #79

The proposed action consists of reissuing an existing permit for discharge of wastewater during quarry operations. This is a limestone quarrying and crushing operation with some washing. Outfall 001A1 consists of stormwater runoff and quarry pit water, which is treated with a settling pond. Outfall 002A1 consists of treated wash-water and is treated with a settling pond. The proposed permit contains limits for total suspended solids.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Parsons, City of P.O. Box 1037 Parsons, KS 67357	Labette Creek	Process Wastewater
Kansas Permit No. I-NE55-PO08		Federal Permit No. KS0095826

Legal Description: SW¼, NE¼, S7, T31S, R20E, Labette County, KS

Facility name: Parsons Water Treatment Plant

Facility Location: 1630 N. Lincoln, Parsons, KS 67357

The proposed action consists of reissuance of an existing Kansas/NP-DES Water Pollution Control permit for an existing facility. This is a surface water treatment plant which includes pre-oxidation of iron and manganese with potassium permanganate. The raw water (is) from Labette Creek or the Neosho River. This plant has a four cell lagoon system to treat the various treatment plant waste streams. Clarifier blowdown containing poly-aluminum sludge is normally discharged into the sanitary sewer but can be directed into the sludge lagoon (cell #1). The proposed permit contains limits for total suspended solids, total residual chlorine and pH.

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 St., Suite 420, Topeka, 66612-1367.

All comments regarding the draft documents or application notices received on or before February 20, 2016, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-16-011/017, KS-Q-16-002/005) 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.

Susan Mosier, M.D.  
Secretary of Health  
and Environment

Doc. No. 044244

**State of Kansas**

**Department of Health  
and Environment**

**Notice of Hearing**

A public hearing will be conducted at 1 p.m. Monday February 22, 2016, in the Azure Conference Room, 4th floor, Curtis State office Building, 1000 S.W. Jackson St., Topeka, to discuss an amendment to the Kansas Public Water Supply Loan Fund (KPWSLF) 2016 Intended Use

Plan (IUP). The Amended Intended Use Plan will make additions to the Project Priority List and include estimates of the anticipated 2016 Capitalization Grant from the EPA. Copies of the IUP can be obtained online at <http://www.kdheks.gov/pws/loan/loanfund.htm>.

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

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

Susan Mosier, M.D.  
Secretary of Health  
and Environment

Doc. No. 044247

**State of Kansas**

**Kansas Development Finance Authority**

**Notice of Hearing**

A public hearing will be held at 9 a.m. Thursday, February 4, 2016, in the Conference Room of the Kansas Development Finance Authority, 534 S. Kansas Ave., Suite 800, Topeka, on the proposal for the KDFA to issue one or more series of its revenue bonds on behalf of Young Men’s Christian Association of Greater Kansas City, a Missouri nonprofit corporation in an amount not to exceed \$14,000,000.

The bonds will be issued, pursuant to K.S.A. 74-8901 et seq., for the following purposes: (1) to finance, refinance and reimburse costs of health and educational facilities and equipment at the corporation’s locations listed below, and (2) to refund (a) Recreational Facilities Revenue Bonds (YMCA of Greater Kansas City Project), Series 2002A Bonds, issued by the Industrial Development Authority of Jackson County and (b) Recreational Facilities Revenue Bonds (YMCA of Greater Kansas City Project), Series 2002B Bonds, issued by the city of Olathe, Kansas.

Proceeds of the bonds will be used, and proceeds of the Series 2002A Bonds and Series 2002B Bonds were used, to finance or refinance health and educational facilities and related equipment owned and operated by the corporation at one or more of the following locations: (i) 21400 W. 153rd St., Olathe, KS, (ii) 900 N. 8th St., Kansas City, KS, (iii) 7340 State, Kansas City, KS, (iv) 1300 S.E. Adams Dairy Parkway, Blue Springs, MO; (v) 11300 Holmes, Kansas City, MO; (vi) 7101 East Longview Road, Kansas City, MO; (vii) 1051 Washington St., Kansas City, MO; (viii) 7000 Troost Ave., Kansas City, MO; and (ix) 3100 Broadway, Kansas City, MO.

The bonds, when issued, will be limited obligations of the KDFA, payable solely from revenues pledged by the corporation, and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, nor will the bonds constitute an indebtedness for which the faith and credit and taxing

(continued)

powers of the state of Kansas are pledged, but the bonds will be payable solely and only from revenues pledged by the corporation in amounts sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views concerning the proposal to issue any specific bonds, and all written comments previously sent to the K DFA at its above-referenced offices will be considered. Additional information regarding the project described above may be obtained by contacting the K DFA.

Rebecca E. Floyd  
Executive Vice President

Doc. No. 044242

## State of Kansas

### Department of Agriculture Division of Conservation

#### Notice to Contractors

Sealed Bids for the rehabilitation of Site 108 of the Upper Marais des Cygnes WJD No. 101 in Lyon County, Kansas, will be received and publicly open at the office of R.H.K. Enterprises, Inc., 501 Main St., Admire, KS 66830, prior to 5 p.m. February 9, or just prior to opening at the place of opening. Bids will be open at 10 a.m. (local time) February 10, 2016, at the address above.

The general nature of the proposed rehabilitation for Site 108 will require an excavation/embankment of approximately 5,450 cubic yards, a principal spillway with a concrete riser and 167 feet of 20 inch PVC pipe, a 6 inch PVC drawdown pipe 211 feet long and appurtenances. Rehabilitation includes stripping and constructing embankment on the front face of the dam as necessary to restore the embankment back to original grades and the placement of approximately 665 tons of riprap. The bid schedule shows bid quantities.

Bid documents (which constitute the Project Manual and construction plans) may be obtained from R.H.K. Enterprises, Inc., at the address above, 620-528-3710.

A site showing will take place at 10 a.m. February 3, 2016, at the site. In case of inclement weather, an alternate showing will be held at 10 a.m. February 5, 2016.

For more information contact Hakim Saadi, P.E., Watershed Program manager, at 785-291-3099 or hakim.saa-di@kda.ks.gov.

Susan Metzger  
Interim Executive Director  
Division of Conservation

Doc. No. 044245

## State of Kansas

### Department of Agriculture Division of Conservation

#### Notice of Authorization to Proceed with On-Call Engineering Services

The Watershed Institute has been identified as a qualified entity to provide certain on-call engineering services

to the Kansas Department of Agriculture, Division of Conservation. Pursuant to its current "Agreement for On-Call Engineering Services" with The Watershed Institute, the Kansas Department of Agriculture, Division of Conservation issued a notice of authorization to proceed for the Review and Assessment of existing streambank restoration projects in the Cottonwood River – site numbers 15, 16, and 62–65. The authorization to proceed was issued on January 11, 2016, on a total bid price of \$1,385.10.

Additional information about the Division of Conservation's Streambank Restoration Program is available from the program administrator by phone at 785-564-6622, or electronically at [steve.frost@kda.ks.gov](mailto:steve.frost@kda.ks.gov).

Susan Metzger  
Interim Executive Director  
Division of Conservation

Doc. No. 044248

(Published in the Kansas Register January 21, 2016.)

## City of Overland Park, Kansas

#### Notice to Bidders

Sealed bids for **College Blvd. Trailblazer Signs — Overland Park Project No. TS-1051; KDOT Project No. 46 KA-1187-01** 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 February 16, 2016. 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: College Blvd. Trailblazer Signs (TS-1051)."

Copies of plans, specifications, bid documents and other contract documents are on file at the office of the Director of Public Works located at City Hall, 8500 Santa Fe Drive, Overland Park, Kansas 66212. Contractors desiring the contract documents for use in preparing bids may obtain a set of such documents from the Overland Park Public Works Dept., 8500 Santa Fe Drive, Overland Park, KS 66212, 913-895-6040, upon payment of \$25, which is not refundable.

The city shall not 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 may result in obtaining incomplete and inaccurate information. Obtaining these documents from any source other than directly from the source listed herein may also 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

GC-3 of the General Conditions, it shall follow the procedures outlined in paragraph GC-3 to bring same to the attention of city. Changes necessitated thereby shall be in the form of addenda issued by the city.

All bidders shall verify that they have considered all written addenda. The city shall not 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, total contract price.

Bids shall be made upon the form provided in ink or typewritten. Numbers shall be stated both in writing and in figures, the signature shall be long hand, and the complete form shall be without alteration or erasure. On alternate items for which a bid is not submitted, a written indication of "no bid" on the bid form is required.

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)

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.

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

Doc. No. 044235

(Published in the Kansas Register January 21, 2016.)

**Summary Notice of Bond Sale  
City of Hutchinson, Kansas  
\$26,865,000\*  
General Obligation Bonds  
Series 2016-A**

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

**Bids**

Subject to the Notice of Bond Sale dated January 20, 2016, bids will be received by the director of finance of the city of Hutchinson, Kansas, on behalf of the governing body at City Hall, 125 E. Ave. B, Hutchinson, KS 67501, or, in the case of electronic proposals, via PARI-TY electronic bid submission system, until 11 a.m. (CST) February 1, 2016, for the purchase of \$26,865,000\* principal amount of General Obligation Bonds, Series 2016-A. No bid of less than 100 percent of the par value of the bonds, plus accrued interest to the date of delivery, will be considered. Bidders may be required to be qualified in a manner established by the city before submitting a bid.

**Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated February 24, 2016 (the dated date), and will become due on October 1 in the years as follows:

<b>Maturity</b>	<b>Principal Amount*</b>
2016	\$2,260,000
2017	2,530,000
2018	2,640,000
2019	2,755,000
2020	2,875,000
2021	3,000,000
2022	3,130,000
2023	3,265,000
2024	3,405,000
2025	1,005,000

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as provided in the Notice of Bond Sale, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on October 1, 2016. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the Notice of Bond Sale.

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

The bidder for the bonds shall provide the city with a cashier’s or certified check drawn on a bank located in the United States of America or a wire transfer of same-day funds in accordance with the requirements set forth in the Notice of Bond Sale in the amount of \$537,300 for the Bonds (2 percent of the principal amount of the bonds).

(continued)

**Delivery**

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about February 24, 2016, at the offices of The Depository Trust Company, New York, New York.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2015 is \$336,909,977. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds, is \$71,555,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the financial advisor, Piper Jaffray & Co., 11635 Rosewood St., Leawood, Kansas 66211, Attention: Greg Vahrenberg, 913-345-3374; from Frank Edwards, the director of finance, or from Kutak Rock LLP, bond counsel, Two Pershing Square, 2300 Main St., Suite 800, Kansas City, Missouri 64108-2416, Attention: Dorothea Riley, 816-960-0090.

Dated January 13, 2016.

City of Hutchinson, Kansas  
By Frank Edwards, Director of Finance  
Hutchinson City Hall  
125 E. Ave. B  
Hutchinson, Kansas 67501  
620-694-2613

\*Subject to change

Doc. No. 044241

**State of Kansas**

**Office of the Governor**

**Executive Order 16-01  
Protecting Kansas from Terrorism**

WHEREAS, the well-being of the State of Kansas and its citizens continues to be threatened by the scourge of international terrorism; and

WHEREAS, Kansas locations previously have been targeted for terrorist acts of violence, and the perpetrators have been apprehended and prosecuted; and

WHEREAS, recent terror attacks in Paris and San Bernardino have heightened concern about protecting Kansas and ensuring the safety and security of our citizens; and

WHEREAS, the terrorist perpetrators of the Paris attacks had ties to refugee populations; and

WHEREAS, we have learned just this week of federal charges filed in Texas and California against terrorist operatives that entered the United States as refugees; and

WHEREAS, I have concluded that the admission of some refugees to the State of Kansas presents an unacceptable risk to the safety and security of the State of Kansas, and thus State government must take action to

ensure that it does not assist in the relocation of such refugees to Kansas from anywhere in the world; and

WHEREAS, Kansas should and will remain welcoming to refugees as to which we can be assured there is no risk to the safety and security of our citizens.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby order and direct as follows:

No department, commission, board or agency of the government of the State of Kansas shall aid, cooperate with, or assist in any way the relocation of refugees that present a safety and security risk to the State of Kansas, until such time as an adequate vetting process is in place with adequate assurances to the State. This Order includes, but is not limited to, the Kansas Refugee Program, the Refugee Resettlement Program and the Refugee Social Service Program administered within the Kansas Department for Children and Families, and the Kansas Refugee Preventive Health Program administered within the Kansas Department of Health and Environment. Furthermore, this Order also includes the funding or administration of any grant program under the authority of the State of Kansas.

This document shall be filed with the Secretary of State as Executive Order No. 16-01 and shall become effective immediately.

Dated January 8, 2016

Sam Brownback  
Governor

Doc. No. 044236

**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:

02/02/2016	EVT0004140	Excavating Services, Miami County
02/02/2016	EVT0004141	Agricultural Drill & Disk & Rotary Cutter
02/03/2016	EVT0004159	Street Sweeper, Mechanical
02/04/2016	EVT0004145	Cover Crop Seed, Custom Mix
02/04/2016	EVT0004157	Weed Control, MS, EK, CQ, WL, MG
02/05/2016	EVT0004151	Water Control Structures
02/05/2016	EVT0004156	Compaction Grouting
02/18/2016	EVT0004155	Child Care Consumer Education Resource & Referral
02/24/2016	EVT0004146	Emergency Subsidence Abatement Project

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

<http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations>

The state of Kansas is accepting electronic or written proposals for approximately 25,411 useable square feet of office space to house multiple state agencies in Chanute, Kansas. The information pertaining to this space search is available at:

<http://www.admin.ks.gov/offices/ofpm/real-estate-leasing/bid-solicitations-for-leased-space>

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

<http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations>

02/11/2016	A-012788	Fort Hays University, McMindes Hall, East Wing Floor 1-3 Room & Corridor Improvements
02/09/2016	A-012962REV	Kansas State School for the Deaf, Roberts Building Elevator Repairs

Information regarding prequalification, projects and bid documents can be obtained at 785-296-8899 or online at <http://admin.ks.gov/offices/ofpm/dcc>.

Tracy T. Diel, Director  
Procurement and Contracts

Doc. No. 044243

**State of Kansas**

**Board of Healing Arts**

**Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 11 a.m. Thursday, March 24, 2016, in the board room at the Kansas State Board of Healing Arts, 800 S.W. Jackson, Lower Level – Suite A, Topeka, to consider proposed amendments to two regulations pertaining to the licensure of and practice by Physical Therapists.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the above-referenced rule and regulations. All interested parties may submit comments prior to the hearing to Kelli Stevens, General Counsel, Board of Healing Arts, at the address below, or via email to [healingarts@ksbha.ks.gov](mailto:healingarts@ksbha.ks.gov). All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the amendment of the proposed regulations during the public hearing. In order to provide all parties with an opportunity to present their views, it may be necessary to request each participant limit any oral presentations to five minutes.

Copies of the proposed regulations and the economic impact statement for the proposed regulations may be obtained from the Kansas State Board of Healing Arts, 800 S.W. Jackson, Lower Level – Suite A, Topeka, 66612; on the agency website at <http://www.ksbha.org/publicinformation/publicinformation.shtml>; by contacting Jenne Cook at 785-296-2482; or by emailing the agency at [healingarts@ksbha.ks.gov](mailto:healingarts@ksbha.ks.gov).

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations being considered and the economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Barbara Montgomery at 785-296-8558 or at [bmontgomery@ksbha.ks.gov](mailto:bmontgomery@ksbha.ks.gov).

Individuals with hearing and/or speech disabilities may contact the Kansas Relay Center at 800-766-3777 for communication accommodations. Handicapped parking is located on 8th Street and in the building’s parking garage. From the street, both the West entrance to the building on Jackson Street and the north entrance on 8th Street are accessible.

A summary of the proposed amended regulations and their economic impact follows:

**K.A.R. 100-29-9.** The purpose of this regulation is to provide clarity regarding the continuing education requirements for licensed physical therapists and certified physical therapist assistants and also add new activities which qualify for continuing education contact hours. A description of the criteria for the board’s exercise of discretion in granting an extension of time of completing continuing education has been added. The terms physical therapy residency or fellowship program, elected delegate, supervision of a student, continuing education program presentation, and physical therapy jurisprudence examination are also defined.

**K.A.R. 100-29-16.** The purpose for amending this regulation is to define the term “minimum weekly review” in K.S.A. 65-2914(c) setting forth the subsequent review requirement for a physical therapist in instances where a physical therapist assistant has initiated patient care in a hospital setting because the physical therapist was not available. “Minimum weekly review” is defined to mean that the physical therapist evaluates and determines a plan of treatment within seven days of the initiation of treatment by the physical therapist assistant. The amendment also corrects a previous title error which referenced the “physical therapy council” to the correct term of “physical therapy advisory council.”

The economic impact of the amendments to these regulations is anticipated to be a minimal cost to the Kansas State Board of Healing Arts for staff time to update continuing education forms and processes, and educate licensees and stakeholders on the definition of “minimum weekly review.” There is no anticipated cost to other agencies, businesses or individuals.

Kathleen Selzler Lippert  
Executive Director

Doc. No. 044238

**State of Kansas**

**Board of Healing Arts**

**Notice of Public Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Thursday, March 24, 2016, in the board room at the Kansas State Board of Healing Arts, 800 S.W. Jackson, Lower Level – Suite A, Topeka, to consider a proposed new regulation and an amendment to an existing regulation pertaining to the licensure of and practice by Occupational Therapists and Occupational Therapy Assistants.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving

*(continued)*

ing written public comments on the above-referenced rule and regulations. All interested parties may submit comments prior to the hearing to Kelli Stevens, General Counsel, at the Board of Healing Arts at the address below, or via email to [healingarts@ksbha.ks.gov](mailto:healingarts@ksbha.ks.gov). All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the proposed new and amended regulation during the public hearing. In order to provide all parties with an opportunity to present their views, it may be necessary to request each participant limit any oral presentations to five minutes.

Copies of the proposed regulations and the economic impact statement for the proposed regulations may be obtained from the Kansas State Board of Healing Arts, 800 S.W. Jackson, Lower Level – Suite A, Topeka, 66612; on the agency website at <http://www.ksbha.org/publicinformation/publicinformation.shtml>; by contacting Jenne Cook at 785-296-2482; or by emailing the agency at [healingarts@ksbha.ks.gov](mailto:healingarts@ksbha.ks.gov).

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations being considered and the economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Barbara Montgomery at 785-296-8558 or at [bmontgomery@ksbha.ks.gov](mailto:bmontgomery@ksbha.ks.gov). Individuals with hearing and/or speech disabilities may contact the Kansas Relay Center at 800-766-3777 for communication accommodations. Handicapped parking is located on 8th Street and in the building's parking garage. From the street, both the west entrance to the building on Jackson Street and the north entrance on 8th Street are accessible.

A summary of the proposed new regulation and proposed amended regulation and their economic impact follows:

**K.A.R. 100-54-7. (amended)** The purpose of this regulation is to provide clarity regarding allowable amounts of continuing education contact hours for each type of continuing education experience for licensed occupational therapists and occupational therapy assistants. A description of the criteria for the board's exercise of discretion in granting an extension of time for completing continuing education has been added. The terms in-service, professional reading and full-time fieldwork are also defined.

**K.A.R. 100-54-12. (new)** The purpose of this new regulation is to set forth the requirements for an occupational therapist when delegating occupational therapy services to and supervising an occupational therapy assistant. An occupational therapist is also limited to supervising the combined equivalent of four full-time occupational therapy assistants. The regulation also sets forth the occupational therapy services which are allowed to be performed by an occupational therapy assistant and those services which shall not be performed by an occupational therapy assistant. The regulation also provides that failure to meet the requirements of the regulation constitutes unprofessional conduct.

The economic impact of the proposed new regulation

and amended regulation is anticipated to be a minimal cost to the Kansas State Board of Healing Arts for staff time to update continuing education forms and processes, and educate licensees and stakeholders on the new supervision and delegation requirements. It is anticipated that some health care facilities in which an occupational therapist currently supervises more than the combined equivalent of four full-time occupational therapy assistants may encounter an adverse economic impact if they have to hire additional occupational therapists or cannot employ the same number of occupational therapy assistants.

Kathleen Selzler Lippert  
Executive Director

Doc. No. 044238

## State of Kansas

### Department of Revenue Division of Property Valuation

#### Notice of Hearing on Proposed Administrative Regulation

A public hearing will be conducted at 1 p.m. Monday, April 4, 2016, in the conference room of the office of the secretary of revenue, 2nd Floor, Docking State Office Building, 915 S.W. Harrison St., Topeka, to consider amendments to an existing administrative regulation of the Secretary of Revenue, K.A.R. 93-6-3, establishing continuing education requirements for maintaining the designation of registered mass appraiser.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendments. All interested parties may submit written comments prior to the hearing to Marilyn Cathey, public service administrator, Division of Property Valuation, 4th Floor, Docking State Office Building, 915 S.W. Harrison St., Topeka, 66612-1585, or [marilyn.cathey@kdor.ks.gov](mailto:marilyn.cathey@kdor.ks.gov).

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

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed amendments and economic impact statement in an accessible format. Request for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Marilyn Cathey at 785-296-2365. Handicapped parking is located in State Parking Lot No. 2, southeast of the Docking State Office Building facing 10th Street, and the east entrance to the Docking State Office Building is accessible.

A summary of the proposed amendments and their economic impact follows:

**93-6-3. Continuing education requirements.** The proposed amendments to the regulation add the new 7-hour National USPAP Update for Mass Appraisal by the Appraisal Standards Board of the Appraisal Foundation



(IAAO course 181) as an alternative course available to maintain the registered mass appraiser (RMA) designation. With the creation of the National USPAP Update for Mass Appraisal in 2015 by the Appraisal Standards Board of the Appraisal Foundation (IAAO course 181), the Kansas standards of mass appraisal workshop is no longer needed. The Department of Revenue continues to estimate the cost of continuing education will range from \$415 to \$850 per year, depending on the courses selected. These costs will be borne by the registered mass appraiser, except where the county elects to pay for the courses. There will be no economic impact on the general public, except as indicated above.

Copies of the proposed amendments and the economic impact statement may be obtained from the Division of Property Valuation or may be accessed online at <http://www.ksrevenue.org/pvd.html>.

Nick Jordan  
Secretary of Revenue

Doc. No. 044240

## State of Kansas

### Racing and Gaming Commission

#### Notice of Hearing on Proposed Administrative Regulations

The Kansas Racing and Gaming Commission will conduct a public hearing at 9 a.m. Tuesday, March 22, 2016, in the Eisenhower State Office Building, fourth floor, conference room A of the Kansas Racing and Gaming Commission offices, 700 S.W. Harrison, Suite 500, Topeka, to consider the adoption of revised gaming licensure regulations K.A.R. 112-101-7, 112-102-2, 112-102-9, and 112-103-10. A summary of the proposed regulations and the estimated economic impact follows.

Summary of Regulations:

**K.A.R. 112-101-7. Certificate duration.** The proposed regulation establishes the duration for a background certificate issued to a gaming manager.

**K.A.R. 112-102-2. Gaming supplier and non-gaming supplier defined.** The proposed regulation establishes the definition of a gaming supplier and a non-gaming supplier.

**K.A.R. 112-102-9. Certificate duration.** The proposed regulation establishes the duration for a background certificate issued to gaming and non-gaming suppliers.

**K.A.R. 112-103-10. License duration.** The proposed regulation establishes the duration for a background license issued to an employee working for a casino supplier.

Economic Impact:

**Cost to agency:** Under the Expanded Lottery Act, all of the costs of oversight and regulation by the Kansas Racing and Gaming Commission are required to be paid by the gaming and non-gaming suppliers. Therefore, there are no costs anticipated to the agency or other governmental agencies, or to the people of Kansas, as a result of these regulations.

**Costs to governmental agencies, private citizens, businesses, and the public:** There will be no additional cost burdens placed on governmental agencies, private citizens, businesses, or the public due to the enactment of

these regulations.

The time period between the publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to 5 p.m. on the day of the hearing to Brandi White, Kansas Racing and Gaming Commission, 700 S.W. Harrison, Suite 500, Topeka, 66603, by email to [brandi.white@krgc.ks.gov](mailto:brandi.white@krgc.ks.gov) or by fax to 785-296-5800. During the hearing, all interested parties will be given a reasonable opportunity to present their views orally on the proposed regulations as well as an opportunity to submit their written comments. In order to give each individual an opportunity to present their views, it may be necessary for the hearing officer to request that each presenter limit an oral presentation to an appropriate time frame.

Copies of the proposed regulations and the corresponding regulatory impact statement may be obtained by contacting Dane Curtis by email at [dane.curtis@krgc.ks.gov](mailto:dane.curtis@krgc.ks.gov), phone 785-296-3128 or fax 785-296-5800. Questions pertaining to the proposed regulations should be directed to Brandi White at the contact information above.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and the regulatory impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Brandi White.

Don Brownlee  
Executive Director

Doc. No. 044239

## State of Kansas

### Department for Children and Families

#### Request for Proposals Early Head Start Child Care Partnership Grants

The Kansas Department for Children and Families, Division of Economic and Employment Services, Kansas Early Head Start Program, announces the release of a request for proposal to qualified Kansas Head Start and Kansas Early Head Start agencies to provide services to low-income pregnant women and families with infants and toddlers. The program is based on research that demonstrates that the impact of early intervention through high quality programs enhances opportunities for success among families and young children. The program provides early, continuous, intensive and comprehensive child development and family support services to family and children. Services provided include, but are not limited to, physical, mental and oral health; nutrition; early childhood education; financial literacy; family engagement and strengthening; marriage education; and job training. The services provided to families and children are designed to reinforce and respond to the unique strengths and needs of each child and family. DCF invites applications from Kansas Head Start and Early Head Start programs that have the ability to make

(continued)

a community impact in their service area.

A complete copy of the RFP may found at <http://www.dcf.ks.gov/Agency/Operations/Pages/OGC/Grant-RFP.aspx>, under "Grant Requests for Proposal (RFPs)." Written questions about the RFP from potential bidders will be accepted until 2 p.m. (CST) February 4, 2016. Questions should be emailed to [dcfgrants@dcf.ks.gov](mailto:dcfgrants@dcf.ks.gov). Answers will be posted on the aforementioned webpage by February 11, 2016. Proposals must be received no later than 2 p.m. (CST) March 17, 2016, at the Kansas Department for Children and Families, DCF Administration Building, 5th Floor, c/o Linda Cambron, Office of Grants and Contracts, 555 S. Kansas Ave., Topeka, KS 66603.

Phyllis Gilmore  
Secretary for Children and Families

Doc. No. 044246

## State of Kansas

### Department for Children and Families

#### Request for Proposals Early Head Start Home Visitation Grants

The Kansas Department for Children and Families, Division of Economic and Employment Services, Kansas Early Head Start Program, announces the release of a request for proposal to qualified Kansas Head Start and Kansas Early Head Start agencies to provide services to low-income pregnant women and families with infants and toddlers. The program is based on research that demonstrates that the impact of early intervention through high quality programs enhances opportunities for success among families and young children. The program provides early, continuous, intensive and comprehensive child development and family support services to family and children. Services provided include, but are not limited to, physical, mental and oral health; nutrition; early childhood education; financial literacy; family engagement and strengthening; marriage education; and job training. The services provided to families and children are designed to reinforce and respond to the unique strengths and needs of each child and family. DCF invites applications from Kansas Head Start and Early Head Start programs that have the ability to make a community impact in their service area.

A complete copy of the RFP may found at <http://www.dcf.ks.gov/Agency/Operations/Pages/OGC/Grant-RFP.aspx>, under "Grant Requests for Proposal (RFPs)." Written questions about the RFP from potential bidders will be accepted until 2 p.m. (CST) February 4, 2016. Questions should be emailed to [dcfgrants@dcf.ks.gov](mailto:dcfgrants@dcf.ks.gov). Answers will be posted on the aforementioned webpage by February 11, 2016. Proposals must be received no later than 2 p.m. (CST) March 17, 2016, at the Kansas Department for Children and Families, DCF Administration Building, 5th Floor, c/o Linda Cambron, Office of Grants and Contracts, 555 S. Kansas Ave., Topeka, KS 66603.

Phyllis Gilmore  
Secretary for Children and Families

Doc. No. 044249

(Published in the Kansas Register January 21, 2016.)

### Summary Notice of Bond Sale Unified Government Of Wyandotte County/ Kansas City, Kansas

**\$27,405,000\***  
**General Obligation Improvement Bonds**  
**Series 2016-A**

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

#### Bids

Subject to the Notice of Bond Sale dated January 14, 2016, written and electronic bids will be received on behalf of the clerk of the Unified Government of Wyandotte County/Kansas City, Kansas (the issuer) in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY until 10 a.m. (CST) February 4, 2016, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

#### Bond Details

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated February 25, 2016, and will become due on August 1 in the years as follows:

Maturity Date (August 1)	Principal Amount*
2017	\$985,000
2018	1,010,000
2019	1,045,000
2020	1,075,000
2021	1,105,000
2022	1,135,000
2023	1,175,000
2024	1,220,000
2025	1,265,000
2026	1,320,000
2027	1,375,000
2028	1,425,000
2029	1,485,000
2030	1,530,000
2031	1,570,000
2032	1,625,000
2033	1,680,000
2034	1,730,000
2035	1,795,000
2036	1,855,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on February 1 and August 1 in each year, beginning on August 1, 2016.

#### Book-Entry-Only System

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Bids shall be accompanied by a good faith deposit in the manner described in the Notice of Sale in the form of a cashier's or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$548,100.

**Delivery**

The issuer will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about February 25, 2016, to DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2015 was \$1,259,268,008. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being issued and the temporary notes being issued contemporaneously with the bonds (the notes), but excluding the temporary notes to be retired with the proceeds of the bonds, the notes, and other funds of the issuer, is \$461,387,250, of which \$446,580,000 is indebtedness of the issuer payable only from taxes on taxable tangible property in the city of Kansas City, Kansas, and \$14,807,250 is indebtedness of the issuer payable from taxes on all taxable tangible property within Wyandotte County, Kansas.

**Approval of Bonds**

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

**Additional Information**

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

**Municipal Advisor—Written and Facsimile Bid Address:**

Springsted Incorporated  
Attn: Bond Services  
380 Jackson St., Suite 300  
Saint Paul, Minnesota 55101  
651-223-3000  
Fax: 651-223-3046  
bond\_services@springsted.com

Dated January 21, 2016.

Unified Government of Wyandotte  
County/Kansas City, Kansas  
Lew Levin, Chief Financial Officer  
701 N. 7th St.  
Kansas City, Kansas 66101  
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\*Subject to change; see Notice of  
Bond Sale dated January 14, 2016.

Doc. No. 044250

**State of Kansas****Legislature****Legislative Bills and Resolutions Introduced**

The following numbers and titles of bills and resolutions were introduced January 11-13 by the 2016 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 Bills**

**HB 2436**, AN ACT concerning motor vehicles; relating to drivers' licenses, examinations, motorcycles; amending K.S.A. 2015 Supp. 8-240 and repealing the existing section, by Representative Merrick.

**HB 2437**, AN ACT concerning maintenance of effort requirements; prohibition on acceptance, by Representative Claeys.

**HB 2438**, AN ACT concerning fire districts; adding territory of adjoining cities; amending K.S.A. 19-3605 and 19-3623 and repealing the existing sections, by Representative Merrick.

**HB 2439**, AN ACT concerning the division of workforce development of the department of commerce; abolishing the division and transferring its powers, functions, assets and liabilities to the department of labor; amending K.S.A. 2015 Supp. 72-4427, 72-4460, 74-32,151, 74-32,160, 74-5002y, 74-50,209 and 75-5701b and repealing the existing sections; also repealing K.S.A. 2015 Supp. 74-5002s, 74-5002t, 74-5002u, 74-5002v, 74-5002w, 74-5002x and 75-5701a, by Representative Claeys.

**HB 2440**, AN ACT concerning firearms; relating to the personal and family protection act; relating to the carrying of concealed handguns in public areas; amending K.S.A. 2015 Supp. 75-7c20 and repealing the existing section, by Representative Claeys.

**HB 2441**, AN ACT concerning the legislative post audit committee; auditing unified school districts; amending K.S.A. 2015 Supp. 46-1133 and repealing the existing section, by Committee on Legislative Post Audit Committee.

**HB 2442**, AN ACT concerning the legislative division of post audit; relating to information technology audits; amending K.S.A. 2015 Supp. 46-1135 and repealing the existing section, by Committee on Legislative Post Audit Committee.

**HB 2443**, AN ACT concerning economic development; relating to promotion of the unmanned aircraft systems industry in Kansas and establishing a director and office to develop and coordinate a plan for such promotion; amending K.S.A. 2015 Supp. 74-4911f and repealing the existing section, by Representative Claeys.

**HB 2444**, AN ACT concerning taxation; relating to income tax, addition and subtraction modifications; sales and compensating use tax, rates, food and distribution thereof; amending K.S.A. 2015 Supp. 79-32,117, 79-3602, 79-3603, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Representative Hutton.

**HB 2445**, AN ACT concerning the pet animal act; relating to euthanasia; amending K.S.A. 2015 Supp. 47-1718 and repealing the existing section, by Representatives Kiegerl and Hildabrand.

**HB 2446**, AN ACT concerning insurance; relating to motor vehicle liability insurance; increasing minimum policy limit for property damage; amending K.S.A. 40-3107 and repealing the existing section, by Committee on 2015 Special Committee on Insurance.

**HB 2447**, AN ACT concerning crimes, punishment and criminal procedure; relating to the secretary of corrections; program credits; amending K.S.A. 2015 Supp. 21-6821 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2448**, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawful tampering with electronic monitoring equipment; amending K.S.A. 2015 Supp. 21-6322 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2449**, AN ACT concerning the judicial branch; relating to severability of the provisions of 2015 House Bill No. 2005, chapter 81 of the 2015 Session Laws of Kansas; repealing K.S.A. 2015 Supp. 20-1a18, by Committee on Appropriations.

(continued)

**HB 2450**, AN ACT regulating traffic; relating to maximum speed limits on certain separated multilane highways; violations; amending K.S.A. 2015 Supp. 8-1558, 8-1560c and 8-1560d and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2451**, AN ACT concerning children and minors; relating to mandatory reporting of suspected child abuse or neglect; amending K.S.A. 2015 Supp. 38-2223 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2452**, AN ACT concerning crimes, punishment and criminal procedure; relating to the criminal use of weapons; amending K.S.A. 2015 Supp. 21-6301 and repealing the existing section.

**HB 2453**, AN ACT concerning insurance; relating to sickness and accident insurance; specially designed policies; wraparound policies; amending K.S.A. 2015 Supp. 40-2,193 and repealing the existing section, by Committee on Insurance and Financial Institutions.

**HB 2454**, AN ACT concerning insurance; relating to accident and sickness insurance; policy provisions; requiring health services to be rendered by participating providers, by Committee on Insurance and Financial Institutions.

**HB 2455**, AN ACT concerning certain controlled substances; amending K.S.A. 2015 Supp. 65-2837a and repealing the existing section, by Committee on Health and Human Services.

**HB 2456**, AN ACT enacting the interstate medical licensure compact, by Committee on Health and Human Services.

**HB 2457**, AN ACT concerning schools; relating to the tax credit for low income students scholarship program act; amending K.S.A. 2015 Supp. 72-99a02, 72-99a03, 72-99a04 and 72-99a07 and repealing the existing sections, by Committee on Federal and State Affairs.

### House Concurrent Resolutions

**HCR 5020**, by Representatives Merrick and Burroughs, A CONCURRENT RESOLUTION relating to a committee to inform the governor that the two houses of the legislature are duly organized and ready to receive communications.

**HCR 5021**, by Representatives Merrick and Burroughs, A CONCURRENT RESOLUTION providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

### House Resolutions

**HR 6029**, by Representatives Merrick and Burroughs, A RESOLUTION relating to the organization of the House of Representatives.

**HR 6030**, by Representatives Merrick and Burroughs, A RESOLUTION relating to assignment of seats in the House of Representatives.

**HR 6031**, by Representative Ryckman, Sr., A RESOLUTION congratulating and commending Bethany Ellis for her work as the high school state president of SkillsUSA Kansas.

### Senate Bills

**SB 312**, AN ACT concerning the legislative post audit committee; auditing unified school districts; amending K.S.A. 2015 Supp. 46-1133 and repealing the existing section, by Committee on Legislative Post Audit Committee.

**SB 313**, AN ACT concerning the legislative division of post audit; relating to information technology audits; amending K.S.A. 2015 Supp. 46-1135 and repealing the existing section, by Committee on Legislative Post Audit Committee.

**SB 314**, AN ACT concerning the local food and farm task force; extending the expiration date; amending K.S.A. 2015 Supp. 2-3805 and repealing the existing section, by Senator Kerschen.

**SB 315**, AN ACT concerning foster care; relating to the number of children authorized by a foster care license; amending K.S.A. 2015 Supp. 65-504 and repealing the existing section, by Senator Faust-Goudeau.

**SB 316**, AN ACT concerning property taxation; amending K.S.A. 2015 Supp. 79-1801 and 79-2925b and repealing the existing sections, by Senator LaTurner.

**SB 317**, AN ACT relating to economic development; concerning promotion of small businesses and community organizations in low income areas; enacting the Kansas reinvestment act, by Senator Faust-Goudeau.

**SB 318**, AN ACT concerning utilities; relating to state entities; concerning the Kansas electric transmission authority; abolishing certain funds and transferring the balances; amending K.S.A. 2015 Supp. 45-229 and repealing the existing section; also repealing K.S.A. 2015 Supp. 74-99d01, 74-99d02, 74-99d03, 74-99d04, 74-99d05, 74-99d06, 74-99d07,

74-99d08, 74-99d10, 74-99d11, 74-99d12, 74-99d13 and 74-99d14, by Committee on Utilities.

**SB 319**, AN ACT concerning civil procedure for limited actions; relating to venue under the small claims procedure act; amending K.S.A. 61-2708 and repealing the existing section, by Committee on Judiciary.

**SB 320**, AN ACT concerning the judicial branch; relating to severability of the provisions of 2015 House Bill No. 2005, chapter 81 of the 2015 Session Laws of Kansas; repealing K.S.A. 2015 Supp. 20-1a18, by Committee on Judiciary.

**SB 321**, AN ACT concerning probate; relating to filing of wills; amending K.S.A. 2015 Supp. 59-618a and repealing the existing section, by Committee on Judiciary.

**SB 322**, AN ACT concerning water; relating to applications to appropriate; amending K.S.A. 2015 Supp. 82a-708a and repealing the existing section, by Committee on Ways and Means.

**SB 323**, AN ACT concerning school districts; creating the Jason Flatt act; requiring suicide prevention training for school district personnel, by Committee on Corrections and Juvenile Justice.

### Senate Resolutions

**SR 1755**, by Senators Wagle, Bruce and Hensley, A RESOLUTION relating to the organization of the Senate.

Doc. No. 044224

## State of Kansas

### Department of Administration

#### Permanent Administrative Regulations

#### Article 16.—TRAVEL REIMBURSEMENT

**1-16-4. Date and hour of departure and return.** If an employee is granted leave of absence while on official travel, including Saturdays, Sundays, and holidays, the employee's subsistence allowance claim shall be adjusted accordingly for the date and hour of departure from, and the return to, the field duty station or to the official station. (Authorized by and implementing K.S.A. 2015 Supp. 75-3207; effective Jan. 1, 1966; amended Feb. 5, 2016.)

**1-16-8. Use of privately owned or operated conveyance, limitations; reimbursement for transportation and subsistence expenses.** (a) In-state travel. If the use of a privately owned or operated conveyance on official state business is authorized by the agency head or the agency head's designee, reimbursement shall be on a mileage basis at the rate specified and under the limitations prescribed by K.A.R. 1-18-1a. Mileage shall be calculated in accordance with K.A.R. 1-17-11, except that storage or parking charges for a privately owned conveyance at any commercial transportation terminal, while the traveler is on an extended trip, and turnpike tolls, may be allowed in addition to this mileage allowance.

(b) Out-of-state travel.

(1) If the use of a privately owned or operated conveyance on official state business, instead of common carrier, is authorized by the agency head or the agency head's designee, the traveler shall be allowed private conveyance mileage as prescribed by K.A.R. 1-18-1a to the destination, turnpike tolls, and parking charges, or an amount equal to economy class air fare to the air terminal nearest the destination, whichever is lesser. Out-of-state subsistence allowance shall be allowed only for the number of quarter days that would have been necessary had the traveler used the fastest public transportation available

to the destination instead of a private conveyance. No taxi or air terminal expenses shall be allowed at the destination. Air terminal shall mean the principal air terminal in that general geographic area.

(2) If two or more travelers on official business travel in one privately owned conveyance instead of common carrier, the use of one conveyance may be authorized on a mileage basis. In such cases, the subsistence allowed shall be for the number of days the trip would take by car using the usually traveled route to the point of destination as provided in K.A.R. 1-17-11.

(3) Upon written, prior approval of the agency head, exceptions to this subsection may be granted in unusual circumstances if deemed to be in the best interest of the state.

(c) Exception. Nothing in this regulation shall apply to any person to whom K.S.A. 75-3212 and K.S.A. 75-3216, and amendments thereto, apply. (Authorized by and implementing K.S.A. 2015 Supp. 75-3207; effective, E-74-4, Nov. 2, 1973; effective May 1, 1975; amended May 1, 1979; amended May 1, 1981; amended April 30, 1990; amended July 1, 2010; amended Feb. 5, 2016.)

**1-16-15. Reduced allowances.** (a) Except as provided in K.A.R. 1-16-18, the agency head, or the agency head's designee, may approve paying a reduced meals allowance or lodging expense. However, the following shall apply:

(1) If the cost of meals is included within the cost of a registration fee or other fees and charges paid by the agency, the agency shall pay the applicable reduced subsistence allowance specified in K.A.R. 1-16-18.

(2) If both meals and lodging will be provided at no cost to an agency's traveling employee, the agency shall be authorized to not pay any subsistence for this travel.

(b) The approval of reduced subsistence allowances by the agency head or the agency head's designee shall be based on reducing quarter-day meals allowances and lodging expenses, and this reduced subsistence shall in all other respects be paid in accordance with applicable regulations and accounting procedures. (Authorized by and implementing K.S.A. 2015 Supp. 75-3207; effective Jan. 1, 1966; amended, E-69-18, Aug. 14, 1969; amended Jan. 1, 1970; amended May 1, 1979; amended May 1, 1982; amended, T-84-20, July 26, 1983; amended May 1, 1984; amended, T-87-26, Oct. 1, 1986; amended May 1, 1987; amended, T-89-1, Jan. 7, 1988; amended Oct. 1, 1988; amended July 1, 2010; amended Feb. 5, 2016.)

**1-16-18. Subsistence allowance.** (a) General provisions. Except as otherwise specifically provided by law, subsistence allowances for in-state and out-of-state travel shall be paid on the basis of a meals allowance and the actual cost of lodging expenses incurred, within the limits specified in this regulation.

Meals allowance rates and lodging reimbursement limitation rates established pursuant to K.S.A. 75-3207a, and amendments thereto, shall be issued through informational circulars of the department of administration. Rates shall be established for the following geographic areas or categories of travel:

- (1) Travel to in-state destinations;
- (2) travel to out-of-state destinations;
- (3) international travel. As used in this regulation, "international travel" shall mean travel outside the 50 states, the

District of Columbia, and U.S. territories and possessions;

(4) travel involving conference lodging that qualifies under K.A.R. 1-16-18a; and

(5) other categories as the secretary of administration deems appropriate.

(b) Meals allowance; general provisions. Except as provided in subsection (c), the meals allowance shall be paid in an amount not to exceed rates established pursuant to K.S.A. 75-3207a, and amendments thereto.

(c) Meals allowance; exceptions.

(1) If the cost of meals is included within the cost of registration fees or other fees and charges paid by the agency or is supplied without cost by another party, the meal allowance shall be reduced by the appropriate per-meal allowance established pursuant to K.S.A. 75-3207a, and amendments thereto.

(2)(A) Except as prohibited by paragraph (c)(2)(B), the agency head or the agency head's designee may authorize any employee who does not incur lodging expenses to be reimbursed for one meal on any day on which either of the following circumstances occurs:

(i) The employee is required to travel on official state business, and the employee's workday, including travel time, is extended three hours or more beyond the employee's regularly scheduled workday.

(ii) The employee is required to attend a conference or a meeting as an official guest or participant, and a meal is served during the required attendance time.

(B) No meals shall be reimbursed if the location at which the official business is conducted is within 30 miles of the employee's official station or if a meal is provided at no cost to the employee.

(C) Each request for reimbursement of a meal under paragraph (c)(2) shall identify the date, purpose, destination, and time of the travel, conference, or meeting, and the meal requested for reimbursement.

(D) Each employee who receives reimbursement for a meal under paragraph (c)(2) shall be paid at the applicable per-meal allowance rate established pursuant to K.S.A. 75-3207a, and amendments thereto.

(d) Lodging expense limitations; general provisions.

(1) Reimbursement for lodging, or direct payment of lodging expenses to the lodging establishment, shall be made on the basis of actual, single-rate lodging expenses incurred and shall be supported by the original official receipt of the lodging place or other suitable documentation. Subject to applicable lodging expense limitations established pursuant to K.S.A. 75-3207a and amendments thereto, reimbursement for lodging expenses, or direct payment of lodging expenses to the lodging establishment, shall be limited to the lodging establishment's lowest available rate for normal single occupancy on the day or days the lodging expense was incurred.

(2) Taxes associated with lodging expenses shall not be included in the applicable lodging expense limitation rates established pursuant to K.S.A. 75-3207a, and amendments thereto, and shall be paid as an additional reimbursement.

(e) Lodging expense limitations; exception. Specific exceptions to the applicable dollar limitation on lodging expenses may be made pursuant to K.S.A. 75-3207a, and

(continued)

amendments thereto. (Authorized by and implementing K.S.A. 2015 Supp. 75-3207 and 75-3207a; effective, E-80-10, July 11, 1979; effective May 1, 1980; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended, E-82-14, July 1, 1981; amended May 1, 1982; amended, T-84-20, July 26, 1983; amended May 1, 1984; amended May 1, 1985; amended, T-87-26, Oct. 1, 1986; amended May 1, 1987; amended, T-89-1, Jan. 7, 1988; amended Oct. 1, 1988; amended July 1, 1990; amended, T-1-8-14-90, May 1, 1990; amended Oct. 8, 1990; amended, T-1-9-26-91, Oct. 1, 1991; amended Nov. 18, 1991; amended, T-1-1-1-93, Jan. 1, 1993; amended Feb. 22, 1993; amended, T-1-6-28-95, July 1, 1995; amended Oct. 27, 1995; amended, T-1-7-1-97, July 1, 1997; amended Aug. 8, 1997; amended July 1, 1998; amended July 1, 1999; amended Feb. 15, 2002; amended July 1, 2010; amended Feb. 5, 2016.)

**1-16-18a. Designated high-cost geographic areas; exceptions; conference lodging.** (a) For official travel to and from, or within, any designated high-cost geographic area in which the traveler is required to sleep away from home, the applicable subsistence allowance rate for that designated high-cost geographic area may be paid. However, reimbursement on this basis shall not be allowable if the area is only an intermediate stopover at which no official duty is performed or if the subsistence expenses incurred relate to relocation, to travel to seek residence quarters, or to travel to report to a new permanent duty station or to temporary quarters.

(b) Reimbursement for travel in designated high-cost geographic areas shall be at the prescribed designated high-cost geographic area rate, unless the agency establishes a reduced rate as provided in K.A.R. 1-16-15. If an out-of-state trip is to two or more destination cities with different subsistence allowance rates, the subsistence allowance rate shall change subject to and on application of the appropriate meals allowance as determined by the time of arrival at the second destination city.

(c)(1) If an employee is required or authorized to attend a conference, the agency head or the agency head's designee may approve reimbursement or direct payment of actual lodging expenses. Before the date of travel, the employee shall submit to the agency head or the agency head's designee conference materials indicating that the conference will be held at or in connection with a lodging establishment with rates exceeding both the applicable lodging expense limitation established under K.A.R. 1-16-18 and the exception provided in K.S.A. 75-3207a, and amendments thereto.

(2) The reimbursement or direct payment of actual lodging expenses shall be effective for the approved conference and for official state business related to the conference and shall be applicable only to the state employee attending the conference.

(3) For purposes of this regulation, the term "conference" shall mean any seminar, association meeting, clinic, colloquium, convention, symposium, or similar gathering that is attended by a state employee in pursuit of a goal, obligation, function, or duty imposed upon a state agency or performed on behalf of a state agency. (Authorized by and implementing K.S.A. 2015 Supp. 75-3207a; effective, E-80-10, July 11, 1979; effective May 1, 1980; amended May 1, 1981; amended, E-82-14, July 1, 1981;

amended May 1, 1982; amended, T-84-20, July 26, 1983; amended May 1, 1984; amended May 1, 1985; amended, T-87-26, Oct. 1, 1986; amended May 1, 1987; amended, T-89-1, Jan. 7, 1988; amended Oct. 1, 1988; amended July 1, 1990; amended, T-1-1-1-93, Jan. 1, 1993; amended Feb. 22, 1993; amended April 1, 1996; amended July 1, 1998; amended July 1, 1999; amended July 1, 2010; amended Feb. 5, 2016.)

Sarah L. Shipman  
Acting Secretary of Administration

Doc. No. 044228

## State of Kansas

### Department of Health and Environment Division of Health Care Finance

#### Permanent Administrative Regulations

#### Article 10.—ADULT CARE HOME PROGRAM

**30-10-19.** (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1985; amended May 1, 1987; amended May 1, 1988; amended Jan. 2, 1989; amended Jan. 2, 1990; amended, T-30-10-1-90, Oct. 1, 1990; amended Jan. 30, 1991; amended Oct. 28, 1991; amended Nov. 2, 1992; amended Jan. 3, 1994; amended Dec. 29, 1995; amended Jan. 1, 1997; amended July 1, 2002; amended, T-30-5-30-03, July 1, 2003; amended July 25, 2003; amended May 1, 2005; revoked Feb. 5, 2016.)

#### Article 10.—ADULT CARE HOME PROGRAM

**129-10-18. Per diem rates of reimbursement.** (a) Per diem rates for existing nursing facilities.

(1) The determination of per diem rates shall be made, at least annually, using base-year cost information submitted by the provider and retained for cost auditing and analysis.

(A) The base year utilized for cost information shall be reestablished at least once every seven years.

(B) A factor for inflation may be applied to the base-year cost information.

(C) For each provider currently in new enrollment, re-enrollment, or change of ownership status, the base year shall be determined in accordance with subsections (c), (d), and (e), respectively.

(2) Per diem rates shall be limited by cost centers, except where there are special level-of-care facilities approved by the United States department of health and human services. The upper payment limits shall be determined by the median in each cost center plus a percentage of the median, using base-year cost information. The percentage factor applied to the median shall be determined by the agency.

(A) The cost centers shall be as follows:

- (i) Operating;
- (ii) indirect health care; and
- (iii) direct health care.

(B) The property component shall consist of the real and personal property fee as specified in K.A.R. 129-10-25.

(C) The upper payment limit for the direct health care

cost center shall be a statewide base limit calculated on each facility's base-year costs adjusted for case mix.

(i) A facility-specific, direct health care cost center upper payment limit shall be calculated by adjusting the statewide base limit by that facility's average case mix index.

(ii) Resident assessments used to determine additional reimbursement for ventilator-dependent residents shall be excluded from the calculation of the facility's average case mix index.

(3) Each provider shall receive an annual per diem rate to become effective July 1 and, if there are any changes in the facility's average medicaid case mix index, an adjusted per diem rate to become effective January 1.

(4) Resident assessments that cannot be classified shall be assigned to the lowest case mix index.

(5) To establish a per diem rate for each provider, a factor for incentive may be added to the allowable per diem cost.

(6)(A) Resident days shall be determined from census information corresponding to the base-year cost information submitted by the provider.

(B) The total number of resident days shall be used to calculate the per diem costs used to determine the upper payment limit and rates in the direct health care cost center. The total number of resident days shall be used to calculate the per diem costs used to determine the upper payment limit and rates for food and utilities in the indirect health care cost center.

(C) For homes with more than 60 beds, the number of resident days used to calculate the upper payment limits and rates in the operating cost center and indirect

health care cost center, less food and utilities, shall be subject to an 85 percent minimum occupancy requirement based on the following:

(i) Each provider that has been in operation for 12 months or longer and has an occupancy rate of less than 85 percent for the cost report period, as specified in K.A.R. 129-10-17, shall have the number of resident days calculated at the minimum occupancy of 85 percent.

(ii) The 85 percent minimum occupancy requirement shall be applied to the number of resident days and costs reported for the 13th month of operation and after. The 85 percent minimum occupancy requirement shall be applied to the interim rate of a new provider, unless the provider is allowed to file a projected cost report.

(iii) The minimum occupancy rate shall be determined by multiplying the total number of licensed beds by 85 percent. In order to participate in the Kansas medical assistance program, each nursing facility provider shall obtain proper certification for all licensed beds.

(iv) Each provider with an occupancy rate of 85 percent or greater shall have actual resident days for the cost report period, as specified in K.A.R. 129-10-17, used in the rate computation.

(7) Each provider shall be given a detailed listing of the computation of the rate determined for the provider's facility.

(8) The effective date of the rate for existing providers shall be in accordance with K.A.R. 129-10-19.

(b) Per diem rate limitations based on comparable service private-pay charges.

(1) Rates of reimbursement shall not be limited by private-pay charges.

(2) The agency shall maintain a registry of private-pay per diem rates submitted by providers.

(A) Each provider shall notify the agency of any change in the private-pay rate and the effective date of that change so that the registry can be updated.

(i) Private-pay rate information submitted with the cost reports shall not constitute notification and shall not be acceptable.

(ii) Providers may send private-pay rate notices by certified mail so that there is documentation of receipt by the agency.

(B) The private-pay rate registry shall be updated based on the notification from the providers.

(C) The effective date of the private-pay rate in the registry shall be the later of the effective date of the private-pay rate or the first day of the following month in which complete documentation of the private-pay rate is received by the agency.

(i) If the effective date of the private-pay rate is other than the first day of the month, the effective date in the registry shall be the first day of the closest month. If the effective date is after the 15th, the effective date in the register shall be the first day of the following month.

(ii) For new facilities or new providers coming into the medicaid program, the effective date of the private-pay rate shall be the date on which certification is issued.

(3) The average private-pay rate for comparable services shall be included in the registry. The average private-pay rate may consist of the following variables:

(A) Room rate differentials. The weighted average private-pay rate for room differentials shall be determined as follows:

(i) Multiply the number of private-pay residents in private rooms, semiprivate rooms, wards, and all other room types by the rate charged for each type of room. Sum the resulting products of each type of room. Divide the sum of the products by the total number of private-pay residents in all rooms. The result, or quotient, is the weighted average private-pay rate for room differentials.

(ii) Each provider shall submit documentation to show the calculation of the weighted average private-pay rate if there are room rate differentials.

(iii) Failure to submit the documentation shall limit the private-pay rate in the registry to the semiprivate room rate.

(B) Level-of-care rate differentials. The weighted average private-pay rate for level-of-care differentials shall be determined as follows:

(i) Multiply the number of private-pay residents in each level of care by the rate they are charged to determine the product for each level of care. Sum the products for all of the levels of care. Divide the sum of the products by the total number of private-pay residents in all levels of care. The result, or quotient, is the weighted average private-pay rate for the level-of-care differentials.

(ii) Each provider shall submit documentation to show the calculation of the weighted average rate when there are level-of-care rate differentials.

(iii) Failure to submit the documentation may delay

*(continued)*

the effective date of the average private-pay rate in the registry until the complete documentation is received.

(C) Extra charges to private-pay residents for items and services may be included in the weighted average private-pay rate if the same items and services are allowable in the Kansas medical assistance program rate.

(i) Each provider shall submit documentation to show the calculation of the weighted average extra charges.

(ii) Failure to submit the documentation may delay the effective date of the weighted average private-pay rate in the registry until the complete documentation is received.

(4) The weighted average private-pay rate shall be based on what the provider receives from the resident. If the private-pay charges are consistently higher than what the provider receives from the residents for services, then the average private-pay rate for comparable services shall be based on what is actually received from the residents.

The weighted average private-pay rate shall be reduced by the amount of any discount received by the residents.

(5) The private-pay rate for medicare skilled beds shall not be included in the computation of the average private-pay rate for nursing facility services.

(6) When providers are notified of the effective date of the Kansas medical assistance program rate, the following procedures shall be followed:

(A) If the private-pay rate indicated on the agency register is lower, then the Kansas medical assistance program rate, beginning with its effective date, shall be calculated as follows:

(i) If the average medicaid case mix index is greater than the average private-pay case mix index, the Kansas medical assistance program rate shall be the lower of the private-pay rate adjusted to reflect the medicaid case mix or the calculated Kansas medical assistance rate.

(ii) If the average medicaid case mix index is less than or equal to the average private-pay case mix index, the Kansas medical assistance program rate shall be the average private-pay rate.

(B) Providers who are held to a lower private pay rate and subsequently notify the agency in writing of a different private-pay rate shall have the Kansas medical assistance program rate adjusted on the later of the first day of the month following the date upon which complete private-pay rate documentation is received or the effective date of a new private-pay rate.

(c) Per diem rate for new construction or a new facility to the program.

(1) The per diem rate for any newly constructed nursing facility or a new facility to the Kansas medical assistance program shall be based on a projected cost report submitted in accordance with K.A.R. 129-10-17.

(2) The cost information from the projected cost report and the first historic cost report covering the projected cost report period shall be adjusted to the base-year period.

(3) The provider shall remain in new enrollment status until the base year is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider.

(4) Each factor for inflation that is applied to cost data

for established providers shall be applied to the adjusted cost data for each provider in new enrollment status.

(5) No rate shall be paid until a nursing facility financial and statistical report is received and processed to determine a rate.

(d) Change of provider.

(1) The payment rate for the first 24 months of operation shall be based on the base-year historical cost data of the previous owner or provider. If base-year data is not available, data for the most recent calendar year available preceding the base-year period shall be adjusted to the base-year period and used to determine the rate. If the 85 percent minimum occupancy requirement was applied to the previous provider's rate, the 85 percent minimum occupancy requirement shall also be applied to the new provider's rate.

(2) Beginning with the first day of the 25th month of operation, the payment rate shall be based on the historical cost data for the first calendar year submitted by the new provider. The data shall be adjusted to the base-year period.

(3) The provider shall remain in change-of-provider status until the base year is reestablished. During this time, the adjusted cost data shall be used to determine all rates for the provider.

(4) Each factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in change-of-provider status.

(e) Determination of the per diem rate for nursing facility providers reentering the medicaid program.

(1) The per diem rate for each provider reentering the medicaid program shall be determined from either of the following:

(A) A projected cost report if the provider has not actively participated in the program by the submission of any current resident service billings to the program for 24 months or more; or

(B) the base-year cost report filed with the agency or the most recent cost report filed preceding the base year, if the provider has actively participated in the program during the most recent 24 months.

(2) If the per diem rate for a provider reentering the program is determined in accordance with paragraph (e)(1)(A), the cost data shall be adjusted to the base-year period.

(3) The provider shall remain under reenrollment status until the base year is reestablished. During this time, the cost data used to determine the initial rates shall be used to determine all subsequent rates for the provider.

(4) Each factor for inflation that is applied to cost data for established providers shall be applied to the cost data for providers in reenrollment status.

(5) If the per diem rate for a provider reentering the program is determined in accordance with paragraph (e)(1)(A), a settlement shall be made in accordance with subsection (f).

(f) Per diem rate errors.

(1) If the per diem rate, whether based upon projected or historical cost data, is audited by the agency and found to contain an error, a direct cash settlement shall be required between the agency and the provider for the amount of money overpaid or underpaid. If a provider



with an identified overpayment is no longer enrolled in the medicaid program, the settlement shall be recouped from a facility owned or operated by the same provider or that provider's corporation, unless other arrangements have been made to reimburse the agency. A net settlement may occur if a provider has more than one facility involved in settlements. In all cases, settlements shall be recouped within 12 months of the implementation of the corrected rates, or interest may be assessed.

(2) The per diem rate for a provider may be increased or decreased as a result of a desk review or audit of the provider's cost reports. Written notice of this per diem rate change and of the audit findings shall be sent to the provider. Retroactive adjustment of the rate paid from a projected cost report shall apply to the same period of time covered by the projected rate.

(3) Each provider shall have 30 days from the date of the audit report cover letter to request an administrative review of an audit adjustment that results in an overpayment or underpayment. The request shall specify the finding or findings that the provider wishes to have reviewed.

(4) An interim settlement, based on a desk review of the historical cost report covering the projected cost report period, may be determined after the provider is notified of the new rate determined from the cost report. The final settlement shall be based on the rate after an audit of the historical cost report.

(5) A new provider that is not allowed to submit a projected cost report, as specified in K.A.R. 129-10-17, for an interim rate shall not be entitled to a retroactive settlement for the first year of operation.

(g) Out-of-state providers.

(1) The per diem rate for out-of-state providers certified to participate in the Kansas medical assistance program shall be the rate approved by the agency.

(2) Each out-of-state provider shall obtain prior authorization by the agency.

(h) Reserve days. Reserve days as specified in K.A.R. 30-10-21 shall be paid at 67 percent of the Kansas medical assistance program per diem rate.

(i) Determination of rate for ventilator-dependent resident.

(1) The request for additional reimbursement for a ventilator-dependent resident shall be submitted to the agency in writing for prior approval. Each request shall include the following:

(A) Sections A, I, and O in the nursing home comprehensive "minimum data set" ("MDS") of the centers for medicare and medicaid services (CMS);

(B) a current client assessment, referral, and evaluation (CARE) plan for the resident;

(C) a physician's order for ventilator use, including the frequency of ventilator use and a diagnosis that requires use of a ventilator; and

(D) a treatment administration record or respiratory therapy note showing the number of minutes used for the ventilator per shift.

(2) All of the following conditions shall be met in order for a resident to be considered ventilator-dependent:

(A) The resident is not able to breathe without mechanical ventilation.

(B) The resident uses a ventilator for life support 24

hours a day, seven days a week.

(C) The resident has a tracheostomy or endotracheal tube.

(3) The provider shall be reimbursed at the Kansas medical assistance program daily rate determined for the nursing facility plus an additional amount approved by the agency for the ventilator-dependent resident.

(4) No additional amount above that figured at the Kansas medical assistance program daily rate shall be allowed until the service has been authorized by the agency.

(5) The criteria shall be reviewed quarterly to determine if the resident is ventilator-dependent. If a resident is no longer ventilator-dependent, the provider shall not receive additional reimbursement beyond the Kansas medical assistance program daily rate determined for the facility.

(6) The additional reimbursement for the ventilator-dependent resident shall be offset to the cost center of benefit on the nursing facility financial and statistical report.

(j) Rate modification; secretary's discretion.

(1) Any of the requirements of this regulation may be waived by the secretary and a nursing facility's or nursing facility for mental health's per diem rate of reimbursement may be modified by the secretary if the secretary determines that both of the following conditions are met:

(A) Exceptional circumstances place residents of nursing facilities and nursing facilities for mental health in jeopardy of losing the availability of, or access to, "routine services and supplies," "ancillary services and other medically necessary services," "specialized mental health rehabilitation services," or "specialized services," as defined in K.A.R. 30-10-1a.

(B) The jeopardy can likely be avoided or reduced by modifying the per diem rate of reimbursement for a nursing facility or nursing facility for mental health.

(2) If the secretary exercises discretion pursuant to this subsection, the increase in the per diem rate of reimbursement shall not exceed the state average rate for reimbursement. (Authorized by K.S.A. 2015 Supp. 65-1,254 and 75-7403; implementing K.S.A. 2015 Supp. 75-7405 and 75-7408; effective Sept. 19, 2008; amended Feb. 5, 2016.)

**129-10-19. Per diem rates; effective dates.** (a) Effective date of per diem rates for ongoing providers filing calendar year cost reports. The effective date of a new per diem rate that is based on information and data in the nursing facility cost report for the calendar year shall be July 1.

(b) Effective date of the per diem rate for a new provider operating on the rate from cost data of the previous provider.

(1) The effective date of the per diem rate for a new provider shall be the date of certification by the state licensing agency.

(2) The effective date of the per diem rate based on the first historical cost report filed in accordance with K.A.R. 129-10-17 shall be the first day of the 25th month of operation. Each rate paid after the effective date of the rate based on the first historical cost report shall be adjusted to the new rate from the historical cost report.

(c) Effective date of the per diem rate from a projected cost report.

(1) The effective date of the per diem rate based on a

(continued)

projected cost report for a new provider, as specified in K.A.R. 129-10-18 (c) and (e), shall be the date of certification by the state licensing agency.

(2) The interim rate determined from the projected cost report filed by the provider shall be established by the agency and given to the fiscal agent on or by the first day of the third month after the receipt of a complete and workable cost report.

(3) The effective date of the final rate, which shall be determined after an audit of the historical cost report filed for the projected cost report period, shall be the date of certification by the state licensing agency.

(4) The second effective date for a provider filing an historic cost report covering a projected cost report period shall be the first day of the month following the last

day of the period covered by the report, which is the date that the inflation factor is applied in determining prospective rates.

(d) Each provider shall receive an annual per diem rate to become effective July 1 and, if there are any changes in the facility's medicaid case mix index as specified in K.A.R. 129-10-18, an adjusted per diem rate to become effective January 1. (Authorized by K.S.A. 2015 Supp. 65-1,254 and 75-7403; implementing K.S.A. 2015 Supp. 75-7405 and 75-7408; effective Feb. 5, 2016.)

Michael Randol, Director  
Division of Health Care Finance

Doc. No. 044221

**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 2015 Supplement of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-45-22	Amended	V. 34, p. 1227

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-22-7	Amended	V. 34, p. 513

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-23-14	Amended	V. 34, p. 1032
7-23-15	New	V. 34, p. 1033

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

Reg. No.	Action	Register
14-19-40	New (T)	V. 34, p. 824
14-19-40	New	V. 34, p. 1053
14-20-42	New (T)	V. 34, p. 825
14-20-42	New	V. 34, p. 1054
14-21-23	New (T)	V. 34, p. 825
14-21-23	New	V. 34, p. 1054

**AGENCY 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-14-1 through 16-14-9	New (T)	V. 34, p. 962, 963
16-14-1 through 16-14-9	New	V. 34, p. 1228, 1229

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

Reg. No.	Action	Register
28-4-94	New	V. 34, p. 420
28-16-28b	Amended	V. 34, p. 190
28-16-28c	Amended	V. 34, p. 194
28-16-28d	Amended	V. 34, p. 196
28-16-28e	Amended	V. 34, p. 197
28-16-28f	Amended	V. 34, p. 199
28-16-58	Amended	V. 34, p. 200
28-19-274	New	V. 34, p. 1140

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-28	Amended	V. 34, p. 216
40-1-37	Amended	V. 34, p. 120
40-1-48	Amended	V. 34, p. 120
40-2-20	Amended	V. 34, p. 1202
40-4-29a	Amended	V. 34, p. 996
40-4-37e	Amended	V. 34, p. 120
40-9-118	Amended	V. 34, p. 103
40-9-126	New	V. 34, p. 103

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-4-103	Amended	V. 34, p. 260

**AGENCY 61: BOARD OF BARBERING**

Reg. No.	Action	Register
61-3-7	Amended	V. 34, p. 190
61-3-22	Amended	V. 34, p. 190

**AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY**

Reg. No.	Action	Register
65-5-6	Amended	V. 34, p. 480
65-5-10	Revoked	V. 34, p. 481
65-5-11	Revoked	V. 34, p. 481
65-5-13	New	V. 34, p. 481

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-14-1	Amended	V. 34, p. 617
66-14-2	Amended	V. 34, p. 617
66-14-3	Amended	V. 34, p. 618
66-14-5	Amended	V. 34, p. 618
66-14-7	Amended	V. 34, p. 618
66-14-10	Amended	V. 34, p. 618
66-14-11	Amended	V. 34, p. 619

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
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68-2-22	Amended	V. 34, p. 70
68-16-1 through 68-16-9	Revoked	V. 34, p. 70
68-20-10a	Amended	V. 34, p. 70
68-20-31	New (T)	V. 34, p. 103
68-20-31	New	V. 34, p. 480

**AGENCY 69: BOARD OF COSMETOLOGY**

Reg. No.	Action	Register
69-11-1	Amended	V. 34, p. 996
69-15-1	Amended	V. 34, p. 996
69-15-14	Amended	V. 34, p. 997
69-15-30	Amended	V. 34, p. 998

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

Reg. No.	Action	Register
81-1-1	Amended	V. 34, p. 1301
81-2-1	Amended	V. 34, p. 1303
81-3-1	Amended	V. 34, p. 1304
81-3-2	Amended	V. 34, p. 1052
81-3-5	Amended	V. 34, p. 1305
81-3-6	Amended	V. 34, p. 1306
81-3-7	Amended	V. 34, p. 1310
81-4-1	Amended	V. 34, p. 1311
81-4-4	Amended	V. 34, p. 1312
81-5-7	Amended	V. 34, p. 1312
81-5-15	Amended	V. 34, p. 1312
81-5-17	Amended	V. 34, p. 1313
81-5-21	Amended	V. 34, p. 1313
81-6-1	Amended	V. 34, p. 1313
81-7-1	Amended	V. 34, p. 1314
81-7-2	Amended	V. 34, p. 1314
81-14-1	Amended	V. 34, p. 1315
81-14-2	Amended	V. 34, p. 1052
81-14-5	Amended	V. 34, p. 1316
81-14-11	Amended	V. 34, p. 1321
81-21-1	Revoked	V. 34, p. 1053
81-22-1	Revoked	V. 34, p. 1053
81-22-3	Revoked	V. 34, p. 1053
81-23-3	Revoked	V. 34, p. 1053
81-24-2	Revoked	V. 34, p. 1053
81-24-3	Revoked	V. 34, p. 1053
81-25-4	Revoked	V. 34, p. 1053
81-26-1	Revoked	V. 34, p. 1053
81-26-2	Revoked	V. 34, p. 1053
81-27-1	Revoked	V. 34, p. 1053
81-27-2	Revoked	V. 34, p. 1053
81-29-1	Revoked	V. 34, p. 1053
81-29-2	Revoked	V. 34, p. 1053

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-2-402	Revoked	V. 34, p. 900
82-2-506	Revoked	V. 34, p. 900
82-2-507	Revoked	V. 34, p. 900
82-3-100	Amended	V. 34, p. 900
82-3-106	Amended	V. 34, p. 900
82-3-109	Amended	V. 34, p. 901
82-3-203	Amended	V. 34, p. 902
82-3-207	Amended	V. 34, p. 902
82-3-208	Amended	V. 34, p. 902
82-3-209	Amended	V. 34, p. 902
82-3-304	Amended	V. 34, p. 1100
82-3-312	Amended	V. 34, p. 903
82-3-1100 through 82-3-1120	Revoked	V. 34, p. 903
82-4-3a	Amended (T)	V. 34, p. 373
82-4-3a	Amended	V. 34, p. 846
82-4-3f	Amended	V. 34, p. 515
82-4-3g	Amended	V. 34, p. 518

**AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS**

Reg. No.	Action	Register
85-4-1	Amended	V. 34, p. 177
85-7-1	Amended	V. 34, p. 177

**AGENCY 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-1-5	Amended	V. 34, p. 1159

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-3-8a	Amended (T)	V. 34, p. 961
88-3-8a	Amended	V. 34, p. 1266
88-3-12	Revoked (T)	V. 34, p. 961
88-3-12	Revoked	V. 34, p. 1267
88-24-2	Amended	V. 34, p. 247
88-26-1 through 88-26-8	Amended	V. 34, p. 247-250
88-26-7	Amended (T)	V. 34, p. 961
88-26-7	Amended	V. 34, p. 1267
88-26-9 through 88-26-16	Revoked	V. 34, p. 250
88-28-6	Amended	V. 34, p. 250
88-29-1	Amended	V. 34, p. 313
88-29-5	Amended	V. 34, p. 314
88-29-6	Amended	V. 34, p. 314
88-29-7	Amended	V. 34, p. 315
88-29-7a	Amended	V. 34, p. 315
88-29-11	Amended	V. 34, p. 315
88-29a-1	Amended	V. 34, p. 316
88-29a-5	Amended	V. 34, p. 318
88-29a-6	Amended	V. 34, p. 318
88-29a-7	Amended	V. 34, p. 318
88-29a-7a	Amended	V. 34, p. 319
88-29b-1	Amended	V. 34, p. 319
88-29b-4	Amended	V. 34, p. 320
88-29b-5	Amended	V. 34, p. 321
88-29b-6	Amended	V. 34, p. 322
88-29b-7	Amended	V. 34, p. 323
88-29b-7a	Amended	V. 34, p. 324

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-56-1	Amended	V. 34, p. 1140
92-56-2	Amended	V. 34, p. 1141
92-56-4	Amended	V. 34, p. 1356

**AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-9-1	New	V. 34, p. 260

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-28a-1a	New (T)	V. 34, p. 1334
100-28a-6	Amended (T)	V. 34, p. 1334
100-28a-9	Amended (T)	V. 34, p. 1335
100-28a-9a	New (T)	V. 34, p. 1335
100-28a-10	Amended (T)	V. 34, p. 1335
100-28a-11	Amended (T)	V. 34, p. 1336
100-28a-12	Amended (T)	V. 34, p. 1336
100-28a-13	Amended (T)	V. 34, p. 1336
100-28a-14	Amended (T)	V. 34, p. 1337
100-28a-15	Amended (T)	V. 34, p. 1337
100-28a-17	Amended (T)	V. 34, p. 1337

**AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-5-2	Amended	V. 34, p. 1248
105-5-3	Amended	V. 34, p. 1248
105-5-6	Amended	V. 34, p. 1248
105-5-7	Amended	V. 34, p. 1249
105-5-8	Amended	V. 34, p. 1249

105-11-1 Amended V. 34, p. 1249

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

Reg. No.	Action	Register
109-2-8	Amended	V. 34, p. 71
109-5-1	Amended	V. 34, p. 1299
109-5-1a through 109-5-1d	Amended	V. 34, p. 1299, 1300
109-5-2	Revoked	V. 34, p. 1300
109-8-1	Amended	V. 34, p. 1300
109-10-1	Revoked	V. 34, p. 344
109-10-1c	Amended	V. 34, p. 344
109-10-1e	Amended	V. 34, p. 345
109-10-2	Revoked	V. 34, p. 345
109-10-7	Amended	V. 34, p. 345
109-11-3a	Amended	V. 34, p. 345
109-11-4a	Amended	V. 34, p. 346
109-11-6a	Amended	V. 34, p. 346
109-11-10	Revoked	V. 34, p. 347

**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 regu-

lations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*.

**AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS AND TOURISM**

Reg. No.	Action	Register
115-1-1	Amended	V. 34, p. 1204
115-2-1	Amended	V. 34, p. 1206
115-4-11	Amended	V. 34, p. 1208
115-4-13	Amended	V. 34, p. 1210
115-7-1	Amended	V. 34, p. 1211
115-7-2	Amended	V. 34, p. 103
115-7-10	Amended	V. 34, p. 1212
115-9-6	Amended	V. 34, p. 104
115-30-1	Amended	V. 34, p. 104

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-7-1	Amended	V. 34, p. 1204

**AGENCY 123: DEPARTMENT OF CORRECTIONS—DIVISION OF JUVENILE SERVICES**

Reg. No.	Action	Register
123-6-105	Amended	V. 34, p. 868
123-6-105a	New	V. 34, p. 868
123-15-107	New	V. 24, p. 1183

**AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION**

Reg. No.	Action	Register
127-2-2	Amended	V. 34, p. 347

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

Reg. No.	Action	Register
129-5-1	Amended (T)	V. 34, p. 100
129-5-1	Amended	V. 34, p. 340
129-5-10 through 129-5-21	New	V. 34, p. 943, 944

**AGENCY 132: KANSAS 911 COORDINATING COUNCIL**

Reg. No.	Action	Register
132-1-1	New	V. 34, p. 103

**Kansas Register**  
**Secretary of State**  
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