



Kansas Register

Kris W. Kobach, Secretary of State

Vol. 34, No. 28

July 9, 2015

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State of Kansas

Historic Sites Board of Review

Notice of Meeting

The Kansas Historic Sites Board of Review will meet at 9 a.m. Saturday, August 8, in the classrooms in the Kansas Museum of History, 6425 S.W. 6th Ave., Topeka. The board will consider the following items:

- Approval of minutes of May 9, 2015, meeting.
- National Register of Historic Places – Nominations:
 - Great Bend AAF Hangar – 9047 N. 6th St., Great Bend, Barton County
 - Great Bend AAF Norden Bombsight Storage Vaults – 9047 N. 6th St., Great Bend, Barton County
 - Fulton High School & Grade School – 408 W. Osage St., Fulton, Bourbon County
 - Evangelical Lutheran School – 308 N. Indiana St., Sylvan Grove, Lincoln County
 - Kimble, Francis Byron (Barney), House – 720 Poyntz Ave., Manhattan, Riley County
 - Martin Cemetery – U.S. 50 Hwy., St. John vicinity, Stafford County
 - Papes Barn – 890 Ellis Ave., Ellis vicinity, Ellis County
 - Shulthis Stadium Grandstand – 520 E. Oak St., Independence, Montgomery County

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

Jennie Chinn
Executive Director

Doc. No. 043680

State of Kansas

Secretary of State

Notice of Judgment Interest Rate

Pursuant to the provisions of K.S.A. 16-204, the rate of interest on judgments rendered by courts of the state of Kansas pursuant to the code of civil procedure is 4.75 percent during the period of July 1, 2015, through June 30, 2016.

Kris W. Kobach
Secretary of State

Doc. No. 043681

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).

Effective 7-6-15 through 7-12-15

Term	Rate
1-89 days	0.12%
3 months	0.02%
6 months	0.06%
12 months	0.33%
18 months	0.49%
2 years	0.65%

Scott Miller
Director of Investments

Doc. No. 043679

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State of Kansas

Secretary of State

Notice of Forfeiture

In accordance with Kansas statutes, the following business entities organized under the laws of Kansas and the foreign business entities authorized to do business in Kansas were forfeited during the month of June 2015 for failure to timely file an annual report and pay the annual report fee.

Please Note: The following list represents business entities forfeited in June. Any business entity listed may have filed for reinstatement and be considered in good standing. To check the status of a business entity go to the Kansas Business Center's Business Entity Search Station at <https://www.kansas.gov/bess/flow/main?execution?2s4> (select Business Entity Database) or contact the Business Services Division at 785-296-4564.

Domestic Business Entities

Air Capital Charities, Inc., Wichita, KS
 Ascent for Women and Children Inc., Shawnee, KS
 Big Sky Farms, Inc., Chandler, AZ
 Consolidated Resources, Inc., Milan, IL
 E & J, Inc., Hutchinson, KS
 Farm Office Inc., Wichita, KS
 FATB Construction LLC, Pratt, KS
 Firestarters Inc., La Cygne, KS
 First Lutheran Church Endowment Association, Paola, KS
 First Southern Baptist Church of Caney, Inc., Caney, KS
 Gardner Edgerton Wrestling Club, Edgerton, KS
 Glendale 1, LLC, Salina, KS
 Glendale 2, LLC, Salina, KS
 Group Multimedia Inc., Kansas City, KS
 Harvest Baptist Church, Overland Park, KS
 Heartland Women's Leadership Council, Inc.,
 Kansas City, MO
 Holleicke-Perrin Tires, Inc., Wichita, KS
 IQUAD, L.L.C., Brookville, KS
 Kansas State Grange of the Patrons of Husbandry, Olathe, KS
 KG Equipment Link Company Inc., South Hutchinson, KS
 Kiwanis Club of Edwardsville, Inc., Bonner Springs, KS
 Kiwanis Club of North Topeka, Topeka, KS
 Koehn Property & Development, LLC, Salina, KS
 Kolb Oilfield Services, Inc., Medicine Lodge, KS
 Lambda Chi Building Association, St. George, KS
 McDonald Grain Inc., Kansas City, KS
 Morningside Community Church, Inc., Montezuma, KS
 Move 'n Mingle Society, Hoyt, KS
 Multimedia Group, Inc., Kansas City, KS
 Never Alone Crisis Ministry, Inc., Wichita, KS
 Northeast Kansas Area Agency on Aging, Inc., Hiawatha, KS
 Norton Gun Club, Norton, KS
 O'Campo Auto Sales & Repair, Inc., Overland Park, KS
 Optimist Club Foundation of Wichita, Wichita, KS
 Optimist Club of Olathe, Inc., Olathe, KS
 Parkwood 1, LLC, Salina, KS
 Seward County 4-H Foundation, Incorporated, Liberal, KS
 The Kiwanis Club of Russell, Kansas, Russell, KS
 TW Investments, Inc., Selden, KS
 United Fund of Hoisington, Hoisington, KS
 Wilbur Farms, Inc., Leoti, KS
 Winter Construction, Inc., Altamont, KS
 Wood Valley Racquet Club, Inc., Topeka, KS
 Wyandotte County Fair Association, Inc., Kansas City, KS
 Young Partners, LLC, Ulysses, KS

4 Feathers Inc., Sylvan Grove, KS

Foreign Business Entities

Able Infosat Communications, Inc., Pearland, TX
 Amata Oil Company, Inc., Council Bluffs, IA
 Chahta Foundation, Durant, OK
 Eldon & Sons, Inc., Lee's Summit, MO
 Lottman Carpenter Construction, Inc., Diller, NE
 Mid-America Chapter - Paralyzed Veterans of America, Inc.,
 Oklahoma City, OK
 Parkway Electric & Communications LLC, Dover, DE
 Pinnacle Automotive Protection, Inc., Dupo, IL
 RCA Group, Inc., Kansas City, MO
 Sludge Technology, Inc., Muskogee, OK
 Sproles Empowered Youth, San Diego, CA

Kris W. Kobach
 Secretary of State

Doc. No. 043691

State of Kansas

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Final Written Determinations, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&A's, Information Guides and Notices published by the Department of Revenue for June 2015. Copies can be obtained by accessing the Policy Information Library located on the Internet at www.ksrevenue.org or by calling the Office of Policy and Research at 785-296-3081.

Private Letter Rulings

No new publications

Opinion Letters

No new publications

Final Written Determinations

No new publications

Revenue Rulings

No new publications

Notices

- 15-01 Notice of Cigarette Tax Increase and Inventory Requirements
- 15-02 Recent Legislation Increases Kansas State Sales & Use Tax Rate from 6.15% to 6.5% Effective July 1, 2015
- 15-03 Instructions for Reporting Sales Receipts on Sales Tax Returns Filed for July 2015
- 15-04 2015 Motor Fuel Legislative Update

Memorandums

No new publications

Property Valuation Division Directives

No new publications

Q&A's

No new publications

Information Guides

Theater/Dance Entertainment Fact Sheet

Nick Jordan
 Secretary of Revenue

Doc. No. 043686

State of Kansas
Public Employees Retirement System

Request for Proposals

The Kansas Public Employees Retirement System (KPERs) is soliciting proposals for currency overlay management services for the non-U.S. equity portfolio. A copy of the RFP may be downloaded at www.kpers.org.

All proposals must meet the minimum qualifications in the RFP. Respondents should deliver five written copies of their proposal and an electronic copy on CD to KPERs' offices by noon (CDT) Monday, August 3, 2015. Questions about the RFP may be directed to Elizabeth Miller, CFA, Chief Investment Officer/KPERs, 611 S. Kansas Ave., Topeka, 66603, or by email to rfp_currencyoverlay@kpers.org. The deadline for submitting questions is 5 p.m. (CDT) Friday, July 10, 2015.

Alan D. Conroy
Executive Director

Doc. No. 043687

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:

07/31/2015 EVT0003842 Security Camera

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

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

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>

07/23/2015	A-012757	CSMS Building Utility Upgrades at Topeka
07/23/2015	A-012629REV	Energy Efficiency Upgrades at Lenexa Readiness Center, Lenexa
07/30/2015	A-012749	Non-Organizational Parking Resurfacing, Holton Armory at Holton

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

Tracy T. Diel, Director
Procurement and Contracts

Doc. No. 043693

State of Kansas
Board of Regents Universities

Notice to Bidders

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

Emporia State University – Bid postings: www.emporia.edu/busaff/. Additional contact info: phone 620-341-5145, fax: 620-341-5073, email: 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. Additional contact info: phone 785-628-4251, fax: 785-628-4046, email: purchasing@fhsu.edu. Mailing address: Fort Hays State Purchasing Office, 601 Park St., 318 Sheridan Hall, Hays, KS 67601.

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

Pittsburg State University – Bid postings: www.pittstate.edu/office/purchasing. Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: 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.

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

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

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

Doc. No. 043663

State of Kansas

**Department of Administration
Office of the Chief Financial Officer**

Public Notice

Under requirements of K.S.A. 65-34,117(c), as amended, records of the Office of the Chief Financial Officer show the unobligated balances are \$6,504,127.85 in the Underground Petroleum Storage Tank Release Trust Fund and \$1,560,758.28 in the Aboveground Petroleum Storage Tank Release Trust Fund at June 30, 2015.

Annette Witt, Manager
Office of the Chief Financial Officer

Doc. No. 043695

(Published in the Kansas Register July 9, 2015.)

City of Lenexa, Kansas

Notice of Public Auction

The city of Lenexa, Kansas, will offer for sale at public auction the following structure located in Johnson County, Kansas, to be moved:

An approximately 2,450 sq. ft., 4-bedroom, 3.5-bath home with attached 3-car garage located at 10215 Theden Cir., Lenexa, Kansas 66220.

Auction:

The auction will start promptly at 11 a.m. July 22, 2015.

Inspection of Structure:

The structure will be opened to the public for viewing and inspection from 10 to 11 a.m. July 15 and from 10 to 11 a.m. the day of the sale.

Terms of Sale:

A cashier's check for the purchase price, payable to the city of Lenexa, must be paid on the day of the sale. The successful bidder will receive a bill of sale upon payment. The successful bidder will be required to remove the structure from the right of way on or before January 31, 2016.

Performance Guaranty:

The successful bidder for the structure will be required to post a performance guaranty in the amount of \$8,000, posted by cashier's check the day of the sale.

Questions should be directed to Steve Schooley, transportation manager, at sschooley@lenexa.com or 913-477-7662.

The seller reserves the right to reject any and all bids and is not responsible for accidents. The seller makes no warranties, either expressed or implied, as to the condition of the dwelling; the soil conditions in, under or around the property; or the existence of hazardous substances, including without limitation, lead paint, asbestos, mold, mildew, polychlorinated biphenyls, petroleum leakage, agricultural or household chemicals, which may or may not be present on the property, or any other environmental conditions. The seller has no knowledge of the existence of such matters or conditions on or in the property unless otherwise stated. The structure is being sold "as is."

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

Notice of auction documents are available for download from the Drexel Technologies, Inc. website at <http://planroom.drexeltech.com/>.

David F. Bryant III
Lenexa City Clerk

Doc. No. 043644

State of Kansas

**Department of Administration
Office of Facilities and Property Management**

Notice of Requested Engineering Services

Notice is hereby given of the commencement of the selection process for engineering services for the renovation of space for a new 500 kW data center facility for the Department of Administration at the State Defense Building in Topeka. The project construction budget is \$4,500,000.

For more information contact Cliff Flowers at 785-296-3027 or Clifford.Flowers@da.ks.gov. An architectural program is available at <http://admin.ks.gov/offices/ofpm/dcc/arch-eng-programs>.

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 5MB and follow the current State Building Advisory Commission guidelines 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 July 24, 2015.

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

Doc. No. 043694

(Published in the Kansas Register July 9, 2015.)

City of Fort Scott, Kansas

Notice of Proposed DBE Program

The city of Fort Scott, Kansas, has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation, 49 CFR Part 26, for FAA funding at the Fort Scott Municipal Airport. The city anticipates receiving federal financial assistance from the Department of Transportation and, as a condition of receiving this assistance, the city will sign an assurance that it will comply with 49 CFR Part 26.

The city's overall goal for FY 2016-2018 is the following: a three-year goal of 7.44 percent of the federal financial assistance.

The proposed DBE Program is available for public inspection and comment at the office of the airport manager, 1869 Indian Road, Fort Scott, 66701. The city will accept comments on the goals for 45 days from the date of this notice. Comments can be sent to Kenny Howard, airport manager.

Diane K. Clay, MMC
City Clerk

Doc. No. 043696

(Published in the Kansas Register July 9, 2015.)

City of Lenexa, Kansas

Notice to Bidders

Sealed bids for **City Center Multi-Purpose Trail** will be accepted by the city of Lenexa, Kansas, at the Community Development Department, Lenexa City Hall, 12350 W. 87th St. Parkway, Lenexa, 66215, until 1 p.m. July 10, 2015, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Community Development Department's customer service staff (main level) in sealed envelopes addressed to the city of Lenexa, Kansas, attention: city clerk, and marked "Bid for: City Center Multi-Purpose Trail." Copies of plans, specifications, bidding documents and other contract documents are on file at Drexel Technologies, Inc., 10840 W. 86th St., Lenexa, 66214.

Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above.

Plans and specifications may be downloaded from the Drexel Technologies, Inc. website at <http://planroom.drexeltech.com/>.

Note: Davis Bacon wage rates apply to this project.

Each bidder will be responsible for ensuring that it has received any and all addenda issued by the city in accordance with IB-10 of the instructions to bidders.

Contractors should read and be fully familiar with all contract documents including addenda before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar there-

with 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 as specified in the contract documents.

No oral telegraphic, telephonic proposals or alterations will be considered. Facsimile transmissions will not be accepted.

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

- a. Bid form;
- b. 5% bid security – bid bond, cashier's check or certified check (see below); and
- c. Acknowledgment of addenda issued by the city.

Each bidder shall file with its bid a bid bond, a cashier's check or a certified check drawn on an acceptable bank, made payable to the city of Lenexa, Kansas, in an amount equal to 5 percent of the total bid, which shall be retained by the city of Lenexa until a contract for the project has been executed. Bid bonds will be returned to the bidders, with the exception of the best and lowest and second best and second lowest responsible bidders, within 21 days after their bids are rejected. The bid deposit of the lowest and the second lowest responsible bidders will be returned when the performance bond, maintenance bond and statutory bond, each 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 by the successful bidder.

In the event the low bidder is unable to execute the contract, for whatever reason, within the time provided in the Notice of Award, the city may annul the Notice of Award and the bid deposit may be forfeited, and the city shall exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security or specific performance.

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.

From and after the release of this notice, any party intending to bid on the above-referenced project, including their officers, employees, agents or contractors, are specifically prohibited from communicating with any elected or appointed official of the city, directly or indirectly, with regard to the award of the contract for the project listed above, except as specifically authorized by the instructions to bidders. Any such unauthorized communication may result in the automatic disqualification of such bidder.

All bidders agree that rejection shall create no liability on the part of the city because of such rejection, and the filing of any bid in response to this notice shall constitute an agreement of the bidder to these conditions.

David F. Bryant III
Lenexa City Clerk

Doc. No. 043612

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, July 23, in the offices of the Kansas Development Finance Authority, 534 S. Kansas Ave., Suite 800, Topeka, on the proposal for the KDFFA 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 KDFFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The projects shall be located as shown:

Project No. 000931 – Maximum Principal Amount: \$369,219. Owner/Operator: Wyatt Harting. Description: Acquisition of 436 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Wyatt Harting and is located at the West Half of the Southwest Quarter of Section 29, and the Northwest Quarter of the Northwest Quarter of Section 32, Township 4, Range 22, and the South Half of the Northeast Quarter of Section 16, Township 4, Range 24, and the South Half of the Northeast Quarter of Section 34, Township 4, Range 23, Norton County, Kansas, approximately 11 miles south of Norton on U.S. Hwy. 283, 3 miles east on Road 2, and 1 mile south on E 3.

Project No. 000932 – Maximum Principal Amount: \$330,781. Owner/Operator: Kolton Harting. Description: Acquisition of 402 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Kolton Harting and is located at the Southeast Quarter of Section 30, the East Half of the Northeast Quarter of Section 31, Township 4, Range 22, the South Half of the Southwest Quarter of Section 30, Township 4, Range 22, and the North Half of the Southeast Quarter of Section 31, Township 4, Range 22, Norton County, Kansas, approximately 11 miles south of Norton on U.S. Hwy. 283, 3 miles east on Road W, and 1 mile south on E 3.

Project No. 000933 – Maximum Principal Amount: \$204,000. Owner/Operator: Kevin and Susan Shields. Description: Acquisition of 140 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Kevin and Susan Shields and is located at the Northeast Quarter of Section 27, Township 17 South, Range 4 East of the 6th PM, less the North Half of the Northeast Quarter of the Northeast Quarter, Marion County, Kansas, approximately 1 mile south of Lost Springs on Vista Road.

Project No. 000934 – Maximum Principal Amount: \$119,289.34. Owner/Operator: Rusty and Kara Morehead. Description: Acquisition of 80 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Rusty and Kara Morehead and is located at Section 32, Clifton Township, Washington County, Kansas, approximately 3 miles west of Clifton.

The bonds, when issued, will be a limited obligation of the KDFFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the KDFFA, 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.

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 KDFFA at its offices at 534 S. Kansas Ave., Suite 800, Topeka, 66603, will be considered. Additional information regarding the projects may be obtained by contacting the KDFFA.

Tim Shallenburger
President

Doc. No. 043690

State of Kansas

Office of the Governor

Executive Order 15-04

WHEREAS, the Director of the Kansas Water Office has informed me, pursuant to K.S.A. 74-2608, of the drought conditions within the state; and

WHEREAS, there is every indication that the drought conditions have changed across the state; and

WHEREAS, the Kansas Emergency Management Act (K.S.A. 48-924 *et seq.*) states that the Governor shall be responsible for meeting the dangers to the state and its people from disasters, including drought.

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

1. Declare a Drought Watch for the Kansas counties indicated below replacing Executive Order 14-04; and
2. Authorize and direct all agencies under the jurisdiction of the Governor to implement the appropriate Watch level drought response actions assigned to them in the Operations Plan of the Governor's Drought Response Team.

Drought Watch: Barton, Cheyenne, Decatur, Ellis, Finney, Gove, Graham, Grant, Gray, Greeley, Hamilton, Kearny, Lane, Logan, Morton, Ness, Norton, Osborne, Phillips, Rawlins, Rooks, Rush, Russell, Scott, Sheridan, Sherman, Smith, Stanton, Stevens, Thomas, Trego, Wallace, Wichita

County drought stages declared in the Executive Order shall remain in effect until revised or rescinded by a subsequent Executive Order.

This document shall be filed with the Secretary of State as Executive Order 15-04 and shall become effective immediately.

Dated June 30, 2015.

Same Brownback
Governor

Doc. No. 043684

State of Kansas

Department of Transportation

Notice of Public Auction

The Kansas secretary of transportation will offer for sale at public auction at 11 a.m. August 11, 2015, the following parcels:

Project: 96-8 (37) K -3292-01

2 Parcels, Total 7.00 acres +/-, Butler County, US-400 near Beaumont

Parcel A — Tract 2122 – 3u, 5u – 3.98 acres

Parcel B — Tract 2122 – 6u – 3.02 acres

Both Tracts in NE4, Section 33-27S-8E

A complete legal description is available on request.

An inspection of property will take place one hour prior to sale.

The sales will be conducted back-to-back on the premises. In case of inclement weather call the number below for an alternate sale location and adjusted auction time.

Minimum Acceptable Bid:

Parcel A – \$1,500

Parcel B – \$1,140

Terms of Sale:

Payment of \$150 for parcel A and \$114 for parcel B, representing 10 percent of the minimum acceptable bid, is due at the time of the sale. The balance of the purchase price must be paid on or before 3 p.m. Friday, September 11, 2015. The successful bidder will receive a bill of sale on the day of the sale and a quit claim deed after the balance is paid. If the balance of the purchase price is not paid on or before 3 p.m. Friday, September 11, 2015, the 10 percent down payment will be forfeited to the seller.

For additional terms and information contact the Bureau of Right of Way at 877-461-6817.

The seller reserves the right to reject any and all bids and is not responsible for accidents.

Sold Subject to the Following:

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

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

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

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, re-

ligion, physical handicap or national origin.

Mike King
Secretary of Transportation

Doc. No. 043682

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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

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

Public Notice No. KS-AG-15-253/256
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Fredrick Auchard Wolf Creek Cattle Company, LLC 1981 S. 850 Road Council Grove, KS 66846	SW/4 of Section 02, T17S, R08E, Morris County	Neosho River Basin

Kansas Permit No. A-NEMR-B011

This is a new permit for an expanding facility with the proposed maximum capacity of 999 head (499.5 animal units) of cattle weighing 700 pounds or less. The existing facility consists of approximately 2.9 acres of open lot pens. Proposed modifications to the facility include the construction of approximately 1.4 acres of open lot pens. Approximately 0.3 acre of existing pen area will be decommissioned. Surface runoff will flow across vegetated buffer areas, including grass and crop ground.

Name and Address of Applicant	Legal Description	Receiving Water
Donald McLaughlin McLaughlin Farms 107 N. Water Stockton, KS 67669	SE/4 of Section 04, T06S, R18W, Rooks County	Solomon River Basin

Kansas Permit No. A-SORO-B014

This is a permit modification and reissuance for an existing facility with the proposed maximum capacity of 250 animal units of cattle, either 500 head of cattle weighing 700 pounds or less or 250 head of cattle weighing greater than 700 pounds. The existing facility consists of approximately 7.0 acres of open lot pens. Following the proposed modifications the facility will consist of approximately 1.2 acres of

confinement pens, 0.2 acre of working pens and a feed storage area. Surface runoff will flow south across proposed grass buffer areas.

Name and Address of Applicant	Legal Description	Receiving Water
Harvey Walker Walker Feedlot, Inc. 612 Lark Road Hope, KS 67451	SW/4 of Section 05, T16S, R03E, Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-C002 Federal Permit No. KS0086631
This is a permit reissuance for an existing facility for 3,500 head (3,500 animal units) of cattle weighing greater than 700 pounds. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Ralph Homeier 19588 Mitchell Road Dorrance, KS 67634	NE/4 of Section 16, T15S, R12W, Russell County	Smoky Hill River Basin

Kansas Permit No. A-SHRS-B004
This permit is being reissued for an existing facility with a maximum capacity of 700 head (700 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units.

Public Notice No. KS-Q-15-090/098

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
Brookville, City of P.O. Box 14 Brookville, KS 67425	West Spring Creek	Treated Domestic Wastewater

Kansas Permit No. M-SA02-OO01 Federal Permit No. KS0096831
Legal Description: SW¼, SW¼, S3, T15S, R5W, Saline County, KS
The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, total phosphorus, total recoverable copper and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Hanover, City of 315 S. Denver Ave. Hanover, KS 66945	Little Blue River	Treated Domestic Wastewater

Kansas Permit No. M-BB10-OO02 Federal Permit No. KS0095745
Legal Description: NW¼, SW¼, NE¼, S17, T2S, R5E, Washington County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia, total phosphorus and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Hoxie, City of P.O. Box 898 Hoxie, KS 67740	South Fork Solomon River via Sand Creek	Treated Domestic Wastewater

Kansas Permit No. M-SO20-OO01 Federal Permit No. KS0030562
Legal Description: NW¼, NE¼, NW¼, S22, T8S, R28W, Sheridan County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and pH, as well as monitoring for ammonia, E. coli and flow.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Oakley, City of 209 Hudson Ave. Oakley, KS 67748	North Branch Hackberry Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-SH29-OO02 Federal Permit No. KS0100013
Legal Description: SW¼, SE¼, NE¼, S10, T11S, R32W, Logan County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Pittsburg, City of P.O. Box 688 Pittsburg, KS 66762	East Cow Creek	Process Wastewater

Kansas Permit No. I-NE57-PO14 Federal Permit No. KS0100030
Legal Description: SW¼, SE¼, S27, T30S, R25E, Crawford County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for a discharge of wastewater from a public water supply treatment facility. This is an existing potable water treatment plant consisting of two aeration towers, a chlorine contact basin, a rapid mixer, two solid contact units, three rapid sand filters, a clearwell, backwash pumps, a wash-water recovery basin, numerous pumps, chemical storage tanks and two lagoon/abandon strip mines used for wastewater treatment. Wastewater from the solid contact units, rapid sand filters and miscellaneous floor drains is discharged via Outfall 001A1. The proposed permit contains limits for total residual chlorine, total suspended solids and pH, as well as monitoring for sulfates.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Savonburg, City of 101 S. Walnut St. Savonburg, KS 66772	Canville Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-NE60-OO01 Federal Permit No. KS0079952
Legal Description: S½, NW¼ & N½, SW¼, S29, T26S, R21E, Allen County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli and pH. The proposed permit contains a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment operator to oversee the operation of this facility.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Summerfield, City of P.O. Box 100 Summerfield, KS 66541	Black Vermillion River via Robidoux Creek	Treated Domestic Wastewater

Kansas Permit No. M-BB23-OO01 Federal Permit No. KS0025500
Legal Description: NW¼, SW¼, SE¼, S1, T1S, R9E, Marshall County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia, total phosphorus and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Washington, City of P.O. Box 296 Washington, KS 66968	Mill Creek via Plum Creek	Treated Domestic Wastewater

Kansas Permit No. M-BB21-OO01 Federal Permit No. KS0089991

(continued)

Legal Description: SE¼, NE¼, SE¼, S1, T3S, R3E, Washington County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Waterville, City of 136 E. Commercial Waterville, KS 66548	Little Blue River	Treated Domestic Wastewater

Kansas Permit No. M-BB22-0001 Federal Permit No. KS0048429
Legal Description: NW¼, NW¼, NW¼, S23, T4S, R6E, Marshall County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia, total phosphorus 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, Suite 420, Topeka, 66612-1367.

All comments regarding the draft documents or application notices received on or before August 8, 2015, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-15-253/256, KS-Q-15-090/098) 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. 043683

(Published in the Kansas Register July 9, 2015.)

**Summary Notice of Bond Sale
City of El Dorado, Kansas
\$4,207,000***

**General Obligation Refunding and
Improvement Bonds, Series 2015A**

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

Bids

Subject to the Notice of Bond Sale dated June 15, 2015, written and electronic bids will be received on behalf of the clerk of the city of El Dorado, 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 11 a.m. (CDT) July 20, 2015, for the purchase of the above-referenced bonds. No bid of less than 99 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, except one bond in the denomination of \$2,000 (or such amount added to \$5,000 or any integral multiple thereof). The bonds will be dated the issue date and will become due on November 1 in the years as follows:

Year	Principal Amount*
2016	\$222,000
2017	485,000
2018	485,000
2019	485,000
2020	490,000
2021	515,000
2022	515,000
2023	520,000
2024	250,000
2025	240,000

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 May 1 and November 1 in each year, beginning May 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

To have its proposal considered for award, the lowest bidder for the bonds is required to submit a good faith deposit to the issuer in the form of a cashier's or certified check drawn on a bank located in the United States or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$84,140.

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 August 20, 2015, 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 2014 is \$91,512,573. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$21,840,000.

Approval of Bonds

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

Additional Information

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

Written Bid Delivery Address:

City Hall, 220 E. 1st
El Dorado, KS 67042
316-321-9100
Fax: 316-321-6282
cityclerk@city.eldoks.com

Municipal Advisor – Facsimile Bid and Good Faith Deposit Delivery Address:

Springsted Incorporated
380 Jackson St., Suite 300
St. Paul, MN 55101-2887
Attn: Bond Services
651-223-3000
Fax: 651-223-3046
bond_services@springsted.com

Dated June 15, 2015.

City of El Dorado, Kansas

*Subject to change; see Notice of Bond Sale dated June 15, 2015.

Doc. No. 043692

State of Kansas

Department of Revenue Division of Alcoholic Beverage Control

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted by the Department of Revenue, Alcoholic Beverage Control Division, at 9 a.m. Tuesday, September 15, in the secretary's conference room, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider adoption of proposed regulations relating to the use of automated devices for the self-service of wine. This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulations. All interested parties may submit written public comments on the proposed regulations prior to the hearing to Doug Taylor, Assistant Attorney General, Alcoholic Beverage Control, Docking State Of-

fice Building, 915 S.W. Harrison, Topeka, 66612, or through email at doug.taylor@kdor.ks.gov.

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

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Kathleen Smith at 785-296-3081 or TTY 785-296-6461. Disabled parking is located in State Parking Lot No. 2, south of the Docking Building facing Harrison St. The east entrance to the Docking Building is accessible.

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

Article 19.—CLASS A CLUBS

K.A.R. 14-19-40. The proposed K.A.R. 14-19-40 provides guidelines and requirements for the use of automated devices for the self-service of wine by Class A club licensees.

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

Article 20.—CLASS B CLUBS

K.A.R. 14-20-42. The proposed K.A.R. 14-20-42 provides guidelines and requirements for the use of automated devices for the self-service of wine by Class B club licensees.

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

Article 21.—DRINKING ESTABLISHMENTS

K.A.R. 14-21-23. The proposed K.A.R. 14-21-23 provides guidelines and requirements for the use of automated devices for the self-service of wine by drinking establishment licensees.

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

A copy of these regulations and the economic impact statements may be obtained from the Kansas Department of Revenue, Office of Policy and Research, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1588, or via the department's website at www.ksrevenue.org.

Nick Jordan
Secretary of Revenue

Doc. No. 043688

State of Kansas

Office of the Securities Commissioner

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 10 a.m. Thursday, September 10, at the Office of the Securities Commissioner of Kansas, 109 S.W. 9th St., Suite 600, Topeka, to consider amendments to K.A.R. 81-3-2 and K.A.R. 81-14-2, and revocations of K.A.R. 81-21-1, K.A.R. 81-22-1, K.A.R. 81-22-3, K.A.R. 81-23-3, K.A.R. 81-24-2, K.A.R. 81-24-3, K.A.R. 81-25-4, K.A.R. 81-26-1, K.A.R. 81-26-2, K.A.R. 81-27-1, K.A.R. 81-27-2, K.A.R. 81-29-1 and K.A.R. 81-29-2, on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendments and revocations of regulations. All interested parties may submit written comments prior to the hearing to the attention of the commissioner at 109 S.W. 9th St., Suite 600, Topeka, 66612, or by email to ksc@ksc.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed amendments and revocations of regulations during the public 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. Following the hearing, all written and oral comments submitted by interested parties will be considered by the commissioner as a basis for making changes to the proposed amendments and revocations of regulations.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Nichole Oathout, legal assistant, at 785-296-5266, or the Kansas Relay Center at 800-766-3777. Handicapped parking is located on 9th St. or Kansas Ave. near the office building, and the hearing room is accessible to individuals with disabilities.

Summaries of the proposed amended and revoked regulations and their economic impacts follow. Copies of the full text of the proposed amended and revoked regulations and the economic impact statements may be obtained by writing to the Office of the Securities Commissioner at the address above or by email to ksc@ksc.ks.gov.

Amendments to K.A.R. 81-3-2 and K.A.R. 81-14-2. These regulations specify registration and notice filing fee rates for broker-dealers, agents, investment advisers, investment adviser representatives and federal covered investment advisers. The proposed amendments to K.A.R. 81-3-2 would increase the annual registration fee for agents from \$55 to \$60, and the proposed amendments to K.A.R. 81-14-2 would increase the annual registration fee for investment adviser representatives from \$55 to \$60. No fee increase is proposed for broker-dealers, investment adviser firms, or federal covered investment advisers. Amendments to these regulations also include technical updates with regard to the authorization for fees to be collected by the CRD and IARD electronic filing systems

on behalf of the securities commissioner. The \$5 increase in fee rates for agents and investment adviser representatives is estimated to increase revenues of the Office of the Securities Commissioner of Kansas by \$670,000 annually based on total annual filing volumes in recent years for both original and renewal registrations of agents and investment adviser representatives.

Revocations of regulations under the former Uniform Land Sales Practices Act. The Uniform Land Sales Practices Act (Kansas Statutes 58-3301 through 58-3323) was repealed, effective July 1, 2014. Therefore, the following remaining regulations that had been authorized by and implemented provisions of that former act are proposed to be revoked on a permanent basis: **K.A.R. 81-21-1, K.A.R. 81-22-1, K.A.R. 81-22-3, K.A.R. 81-23-3, K.A.R. 81-24-2, K.A.R. 81-24-3, K.A.R. 81-25-4, K.A.R. 81-26-1, K.A.R. 81-26-2, K.A.R. 81-27-1, K.A.R. 81-27-2, K.A.R. 81-29-1 and K.A.R. 81-29-2.** No economic impact will result from revocation of the regulations because no persons have been subject to or incurred any costs for compliance with the regulations since the Uniform Land Sales Practices Act was repealed.

Joshua A. Ney
Securities Commissioner

Doc. No. 043685

State of Kansas

Department of Revenue
Division of Alcoholic Beverage Control

Temporary Administrative Regulations

Article 19.—CLASS A CLUBS

14-19-40. Class A clubs; automated devices. (a)(1) "Automated device" shall mean any mechanized device capable of dispensing wine directly to a customer in exchange for compensation that a licensee has received directly from the customer.

(2) "Business day" shall mean the hours authorized by state law during which alcohol can be served on the licensed premises.

(b) No licensee shall allow an automated device to be used on its licensed premises without first providing written or electronic notification to the director of the licensee's intent to use the automated device. The licensee shall provide this notification at least 48 hours before any automated device is used on the licensed premises.

(c) Each licensee offering customer self-service of wine from any automated device shall provide constant video monitoring of the automated device at all times during which the licensee is open to the public. The licensee shall keep recorded footage from the video monitoring for at least 60 days and shall provide the footage, upon request, to any agent of the director or other authorized law enforcement agent.

(d) The compensation required by subsection (a) shall be in the form of a programmable, prepaid access card containing a fixed amount of monetary credit that may be directly exchanged for wine dispensed from the automated device. Access cards may be sold, used, or reactivated only during a business day.

Each access card shall be purchased from the licensee by a customer. A licensee shall not issue more than one active access card to a customer. For purposes of this regulation, an access card shall be deemed "active" if the access card contains monetary credit or has not yet been used to dispense 15 ounces of wine.

Each purchase of an access card under this regulation shall be subject to the liquor drink tax imposed by K.S.A. 79-41a02, and amendments thereto.

(e) In order to obtain a prepaid access card from a licensee, each customer shall produce a valid driver's license, identification card, or other government-issued document that contains a photograph of the individual and demonstrates that the individual is at least 21 years of age. Each access card shall be programmed to require the production of the customer's valid identification before the access card can be used for the first time during any business day or for any subsequent reactivation as provided in subsection (f). Each access card shall become inactive at the end of each business day.

(f) Each access card shall be programmed to allow the dispensing of no more than 15 ounces of wine to a customer. Once an access card has been used to dispense 15 ounces of wine to a customer, the access card shall become inactive. Any customer in possession of an inactive access card may, upon production of the customer's valid identification to the licensee or licensee's employee, have the access card reactivated to allow the dispensing of an additional 15 ounces of wine from an automated device.

This subsection shall not apply to wine dispensed by an automated device if the wine is dispensed directly to the licensee or the licensee's agent or employee.

This regulation shall become effective on July 1, 2015. (Authorized by K.S.A. 2014 Supp. 41-2640, as amended by 2015 HB 2223, sec. 5; implementing K.S.A. 2014 Supp. 41-2640, as amended by 2015 HB 2223, sec. 5, and K.S.A. 2014 Supp. 79-41a02; effective, T-14-7-1-15, July 1, 2015.)

Article 20.—CLASS B CLUBS

14-20-42. Class B clubs; automated devices. (a)(1) "Automated device" shall mean any mechanized device capable of dispensing wine directly to a customer in exchange for compensation that a licensee has received directly from the customer.

(2) "Business day" shall mean the hours authorized by state law during which alcohol can be served on the licensed premises.

(b) No licensee shall allow an automated device to be used on its licensed premises without first providing written or electronic notification to the director of the licensee's intent to use the automated device. The licensee shall provide this notification at least 48 hours before any automated device is used on the licensed premises.

(c) Each licensee offering customer self-service of wine from any automated device shall provide constant video monitoring of the automated device at all times during which the licensee is open to the public. The licensee shall keep recorded footage from the video monitoring for at least 60 days and shall provide the footage, upon request, to any agent of the director or other authorized law enforcement agent.

(d) The compensation required by subsection (a) shall be in the form of a programmable, prepaid access card containing a fixed amount of monetary credit that may be directly exchanged for wine dispensed from the automated device. Access cards may be sold, used, or reactivated only during a business day.

Each access card shall be purchased from the licensee by a customer. A licensee shall not issue more than one active access card to a customer. For purposes of this regulation, an access card shall be deemed "active" if the access card contains monetary credit or has not yet been used to dispense 15 ounces of wine.

Each purchase of an access card under this regulation shall be subject to the liquor drink tax imposed by K.S.A. 79-41a02, and amendments thereto.

(e) In order to obtain a prepaid access card from a licensee, each customer shall produce a valid driver's license, identification card, or other government-issued document that contains a photograph of the individual and demonstrates that the individual is at least 21 years of age. Each access card shall be programmed to require the production of the customer's valid identification before the access card can be used for the first time during any business day or for any subsequent reactivation as provided in subsection (f). Each access card shall become inactive at the end of each business day.

(f) Each access card shall be programmed to allow the dispensing of no more than 15 ounces of wine to a customer. Once an access card has been used to dispense 15 ounces of wine to a customer, the access card shall become inactive. Any customer in possession of an inactive access card may, upon production of the customer's valid identification to the licensee or licensee's employee, have the access card reactivated to allow the dispensing of an additional 15 ounces of wine from an automated device.

This subsection shall not apply to wine dispensed by an automated device if the wine is dispensed directly to the licensee or the licensee's agent or employee.

This regulation shall become effective on July 1, 2015. (Authorized by K.S.A. 2014 Supp. 41-2640, as amended by 2015 HB 2223, sec. 5; implementing K.S.A. 2014 Supp. 41-2640, as amended by 2015 HB 2223, sec. 5, and K.S.A. 2014 Supp. 79-41a02; effective, T-14-7-1-15, July 1, 2015.)

Article 21.—DRINKING ESTABLISHMENTS

14-21-23. Drinking establishments; automated devices. (a)(1) "Automated device" shall mean any mechanized device capable of dispensing wine directly to a customer in exchange for compensation that a licensee has received directly from the customer.

(2) "Business day" shall mean the hours authorized by state law during which alcohol can be served on the licensed premises.

(b) No licensee shall allow an automated device to be used on its licensed premises without first providing written or electronic notification to the director of the licensee's intent to use the automated device. The licensee shall provide this notification at least 48 hours before any automated device is used on the licensed premises.

(c) Each licensee offering customer self-service of wine from any automated device shall provide constant video

(continued)

monitoring of the automated device at all times during which the licensee is open to the public. The licensee shall keep recorded footage from the video monitoring for at least 60 days and shall provide the footage, upon request, to any agent of the director or other authorized law enforcement agent.

(d) The compensation required by subsection (a) shall be in the form of a programmable, prepaid access card containing a fixed amount of monetary credit that may be directly exchanged for wine dispensed from the automated device. Access cards may be sold, used, or reactivated only during a business day.

Each access card shall be purchased from the licensee by a customer. A licensee shall not issue more than one active access card to a customer. For purposes of this regulation, an access card shall be deemed "active" if the access card contains monetary credit or has not yet been used to dispense 15 ounces of wine.

Each purchase of an access card under this regulation shall be subject to the liquor drink tax imposed by K.S.A. 79-41a02, and amendments thereto.

(e) In order to obtain a prepaid access card from a licensee, each customer shall produce a valid driver's license, identification card, or other government-issued document that contains a photograph of the individual and demonstrates that the individual is at least 21 years

of age. Each access card shall be programmed to require the production of the customer's valid identification before the access card can be used for the first time during any business day or for any subsequent reactivation as provided in subsection (f). Each access card shall become inactive at the end of each business day.

(f) Each access card shall be programmed to allow the dispensing of no more than 15 ounces of wine to a customer. Once an access card has been used to dispense 15 ounces of wine to a customer, the access card shall become inactive. Any customer in possession of an inactive access card may, upon production of the customer's valid identification to the licensee or licensee's employee, have the access card reactivated to allow the dispensing of an additional 15 ounces of wine from an automated device.

This subsection shall not apply to wine dispensed by an automated device if the wine is dispensed directly to the licensee or the licensee's agent or employee.

This regulation shall become effective on July 1, 2015. (Authorized by K.S.A. 2014 Supp. 41-2640, as amended by 2015 HB 2223, sec. 5; implementing K.S.A. 2014 Supp. 41-2640, as amended by 2015 HB 2223, sec. 5, and K.S.A. 2014 Supp. 79-41a02; effective, T-14-7-1-15, July 1, 2015.)

Nick Jordan
Secretary of Revenue

Doc. No. 043689

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 2014 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-9-22	Amended	V. 33, p. 885
1-14-11	Amended	V. 33, p. 886

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
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5-7-4	Amended	V. 33, p. 325
5-7-4b	New	V. 33, p. 326
5-22-7	Amended	V. 34, p. 513

AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

Reg. No.	Action	Register
9-3-6 through 9-3-17	New	V. 33, p. 922-926
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AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-10-5	Amended (T)	V. 33, p. 627
10-10-5	Amended	V. 33, p. 921

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-11-7	Amended (T)	V. 33, p. 730
16-11-7	Amended	V. 33, p. 1047
16-13-1	New (T)	V. 33, p. 731
16-13-1	New	V. 33, p. 1048

AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-11-18	Amended	V. 33, p. 684
17-11-21	Amended	V. 33, p. 684
17-24-2	Amended	V. 33, p. 946
17-25-1	Amended	V. 33, p. 946

AGENCY 22: STATE FIRE MARSHAL

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22-8-11	Amended	V. 33, p. 371
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AGENCY 26: DEPARTMENT FOR AGING AND DISABILITY SERVICES

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26-39-500 through 26-39-506	New	V. 33, p. 1171-1174

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

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28-1-23	New	V. 33, p. 309
28-4-94	New	V. 34, p. 420
28-4-550	Amended	V. 33, p. 200
28-4-552	Revoked	V. 33, p. 202
28-4-556	Revoked	V. 33, p. 202
28-4-564	Amended	V. 33, p. 202
28-4-565	Amended	V. 33, p. 203
28-4-568	Amended	V. 33, p. 203
28-4-569	Amended	V. 33, p. 204
28-4-573	New	V. 33, p. 204

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28-4-1250 through 28-4-1269	New	V. 33, p. 262-278
28-14-1	Amended	V. 33, p. 518
28-14-2	Amended	V. 33, p. 518
28-16-28b	Amended	V. 34, p. 190
28-16-28c	Amended	V. 34, p. 194
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28-16-28g	Amended	V. 33, p. 643
28-16-58	Amended	V. 34, p. 200
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30-6-36	Revoked	V. 33, p. 142
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109-2-11	Amended	V. 33, p. 644	111-4-3371	New	V. 34, p. 6	115-4-2	Amended	V. 33, p. 708
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			111-5-23			117-2-2	Amended	V. 33, p. 1254
			111-5-217	New	V. 33, p. 689, 690	117-2-2a	Amended	V. 33, p. 1255
			111-5-218	New	V. 33, p. 898	117-2-3	Amended	V. 33, p. 1256
			111-7-66	Amended	V. 34, p. 383	117-3-1	Amended	V. 33, p. 1256
			111-7-261	New	V. 33, p. 654	117-3-2	Amended	V. 33, p. 1257
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			111-7-263	New	V. 33, p. 1196	117-3-3	Amended	V. 33, p. 1258
			111-7-264	Amended	V. 34, p. 384	117-4-1	Amended	V. 33, p. 1259
			111-9-199			117-4-2	Amended	V. 33, p. 1260
			111-9-203	New	V. 33, p. 45-47	117-4-2a	Amended	V. 33, p. 1261
			111-9-204	New	V. 33, p. 690	117-4-3	Amended	V. 33, p. 1261
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			111-9-213	New	V. 34, p. 246	117-7-1	Amended	V. 34, p. 420
			111-15-1	Amended	V. 33, p. 1004	117-20-4	Amended	V. 33, p. 834
			111-15-2	Amended	V. 33, p. 1004	AGENCY 123: DEPARTMENT OF CORRECTIONS—DIVISION OF JUVENILE SERVICES		
			111-15-3	Amended	V. 33, p. 1005	Reg. No.	Action	Register
			111-15-5	Amended	V. 33, p. 1006	123-6-105	Amended (T)	V. 33, p. 732
			111-15-8	Amended	V. 33, p. 1006	123-6-105a	New (T)	V. 33, p. 732
			111-15-21	Amended	V. 33, p. 1007	AGENCY 125: KANSAS AGRICULTURAL REMEDIAION BOARD		
			111-17-9	Amended	V. 33, p. 48	Reg. No.	Action	Register
			111-17-10	Amended	V. 33, p. 48	125-1-7	Amended	V. 34, p. 17
			111-17-12	New	V. 33, p. 65	AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION		
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			111-17-15	Amended	V. 33, p. 899	AGENCY 128: DEPARTMENT OF COMMERCE— KANSAS ATHLETIC COMMISSION		
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			111-301-17	Amended	V. 34, p. 123	128-2-4	Amended	V. 33, p. 947
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			111-301-19	Amended	V. 34, p. 124	128-2-13	Amended	V. 33, p. 948
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			111-301-22	Amended	V. 34, p. 551	AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT—DIVISION OF HEALTH CARE FINANCE		
			111-301-24	Amended	V. 34, p. 551	Reg. No.	Action	Register
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			111-301-26	Amended	V. 34, p. 552	129-2-1	New	V. 33, p. 146
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