

Kansas Register

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 Photo by Todd Caywood

State of Kansas

Legislative Administrative Services

Interim Committee Schedule

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

Date	Room	Time	Committee	Agenda
Dec. 6	Virtual-only	11:00 a.m.	Special Committee on Kansas Mental Health Modernization and Reform – Telehealth Working Group	Working group discussion on telehealth topics
Dec. 6	Virtual-only	1:00 p.m.	Special Committee on Kansas Mental Health Modernization and Reform – Services and Workforce Working Group	Working group discussion on services and workforce topics
Dec. 6	Virtual-only	2:00 p.m.	Special Committee on Kansas Mental Health Modernization and Reform – System Capacity and Transformation Working Group	Working group discussion on system capacity and transformation topics
Dec. 6	548-S	2:00 p.m.	Senate Confirmation Oversight	Discussion of Senate confirmations
Dec. 6	112-N	9:00 a.m.	Kansas Senior Care Task Force	Agency responses to previous Task Force questions; Follow-up information from November 10 meeting; Presentation on formularies for psychiatric medications and step-therapy impacting the senior population; Overview of community mental health center system and services available; Certified community behavioral health clinic transition; Presentation on efforts to address workforce shortages with focus on services impacting the senior population; Network adequacy; Presentations from managed care organizations on strengthening and rebalancing home and community based services, process for determination of measures and appropriate use of antipsychotics, tracking the use of antipsychotics, and value-added services specific to seniors
Dec. 7	112-N	9:00 a.m.	Kansas Senior Care Task Force	Public comments from long-term care consumers, providers, and stakeholders; Presentation on survey process, deficiency levels, and fines; Presentation on survey process from a provider perspective; Presentation on Kansas Guardianship Program; Status of working group process and working group charter; Discussion of short-term and long-term goals for Task Force and working groups; Discussion and recommendations for Senior Care Task Force Report to the 2022 Legislature
Dec. 7	582-N	10:00 a.m.	Joint Committee on Fiduciary Financial Institutions Oversight	Staff Overview of 2021 Senate Sub. for HB 2074; Update on fiduciary financial institutions' operation in the State of Kansas; Committee discussion with conferees; and Committee discussion and direction for the Committee Report
Dec. 8	144-S	10:00 a.m.	Joint Committee on Pensions, Investments and Benefits	Review of KPERS actuarial report and investment returns; Review performance of bond issuances; Tier 3 return experience; Board discussions on return assumptions; Review of the DROP program; Review of information technology modernization; and possible recommendations
Dec. 8-9	582-N	TBD	Special Committee on the 30x30 Federal Initiative	TBD
Dec. 9	112-N	10:00 a.m.	Special Committee on Federal 340B Drug Program	Presentations on: 340B historical timeline, experience of Pharmacy Benefit Managers and rural providers with 340B, and experience of other states in passing legislation regarding 340B; Review of Kansas 2021 HB 2260 and HB 2383; Committee recommendations

(continued)

Date	Room	Time	Committee	Agenda
Dec. 10	112-N	9:00 a.m.	Special Committee on Kansas Mental Health Modernization and Reform	Follow-up information from November 17 meeting; Review of working group recommendation process and overview of working group report; Review of three working group report recommendations; Roundtable discussion on key recommendations from the 2020 Special Committee Report and proposed 2021 report recommendations; Special Committee review of working group report recommendations; Recommendations by Special Committee on working group report; Discussion and Special Committee recommendations for its report to the 2022 Legislature
Dec. 13-14	112-N	9:00 a.m.	Joint Committee on Home and Community Based Services/KanCare Oversight	Presentations on KanCare from individuals, providers, and organizations; Presentation by KanCare Ombudsman; Presentation on the Office of Medicaid Inspector General; Overview of Human Services Consensus Case Estimates and Fall Estimates; Kansas Department of Health and Environment update; Kansas Department for Aging and Disability Services update; Managed care organization update; Preliminary discussion of recommendations for Joint Committee’s report to the 2022 Legislature; Presentation on the Kansas Kids Mental Health Access Program; Presentation on the KanCare Meaningful Measures Collaborative; Responses from state agencies and MCOs on unresolved topics; Discussion on nursing facility staffing agencies; Discussion and recommendations for Joint Committee’s report to the 2022 Legislature
Dec. 15	Virtual-only	1:30 p.m.	Legislative Task Force on Dyslexia	Receipt of written reports
Dec. 15	582-N	TBD	Joint Committee on Information Technology	TBD
Dec. 15-16	112-N	TBD	Special Committee on Kansas Mental Health Modernization and Reform	TBD
Dec. 16	546-S	TBD	Legislative Post Audit	TBD
Dec. 16	582-N	10:00 a.m.	Joint Committee on Special Claims Against the State	Review of claims against the state
Dec. 20	112-N	10:00 a.m.	Legislative Budget Committee	Budget matters, performance-based budgets, and recommendations
Dec. 21	112-N	9:00 a.m.	Legislative Budget Committee	Budget matters, performance-based budgets, and recommendations

Tom Day, Director
Legislative Administrative Services

Doc. No. 049618

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

Effective 12-6-21 through 12-12-21	
Term	Rate
1-89 days	0.08%
3 months	0.04%
6 months	0.07%
12 months	0.26%
18 months	0.41%
2 years	0.58%

Scott Miller
Director of Investments

Doc. No. 049612

State of Kansas
Department of Administration
Office of Accounts and Reports

Public Notice

Under requirements of K.S.A. 65-34,117(c), as amended, records of the Office of Accounts and Reports show the unobligated balances are \$8,029,734.03 in the Underground Petroleum Storage Tank Release Trust Fund and \$2,951,275.02 in the Aboveground Petroleum Storage Tank Release Trust Fund at November 30, 2021.

Jocelyn Gunter, Director
Office of Accounts and Reports

Doc. No. 049615

(Published in the Kansas Register December 9, 2021.)

Frontier Community Credit Union

Notice of Field of Membership Change

The Frontier Community Credit Union, located at 690 Eisenhower Rd., Leavenworth, Kansas, intends to alter its field of membership. An application has been filed with the Kansas Department of Credit Unions to alter its field of membership by adding the following Kansas counties to the credit union’s field of membership: Anderson, Barber, Barton, Butler, Chase, Clay, Cloud, Coffey, Cowley, Dickinson, Ellsworth, Geary, Harper, Harvey, Jewell, Kingman, Lincoln, Linn, Lyon, Marion, Marshall, McPherson, Mitchell, Morris, Nemaha, Osborne, Ottawa, Pottawatomie, Pratt, Reno, Republic, Rice, Riley, Russell, Saline, Sedgwick, Smith, Stafford, Sumner, Wabaunsee, and Washington.

Michael J. Augustine
President/CEO

Doc. No. 049613

State of Kansas

University of Kansas

**Notice of Intent to Offer
Commercial Property for Lease**

Public notice is hereby given that the University of Kansas (KU) intends to issue a Request for Proposals (RFP) for commercial property located at 12520 Quivira Rd., Overland Park, KS 66213 on the KU Edwards Campus.

Interested parties are invited to access the RFP at <http://www.procurement.ku.edu> between December 2, 2021 and December 16, 2021 before 2:00 p.m. (CST).

Carla Swoyer
Procurement Officer
University of Kansas Purchasing Services
1246 W. Campus Rd.
Room 20
Lawrence, KS 66045.
purchasing@ku.edu

Doc. No. 049609

State of Kansas

**Department of Revenue
Division of Taxation**

Notice to Bidders

The Director of Taxation will receive bids for the leasing of oil and gas rights in and to the portion of the Arkansas Riverbed, the property of the State of Kansas, described as follows:

That portion of the Arkansas Riverbed as it meanders through Sections 19, 20 and 29, Township 27 South, Range 1 East, Sedgwick County, Kansas; containing 124.29 acres, more or less.

The bidding shall be considered upon the amount of bonus, annual rental, and royalty to be paid. Due to the cost of processing, no bids will be accepted for less than \$100 on small tracts of less than 100 acres.

Bids shall be submitted upon forms obtained from the Director of Taxation, Scott State Office Building, 120 SE 10th Ave., Topeka, KS 66612. Lease shall be made on forms provided by the state for a term of five (5) years. The successful bidder pays publication costs in the local paper and the Kansas Register.

Bids shall be opened at the office of the Director of Taxation at 2:00 p.m. December 14, 2021. The Director of Taxation reserves the right to reject any and all bids and to re-advertise.

Steven A. Stotts, Director
Division of Taxation

Doc. No. 049572

State of Kansas

**Department of Administration
Office of Procurement and Contracts**

Notice to Bidders

Sealed bids for items listed will be received by the Office of Procurement and Contracts until 2:00 p.m. on the date indicated. For more information, call 785-296-2376.

All bids are to be submitted via email only to procurement@ks.gov. For more information, please visit <https://admin.ks.gov/docs/default-source/ofpm/procurement-contracts/bid-submission-via-email-12-7-2020.pdf>.

12/20/2021	EVT0008317	Pre-Cast Concrete Shower Buildings – KDW&P
12/22/2021	EVT0008320	Janitorial Services – Marion, Kansas

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

https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL

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>

01/06/2022	A-014246REV	HCF; Max Industrial Building – Interior Construction (PHASE III)
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Information regarding prequalification, projects, and bid documents can be obtained at 785-296-8899 or <http://admin.ks.gov/offices/ofpm/dcc>.

Richard Beattie, Director
Office of Procurement and Contracts

Doc. No. 049619

State of Kansas

Department of Health and Environment

Notice of Proposed Permit Renewal Action

The Kansas Department of Health and Environment (KDHE) received a Resource Conservation and Recovery Act (RCRA) permit renewal application for hazardous *(continued)*

waste treatment and storage from Ash Grove Cement Company (Ash Grove), the owner and operator of the facility located at 1801 N. Santa Fe St., Chanute, Kansas. KDHE is providing notice of their intent to renew the Ash Grove RCRA permit, EPA identification number KSD031203318.

The permit will allow Ash Grove to: thermally treat on-site and off-site generated hazardous waste in the facility's cement kiln; receive hazardous waste via rail and over the road in both bulk and palletized containers from off-site generators and other hazardous waste processors; store a total of 190,000 gallons of liquid hazardous waste in five (5) above ground storage tanks; store a total of 196,864 gallons of solid hazardous waste in six (6) container storage areas; store up to 300 cubic yards of bulk solid hazardous waste in an above ground storage silo; conduct manual bulk container cleaning operations; and transfer hazardous waste not suitable for processing into a fuel to other RCRA permitted facilities. The waste materials managed at the facility will include ignitable, corrosive, reactive, toxic, and listed liquid or solid hazardous wastes. In addition to allowing the treatment and storage of hazardous waste, the permit also requires the continued implementation of previously approved corrective actions and general corrective action provisions to address any newly identified releases, solid waste management units, or areas of concern.

The draft permit is being considered for issuance under authority of the Kansas Statutes Annotated (K.S.A.) 65-3430 *et seq.* and Kansas Administrative Regulations (K.A.R.) 28-31-4 through 28-31-279a. Documents that support the draft permit conditions and all data submitted by the applicant are part of the administrative record.

State hazardous waste laws require that the public be given at least 45 days to review the administrative record for the draft permit prior to KDHE taking a final action. The purpose of having a public comment period is to ensure that interested parties have an opportunity to evaluate the conditions specified in the draft permit and to provide their input into the permit decision-making process. A copy of the administrative record which includes the draft permit, the fact sheet, the permit application, and all information pertaining to this permit action is available for public review December 9, 2021 through January 23, 2022, Monday through Friday, during normal business hours at the following locations:

Kansas Department of Health and Environment
Hazardous Waste Permits Section
1000 SW Jackson, Suite 320
Topeka, KS 66612
Contact: Steve Sellmeyer
785-296-1236

City of Chanute Public Library
111 N. Lincoln
Chanute, KS 66720
Contact: Kara Hale
620-431-3820

Administrative records can also be accessed on the KDHE website at http://www.kdheks.gov/waste/pubnot_hw.html.

Anyone wishing to comment on the draft permit should submit written comments postmarked no later than January 23, 2022 to the KDHE contact at the above listed address.

A public hearing has not been scheduled; however, any interested person may request a public hearing in writing which states the nature of the issues proposed to be raised in a public hearing. If written requests are received which indicate a significant degree of public interest in the draft permit, a public hearing will be scheduled, and advanced notice of hearing will be given to the public. After consideration of all comments received, the Secretary of KDHE will make a final decision to issue or deny the permit. Notice of the Secretary's decision will be given to the applicant, all persons who submitted written comments, those who commented at the public hearing, and those who requested notice of the final permit decision. If none of the comments received during the public comment period result in revision(s) to the draft permit, the permit will become effective immediately upon its issuance. If comments received during the public comment period result in revision(s), the permit will become effective 30 days after service of notice of the final decision to allow for public review of the revisions in accordance with 40 CFR 124.15 and K.A.R. 28-31-124(c)(8). Any appeal of the final permit decision must be filed within 15 days after service of notice in accordance with K.S.A. 65-3440 and K.S.A. 77-601 *et seq.*

Janet Stanek
Acting Secretary

Doc. No. 049614

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

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

Public Notice No. KS-AG-21-361/369

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Bott Cattle Co., Inc. Daryl Bott 1663 1st Rd. Palmer, KS 66962	SE/4 of Section 27 & NE/4 of Section 34 T05S, R03E Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-C001
Federal Permit No. KS0117200

The proposed action is to modify an existing NPDES permit for a beef facility for 4,999 head (4,999 animal units) of cattle weighing more than 700 pounds. This permit is being modified to add an enclosed cattle barn with an associated concrete pit beneath it. There is no change in the permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Preheim Ag Wesley Shaw Sunflower Rd. Between 50th and 40th Peabody, KS 66866	NW/4 of Section 17 T22S, R04E Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-C006
Federal Permit No. KS0300000

The proposed action is to issue a new State/NPDES permit for a cattle feed yard with 4,500 head (4,500 animal units) of cattle weighing more than 700 pounds. The facility will consist of a Waste Storage Pond (WSP-1), two Waste Separation Facilities (Sediment Basins), two Waste Transfer pipe outlets, Fencing, and Critical Area Plantings. WSP-1 has sufficient capacity to retain the design level storm (25 Yr., 24 Hr. Precipitation Event). A waste transfer pipeline and center pivot waste application system are also proposed. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Darwin Carswell 2386 W. 60th Dr. Alton, KS 67623	SW/4 of Section 31 T06S, R14W Osborne County	Solomon River Basin

Kansas Permit No. A-SOOB-B006

The proposed action is to reissue an existing state permit for an existing facility for 500 head (500 animal units) of cattle more than 700 pounds and 250 head (125 animal units) of cattle 700 pounds or less, for a total of 625 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Smoky Hill Farms Michael Burger 2903 17th Ave. Lindsborg, KS 67457	SE/4 of Section 01 & NE/4 of Section 12 T17S, R03W McPherson County	Smoky Hill River Basin

Kansas Permit No. A-SHMP-C002
Federal Permit No. KS0099597

The proposed action is to reissue an existing NPDES permit for an existing facility for 2,000 head (1,000 animal units) of cattle weighing 700 pounds or less. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Lin-Lea Farms, Inc. 6238 Powell Rd. Mound City, KS 66056	SW/4 of Section 21 T22S, R24E Linn County	Marais des Cygnes River Basin

Kansas Permit No. A-MCLN-M002

The proposed action is to reissue an existing state permit for an existing facility for 150 head (210 animal units) of mature dairy cattle, 60 head (30 animal units) of dairy calves, and 25 head (25 animal units) of dairy heifers for a total of 265 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Richard Herman Farms, Inc. Richard Herman 1389 310th Ave. Hill City, KS 67642	NE/4 of Section 21 T10S, R22W Graham County	Saline River Basin

Kansas Permit No. A-SAGH-B007

The proposed action is to reissue an existing state permit for an existing facility for 990 head (990 animal units) of cattle more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Five M Farms Marvel Torneden 22912 Linwood Rd. Linwood, KS 66052	SW/4 of Section 17 T12S, R21E Leavenworth County	Kansas River Basin

Kansas Permit No. A-KSLV-S017

The proposed action is to reissue an existing state permit for an existing facility for 130 head (52 animal units) of swine more than 55 pounds, 100 head (10 animal units) of swine 55 pounds or less, 16 head (16 animal units) of beef cattle more than 700 pounds and 20 head (10 animal units) of beef cattle 700 pounds or less, for a total of 266 head (88 animal units) of beef cattle and swine. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Jeremy Dennis Farms Jeremy Dennis 1270 E. Eagle Rd. Kensington, KS 66951	NE/4 of Section 26 T01S, R16W Phillips County	Solomon River Basin

Kansas Permit No. A-SOPL-B014

The proposed action is to reissue an existing state permit for an existing facility for 150 head (150 animal units) of cattle more than 700 pounds and 150 head (75 animal units) of cattle 700 pounds or less, for a total of 225 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Sandy Road Farms, LLC - 10 Finishing 23179 #5 Rd. Plains, KS 67869	N/2 of Section 16 T34S, R30W Meade County	Cimarron River Basin

Kansas Permit No. A-CIME-H002
Federal Permit No. KS0088200

The proposed action is to reissue an existing NPDES permit for an existing facility for 3,850 head (1,540 animal units) of swine weighing greater than 55 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No. KS-AG-R-21-027/028

Per Kansas Statutes Annotated 65-171d, the following registration(s) have been received for a proposed facility:
(continued)

Name and Address of Registrant	Legal Description	County
Chance Cranston 503 CR 1 Brewster, KS 67732	SW/4 of Section 07 T10S, R36W	Thomas County

Name and Address of Registrant	Legal Description	County
Justin Wiebe 13620 NW Santa Fe Lake Rd. Whitewater, KS 67514	NW/4 of Section 30 T23S, R04E	Butler County

Public Notice No. KS-Q-21-130

The requirements of the draft permit 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
Nelson Quarries, Inc. PO Box 100 Gas, KS 66742	Verdigris River via Toronto Lake via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-VE36-PO01
Federal Permit No. KS0100234

Legal Description: SW¼, S26, T25S, R13E, Woodson County, Kansas

Facility Name: Toronto Quarry

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a limestone quarrying and crushing operation with no washing. Outfall 001A and Outfall 002A consist of quarry pit water and stormwater runoff. The proposed permit contains generic language to protect the waters of the state.

Public Notice No. KS-NQ-21-012

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

Name and Address of Applicant	Legal Location	Type of Discharge
Geary County Public Works Department 310 E. 8th St. Junction City, KS 66441	SW¼, NE¼, SW¼, S11, T11S, R4E, Geary County, Kansas	Non-Overflowing

Kansas Permit No. M-LR15-NO01
Federal Permit No. KSJ001002

Facility Name: Geary County Sewer District #4 (Laurel Canyon)

The proposed action is to issue a new non-discharging State/NPDES permit for a new non-discharging facility. This facility is a two-cell wastewater stabilization lagoon system, replacing the existing mechanical treatment plant.

Public Notice No. KS-PT-21-010

The requirements of the draft permit public noticed below are pursuant to the Kansas Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.

Name and Address of Applicant	Receiving Facility	Type of Discharge
Bradford Built, Inc. 1803 Industrial Park Dr. Washington, KS 66968	Washington Municipal Wastewater Treatment Plant	Process Wastewater

Kansas Permit No. P-BB21-0001
Federal Permit No. KSP000107

The proposed action is to reissue an existing pretreatment permit for an existing facility. This facility manufactures customized agricultural products, such as truck flatbeds and grain hoppers made of steel. A conversion coating (phosphating) operation is used to prepare the steel products for painting. Outfall 001 represented wastewater from the old wash bay, when a phosphating chemical was sprayed on metal parts. This process was discontinued in July 2019. Outfall 002 represents the discharge of spent phosphating chemical and rinse water from the new, three-stage washer. The proposed permit contains pretreatment limitations for pH, total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, and cyanide.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before January 8, 2022, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-21-361/369, KS-AG-R-21-027/028, KS-Q-21-130, KS-NQ-21-012, KS-PT-21-010) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues 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). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Paige Drury, Livestock Waste Management Section at the KDHE, Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Michael Beezhold at the KDHE, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Rachel Hammond, BEFS, Livestock Waste Management Section at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at kdhe.feedlots@ks.gov. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Christopher Zwiener, Bureau

of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-3056 or email at Christopher.Zwiener@ks.gov. 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 at http://www.kdheks.gov/feedlots. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Acting Secretary

Doc. No. 049617

State of Kansas

Office of the Governor

Executive Directive No. 21-545
Authorizing Expenditure of Federal Funds

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

Pursuant to the authority of the Secretary of the Department of Commerce to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 197 of Chapter 98 of The 2021 Session Laws of Kansas, approval is hereby granted to the Department of Commerce for expenditure in FY 2022 of monies in the federal fund entitled "Economic Adjustment Assistance."

Pursuant of the authority of the Kansas Governor's Grants Program to receive and expend federal funds, and pursuant to the authority granted by the Governor by Section 197 of Chapter 98 of The 2021 Session Laws of Kansas, approval is hereby granted to the Office of the Governor for expenditure in FY 2022 in the federal fund entitled "Family Violence Prevention Services-ARPA."

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

Dated November 30, 2021.

Laura Kelly
Governor

Doc. No. 049620

State of Kansas

Office of the Governor

Executive Directive No. 21-546
Authorizing Personnel Transactions

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

The request of Kraig Knowlton, Director of Personnel Services, to assign the following job classifications to pay grade 23 and place current employees in these job classifications on the step of the new pay grade that provides the same rate, in dollar amount, as the current rate paid to the employees is hereby approved, effective November 28, 2021.

Corrections Officer I(A)
Juvenile Corrections Officer I(A)

The request of Kraig Knowlton, Director of Personnel Services, to assign the following job classifications to the pay grades set out below and place current employees in these job classifications on the same step of the new pay grade is hereby approved, effective November 28, 2021.

Table with 2 columns: Job Classification and Pay Grade. Lists various roles like Corrections Officer I(B), Juvenile Corrections Officer I(B), etc., with corresponding pay grades from 24 to 32.

The request of Kraig Knowlton, Director of Personnel Services, to establish step 8 of the pay grade for all of the job classifications referenced above is hereby approved, effective November 28, 2021.

The request of Kraig Knowlton, Director of Personnel Services, to provide the equivalent of a two-step increase to all unclassified employees in benefits eligible positions with the job titles listed below is hereby approved, effective November 28, 2021.

Corrections Manager I Corrections Officer
Corrections Manager II Corrections Supervisor
Corrections Manager III Unit Team Manager Warden

The request of Kraig Knowlton, Director of Personnel Services, to provide the equivalent of a four-step increase to all unclassified employees in benefits eligible positions with the job titles and working titles listed below is hereby approved, effective November 28, 2021.

Corrections Officer II Parole Director - NPR
Deputy Director - NPR Parole Director - SPR
Deputy Director - SPR Parole Supervisor

The request of Kraig Knowlton, Director of Personnel Services, to assign the following job classifications to the pay grades set out below and place current employees in these job classifications on the same step of the new pay grade is hereby approved, effective November 28, 2021.

Table with 2 columns: Job Classification and Pay Grade. Lists Certified Nurse Aide I, Certified Nurse Aide II, Licensed Mental Health Technician, Licensed Practical Nurse with pay grades 17, 18, 20, 22.

(continued)

Job Classification	Pay Grade
Licensed Practical Nurse, Senior	23
Health Facility Surveyor I	28
Health Facility Surveyor II	31
Registered Nurse	31
Registered Nurse Senior	32
Registered Nurse Specialist	35
Registered Nurse Administrator	37

The request of Kraig Knowlton, Director of Personnel Services, to provide the equivalent of a four-step increase to all unclassified employees in benefits eligible positions with the job titles and working titles listed below is hereby approved, effective November 28, 2021.

- Advanced Practice Registered Nurse
- Assistant Nurse Manager
- Certified Nurse Aide Specialist
- Health Facility Surveyor
- Licensed Mental Health Technician
- Licensed Practical Nurse
- Licensed Practical Nurse Senior
- Nurse Administrator
- Nurse Clinician/Administrator
- Nurse Educator
- Nurse Instructor
- Nurse Manager
- PRN Registered Nurse
- Registered Nurse
- Registered Nurse Senior
- Registered Nurse Specialist
- Registered Nurse Supervisor

I have conferred with the Secretary of Administration, the Director of the Budget, the Director of Personnel Services, and members of my staff, and I have determined that the requested actions are appropriate.

Dated December 2, 2021.

Laura Kelly
Governor

Doc. No. 049621

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9:00 a.m. Tuesday, December 28, 2021, in the offices of the Kansas Development Finance Authority (K DFA), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, on the proposal for the K DFA to issue its Agricultural Development Revenue Bonds for the projects numbered below in the respective maximum principal amounts. The bonds will be issued to assist the borrowers named below (who will be the owners and operators of the projects) to finance the cost in the amount of the bonds, which are then typically purchased by a lender bank who then, through the K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The projects shall be located as shown:

Project No. 001086 Maximum Principal Amount: \$312,500. Owner/Operator: Trenton D. Henry; Description: Acquisition of 160 acres of agricultural

land and related improvements and equipment to be used by the owner/operator for farming purposes (the "Project"). The Project is being financed by the Lender for Trenton D. Henry (the "Beginning Farmer") and is located in Section 5, Harrison Township, Nemaha County, Kansas, approximately 1/2 mile east and 1/4 mile south of Kelly, Kansas on N Road.

Project No. 001087 Maximum Principal Amount: \$225,000. Owner/Operator: Kyle P. and Ashli R. Niehues; Description: Acquisition of 73 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes (the "Project"). The Project is being financed by the Lender for Kyle P. and Ashli R. Niehues (the "Beginning Farmer") and is located at Section 18, Harrison Township, Nemaha County, Kansas, approximately 3 miles north of Corn- ing, Kansas on M Road.

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

As part of ongoing efforts to limit the spread of novel coronavirus in Kansas, interested individuals may participate in the public hearing via conference call. Please call toll free number 866-620-7326 and use conference identification number 159 722 1260 followed by # to join the conference.

All individuals who appear at the hearing will be given an opportunity to express their views concerning the proposal to issue the bonds to finance the projects, and all written comments previously filed with the K DFA at its offices at 534 S. Kansas Ave., Suite 800, Topeka, KS 66603, will be considered. Additional information regarding the projects may be obtained by contacting the K DFA.

Rebecca Floyd
President

Doc. No. 049616

State of Kansas

**Department of Agriculture
Division of Water Resources**

Permanent Administrative Regulations

**Article 19.—LOCAL ENHANCED
MANAGEMENT AREAS**

5-19-1. Definitions. Each of the following terms, as used in this article of the division's regulations, shall have the meaning specified in this regulation:

(a) "GMD" means a groundwater management district established pursuant to K.S.A. 82a-1020 et seq., and amendments thereto.

(b) "LEMA" means a local enhanced management area pursuant to K.S.A. 82a-1041, and amendments thereto.

(c) "LEMA plan" means the document adopted by a groundwater management district that specifies the basis for the designation and operation of a local enhanced management area.

(d) "Presiding officer" means either the chief engineer or a hearing officer appointed for the purpose of conducting public hearings regarding a local enhanced management area pursuant to K.S.A. 82a-1041, and amendments thereto. (Authorized by K.S.A. 82a-1041; implementing K.S.A. 74-510a and K.S.A. 82a-1041; effective Dec. 27, 2021.)

5-19-2. LEMA plans. (a) Before a GMD's board of directors recommends formal approval of a LEMA plan and submission to the chief engineer for review, the GMD's board of directors or staff may request the division to assist in the development of the LEMA plan or to informally review the LEMA plan.

(b) In addition to the requirements for LEMA plans specified in K.S.A. 82a-1041 and amendments thereto, each GMD that recommends approval of a LEMA plan and formally submits the LEMA plan to the chief engineer shall ensure that the LEMA plan includes the following:

(1) Each condition specified in K.S.A. 82a-1036(a) through (d), and amendments thereto, that the LEMA plan is intended to address;

(2) a statement of each goal that the LEMA plan is intended to achieve;

(3) documentation that quantifies how any corrective controls that establish allocations, cuts, or limitations to water use would affect each individual water right within the proposed boundaries;

(4) an appropriate appeals procedure for water right owners based on the corrective controls implemented;

(5) an executive summary of the proposed goals and corrective controls;

(6) documentation, evidence, or other information indicating that the proposed corrective controls will meet each stated goal of the proposed LEMA plan;

(7) a description of how the boundary of the proposed LEMA was determined;

(8) a description of how due consideration was given to water users who already have implemented reductions in water use resulting in voluntary conservation measures if the corrective controls result in any allocations, reductions, or limitations of water rights that are based on past use. If applicable, the description shall include the following:

(A) An explanation of the criteria or methods used to address voluntary water management or conservation that reduced water usage; and

(B) a requirement that any owner or holder of a water right provide documentation of any voluntary conservation that resulted in the use of less water;

(9) if applicable to the LEMA plan, specification of how past reductions in water use resulting in voluntary conservation will be considered in any appeal process provided; and

(10) if a stated goal of the LEMA plan is to address an impairment or there are known cases of direct impair-

ment within the LEMA, an explanation of how each impairment is legally addressed.

(c) A separate memorandum containing a summary of the public outreach conducted by the GMD before recommending the LEMA plan for approval shall be submitted simultaneously with the LEMA plan and shall include a description of any changes made to the LEMA plan due to any public comments.

(d) If the stated goal of a LEMA plan is to improve water quality, the GMD's board of directors or staff may consult with the chief engineer before formal submission of the proposed LEMA plan to determine which requirements in subsections (b) and (c) are applicable and to determine any other information necessary in order for the chief engineer to perform a review of the LEMA plan. (Authorized by and implementing K.S.A. 82a-1041; effective Dec. 27, 2021.)

5-19-3. Public hearings. (a) If the chief engineer initiates proceedings to designate a LEMA, the chief engineer may preside over any public hearings or may designate a presiding officer.

(b) If, following the initial hearing, the presiding officer determines that the proposed LEMA plan meets the initial requirements in K.S.A. 82a-1041 and amendments thereto, then a second hearing or hearings on the elements of the proposed LEMA plan shall be held. Each subsequent hearing shall include consideration of the LEMA plan's corrective controls, the likelihood that the LEMA plan will achieve the stated goals, and any other matters deemed necessary by the presiding officer.

(c) If a presiding officer is appointed to conduct a subsequent hearing as described in subsection (b), the presiding officer for the subsequent hearing shall be authorized only to make recommendations to the chief engineer and shall not have the authority to issue an order of decision or an order of designation.

(d)(1) Before any public hearing, the presiding officer shall hold a prehearing conference, with at least 15 days of notice, to select a date for the public hearing, specify the procedures to be followed at the public hearing, set any deadlines, and consider any other matters necessary for conducting the public hearing.

The presiding officer may establish any procedural rules that are deemed necessary or expedient for the conduct of the public hearing, including holding formal and informal phases of testimony, rules for discovery, and cross-examination of witnesses.

(2) Following the prehearing conference, the presiding officer shall issue a prehearing order that specifies the formal parties designated pursuant to paragraph (d) (1) if requested, all procedures to be followed during the public hearing, all deadlines, and any other matters necessary for conducting the public hearing.

(e) If formal and informal phases of testimony are held, the GMD that proposed the LEMA and the division shall be considered formal parties at the public hearing. Each other person or entity that wishes to be designated as a formal party shall file a timely request with the presiding officer. The presiding officer shall have discretion to approve or deny any request based upon the effect that the proposed LEMA would have on that person or entity or the timeliness of the person's or entity's request.

(continued)

(f) Each GMD proposing a LEMA plan shall be required to prove that the LEMA plan meets the requirements of K.S.A. 82a-1041, and amendments thereto, and that the corrective controls are sufficient to meet the stated goals. The GMD's representative shall call witnesses or testify first, followed by the division, and then by any other formal parties, unless the presiding officer determines that another order of testimony will better facilitate the proceedings. The division may proffer its record along with providing testimony or in lieu of providing testimony.

(g) In all hearings, the presiding officer shall make any rulings regarding procedure and evidence that are necessary to provide all interested persons and entities with a reasonable opportunity to be heard and present evidence into the record, whether the persons or entities are admitted as formal parties or not. The presiding officer shall not be bound by the formal rules of evidence or by any rules of civil procedure. In each case, all testimony received during the hearing or admitted as evidence during the hearing shall be taken under oath or affirmation, and a reasonable opportunity after the hearing shall be provided for the submission of written testimony and comments.

(h) During each hearing for the renewal of a LEMA plan that proposes adoption of a LEMA plan substantially similar to the LEMA plan that was previously adopted, the hearing schedule and requirements may be consolidated and simplified if notice of the consolidation or simplification is provided in the public notice required by K.S.A. 82a-1041 and amendments thereto, the proposing GMD does not object, and all parties are given a reasonable opportunity to be heard.

(i) The GMD and other parties shall not be required to pay any costs related to the presiding officer, hearing location, court reporter, and published notice or any other costs related to hosting a public hearing that may be approved by the chief engineer, except that the GMD may assist in organizing the hearing and may contribute funds to cover part or all of any costs incurred by the division.

(j) The presiding officer may conduct any public hearing by using a medium for interactive communication that meets the requirements of the Kansas open meetings act, K.S.A. 75-4317 et seq. and amendments thereto, if requested or approved by the GMD. The presiding officer may hold any prehearing, scheduling, or other conference by using a medium for interactive communication at the presiding officer's sole discretion. (Authorized by K.S.A. 82a-706a and K.S.A. 82a-1041; implementing K.S.A. 74-510a and K.S.A. 82a-1041; effective Dec. 27, 2021.)

5-19-4. Due consideration for past voluntary water conservation. (a) Each past reduction in water use that has resulted in voluntary water conservation implemented during any period upon which a LEMA plan's corrective controls are based shall be given due consideration by the GMD's board of directors or staff in determining allocations or eligible acres under a LEMA plan if the allocations or eligible acres are based on past use.

(b) If the GMD's board of directors or staff determines that water use has already been voluntarily reduced through management or conservation practices, the allo-

cation or eligible acres under the LEMA plan or the average used to determine individual allocations and eligible acres may be adjusted based on the amount of water conserved for each year that the conservation measure was in place.

(c) The GMD's board of directors or staff, in consultation with the chief engineer, may develop or apply any other criteria or methods to determine reductions in water use that resulted in voluntary conservation that are suitable to local conditions under the LEMA plan. (Authorized by and implementing K.S.A. 82a-1041; effective Dec. 27, 2021.)

5-19-5. Review and modification of a designated LEMA. (a) Once a LEMA has been designated by the chief engineer, the corrective controls in the LEMA plan shall remain in place until the LEMA expires pursuant to the terms of the LEMA plan or until the LEMA plan is changed.

(1) A GMD's board of directors or staff may request assistance in developing changes or informally reviewing any proposed changes to a LEMA plan before recommending adoption of the changes and submitting the changes to the chief engineer for consideration.

(2) In order to change an existing LEMA plan, each proposed change shall first be adopted by resolution of the GMD and then sent to the chief engineer for a public hearing.

(3) If the chief engineer determines that the proposed changes should be made part of the LEMA plan based on the findings at a public hearing, an order amending the LEMA plan shall be issued. However, no amendments may be retroactively applied in a way that requires greater reductions in water use than were required by the existing LEMA plan.

(b) If any proposed changes result from a formal review of the LEMA plan pursuant to K.S.A. 82a-1041 and amendments thereto or as required by the LEMA plan, the proposed changes with the chief engineer's findings shall be sent to the GMD's board of directors following the formal review hearing. The GMD's board of directors shall have 60 days to review the proposed changes and approve, reject, or amend the proposed changes.

(1) If the proposed changes are approved by resolution of the GMD, the chief engineer shall issue a LEMA review order containing the chief engineer's findings and implementing the changes and amending the LEMA plan.

(2) If the proposed changes are rejected by resolution of the GMD or the GMD fails to act within 60 days, the chief engineer shall issue a LEMA review order summarizing the chief engineer's findings and recommendations but without ordering any changes or amending the LEMA plan.

(3) If the proposed changes are amended by resolution of the GMD and sent back to the chief engineer, an additional public hearing to consider the amendments shall be held. The additional hearing shall allow for the submission of written comments and may be conducted by using a medium for interactive communication that meets the requirements of the Kansas open meetings act, K.S.A. 75-4317 et seq. and amendments thereto. The amendments to the proposed changes shall not be amended by

the chief engineer but may only be adopted or rejected as received from the GMD. Following the public hearing on the amendment, the chief engineer shall issue an order with findings that either reject the changes or order the amendment of the LEMA plan.

(c) Each hearing to consider changes in a designated LEMA and each formal review hearing shall be conducted pursuant to the hearing requirements in K.A.R. 5-19-3, unless the existing LEMA plan prescribes different or additional procedural requirements for a formal review.

(d) In addition to any topics required by the LEMA plan to be reviewed, each LEMA plan formal review hearing shall, at a minimum, include review and consideration of the effectiveness of the current corrective controls to meet the LEMA plan's stated goal. This subsection shall not serve as a limitation on topics that the presiding officer may hear or that the public may present during a formal review. (Authorized by K.S.A. 82a-706a and K.S.A. 82a-1041; implementing K.S.A. 82a-1041; effective Dec. 27, 2021.)

Earl D. Lewis, P.E.
Chief Engineer

Doc. No. 049623

State of Kansas

Department of Wildlife and Parks

Permanent Administrative Regulations

Article 4.—BIG GAME

115-4-4a. Wild turkey; legal equipment and taking methods. (a) Hunting equipment for the taking of wild turkey during a wild turkey archery season shall consist of the following:

(1) Archery equipment.

(A) No bow or arrow shall have any electronic device attached to the bow or arrow that controls the flight of the arrow. Devices that may be attached to a bow or arrow shall include lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

(B) Each arrow used for hunting shall be equipped with a broadhead point incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using archery equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

(2) Crossbows using arrows that are equipped with broadhead points incapable of passing through a ring with a diameter of three-quarters of an inch when fully expanded. A wild turkey hunter using crossbow equipment may possess non-broadhead-tipped arrows while hunting if the arrows are not used to take or attempt to take wild turkeys.

No crossbow or arrow shall have any electronic device attached to the crossbow or arrow that controls the flight of the arrow. Devices that may be attached to a crossbow or arrow shall include lighted pin, dot, or holographic sights; illuminated nocks; rangefinders; film or video cameras; and radio-frequency location devices.

(b) Hunting equipment for the taking of wild turkey during a wild turkey firearm season shall consist of the following:

(1) Archery and crossbow equipment as authorized in subsection (a);

(2) shotguns and muzzleloading shotguns using only size two shot through size nine shot;

(3) choked handguns and muzzleloading handguns having a minimum barrel length of 10 inches, including the chamber, and using only size two shot through size nine shot.

(c) Legal accessory equipment for the taking of wild turkey during any wild turkey season shall consist of the following:

(1) Lures; decoys, except live decoys; and nonelectric calls;

(2) blinds and stands;

(3) range-finding devices, if the devices do not project visible light toward the target; and

(4) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible light or detect infrared light or thermal energy.

(d) Shooting hours for wild turkey during each day of any turkey hunting season shall be from one-half hour before sunrise to sunset.

(e) Each individual hunting turkey shall shoot or attempt to shoot a turkey only while the turkey is on the ground or in flight.

(f) Dogs may be used while hunting turkey, but only during the fall turkey season.

(g) Firearm report-suppressing devices may be used.

(h) Handguns may be possessed during all wild turkey seasons. (Authorized by and implementing K.S.A. 2020 Supp. 32-807 and K.S.A. 2020 Supp. 32-969; effective April 22, 2005; amended April 13, 2007; amended April 11, 2008; amended May 21, 2010; amended April 20, 2012; amended April 19, 2013; amended Dec. 25, 2020; amended Dec. 27, 2021.)

Article 17.—WILDLIFE, COMMERCIAL USES AUTHORIZED

115-17-2. Commercial sale of fishing bait. (a) The following live species of wildlife may be commercially sold in Kansas for fishing bait:

(1) The following species of fish:

(A) Black bullhead (*Ameiurus melas*);

(B) bluegill (*Lepomis macrochirus*), including hybrids;

(C) fathead minnow (*Pimephales promelas*), including "rosy reds";

(D) golden shiner (*Notemigonus crysoleucas*);

(E) goldfish (*Carassius auratus*), including "black saltys";

(F) green sunfish (*Lepomis cyanellus*), including hybrids; and

(G) yellow bullhead (*Ameiurus natalis*);

(2) only species of annelids native to or naturalized in the continental United States;

(3) the following species of crayfish:

(A) Virile crayfish (*Orconectes virilis*);

(B) calico crayfish (*Orconectes immunes*); and

(C) white river crayfish (*Procambarus acutus*); and

(continued)

(4) only species of insects native to or naturalized in Kansas.

(b) The following species of wildlife may be commercially sold only if dead:

- (1) Bighead carp (*Hypophthalmichthys nobilis*);
- (2) emerald shiners (*Notropis atherinoides*);
- (3) gizzard shad (*Dorosoma cepedianum*);
- (4) silver carp (*Hypophthalmichthys molitrix*);
- (5) skipjack herring (*Alosa chrysochloris*); and
- (6) threadfin shad (*Dorosoma petenense*).

(c) Wildlife listed in K.A.R. 115-15-1 or in K.A.R. 115-15-2 or prohibited from importation pursuant to K.S.A. 32-956, and amendments thereto, shall not be sold.

(d) Live aquatic bait shall be certified free of the following pathogens before import, according to K.A.R. 115-17-2a:

- (1) Spring viremia of carp virus;
- (2) infectious pancreatic necrosis virus;
- (3) viral hemorrhagic septicemia virus; and
- (4) infectious hematopoietic virus.

(e) Each distribution tank and each retail tank shall utilize a source of potable water or well water.

This regulation shall be effective on and after January 1, 2022. (Authorized by and implementing K.S.A. 2020 Supp. 32-807; effective Sept. 10, 1990; amended Nov. 30, 1998; amended Jan. 1, 2012; amended Jan. 1, 2017; amended Jan. 1, 2018; amended Jan. 1, 2019; amended Jan. 1, 2022.)

Article 30.—BOATING

115-30-3. Personal flotation devices; recreational vessels. (a) For the purposes of this article of the department’s regulations, “PFD” shall mean any personal flotation device that is labeled and approved by the United States coast guard for use on recreational vessels.

(b) Each recreational vessel shall have at least one read-

ily accessible, wearable PFD in serviceable condition on board for each individual in the vessel and at least one wearable PFD on board for each individual being towed. No operator of any recreational vessel shall operate the vessel or allow the vessel to be operated unless each individual 12 years of age or younger wears an approved wearable PFD while being towed behind the vessel or aboard the vessel, unless the individual is below decks or in an enclosed cabin.

(c) To meet the “serviceable condition” requirement of K.S.A. 32-1119 and amendments thereto, each required PFD shall meet the requirements of 33 C.F.R. 175.23, as in effect on April 29, 1996, which is hereby adopted by reference, and shall be of the appropriate size and fit for the individual to whom the PFD is assigned.

(d) In addition to the provisions of subsection (b), each recreational vessel 16 feet or greater in length, except canoes and kayaks, shall have at least one throwable PFD on board. Each throwable PFD shall be in serviceable condition, labeled as U.S. coast guard-approved, and readily accessible.

(e) Each PFD shall be used in accordance with the requirements of the PFD’s label and in accordance with the owner’s manual, if the label refers to an owner’s manual.

(f) To meet the “readily accessible” requirement of K.S.A. 32-1119 and amendments thereto, each required PFD shall be in open view. A required PFD shall not be stowed in locked or closed compartments or be inside plastic or other packaging material. (Authorized by and implementing K.S.A. 2020 Supp. 32-1119 and K.S.A. 32-1129, as amended by L. 2021, ch. 68, sec. 2; effective Oct. 22, 1990; amended March 20, 1995; amended Feb. 28, 1997; amended Dec. 27, 2021.)

Brad Loveless
Secretary

Doc. No. 049622

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 2021 Supplement of the *Kansas Administrative Regulations*. Regulations can also be found at http://www.sos.ks.gov/pubs/pubs_kar.aspx.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-18-1a	Amended	V. 40, p. 1490
1-18-2	Revoked	V. 40, p. 1490

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-8-13	Amended	V. 40, p. 320

4-8-14a	Amended	V. 40, p. 320
4-8-27	Amended	V. 40, p. 320
4-8-28	Amended	V. 40, p. 320
4-8-29	Amended	V. 40, p. 320
4-8-30	Amended	V. 40, p. 320
4-8-31	Amended	V. 40, p. 320
4-8-32	Amended	V. 40, p. 320
4-8-33	Amended	V. 40, p. 320
4-8-34	Amended	V. 40, p. 321
4-8-35	Amended	V. 40, p. 321
4-8-36	Amended	V. 40, p. 321
4-8-37	Amended	V. 40, p. 321
4-8-38	Amended	V. 40, p. 321
4-8-39	Amended	V. 40, p. 321
4-8-40	Amended	V. 40, p. 321
4-8-41	Revoked	V. 40, p. 321
4-8-42	Revoked	V. 40, p. 321
4-8-43	Revoked	V. 40, p. 321
4-8-44	New	V. 40, p. 321
4-8-45	New	V. 40, p. 322
4-8-46	New	V. 40, p. 322
4-8-47	New	V. 40, p. 322
4-8-48	New	V. 40, p. 322
4-34-1	Amended	V. 40, p. 191
4-34-24	Amended (T)	V. 40, p. 1322
4-34-24	Amended	V. 40, p. 1663
4-34-25	Amended (T)	V. 40, p. 1323
4-34-25	Amended	V. 40, p. 1664
4-34-29	Amended (T)	V. 40, p. 1324

4-34-29	Amended	V. 40, p. 1665
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AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-48-1	New	V. 40, p. 263

AGENCY 11: DEPARTMENT OF AGRICULTURE — DIVISION OF CONSERVATION

Reg. No.	Action	Register
11-9-5	Amended	V. 40, p. 427

AGENCY 21: HUMAN RIGHTS COMMISSION

Reg. No.	Action	Register
21-40-10	Revoked	V. 40, p. 265
21-41-1	Revoked	V. 40, p. 265
21-41-2	Amended	V. 40, p. 265
21-41-3	Amended	V. 40, p. 265
21-41-4	Revoked	V. 40, p. 265
21-41-6	Amended	V. 40, p. 265
21-41-8	Amended	V. 40, p. 265
21-41-10	Amended	V. 40, p. 265
21-41-11	Revoked	V. 40, p. 265

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-26-1	New (T)	V. 40, p. 1034
22-26-1	New	V. 40, p. 1444

22-26-2	New (T)	V. 40, p. 1035
22-26-2	New	V. 40, p. 1445
22-26-3	New (T)	V. 40, p. 1035
22-26-3	New	V. 40, p. 1445
22-26-4	New (T)	V. 40, p. 1036
22-26-5	New (T)	V. 40, p. 1037
22-26-5	New	V. 40, p. 1446
22-26-6	New (T)	V. 40, p. 1037
22-26-6	New	V. 40, p. 1446
22-26-7	New (T)	V. 40, p. 1037
22-26-7	New	V. 40, p. 1446
22-26-8	New (T)	V. 40, p. 1037
22-26-8	New	V. 40, p. 1447
22-26-9	New (T)	V. 40, p. 1038
22-26-9	New	V. 40, p. 1447
22-26-10	New (T)	V. 40, p. 1038
22-26-10	New	V. 40, p. 1447
22-26-11	New (T)	V. 40, p. 1038
22-26-11	New	V. 40, p. 1447
22-26-12	New (T)	V. 40, p. 1039
22-26-12	New	V. 40, p. 1448
22-26-13	New (T)	V. 40, p. 1039
22-26-13	New	V. 40, p. 1448
22-26-14	New (T)	V. 40, p. 1039
22-26-14	New	V. 40, p. 1448
22-26-15	New (T)	V. 40, p. 1040
22-26-16	New (T)	V. 40, p. 1040
22-26-16	New	V. 40, p. 1449

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-18-1	Amended	V. 40, p. 1547
28-18-4	Amended	V. 40, p. 1186
28-18-14	Amended	V. 40, p. 1550
28-18-16	Amended	V. 40, p. 1551
28-18-17	Amended	V. 40, p. 1551
28-18a-4	Amended	V. 40, p. 1187
28-18a-24	Amended	V. 40, p. 1552
28-65-1	Amended	V. 40, p. 318
28-65-2	Amended	V. 40, p. 318
28-65-3	Amended	V. 40, p. 318
28-65-4	Amended	V. 40, p. 319

AGENCY 40: INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 40, p. 191
40-1-52	New	V. 40, p. 191

AGENCY 61: BOARD OF BARBERING

Reg. No.	Action	Register
61-4-3	New	V. 40, p. 161

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-12-1	Amended	V. 40, p. 670

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-1-4	Amended	V. 40, p. 1522
69-6-2	Amended	V. 40, p. 1522
69-15-31	Amended	V. 40, p. 1522

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-4-30a	Amended (T)	V. 39, p. 1383
82-4-30a	Amended	V. 40, p. 160
82-11-2	Amended	V. 40, p. 1636
82-11-3	Amended	V. 40, p. 1636
82-11-4	Amended	V. 40, p. 1638
82-11-6	Amended	V. 40, p. 1643

82-11-7	Amended	V. 40, p. 1645
82-11-10	Amended	V. 40, p. 1645

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-3-10	Amended	V. 40, p. 497
86-3-18	Amended	V. 40, 497
86-3-21	Revoked	V. 40, p. 498
86-3-22	Amended	V. 40, p. 498

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-31-31	Amended	V. 40, p. 1399
91-31-32	Amended	V. 40, p. 1401
91-31-33	Amended	V. 40, p. 1401
91-31-34	Amended	V. 40, p. 1401
91-31-35	Amended	V. 40, p. 1402
91-31-36	Amended	V. 40, p. 1402
91-31-37	Amended	V. 40, p. 1403
91-31-38	Amended	V. 40, p. 1403
91-31-39	Revoked	V. 40, p. 1403
91-31-40	Amended	V. 40, p. 1403
91-31-41	Amended	V. 40, p. 1404
91-31-42	Amended	V. 40, p. 1404
91-31-43	New	V. 40, p. 1404

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-47	Revoked	V. 40, p. 290
92-19-67	Revoked	V. 40, p. 290
92-51-34a	Amended	V. 40, p. 1225

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-2	Amended	V. 40, p. 571
100-6-2a	New	V. 40, p. 290
100-6-7	New (T)	V. 40, p. 1321
100-6-7	New	V. 40, p. 1490
100-8-3	New	V. 40, p. 572
100-15-4	Amended	V. 40, p. 572
100-15-5	Amended	V. 40, p. 573
100-28a-5	Amended	V. 40, p. 1096
100-28a-16	Amended	V. 40, p. 1097

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-3-3	Amended	V. 40, p. 1522
109-3-4	Amended	V. 39, p. 31
109-3-5	Amended	V. 40, p. 1524
109-5-1a	Amended	V. 39, p.32
109-11-1a	Amended	V. 39, p.32

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. 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*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*.

Reg. No.	Action	Register
111-2-328	New	V. 39, p. 1460
111-4-3547	Amended	V. 40, p. 1225
111-4-3595	New	V. 39, p. 57
111-4-3596	New	V. 39, p. 58
111-4-3597	New	V. 39, p. 59
111-4-3598	New	V. 39, p. 60
111-4-3599	New	V. 39, p. 61
111-4-3600	New	V. 39, p. 63
111-4-3601	New	V. 39, p. 532
111-4-3602	New	V. 39, p. 533
111-4-3603	New	V. 39, p. 570
111-4-3604	New	V. 39, p. 572
111-4-3605	New	V. 39, p. 573
111-4-3606	New	V. 39, p. 574
111-4-3607	New	V. 39, p. 576
111-4-3608	New	V. 39, p. 621
111-4-3609	New	V. 39, p. 623
111-4-3610	New	V. 39, p. 624
111-4-3611	New	V. 39, p. 854
111-4-3612	New	V. 39, p. 855
111-4-3613	New	V. 39, p. 856
111-4-3614	New	V. 39, p. 858
111-4-3615	New	V. 39, p. 859
111-4-3616	New	V. 39, p. 860
111-4-3617	New	V. 39, p. 861
111-4-3618	New	V. 39, p. 862
111-4-3619	New	V. 39, p. 862
111-4-3620	New	V. 39, p. 864
111-4-3621	New	V. 39, p. 865
111-4-3623	New	V. 39, p. 866
111-4-3624	New	V. 39, p. 891
111-4-3625	New	V. 39, p. 892
111-4-3626	New	V. 39, p. 893
111-4-3627	New	V. 39, p. 894
111-4-3628	New	V. 39, p. 896
111-4-3629	New	V. 39, p. 897
111-4-3630	New	V. 39, p. 900
111-4-3631	New	V. 39, p. 1076
111-4-3632	New	V. 39, p. 1077
111-4-3633	New	V. 39, p. 1109
111-4-3634	New	V. 39, p. 1109
111-4-3635	New	V. 39, p. 1110
111-4-3636	New	V. 39, p. 1111
111-4-3637	New	V. 39, p. 1113
111-4-3638	New	V. 39, p. 1114
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111-4-3645	New	V. 39, p. 1462
111-4-3646	New	V. 39, p. 1463
111-4-3647	New	V. 39, p. 1465
111-4-3648	New	V. 39, p. 1466
111-4-3649	New	V. 40, p. 40
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111-4-3651	New	V. 40, p. 192
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111-4-3658	New	V. 40, p. 573	111-19-81	New	V. 39, p. 626	111-401-254	New	V. 39, p. 69
111-4-3659	New	V. 40, p. 575	111-19-82	New	V. 39, p. 868	111-401-255	New	V. 39, p. 71
111-4-3660	New	V. 40, p. 576	111-19-83	New	V. 39, p. 868	111-501-16	Amended	V. 40, p. 1355
111-4-3661	New	V. 40, p. 920	111-19-84	New	V. 39, p. 868	111-501-18	Amended	V. 40, p. 1355
111-4-3662	New	V. 40, p. 921	111-19-85	New	V. 39, p. 869	111-501-19	Amended	V. 40, p. 1356
111-4-3663	New	V. 40, p. 1133	111-19-86	New	V. 39, p. 870	111-501-20	Amended	V. 40, p. 1357
111-4-3664	New	V. 40, p. 1134	111-19-87	New	V. 39, p. 901	111-501-22	Amended	V. 40, p. 1163
111-4-3665	New	V. 40, p. 1135	111-19-88	New	V. 39, p. 901	111-501-44	Amended	V. 40, p. 929
111-4-3666	New	V. 40, p. 1136	111-19-89	New	V. 39, p. 1082	111-501-45	Amended	V. 40, p. 1426
111-4-3667	New	V. 40, p. 1137	111-19-90	New	V. 39, p. 1115	111-501-71	Amended	V. 39, p. 1340
111-4-3668	New	V. 40, p. 1138	111-19-91	New	V. 39, p. 1116	111-501-81	Amended	V. 39, p. 1340
111-4-3669	New	V. 40, p. 1157	111-19-92	New	V. 39, p. 1116	111-501-105	Amended	V. 40, p. 430
111-4-3670	New	V. 40, p. 1158	111-19-93	New	V. 39, p. 1337	111-501-107	Amended	V. 40, p. 431
111-4-3671	New	V. 40, p. 1226	111-19-94	New	V. 39, p. 1405	111-501-108	Amended	V. 40, p. 431
111-4-3672	New	V. 40, p. 1227	111-19-95	New	V. 39, p. 1405	111-501-109	Amended	V. 40, p. 431
111-4-3673	New	V. 40, p. 1228	111-19-96	New	V. 39, p. 1406	111-501-149	New	V. 39, p. 72
111-4-3674	New	V. 40, p. 1228	111-19-97	New	V. 40, p. 42	111-501-150	New	V. 39, p. 72
111-4-3675	New	V. 40, p. 1229	111-19-98	New	V. 40, p. 43	111-501-151	Amended	V. 40, p. 1236
111-4-3676	New	V. 40, p. 1230	111-19-99	New	V. 40, p. 44	111-501-152	New	V. 39, p. 73
111-4-3677	New	V. 40, p. 1232	111-19-100	New	V. 40, p. 200	111-501-153	New	V. 39, p. 74
111-4-3678	New	V. 40, p. 1350	111-19-101	New	V. 40, p. 430	111-601-4	Amended	V. 39, p. 1117
111-4-3679	New	V. 40, p. 1351	111-19-102	New	V. 40, p. 578	111-601-6	Amended	V. 39, p. 1117
111-4-3680	New	V. 40, p. 1352	111-19-103	New	V. 40, p. 579	111-601-35	Amended	V. 40, p. 580
111-4-3681	New	V. 40, p. 1354	111-19-104	New	V. 40, p. 1139	AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS		
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111-4-3684	New	V. 40, p. 1577	111-19-107	New	V. 40, p. 1161	115-3-1	Amended	V. 40, p. 1131
111-4-3685	New	V. 40, p. 1578	111-19-108	New	V. 40, p. 1161	115-3-2	Amended	V. 40, p. 721
111-4-3686	New	V. 40, p. 1579	111-19-109	New	V. 40, p. 1162	115-4-4	Amended	V. 40, p. 1132
111-5-22	Amended	V. 40, p. 922	111-19-110	New	V. 40, p. 1234	115-4-6	Amended	V. 40, p. 500
111-5-24	Amended	V. 40, p. 922	111-19-111	New	V. 40, p. 1235	115-8-1	Amended	V. 40, p. 1133
111-5-223	Amended	V. 40, p. 428	111-19-112	New	V. 40, p. 1235	115-9-6	Amended	V. 40, p. 721
111-5-245	New	V. 39, p. 577	111-19-113	New	V. 40, p. 1236	115-18-13	Revoked	V. 40, p. 721
111-5-246	New	V. 40, p. 429	111-19-114	New	V. 40, p. 1354	AGENCY 117: REAL ESTATE APPRAISAL BOARD		
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111-9-224	New	V. 39, p. 867	111-19-117	New	V. 40, p. 1582	AGENCY 132: 911 COORDINATING COUNCIL		
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111-15-5	Amended	V. 39, p. 1081	111-301-64	Amended	V. 39, p. 538	132-4-3	New	V. 40, p. 1423
111-15-6	Amended	V. 39, p. 1081	111-301-66	Amended	V. 39, p. 538	132-5-1	New	V. 40, p. 1423
111-15-10	Amended	V. 39, p. 1082	111-301-72	New	V. 39, p. 1338	132-6-1	New	V. 40, p. 1423
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