



# Kansas Register

Scott Schwab, Secretary of State

Vol. 38, No. 41

October 10, 2019

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State of Kansas

**Legislative Administrative Services**

**Interim Committee Schedule**

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

Date	Room	Time	Committee	Agenda
Oct. 8	582-N	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	State Board of Healing Arts; Board of Pharmacy; Department of Health and Environment; Board of Nursing; Dental Board; Board of Emergency Medical Services; Department of Wildlife, Parks and Tourism; Board of Technical Professions.
Oct. 10	548-S	9:00 a.m.	Statewide Broadband Expansion Planning Task Force (Subcommittee 1)	Further discussion and possible recommendations on broadband deployment.
Oct. 16	112-N	8:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	TBA
Oct. 17	112-N	11:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	TBA
Oct. 17	548-S	9:00 a.m.	Statewide Broadband Expansion Planning Task Force (Subcommittee 2)	Further discussion and recommendations on broadband oversight and projected timelines.
Oct. 21	112-N	9:00 a.m.	Special Committee on Health	TBA
Oct. 21 and Oct. 22	144-S	TBA	Joint Committee on Information Technology	TBA
Oct. 22 and Oct. 23	112-N	10:00 a.m.	Select Committee on Healthcare Access	Access to healthcare in Kansas; Medicaid and the expansion thereof.
Oct. 23	346-S	TBA	Special Committee on Federal and State Affairs	TBA
Oct. 24	548-S	TBA	Health Care Stabilization Fund Oversight Committee	Annual meeting.

Tom Day, Director  
Legislative Administrative Services

Doc. No. 047537

State of Kansas

**Pooled Money Investment Board**

**Notice of Investment Rates**

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

**Effective 10-7-19 through 10-13-19**

Term	Rate
1-89 days	1.85%
3 months	1.77%
6 months	1.74%
12 months	1.70%
18 months	1.59%
2 years	1.50%

Scott Miller  
Director of Investments

Doc. No. 047526

State of Kansas

**Board of Regents**

**Public Notice**

The Kansas Board of Regents and Kansas State Department of Education staff are implementing the new *Strengthening Career and Technical Education for the 21st Century Act (Perkins V)* legislation. This Act reauthorizes the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV). A new component of the legislation requires that states determine proposed levels of performance for the new state plan, spanning over a four-year period. Stakeholders have the opportunity to submit written comments regarding how the levels of performance meet the requirements of the law, support the performance of all concentrators, and support the needs of the local education and business community.

*(continued)*

The proposed levels of performance and supporting documentation are available at www.kansasregents.org/CTE and written comments may be submitted beginning September 3, 2019 through November 4, 2019.

Connie Beene, Sr. Director Career Technical Education

Doc. No. 047440

State of Kansas

Department of Administration Office of the Chief Financial Officer

Public Notice

Under requirements of K.S.A. 65-34,117(c), as amended, records of the Office of the Chief Financial Officer show the unobligated balances are \$6,648,391.84 in the Underground Petroleum Storage Tank Release Trust Fund and \$1,896,338.91 in the Aboveground Petroleum Storage Tank Release Trust Fund at September 30, 2019.

Annette Witt, Manager Office of the Chief Financial Officer

Doc. No. 047530

State of Kansas

Secretary of State

Notice of Annual Statement of Ownership, Management, and Circulation

UNITED STATES POSTAL SERVICE Statement of Ownership, Management, and Circulation (All Periodicals Publications Except Requester Publications)

Form fields for publication title, frequency, number of issues, and contact information for the Kansas Register.

Same as above. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor.

Scott Schwab, Kansas Secretary of State, 1st Floor, Memorial Hall, 120 SW 10th Ave., Topeka, KS 66612-1594

Todd M. Caywood, Legal Publications Division, 1st Floor, Memorial Hall, 120 SW 10th Ave., Topeka, KS 66612-1594

Same as above. Owner information.

Form fields for owner information, including full name and complete mailing address for the Kansas Secretary of State.

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities.

Form fields for bondholders, mortgagees, and other security holders.

12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates). Check one: Has Not Changed During Preceding 12 Months or Has Changed During Preceding 12 Months.

Table with 3 columns: Description, Average No. Copies Each Issue During Preceding 12 Months, and No. Copies of Single Issue Published Nearest to Filing Date. Rows include Total Number of Copies, Paid Circulation, Free or Nominal Rate Distribution, and Total Distribution.

\* If you are claiming electronic copies, go to line 16 on page 3. If you are not claiming electronic copies, skip to line 17 on page 3.

UNITED STATES POSTAL SERVICE Statement of Ownership, Management, and Circulation (All Periodicals Publications Except Requester Publications)

Table with 3 columns: Description, Average No. Copies Each Issue During Preceding 12 Months, and No. Copies of Single Issue Published Nearest to Filing Date. Rows include Paid Electronic Copies, Total Paid Print Copies, Total Print Distribution, and Percent Paid.

I certify that 50% of all my distributed copies (electronic and print) are paid above a nominal price.

17. Publication of Statement of Ownership. If the publication is a general publication, publication of this statement is required. Will be printed in the October 10, 2018 issue of this publication.

18. Signature and Title of Editor, Publisher, Business Manager, or Owner. Todd M. Caywood, Kansas Register Editor, Sept. 30, 2019

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

Scott Schwab Secretary of State

Doc. No. 047543

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU) intends to directly lease, and indirectly sublease through its affiliate corporation Wichita State Innovation Alliance, Inc., subject to all required state approvals, an approximate ground area consisting of 150,000 square feet or less with the potential for expansion for parking, for the private development of one or more partnership buildings. This private development shall be located west of Oliver, between 17th and 18th streets, on the Wichita State University main campus. The university is interested in leasing such ground to any individual, organization, or entity whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and

economic driver for Kansas and the greater public good, and specifically an emphasis on supporting and growing advanced laboratories for research, testing, and innovation in data infrastructure/storage, video surveillance storage, IOT, security, analytics, visualization/modeling, and machine learning/AI. The university intends to lease such ground for any period of time up to sixty-five years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with the university's educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Rental rate shall be assessed per leased or leasable square foot of the building but is negotiable based on term of lease and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization, or company and such offers will be considered until a selection is made or this notice is withdrawn. If interested, please contact Vice President for Research and Technology Transfer, Dr. John Tomblin, john.tomblin@wichita.edu or University Property Manager Crystal Stegeman, crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman  
 University Property Manager  
 Office of the Vice President for  
 Finance and Administration  
 Wichita State University

Doc. No. 047500

**State of Kansas**

**Wichita State University**

**Notice of Intent to Lease Land and/or Building Space**

Public notice is hereby given that Wichita State University (WSU) intends to lease available land and building space. The university will consider leasing such property and/or space to those whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good, or otherwise provide supporting services and amenities to the campus community (such as restaurants, retail establishments, financial institutions, etc.). Because tenant use must be a good fit with the university's educational mission and available space, please be prepared to provide the following information: (1) name; (2) square footage of space needs and desired lease term and location; (3) equipment, design, or other special needs; (4) description of anticipated use; and (5) the anticipated benefits to the university, its students, and the WSU community (e.g. applied learning, joint research, faculty start-up, etc.). The university will consider serious offers and inquiries from any financially qualified individual, group, orga-

nization, or company. If interested, please contact Vice President for Research & Technology Transfer, Dr. John Tomblin, john.tomblin@wichita.edu or Property Manager Crystal Stegeman, crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

Crystal Stegeman  
 University Property Manager  
 Office of the Vice President for  
 Administration and Finance  
 Wichita State University

Doc. No. 046691

**State of Kansas**

**Council for Interstate Adult Offender Supervision Committee**

**Notice of Meeting**

The Kansas Council for Interstate Adult Offender Supervision Committee will be meeting at 1:00 p.m. Tuesday November 19, 2019, at the Kansas Department of Corrections Main Conference Room, 714 SW Jackson, 3rd Floor, Topeka, KS 66612. This is a public meeting.

Matthew Billinger, Director  
 Interstate Services

Doc. No. 047531

**State of Kansas**

**Statewide Independent Living Council of Kansas, Inc.**

**Notice of Meeting**

The Statewide Independent Living Council of Kansas, Inc. (SILCK) will meet at 10:00 a.m. Thursday, November 7, 2019, at the Topeka and Shawnee County Library, Room 206, 1515 SW 10th Ave., Topeka, KS 66604.

For more information or accommodations, please contact Kathy Cooper, SILCK Executive Director at 785-234-6990 or email at Kathy.Cooper@silck.org no later than October 24, 2019.

Kathy Cooper  
 Executive Director

Doc. No. 047534

**State of Kansas**

**Department of Health and Environment**

**Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal**

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. ANR Pipeline Company 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;

*(continued)*

and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

ANR Pipeline Company, 13710 FNB Pkwy., Suite 300, Omaha, NE 68154, owns and operates a natural gas compressor station located at Section 4, Township 35S, Range 19W in Comanche County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Southwest District Office, 302 W. McArthur Rd., Dodge City, KS 67801. To obtain or review the proposed permit and supporting documentation, contact Cathy Richardson, 785-296-1947, at the central office of the KDHE or Ethel Evans, 620-356-1075, at the Southwest District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website, <http://www.kdheks.gov/bar/publicnotice.html>.

Please direct written comments or questions regarding the proposed permit to Cathy Richardson, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Tuesday, November 12, 2019.

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 BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Tuesday, November 12, 2019 in order for the Secretary of Health and Environment to consider the request.

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

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

Lee A. Norman, M.D.  
Secretary

Doc. No. 047535

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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

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

Public Notice No. KS-AG-19-300/307

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Cargill Ranch, LLC Chad Cargill 8600 NE Isabel Rd. Isabel, KS 67065	W/2 of Section 33 T30S, R11W Barber County	Lower Arkansas River Basin

Kansas Permit No. A-ARBA-C002  
Federal Permit No. KS0100757

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 3,000 head (3,000 animal units) of cattle weighing greater than 700 pounds. The facility's NMP was updated to a change in the Land Application Rate Methodology. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Gold Standard Farms, LLC - Ada 331 3rd St. NW Waucoma, IA 52171	NW/4 of Section 5 T10S, R05W Ottawa County	Solomon River Basin

Kansas Permit No. A-SOOT-S011

This is a renewal permit for an existing facility for 2,000 head (800 animal units) of swine weighing more than 55 pounds. There has been no change in the number of animal units from the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
Gold Standard Farms, LLC - Bloomfield 331 3rd St. NW Waucoma, IA 52171	NW/4 of Section 11 T08S, R07W Mitchell County	Solomon River Basin

Kansas Permit No. A-SOMC-S020

This is a renewal permit for an existing facility for 761 head (304.4 animal units) of swine more than 55 pounds and 1,500 head (150 animal units) of swine 55 pounds or less, for a total of 454.4 animal units. There has been no change in the number of animal units from the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
Burkdoll Brothers, Inc. 3939 Ellis Rd. Rantoul, KS 66079	S/2 of Section 24 & N/2 of Section 25 T18S, R20E Franklin County	Marais Des Cygnes River Basin

Kansas Permit No. A-MCFR-H002  
Federal Permit No. KS0092550

This is a renewal permit for an existing facility for 8,400 head (3,360 animal units) of swine weighing more than 55 pounds and 2,800 head (2,800 animal units) of cattle weighing more than 700 pounds; for a total of 6,160 animal units of livestock. There is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
C & M Cattle Company Matt Peterson 312 DD Ave. Council Grove, KS 66846	SE/4 of Section 27, SW/4 of Section 26 and N/2 of Section 34 T17S, R09E Morris County	Neosho River Basin

Kansas Permit No. A-NEMR-B012

This is a renewal permit for an existing facility. The maximum permitted capacity is being reduced from 3,000 head (3,000 animal units) of cattle weighing more than 700 pounds and 1,000 head (500 animal units) of cattle weighing 700 pounds or less to 999 head (999 animal units) of cattle weighing more than 700 pounds. This facility has an approved Waste Management Plan on file with KDHE. A proposed grass buffer will be constructed to control runoff from Pen 4/5.

Name and Address of Applicant	Legal Description	Receiving Water
Trinity Feedyard, LLC 1805 W. Annie Scheer Rd. Garden City, KS 67846	E/2 of Section 23 & S/2 of Section 24 T25S, R33W Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-C008  
Federal Permit No. KS0115703

This is a renewal permit for an existing facility for 88,000 head (88,000 animal units) of cattle weighing more than 700 pounds. There has been no change in animal numbers from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Kleysteuber & Gillen, Inc. Dennis Kleysteuber 13060 S. Road 20 Garden City, KS 67846	SE/4 of Section 20 T26S, R31W Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-B008

This is an existing facility that is downsizing to 999 head (999 animal units) of cattle weighing more than 700 pounds. The existing pens and wastewater retention structures will control runoff drainage from the pens.

Name and Address of Applicant	Legal Description	Receiving Water
J-Six Enterprises, LLC – Charlies West Jennifer A. Gerety 604 Nemaha, PO Box 170 Seneca, KS 66538	SE/4 of Section 14 T04S, R01E Washington County	Lower Republican River Basin

Kansas Permit No. A-LRWS-H006  
Federal Permit No. KS0093629

This is a renewal permit for an existing facility for 4,800 head (1,920 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units. This facility has an approved Nutrient Management Plan on file with KDHE.

**Public Notice No. KS-Q-19-239/250**

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Haysville, City of PO Box 404 Haysville, KS 67060	Arkansas River	Stormwater Point Source

Kansas Permit No. M-AR43-SU01  
Federal Permit No. KSR410006

Facility Name: Haysville Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Kechi, City of PO Box 88 Kechi, KS 67067	Little Arkansas River	Stormwater Point Source

Kansas Permit No. M-LA09-SU01  
Federal Permit No. KSR410013

Facility Name: Kechi Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Lawrence, City of PO Box 708 Lawrence, KS 66044	Kansas River	Stormwater Point Source

(continued)

Kansas Permit No. M-KS31-SU01  
Federal Permit No. KSR410014

Facility Name: Lawrence Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Maize, City of 10100 Grady Maize, KS 67101	Arkansas River	Stormwater Point Source

Kansas Permit No. M-AR58-SU01  
Federal Permit No. KSR410017

Facility Name: Maize Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Name and Address of Applicant	Receiving Stream	Type of Discharge
McConnell Air Force Base 57830 Pittsburg St., Suite 120 McConnell AFB, KS 67221-3617	Arkansas River	Stormwater Point Source

Kansas Permit No. F-AR94-SU01  
Federal Permit No. KSR410018

Facility Name: McConnell Air Force Base Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to

the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Mulvane, City of 211 N. 2nd St. Mulvane, KS 67110	Arkansas River	Stormwater Point Source

Kansas Permit No. M-AR64-SU01  
Federal Permit No. KSR410024

Facility Name: Mulvane Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Park City, City of 1941 E. 61st St. North Park City, KS 67219	Little Arkansas River	Stormwater Point Source

Kansas Permit No. M-LA19-SU01  
Federal Permit No. KSR410027

Facility Name: Park City Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.



**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Sedgwick County      Arkansas River      Stormwater Point  
 1144 S. Seneca           Source  
 Wichita, KS 67213-4443

Kansas Permit No. M-AR94-SU01  
 Federal Permit No. KSR410032

Facility Name: Sedgwick County Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Shawnee County      Kansas River      Stormwater Point  
 1515 NW Saline St.,           Source  
 Suite 200  
 Topeka, KS 66618-2838

Kansas Permit No. M-KS72-SU01  
 Federal Permit No. KSR410034

Facility Name: Shawnee County Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Southwest Butler      Walnut River via      Process Wastewater  
 Quarry      Unnamed Tributary  
 9423 SW 165th St.  
 Augusta, KS 67010

Kansas Permit No. I-WA03-PO08  
 Federal Permit No. KS0101605

Legal Description: NW¼, S3, T28S, R4E, Butler County, Kansas

Facility Name: Tower Quarry

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a limestone quarrying and crushing operation with no washing. Outfall 001 consists of stormwater runoff. The proposed permit contains generic language to protect the waters of the State. In compliance with Kansas and federal law, KDHE has approved an antidegradation review for this facility for increased concentrations and mass of some of pollutants to the receiving stream. The water quality of the receiving stream will not be lowered below the quality necessary to support existing designated uses.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Topeka, City of      Kansas River      Stormwater Point  
 1115 NE Poplar           Source  
 Topeka, KS 66616

Kansas Permit No. M-KS72-SO01  
 Federal Permit No. KS0093327

Facility Name: Topeka Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

**Name and Address of Applicant**      **Receiving Stream**      **Type of Discharge**  
 Wichita, City of      Arkansas River      Stormwater Point  
 455 N. Main, 8th Floor           Source  
 Wichita, KS 67214

Kansas Permit No. M-AR94-SO01  
 Federal Permit No. KS0091049

Facility Name: Wichita Municipal Separate Storm Sewer System

The proposed action is to issue a new individual NPDES Municipal Separate Storm Sewer System (MS4) permit from an existing MS4 general permit. The proposed MS4 permit requires the permittee to develop, implement, and enforce a stormwater management program designed to reduce the discharge of pollutants from the MS4 to the maximum extent practicable, to protect water quality, and to satisfy the appropriate water quality requirements of the Clean Water Act and Kansas surface water quality statutes and regulations. The proposed permit requires the permittee to update the Stormwater Management Program document, implement six minimum control measures and implement best management practices to reduce any identified total maximum daily load (TMDL) regulated pollutants if listed in the permit (TMDL Table). If there is an identified TMDL regulated pollutant, surface water monitoring may be required on the impaired water body to evaluate performance of the best management practices. Monitoring of industrial stormwater discharges and oversight of construction activities within the MS4 may be required if it is applicable. The proposed permit requires the submittal of an annual report that addresses all compliance requirements for the previous year.

**Notice of Intent to Terminate**

Pursuant to the requirements of K.A.R. 28-16-60 and K.A.R. 28-16-62, the Kansas Department of Health and Environment (KDHE) hereby provides notice of intent to terminate the following KDHE-issued permits.

*(continued)*

State Permit	Project Name	City	County
S-WA03-0041	Walnut River Area of Interest Interim Corrective Measure Project	Augusta	Butler
S-MO04-0004	Parallel to Bendena Phases 6 and 7 (Bendena)	Denton	Doniphan
S-UA11-0095	New Student Activity Center	Dodge City	Ford
S-MC08-0048	Thorpe Property	Edgerton	Johnson
S-MC11-0055	Fort Scott Safe Routes to School	Fort Scott	Bourbon
S-NE35-0007	Hillsboro Community Hospital	Hillsboro	Marion
S-AR49-0171	Peels Distribution Warehouse	Hutchinson	Reno
S-AR49-0172	30th and Lorraine Retail Center	Hutchinson	Reno
S-KS27-0071	Escalade Heights Subdivision	Kansas City	Wyandotte
S-MO11-0058	Crossroads UMC-Parking Lot	Lansing	Leavenworth
S-KS31-0334	Office/Shop Facility and Storage Units	Lawrence	Douglas
S-KS34-0314	Lenexa City Center-North Village	Lenexa	Johnson
S-MC20-0009	Southtrails	Louisburg	Miami
S-AR58-0023	Carriage Crossing 6th Street and SWD Impr.	Maize	Sedgwick
S-KS38-0261	Turnberry Addition	Manhattan	Riley
S-KS52-0466	Unilever Manufacturing Parking Lot Project	New Century	Johnson
S-KS55-0216	Chapel Hill Phase II	Overland Park	Johnson
S-MO28-0181	Crystal Springs-3rd Plat	Overland Park	Johnson
S-MO28-0372	First National Bank at BluHawk	Overland Park	Johnson
S-KS68-0314	Willow Ridge Manors	Shawnee	Johnson
S-MC45-0072	Limestone Truck Unloading	Spring Hill	Johnson
S-MO32-0035	Schlup Estate	Stilwell	Johnson
S-KS72-0096	Great Overland Station	Topeka	Shawnee
S-AR94-1283	S Broadway Ind-Lots 11-14, B1	Wichita	Sedgwick
S-AR94-1291	Bluffview Place	Wichita	Sedgwick
S-AR94-0445	Can Am Retail	Wichita	Sedgwick

ered 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 SW Jackson St., Suite 420, Topeka, KS 66612-1367.

All comments regarding the draft documents or application notices received on or before November 9, 2019, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-19-300/307, KS-Q-19-239/250) 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, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Lee A. Norman, M.D.  
Secretary

Doc. No. 047536

(Published in the Kansas Register October 10, 2019.)

### Sourcewell (Formerly NJPA)

#### Notice of Invitation for Bids

Sourcewell (Formerly NJPA) issues this Invitation for Bid (IFB) (IFB# KS-111319) to provide Indefinite Quantity Construction Contracting (IQCC) services to all Sourcewell members including all government agencies, education agencies such as colleges and universities, and non-profit agencies in the State of Kansas. Each contract will have an initial term of one year and bilateral option provision for three additional one-year terms. The estimated annual value per contract is \$2,000,000.

IQCC is a contracting procurement system that provides facility owners access to contractors to provide immediate construction, repair, and renovation services over an extended period of time.

Intending bidders are required to attend a pre-bid seminar which shall be conducted for the purpose of discussing the IQCC procurement system, the contract documents, and bid forms. Attendance at one of the pre-bid seminars below is a mandatory condition of bidding.

**Proposed Action:** The Kansas Department of Health and Environment (KDHE) issued Authorizations for stormwater discharges under of the Construction Stormwater General Permit for the above named projects. K.S.A. 65-166a requires the Secretary of KDHE to assess appropriate annual fees for Authorizations/Permits issued by the Department and provides that failure to pay the annual fee shall be cause for revocation/termination of the Authorization/Permit. The authorized entities named above have failed to comply with the requirement to pay the annual fee. Further, according to K.A.R. 28-16-62(f)-(g), the director has discretion to initiate termination of a permit. Therefore, pursuant to K.S.A. 65-166a, K.A.R. 28-16-60 and K.A.R. 28-16-62, KDHE is hereby providing notice of intent to terminate the Authorizations associated with the projects named herein. The entity may re-instate the Authorization by paying the appropriate annual fees. If you have any questions regarding the termination of your permit, please contact the Stormwater Coordinator.

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 consid-

**9:00 a.m. (CST) October 23, 2019**  
 Hampton Inn – Merriam  
 7400 W. Frontage Rd.  
 Merriam, KS 66203

**2:00 p.m. (CST) October 23, 2019**  
 Hampton Inn – Topeka  
 1515 SW Arrowhead Rd.  
 Topeka, KS 66604

**9:00 a.m. (CST) October 24, 2019**  
 Hampton Inn – Wichita/Airport  
 7230 W. Harry  
 Wichita, KS 67209

Intending bidders can pre-register for the pre-bid seminar by visiting the Sourcewell Procurement Portal at <https://portal.sourcewell-mn.gov>.

An electronic copy of the IFB Documents, including the instructions for submitting a bid, may be obtained by visiting the Sourcewell Procurement Portal at <https://portal.sourcewell-mn.gov> and selecting the desired solicitation from the open solicitations list. All bidders must have a Sourcewell Procurement Portal account and be registered as a Plan Taker for this bid opportunity, which will enable the bidder to download the bid documents, to receive email notifications of the issuance of addenda, to download all documents, and to submit a bid online.

Bids are due by 4:30 p.m. (CST) November 13, 2019.

Dong Lee  
 Senior Contract Administrator  
 Gordian

Doc. No. 047544

**State of Kansas**

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

**Notice to Bidders**

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

10/22/2019	EVT0006995	Asphalt Repairs – State Fair
10/23/2019	EVT0006980	Grapple Rake
10/24/2019	EVT0006982	Various Aggregate – Sandsage Bison Wildlife Area
10/24/2019	EVT0006984	Various Aggregate – Prairie Spirit Trail State Park and Flint Hills Trail State Park
10/24/2019	EVT0006986	Various Aggregate – Kaw Wildlife Area Slate Creek Wetlands
10/24/2019	EVT0006989	Cowley State Fishing Lake Various Aggregate – Lovewell State Park
10/25/2019	EVT0006996	Elevator Upgrades – Topeka Workforce Center
10/25/2019	EVT0006979	Janitorial Services – Hiawatha
11/05/2019	EVT0006981	Community/Based Alternative to Out of Home Placement
11/07/2019	EVT0006998	Equipment Management and Capital Inventory System
11/08/2019	EVT0006977	Testing for Gaming Equipment

11/08/2019	EVT0006997	Criminal Justice Information System (CJIS)
12/17/2019	EVT0006994	Walk-In Supplies – ONLY

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

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

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

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

10/24/2019	A-013684	Lansing Correctional Facility Administration and Steam Plant TPO Reroof
10/24/2019	A-013920	Fort Hays University Albertson Hall Upper Level Roofing Membrane Replacement

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

Tracy T. Diel, Director  
 Office of Procurement and Contracts

Doc. No. 047546

(Published in the Kansas Register October 10, 2019.)

**City of Wichita, Kansas**

**Notice to Bidders**

The City of Wichita will receive bids at the Purchasing office, 455 N. Main, 12th Floor, Wichita, Kansas, until 10:00 a.m. Friday, November 8, 2019, for the bidding of Redbud Multi-Use Path, K-96 to 159th Street East.

KDOT Project No. 87TE-0451-01/472-85360/  
 211567/777070/668051  
 OCA Code 707125/637401/628130

Plans and specifications for this project will be available October 9, 2019. Electronic plan sheets for this project will only be available in the ARC Document Solutions plan room for the City of Wichita projects at [https://order.e-arc.com/arcEOC/PWELL\\_PublicList.asp?mem=170](https://order.e-arc.com/arcEOC/PWELL_PublicList.asp?mem=170). Other questions should be directed to the respective design engineer at 316-268-4501.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the City Manager and according to plans and specifications on file in the office of the City Engineer. Bidders are required to enclose a bid bond in the amount of five percent (5%) with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Kim Pelton at 316-268-4499 for extra sets of plans/specs.

Jody Doyle  
 Administrative Aide II  
 City of Wichita-Engineering

Doc. No. 047540

(Published in the Kansas Register October 10, 2019.)

### City of Wichita, Kansas

#### Notice to Bidders

The City of Wichita will receive bids at the Purchasing office, 455 N. Main, 12th Floor, Wichita, Kansas, until 10:00 a.m. Friday, November 15, 2019, for the bidding of 17th Street, Broadway to I-135.

KDOT Project No. 87N-0662-01/472-84014/  
204369/776080/667005/206419  
OCA Code 706903/637302/622513/706953

Plans and specifications for this project will be available October 9, 2019. Electronic plan sheets for this project will only be available in the ARC Document Solutions plan room for the City of Wichita projects at [https://order.e-arc.com/arcEOC/PWELL\\_PublicList.asp?mem=170](https://order.e-arc.com/arcEOC/PWELL_PublicList.asp?mem=170). Other questions should be directed to the respective design engineer at 316-268-4501.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the City Manager and according to plans and specifications on file in the office of the City Engineer. Bidders are required to enclose a bid bond in the amount of five percent (5%) with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Kim Pelton at 316-268-4499 for extra sets of plans/specs.

Jody Doyle  
Administrative Aide II  
City of Wichita-Engineering

Doc. No. 047541

(Published in the Kansas Register October 10, 2019.)

### North Central Regional Planning Commission

#### Notice to Bidders

Request for bids for Night Vision will be accepted by the North Central Regional Planning Commission (NCRPC) until 10:00 a.m. (CST) Monday, October 28, 2019, at 109 N. Mill St., Beloit, KS 67420, at which time they will be publicly opened and read aloud at the same address. Copies of the request for bid and project specifications can be accessed by going to <http://procurement.ncrpc.org/HS/projects.html> or by contacting the NCRPC at 785-738-2218 or [lbmiller@nckcn.com](mailto:lbmiller@nckcn.com). This action is being taken on behalf of the North Central Kansas Regional Homeland Security Council. Estimated project value exceeds \$25,000.

Lacey Miller, RN  
Homeland Security Program Assistant

Doc. No. 047529

### State of Kansas

### Department of Transportation

#### Notice of Public Auction

The Secretary of Transportation of the State of Kansas will offer for sale at public auction the following parcel:

**Tract 3478 – 1 & 20**  
**0.86 acres +/-, Sedgwick Co.,**  
**1323 S. Bebe Ave. Wichita, Kansas**  
**1.24 acres +/-, Sedgwick Co.,**  
**3710 W. McCormick Ave. Wichita, Kansas**  
**Project: 235-87 KA-0161-04**

A tract of land in the Southwest Quarter of Section 26, Township 27 South, Range, 1 West and the Northwest Quarter of Section 25, Township 27 South, Range 1 West. Complete legal description available on request. The tracts are to be auctioned at 11:00 a.m. and 1:00 p.m. Wednesday, November 6, 2019, at the Kansas Department of Transportation Area office, 2431 S. Young St., Wichita, Kansas. There is a minimum acceptable bid of \$73,800 and \$72,300.

#### Terms of Sale

Payment of \$7,380 and \$7,230 representing ten percent (10%) of the minimum acceptable bid, is due at the time of the sale. The balance of the purchase price must be paid on or before 3:00 p.m. Friday, December 6, 2019. Successful bidder will receive a Bill of Sale on the day of the sale and a Quit Claim Deed after balance is paid. If the balance of the purchase price is not paid on or before 3:00 p.m. Friday, December 6, 2019, the ten percent (10%) down payment will be forfeited to the seller. For additional terms and information contact the Bureau of Right of Way at 1-877-461-6817. Seller reserves the right to reject any and all bids. Not responsible for accidents.

#### Sold Subject to the Following

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

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

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

Julie Lorenz  
Secretary

Doc. No. 047545

## State of Kansas

## Department of Transportation

## Notice of Applications

The Kansas Department of Transportation (KDOT) Office of Public Transportation is now accepting applications for the following Federal Transit Administration (FTA) programs:

- U.S.C. 49-5310 – Specialized Transportation for the Elderly and Disabled
- U.S.C. 49-5311 – General Public Transportation in Non-urbanized Areas

The application is to cover your agency needs for State Fiscal Year (SFY) 2021 (July 1, 2020 through June 30, 2021). The application is required annually from all KDOT funded 5310, 5311 transit provider agencies including those not requesting capital and/or operating expenses.

The purpose of the U.S.C. 49-5310 program is to provide funds to support private non-profit corporations and authorized governments to provide transportation services to meet the special needs of the elderly and persons with disabilities. Federal funding under this program is available for capital expenditures only. State funding is available for operating expenses with the maximum award set by KDOT.

The purpose of the U.S.C. 49-5311 program is to provide funds to support rural and non-urbanized (cities less than 50,000 population) public transportation projects. The goal of the U.S.C. 49-5311 program is to provide services to the general public on an equal opportunity basis. Funds can be used for either operating or capital expenses.

The state funding for urban and rural public transportation for the SFY 2021 is budgeted at \$11 million.

All applications must be submitted in KDOT's Blackcat Grant Management Software by Friday, November 22, 2019. Applications received after the deadline will not be accepted.

For access to the Blackcat Grant Management Software or if you have any questions, please contact Jon Moore at 785-296-4907 or [jon.moore@ks.gov](mailto:jon.moore@ks.gov)

The Kansas Department of Transportation (KDOT) Office of Public Transportation is also now accepting applications for federal funds supporting the Bus and Bus Facilities Infrastructure Investment Program as a part of KDOT's new Access, Innovation, and Collaboration Program. These funds will be awarded competitively to assist in the financing of capital projects to replace, rehabilitate, or purchase buses and related equipment, and to rehabilitate, purchase, or construct bus-related facilities.

The application is available on the KDOT Public Transportation website at: <http://www.ksdot.org/burTransPlan/pubtrans/index.asp>

Any potential applicants that do not have internet access can request an application by contacting the KDOT Public Transit office at 785-296-7984.

All applications and proposals must be submitted to KDOT electronically (email or USB device) by 3:00 p.m. December 18, 2019 to Cory Davis, Kansas Department of Transportation, Bureau of Transportation Planning,

700 SW Harrison St., 2nd Floor, Topeka, KS 66603-3745, email [Cory.Davis@ks.gov](mailto:Cory.Davis@ks.gov). Applications received after the deadline will not be accepted.

If you have any questions, please contact Cory Davis, Assistant Bureau Chief, at 785-296-7984.

Julie Lorenz  
Secretary

Doc. No. 047533

## State of Kansas

## Department of Transportation

## Request for Proposals

## Background and Purpose of Project

The Kansas Department of Transportation (KDOT) is seeking a consultant to provide construction inspection services for Project 169-2 KA-2380-01. The project is located on U.S. 169 highway in Anderson County, from 1.5 miles south of RS 11 at Welda, north to the north junction of U.S. 169/U.S. 59 highways.

## Schedule/Deadlines

Request for Proposals (RFPs) are due on or before 12:00 p.m. (CST) October 25, 2019, to be delivered via email to [kdot.designcontracts@ks.gov](mailto:kdot.designcontracts@ks.gov). Evaluation and ranking of submissions will occur on or about November 8, 2019, after which time all firms that submitted will be notified of the ranking. Negotiations with the most highly ranked firm to commence on or about November 19, 2019. An agreement should be in place on or about December 19, 2019. The contractor could start on the project as early as January 2020 or as late as July 2020.

## Scope of Services to Be Performed

KDOT will provide the project manager. The primary inspector provided is expected to work with and mentor the new KDOT project manager. They will assist with staffing needs to cover all construction operations. The inspector(s) must be capable and possess the required certifications to inspect any work on the project, which includes grading, concrete work, traffic control, HMA paving/HMA plant operations, RC Boxes, bridges, pipes, subgrade, base, seeding, erosion control, SWPPP inspections, CMS or AASHTOWare data entry, and final paperwork, etc. One inspector will be responsible for all project records including but not limited to: SWPPP inspections, diary, pay quantities, certifications, sample identifications, change orders, pay estimates, monitoring subcontractor payments, and monitoring contractor's payrolls, etc. Anticipated staffing needs: provide two project inspectors full time during construction seasons. There may be additional inspectors needed, estimated at four, that will fluctuate throughout the project depending on the project needs. Provide all inspectors as needed to ensure inspection and material testing for this project are done correctly. Provide all the equipment necessary to inspect and test materials, except KDOT will supply equipment for the HMA plant and concrete testing equipment. Construction is anticipated to be completed in 345 working days, this is expected to span both the 2020 and 2021 construction seasons. There may not be a need for inspection over the 2020-2021 winter.

(continued)

### Instructions for Proposal

No costs shall be contained in the RFP. The RFP must not exceed four (4) pages total (including any cover letter, index, etc.) and 2MB to address the pertinent topics. RFPs submitted will consist of the Letter of Interest and a completed and signed Special Attachment No. 7 ("Certificate of Final Indirect Costs"), a completed and signed Special Attachment No. 8 ("Tax Clearance Certificate"), and a signed Special Attachment No. 10 ("Policy Regarding Sexual Harassment"). Completed Special Attachments do not count against the four-page Technical Proposal submission. All these forms are attached to the original email announcement.

RFPs shall indicate the consultant's ability to meet the project inspection needs described above. RFPs shall describe any processes or procedures, including best practices, that will be used to perform tasks and to produce the desired results described above under "Scope of Services to be Performed." The RFP shall also include items such as:

- Main project inspector
- Project records inspector
- History of providing inspection services on similar projects
- Availability of staff
- Familiarity with KDOT Standards and Specifications
- Any subconsultant and their role in performing the services on the project
- Names, certifications, and experience of all inspectors that will be assigned to the project

### Evaluation Factors

RFPs will be evaluated based on the factors listed below, evenly weighted, to rank the most qualified firm in order of preference as first, second, third, etc. Evaluation factors include:

1. How the consultant plans to meet the fluctuating inspection needs of the project;
2. Employee names (2 full time, 4 intermittent inspectors), certifications, and qualifications proposed for services;
3. Proximity of inspectors to project;
4. Past performance history on similar projects (list project #'s) for KDOT;
5. Types of direct expenses anticipated (lodging, mileage, etc.);
6. Computer, nuclear gauge and mentoring experience in assisting a new engineer for KDOT.

The highest ranked firm will be asked to enter into negotiations with KDOT for an agreement. In the event KDOT cannot reach agreement with the highest ranked firm, it will terminate negotiations with such firm and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives.

### Exhibits to this Technical Proposal Request

- Special Attachment No. 7 ("Certificate of Final Indirect Costs")
- Special Attachment No. 8 ("Tax Clearance Certificate")

- Special Attachment No. 10 ("Policy Regarding Sexual Harassment").

### Contract Terms and Conditions

A standard KDOT project inspection agreement will be used for this project. Current rate factors will be used for compensation, and special attachments for the Kansas "Tax Clearance Certificate," the "Certificate of Final Indirect Costs," and the "Policy Regarding Sexual Harassment" will become attachments to the contract.

Questions about this request for Letter of Interest shall be sent via email to [kdot.designcontracts@ks.gov](mailto:kdot.designcontracts@ks.gov).

David Lutgen, P.E.  
Division of Engineering and Design

Doc. No. 047547

### State of Kansas

## Department of Transportation

### Request for Proposals

#### Background and Purpose of Project

The Kansas Department of Transportation (KDOT) is seeking a consultant to provide construction inspection services for Project 69-19 KA-1554-03. The project is located on U.S. 69 highway in Crawford County, From 0.2 miles north of the U.S. 69/K-47 junction (620th Avenue), north to 3 miles north of Arma north city limits.

#### Schedule/Deadlines

Request for Proposals (RFPs) are due on or before 12:00 p.m. (CST) October 25, 2019, to be delivered via email to [kdot.designcontracts@ks.gov](mailto:kdot.designcontracts@ks.gov). Evaluation and ranking of submissions will occur on or about November 8, 2019, after which time all firms that submitted will be notified of the ranking. Negotiations with the most highly ranked firm to commence on or about November 19, 2019. An agreement should be in place on or about December 19, 2019. The contractor could start on the project as early as February 2020 or as late as May 2020.

#### Scope of Services to Be Performed

The project manager/inspectors must be capable inspecting the whole project, which includes concrete work, traffic control, PCC paving/PCC plant operations, HMA paving/HMA plant operations, grading, subgrade, base, bridges, RC boxes, seeding, erosion control, SWPPP inspections, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc. Project records and paperwork including but not limited to: SWPPP inspections, diary, pay quantities, certifications, sample identifications, change orders, pay estimates, monitoring subcontractor payments, and monitoring contractor's payrolls, etc. Records and paperwork must be submitted accurately and timely. Anticipated staffing needs: provide project management and all inspectors as needed to ensure inspection and material testing for this project are done correctly. The number of required inspectors will fluctuate throughout the project depending on the project needs. Submit the names and information of the project manager, three main inspectors, along with two more inspectors that will be supplemented as needed. Construction is anticipated to be completed within 385 working days, this is expected to

span both the 2020 and 2021 construction season. Anticipate a reduction of inspection staff over the 2020-2021 winter. Provide all the equipment necessary to inspect and test materials.

**Instructions for Proposal**

No costs shall be contained in the RFP. The RFP must not exceed four (4) pages total (including any cover letter, index, etc.) and 2MB to address the pertinent topics. RFPs submitted will consist of the Letter of Interest and a completed and signed Special Attachment No. 7 (“Certificate of Final Indirect Costs”), a completed and signed Special Attachment No. 8 (“Tax Clearance Certificate”), and a signed Special Attachment No. 10 (“Policy Regarding Sexual Harassment”). Completed Special Attachments do not count against the 4-page Technical Proposal submission. All these forms are attached to the original email announcement.

RFPs shall indicate the consultant’s ability to meet the project inspection needs described above. RFPs shall describe any processes or procedures, including best practices, that will be used to perform tasks and to produce the desired results described above under “Scope of Services to be Performed.” The RFP shall also include items such as:

- Project manager
- Main project inspectors
- History of providing inspection services on similar projects
- Availability of staff
- Familiarity with KDOT Standards and Specifications
- Any subconsultant and their role in performing the services on the project
- Names, certifications, and experience of all inspectors that will be assigned to the project

**Evaluation Factors**

RFPs will be evaluated based on the factors listed below, evenly weighted, to rank the most qualified firm in order of preference as first, second, third, etc. Evaluation factors include:

1. How the consultant plans to meet the fluctuating inspection needs of the project;
2. Employee names (Project Manager, 3 planned Inspection Staff, 2 intermittent inspectors), certifications, and qualifications proposed for services;
3. Proximity of inspectors to project;
4. Past performance history on similar projects (list project #'s) for KDOT;
5. Types of direct expenses anticipated (Lodging, Mileage, etc.);
6. Computer, nuclear gauge and mentoring experience in assisting a new engineer for KDOT.

The highest ranked firm will be asked to enter into negotiations with KDOT for an agreement. In the event KDOT cannot reach agreement with the highest ranked firm, it will terminate negotiations with such firm and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives.

**Exhibits to this Technical Proposal Request**

- Special Attachment No. 7 (“Certificate of Final Indirect Costs”)
- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”).

**Contract Terms and Conditions**

A standard KDOT project inspection agreement will be used for this project. Current rate factors will be used for compensation, and special attachments for the Kansas “Tax Clearance Certificate,” the “Certificate of Final Indirect Costs,” and the “Policy Regarding Sexual Harassment” will become attachments to the contract.

Questions about this request for Letter of Interest shall be sent via email to [kdot.designcontracts@ks.gov](mailto:kdot.designcontracts@ks.gov).

David Lutgen, P.E.  
Division of Engineering and Design

Doc. No. 047548

**State of Kansas**

**Department of Transportation**

**Request for Proposals**

**Background and Purpose of Project**

The Kansas Department of Transportation (KDOT) is seeking a consultant to provide construction inspection services for Project 35-30 KA-3102-01. The project is located on I-35 in Franklin County, from 1.29 miles northeast of the I-35/U.S. 59 junction (Montana Road over I-35).

**Schedule/Deadlines**

Request for Proposals (RFPs) are due on or before 12:00 p.m. (CST) October 25, 2019, to be delivered via email to [kdot.designcontracts@ks.gov](mailto:kdot.designcontracts@ks.gov). Evaluation and ranking of submissions will occur on or about November 8, 2019, after which time all firms that submitted will be notified of the ranking. Negotiations with the most highly ranked firm to commence on or about November 19, 2019. An agreement should be in place on or about December 19, 2019. The contractor could start on the project as early as December 2019 or as late as April 2020.

**Scope of Services to be Performed**

The project manager/inspectors must be capable of inspecting the whole project, which includes concrete work, traffic control, PCC paving/PCC plant operations, HMA paving, grading, subgrade, base, bridges, seeding, erosion control, SWPPP inspections, CMS or AASHTOWare data entry, all project records, all project paperwork, and final paperwork, etc. Project records and paperwork include but are not limited to: SWPPP inspections, diary, pay quantities, certifications, sample identifications, change orders, pay estimates, monitoring subcontractor payments, and monitoring contractor’s payrolls, etc. Records and paperwork must be submitted accurately and timely. Anticipated staffing needs: provide project management and all inspectors as needed to ensure inspection and material testing for this project are done correctly. The number of required inspectors will fluctuate throughout the project depending on the project needs.

*(continued)*

Submit the names and information of the project manager and project inspectors. Construction is anticipated to be completed within 165 working days, this is expected to span the 2020 and possibly into the 2021 construction season. Anticipate a reduction of inspection staff over the 2020-2021 winter. Provide all the equipment necessary to inspect and test materials. KDOT inspection staff may shadow consultant staff for experience.

#### Instructions for Letter of Interest

No costs shall be contained in the RFP. The RFP must not exceed four (4) pages total (including any cover letter, index, etc.) and 2MB to address the pertinent topics. RFPs submitted will consist of the Letter of Interest and a completed and signed Special Attachment No. 7 ("Certificate of Final Indirect Costs"), a completed and signed Special Attachment No. 8 ("Tax Clearance Certificate"), and a signed Special Attachment No. 10 ("Policy Regarding Sexual Harassment"). Completed Special Attachments do not count against the four-page Technical Proposal submission. All these forms are attached to the original email announcement.

RFPs shall indicate the consultant's ability to meet the project inspection needs described above. RFPs shall describe any processes or procedures, including best practices, that will be used to perform tasks and to produce the desired results described above under "Scope of Services to be Performed." The RFP shall also include items such as:

- Project manager
- Project inspectors
- History of providing inspection services on similar projects
- Availability of staff
- Familiarity with KDOT Standards and Specifications
- Any subconsultant and their role in performing the services on the project
- Names, certifications, and experience of all inspectors that will be assigned to the project

#### Evaluation Factors

RFPs will be evaluated based on the factors listed below, evenly weighted, to rank the most qualified firm in order of preference as first, second, third, etc. Evaluation factors include:

1. How the consultant plans to meet the fluctuating inspection needs of the project;
2. Employee names (project manager and project inspectors), certifications, and qualifications proposed for services;
3. Proximity of inspectors to project;
4. Past performance history on similar projects (list project #'s) for KDOT;
5. Types of direct expenses anticipated (lodging, mileage, etc.);
6. Computer, nuclear gauge and mentoring experience in assisting a new engineer for KDOT.

The highest ranked firm will be asked to enter into negotiations with KDOT for an agreement. In the event KDOT cannot reach agreement with the highest ranked firm, it will terminate negotiations with such firm and commence negotiations with the next highest ranked

firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives.

#### Exhibits to this Technical Proposal Request

- Special Attachment No. 7 ("Certificate of Final Indirect Costs")
- Special Attachment No. 8 ("Tax Clearance Certificate")
- Special Attachment No. 10 ("Policy Regarding Sexual Harassment").

#### Contract Terms and Conditions

A standard KDOT project inspection agreement will be used for this project. Rate factors will be used for compensation, and special attachments for the Kansas "Tax Clearance Certificate," the "Certificate of Final Indirect Costs," and the "Policy Regarding Sexual Harassment" will become attachments to the contract.

Questions about this request for Letter of Interest shall be sent via email to [kdot.designcontracts@ks.gov](mailto:kdot.designcontracts@ks.gov).

David Lutgen, P.E.  
Division of Engineering and Design

Doc. No. 047550

#### State of Kansas

### Department of Transportation

#### Request for Proposals

#### Attention

Please direct all inquiries and questions regarding this Request for Proposal (RFP) to [kdot.designcontracts@ks.gov](mailto:kdot.designcontracts@ks.gov). Consulting firms shall not contact any other Kansas Department of Transportation (KDOT) staff for information regarding this RFP.

#### Background and Purpose of Project

In Sumner County, Kansas, the Ninescah River runs alongside U.S. 81 highway for approximately one mile. In September of 2016, flooding occurred which damaged most of the existing fifteen jetties, causing significant erosion which threatened the stability of portions of the U.S. 81 roadway. KDOT thereafter initiated an "Emergency Bank Stabilization" project 81-96 KA-4530-01, by partial removal of existing sheetpile jetties, installing rock revetment and taking other measures along the embankment. Subsequently, a "River Stabilization" project 81-96 KA-4530-02 was constructed with in-stream rock placements and partial removal of existing sheetpile jetties.

Flooding in the spring of 2019 caused damage to the constructed projects. KDOT is now seeking cost effective repairs to secure long-term permanent stabilization to protect the highway.

The performance of services will be done in one project 81-96 KA-4530-03 and will consist of design engineering performed by a consultant for the repairs upon receiving a Notice to Proceed. KDOT intends that the time required to perform the contract is 10 months total and that all plans will be completed for a construction contract letting in the fall of 2020.

#### Schedule and Deadlines

Technical Proposals are due on or before 12:00 p.m. (CST) October 25, 2019, to be submitted via email to



kdot.designcontracts@ks.gov. No pricing or cost information shall be submitted unless and until requested by KDOT. Evaluation and ranking of technical proposals on or about November 1, 2019 after which time all the shortlisted firms will be notified of the ranking. Negotiations with the most highly ranked firm to commence on or about November 11, 2019. An agreement should be in place and in effect on or about November 19, 2019.

#### Evaluation Factors

Technical proposals will be evaluated on the basis of the factors listed below, evenly weighted, to rank the most qualified firm in order of preference as first, second and third, etc. Evaluation factors: 1) the quality of the response to the RFP; 2) qualifications and experience of consultant personnel proposed for services; 3) proposed approach for design; 4) two or three cost effective repairs for this location that firm has experience within the past; and 5) past performance history. The highest ranked firm will be asked to enter into negotiations with KDOT for an agreement. In the event KDOT cannot reach agreement with the highest ranked firm, KDOT will terminate negotiations with such firm and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives.

#### Contract Terms and Conditions

A specimen agreement is available for the information of the proposers, see Exhibit 3 to this RFP, "Specimen Agreement." Proposers are to submit completed forms for Tax Clearance Certificate (Special Attachment No. 8) for itself and its subconsultants, if any, and completed/signed Special Attachments No. 2 and No. 3 to be submitted with proposer's Technical Proposal.

#### Scope of Services

##### Characteristics and Criteria for Repairs

KDOT and the design consultant for the "River Stabilization" project (81-96 KA-4530-02), have evaluated and identified the needed repairs and their locations. Concept level plans are available for this RFP and are expected to be the basis for scope of work. Based on the previous project(s) experience, project permits will be required, including the Kansas Wildlife, Parks and Tourism's "Action Permit." The "Action Permit" restricts work in the active channel from April 1 through August 31. This restriction "window" is the basis for a Fall 2020 letting to perform winter 2021 construction. The location is a FEMA regulated floodway and floodplain, so repairs need to maintain the plan, grade, profile, and cross-section of the "River Stabilization" project plans.

##### Phase 1 Services to be Performed

The consultant shall complete the following tasks and produce the deliverable described below.

1. Investigation, evaluation, repair design and development plans.
2. Task: The consultant shall review relevant information in KDOT's possession, as well as conduct an on-site visit. Relevant information includes, but is not limited to: U.S. 81 plans (including plans for the

existing fifteen jetties), stream gauge measurement information, consultant will also obtain the data for the most recent FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Mapping (FIRM).

3. Deliverable: The consultant shall schedule one or more meetings with KDOT representatives in order to present the consultant's recommendation(s) prior to final plan development. A project report is not required.
4. Final plans to PSE .DGN files.

#### Instructions for Technical Proposal

Note: No prices shall be included with the Technical Proposal; no information on pricing or compensation shall be submitted by the consultant unless and until requested by KDOT.

Technical proposals should address and include the following items.

- Technical Proposal: Describe processes and procedures proposed by the consultant for best practices to perform tasks and produce deliverable described above 1, 2 and 3 of the Scope of Services, such as:
  - methodology of information gathering, types and sources of relevant data;
  - additional information or surveys which the consultant requires for the services;
  - key considerations and technical basis for recommendations; and
  - cost-effective or cost-reduction practices, processes or procedures used by the consultant, if any.
- Other Requirements and Content: The main text of the consultant's proposal must not exceed fifteen (15) pages to address the topics listed above in section A. Additional pages submitted for résumés and other matters listed below do not count towards the fifteen-page limit:
  - Provide names, qualifications, education, training, and expertise as well as prior relevant experience of the consultant and subconsultant personnel, if any, intended to perform services.
  - Provide organization chart identifying the titles, responsibilities, roles, and duties of each individual proposed to be utilized by the consultant in performing services.
  - Provide a list of projects, performed for KDOT, which involved plan production according to KDOT graphic standards for the last 5 years.
- Additional Submittals: Submit the tax clearance certificate(s) required by Special Attachment No. 8 and complete Special Attachments No. 2 and No. 3 of the Specimen Agreement, included in this RFP within Exhibit 3.

Please note: Consultant and its subconsultants, if any, must furnish a Tax Clearance Certificate as described in Special Attachment No. 8 within Exhibit 3, Specimen Agreement.

#### Exhibits to this RFP

- Exhibit 1, Video of riverbank conditions, found at <https://www.youtube.com/watch?v=MUIGMBC-86o&t=2s>

(continued)

- Exhibit 2, Concept Flood Repair Plans
- Exhibit 3, Specimen Agreement

David Lutgen, P.E.  
Division of Engineering and Design

Doc. No. 047549

## State of Kansas

### Secretary of State

#### Executive Appointments

Executive appointments made by the governor, and in some cases by other state officials, are filed with the secretary of state's office. A listing of Kansas state agencies, boards, commissions, and county officials are included in the Kansas Directory, which is available on the secretary of state's website at <https://sos.kansas.gov>. The following appointments were recently filed with the secretary of state:

#### District Court Judge, 21st Judicial District

**Kendra Lewison**, 3508 Churchill Way, Manhattan, KS 66503.

#### Dickinson County Register of Deeds

**Martha Holt**, 504 Taylor Rd., Abilene, KS 67410. Succeeds Jill Freeman.

#### Stanton County Commissioner

**Lonnie Brown**, PO Box 232, Johnson, KS 67855. Succeeds Grady Cook.

#### Wichita County Register of Deeds

**Heather Leimkuhler**, 901 N. 3rd St., Leoti, KS 67861. Succeeds Connie Wilson.

#### Accountancy, Kansas State Board of

**Julie Spiegel**, 4410 Kauffman Dr., Manhattan, KS 66503. Term expires July 31, 2022. Succeeds Michael Lee Marsh.

#### Advisory Committee on Regulation of Oil and Gas Activities

**Dawn Buehler**, 978 E. 2100th Rd., Eudora, KS 66025. Succeeds Jeffrey Jabara.

#### African American Affairs Commission, Kansas

**Dr. Anthony Lewis**, 1007 Renaissance Dr., Lawrence, KS 66049. Term expires June 30, 2022. Succeeds Sherdeill Breathett.

#### Closed Case Task Force

**Alice Craig**, 910 Monroe, PO Box 365, Baldwin City, KS 66006.

**Cory Sheedy**, 1325 Stone Creek Dr., Lawrence, KS 66049.

#### Complete Count Committee, Kansas

**Doris Chang**, 2330 N. Oliver St., Apt. 522, Wichita, KS 67220.

**Xan Wedel**, 700 Ohio St., Lawrence, KS 66044.

#### Governor's Council on Medicaid Expansion

**Lori Alvarado**, 2501 Stowe Dr., Lawrence, KS 66049.

**Tom Bell**, 215 SE 8th Ave., Topeka, KS 66603.

**Sen. Ed Berger**, 2501 Briarwood, Hutchinson, KS 67502.

**Will Carpenter**, 6965 SW 19th St., El Dorado, KS 67402.

**Rep. Susan Concannon**, 921 N. Mill St., Beloit, KS 67420.

**Denise Cyzman**, 700 SW Jackson, Suite 600, Topeka, KS 66603.

**Dr. Ximena Garcia**, 516 SW Danbury Ln., Topeka, KS 66606.

**Cathy Harding**, 755 Minnesota Ave., Kansas City, KS 66101.

**Rep. Don Hineman**, 116 S. Longhorn Rd., Dighton, KS 67839.

**April Holman**, 700 SW Jackson St., Suite 600, Topeka, KS 66603.

**Dave Kerr**, 67 Willowbrook St., Unit A, Hutchinson, KS 67502.

**Kyle Kessler**, 534 S. Kansas Ave, Suite 330, Topeka, KS 66603.

**David Livingston**, 9401 Indian Creek Pkwy., Suite 1300. Overland Park, KS 66210.

**Sen. Carolyn McGinn**, PO Box A, Sedgwick, KS 67135.

**Rep. Monica Murnan**, 1313 Mallory Ct., Pittsburg, KS 66762.

**Sec. Lee Norman**, 1000 SW Jackson St., Suite 500, Topeka, KS 66612.

**Sen. Pat Pettey**, 5316 Lakewood St., Kansas City, KS 66106.

**Rep. Jason Probst**, PO Box 3262, Hutchinson, KS 67502.

**Jerry Slaughter**, 623 SW 10th Ave., Topeka, KS 66612.

**Kevin Sparks**, 10681 S. Cedar Niles Blvd., Olathe, KS 66061.

**Michael Stephens**, 8325 Lenexa Dr., Lenexa, KS 66214.

**Sen. Gene Sullentrop**, 6813 W. Northwind Cir., Wichita, KS 67205.

**Suzanne Wikle**, 107 W. 20th Ave., Hutchinson, KS 67502.

**Rep. Kathy Wolfe Moore**, 3209 N. 131st St., Kansas City, KS 66109.

#### Governor's Council on Tax Reform

**Carl Brewer**, 4324 E. Norwood Ln., Wichita, KS 67220.

**Sec. Mark Burghart**, 120 SW 10th Ave., Topeka, KS 66612.

**Larry Campbell**, 900 SW Jackson St., Topeka, KS 66612.

**Lan Frahm**, 375 S. Range Ave., Colby, KS 67701.

**Joe Grisolano**, 602 Windsor Cir., Pittsburg, KS 66762.

**Duane Goossen**, 4421 SW 53rd St., Topeka, KS 66610.

**Dennis Hays**, 4909 N. 126th St., Kansas City, KS 66109.

**Sen. Anthony Hensley**, 300 SW 10th St., Suite 318-E, Topeka, KS 66612.

**Shannon Kimball**, 257 Earhart Cir., Lawrence, KS 66049.

**Audrey Langworthy**, 6324 Ash St., Prairie Village, KS 66208.

**Hon. Janis Lee**, 4604 Hoover Dr., Hays, KS 67601.

**Sec. Julie Lorenz**, 700 SW Harrison, St., Topeka, KS 66612.

**Hon. Steven Morris**, 1607 S. Eisenhower St., Hugoton, KS 67951.

**Rep. Ron Ryckman**, 300 SW 10th St., Suite 370-W, Topeka, KS 66612.

**Rep. Tom Sawyer**, 300 SW 10th St., Suite 359-W, Topeka, KS 66612.

**Susan Sherman**, 25925 W. 150th Terr., Olathe, KS 66061.

**Anthony Swartzendruber**, 227 E. Spruce St., Hesston, KS 67062.

**Sec. David Toland**, 1000 SW Jackson St., Suite 500, Topeka, KS 66612.

**Sen. Susan Wagle**, 300 SW 10th St. Suite 333-E, Topeka, KS 66612.

**Larry Weians**, 17412 Penrose Ln., Lenexa, KS 66219.

**John Wilson**, 1923 Ohio St., Lawrence, KS 66046.

#### Hispanic and Latino American Affairs Commission

**Richard Martinez**, 1340 SW High Ave., Topeka, KS 66604. Term expires June 30, 2021.

**Claudia Yaujar-Amaro**, 9412 E. Bluestem St., Wichita, KS 67207. Term expires June 30, 2022.

#### Midwest Interstate Passenger Rail Commission

**Chris Herrick**, 700 SW Harrison St., Topeka, KS 66603. Reappointed.

**Pete Meitzner**, 14619 E. Sundance St., Wichita, KS 67230. Reappointed.

#### State Building Advisory Commission

**Muhbub Rashid**, 1465 Jayhawk Blvd., Lawrence, KS 66045. Term expires December 31, 2019. Succeeds Mahesh Daas.

Scott Schwab  
Secretary of State

Doc. No. 047542

#### State of Kansas

### Office of the Governor

#### Executive Directive No. 19-508

#### Authorizing Expenditure of Federal Funds

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

Pursuant to the authority of the Secretary of the Kansas Department of Agriculture to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 189(a) of Chapter 68 of *The 2019 Session Laws of Kansas*, approval is hereby granted to the Kansas Department of Agriculture for expenditure in FY 2020 of monies in the federal fund account entitled "NRCS Grant CFDA 10.931."

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

Dated September 30, 2019.

Laura Kelly  
Governor

Doc. No. 047532

(Published in the Kansas Register October 10, 2019.)

### City of Wamego, Kansas

#### Notice of Intent to Seek Private Placement General Obligation Bonds, Series 2019

Notice is hereby given that the City of Wamego, Kansas (the "Issuer") proposes to seek a private placement of the above-referenced bonds (the "Bonds"). The maximum aggregate principal amount of the Bonds shall not exceed \$2,000,000. The proposed sale of the Bonds is in all respects subject to approval of a bond purchase agreement between the Issuer and the purchaser of the Bonds and the passage of an ordinance and adoption of a resolution by the governing body authorizing the issuance of the Bonds and the execution of various documents necessary to deliver the Bonds.

Dated October 1, 2019.

Shanda Jahnke  
Clerk

Doc. No. 047551

#### State of Kansas

### Kansas Development Finance Authority

#### Notice of Hearing

A public hearing will be conducted at 9:00 a.m. Monday, October 28, 2019, in the offices of the Kansas Development Finance Authority (KDFA), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, on the proposal for the KDFA to issue its Agricultural Development Revenue Bonds for the projects numbered below in the respective maximum principal amounts. The bonds will be issued to assist the borrowers named below (who will be the owners and operators of the projects) to finance the cost in the amount of the bonds, which are then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The projects shall be located as shown:

**Project No. 001043 Maximum Principal Amount: \$385,025.38.** Owner/Operator: Taylor P. and Rebekah J. Schotte; Description: Acquisition of 99.8 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes (the "Project"). The Project is being financed by the Lender for Taylor P. and Rebekah J. Schotte (the "Beginning Farmer") and is located in Section 8, Township 2, Range 7, Marshall County, Kansas, approximately 3.5 miles northwest of Marysville, Kansas on U.S. 77 Hwy.

**Project No. 001044 Maximum Principal Amount: \$383,045.69.** Owner/Operator: Hadley P. Schotte; Description: Acquisition of 172.3 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes (the "Project"). The Project is being financed by the Lender for Hadley P. Schotte (the "Beginning Farmer") and is located in Section 8, Township 2, Range 7 and Section 17, Range 2, Township 7, Marshall County, Kansas, approximately 3.5 miles northwest of Marysville, Kansas on U.S. 77 Hwy.

(continued)

**Project No. 001045 Maximum Principal Amount: \$240,400.** Owner/Operator: Taylor Nightingale; Description: Acquisition of 157 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes (the "Project"). The Project is being financed by the Lender for Taylor Nightingale (the "Beginning Farmer") and is located at the Southwest Quarter of Section 10, Township 20, Range 2 West, McPherson County, Kansas, approximately 3.5 miles south of Galva, Kansas at 21st Avenue and Eisenhower Road.

**Project No. 001046 Maximum Principal Amount: \$50,000.** Owner/Operator: Dustin P. and Taylor J. Talley; Description: Acquisition of 40 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes (the "Project"). The Project is being financed by the Lender for Dustin P. and Taylor J. Talley (the "Beginning Farmer") and is located at the North Half of the East Half of the Northwest Quarter of Section 21, Red Vermillion Township, Nemaha County, Kansas, approximately 3 miles south and 2.5 west of Corning, Kansas on 24th Road.

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

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

Rebecca Floyd  
President

Doc. No. 047538

**State of Kansas**

**Kansas Development Finance Authority**

**Notice of Hearing**

A public hearing will be conducted at 9:00 a.m. Monday, October 28, 2019, in the offices of the Kansas Development Finance Authority (K DFA), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, regarding the issuance of its Multifamily Housing Revenue Bonds (Pioneer Curtis Homes Project), Series 2019D (the "Bonds"). The Bonds are proposed to be issued in an amount not to exceed \$6 million, plus related costs of issuance, cost of interest on the Bonds during the construction of the Project and any required reserves for the payment of principal and interest on the Bonds. The proceeds of the Bonds will be used to finance the costs of acquisition and rehabilitation of an existing 59-unit affordable multi-family housing property, to be operated as Pioneer Curtis Homes

and located at 300 NW Grant Street in Topeka, Kansas (the "Project"). The Project is being financed for Curtis Homes, LLC, a Kansas limited liability company (the "Borrower"). Debt service on the Bonds will be the sole obligation of the Borrower and will include a pledge of facility revenues.

The Bonds shall not be deemed to constitute a debt or liability of the State of Kansas or of any political subdivision thereof other than K DFA or a pledge of the full faith and credit of the State of Kansas or of any such political subdivision other than K DFA, and neither the State of Kansas, nor any political subdivision thereof, will be liable on the Bonds nor will the Bonds be payable out of any funds other than those pledged and assigned under a loan agreement between K DFA and the Borrower. The issuance of the Bonds shall not, directly, indirectly or contingently, obligate the state or any political subdivision thereof to levy any form of taxation therefor or to make any appropriation for the payment thereof.

This public hearing does not impose any liability on K DFA or the State of Kansas but is an accommodation by K DFA to satisfy the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended.

All individuals who appear at the hearing will be given an opportunity to express their views for or against the proposed financing of the Project described above, and all written comments previously filed with the K DFA at its offices at 534 S. Kansas Ave., Suite 800, Topeka, KS 66603, will be considered. Additional information regarding the Project described above may be obtained by contacting K DFA.

Rebecca E. Floyd  
President

Doc. No. 047539

**State of Kansas**

**Board of Healing Arts**

**Notice of Hearing on Proposed Administrative Regulations**

A public hearing will be conducted at 9:30 a.m. Tuesday, December 10, 2019, in the board room at the Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level – Suite A, Topeka, Kansas, to consider proposed new regulations related to the practice by certified nurse midwives.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the regulations. All interested parties may submit comments prior to the hearing to Tucker Poling, General Counsel, at the Board of Healing Arts at the address above, or via email to KSBHA\_HealingArts@ks.gov. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the proposed new regulations during the public hearing. In order to provide all parties with an opportunity to present their views, it may be necessary to request each participant limit any oral presentations to five minutes.

Copies of the new proposed regulations and the Economic Impact Statement for the new proposed regula-

tions may be obtained from the Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level – Suite A, Topeka, KS 66612, on the agency website at <http://www.ksbha.org/publicinformation/publicinformation.shtml>, by contacting Jenne Cook at 785-296-2482, or by emailing the agency at [KSBHA\\_HealingArts@ks.gov](mailto:KSBHA_HealingArts@ks.gov).

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

A summary of the new proposed regulations and the economic impact follows:

**K.A.R. 100-28b-1. Definitions**

**K.A.R. 100-28b-5. License expiration and cancellation**

**K.A.R. 100-28b-9. Scope of practice; limitations**

**K.A.R. 100-28b-15. Transport and transfer protocol requirements**

**K.A.R. 100-28b-16. Duty to consult, refer, transfer, and transport**

**K.A.R. 100-28b-17. Identifiable risks requiring immediate referral and transport of patient**

**K.A.R. 100-28b-18. Identifiable risks requiring immediate referral and transport of newborn**

After having been approved in substance by both the Board of Healing Arts and the Board of Nursing, these regulations have been approved by the Department of Administration, the Department of Budget, and the Attorney General. The purpose of these new proposed regulations is to effectuate the provisions of the Independent Practice of Midwifery Act, K.S.A. 65-28b01, et seq., as required by K.S.A. 65-28b07. They include definitions of key terms used in relevant regulations and statutes, procedures for license expiration and cancellation, scope of practice, requirements for referring or transferring patients, and requirements for various levels of coordination with physicians when necessary. While a qualified economist would be required to provide an expert opinion of the regulations' impact on economic activity and growth, in the lay opinion of agency staff, the regulations enhance business activities by allowing a new and independent practice alternative for midwives in Kansas. (See economic impact statement approved by the Department of Budget).

Kathleen Selzler Lippert  
Executive Director

Doc. No. 047528

**State of Kansas**

**Department of Revenue**

**Notice of Hearing on Proposed  
Administrative Regulation**

A public hearing will be conducted by the Department of Revenue at 9:00 a.m. December 11, 2019, in the KDOR Secretary Conference Room, Mills Building 4th floor, 109 SW 9th St., Topeka, Kansas, to consider the revocation of 92-19-56, retailers' sales tax regulation. Copies of this proposed regulation and Economic Impact Statement may be found at <https://www.ksrevenue.org/prproposedregulations.html>.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulation. All interested parties may submit written public comments on the proposed regulation prior to the hearing to Erin Starr, Office of Research and Analysis, Mills Building, 109 SW 9th St., Topeka, KS 66612 or through email at [erin.l.starr@ks.gov](mailto:erin.l.starr@ks.gov).

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

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Erin Starr at 785-296-8042 or TTY 785-296-6461. Disabled parking is located on the north side of the Mills Building on either side of 9th St. The north entrance to the Mills Building is accessible.

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

**Kansas Department of Revenue**

**Article 19. Kansas Retailers' Sales Tax**

**Revocation of K.A.R. 92-19-56.** The revocation of this regulation is due to the amendment of HB 2140 amending K.S.A. 79-3606 by providing a sales tax exemption for, "all sales of gold or silver coins; and palladium, platinum, gold or silver bullion". Bullion means bars, ingots or commemorative medallions of gold, silver, platinum, palladium, or a combination thereof, for which the value of the metal depends on its content and not the form. No economic impact is expected with this revocation.

Mark Burghart  
Secretary

Doc. No. 047552

## State of Kansas

## Department of Revenue

## Permanent Administrative Regulation

## Article 56.—IGNITION INTERLOCK DEVICES

**92-56-2. Ignition interlock device; certification and standards.** (a) Each manufacturer of an ignition interlock device wanting to market the device in Kansas shall apply to the division of vehicles for certification of the device and submit the following information and equipment:

- (1) The name and address of the manufacturer;
- (2) the name and model number of the device;
- (3) certification that the device meets the following criteria:

(A) Offers safe operation of the vehicle in which installed, works reliably and accurately in an unsupervised environment, and, when in fail-safe, prevents the vehicle from starting;

(B) offers protection against tampering and is able to detect and be resistant to circumvention;

(C) allows for a free restart of the vehicle's ignition within two minutes after the ignition has been turned off without requiring another breath test if the driver has not registered a BrAC fail or is not in the process of completing a retest;

(D) allows for a rolling retest of a subsequent breath test after the vehicle has been in operation;

(E) disables the ignition system if the BrAC of the person using the device equals or exceeds the alcohol set-point of .03;

(F) incorporates an emergency bypass procedure;

(G) records each time the vehicle is started, the duration of the vehicle's operation, and any instances of tampering;

(H) encodes the corresponding time and date the breath sample was provided, a digital image of the individual who provided the sample, and BrAC of the individual who provided the breath sample into the device;

(I) displays to the driver all of the following:

- (i) When the device is on;
- (ii) when the device has enabled the ignition system; and
- (iii) the date on which a lockout will occur; and

(J) alerts the driver with a five-minute warning light or tone that a rolling retest is required;

(4) a map and list of service providers and the address where the device can be obtained, repaired, replaced, or serviced 24 hours a day by calling a toll-free phone number;

(5) the name of any insurance carrier authorized to do business in this state that has committed to issue a liability insurance policy for the manufacturer;

(6) the name and address of the manufacturer's representative designated by the manufacturer to manage the manufacturer's statewide operations;

(7) not more than two ignition interlock devices for testing and review to the division upon the director's request; and

(8) a declaration on a form prescribed by the division that requires the following:

(A) The manufacturer, manufacturer's representative, and the manufacturer's service providers shall cooperate with the division, law enforcement, and court staff at all times, including the inspection of the manufacturer's installation, service, repair, calibration, use, removal, or performance of each ignition interlock device;

(B) all digital images and the associated data shall be retained in the device until the digital images and associated data are downloaded and stored by a manufacturer. The manufacturer shall store the downloaded digital images and associated data for three years after capture by the device;

(C) the manufacturer shall provide all downloaded ignition interlock device data, reports, and information related to the ignition interlock device to the division, upon the director's request, in a division-approved electronic format;

(D) the manufacturer shall provide the alcohol reference value and type of calibration device used to check the ignition interlock device;

(E) the manufacturer shall provide the division with inquiry access to the manufacturer's ignition interlock device system management software for the management of state drivers; and

(F) the manufacturer or the manufacturer's representative shall provide a map of Kansas showing the area covered by each service provider's fixed site.

(b) Each certification issued by the division shall continue in effect for three years unless either of the following occurs:

(1) The manufacturer requests in writing that the certification be discontinued.

(2) The division informs the manufacturer and the manufacturer's representative in writing that the certification is suspended or revoked.

(c) If a manufacturer modifies a certified device, the manufacturer shall notify the division of the exact nature of the modification. A device may be required by the division to be recertified at any time. A modification shall mean a material change affecting the functionality, installation, communication, precision, or accuracy of a certified device.

(d) Each manufacturer of a certified device shall notify the division of the failure of any device to function as designed. The manufacturer and the manufacturer's representative shall provide an explanation for the failure and shall identify the actions taken by the manufacturer or the manufacturer's representative to correct the malfunctions.

(e) The manufacturer's device shall meet or exceed the model specifications for ignition interlock devices, as specified by the national highway traffic safety administration. The provisions of 78 fed. reg. 26862-26867 (2013), beginning with the text titled "B. Terms" on page 26862, are hereby adopted by reference for purposes of this subsection. If state specifications vary from the federal specifications, the state specifications shall control.

(f) Each manufacturer of a certified device shall accumulate a credit of at least two percent of the gross revenues attributed to services provided in Kansas or to out-of-state services provided to Kansas residents. All existing credit shall be made available to drivers who are restricted to operating a vehicle with a device and who are indigent as ev-

identified by eligibility for the federal food stamp program. The amount of the credit available shall be limited to the amount of the existing credit balance. The manufacturer and its service providers shall notify the manufacturer's customers of the existence of this indigent program by utilizing division notices and forms.

(g) Each manufacturer of a certified device shall submit a report to the division on or before January 31 of each year with the following information for the previous calendar year's activities:

(1) The number of ignition interlock devices initially installed on vehicles for Kansas drivers who were restricted to driving only with an ignition interlock device;

(2) the number of vehicles that had devices removed due to a failure in the device, a malfunction of the device, or a defect in the device and, for each vehicle, the driver's name, the driver's license number, the specific failure or operational problem that occurred during the period installed, and the resolution of each situation;

(3) the total number of devices in operation in Kansas on December 31 of the previous calendar year;

(4) the total number of devices removed;

(5) the total number of instances of circumvention;

(6) the total number of instances of tampering; and

(7) a summary of the following information:

(A) The number of indigent drivers that qualified for reduced fees;

(B) the number of drivers that applied for indigent classification and reduced fees but were denied;

(C) amounts credited to indigent drivers; and

(D) the ending credit balance.

(h) Each manufacturer and manufacturer's representative of a certified device shall make sales brochures and other informational materials available at no cost to the state's community corrections and court services officers, the district courts, magistrate courts, municipal courts, and the division for distribution to potential drivers. These brochures and informational materials may be provided through electronic means if approved by the director.

(i) Each manufacturer shall provide to the division, on or before January 31 of each year for that calendar year, documentation indicating the normal prices and fees charged to a driver that are associated with the manufacturer's Kansas installation of devices. If the documentation regarding normal prices and fees charged changes during the course of that calendar year, the manufacturer and manufacturer's representative shall provide amended documentation to the division within seven days of the change.

(j) Each manufacturer shall have a service provider with a fixed site within each state judicial district, unless the following conditions are met:

(1) At least two manufacturers have a service provider located in the same judicial district.

(2) The director determines that a competitive market exists for ignition interlock services in the state judicial district and the absence of a manufacturer's service provider in the state judicial district specified in paragraph (j)(1) does not create a competitive advantage for that manufacturer.

(3) The director approves the manufacturer to be absent from that state judicial district.

(k) Each device shall be capable of uniquely identifying and recording all of the following:

(1) Each time the vehicle is attempted to be started;

(2) each time the vehicle is started;

(3) a digital image in accordance with the following:

(A) The digital image can identify the individual providing the breath sample in all lighting conditions;

(B) the capture of the digital image does not distract or impede the driver in any manner from the safe and legal operation of the vehicle; and

(C) the digital image is associated with the date, the time, and the individual's BrAC for each attempted use;

(4) the results of all tests, retests, or failures as being a malfunction of the device or a result of the driver not meeting the requirements;

(5) the length of time the vehicle was operated; and

(6) any indication of tampering.

The features required of the manufacturer's installed device shall be enabled to capture the information required by this subsection.

(l) The requirements of this regulation shall take effect for all device installations beginning 90 days after publication of this regulation in the Kansas register. Each manufacturer shall replace any currently installed device that does not meet the requirements of this regulation with a device that is compliant upon the first calibration following the date this regulation takes effect. (Authorized by and implementing K.S.A. 8-1016; effective Oct. 23, 1989; amended July 5, 2002; amended May 2, 2014; amended Nov. 6, 2015; amended Jan. 8, 2020.)

Mark Burghart  
Secretary

Doc. No. 047553

## State of Kansas

### Department of Commerce Kansas Athletic Commission

#### Article 5.—FACILITY AND EQUIPMENT REQUIREMENTS FOR PROFESSIONAL BOXING, PROFESSIONAL KICKBOXING, PROFESSIONAL FULL-CONTACT KARATE, PROFESSIONAL MIXED MARTIAL ARTS, AMATEUR MIXED MARTIAL ARTS, AND AMATEUR SANCTIONING ORGANIZATIONS

**128-5-1. Professional boxing, professional kickboxing, professional bare-knuckle fighting, and professional full-contact karate contests.** (a) Each ring used for professional boxing, professional kickboxing, professional bare-knuckle fighting, or professional full-contact karate contests shall consist of an area that is no smaller than 16 by 16 feet square and no larger than 20 by 20 feet square when measured within the ropes. The apron of the ring platform shall extend at least two feet beyond the ropes. The ring platform shall not be more than four feet above the floor of the building or the grounds of an outdoor arena. Steps to the ring shall be provided for the use of the contestants and officials.

(b)(1) Except as specified in paragraph (b)(2), each ring shall be fenced in with at least three ropes and not more

(continued)

than four ropes. Each rope shall be at least one inch in diameter. The ropes may be composed of Manila hemp, synthetic material, plastic, or any other similar material. Each rope shall be wrapped securely in soft material. If three ropes are used, the ropes shall extend in triple parallel lines at the heights of two feet, three feet, and four feet above the platform floor. If four ropes are used, the ropes shall be placed in parallel lines at the following heights:

- |                 |                             |
|-----------------|-----------------------------|
|                 | Height above the ring floor |
| (A) Lowest rope | 18 inches                   |
| (B) second rope | 30 inches                   |
| (C) third rope  | 42 inches                   |
| (D) top rope    | 54 inches                   |

(2) For professional and amateur mixed martial art contests, a ring may have a fifth-rope conversion to meet the requirements of the act.

(3) The ring platform shall be padded with a one-inch layer of Ensolite®, foam rubber, or an equivalent closed-cell foam material, which shall be placed on a one-inch base of Celotex™ or an equivalent type of building board. The padding shall be covered with canvas, duck, or a similar material that is tightly stretched and laced securely in place. Material that tends to gather in lumps or ridges shall not be used for the padding or the covering.

(c) Each ring post shall be at least three inches and not more than four inches in diameter and shall extend from the floor of the building or the ground in an outdoor arena to a minimum height of 58 inches above the ring platform. Each ring post shall be at least 18 inches away from the ring ropes. Each turnbuckle shall be covered with a protective padding.

(d) The promoter shall provide a bell, buzzer, gong, or horn that is sufficiently loud to enable the officials and contestants to hear it clearly.

(e) The spectator seats shall be placed no closer than eight feet from the outside edge of the apron of the ring. A physical barrier shall be placed eight feet outside the ring. The ringside area within that physical barrier shall be under the jurisdiction of the commission and shall be reserved for the sole use of designated working officials and the contestants.

(f) Gloves used in a boxing or kickboxing contest or exhibition shall meet the following requirements and shall be delivered to the commission at least one hour before the commencement of the first match of the event:

(1) Each glove shall weigh at least eight ounces but not more than 16 ounces, except that the weight of the gloves to be used in a championship contest shall be specified by the commission.

(2) The gloves shall be examined by the inspector and the referee. If padding in any glove is found to be misplaced or lumpy or if any glove is found to be imperfect, the glove shall be changed before the event starts. No breaking, roughing, or twisting of any glove shall be permitted.

(3) If the gloves to be used have been used before, they shall be whole, clean, and in sanitary condition. The gloves shall be subject to inspection by the referee and a representative of the commission. If any glove is found to be unfit, it shall be replaced with a glove that meets the requirements of this subsection.

(4) Each promoter shall have an extra set of gloves of the appropriate weight available to be used if a glove is broken or otherwise damaged during an event.

(5) Each glove shall have the distal portion of the thumb attached to the body of the glove to minimize the possibility of injury to an opponent's eye. (Authorized by K.S.A. 74-50,187; implementing K.S.A. 74-50,186 and 74-50,187; effective April 4, 2008; amended Dec. 20, 2013; amended Oct. 25, 2019.)

**Article 6. — RULES OF CONDUCT AND EQUIPMENT REQUIREMENTS FOR PROFESSIONAL BOXING, PROFESSIONAL KICKBOXING, PROFESSIONAL FULL-CONTACT KARATE, AND PROFESSIONAL MIXED MARTIAL ARTS**

**128-6-8. Professional bare-knuckle fighting.** Each professional bare-knuckle fighting (BKF) contest, also known as a professional bare-knuckle boxing contest, shall be conducted in accordance with this regulation.

(a) Each bout of professional BKF shall consist of at least four rounds but no more than 12 rounds. Each round shall be no more than two minutes in length, with a one-minute rest period between rounds.

(b) No professional BKF bout shall be advertised or promoted as a championship bout unless the commission specifically approves the bout as a championship bout.

(c) A BKF contestant shall not participate in a boxing, BKF, kickboxing, karate, or mixed martial arts bout in Kansas for at least seven days following a previous bout in Kansas or in any other jurisdiction.

(d) A BKF contestant whose license is currently suspended or has been revoked by the commission or any other athletic commission, domestic or foreign, shall not participate in any bout in Kansas until the suspension is lifted or until the license is reinstated.

(e) If a bout is deemed by the commission to be a mismatch that could expose one or both contestants to serious injury based on the record, experience, skill, or condition of each of the contestants, the bout shall be disapproved and cancelled by the commission.

(f) The schedule of weight classifications shall be as follows:

Classification	Weight
(1) Atomweight	over 105 and through 115 pounds
(2) Strawweight	over 115 and through 125 pounds
(3) Flyweight	over 125 and through 135 pounds
(4) Bantamweight	over 135 and through 145 pounds
(5) Featherweight	over 145 and through 155 pounds
(6) Lightweight	over 155 and through 165 pounds
(7) Welterweight	over 165 and through 175 pounds
(8) Middleweight	over 175 and through 185 pounds
(9) Light heavyweight	over 185 and through 200 pounds



- |                        |                                    |
|------------------------|------------------------------------|
| (10) Cruiserweight     | over 200 and through 225<br>pounds |
| (11) Heavyweight       | over 225 and through 265<br>pounds |
| (12) Super heavyweight | over 265<br>pounds                 |

(g) Each contestant shall be weighed by the commissioner or the commissioner's designee within 48 hours before the contest. During the weigh-in, each male contestant shall have only his body on the scale, without any attire or equipment, but any female contestant may wear shorts and a top. If a contestant's weight does not fall within the range for the weight classification of the contested weight in which the contestant is scheduled to compete, the contestant shall be reweighed within two hours. If the contestant's weight still does not fall within the range for that weight category, the contestant may be disqualified by the commissioner for the safety of both contestants.

(h) Any contestant may be required by the commission to be reweighed one additional time if doubt concerning the contestant's actual weight exists.

(i) For each contestant whose weight exceeds the maximum amount, one or more of the following may be required as determined by the commission:

(1) The contestant shall be allowed to lose up to two pounds of the contestant's existing weight.

(2) The contestant shall forfeit a portion of the purse.

(3) The contestant shall forfeit the contest.

(j) Each subsequent weigh-in shall be conducted at the venue of the event before the commencement of the event, as directed by the commission. Any contestant or the contestant's designee may be present to witness the weigh-in of the opponent.

(k) Each contestant shall fight only opponents who are in the contestant's weight classification. A bout between two contestants in different weight classifications may be approved by the commission if the difference between the weights of the two contestants does not exceed nine pounds, except for heavyweights and super heavyweights.

(l) After the time of the weigh-in, weight loss in excess of two pounds of the weight that the contestant had at the weigh-in shall not be permitted and shall not occur later than one hour after the contestant's initial weigh-in.

(m) Contestants scheduled to compete against one another may mutually agree to waive the requirements of subsection (i). This agreement shall be evidenced by a provision in the respective bout agreement and initialed by the contestants. The provision shall also provide notice to the contestants that there will be no restriction as to the amount of weight that the opponent may put on after the initial weigh-in and before the scheduled match.

(n) A one-pound allowance in the weight agreed upon in the bout agreement may be allowed by the commission. The one-pound allowance shall still be within the weight limits specified in subsection (f). No allowance shall be made for a championship bout.

(o) A contestant who is required to appear at the specified time and place to be examined and weighed shall not leave the designated area without permission of the commission before the weigh-in or the physical examination.

(p) For each failure to make weight as specified in this regulation, the contestant may be subject to discipline or imposition of a civil penalty.

(q) If a contestant is unable due to illness to take part in a contest or exhibition in which the contestant has agreed to fight, the contestant shall immediately report the fact to the commission and, if requested by the commission, shall submit to an examination by a physician. The fee for the physician's examination shall be paid by the promoter if an examination is requested. Otherwise, the fee shall be paid by the contestant.

(r) The weight of each contestant or the classification in which each contestant will compete, or both, shall be announced at ringside.

(s) Each contestant's equipment shall meet the following requirements:

(1) The contestant's hands may be wrapped with gauze and tape that end no closer than 1 ¼ inch from the contestant's knuckles. The wrap shall include the wrist and may extend up to three inches past the junction of the wrist bone.

(A) Gauze may be applied to the wrist, palm of the hand, back of the hand, and thumb. The length of gauze used shall not exceed 15 feet per hand.

(B) Tape may be applied to the wrist, palm of the hand, back of the hand, and thumb. The tape shall not be greater than one inch in width and shall not exceed 10 feet in length per hand.

(2) Each bandage of the contestant shall be applied in the presence of both an inspector and the other contestant.

(3) Each hand wrapping placed on a contestant shall be examined and approved by an inspector. Each approved hand wrap shall be initialed by the inspector who examined it. The opponent may be present.

(4) Either contestant may witness the bandaging and hand wrapping of the other contestant. A contestant may waive witnessing the bandaging or hand wrapping of the opponent's hands.

(5) Each contestant shall wear BKF-appropriate attire and protective devices, including a dental appliance or mouthpiece that has been individually fitted to the contestant and approved by the commissioner. Each male contestant shall wear a protective cup. Each contestant shall wear an abdominal protector that protects the contestant against injury from a foul blow. The abdominal protector shall not cover or extend above the umbilicus. Each female contestant shall wear a protective pelvic girdle and either a plastic breast protector or a sport bra.

(6) The belt of the shorts shall not extend above the waistline. Shorts shall be without pockets or openings and shall be subject to approval by the chief inspectors.

(7) Contestants shall not use any cosmetics when competing in the contest or exhibition.

(8) The inspector shall determine whether head or facial hair presents any hazard to the safety of a contestant or contestant's opponent or will interfere with the supervision of the contest or exhibition. A contestant shall not compete in the contest or exhibition unless the circumstances creating the hazard or potential interference are corrected to the satisfaction of the inspector.

(continued)

(9) A contestant shall not wear any jewelry or any piercing accessories when competing in the contest or exhibition.

(10) The contestants' fingernails and thumbnails shall not extend past the tip of the fingers and thumbs.

(11) Only Vaseline® or a similar petroleum-based product may be lightly applied to the face, arms, or any other exposed part of a contestant's body.

(t) Before starting a bout, the referee shall ascertain from each contestant the name of the contestant's chief second. Before each bout, the referee shall call together both contestants and their chief seconds for final instructions.

(u) No person other than the contestants and the referee shall enter the ring during a bout. A second or manager shall not stand or engage in any distracting actions while the bout is in progress. For each contestant's seconds and manager, a combined total of two warnings for violating any requirement of this subsection shall result in the removal of the seconds and manager from the ring-side area, and any licensee may be subject to disciplinary action or civil penalty.

(v) Each preliminary contestant shall be ready to enter the ring immediately after the end of the preceding bout. Any contestant who is not ready to immediately proceed when called and, as a result, causes a delay may be subject to disciplinary action or civil penalty.

(w) Before the referee requests the physician to aid or examine a contestant, the referee shall direct the timekeeper to stop the clock until otherwise directed by the referee.

(x) All serious cuts or injuries to either contestant shall be treated by the physician. The physician shall determine whether to continue the bout as follows:

(1) The physician may enter the ring if requested by the referee to examine an injury to a contestant.

(2) If serious cuts or injuries to either contestant occur, the referee shall summon the physician, who shall aid the contestant and decide if the bout will be stopped. The final authority to determine whether to continue the bout shall rest with the physician.

(3) If the physician determines that a contestant who is cut or injured by legal blows cannot continue, the referee shall announce that the cut or injured contestant loses by a technical knockout.

(4) The referee may request that the attending physician examine a contestant during the bout. The physician may order the referee to stop the bout. The referee shall then render the appropriate decision regarding the outcome of the bout in accordance with K.A.R. 128-4-7.

(5) Except at the request of the physician, no manager or second shall be permitted to aid a stricken contestant.

(y) If a contestant loses a dental appliance or mouthpiece during a round, the referee may call a time-out. If the referee calls a time-out for this reason, the referee shall direct the contestant's second to replace the dental appliance or mouthpiece.

(z) Before a contestant may resume competing after having been knocked down or having fallen or slipped to the floor of the ring, the referee shall wipe the hands of the contestant with a damp towel or the referee's shirt.

(aa) A contestant shall be deemed to be down when either of the following occurs:

(1) Any part of the contestant's body other than the feet is on the floor.

(2) The contestant is hanging over the ropes without the ability to protect that contestant, and the contestant cannot fall to the floor.

(bb) When a contestant is knocked down, the referee shall order the opponent to retire to the farthest neutral corner of the ring by pointing to the corner and shall immediately begin the count over the downed contestant. The referee shall audibly announce the passing of the seconds and accompany the count with motions of the referee's arm, with the downward motion indicating the end of each second.

(cc) The timekeeper, by signaling, shall give the referee the correct one-second interval for the referee's count. The referee's count shall be the official count. Once the referee picks up the count from the timekeeper, the timekeeper shall cease counting. No contestant who is knocked down may be allowed to resume competing until the referee has finished counting to 10. The contestant may take the count either on the floor or standing.

(dd) If the opponent fails to stay in the farthest corner, the referee shall cease counting until the contestants have returned to their corners. The referee shall then resume the count from the point at which the count was interrupted. If the contestant who is down arises before the count of 10, the referee may step between the contestants long enough to assure the referee that the contestant who has just arisen is in a condition to continue. If so assured, the referee shall, without loss of time, order both contestants to continue the contest or exhibition. During the intervention by the referee, the striking of a blow by either contestant may be ruled a foul.

(ee) When a contestant is knocked out, the referee shall perform a full 10-second count unless, in the judgment of the referee, the safety of the contestant would be jeopardized by such a count. If the contestant who is knocked down is still down when the referee calls a count of 10, the referee shall wave both arms to indicate that the downed contestant has been knocked out.

(ff) If both contestants go down at the same time, the count shall continue as long as one contestant is still down. If both contestants remain down until the count of 10, the contest or exhibition shall be stopped and the decision shall be a technical draw.

(gg) If a contestant is down and the referee is in the process of counting at the end of a round, the bell indicating the end of a round shall not be sounded, but the bell shall be sounded as soon as the downed contestant stands up.

(hh) When a contestant has been knocked down before the normal termination of a round and the round is terminated before the contestant has arisen from the floor of the ring, the referee's count shall continue. If the contestant who is down fails to arise before the count of 10, the contestant shall be considered to have lost the contest or exhibition by a knockout in the round that just concluded.

(ii) If a legal blow struck in the final seconds of a round causes a contestant to go down after the bell has sounded, that knockdown shall be regarded as having occurred during the round just ended and the appropriate count shall continue.

(jj) If a knockdown occurs before the normal termination of a round and the downed contestant stands up before the count of 10 is reached and then falls down immediately without being struck, the referee shall resume the count from the point at which the count was left off.

(kk) Any contest or exhibition may be adjudged a technical knockout to the credit of the winner if the contest or exhibition is terminated because a contestant meets any of the following conditions:

- (1) Is unable to continue;
- (2) is not honestly competing;
- (3) is injured; or
- (4) is disqualified.

(ll) Each contest or exhibition that is won by other than a full count of 10 or the scoring of the judges shall be adjudged a technical knockout to the credit of the winner.

(mm) A referee may count a contestant out if the contestant is on the floor or being held up by the ropes.

(nn) Each contestant who has been knocked out shall be kept lying down until the contestant has recovered. If a contestant is knocked out, only the referee and the physician may touch the contestant. The referee shall remove the injured contestant's mouthpiece and stay with the contestant until the physician enters the ring, personally attends to the contestant, and issues any necessary instructions to the contestant's second.

(oo) Each of the following tactics or actions shall be an intentional foul:

- (1) Hitting an opponent below the belt;
- (2) hitting an opponent who is down or is getting up after being down;
- (3) holding an opponent with one hand and hitting the opponent with the other hand;
- (4) holding an opponent or deliberately maintaining a clinch;
- (5) wrestling or kicking an opponent;
- (6) striking an opponent who is helpless as the result of blows but is supported by the ropes and does not fall;
- (7) butting an opponent with the head, shoulder, knee, or elbow;
- (8) hitting an opponent with the back of the hand, with the butt of the hand, with the wrist or the elbow, or with pivot blows or spinning back fists;
- (9) going down without being hit;
- (10) striking an opponent's body over the kidneys;
- (11) hitting an opponent on the back of the head or neck;
- (12) gouging an opponent's eye;
- (13) using abusive language in the ring;
- (14) hitting during a break, which is signaled by the referee's command or physical act to separate two contestants;
- (15) hitting an opponent after the bell has sounded, ending the round;
- (16) using the ropes to gain an advantage over an opponent;
- (17) pushing an opponent around the ring or into the ropes;
- (18) showing timidity, including intentionally spitting out the mouthpiece;
- (19) biting an opponent;
- (20) putting a finger into any orifice of an opponent or into any cut or laceration on an opponent;

(21) pulling an opponent's hair;

(22) manipulating an opponent's fingers; and

(23) engaging in any other action not described in this subsection that is deemed an intentional foul by the referee on the basis that the action poses a danger to the safety of either contestant, impedes fair and competitive play, or is unsportsmanlike.

(pp)(1) If a contestant fouls the opponent during a contest or exhibition or commits any other infraction, the referee may penalize the contestant by deducting points from contestant's score, whether or not the foul or infraction was intentional. The referee may determine the number of points to be deducted in each instance and shall base the determination on the severity of the foul or infraction and its effect upon the opponent.

(2) If the referee determines that it is necessary to deduct one or more points because of a foul or infraction, the referee shall warn the offender of the penalty to be assessed.

(3) The referee shall, as soon as is practical after the foul, notify the judges and both contestants of the number of points, if any, to be deducted from the score of the offender.

(4) Each point to be deducted for any foul or infraction shall be deducted in the round in which the foul or infraction occurred. These points shall not be deducted from the score in any subsequent round.

(qq) A contestant shall not be declared the winner of a contest or exhibition on the basis of that contestant's claim that the opponent committed a foul by hitting the contestant below the belt. If a contestant falls to the floor of the ring or otherwise indicates that the contestant is unwilling to continue because of an overruled claim of a low blow, the contest or exhibition shall be declared to be a technical knockout in favor of the contestant who is willing to continue.

(rr) Any contestant guilty of a foul in a contest or exhibition may be disqualified by the referee, and the contestant's purse may be withheld by the commission. Disposition of the purse and the penalty to be imposed upon the contestant shall be determined by the commission.

(ss) If the referee determines that a contest or exhibition shall not continue because of an injury caused by an intentional foul, the contestant who committed the intentional foul shall lose by disqualification.

(tt) If the referee determines that a contest or exhibition may continue despite an injury caused by an intentional foul, the contestant who committed the intentional foul shall lose by disqualification.

(uu) If an injury caused by an intentional foul results in the contest or exhibition being stopped in a later round, one of the following shall apply:

(1) The injured contestant shall win by technical decision if that individual is ahead on the scorecards.

(2) The contest or exhibition shall be declared a technical draw if the injured contestant is behind or even on the scorecards.

(vv) If a contestant is injured while attempting to foul the contestant's opponent, the referee shall not take any action in the contestant's favor and the injury shall be treated the same as an injury produced by a fair blow.

*(continued)*

(ww) If a contest or exhibition is stopped because of an accidental foul, the referee shall determine whether the contestant who has been fouled can continue. If the contestant's chance of winning has not been seriously jeopardized as a result of a foul and if the foul did not involve a concussive impact to the head of the contestant who was fouled, the referee may order the contest or exhibition to be continued after a reasonable interval. Before the contest or exhibition resumes, the referee shall inform the commission of the referee's determination that the foul was accidental.

(xx) If the referee determines that a contest or exhibition shall not continue because of an injury suffered as a result of an accidental foul, the contest or exhibition shall be declared a no-contest decision if the foul occurs during either of the following:

(1) The first three rounds of a contest or exhibition that is scheduled for six rounds or less; or

(2) the first four rounds of a contest or exhibition that is scheduled for more than six rounds.

(yy) The outcome of a contest or exhibition shall be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition if an accidental foul renders a contestant unable to continue the contest or exhibition after either of the following:

(1) The completed third round of a contest or exhibition that is scheduled for six rounds or less; or

(2) the completed fourth round of a contest or exhibition that is scheduled for more than six rounds.

(zz) If an injury inflicted by an accidental foul later becomes aggravated by fair blows and the referee orders the contest or exhibition stopped because of the injury, the outcome shall be determined by scoring the completed rounds and the round during which the referee stops the contest or exhibition.

(aaa) A contestant shall not leave the ring or, if the contest or exhibition is being held in a fenced area, the fenced area, during any period of rest that follows each round. If any contestant fails or refuses to resume competing when the bell sounds signaling the commencement of the next round, the referee shall award a decision of technical knockout to the contestant's opponent at the round that has last been finished. However, a determination of whether the circumstances warrant reversal of the referee's decision, disciplinary action, or civil penalty may be made later by the commission.

(bbb) If a contestant has been knocked or has fallen through the ropes and over the edge of the ring platform during a contest or exhibition, both of the following shall apply:

(1) The contestant may be helped back by anyone except the contestant's seconds or manager. The referee shall stop the clock, assess the contestant's condition, and resume time once the contestant is able to safely reenter the ring.

(2) The contestant shall be given 20 seconds to return to the ring.

(ccc) For a contestant who has been knocked or has fallen on the ring platform outside the ropes but not over the edge of the ring platform, both of the following shall apply:

(1) The contestant shall not be helped back by anyone, including the contestant's second and manager. The referee may stop the clock and assess the situation until the contestant is able to return to the ring.

(2) The contestant shall be given 10 seconds to regain the contestant's feet and get back into the ring.

(ddd) If the second or manager of a contestant who has been knocked down or has fallen helps the contestant back into the ring, this help may be cause for disqualification.

(eee) If one contestant has fallen through the ropes, the other contestant shall retire to the farthest corner and stay there until ordered by the referee to continue the contest or exhibition.

(fff) Any contestant who deliberately wrestles or throws an opponent from the ring or who hits an opponent when the opponent is partly out of the ring and is prevented by the ropes from assuming a position of defense may be penalized.

(ggg) At the termination of each contest or exhibition, the announcer shall announce the winner and the referee shall raise the hand of the winner.

(hhh) A decision rendered at the end of any contest or exhibition shall not be changed by the commission, unless one of the following occurs:

(1) The commission determines that there was collusion affecting the result of the contest or exhibition.

(2) The compilation of the scorecards of the judges discloses an error showing that the decision was given to the wrong contestant.

(3) The referee has rendered an incorrect decision as the result of an error in interpreting a provision of this regulation.

(iii) Each judge of a BKF contest shall score the contest and determine the winner through the use of the ten-point must system as follows:

(1) The better contestant of each round shall receive 10 points and the opponent proportionately less.

(2) If the round is even, each contestant shall receive 10 points.

(3) No fraction of a point may be given.

(4) Points for each round shall be awarded immediately after the end of the round.

(jjj)(1) After the end of the BKF contest or exhibition, the announcer shall pick up the scores of the judges from the commission's desk. The majority opinion shall be conclusive. If there is no majority opinion, the decision shall be a draw.

(2) When the inspector has checked the scores, the inspector shall inform the announcer of the decision, and the announcer shall inform the audience of the decision over the speaker system.

(3) Incomplete rounds shall be scored by the judges. If the referee penalizes either contestant in an incomplete round, the appropriate points shall be deducted. (Authorized by K.S.A. 74-50,187, 74-50,193, and 74-50,197; implementing K.S.A. 74-50,186, 74-50,187, and 74-50,197; effective Oct. 25, 2019.)

Adam Roorbach  
Executive Director

Doc. No. 047527

## State of Kansas

**Department of Revenue  
Division of Alcoholic Beverage Control**

**Article 6.—CONTAINERS AND LABELS**

**14-6-4.** (Authorized by K.S.A. 41-211; implementing K.S.A. 41-211 and K.S.A. 41-706; effective Jan. 1, 1966;

amended May 1, 1985; amended Oct. 1, 1988; amended Aug. 6, 1990; amended Sept. 17, 2010; revoked, T-14-6-26-19, June 26, 2019; revoked Oct. 25, 2019.)

Mark Burghart  
Secretary

Doc. No. 047554

**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 2019 Supplement of the *Kansas Administrative Regulations*. Regulations can also be found at [http://www.sos.ks.gov/pubs/pubs\\_kar.aspx](http://www.sos.ks.gov/pubs/pubs_kar.aspx).

**AGENCY 4: DEPARTMENT OF  
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4-34-4	New	V. 38, p. 59
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4-34-7	New	V. 38, p. 62
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4-34-9	New	V. 38, p. 63
4-34-10	New	V. 38, p. 64
4-34-11	New	V. 38, p. 64
4-34-12	New	V. 38, p. 64
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4-34-19	New	V. 38, p. 68
4-34-20	New	V. 38, p. 68
4-34-21	New	V. 38, p. 70

**AGENCY 7: SECRETARY OF STATE**

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7-47-1	New (T)	V. 38, p. 855
7-47-1	New	V. 38, p. 1113

**AGENCY 9: DEPARTMENT OF  
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9-18-6	Amended	V. 38, p. 55
9-18-9	Amended	V. 38, p. 56
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**AGENCY 10: KANSAS BUREAU  
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10-22-1	Amended	V. 38, p. 1089
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10-23-2	New	V. 38, p. 773
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Reg. No.	Action	Register
14-6-4	Revoked (T)	V. 38, p. 856

**AGENCY 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-18-1	New	V. 38, p. 856
16-18-2	New	V. 38, p. 856
16-18-3	New	V. 38, p. 857

**AGENCY 28: DEPARTMENT OF HEALTH  
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28-1-20	Amended	V. 38, p. 924
28-35-146a	Amended	V. 38, p. 130
28-35-147a	Amended	V. 38, p. 130
28-55-1	Revoked	V. 38, p. 1024
28-55-2	Revoked	V. 38, p. 1024
28-55-3	Revoked	V. 38, p. 1025
28-55-4	Revoked	V. 38, p. 1025
28-55-5	Revoked	V. 38, p. 1025

**AGENCY 30: KANSAS DEPARTMENT  
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30-4-35	Amended	V. 38, p. 403
30-4-36	Amended	V. 38, p. 403
30-4-40	Amended	V. 38, p. 403
30-4-41	Amended	V. 38, p. 404
30-4-50	Amended	V. 38, p. 404
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30-4-90	Revoked	V. 38, p. 407
30-4-98	Amended	V. 38, p. 407
30-4-100	Amended	V. 38, p. 407
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30-4-109	Amended	V. 38, p. 408
30-4-111	Amended	V. 38, p. 409
30-4-113	Amended	V. 38, p. 409
30-4-120	Revoked	V. 38, p. 410

30-4-130	Amended	V. 38, p. 410
30-4-140	Amended	V. 38, p. 412
30-46-10	Amended	V. 38, p. 128
30-46-13	Amended	V. 38, p. 128
30-46-15	Amended	V. 38, p. 129
30-46-17	Amended	V. 38, p. 129

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47-5-5a	Amended	V. 38, p. 90
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47-16-10	Amended	V. 38, p. 108
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51-9-17	Amended	V. 38, p. 212

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60-4-101	Amended	V. 38, p. 545

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66-7-4	New	V. 38, p. 989
66-9-7	Amended	V. 38, p. 622
66-10-1	Amended	V. 38, p. 622
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68-11-2	Amended	V. 38, p. 541

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82-4-3b	Amended	V. 38, p. 876
82-4-3c	Amended	V. 38, p. 877
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82-4-3f	Amended	V. 38, p. 879
82-4-3g	Amended	V. 38, p. 882
82-4-3h	Amended	V. 38, p. 885
82-4-3i	Amended	V. 38, p. 886
82-4-3j	Amended	V. 38, p. 888
82-4-3k	Amended	V. 38, p. 888
82-4-3l	Amended	V. 38, p. 889
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82-4-3o	Amended	V. 38, p. 892
82-4-20	Amended	V. 38, p. 892
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82-4-44	Revoked	V. 38, p. 894
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82-4-57	Amended	V. 38, p. 896
82-4-58d	Amended	V. 38, p. 896
82-4-63	Amended	V. 38, p. 896
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82-4-66	Revoked	V. 38, p. 897
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82-4-86	Revoked	V. 38, p. 898

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86-1-11	Amended (T)	V. 38, p. 855

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100-28a-14	Amended	V. 38, p. 184
100-76-2	Amended	V. 38, p. 184
100-77-1	New (T)	V. 38, p. 8
100-77-1	New	V. 38, p. 447
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100-77-2	New	V. 38, p. 448
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100-77-3	New	V. 38, p. 448

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102-1-18	Amended	V. 38, p. 212
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102-4-2	Amended	V. 38, p. 186
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105-5-2	Amended	V. 38, p. 367
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105-5-6	Amended	V. 38, p. 367
105-5-7	Amended	V. 38, p. 368
105-5-8	Amended	V. 38, p. 368
105-5-11	Revoked	V. 38, p. 368

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

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109-5-1	Amended	V. 38, p. 153
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109-8-2	Amended	V. 38, p. 154
109-11-6a	Amended	V. 38, p. 154

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*.

Reg. No.	Action	Register
111-2-325	New	V. 37, p. 1192
111-2-326	New	V. 37, p. 1192
111-4-877	Amended	V. 38, p. 925
111-4-878	Amended	V. 38, p. 925
111-4-880	Amended	V. 38, p. 925
111-4-881	Amended	V. 38, p. 926

111-4-3507	Amended	V. 37, p. 127
111-4-3508	New	V. 37, p. 132
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111-5-84	Amended	V. 37, p. 221	111-19-51	New	V. 38, p. 295	111-401-250	New	V. 37, p. 780
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