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# 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 \$4,449,527.03 in the Underground Petroleum Storage Tank Release Trust Fund and \$1,610,627.96 in the Aboveground Petroleum Storage Tank Release Trust Fund at May 31, 2015.

> Annette Witt, Manager Office of the Chief Financial Officer

Doc. No. 043608

#### 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. Wednesday, July 15, 2015, the following structure located in Sedgwick County, to be moved:

#### (SG Co. 254-87 K-8234-03 Tr. 4)

1,260 SF 3-bedroom, 2-bath house with attached 2car garage on basement located at 4160 N. 119th St., Maize, Kansas

#### **Inspection of Structure:**

The structure will be opened to the public for viewing and inspection from 11 a.m. to noon July 8 and 30 minutes prior to the auction.

#### Terms of Sale:

A cashier's check for the purchase price, payable to the Kansas Department of Transportation, 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 October 15, 2015.

#### **Performance Bonds:**

The successful bidder for the structure will be required to post a performance bond in the amount of \$4,000, posted by cashier's check the day of the sale.

For additional terms or information contact the Bureau of Right of Way at 877-461-6817 or David Howard at 785-296-3834.

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

> Mike King Secretary of Transportation

Doc. No. 043624

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Register Office: 1st Floor, Memorial Hall 785-296-3489 Fax 785-296-8577 kansasregister@sos.ks.gov

#### State of Kansas Kansas Guardianship Program

#### Notice of Meeting

The Kansas Guardianship Program will conduct its governing board meeting from 1:30 to 3:30 p.m. Thursday, June 25, at the KGP office, 3248 Kimball Ave., Manhattan. For more information call 785-587-8555.

> Jean Krahn Executive Director

Doc. No. 043220

#### State of Kansas Council for Interstate Adult Offender Supervision Committee

#### Notice of Meeting

The Kansas Council for Interstate Adult Offender Supervision Committee will meet at 1 p.m. Friday, June 26, at the Kansas Department of Corrections, main conference room, 714 S.W. Jackson, third floor, Topeka. This meeting is open to the public.

> Matthew Billinger Deputy Compact Administrator

Doc. No. 043606

State of Kansas

# Department of Revenue Division of Vehicles

#### Notice of Intent to Establish a New Motor Vehicle Dealer License

Notice has been received from Chrysler Group LLC of its intent to establish a new and used vehicle dealership inclusive of selling Alfa Romeo franchised vehicles at 7525 E. Kellogg Drive, Wichita, Kansas.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed establishment of the new Alfa Romeo dealership, Chrysler Group LLC at 7525 E. Kellogg, Wichita, Kansas, if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale by Chrysler Group LLC at 7525 E. Kellogg Drive, Wichita, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the new Alfa Romeo dealership will be located.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the director of the Division of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Division of Vehicles, 10th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

> Lisa Kaspar Director of Vehicles

Doc. No. 043615

(Published in the Kansas Register June 11, 2015.)

#### City of Russell, Kansas

#### Notice of Proposed DBE Program

The city of Russell, 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 Russell 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 2015 is the following: a project-specific goal of 8.02 percent of the federal financial assistance.

The proposed DBE Program is available for public inspection and comment at the office of the director of public works, 133 W. 8th St., Russell, 67665. The city will accept comments on the goals for 45 days from the date of this notice. Comments can be sent to Arlyn Unrein, director of public works.

> Arlyn Unrein Director of Public Works

Doc. No. 043621

#### State of Kansas

# Department of Revenue Division of Vehicles

#### Notice of Intent to Establish a New Motor Vehicle Dealer License

Notice has been received from LR 4 Auto, LLC/Scholfield Auto Plaza LLC of its intent to establish a new and used vehicle dealership inclusive of selling Land Rover franchised vehicles at 1525 N. Greenwich Road, Wichita, Kansas.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed establishment of the new Land Rover dealership, LR 4 Auto, LLC/Scholfield Auto Plaza LLC at 1525 N. Greenwich Road, Wichita, Kansas, if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale by LR 4 Auto, LLC/Scholfield Auto Plaza LLC at 1525 N. Greenwich Road, Wichita, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the new Land Rover dealership will be located.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the director of the Division of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Division of Vehicles, 10th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

> Lisa Kaspar Director of Vehicles

### 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 6-8-15 through 6-14-15

Term	Rate
1-89 days	0.13%
3 months	0.04%
6 months	0.14%
12 months	0.35%
18 months	0.58%
2 years	0.75%
	Scott Miller

Director of Investments

Doc. No. 043605

#### State of Kansas

# Department of Revenue Division of Vehicles

#### Notice of Intent to Establish a New Location for an Existing New Motor Vehicle Dealer

LR 4 Auto, LLC/Scholfield Auto Plaza LLC has filed intent to change its dealership location. LR 4 Auto, LLC/ Scholfield Auto Plaza LLC currently conducts business at 11212 E. Kellogg, Wichita, Kansas. LR 4 Auto, LLC/Scholfield Auto Plaza LLC seeks to relocate its franchised Jaguar line-make vehicles to 1525 N. Greenwich Road, Wichita, Kansas.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed relocation of the new-line make vehicles at LR 4 Auto, LLC/Scholfield Auto Plaza LLC if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale by LR 4 Auto, LLC/Scholfield Auto Plaza LLC at 1525 N. Greenwich Road, Wichita, Kansas. K.S.A. 8-2430 (c) provides standing to any existing new motor vehicle dealer who has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale by LR 4 Auto, LLC/Scholfield Auto Plaza LLC at 1525 N. Greenwich Road, Wichita, Kansas, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the LR 4 Auto, LLC/ Scholfield Auto Plaza LLC dealership will be relocated.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the director of the Division of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Division of Vehicles, 10th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

> Lisa Kaspar Director of Vehicles

(Published in the Kansas Register June 11, 2015.)

#### City of Augusta, Kansas

#### **Request for Bids**

Sealed bids for the restoration of the Frisco Train Depot at 618 State St., Augusta, Kansas, according to construction documents approved by the Kansas Department of Transportation, will be received by the city of Augusta, 113 E. 6th St., Augusta, 67010, until 2 p.m. July 14, 2015, and then opened publicly. Hard copies of the documents may be viewed at the office of William Morris Associates Architects, 114 E. 5th Ave., Augusta, 67010, or the office of Kansas Construction News, 230 Laura St., Wichita, 67211. There is a \$50 deposit for each hard copy of the documents.

City of Augusta, Kansas

Doc. No. 043628

### 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:

W
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l,

The above-referenced bid documents can be down-loaded 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-andcontracts/additional-files-for-bid-solicitations

07/07/2015 A-012561 Prairie Dog Park Group Shelter at Norton

07/09/2015 A-012838 Metal Roof Retrofit at Larned

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. 043622

(Published in the Kansas Register June 11, 2015.)

#### Linn County, Kansas

#### **Request for Bids**

The Board of Commissioners of Linn County, Kansas, is accepting bids until 10 a.m. July 6, 2015, for the provision of ambulance services in Linn County. For a copy of the bid criteria or questions about the bidding procedure contact the Linn county clerk, P.O. Box 350, Mound City, 66056, dlamb@linncountyks.com or 913-795-2668. Linn County reserves the right to reject any or all bids.

David L. Lamb County Clerk

Doc. No. 043623

# 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: 785-532-5214, 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.

> Steve White Chair of Regents Purchasing Group Director of Purchasing Wichita State University

Doc. No. 042813

#### State of Kansas

### Legislature

#### Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced May 28-June 3 by the 2015 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 58-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, 785-296-4096. Full texts of bills, bill tracking and other information may be accessed at http://www.kslegislature.org/ li/.

#### **Senate Bills**

**SB 310**, AN ACT concerning school districts; authorizing income tax contributions for the benefit of school districts, by Committee on Ways and Means.

SB 311, AN ACT concerning education; transferring the powers and duties related to the administration of school finance to the department of administration and the secretary of administration; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education and the department of administration; amending K.S.A. 19-508b, 72-1413, 72-1414, as amended by section 31 of 2015 House Substitute for Senate Bill No. 7, 72-3604, 72-3605, 72-3606, 72-5112, 72-5113, 72-5114, 72-5115, 72-5116, 72-5118, 72-5121, 72-5122, 72-5123, 72-5124, 72-5125, 72-6761, 74-4939, 75-2316, 75-2317 and 75-2318 and K.S.A. 2014 Supp. 8-272, 12-1776a, as amended by section 27 of 2015 House Substitute for Senate Bill No. 7, 72-965, 72-978, as amended by section 28 of 2015 House Substitute for Senate Bill No. 7, 72-979, 72-983, 72-998, 72-1398, as amended by section 30 of 2015 House Substitute for Senate Bill No. 7, 72-3715, as amended by section 36 of 2015 House Substitute for Senate Bill No. 7, 72-5128, 72-5395, 72-8187, as amended by section 49 of 2015 House Substitute for Senate Bill No. 7, 72-8203b, 72-8223, 72-8251, as amended by section 57 of 2015 House Substitute for Senate Bill No. 7, 72-8254, 72-9603, 72-9607, 72-9608, 72-9922, 72-9923, 72-9925, 74-4939a, as amended by section 69 of 2015 House Substitute for Senate Bill No. 7, 75-2319, as amended by section 72 of 2015 House Substitute for Senate Bill No. 7, 75-2319c, 75-2321 and Sections 5, 6, 7, 8, 9, 10, 14, 15, 17, 20 and 21 of 2015 House Substitute for Senate Bill No. 7 and repealing the existing sections; also repealing Sections 2 and 3 of 2015 House Substitute for Senate Bill No. 7, by Committee on Ways and Means.

#### **Senate Resolutions**

**SR 1752**, by Senators O'Donnell, Abrams, Arpke, Baumgardner, Bowers, Bruce, Denning, Donovan, Faust-Goudeau, Fitzgerald, Francisco, Haley, Hawk, Hensley, Holland, Holmes, Kelly, Kerschen, King, Knox, LaTurner, Longbine, Love, Lynn, Masterson, McGinn, Melcher, Olson, Ostmeyer, Petersen, Pettey, Pilcher-Cook, Powell, Pyle, Schmidt, Smith, Tyson, Wagle, Wilborn and Wolf, A RESOLUTION congratulating and commending Andy Tompkins for his many years of service to the people of Kansas.

**SR 1753**, by Senator Lynn, A RESOLUTION congratulating and commending Vanya Shivashankar of Olathe, Kansas, for winning the 2015 National Spelling Bee.

(Published in the Kansas Register June 11, 2015.)

# V & S Railway, LLC

#### Request for Proposals KDOT Project No. 106 RF-0042-01 VSR 2015 Cross Tie Program Attica, Kansas (MP 0.19) to Medicine Lodge, Kansas (MP 21.0)

V and S Railway LLC (VSR) is requesting proposals from railroad track contractors for the labor, equipment, fuel and incidental materials required to remove and replace approximately 19,548 cross ties, 682 bridge ties and 64 switch ties in the Medicine Lodge main railroad track between MP 0.19 in Attica and MP 21.0 at the end of track in Medicine Lodge.

Copies of the request for proposals may be obtained by contacting Ed Landreth, contractor to the VSR and the designated VSR chief engineer for this project, at 505-239-9915 or EWLandreth@aol.com. Proposals are due June 30, 2015.

V & S Railway, LLC reserves the right to reject any and all bids and to waive technicalities.

Aaron Parsons Assistant Vice President V & S Railway, LLC

Doc. No. 043598

(Published in the Kansas Register June 11, 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 therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations, and shall include in its bid a sum to cover the cost of all items of the work 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.

A pre-bid conference will be held at 1 p.m. July 2 in the executive conference room, upper level, Lenexa City Hall.

David F. Bryant III Lenexa City Clerk

# 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-15-219/227 Pending Permits for Confined Feeding Facilities

Name and Address	Legal	Receiving
of Applicant	Description	Water
Andrew Goeckel Rolling Hills Pork, LLC 2530 Quivira Road Washington, KS 66968	SW/4 of Section 25, T01S, R03E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-H008 Federal Permit No. KS0096784

This is a permit modification and reissuance for an existing facility with the maximum capacity for 3,005 head (1,202 animal units) of swine weighing greater than 55 pounds and 4,050 head (405 animal units) of swine weighing 55 pounds or less, for a total of 1,607 animal units of swine. The facility consists of two enclosed swine buildings, a mortality composting building, a stockpile area and an earthen wastewater retention structure. The facility is proposing to construct a farrowing room onto an existing farrowing building and install a permanent underground waste application pipeline to an existing center pivot. The maximum number of animal units will not change at the facility. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Jennifer A. Gerety and/or John A. Kramer	SW/4 of Section 33, T05S, R13E,	Kansas River Basin
J-Six Enterprises –	Nemaha County	
Shamar Site		
604 Nemaha St.		
Seneca, KS 66538		

Kansas Permit No. A-KSNM-S041

This is a new permit for a new facility for 2,490 head (996 animal units) of swine weighing more than 55 pounds. Two new enclosed swine finishing buildings will be constructed with manure waste pits underground. The permittee shall begin construction of the approved

proposed facility within two years and complete the approved construction within three years.

struction whilm thee ye	ears.
Name and Address	Legal
of Applicant	Descr
Mike & Josh Mayes	SW/4
Cedar Creek Ranch	T22S,
1611 Little Cedar Creek	Chase
Road	

**Description** SW/4 of Section 09, T22S, R08E, Chase County **Receiving** Water Neosho River Basin

Matfield Green, KS 66862

Kansas Permit No. A-NECS-B003

This is a permit reissuance for an existing facility for 800 head (400 animal units) of cattle weighing less than 700 pounds. There is no change in animal units from the previous permit.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Chris and Steven Cox Offsite 1476 Highway 383 Long Island, KS 67647	SW/4 of Section 13, T01S, R20W, Phillips County	Upper Republican River Basin

Kansas Permit No. A-URPL-S007

This permit is being reissued for an existing facility with a maximum capacity of 1,600 head (640 animal units) of swine more than 55 pounds. There is no change in the permitted animal units.

Name and Address	Legal	Receiving
of Applicant	Description	Water
James Ochampaugh Ochampaugh Dairy 2380 R Road Plainville, KS 67663	SE/4 of Section 26, T08S, R17W, Rooks County	Solomon River Basin

Kansas Permit No. A-SORO-B009

This permit is being reissued for an existing facility with a maximum capacity of 200 head (200 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Steve Peterson	NE/4 of Section 12,	Solomon River
MPK Land & Livestock	T03S, R12W,	Basin
Co., LLC	Smith County	
24052 140 Road	•	
Lebanon, KS 66952		
Kansas Permit No. A-SOSM-0	C002 Federal Pe	rmit No. KS0092576

This permit has a maximum capacity of 3,500 head (3,500 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units from the previous permit cycle. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Tim Harder	SE/4 of Section 25,	Walnut River
Harder & Son	T24S, R06E,	Basin
6893 N.E. 75th St.	Butler County	
El Dorado, KS 67042	,	

Kansas Permit No. A-WABU-S015

The existing swine facility consists of four enclosed buildings for a maximum capacity of 1,452 head (580.8 animal units) of swine weighing more than 55 pounds and 660 head (66 animal units) of swine weighing 55 pounds or less, for a total capacity of 2,112 head (646.8 animal units). There is no change in the permitted animal units.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Jim & Chris Roth Billie Christine Roth Trust 19 Park View Road Hesston, KS 67062	NW/4 of Section 35, T22S, R01W, Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-B006

This is a reissuance of an existing permit for the maximum capacity of 100 head (100 animal units) of cattle greater than 700 pounds and *(continued)* 

100 head (50 animal units) of cattle weighing less than 700 pounds. This represents a decrease in the permitted animal units from the previous permit by 2 head (4 animal units) of horses.

Name and Address of Applicant	Legal Description	Receiving Water
Martin Kroupa	N/2 of Section 34,	Neosho River
Kroupa Feedlot	T18S, R04E,	Basin
2560 Ulysses Road	Marion County	
Lincolnville, KS 66858		

Kansas Permit No. A-NEMN-B012

This is a reissuance for an existing facility for the maximum capacity of 950 head (950 animal units) of cattle weighing more than 700 pounds. There is no change in the permitted animal units from the previous permit.

### Public Notice No. KS-AG-R-15-017/020

Per K.S.A. 65-171d, the following registrations have been received for proposed confined feeding facilities:

Name and Address of Registrant Alex Unruh P.O. Box 287 Galva, KS 67443	Legal Description NW/4 of Section 09, T20S, R01W	<b>County</b> McPherson
Name and Address of Registrant Jennifer A. Gerety and/or John A. Kramer J-Six Enterprises, LLC Carlson Site 604 Nemaha St. Seneca, KS 66538	Legal Description NE/4 of Section 30, T04S, R05E	<b>County</b> Washington
Name and Address of Registrant Diana Jost Jost Feedlot 2646 A A Ave. Burdick, KS 66838	Legal Description SE/4 of Section 29, T16S, R06E	<b>County</b> Morris
Name and Address of Registrant James Nelson Flying N Farms, LLC 1897 Arrowhead Fort Scott, KS 66701	Legal Description SE/4 of Section 23 & SE/4 of Section 22, T27S, R24E	<b>County</b> Bourbon

### Public Notice No. KS-Q-15-071/073

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
Anderson County	Cedar Creek via	Treated Domestic
Commissioners	Unnamed Tributary	Wastewater
100 E. 4th St.	-	

Garnett, KS 66032

Kansas Permit No. M-MC53-OO01Federal Permit No. KS0096946Legal Description: N<sup>1</sup>/<sub>2</sub>, NE<sup>1</sup>/<sub>4</sub>, S3, T22S, R19E, Anderson County, KSFacility Name: Welda Sewer District No. 1

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.

Name and Address	Receiving	Type of
of Applicant	Stream	Discharge
Belleville, City of	Salt Creek via	Treated Domestic
P.O. Box 280	Unnamed Tributary	Wastewater
Belleville, KS 66935	-	

Kansas Permit No. M-LR03-OO01 Federal Permit No. KS0027529 Legal Description: NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>, S2, T3S, R3W, Republic 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, ammonia, E. coli, dissolved oxygen, total phosphorus, total nitrogen and pH, as well as monitoring for chlorides, nitrate + nitrite, total Kjeldahl nitrogen and flow.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Concordia, City of P.O. Box 603	Republican River	Treated Domestic Wastewater
Concordia, KS 66901		Wastewater

Kansas Permit No. M-LR08-OO01 Federal Permit No. KS0025577 Legal Description: NE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>, S34, T5S, R3W, Cloud County, KS The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The facility is a mechanical treatment plant consisting of an aerated grit chamber, mechanical bar screen, lift station, activated sludge system, two final sedimentation tanks, aerobic digester, sludge storage and UV disinfection of effluent. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli, total phosphorus, total nitrogen and pH, as well as monitoring for nitrate + nitrite, total Kjeldahl nitrogen and flow.

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 July 11 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-15-219/227, KS-AG-R-15-017/020, KS-Q-15 071/073) 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

# 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. Schuff Steel – Midwest 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.

Schuff Steel – Midwest, 2001 N. Davis Ave., Ottawa, KS 66067-9656, owns and operates a fabrication of structural metal facility located at the same address.

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 public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Northeast District Office, 800 W. 24th St., Lawrence. To obtain or review the proposed permit and supporting documentation contact Josephine Boac, 785-296-6281, at the KDHE central office, or Pat Simpson, 785-842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Josephine Boac, 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 not later than noon July 13.

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 Josephine Boac, KDHE, Bureau of Air, not later than noon July 13 in order for the secretary of health and environment to consider the request.

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

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

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

Doc. No. 043607

#### 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. Sunflower Electric Corporation – Holcomb Station 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.

Sunflower Electric Corporation – Holcomb Station, P.O. Box 430, Holcomb, KS 67851-0430, owns and operates a steam electric generating facility located at 2440 Holcomb, Finney County, KS 67851-0430.

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 public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact Mindy Bowman, 785-296-6421, at the KDHE central office, or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Mindy Bowman, 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 not later than noon July 13.

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 Mindy Bowman, KDHE, Bureau of Air, not later than noon July 13 in order for the secretary of health and environment to consider the request.

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

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

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

Doc. No. 043618

#### 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. Magellan Pipeline Company, L.P. 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.

Magellan Pipeline Company, L.P., P.O. Box 22186, Tulsa, OK 74121, owns and operates Paola Station, a liquid petroleum products pipeline and pumping station located at 24303 W. 343rd St., Paola, KS 66071.

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 public review during normal business hours, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Northeast District Office, 800 W. 24th St., Lawrence. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office, or Pat Simpson, 785-842-4600, at the KDHE Northeast District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, 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 not later than noon July 13.

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 Cathy Richardson, KDHE, Bureau of Air, not later than noon July 13 in order for the secretary of health and environment to consider the request.

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

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

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

Doc. No. 043619

State of Kansas

# Department of Health and Environment

#### Notice of Hearing

A public hearing will be conducted at 1 p.m. Tuesday, July 14, in the Azure Conference Room of the Curtis State Office Building, 1000 S.W. Jackson, fourth floor, Topeka, to discuss the Kansas Public Water Supply Loan Fund (KPWSLF) 2016 Intended Use Plan (IUP). The IUP will make additions to the Project Priority List and include estimates and uses of anticipated Capitalization Grants from the EPA. Copies of the draft IUP can be obtained online at http://www.kdheks.gov/pws/loan/loanfund.htm.

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

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

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

#### Secretary of State

#### Certification of New State Laws

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

> Kris W. Kobach Secretary of State

(Published in the Kansas Register June 11, 2015.)

#### Senate Substitute for HOUSE BILL No. 2353

AN ACT concerning education; relating to the financing and instruction thereof; relating to the state board of regents; concerning university support staff; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the department of education; amending K.S.A. 72-5423 and K.S.A. 2014 Supp. 72-1046b, as amended by section 29 of 2015 House Substitute for Senate Bill No. 7, 72-3715, as amended by section 36 of 2015 House Substitute for Senate Bill No. 7, 72-5413, 72-6434, as amended by section 38 of 2015 House Substitute for Senate Bill No. 7, 72-8814, as amended by section 63 of 2015 House Substitute for Senate Bill No. 7, 75-2319, as amended by section 72 of 2015 House Substitute for Senate Bill No. 7, 76-715a and 76-715b and Sections 5 and 6 of 2015 House Substitute for Senate Bill No. 7 and repealing the existing sections; also repealing K.S.A. 2014 Supp. 72-6434, as amended by section 7 of this act, and 72-8814, as amended by section 8 of this act.

Be it enacted by the Legislature of the State of Kansas: Section 1.

#### DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2016, the following:

Block grants to USDs..... \$4,500,000 Sec. 2.

#### DEPARTMENT OF EDUCATION

(a) There is appropriated for the above agency from the state general fund for the fiscal year ending June 30, 2017, the following:

Block grants to USDs..... \$4,500,000 Sec. 3. Section 5 of 2015 House Substitute for Senate Bill No. 7 is hereby amended to read as follows: Sec. 5. (a) As used in sections 4 through 22 of 2015 House Substitute for Senate Bill No. 7, and amendments thereto:

(1) (A) "At-risk pupils" means pupils who are eligible for free meals under the national school lunch act and who are enrolled in a district which maintains an approved at-risk pupil assistance plan.

(B) The term "at-risk pupils" shall not include any pupil: (i) En-rolled in any of the grades one through 12 who is in attendance less than full time; or (ii) who is over 19 years of age. The provisions of this paragraph shall not apply to any pupil who has an individualized education program.

(2) "Board" means the board of education of a school district.
(3) "Current school year" means the school year during which general state aid is determined by the state board under section 6 *of 2015* House Substitute for Senate Bill No. 7, and amendments thereto.
(4) "Enrollment" means: (A) (i) Subject to the provisions of subsec-

tion (a)(4)(A)(ii), for school districts scheduling the school days or school hours of the school term on a trimestral or quarterly basis, the number of pupils regularly enrolled in the district on September 20 plus the number of pupils regularly enrolled in the school district on February 20 less the number of pupils regularly enrolled on February 20 who were counted in the enrollment of the school district on September 20;

(ii) for school districts not described in subsection (a)(4)(A)(i), the number of pupils regularly enrolled in the school district on September 20; and

(iii) a pupil who is a foreign exchange student shall not be counted unless such student is regularly enrolled in the school district on September 20 and attending kindergarten or any of the grades one through 12 maintained by the school district for at least one semester or two quarters or the equivalent thereof;

(B) if enrollment in a school district in any school year has decreased from enrollment in the preceding school year, enrollment of the school district in the current school year means whichever is the greater of:

(i) Enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled, plus enrollment in the current school year of preschoolaged at-risk pupils, if any such pupils are enrolled; or

(ii) the sum of enrollment in the current school year of preschoolaged at-risk pupils, if any such pupils are enrolled and the average of the sum of:

(a) Enrollment of the school district in the current school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils are enrolled;

(b) enrollment in the preceding school year minus enrollment in such school year of preschool-aged at-risk pupils, if any such pupils were enrolled; and

(c) enrollment in the school year next preceding the preceding school year minus enrollment in such school year of preschool-aged atrisk pupils, if any such pupils were enrolled. (5) "February 20" has its usual meaning, except that in any year in

which February 20 is not a day on which school is maintained, it shall

mean the first day after February 20 on which school is maintained. (6) *"Federal impact aid" means an amount equal to the federally qualified percentage of the amount of moneys a district receives in the current school* year under the provisions of title I of public law 874 and congressional appropriations therefor, excluding amounts received for assistance in cases of major disaster and amounts received under the low-rent housing program. The amount of federal impact aid defined herein as an amount equal to the federally qualified percentage of the amount of moneys provided for the district under title I of public law 874 shall be determined by the state board in accordance with terms and conditions imposed under the provisions of the public law and *rules and regulations thereunder.* (6) (7) "Preceding school year" means the school year immediately

before the current school year. (7) (8) "Preschool-aged at-risk pupil" means an at-risk pupil who has attained the age of four years, is under the age of eligibility for attendance at kindergarten, and has been selected by the state board in accordance with guidelines consonant with guidelines governing the

selection of pupils for participation in head start programs. (8) (9) "Preschool-aged exceptional children" means exceptional children, except gifted children, who have attained the age of three years but are under the age of eligibility for attendance at kindergarten. (9) (10) "Pupil" means any person who is regularly enrolled in a

district and attending kindergarten or any of the grades one through 12 maintained by the district, or who is regularly enrolled in a district and attending kindergarten or any of the grades one through 12 in another district in accordance with an agreement entered into under authority of K.S.A. 72-8233, and amendments thereto, or who is regularly enrolled in a district and attending special education services provided for pre-

school-aged exceptional children by the district. (10)-(11) "School district" means a unified school district organized and operated under the laws of this state.

 $\frac{(11)}{(12)}$  "School year" means the 12-month period ending June 30.  $\frac{(12)}{(12)}$  "September 20" has its usual meaning, except that in any year in which September 20 is not a day on which school is maintained, it shall mean the first day after September 20 on which school is maintained.

(13) (14) "State board" means the state board of education.

(b) The provisions of this section shall be effective from and after July 1, 2015, through June 30, 2017.

Sec. 4. Section 6 of 2015 House Substitute for Senate Bill No. 7 is hereby amended to read as follows: Sec. 6. (a) For school year 2015-2016 and school year 2016-2017, the state board shall disburse general state aid to each school district in an amount equal to:

(1) Subject to the provisions of subsections (b) through (e) (f), the amount of general state aid such school district received for school year 2014-2015, if any, pursuant to K.S.A. 72-6416, prior to its repeal, as prorated in accordance with K.S.A. 72-6410, prior to its repeal, less

(A) The amount directly attributable to the ancillary school facilities weighting as determined for school year 2014-2015 under K.S.A. 72-6443, prior to its repeal;

(B) the amount directly attributable to the cost of living weighting as determined for school year 2014-2015 under K.S.A. 2014 Supp. 72-6450, prior to its repeal;

(C) the amount directly attributable to declining enrollment state aid as determined for school year 2014-2015 under K.S.A. 2014 Supp. 72-6452, prior to its repeal; and

(continued)

(D) the amount directly attributable to virtual school state aid as determined for school year 2014-2015 under K.S.A. 2014 Supp. 72-3715, and amendments thereto, plus;

(2) the amount of supplemental general state aid such school district received for school year 2014-2015, if any, pursuant to K.S.A. 72-6434, prior to its repeal, as prorated in accordance with K.S.A. 72-6434, prior to its repeal, plus;

(3) the amount of capital outlay state aid such school district received for school year 2014-2015, if any, pursuant to K.S.A. 2014 Supp. 72-8814, prior to its repeal, plus;

(4) (A) an amount that is directly attributable to the proceeds of the tax levied by the school district pursuant to section 14 *of 2015 House Substitute for Senate Bill No. 7*, and amendments thereto, provided, the school district has levied such tax;

(B) an amount that is directly attributable to the proceeds of the tax levied by the school district pursuant to section 15 *of* 2015 House Substitute for Senate Bill No. 7, and amendments thereto, provided, the school district has levied such tax;

(C) an amount that is directly attributable to the proceeds of the tax levied by the school district pursuant to section 16 *of* 2015 *House Substitute for Senate Bill No.* 7, and amendments thereto, provided, the school district has levied such tax, plus;

(5) the amount of virtual school state aid such school district is to receive under K.S.A. 2014 Supp. 72-3715, and amendments thereto, plus;

(6) an amount certified by the board of trustees of the Kansas public employees retirement system which is equal to the participating employer's obligation of such school district to the system, less;

(7) an amount equal to 0.4% of the amount determined under subsection (a)(1).

(b) For any school district whose school financing sources exceeded its state financial aid for school year 2014-2015 as calculated under the school district finance and quality performance act, prior to its repeal, the amount such school district is entitled to receive under subsection (a)(1) shall be the proceeds of the tax levied by the school district pursuant to section 11, and amendments thereto, less the difference between such school district's school financing sources and its state financial aid for school year 2014-2015 as calculated under the school district finance and quality performance act, prior to its repeal.

(c) For any school district formed by consolidation in accordance with article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, prior to the effective date of this act, and whose state financial aid for school year 2014-2015 was determined under K.S.A. 72-6445a, prior to its repeal, the amount of general state aid for such school district determined under subsection (a)(1) shall be determined as if such school district was not subject to K.S.A. 72-6445a, prior to its repeal, for school year 2014-2015.

(d) For any school district that consolidated in accordance with article 87 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto, and such consolidation becomes effective on or after July 1, 2015, the amount of general state aid for such school district determined under subsection (a)(1) shall be the sum of the general state aid each of the former school districts would have received under subsection (a)(1).

(e) (1) For any school district that was entitled to receive school facilities weighting for school year 2014-2015 under K.S.A. 72-6415b, prior to its repeal, and which would not have been eligible to receive such weighting for school year 2015-2016 under K.S.A. 72-6415b, prior to its repeal, an amount directly attributable to the school facilities weighting as determined for school year 2014-2015 under K.S.A. 72-6415, prior to its repeal, for such school district shall be subtracted from the amount of general state aid for such school district determined under subsection (a)(1).

(2) For any school district which would have been eligible to receive school facilities weighting for school year 2015-2016 under K.S.A. 72-6415b, prior to its repeal, but which did not receive such weighting for school year 2014-2015, an amount directly attributable to the school facilities weighting as would have been determined under K.S.A. 72-6415, prior to its repeal, for school year 2015-2016 shall be added to the amount of general state aid for such school district determined under subsection (a)(1).

(3) For any school district which would have been eligible to receive school facilities weighting for school year 2016-2017 under K.S.A. 72-6415b, prior to its repeal, but which did not receive such weighting for school year 2014-2015, and which would not have been eligible to receive such weighting for school year 2015-2016 under K.S.A. 72-6415b, prior to its repeal, an amount directly attributable to the school facilities weighting as would have been determined under K.S.A. 72-6415, prior to its repeal, for school year 2016-2017 shall be added to the amount of general state aid for such school district determined under subsection (a)(1).

(f) (1) For any school district that received federal impact aid for school year 2014-2015, if such school district receives federal impact aid in school year 2015-2016 in an amount that is less than the amount such school district received in school year 2014-2015, then an amount equal to the difference between the amount of federal impact aid received by such school district in such school year shall be added to the amount of general state aid for such school district for school year 2015-2016 as determined under subsection (a)(1).

(2) For any school district that received federal impact aid for school year 2014-2015, if such school district receives federal impact aid in school year 2016-2017 in an amount that is less than the amount such school district received in school year 2014-2015, then an amount equal to the difference between the amount of federal impact aid received by such school district in such school years shall be added to the amount of general state aid for such school district for school year 2016-2017 as determined under subsection (a)(1).

(f) (g) The general state aid for each school district shall be disbursed in accordance with appropriation acts. In the event the appropriation for general state aid exceeds the amount determined under subsection (a) for any school year, then the state board shall disburse such excess amount to each school district in proportion to such school district's enrollment.

 $\frac{(g)}{(h)}$  The provisions of this section shall be effective from and after July 1, 2015, through June 30, 2017.

Sec. 5. From and after July 1, 2015, K.S.A. 2014 Supp. 72-1046b, as amended by section 29 of 2015 House Substitute for Senate Bill No. 7, is hereby amended to read as follows: 72-1046b. (a) As used in this section:

(1) "School district" means a school district organized and operating under the laws of this state and no part of which is located in Johnson county, Sedgwick county, Shawnee county or Wyandotte county.

(2) "Non-resident pupil" or "pupil" means a pupil who is enrolled and in attendance at a school located in a district in which such pupil is not a resident and who: (A) Lives 2<sup>1</sup>/<sub>2</sub> or more miles from the attendance center the pupil would attend in the district in which the pupil resides and is not a resident of Johnson county, Sedgwick county, Shawnee county or Wyandotte county; or (B) is a member of the family of a pupil meeting the condition prescribed in subpart (A).
(3) "Member of the family" means a brother or sister of the whole

(3) "Member of the family" means a brother or sister of the whole or half blood or by adoption, a stepbrother or stepsister, and a foster brother or foster sister.

(b) The board of education of any school district may allow any pupil who is not a resident of the district to enroll in and attend school in such district. The board of education of such district may furnish or provide transportation to any non-resident pupil who is enrolled in and attending school in the district pursuant to this section. If the district agrees to furnish or provide transportation to a non-resident pupil, such transportation shall be furnished or provide until the end of the school year. Prior to providing or furnishing transportation to a non-resident pupil, the district shall notify the board of education of the district in which the pupil resides that transportation will be furnished or provided.

(c) Pupils attending school in a school district in which the pupil does not reside pursuant to this section shall be counted as regularly enrolled in and attending school in the district where the pupil is enrolled for the purpose of computations under the classroom learning assuring student success act, section 4 *of* 2015 House Substitute for Senate Bill No. 7 et seq., and amendments thereto, and for the purposes of the statutory provisions contained in article 83 of chapter 72 of the Kansas Statutes Annotated, and amendments thereto. Such non-resident pupil shall not be charged for the costs of attendance at school.

(d) Any pupil who was not a resident of the district in school year 2014-2015, but was allowed to enroll in and attend school in such district in school year 2014-2015 by the board of education of such district and any member of the family of such pupil regardless of whether such family member enrolled in and attended school in such district in school year 2014-2015, shall be allowed to enroll in and attend school in such district in school year 2014-2015, shall be allowed to enroll in and attended school in such district in school years 2015-2016 and 2016-2017 regardless of whether such pupil or family member of such pupil is a resident of the district in either school year, provided such pupil or such pupil's family member is in compliance with any attendance and behavior policies of the district. If transportation was furnished or provided to such pupil in school year 2014-2015 by the district, then transportation shall be furnished or provided by the district to such pupil and any family member of such pupil in school years 2015-2016 and 2016-2017, provided there is no change in such pupil's residence and no requirement for the district to furnish transportation to any additional residence.

Sec. 6. From and after July 1, 2015, K.S.A. 2014 Supp. 72-3715, as amended by section 36 of 2015 House Substitute for Senate Bill No. 7, is hereby amended to read as follows: 72-3715. (a) In order to be included in the full-time equivalent enrollment of a virtual school, a pupil

shall be in attendance at the virtual school on: (1) A single school day on or before September 19 of each school year; and (2) on a single school day on or after September 20, but before October 4 of each school year.

(b) A school district which offers a virtual school shall determine the full-time equivalent enrollment of each pupil enrolled in the virtual school on September 20 of each school year as follows:

(1) Determine the number of hours the pupil was in attendance on a single school day on or before September 19 of each school year;

(2) determine the number of hours the pupil was in attendance on a single school day on or after September 20, but before October 4 of each school year;

(3) add the numbers obtained under paragraphs (1) and (2);

(4) divide the sum obtained under paragraph (3) by 12. The quotient is the full-time equivalent enrollment of the pupil.

(c) The school days on which a district determines the full-time equivalent enrollment of a pupil under subsections (b)(1) and (2) shall be the school days on which the pupil has the highest number of hours of attendance at the virtual school. No more than six hours of attendance may be counted in a single school day. Attendance may be shown by a pupil's on-line activity or entries in the pupil's virtual school journal or log of activities.

(d) Subject to the availability of appropriations and within the limits of any such appropriations, each school year a school district which offers a virtual school shall receive virtual school state aid.

The state board of education shall determine the amount of virtual school state aid a school district is to receive as follows:

(1) For school year 2015-2016:

(A) Determine the number of pupils enrolled in virtual school on a full-time basis, excluding those pupils who are over 18 years of age, and multiply the total number of such pupils by \$5,000;

(B) determine the full-time equivalent enrollment of pupils enrolled in virtual school on a part-time basis, excluding those pupils who are over 18 years of age, and multiply the total full-time equivalent enrollment of such pupils by \$4,045;

(C) for pupils enrolled in a virtual school who are over 18 years of age, determine the number of one-hour credit courses such pupils have passed and multiply the total number of such courses by \$933; and

(D) add the amounts calculated under subsections (d)(1)(A) through (d)(1)(C). The resulting sum is the amount of virtual school state aid the school district shall receive.

(2) For school year 2016-2017:

(A) Determine the number of pupils enrolled in virtual school on a full-time basis, excluding those pupils who are over 18 years of age, and multiply the total number of such pupils by \$5,600;

(B) determine the full-time equivalent enrollment of pupils enrolled in virtual school on a part-time basis, excluding those pupils who are over 18 years of age, and multiply the total full-time equivalent enrollment of such pupils by \$1,700;

(C) for pupils enrolled in a virtual school who are over 18 years of age, determine the number of one-hour credit courses such pupils have passed and multiply the total number of such courses by \$933; and

(D) add the amounts calculated under subsections (d)(2)(A) through (d)(2)(C). The resulting sum is the amount of virtual school state aid the school district shall receive.

(3) For purposes of this subsection:

(A) "Full-time" means attendance in a virtual school for no less than six hours as determined pursuant to subsection (b).

(B) "Part-time" means attendance in a virtual school for less than six hours as determined pursuant to subsection (b).

(e) There is hereby established in every school district a fund which shall be called the virtual school fund, which fund shall consist of all moneys deposited therein or transferred thereto according to law. The expenses of a school district directly attributable to virtual schools offered by a school district may be paid from the virtual school fund. The cost of an advance placement course provided to a pupil by a virtual school shall be paid by the virtual school. Amounts deposited in the virtual school fund may be transferred to the general fund of the school district as approved by the board of education.

Any balance remaining in the virtual school fund at the end of the budget year shall be carried forward into the virtual school fund for succeeding budget years. Such fund shall not be subject to the provisions of K.S.A. 79-2925 through 79-2937, and amendments thereto.

In preparing the budget of such school district, the amounts credited to and the amount on hand in the virtual school fund, and the amount expended therefrom shall be included in the annual budget for the information of the residents of the school district. Interest earned on the investment of moneys in any such fund shall be credited to that fund.

(f) For the purposes of this section, a pupil enrolled in a virtual school who is not a resident of the state of Kansas shall not be counted in the full-time

equivalent enrollment of the virtual school. The virtual school shall record the permanent address of any pupil enrolled in such virtual school.

Sec. 7. K.S.A. 2014 Supp. 72-6434, as amended by section 38 of 2015 House Substitute for Senate Bill No. 7, is hereby amended to read as follows: 72-6434. (a) For school year 2014-2015, each district that has adopted a local option budget is eligible for entitlement to an amount of supplemental general state aid. Except as provided by K.S.A. 2014 Supp. 72-6434b, and amendments thereto, entitlement of a district to supplemental general state aid shall be determined by the state board as provided in this subsection. The state board shall:

(1) Determine the amount of the assessed valuation per pupil in the preceding school year of each district in the state;

(2) rank the districts from low to high on the basis of the amounts of assessed valuation per pupil determined under subsection (a)(1);

(3) identify the amount of the assessed valuation per pupil located at the 81.2 percentile of the amounts ranked under subsection (a)(2);

(4) divide the assessed valuation per pupil of the district as determined under subsection (a)(1) by the amount identified under subsection (a)(3);

(5) (A) if the quotient obtained under subsection (a)(4) is less than one, subtract the quotient obtained under subsection (a)(4) from one, and multiply such difference by the amount of the local option budget of the school district; or

(B) if the quotient obtained under subsection (a)(4) equals or exceeds one, the school district shall not be entitled to receive supplemental general state aid; and

(6) determine the amount of supplemental general state aid for each school district eligible to receive such state aid as follows:

(A) For those school districts ranked in the lowest quintile of those school districts eligible to receive supplemental general state aid under subsection (a)(5), multiply the product calculated under subsection (a)(5)(A) by 97%;

(B) for those school districts ranked in the second lowest quintile of those school districts eligible to receive supplemental general state aid under subsection (a)(5), multiply the product calculated under subsection (a)(5)(A) by 95%;

(C) for those school districts ranked in the third lowest quintile of those school districts eligible to receive supplemental general state aid under subsection (a)(5), multiply the product calculated under subsection (a)(5)(A) by 92%;

(D) for those school districts ranked in the second highest quintile of those school districts eligible to receive supplemental general state aid under subsection (a)(5), multiply the product calculated under subsection (a)(5)(A) by 82%; and

(E) for those school districts ranked in the highest quintile of those school districts eligible to receive supplemental general state aid under subsection (a)(5), multiply the product calculated under subsection (a)(5)(A) by 72%.

(b) If the amount of appropriations for supplemental general state aid is less than the amount each district is entitled to receive for the school year, the state board shall prorate the amount appropriated among the districts in proportion to the amount each district is entitled to receive.

(c) The state board shall prescribe the dates upon which the distribution of payments of supplemental general state aid to school districts shall be due. Payments of supplemental general state aid shall be distributed to districts on the dates prescribed by the state board. The state board shall certify to the director of accounts and reports the amount due each district, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the district. Upon receipt of the warrant, the treasurer of the district shall credit the amount thereof to the supplemental general fund of the district to be used for the purposes of such fund.

(d) If any amount of supplemental general state aid that is due to be paid during the month of June of a school year pursuant to the other provisions of this section is not paid on or before June 30 of such school year, then such payment shall be paid on or after the ensuing July 1, as soon as moneys are available therefor. Any payment of supplemental general state aid that is due to be paid during the month of June of a school year and that is paid to school districts on or after the ensuing July 1 shall be recorded and accounted for by school districts as a receipt for the school year ending on the preceding June 30.

(e) (1) Except as provided by paragraph (2), moneys received as supplemental general state aid shall be used to meet the requirements under the school performance accreditation system adopted by the state board, to provide programs and services required by law and to improve student performance.

(continued)

(2) Amounts of supplemental general state aid attributable to any percentage over 25% of state financial aid determined for the current school year may be transferred to the capital improvements fund of the district and the capital outlay fund of the district if such transfers are specified in the resolution authorizing the adoption of a local option budget in excess of 25%.

(f) For the purposes of determining the total amount of state moneys paid to school districts, all moneys appropriated as supplemental general state aid shall be deemed to be state moneys for educational and support services for school districts.

(g) For school year 2014-2015, for those school districts whose total assessed valuation for school year 2015-2016 is less than such district's total assessed valuation for school year 2014-2015, and the difference in total assessed valuation between school year 2014-2015 and school year 2015-2016 is an amount that is greater than 25% of the total assessed valuation of such district for school year 2014-2015, and such reduction in total assessed valuation is the direct result of the classification of tangible personal property within such district for property tax purposes pursuant to K.S.A. 2014 Supp. 79-507, and amendments thereto, the assessed valuation per pupil for purposes of determining supplemental general state aid shall be based on such school district's total assessed valuation for school year 2015-2016.

Sec. 8. K.S.A. 2014 Supp. 72-8814, as amended by section 63 of 2015 Senate Bill No. 7, is hereby amended to read as follows: 72-8814. (a) There is hereby established in the state treasury the school district capital outlay state aid fund. Such fund shall consist of all amounts transferred thereto under the provisions of subsection (c). (b) For school year 2014-2015, each school district which levies a

(b) For school year 2014-2015, each school district which levies a tax pursuant to K.S.A. 72-8801 et seq., and amendments thereto, shall be entitled to receive payment from the school district capital outlay state aid fund in an amount determined by the state board of education as provided in this subsection. The state board of education shall:

(1) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this section;

(2) prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(3) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 2014 Supp. 72-8814b, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(4) determine the amount levied by each school district pursuant to K.S.A. 72-8801 et seq., and amendments thereto; and

(5) multiply the amount computed under subsection (b)(4), but not to exceed 8 mills, by the applicable state aid percentage factor for the school district. The product is the amount of payment the school district is entitled to receive from the school district capital outlay state aid fund in the school year.

(c) During the fiscal year ending June 30, 2015:

(1) On February 20, 2015, the director of accounts and reports shall transfer \$25,300,000 from the state general fund to the school district capital outlay state aid fund. The state board of education shall distribute such moneys to pay the proportionate share of the entitlements to each school district as determined under the provisions of subsection (b); and

(2) on June 20, 2015, the director of accounts and reports shall transfer the remaining amount of moneys to which the school districts are entitled to receive from the state general fund to the school district capital outlay state aid fund pursuant to the provisions of subsection (b). Such transferred amount shall not exceed  $\frac{2,202,500}{3,958,900}$ . The state board of education shall distribute such moneys to pay the share of the entitlement to each school district as determined under the provisions of subsection (b).

(d) Payments from the school district capital outlay state aid fund shall be distributed to school districts at times determined by the state board of education. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the capital outlay fund of the school district to be used for the purposes of such fund.

(e) Amounts transferred to the capital outlay fund of a school district as authorized by K.S.A. 72-6433, and amendments thereto, shall not be included in the computation when determining the amount of state aid to which a district is entitled to receive under this section.

(f) For school year 2014-2015, for those school districts whose total assessed valuation for school year 2015-2016 is less than such district's total assessed valuation for school year 2014-2015, and the difference in total assessed valuation between school year 2014-2015 and school year 2015-2016 is an amount that is greater than 25% of the total assessed valuation of such district for school year 2014-2015, and such reduction in total assessed valuation is the direct result of the classification of tangible personal property within such district for property tax purposes pursuant to K.S.A. 2014 Supp. 79-507, and amendments thereto, the assessed valuation per pupil for purposes of determining capital outlay state aid shall be based on such school district's total assessed valuation for school year 2015-2016.

Sec. 9. From and after July 1, 2015, K.S.A. 2014 Supp. 75-2319, as amended by section 72 of 2015 House Substitute for Senate Bill No. 7, is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) Subject to the provisions of subsection (f), in each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection.

(1) For general obligation bonds approved for issuance at an election held prior to July 1, 2015, the state board of education shall:

(A) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(1);

(B) determine the median AVPP of all school districts;

(C) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(D) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2014 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(E) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to <del>contractual bond obligations incurred by the school district</del> general obligation bonds approved for issuance at an election held prior to July 1, 2015; and

(F) multiply the amount determined under subsection (b)(1)(E) by the applicable state aid percentage factor.

(2) For general obligation bonds approved for issuance at an election held on or after July 1, 2015, but prior to July 1, 2017, the state board of education shall:

(A) Determine the amount of the AVPP of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(2);

(B) prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 2014 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to <del>contractual bond obligations incurred by the school district</del> general obligation bonds approved for issuance at an election held on or after July 1, 2015, but prior to July 1, 2017; and

(E) multiply the amount determined under subsection (b)(2)(D) by the applicable state aid percentage factor.

(3) The sum of the amount determined under subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E) is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

Sec. 10. From and after July 1, 2015, K.S.A. 2014 Supp. 76-715a is hereby amended to read as follows: 76-715a. (a) The state board of regents, in accordance with the provisions of this section, may authorize any state institution of higher education to convert all classified staff employee positions or any portion thereof in the institution to the unclassified service of state employment. Except as otherwise provided for leave time in K.S.A. 2014 Supp. 76-715b, and amendments thereto, those classified staff employees whose positions are converted from classified to unclassified status shall retain all health and flexible benefits and leave and retirement benefits provided to them under the state classified employee system. Each institution designated by the board shall develop a plan for a system for administration of all other aspects of employment for these employees, including personnel policies and pro-cedures, and each such system of administration shall be subject to approval by the state board of regents. Such personnel policies and procedures shall include a disciplinary and grievance process which provides for the right to appeal and due process procedures. Development of such plan shall be subject to input from affected classified employees. Implementation of this section shall not cause a salary reduction or layoff of any classified employee. This section shall not be implemented by the state board of regents at any state institution of higher education unless an election has been held for classified staff employees affected by such proposal at such institution and the classified staff employees voting at the election by majority vote approve the conversion of the classified staff employee positions affected by such proposal at that institution to unclassified positions. Any such election held after the ef-fective date of this act shall be preceded by an official announcement providing at least 90 day's notice of the date, time and place of the election. After a vote of approval, the state educational institution shall provide all affected employees with opportunities for input into the development of the plan that is to be presented to the state board of regents.

(b) For the limited purposes of this section, and K.S.A. 74-4925, and amendments thereto, these newly designated unclassified employees shall be referred to as "university support staff" and the university of Kansas medical center shall be considered a state institution of higher education separate from the university of Kansas, Lawrence, and its campuses.

(c) Nothing in this act shall affect the representation rights of collective bargaining organizations that represent employees of a state institution of higher education, nor shall the provisions of this act affect any term or condition of any collective bargaining agreement in effect on the effective date of this act.

Sec. 11. From and after July 1, 2015, K.S.A. 2014 Supp. 76-715b is hereby amended to read as follows: 76-715b. (a) As used in this section: (1) "State board" means the state board of regents.

(2) "State educational institution" has the meaning ascribed thereto in K.S.A. 76-711, and amendments thereto.

(3) "Leave time" means vacation leave and discretionary day leave.

(b) The state board may adopt a policy which authorizes state educational institutions to provide leave time to the classified employees *and university support staff* of any such institution in an amount not to exceed the amount of leave time provided to unclassified employees of such institution.

(c) Subject to the policy of the state board adopted pursuant to this section, each state educational institution may provide leave time to classified employees *and university support staff* of such institution. The amount of leave time may vary from the amount of leave time provided to classified *or unclassified* employees of state agencies that are not state educational institutions.

(d) The state board shall adopt any rules and regulations necessary to implement the provisions of this act.

Sec. 12. From and after July 1, 2015, K.S.A. 2014 Supp. 72-5413 is hereby amended to read as follows: 72-5413. As used in this act, and in acts amendatory thereof or supplemental amendments thereto:

(a) The term "persons" includes one or more individuals, organizations, associations, corporations, boards, committees, commissions, agencies, or their representatives.

(b) "Board of education" means the state board of education pursuant to its authority under K.S.A. 76-1001a and 76-1101a, and amendments thereto, the board of education of any school district, the board of control of any area vocational-technical school and the board of trustees of any community college.

(c) "Professional employee" means any person employed by a board of education in a position which requires a certificate issued by the state board of education or employed by a board of education in a professional, educational or instructional capacity, but shall not mean any such person who is an administrative employee and, commencing in the 2006-2007 school year, shall not mean any person who is a retirant from school employment of the Kansas public employees retirement system, regardless of whether an agreement between a board of education and an exclusive representative of professional employees that covers terms and conditions of professional service provides to the contrary.

(d) "Administrative employee" means, in the case of a school district, any person who is employed by a board of education in an administrative capacity and who is fulfilling duties for which an administrator's certificate is required under K.S.A. 72-7513, and amendments thereto; and, in the case of an area vocational-technical school or community college, any person who is employed by the board of control or the board of trustees in an administrative capacity and who is acting in that capacity and who has authority, in the interest of the board of control or the board of trustees, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or responsibly to direct them or to adjust their grievances, or effectively to recommend a preponderance of such actions, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

(e) "Professional employees' organizations" means any one or more organizations, agencies, committees, councils or groups of any kind in which professional employees participate, and which exist for the purpose, in whole or part, of engaging in professional negotiation with boards of education with respect to the terms and conditions of professional service or for the purpose of professional development or liability protection.

(f) "Representative" means any professional employees' organization or any person it authorizes or designates to act in its behalf or any person a board of education authorizes or designates to act in its behalf. (continued) (g) "Professional negotiation" means meeting, conferring, consulting and discussing in a good faith effort by both parties to reach agreement with respect to the terms and conditions of professional service.

(h) "Mediation" means the effort through interpretation and advice by an impartial third party to assist in reconciling a dispute concerning terms and conditions of professional service which arose in the course of professional negotiation between a board of education or its representatives and representatives of the recognized professional employees' organization.

(i) "Fact-finding" means the investigation by an individual or board of a dispute concerning terms and conditions of professional service which arose in the course of professional negotiation, and the submission of a report by such individual or board to the parties to such dispute which includes a determination of the issues involved, findings of fact regarding such issues, and the recommendation of the fact-finding individual or board for resolution of the dispute.

(j) "Strike" means an action taken for the purpose of coercing a change in the terms and conditions of professional service or the rights, privileges or obligations thereof, through any failure by concerted action with others to report for duty including, but not limited to, any work stoppage, slowdown, or refusal to work.
(k) "Lockout" means action taken by a board of education to pro-

(k) "Lockout" means action taken by a board of education to provoke interruptions of or prevent the continuity of work normally and usually performed by the professional employees for the purpose of coercing professional employees into relinquishing rights guaranteed by this act and the act of which this section is amendatory.
(l) (1) "Terms and conditions of professional service" means: (A)

Salaries and wages, including pay for duties under supplemental contracts; hours and amounts of work; vacation allowance, holiday, sick, extended, sabbatical, and other leave, and number of holidays; retirement; insurance benefits; wearing apparel; pay for overtime; jury duty; grievance procedure,, including binding arbitration of grievances; disciplinary procedure; resignations; termination and nonrenewal of contracts; reemployment of professional employees; terms and form of the individual professional employee contract; probationary period; professional employee appraisal procedures; each of the foregoing being a term and condition of professional service, regardless of its impact on the employee or on the operation of the educational system; (B) matters which relate to privileges to be granted the recognized professional employees' organization, including, but not limited to, voluntary payroll deductions; dissemination of information regarding the professional negotiation process and related matters to members of the bargaining unit on school or college premises through direct contact with members of the bargaining unit; reasonable leaves of absence for members of the bargaining unit for organizational purposes, such as engaging in professional negotiation and partaking of instructional programs properly related to the representation of the bargaining unit; any of the foregoing privileges which are granted the recognized professional employees organization through the professional negotiation process shall not be granted to any other professional employees' organization; and (C) such other matters as the parties mutually agree upon as properly related to professional service including, but not limited to, employment incentive or retention bonuses authorized under K.S.A. 72-8246, and amendments thereto

(2) Nothing in this act, and amendments thereto, shall authorize any professional employees' organization to be granted the exclusive privilege of access to the use of school or college facilities for meetings, the use of bulletin boards on or about the facility or the use of school or college mail systems.

(3) Nothing in this act, and amendments thereto, shall authorize the diminution of any right, duty or obligation of either the professional employee or the board of education which have been fixed by statute or by the constitution of this state. Except as otherwise expressly provided in this subsection (l), the fact that any matter may be the subject of a statute or the constitution of this state does not preclude negotiation thereon so long as the negotiation proposal would not prevent the fulfillment of the statutory or constitutional objective.

(4) Matters which relate to the duration of the school term, and specifically to consideration and determination by a board of education of the question of the development and adoption of a policy to provide for a school term consisting of school hours, are not included within the meaning of terms and conditions of professional service and are not subject to professional negotiation.

(m) "Secretary" means the secretary of labor or a designee thereof.
 (n) "Statutory declaration of impasse date" means June 1 July 31 in the current school year.

(o) "Supplemental contracts" means contracts for employment duties other than those services covered in the principal or primary contract of employment of the professional employee and shall include, but not be limited to, such services as coaching, supervising, directing and assisting extracurricular activities, chaperoning, ticket-taking, lunch-room supervision, and other similar and related activities.

Sec. 13. From and after July 1, 2015, K.S.A. 72-5423 is hereby amended to read as follows: 72-5423. (a) Nothing in this act, or the act of which this section is amendatory, shall be construed to change or affect any right or duty conferred or imposed by law upon any board of education, except that boards of education are required to comply with this act, and the act of which this section is amendatory, in recognizing professional employees' organizations, and when such an organization is recognized, the board of education and the professional employees' organization shall enter into professional negotiations on request of either party at any time during the school year prior to issuance or renewal of the annual teachers' contracts. Notices to negotiate on new items or to amend an existing contract must be filed on or before February 1 March 31 in any school year by either party, such notices shall be in writing and delivered to the chief administrative officer of the board of education or to the representative of the bargaining unit and shall contain in reasonable and understandable detail the purpose of the new or amended items desired.

(b) (1) Upon entering negotiations pursuant to this section, the parties shall negotiate compensation of professional employees and hours and amounts of work. In addition, each party may select not more than three additional terms and conditions of professional service from the list described in K.S.A. 72-5413(1)(1), and amendments thereto, for negotiation. All other terms and conditions of professional service described in K.S.A. 72-5413(1)(1), and amendments thereto, for negotiation and shall only be negotiated upon the mutual agreement of the parties. (2) For purposes of this section, the term "compensation" means salary

(2) For purposes of this section, the term "compensation" means salary and wages, supplemental contract salaries and pay for overtime.

(3) The provisions of this subsection shall not apply to negotiations between a board of education and a professional employees' organization negotiating for the purpose of reaching their first agreement.

*tiating for the purpose of reaching their first agreement.* (c) Except as otherwise expressly provided in this subsection, every meeting, conference, consultation and discussion between a professional employees' organization or its representatives and a board of education or its representatives during the course of professional ne-gotiation and every hearing conducted by the secretary under K.S.A. 72-5426, and amendments thereto, for determination of the question of the existence of impasse is subject to the provisions of the Kansas open meetings law, and any amendments or supplements thereto. Meetings, conferences, consultations and discussions held by the secretary under K.S.A. 72-5426, and amendments thereto, for investigation of the question of the existence of impasse, and meetings, conferences, consultations and discussions held by the secretary under K.S.A. 72-5426, and amendments thereto, for investigation of the question of the existence of impasse, and meetings, conferences, consultations and discussions held during the course of and in connection with, and the meeting required at the conclusion of, impasse resolution proceedings, as provided for in K.S.A. 72-5427 and 72-5428, and amendments to such sections *thereto*, are specifically made exempt from the provisions of the Kansas open meetings law, and any amendments or supplements thereto.

 $\frac{1}{(e)}(d)$  Nothing in this act, or the act of which this section is amendatory, shall be construed to authorize a strike by professional employees.

 $\frac{d}{d}(e)$  Any agreement lawfully made under the provisions of this act, or the act of which this section is amendatory, may be adopted by reference and made a part of the employment contract between any professional employee of the applicable negotiating unit and a board of education for a period of not to exceed three years.

(f) Those individuals selected by the board of education and the professional employees' organization to conduct negotiations pursuant to this act shall complete training on conducting negotiations each year. The content and format of the training for these individuals shall be determined by the respective party each individual represents in negotiations.

Sec. 14. K.S.A. 2014 Supp. 72-6434, as amended by section 38 of 2015 House Substitute for Senate Bill No. 7, and 72-8814, as amended by section 63 of 2015 House Substitute for Senate Bill No. 7, are hereby repealed.

Sec. 15. From and after July 1, 2015, K.S.A. 72-5423 and K.S.A. 2014 Supp. 72-1046b, as amended by section 29 of 2015 House Substitute for Senate Bill No. 7, 72-3715, as amended by section 36 of 2015 House Substitute for Senate Bill No. 7, 72-5413, 72-6434, as amended by section 7 of this act, 72-8814, as amended by section 8 of this act, 75-2319, as amended by section 72 of 2015 House Substitute for Senate Bill No. 7, 76-715a and 76-715b and Sections 5 and 6 of 2015 House Substitute for Senate Bill No. 7 are hereby repealed.

Sec. 16. This act shall take effect and be in force from and after its publication in the Kansas register.

# Kansas Register

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(Published in the Kansas Register June 11, 2015.)

#### Senate Substitute for HOUSE BILL No. 2228

AN ACT concerning abortion; relating to the administration of abortifacient drugs; amending K.S.A. 2014 Supp. 65-4a10 and repealing the existing section.

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

Section 1. K.S.A. 2014 Supp. 65-4a10 is hereby amended to read as follows: 65-4a10. (a) No abortion shall be performed or induced by any person other than a physician licensed to practice medicine in the state of Kansas.

(b) (1) Except in the case of an abortion performed in a hospital through inducing labor: (A) When RU-486 (mifepristone) or any drug is used for the purpose of inducing an abortion, the drug-must shall initially be administered by or in the same room and in the physical presence of the physician who prescribed, dispensed or otherwise provided the drug to the patient; and (B) when any other drug is used for the purpose of inducing an abortion, the drug or the prescription for such drug shall be given

#### 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*.

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to the patient by or in the same room and in the physical presence of the physician who prescribed, dispensed or otherwise provided the drug or prescription to the patient.

(2) The provisions of this subsection shall not apply in the case of a medical emergency.

(b) (c) The physician inducing the abortion, or a person acting on behalf of the physician inducing the abortion, shall make all reasonable efforts to ensure that the patient returns 12 to 18 days after the administration or use of such drug for a subsequent examination so that the physician can confirm that the pregnancy has been terminated and assess the patient's medical condition. A brief description of the efforts made to comply with this subsection, including the date, time and identification by name of the person making such efforts, shall be included in the patient's medical record.

 $\frac{\langle c \rangle}{\langle d \rangle}$  A violation of this section shall constitute unprofessional conduct under K.S.A. 65-2837, and amendments thereto.

Sec. 2. K.S.A. 2014 Supp. 65-4a10 is hereby repealed.

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

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