

Kansas Register

Kris W. Kobach, Secretary of State

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Commission on Veterans' Affairs

Notice of Meeting

The Kansas Commission on Veterans' Affairs will host a telephonic meeting at 10 a.m. Wednesday, July 18. The public is invited to attend at one of the following locations: KCVA central office, Suite 1004, Jayhawk Tower, 700 S.W. Jackson, Topeka; Eisenhower Hall Building, Kansas Soldiers' Home, 714 Sheridan, Fort Dodge; and MacArthur Room at the Timmerman Administration Building, Kansas Veterans' Home, 1220 WWII Memorial Drive, Winfield. For more information, call (785) 296-3976.

Gregg Burden Executive Director

Doc. No. 040668

State of Kansas

State Conservation Commission

Notice of Meeting

The State Conservation Commission will have a joint meeting with the Kansas Association of Conservation Districts at 8 a.m. Monday, July 30, at the Fort Scott Inn, 101 State St., Fort Scott. The regular business meeting of the commission will begin at the above location at approximately 11:45 a.m. or immediately following the joint meeting. If special accommodations are needed, individuals should contact the Division of Conservation, Kansas Department of Agriculture, at least three business days prior to the meeting at (785) 296-3600.

Greg A. Foley Executive Director Division of Conservation

Doc. No. 040669

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms prequalified in Category 311 — Geotechnical Engineering Services, and/or prequalified in Category 312 — Materials Laboratory Testing Services, and/or Category 333 — Geotechnical Specialist, for the on-call services listed below. A PDF (1 MB maximum size) of the interest response must be emailed to David J. Nagy, P.E., Assistant to the Bureau Chief of Design/Contracts Engineer, at DavidN@ksdot.org. Interest responses are limited to six pages, the subject line of the email and the PDF file name must read "2012 Geotech - Firm Name," and must be received by noon July 12 for the consulting engineering firm to be considered.

On-Call Geotechnical Engineering, Materials Laboratory Testing Services, and Geotechnical Specialist

The consultants selected are to provide Geotechnical Engineering Services (Category 311), and/or Materials Laboratory Testing Services (Category 312) and/or Geo-

technical Specialist Services (Category 333) and will be performing geotechnical investigations that will identify and locate, both horizontally and vertically, significant soil and rock types and groundwater conditions present, and establish the characteristics of the subsurface materials visually, by sampling, and by laboratory and in-situ testing. Materials Laboratory Testing Services consist of testing a variety of materials according to KDOT, AASHTO and ASTM standards.

These materials may include the following: aggregates, bituminous materials, cement, concrete, concrete admixtures, curing materials, geosynthetics, fly ash, lime, metals, paints, reflective materials, soils, sealants, wood, water and any other materials required to construct and maintain the Kansas roadway system. Geotechnical Specialty Services consist of conducting specialty surveys and services concerning geophysical or nondestructive testing and pavement condition inventory. The service requirements will include geophysical surveys (seismic, resistivity, sonic, magnetic), ground penetrating radar surveys, thermography surveys and automated pavement condition surveys and providing analysis and comprehensive report on results of surveys.

The Consultant Shortlist Committee will select seven to 10 of the most highly qualified firms expressing interest and schedule an individual interview. The consulting firms can more thoroughly discuss their experience related to the project at the interview and will be expected to discuss their approach to this project in detail and the personnel to be assigned to this project. Firms not selected to be short-listed will be notified. Categories may be viewed at www.ksdot.org/divengdes/prequal.

The Consultant Selection Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select several firms to perform the professional services required for completing the advertised project. After the selection, the firms not selected will be notified of the outcome.

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

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

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

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

For more information, contact David Nagy at DavidN@ksdot.org.

Mike King Secretary of Transportation

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, 2012 through June 30, 2013.

Kris W. Kobach Secretary of State

Doc. No. 040661

State of Kansas

Secretary of State

Usury Rate for July

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of July 1, 2012 through July 31, 2012, is 4.49 percent.

Kris W. Kobach Secretary of State

Doc. No. 040662

State of Kansas

Department of Transportation

Request for Bids

The Kansas Department of Transportation's Office of Public Transportation announces that the Kansas Coordinated Transit District Council (KCTDC) is now accepting courtesy bids for Kansas' transit vehicles. These courtesy bids will cover four types of 2013 model-year transit vehicles, including minivans, ramp minivans and 20-passenger small transit buses with optional wheelchair lifts. The transit vehicles will be funded by the Federal Transit Administration and the state of Kansas, and must comply with all applicable federal (including FMVSS and ADA requirements) and state laws for passenger vehicles of this type.

These vehicles will be used in the KDOT Public Transportation Program to transport the elderly, persons with disabilities and the general public.

The bid opening is scheduled for 9:30 a.m. August 13 in Dodge City. Inquiries or requests for a bid package (on CD-ROM) should be made directly to Sarah Krom, Chairperson, Kansas Coordinated Transit District Council, P.O. Box 838, Great Bend, 67530, (620) 792-1321.

Mike King Secretary of Transportation

Doc. No. 040681

State of Kansas

Secretary of State

Code Mortgage Rate for July

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of July 1, 2012 through July 31, 2012, is 12 percent.

Kris W. Kobach Secretary of State

Doc. No. 040663

State of Kansas

Kansas Judicial Council

Notice of Meetings

The Kansas Judicial Council, its Advisory Committees and the Commission on Judicial Performance will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka, unless otherwise designated:

Date	Committee	Time	Location
July 6	Municipal Court	9:30 a.m.	Suite 140
	Manual		
July 13	Family Law	9:30 a.m.	Suite 140
July 27	Lien Ľaw	9:30 a.m.	Suite 140
-	Subcommittee		
Aug. 3	Municipal Court	9:30 a.m.	Suite 140
· ·	Manual		
Aug. 17	Pattern Instruction for	9:30 a.m.	Room 269
	Kansas — Criminal		
Aug. 24	Lien Law Subcommittee	9:30 a.m.	Suite 140
Aug. 31	Juvenile Offender/	9:30 a.m.	Room 269
	Child in Need of Care		
Aug. 31	Municipal Court	9:30 a.m.	Suite 140
	Manual		

Hon. Lawton R. Nuss Chairman

Doc. No. 040657

State of Kansas

Governmental Ethics Commission

Opinion No. 2012-04

Written June 27, 2012, to all interested persons:

Pursuant to K.S.A. 25-4159, the Kansas Governmental Ethics Commission takes the opportunity to address issues related to the Campaign Finance Act and the recent redistricting of state senatorial districts and state representative districts.

In light of the recent federal court redistricting decision¹, for any state senatorial or representative district that was impacted by that decision, for the 2012 election a candidate who previously ran for a seat in the Kansas Legislature is considered to be running for the same office if that candidate is running for a seat in the same legislative chamber. As a consequence, that candidate may transfer campaign funds from his former campaign account to his subsequent campaign account for that same office.

G. Daniel Harden, Chairman By Direction of the Commission

¹ Essex v. Kobach, No. 12-4046-KHV-JWL, in the United States District Court for the District of Kansas (2012).

Secretary of State

Executive Appointments

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

Kansas Agricultural Remediation Board

Larry Shivers, 636 E. Shipton Road, #D, Salina, 67401. Term expires March 15, 2016. Reappointed.

Behavioral Sciences Regulatory Board

Dr. Todd Frye, 267 N. Sumac, Olathe, 66061. Term expires June 30, 2016. Succeeds Gary Price.

Kansas Dental Board

Scott Hamilton, 7021 S.W. 53rd St., Topeka, 66610. Term expires April 30, 2016. Reappointed.

Kansas Commission on Emergency Planning and Response

Darryn Gillihan, 2729 S.W. Fairway Dr., Topeka, 66611. Term expires Nov. 30, 2015. Succeeds Karen Schuyler.

Kansas Hispanic and Latino American Affairs Commission

Felipe Bustillo, 20146 W. 89th St., Lenexa, 66220. Term expires June 30, 2015. Succeeds Lucila Corley.

Kansas Home Inspectors Registration Board

Donald Scott, 317 S. Central Road, Wellington, 67152. Term expires Sept. 1, 2014. Succeeds Jeffrey Barnes.

Kansas Humanities Council

Linda Smith, 1922 Foxtail Dr., Salina, 67401. Term expires July 1, 2015. Succeeds James McHenry.

Kansas Works State Board

Brandi Biddle, 8539 202nd Road, Winfield, 67156. Serves at the pleasure of the Governor.

Karin Brownlee (Vice-Chair), Secretary of Labor, Kansas Department of Labor, 401 S.W. Topeka Blvd., Topeka, 66603. Serves at the pleasure of the Governor.

Kenneth Daniel, Jr. (Chair), 5630 S.W. Fairlawn Road, Topeka, 66610. Serves at the pleasure of the Governor.

State Library of Kansas Board

Max Burson, 101 W. 34th St., Wichita, 67204. Term expires June 30, 2016. Reappointed.

Kansas Commission on Peace Officers' Standards and Training

Daniel Bardezbain, 6407 Shadow Lakes Court, Wichita, 67205. Term expires July1, 2016. Reappointment.

Herman Jones, Shawnee County Sheriff, 320 S. Kansas Ave., Suite 200, Topeka, 66603. Term expires July 1, 2016. Succeeds Richard Barta.

Bradley Schoen, 2235 Alta Drive, Manhattan, 66502. Term expires July 1, 2016. Succeeds Ellen Hanson.

Washburn University Board of Regents

John McGivern, 3431 S.W. Brandywine Court, Topeka, 66614. Term expires June 30, 2015. Succeeds David Moses.

Kris W. Kobach Secretary of State

Doc. No. 040672

(Published in the Kansas Register July 5, 2012.)

City of Coffeyville, Kansas Notice of Proposed DBE Program

The city of Coffeyville, 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 Coffeyville 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 2013-2015 is the following: a three-year goal of 3.50 percent of the federal financial assistance.

The proposed DBE Program is available for public inspection and comment at the office of the Superintendent of Engineering, 7th and Walnut, Coffeyville, 67337. The city will accept comments on the goals for 30 days from the date of this notice. Comments can be sent to Scott Massman, superintendent of engineering.

Cindy Price City Clerk

Doc. No. 040676

(Published in the Kansas Register July 5, 2012.)

City of Liberal, Kansas

Notice of Proposed DBE Program

The city of Liberal, 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 FFA funding at the Liberal Mid-America Regional 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 2013-2015 is the following: a three-year goal of 4.50 percent of the federal financial assistance.

The proposed DBE Program is available for public inspection and comment at the office of the Airport Manager, City of Liberal, City Hall, 324 N. Kansas Ave., Liberal, 67901. The city will accept comments on the goals for 30 days from the date of this notice. Comments can be sent to Debra S. Giskie, airport manager.

Debra S. Giskie City Clerk/Airport Manager

(Published in the Kansas Register July 5, 2012.)

Summary Notice of Bond Sale Sedgwick County, Kansas \$10,235,000*

General Obligation Bonds, Series A, 2012

(General obligation bonds payable from unlimited ad valorem taxes)

Bids

Subject to the Notice of Bond Sale dated June 20, 2012, written and electronic bids will be received on behalf of the chief financial officer of Sedgwick County, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 10 a.m. July 25, 2012, for the purchase of the above-referenced bonds. No bid of less than \$10,114,740 of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 15, 2012, and will become due on August 1 in the years as follows:

	Principal
Year	Amount*
2013	\$240,000
2014	245,000
2015	245,000
2016	875,000
2017	885,000
2018	885,000
2019	895,000
2020	920,000
2021	805,000
2022	825,000
2023	720,000
2024	745,000
2025	765,000
2026	155,000
2027	160,000
2028	160,000
2029	170,000
2030	175,000
2031	180,000
2032	185,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on February 1 and August 1 in each year, beginning February 1, 2013.

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

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States, a qualified financial surety bond or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$204,700.

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 15, 2012, 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 2011 is \$4,823,494,500. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$79,175,000*.

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 issuer, Attention: Chris Chronis, chief financial officer, at the address set forth below, or by phone at (316) 660-7591, fax at (316) 383-7729 or e-mail at cchronis@sedgwick.gov; or from the financial advisor, Springsted Incorporated, Attention: Bond Services, at the address set forth below, or by phone at (651) 223-3000, fax at (651) 223-3046 or e-mail at bond_services@springsted.com.

Written Bid and Good Faith Deposit Delivery Address:

Sara Jantz
Director of Accounting
Sedgwick County Courthouse
525 N. Main, Suite 823
Wichita, KS 67203

Facsimile Bid and Good Faith Deposit Delivery Address:

Springsted Incorporated 380 Jackson St., Suite 300 St. Paul, MN 55101-2887 Fax: (651) 223-3046

Dated June 20, 2012.

Sedgwick County, Kansas By: Chris Chronis Chief Financial Officer

*Subject to change.

Legislature

Interim Committee Schedule

The Legislative Research Department gives notice that the following legislative committees plan to meet during the period of July 5-10, 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 e-mail LegServ@las.ks.gov.

Date	Room	Time	Committee	Agenda
July 10	144-S	9:00 a.m.	Legislative Post Audit	Staff audits; performance audit topics; Legislative Post Audit operations.
July 10	144-S	12:45 p.m.	Contract Audit Committee (subcommittee of Legislative Post Audit)	Audit contracts overview; approve FY 2013 contract audit billing procedures.

Jeffrey M. Russell Director of Legislative Administrative Services

Doc. No. 040667

State of Kansas

Department of Health and Environment

Request for Comments

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

Acme Foundry, Inc., P.O. Box 908, Coffeyville, 67337, owns and operates a gray iron foundry located at 1502 Spruce St., Coffeyville, 67337.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka. Also, a copy of the proposed permit can be reviewed at the KDHE Southeast District Office, 1500 W. 7th St., Chanute. To obtain or review the proposed permit and supporting documentation, contact Lynelle Ladd, (785) 296-1719, at the KDHE central office, and to review the proposed permit only, contact Doug Cole, (620) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Lynelle Ladd, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order

to be considered in formulating a final permit decision, written comments must be received before the close of business August 6.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air, not later than the close of business August 6 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Ward Burns, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

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

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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

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

Public Notice No. KS-AG-12-191/197 Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
N & B Pork, Inc.	SE/4 of Section 21,	Missouri River
Neal Hammes	T02S, R12E,	Basin
2143 J Road	Nemaha County	
Seneca, KS 66538	,	

Kansas Permit No. A-NONM-S023

This permit is being reissued for an existing facility with a maximum capacity of 2,065 head (826 animal units) of swine more than 55 pounds and 1,720 head (172 animal units) of swine 55 pounds or less, for a total of 3,785 head (998 animal units) of swine. This represents an increase of 1.6 animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
KSU Artificial Breeding Service Unit (KABSU) KSU Animal Sciences and Industry College 232 Weber Hall Manhattan, KS 66506	NW/4 of Section 31, T09S, R08E, Riley County	Big Blue River Basin

Kansas Permit No. A-BBRL-B004

This is a permit modification for the construction of a beef artificial insemination training building to the existing buildings and pens. The permitted capacity for the site will be for up to 44 head of cattle weighing more than 700 pounds each.

0 0	L	
Name and Address of Applicant	Legal Description	Receiving Water
Callicrate Feedyard	SE/4 of Section 19 &	Upper Republican
AJ Jones, Manager	SW/4 of Section 20,	River Basin
P.O. Box 748	T04S, R40W,	
St. Francis, KS 67756	Chevenne County	

Kansas Permit No. A-URCN-C002 Federal Permit No. KS0087041

This is a permit modification and reissuance for an existing facility with the proposed maximum capacity of 13,801.4 animal units of livestock. This represents an increase in the permitted animal units from

the previous permit. The facility consists of a slaughter unit and approximately 89.2 acres of open lot pens and associated feedlots areas. Surface runoff and process waste is collected and stored in three earthen retention control structures. Proposed modifications to the facility include the construction of a freshwater diversion, raising the spillway elevation of RCS 1, controlling runoff from the feed storage area and relocating the mortality composting area. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
CAG Cimarron Dairy, L.P. Jack Koopman 6306 20th Road Cimarron, KS 67835	SW/4 of Section 29, SE/4 of Section 30, E/2 of Section 31 & NW/4 of Section 32, T24S, R27W, Gray County	Upper Arkansas River Basin

Kansas Permit No. A-UAGY-D002 Federal Permit No. KS0091120

This is a reissued permit for an existing, facility for 2,500 head (2,500 animal units) of cattle weighing more than 700 pounds, 5,100 head (2,550 animal units) of cattle weighing less than 700 pounds and 9,050 head (12,670 animal units) of mature dairy cattle, for a total of 17,720 animal units. There will be no change in the permitted animal units from the previous permit. Modifications at the facility include sediment removal, drainage diversion berms and permeability analysis of waste storage structures.

Name and Address of Applicant	Legal Description	Receiving Water
Pember Feedyard	SW/4 of Section 16	Upper Arkansas
Arthur Pember	& SE/4 of Section	River Basin
13495 100 Road	17, T20S, R24W,	
Ness City, KS 67560	Ness County	

Kansas Permit No. A-UANS-B001

This permit is being reissued for an existing facility with a maximum capacity of 800 head (800 animal units) of cattle more than 700 pounds and 100 head (50 animal units) of cattle 700 pounds or less, for a total of 900 head (850 animal units) of cattle. There is no change in the permitted animal units from the previous permit cycle.

Name and Address of Applicant	Legal Description	Receiving Water
Befort Farms	N/2 of Section 23,	Smoky Hill River
Pete Befort	T14S, R19W, Ellis	Basin
1316 Munjor Road	County	
Hays, KS 67601	•	

Kansas Permit No. A-SHEL-B009

This permit is being reissued for an existing facility with a maximum capacity of 500 head (250 animal units) of cattle 700 pounds or less. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Strawberry Feeders	SE/4 of Section 17,	Lower Republican
Heritage Road between	T04S, R02E,	River Basin
9th and 10th Roads	Washington County	
Linn VC 66052		

Kansas Permit No. A-LRWS-B003

This is a new permit for an existing beef facility that will be modified for a capacity of 999 head (999 animal units) of beef weighing more than 700 pounds. Existing silage storage area, existing pen area and sedimentation basin will be utilized. Approximately 3 acres of additional pens, a manure stockpile area and an extension to the sedimentation basin are proposed. Water from the sedimentation channel will drain to an existing wastewater retention structure.

Public Notice No. KS-NQ-12-012

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): Type of Discharge

Nonoverflowing

Name and Address of Applicant

Kansas Department of Wildlife, Parks, and Tourism

798 N. 1415 Road Lawrence, KS 66049

Kansas Permit No. C-KS31-NO03 Federal Tracking No. KSJ000402 Legal Description: East Lagoon: (2 Cells) NW¹/₄, NE¹/₄, S12, T13S, R18E,

Douglas County

Middle Lagoon: (2 cells) SW¹/₄, NW¹/₄, S12, T13S, R18E, Douglas County

West Lagoon: (2 Cells) NW¹/₄, NW¹/₄, NE¹/₄, S11, T13S, R18E, Douglas County

Facility Name: Clinton State Park

Facility Description: This action consists of reissuing an existing Kansas Water Pollution Control Permit for an existing facility. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit. Included in this permit is a schedule of compliance requiring the permittee to submit an engineering report addressing I & I deficiencies at all the facilities.

Public Notice No. KS-EG-12-045

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

Name and Address of Applicant

Occidental Chemical Corporation 6200 S. Ridge Road Wichita, KS 67277-2283

Facility Location: Wichita, Kansas

Well & Permit Number	Location
Pauly 3-1 / KS-03-173-279	NE ¹ / ₄ , NW ¹ / ₄ , NW ¹ / ₄ , S29, T29S, R02W,
	Sedgwick County
Pauly 3-2 / KS-03-173-280	NW ¹ / ₄ , NE ¹ / ₄ , NW ¹ / ₄ , S29, T29S, R02W,
-	Sedgwick County
Pauly 3-3 / KS-03-173-281	NW ¹ / ₄ , NE ¹ / ₄ , NW ¹ / ₄ , S29, T29S, R02W,
•	Sedgwick County
Pauly 3-4 / KS-03-173-282	NE ¹ / ₄ , NE ¹ / ₄ , NW ¹ / ₄ , S29, T29S, R02W,
•	Sedgwick County
Pauly 3-5 / KS-03-173-283	NE ¹ / ₄ , NE ¹ / ₄ , NW ¹ / ₄ , S29, T29S, R02W,
,	Sedgwick County

Facility Description: The proposed action is to modify existing permits for five Class III injection wells. The modification consists of changes to the configuration and location of the wells. In addition, a temporary access bore hole will be drilled (NE¹/4, NW¹/4, NW¹/4, S29, T29S, R02W) to facilitate the drilling of the proposed in-line gallery system. All other terms, conditions and provisions remain the same.

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 4 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-12-191/197, KS-NQ-

12-012, KS-EG-12-045) and name of the applicant/permittee when preparing comments.

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

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

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

Doc. No. 040666

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:

07/26/2012 EVT0001539 Legal Services Pool 07/27/2012 EVT0001480 Wi-Fi/Kiosk Traveler Information Services

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

http://www2.da.ks.gov/purch/contracts/bids.aspx

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

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

07/24/2012 A-011509 Reroof — Special Services Buildings & Reroof Canopies — Adair Buildings — Osawatomie — Kansas Dept. for Aging & Disabilities Services, Topeka

09/09/2012 A-012013 Campus Medium Voltage

Improvements — Phase IIIa, Critical Loop Phase 2 — Gross Memorial Coliseum — Cunningham Hall — Fort Hays State University, Hays

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

Chris Howe, Director Procurement and Contracts

Board of Regents Universities

Notice to Bidders

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

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

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

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

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

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

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

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

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

Doc. No. 040656

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 2011 Supp. 12-1675(b)(c)(d) and K.S.A. 2011 Supp. 12-1675a(g).

Effective 7-2-12 through 7-8-12

U	
	Rate
	0.13%
	0.11%
	0.15%
	0.25%
	0.30%
	0.33%
	S

Scott Miller Director of Investments

Doc. No. 040658

State of Kansas

Real Estate Appraisal Board

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10:30 a.m. Friday, September 7, in the Senate Room (lobby level) of the Jayhawk Tower, 700 S.W. Jackson, Topeka, to consider the adoption of K.A.R. 117-20-1, 117-20-2, 117-20-3, 117-20-4, 117-20-5, 117-20-6 and 117-20-7.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Appraisal Board, Suite 1102, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, or via e-mail to cheryl.magathan@kreab.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to 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 statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sally Pritchett at (785) 296-6736 or cheryl.magathan@kreab.state.ks.us.

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

117-20-1. Definitions. This regulation defines those terms not specifically defined in 2012 Senate Bill 345.

There will be no economic impact to the board, other governmental agencies or units, appraisal management companies (AMCs), or to the public.

117-20-2. Registration. This regulation establishes the forms and processes each AMC must follow when seeking registration.

The board is unsure at this time what costs this new program will represent for the board as it is unknown what additional work this will mean for KREAB staff. It is estimated that the cost to the board will be \$100 per registrant. It is estimated that approximately 75 companies will register in Kansas. The initial registration fee has been established at \$1,500 per company, making the first year's revenue for the board \$112,500. In addition, each controlling person and owner of more than 10 percent of the company will be required to submit fingerprints and a \$50 fee, payable to the Kansas Bureau of Investigation, for a state and national criminal history record check. There will be no economic impact to the public.

117-20-3. Registration renewal. This regulation establishes the process of renewal of registration for AMCs.

At this time, the board is unsure what costs this new program will represent for the board as it is unknown what additional work this will mean for KREAB staff. It is estimated that approximately 75 companies will register in Kansas. The renewal fee has been established at \$1,500 per company, making the annual revenue for the board \$112,500. In addition, each controlling person and owner of more than 10 percent of the company will be required to submit fingerprints and a \$50 fee, payable to the Kansas Bureau of Investigation, for a state and national criminal history record check. There will be no economic impact to the public.

117-20-4. Fees. This regulation establishes the fees for registration of AMCs.

It is estimated that approximately 75 companies will register in Kansas. The initial registration fee and renewal fee have been established at \$1,500 per company, making the annual revenue for the board \$112,500. In addition, each controlling person and owner of more than 10 percent of the company will be required to submit fingerprints and a \$50 fee, payable to the Kansas Bureau of Investigation, at both the initial registration and at annual renewal, for a state and national criminal history record check. There will be no economic impact to the public.

117-20-5. Certificate of registration. This regulation establishes the information to be included on each certificate of registration.

There will be no economic impact to the board, other governmental agencies or units, AMCs, or to the public.

117-20-6. Change of information. This regulation establishes the change of information each AMC must report to the KREAB.

There will be no economic impact to the board, other governmental agencies or units, AMCs, or to the public.

117-20-7. Certification of annual review. This regulation establishes the number of appraisals subject to annual review for each appraiser on the panel of an AMC.

As this cost will be dependent on the number of appraisers on the panel of the appraisal management company and on the number of appraisals performed each year by each appraiser, the board is unable to estimate the cost to the AMC. As it is unknown if audits of the AMCs will be necessary to ensure compliance with this regulation, the board is unsure if there will be an economic impact to the board. There will be no economic impact to other governmental agencies or units or to the public.

Copies of the regulations and the economic impact statement may be obtained by contacting the Kansas Real Estate Appraisal Board at (785) 296-6736, by fax at (785) 368-6443, by email at cheryl.magathan@kreab.state.ks.us, or from the board's website at http://www.kansas.gov/kreab.

Sally Pritchett Executive Director

Doc. No. 040671

State of Kansas

Commission on Peace Officers' Standards and Training

Notice of Hearing on Proposed Administrative Regulations

The Kansas Commission on Peace Officers' Standards and Training will conduct a public hearing on proposed administrative regulations at 9 a.m. Wednesday, September 5, at its office located at 1999 N. Amidon, Suite 350, Wichita.

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 rules and regulations. Written comments on the proposed regulations may be submitted prior to the hearing to KS-CPOST, 1999 N. Amidon, Suite 350, Wichita, 67203, or by email to gsteed@kscpost.org. All interested parties in attendance at the hearing will be given a reasonable opportunity to present their views. In order to provide 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 calling 1-800-766-3777 (TYY). The offices of KS-CPOST are fully handicap accessible. There is an elevator, handicap restrooms are on the first floor, and handicap parking is available in front of the building with two more parking spaces on the south side of the building.

Copies of the proposed regulations and the economic impact statement for the proposed regulations may be obtained by submitting a request to the KS-CPOST office and can be viewed at the board's website at www.kscpost.org.

Summaries of the proposed regulations and their economic impact follow:

K.A.R. 106-1-1 through 106-1-8, K.A.R. 107-1-1 though 107-1-5, K.A.R. 107-2-1 and K.A.R. 107-3-1. These existing regulations would be revoked and replaced by the following new regulations.

Article 2.—DEFINITIONS

K.A.R. 106-2-1. General definitions. Terms used in the proposed regulations are defined.

K.A.R. 106-2-2. Certain misdemeanors constituting grounds for disqualification of applicants. Misdemean-

(continued)

ors reflecting on honesty, trustworthiness, integrity or competence, for which an applicant can be disqualified, are identified as required by statute.

K.A.R. 106-2-2a. Certain misdemeanors constituting grounds for denial and discipline. Misdemeanors reflecting on honesty, trustworthiness, integrity or competence, for which certification may be denied, revoked, suspended or conditioned, or upon which an officer may be reprimanded or censured, are identified as required by statute.

K.A.R. 106-2-3. Unprofessional conduct. Unprofessional conduct is defined as required by statute.

K.A.R. 106-2-4. Good moral character. Personal traits or qualities required for certification of an officer are defined.

Article 3.—OFFICER CERTIFICATION STANDARDS

K.A.R. 106-3-1. Provisional certificate conditioned on attendance at next available basic training course. Consistent with prior commission interpretation and policy, newly appointed and elected officers are expected to attend the next available training course unless attendance would create a public safety concern to the appointing authority.

K.A.R. 106-3-2. Provisional certification; working as officer during basic training course. While attending basic training, persons who have provisional certification may only work as officers during times the training center is closed.

K.A.R. 106-3-3. Standards for approval of psychological testing. Psychological testing, as approved by the commission, is required by statute to qualify for certification. Standards by which the commission will approve psychological tests are stated.

K.A.R. 106-3-4. Verification of high school equivalence. Persons who did not graduate from an accredited high school qualify for certification with a GED, a score in the 50th percentile on the ACT or SAT, or by admission to an accredited post-secondary school. This is consistent with prior policy and is required by statute.

K.A.R. 106-3-5. Determination of work hours for parttime certification. Part-time officers may only work 1000 hours in a year; consistent with prior policy, this regulation clarifies that a year is a calendar year, and that hours worked for different appointing authorities are all included in the 1000 hour limitation.

K.A.R. 106-3-6. Oath required for certification. Sets forth the oath that must be sworn to or affirmed as a condition of certification.

Article 4.—TRAINING SCHOOL STANDARDS

K.A.R. 106-4-1. Approval of training schools. Standards by which the commission will approve a training school for certification are stated. This regulation was developed in consultation and with approval of the Director of Police Training.

These proposed regulations are not believed to create an economic impact upon the commission, other state agencies, appointing authorities or individuals.

> John Carmichael Chairperson

State of Kansas

Board of Pharmacy

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 1 p.m. Thursday, September 13, at the office of the Kansas Board of Healing Arts, board room, basement level, 800 S.W. Jackson, Topeka, to consider the proposed adoption of amendments to K.A.R. 68-21-1, K.A.R. 68-21-2 and K.A.R. 68-21-7 as permanent regulations of the Kansas Board of Pharmacy.

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 adoption of amendments. All parties may submit written comments prior to the hearing to Debra Billingsley, Executive Secretary, Kansas Board of Pharmacy, 800 S.W. Jackson, Topeka, 66612, or to pharmacy@ 1414, pharmacy.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of amendments to K.A.R. 68-21-1, K.A.R. 68-21-2 and K.A.R. 68-21-7 during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to 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 regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Board of Pharmacy at the contact information above or by calling (785) 296-4056. Handicapped parking is available in the parking garage of the building off of 8th Street.

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

K.A.R. 68-21-1. Definitions. This regulation is amended to change the definition of "patient identification number" to include a person's driver's license number or another predetermined numbering mechanism, and the definition of "report" was changed to clarify language throughout the other prescription monitoring regulations.

K.A.R. 68-21-2. Electronic reports. This regulation identifies the specifics relating to the electronic reports that must be submitted to the Prescription Monitoring Program. Amendments include requiring those that are required to report to the program to submit zero reports if they go seven days without dispensing in or into the state. This regulation also changes the frequency of reporting from weekly to daily, which was the original intent of the regulation. The original regulation stated that the change will take effect January 1, 2013.

K.A.R. 68-21-7. Drugs of concern. This regulation identifies the drugs of concern that are monitored through the Prescription Monitoring Program that are not controlled substances. Carisoprodol is now federally scheduled and is being monitored in the program as a controlled substance. Prescription pseudoephedrine products would be added to the drugs of concern list under the amendments in K.A.R. 68-21-7. Nonprescription pseudoephedrine

products are currently monitored by the state's electronic logging system.

Economic Impact: The adoption of these amendments does not have any additional economic impact to the Board of Pharmacy. In addition, the board does not anticipate that this amendment will have any financial impact upon other governmental agencies or upon private businesses or individuals besides the original impact of implementing such a program.

Copies of the regulations and the economic impact statement may be obtained from the Board of Pharmacy at the contact information above or from the board's website at http://www.kansas.gov/pharmacy/Proposed %20Regs.htm.

Debra Billingsley Executive Secretary

Doc. No. 040659

State of Kansas

Department of Commerce

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 2:30 p.m. Wednesday, September 5, in the main conference room, Kansas Department of Commerce, Suite 100, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to review the revocation of regulations K.A.R. 110-6-1 through 110-6-7 and to review new regulations K.A.R. 110-6-8 through 110-6-12 relating to the High Performance Incentive Program Act, K.S.A. 74-50,131 et seq.

This 60-day notice of the public hearing shall constitute a public comment period for submitting written public comments on the proposed regulations. The public is invited to submit written comments concerning the High Performance Incentive Program regulations to the Kansas Department of Commerce, prior to the public hearing, by e-mail at legal@kansascommerce.com or by mail to Pat George, Secretary of Commerce, Suite 100, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1354. The public shall be given a reasonable opportunity to present their views orally on these regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. All public comments submitted during this period will be made part of the regulation's written record.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least 10 working days in advance of the hearing to Merrill J. Hicklin Befort at the address above or by phone at (785) 291-3891. Handicapped parking is not available around the Curtis State Office Building; however, all persons in a vehicle with a handicapped license plate may park in any metered space around the building, and there is no charge for parking. The curbs and all entrances on Jackson Street, 10th Street and Kansas Avenue to the Curtis State Office Building are accessible to individuals with disabilities.

Copies of the regulations and economic impact statements may be accessed at http://www.kansascommerce.com/AboutUs/CommerceRegulations. A summary of the regulations and economic impact follows:

K.A.R. 110-6-1 through 110-6-7. These regulations are revoked and replaced with new regulations K.A.R. 110-6-8 through 110-6-12.

K.A.R. 110-6-8. Definitions used to administer the HPIP Act.

K.A.R. 110-6-9. Application. This regulation describes the timing and forms to use for HPIP application submission.

K.A.R. 110-6-10. Certification of a worksite. This regulation explains the requirements for HPIP certification.

K.A.R. 110-6-11. Certification period (CP). This regulation describes how the certification period may be established based upon the type of worksite and employee history in Kansas.

K.A.R 110-6-12. Training and education requirement. This regulation explains how the HPIP training requirement can be satisfied through participation in one of the Department of Commerce's workforce training programs or, alternatively, through being able to document eligible training expenditures equal to at least 2 percent of total payroll during the measurement period.

Federal Requirements:

The HPIP program does not have any federal requirements. It is a Kansas income tax credit program and is managed and regulated at the state level.

Anticipated economic impact upon governmental entities, private businesses or individuals, and the Kansas Department of Commerce:

It is estimated that the HPIP program will process approximately 300 project description forms and 225 applications for HPIP certification in FY 2012. The program is currently being administered by the program manager and one assistant program manager whose time is divided between HPIP and another program. The department does not anticipate the need to hire additional employees or incur any other additional expenses.

The purpose of HPIP is to incentivize major capital intensive investment leaning heavily towards the manufacturing sector. Although HPIP does not have a job creation requirement, job creation is the natural byproduct of large capital investments. Therefore, since HPIP does produce and retain jobs (by increasing capital investment), a broader business climate is created in Kansas, which produces a short and long-term positive impact to local governments and businesses across the state.

There would be no negative impact on other entities or persons. There would be a positive impact on state and local tax revenues and unemployment by broadening the business climate through increased capital investment, which will produce additional and higher paying jobs.

> Pat George Secretary of Commerce

Office of the Governor

Executive Directive No. 12-430 Authorizing Personnel Transactions

(Editor's Note: The attachments referred to in this directive may be obtained by contacting the Secretary of State's Office at 785-296-2034.)

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 Kansas Civil Service Basic Pay Plan that took effect on June 12, 2011, is hereby modified and the new pay matrix for the classified service is hereby adopted, effective June 10, 2012. The pay plan is modified to the extent provided for in the rules and regulations promulgated by the Secretary of Administration under the authority of K.S.A. 75-3706 or as hereafter modified by executive directives, and such modifications may be effective on the date of the rules and regulations or executive directives in accordance with K.S.A. 75-2938. The two attached pay matrices are hereby incorporated in, and made part of this executive directive. No employee may be moved to Step 17 or Step 18 unless authorized to do so by executive directive.

The request of Kraig Knowlton, Director of the Division of Personnel Services, to establish the attached, updated pay plan for unclassified physicians in state facilities under the authority of the Department for Aging and Disability Services, is hereby approved, effective June 10, 2012, in accordance with K.S.A. 75-2935c.

The request of Kraig Knowlton, Director of the Division of Personnel Services, to establish step 6 of pay Grade 17 as the entry rate for the Juvenile Corrections Officer I job classification is hereby approved, effective June 10, 2012.

The request of Kraig Knowlton, Director of the Division of Personnel Services, to provide a \$0.50 per hour shift differential to employees in the Juvenile Corrections Officer I, Juvenile Corrections Officer II, Juvenile Corrections Officer III and Juvenile Corrections Specialist job classifications is hereby approved, effective June 10, 2012.

The request of Kraig Knowlton, Director of the Division of Personnel Services, to provide an additional 2.5 percent retention incentive bonus, to a total of 12.5 percent, for commissioned law enforcement officers at the Kansas State University in the following job classifications: University Police Officer Trainee, University Police Officer, University Police Corporal, University Police Sergeant, University Police Detective, University Police Lieutenant, and University Police Captain, is hereby approved, effective June 10, 2012.

The request of Kraig Knowlton, Director of the Division of Personnel Services, to abolish the IT Bonus Program established in Executive Directive No. 02-326 is hereby approved, effective June 10, 2012.

The request of Kraig Knowlton, Director of the Division of Personnel Services, to abolish the following job classifications is hereby approved, effective June 10, 2012.

Job Class

Clothing Specialist Cosmetologist Radiation Control Inspector I have conferred with the Secretary of Administration, the Director of the Budget, Human Resources, and members of my staff, and I have determined that the requested actions are appropriate.

Dated June 27, 2012.

Sam Brownback Governor

Doc. No. 040674

State of Kansas

Board of Indigents' Defense Services

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Thursday, September 27, in Room 200, Jayhawk Walk, 714 S.W. Jackson, Topeka, to consider the adoption of proposed regulation of the State Board of Indigents' Defense Services 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 rule and regulation. All interested parties may submit written comments prior to the hearing to Patricia A. Scalia, Executive Director, State Board of Indigents' Defense Services, 714 S.W. Jackson, Room 200, Topeka, 66603, or at pscalia@ sbids.org. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Patricia A. Scalia at pscalia@sbids.org or (785) 368-6295. The entrance to the Jayhawk Walk is accessible, and parking for persons with disabilities is in front of the building.

Copies of the proposed regulation may be obtained by contacting Patricia A. Scalia. A summary of the proposed regulation and the economic impact follows:

K.A.R. 105-3-2 lists the necessary qualifications for attorneys who accept court-appointed cases to be paid with state funds through the State Board of Indigents' Defense Services. The proposed amendment would reflect the updated American Bar Association qualifications of 2003 for attorneys who defend capital murder cases.

The ÅBA 2003 qualifications for attorneys who defend capital murder cases no longer require lead counsel to have previously handled a capital murder case. The proposed amendment will adopt the ABA 2003 qualifications.

The immediate economic impact is estimated at \$50,000. Future savings also would be experienced. There is no cost associated with this amendment to the board or to any other entity.

Patricia A. Scalia Executive Director

Board of Emergency Medical Services

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Friday, September 7, in Room 108 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes in an existing rule and regulation.

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 rule and regulation. All interested parties may submit written comments prior to the hearing to the EMS Operations Manager, Room 1031, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentations to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Ann Stevenson at (785) 296-7296. Handicapped parking is located in front of and to the north of the Landon State Office Building.

This regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and the economic impact follows:

KA.R. 109-3-5. Advanced emergency medical technician; authorized activities. This regulation is being revised to support the updated board-approved medication list for advanced emergency medical technicians (dated May 1, 2012) that makes three changes: (1) the addition of pulseless ventricular tachycardia to the indications for administration of Amiodarone and Lidocaine; (2) the addition of Ondansetron for the treatment of nausea and vomiting; and (3) the consolidation of Benzodiazepine — Diazepam; Benzodiazepine — Midazolam; and Benzodiazepine — Lorazepam into a single listing titled "Benzodiazepine."

The regulation is not anticipated to have any economic impact on the Board of Emergency Medical Services, other state agencies, state employees, consumers of the services, private businesses or individuals.

Copies of the regulation and the economic impact statement may be obtained by contacting the Kansas Board of Emergency Medical Services, 10th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 296-7296, or can be accessed at www.ksbems.org.

Steven Sutton Executive Director

Doc. No. 040673

State of Kansas

Department of Wildlife, Parks, and Tourism

Permanent Administrative Regulations

Article 8.—DEPARTMENT LANDS AND WATERS

- **115-8-2.** Blinds, tree stands, and decoys. Subject to provisions and restrictions as established by posted notice, blinds, tree stands, and decoys shall be allowed on department lands and waters as follows: (a) Floating blinds and portable tree stands used for hunting may be placed not more than 14 days before the hunting season for which the blind or stand will be used and shall be removed from department property within 14 days after the hunting season for which the blind or stand was placed has ended.
- (b) Floating blinds and portable tree stands used for purposes other than hunting may be placed for a period not to exceed 14 days and shall be removed from department property at the conclusion of 14 days or after the intended use of the blind or stand has ended, whichever time period is less.
- (c) Ladders, screw-in metal steps, and steps attached by ropes, cables, or chains may be used for access to portable tree stands and shall be removed when the portable tree stand is removed as required by subsection (a) or (b).
- (d) Natural blinds may be used for any authorized activity and shall be constructed of natural herbaceous materials or woody debris, or both, that are present at the site of the natural blind.
- (e) Any individual may use a placed portable blind, floating blind, portable tree stand, or natural blind when the blind or stand is not occupied.
- (f) Any blind, stand, or climbing device not in conformance with regulations or posted notice provisions or restrictions may be removed or destroyed by the department.
- (g) Each portable blind, floating blind, and portable tree stand shall be marked with either the user's name and address or the user's department-issued identification number in a visible, legible, and weatherproof manner.
- (h) No individual shall place more than two portable blinds or tree stands on any single department-owned or department-managed property.
- (i) Portable blinds shall not be left unattended overnight.
- (j) Decoys shall not be left unattended overnight. (Authorized by and implementing K.S.A. 32-807; effective April 30, 1990; amended July 20, 2012.)
- **115-8-23. Bait; hunting.** (a) No person shall place, deposit, expose, or scatter bait while hunting or preparing to hunt on department lands or place, deposit, expose, or scatter bait in a manner that causes another person to be in violation of this regulation.
- (b) Hunting shall be prohibited within 100 yards of any bait placed, deposited, exposed, or scattered on department lands. Bait shall be considered placed, deposited,

(continued)

- exposed, or scattered on department lands for 10 days following complete removal of the bait.
- (c) Nothing in this regulation shall prohibit the hunting or taking of wildlife over standing crops, grain found scattered solely as the result of normal agricultural operations, or grain found scattered solely as the result of normal weather conditions.
- (d) For the purposes of this regulation, "bait" shall mean any grain, fruit, vegetable, nut, hay, salt, sorghum, feed, other food, or mineral that is capable of attracting wildlife. Liquid scents and sprays shall not be considered bait. (Authorized by and implementing K.S.A. 32-807; effective July 20, 2012.)
- **115-8-24.** Commercial guiding on department lands. (a) No person shall provide commercial guide services on department-owned or department-managed lands without a commercial guide permit issued by the department that is specific to the tract of land where the guide is operating.
- (b) For the purposes of this regulation, "commercial guide services" shall mean providing, offering to provide, arranging for, or assisting with hunting activities for other individuals on a commercial basis, including providing any one or more of the following when used in conjunction with or for hunting activities: pack or riding livestock, transportation other than by commercial carrier, equipment, or facilities.
- (c) "Commercial basis" shall mean that the recipient of the commercial guide services agrees to provide valuable consideration as compensation for the services, which are provided as part of a business relationship. Evidence of a business relationship shall include advertisement of the commercial guide services, written agreement of the terms of payment, or services provided by an employee of a commercial guide service.
- (d) Each commercial guide shall submit an annual report before July 1 on a form provided by the department. (Authorized by and implementing K.S.A. 32-807; effective July 20, 2012.)

Article 17.—WILDLIFE, COMMERCIAL USES AUTHORIZED

- **115-17-6.** Commercial mussel fishing license; mussel salvage permits; license or permit application and requirements, authority, reports, general provisions, and license or permit revocation. (a) A commercial mussel fishing license shall be required for commercial mussel fishing purposes. If a mussel salvage order has been issued by the secretary through public notice or posting the area open to mussel salvage, a mussel salvage permit shall be required for mussel salvage purposes.
- (b) Any person may apply to the secretary for a commercial mussel fishing license or a mussel salvage permit. The application shall be submitted on forms provided by the department, and each applicant shall provide the following information, except that no commercial license shall be issued on and after January 1, 2003 through December 31, 2022:
 - (1) The name of the applicant;
 - (2) the address and telephone number of the applicant;

- (3) the business locations and telephone numbers of the applicant:
 - (4) the location for mussel storage and processing; and
- (5) other relevant information as required by the secretary.
- (c) Each mussel fishing licensee shall maintain a current record of activity and shall submit quarterly reports to the department on forms provided by the department. The reports shall be submitted not later than 15 days following the end of the quarter for which the reports are prepared. A license shall not be renewed until all reports due have been received by the department. Each mussel salvage permittee shall maintain a current record of activity for the duration of the permit and shall submit a report to the department on forms provided by the department. The report shall be submitted not later than 15 days following the expiration of the permit.
- (d) The records and reports shall include the following information:
 - (1) The name of the licensee or permittee;
- (2) the address and telephone number of the licensee or permittee;
- (3) the license or permit number of the licensee or permittee:
- (4) the total weight or total shell weight of each mussel species harvested;
- (5) the total weight or total shell weight of each mussel species sold, including the following information:
- (A) A separate entry for each sale stating the total weight or total shell weight of each mussel species sold;
 - (B) the date of each sale;
- (C) the name, address, and license number of the person to whom the mussels were sold; and
 - (D) the name of the state where harvested; and
- (6) other relevant information as required by the secretary.
- (e) Each commercial mussel fishing licensee or mussel salvage permittee shall sell mussels only to a person legally authorized to purchase mussels under subsection (f) of this regulation, or pursuant to K.A.R. 115-17-14.
- (f) Any person may purchase mussels from a commercial mussel fishing licensee or mussel salvage permittee if the mussels are not purchased for use as fish bait, are not purchased for resale, are not purchased for other commercial use, and are not sold.
- (g) In addition to other penalties prescribed by law, a commercial mussel fishing or mussel salvage application, license, or permit may be revoked or denied issuance by the secretary if any of the following conditions is met:
- (1) The application is incomplete or contains false information.
- (2) The licensee or permittee fails to meet license or permit requirements or violates license or permit conditions.
- (3) The licensee or permittee violates any provision of law or regulations related to the commercial use of mussels.
- (h) Each commercial mussel fishing license shall expire on December 31 of the year for which the license was issued. Each mussel salvage permit shall expire on the date written on the salvage permit.

- (i) Each commercial mussel fishing license shall permit the possession of mussels harvested for commercial purposes by that licensee for no more than 48 hours after the close of the mussel season. A mussel salvage permit shall permit the possession of mussels harvested for commercial purposes by that permittee for no more than 48 hours after the expiration date written on the salvage permit.
- (j) A licensee or permittee may submit a written request to the secretary to possess mussels for commercial purposes beyond the possession period specified in subsection (i). Each request shall specify the number of each species of mussels possessed and the applicant's name, address, and commercial mussel fishing license or mussel salvage permit number. Authorization of possession beyond the possession period shall be issued in writing and shall include a date on which the authorization expires. Receipt of this authorization by the licensee or permittee shall allow the licensee's or permittee's sale of shells pursuant to subsection (e). Each mussel sale during the authorized time period shall be reported to the department within 48 hours of the sale by both the licensee or permittee and the purchaser. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective Jan. 1, 1991; amended June 8, 1992; amended Nov. 30, 1998; amended Nov. 22, 2002; amended April 18, 2003; amended July 20, 2012.)

115-17-7. Commercial harvest of mussels; legal species, seasons, size restrictions, daily limits, and possession limits. (a) The following listed mussel species may be taken for commercial purposes, except that no mussels may be commercially harvested on and after January 1, 2003 through December 31, 2022, unless a mussel salvage order has been issued by the secretary through public notice or posting the area open to mussel salvage:

- (1) Threeridge, Amblema plicata;
- (2) monkeyface, Quadrula metanevra;
- (3) mapleleaf, Quadrula quadrula;
- (4) bleufer (purple shell), Potamilus purpuratus; and
- (5) Asian clam, Corbicula fluminea.
- (b) The season for the commercial harvest of mussels shall be on and after April 1 through September 30. However, mussels shall not be commercially harvested on and after January 1, 2003 through December 31, 2022, unless a mussel salvage order has been issued by the secretary through public notice or posting the area open to mussel salvage.
- (c) Harvesting requirements shall include the following:
- (1) The minimum size of mussels shall be measured by passing the mussel shell through a circular measuring device with the appropriate inside diameter.
- (2) Measurement shall occur immediately upon removal of the mussel from the water.
- (3) If the mussel passes through the appropriate circular measuring device from any angle or direction, the mussel shall not be deemed to meet the minimum size requirement and shall be immediately returned to the water.
- (4) The minimum shell size for mussel species shall be the following:
 - (A) Threeridge: 3-inch diameter;

- (B) monkeyface: 2 3/4-inch diameter;
- (C) mapleleaf and bleufer: 3-inch diameter; and
- (D) Asian clam: no minimum size.
- (d) There shall be no maximum daily or possession limits for mussels. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective Jan. 1, 1991; amended June 8, 1992; amended Nov. 22, 2002; amended April 18, 2003; amended July 20, 2012.)

115-17-8. Commercial harvest of mussels; legal equipment, taking methods, and general provisions. (a) Legal equipment and taking methods permitted for commercial harvest of mussels shall be the following:

- (1) By hand; and
- (2) by other methods as approved by the secretary.
- (b)(1) Boats with or without mechanical propulsion methods may be used.
- (2) Depth-recording or fish-locating devices may be used.
- (3) Underwater breathing equipment may be used while taking mussels, if a diver's flag is prominently displayed while using the underwater breathing equipment.
- (4) Holding bags, holding baskets, and holding cages may be used if the name and permit number of the permittee are attached to each such bag, basket, and cage.
- (c) No mussels may be commercially harvested on and after January 1, 2003 through December 31, 2022, unless a mussel salvage order has been issued by the secretary through public notice or posting the area open to mussel salvage. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective Jan. 1, 1991; amended Nov. 22, 2002; amended April 18, 2003; amended July 20, 2012.)

115-17-9. Commercial mussel fishing; open areas. Waters of the state open for commercial mussel fishing shall be the following, except that all waters of the state shall be closed on and after January 1, 2003 through December 31, 2022, unless a mussel salvage order has been issued by the secretary through public notice or posting the area open to mussel salvage:

- (a) Federal reservoirs;
- (b) impoundments operated by other governmental entities, if authorized by the governmental entity;
- (c) Fall River from below Fall River Dam to its junction with the Verdigris River, except for the stretch of the Fall River from the county road ford located 1.2 miles east of state highway K-96, 3.2 miles south of Fredonia, Kansas, downstream to the Dun Dam located 2.5 miles west and 2.25 miles north of Neodesha, Kansas, which is a total of 9.89 stream miles including 3.27 impounded miles;
- (d) Verdigris River from below Toronto Dam to the state line, except for the stretch of the Verdigris River from the Whitehair bridge located 2.5 miles east of federal highway US-75 on the Wilson-Montgomery county line road, downstream to the Montgomery county road bridge located 1.47 miles east of Sycamore, Kansas, which is a total of 6.66 stream miles; and
- (e) Neosho River from below John Redmond Dam to the state line, except for the stretch of the Neosho River from the Neosho Falls dam, at Neosho Falls, Kansas, downstream to the mouth of Rock Creek in the NW 1/4,

(continued)

NW 1/4, Section 11, T24S, R17E, Allen County, Kansas, which is a total of 3.35 stream miles; and

(f) Elk River. (Authorized by and implementing K.S.A. 32-807 and K.S.A. 32-941; effective Jan. 1, 1991; amended June 8, 1992; amended Nov. 22, 2002; amended April 18, 2003; amended July 20, 2012.)

Article 20.—MISCELLANEOUS REGULATIONS

- **115-20-7.** Doves; legal equipment, taking methods, and possession. (a) Legal hunting equipment for doves shall consist of the following:
- (1) Shotguns that are not larger than 10 gauge, use shot ammunition, and are incapable of holding more than three shells in total capacity;
 - (2) pellet and BB guns;
 - (3) archery equipment;
 - (4) crossbows;
 - (5) falconry equipment;
- (6) optical scopes or sights that project no visible light toward the target and do not electronically amplify visible or infrared light; and

- (7) blinds, stands, calls, and decoys, except live decoys.
- (b) The use of dogs shall be permitted while hunting.
- (c) Any type of apparel may be worn while hunting doves.
- (d) Legally taken doves may be possessed without limit in time and may be given to another if accompanied by an attached, dated written notice that includes the donor's printed name, signature, and address; the total number of birds; the dates the birds were killed; and the permit or license number. The person receiving the meat shall retain the notice until the meat is consumed, given to another, or otherwise disposed of.
- (e) Doves shall be taken only while in flight. (Authorized by and implementing K.S.A. 32-807; effective Nov. 20, 2009; amended July 20, 2012.)

Robin L. Jennison Secretary of Wildlife, Parks, and Tourism

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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 100 November 10 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 $29,2011\,\mathrm{Kansas}\,\mathrm{Register}.$ The following regulations were filed after December 22, 2011:

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