

# Kansas Register

Vol. 42, No. 35

August 31, 2023

Pages 1043-1062





**In this issue ...**

**Page**

**Legislative Branch**

**Legislative Administrative Services**

Interim Committee Schedule.....1045

**Rates**

**Pooled Money Investment Board**

Notice of Investment Rates.....1045

**Notices**

**Wichita State University**

Notice of Intent to Lease Real Property .....1045

Notice of Intent to Lease Real Property .....1046

**Kansas Department of Revenue**

Notice of Corporate Income Tax Normal Rate Reduction .....1046

**Kansas Department of Health and Environment – Division of Health Care Finance**

Notice of Amendment to the Kansas Medicaid State Plan .....1046

Notice of Amendment to the Kansas Medicaid State Plan .....1046

**Kansas State Board of Regents Universities**

Notice to Bidders for University Purchase.....1047

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

Notice to Bidders for State Purchase.....1047

**Kansas Department of Transportation**

Notice to Contractors for September Letting Information.....1048

**Kansas Department of Health and Environment**

Notice Concerning Water Pollution Control Permits and Applications .....1049

**Disability Rights Center of Kansas, Inc.**

Request for Proposals for Information Technology Services.....1051

**Kansas Department for Aging and Disability Services**

Request for Comments on Intermediate Care Facility for Individuals  
with Intellectual Disabilities Cost Center Limits.....1052

**Executive Branch**

**Secretary of State**

Notice of Business Forfeiture for July 2023 .....1053

**Attorney General**

Notice of Updated Guidelines for State Agencies in Complying with the  
Private Property Protection Act; Reporting Requirement Regarding  
Regulatory Impacts on Property Rights and Property Values .....1053

**Office of the Governor**

Executive Order No. 23-05, Establishing an Advisory Panel for Planning,  
Design, and Construction of a Regional Psychiatric Hospital in South  
Central Kansas.....1055

**Bonds**

**City of Maize, Kansas**

Summary Notice of Bond Sale .....1056

**City of Wichita, Kansas**

Summary Notice of Bond Sale .....1057

**Regulations**

**Kansas State Board of Emergency Medical Services**

Notice of Hearing on Proposed Administrative Regulation .....1059

**Kansas Department of Wildlife and Parks**

Permanent Administrative Regulations.....1059

**Index to administrative regulations.....1060**

The Kansas Register is an official publication of the state of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly and a cumulative index is published annually by the Kansas Secretary of State.

© Kansas Secretary of State 2023. Reproduction of the publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

Current and back issues of the Kansas Register (HTML and PDF Format) can be found at <https://www.sos.ks.gov/publications/kansas-register.html>.

**Register Office:**  
1st Floor, Memorial Hall  
785-368-8095  
[kansasregister@ks.gov](mailto:kansasregister@ks.gov)



**Published by**  
Scott Schwab  
Secretary of State  
1st Floor, Memorial Hall  
120 SW 10th Ave.  
Topeka, KS 66612-1594  
785-296-4564  
<https://www.sos.ks.gov>

Cover Artwork: County Road, Saline County  
Photo by Todd Caywood

State of Kansas

**Legislative Administrative Services**

**Interim Committee Schedule**

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

Date	Room	Time	Committee	Agenda
Aug. 24	112-N	8:00 a.m.	Special Committee on Mental Health	<a href="http://kslegislature.org/li/b2023_24/committees/ctte_spc_2023_special_committee_on_mental_health_1/documents/agenda/weeklyinterim/20230823.pdf">http://kslegislature.org/li/b2023_24/committees/ctte_spc_2023_special_committee_on_mental_health_1/documents/agenda/weeklyinterim/20230823.pdf</a>
Aug. 29	346-S	9:00 a.m.	Special Committee on Restricted Driving	<a href="http://kslegislature.org/li/b2023_24/committees/ctte_spc_2023_restricted_driving_1/documents/agenda/weeklyinterim/20230829.pdf">http://kslegislature.org/li/b2023_24/committees/ctte_spc_2023_restricted_driving_1/documents/agenda/weeklyinterim/20230829.pdf</a>
Aug. 30	548-S	10:00 a.m.	BUILD Kansas Advisory Committee	TBD
Aug. 31	582-N	9:30 a.m.	Joint Special Claims Against the State	<a href="http://kslegislature.org/li/b2023_24/committees/ctte_jt_clms_agnst_1/documents/agenda/weeklyinterim/20230831.pdf">http://kslegislature.org/li/b2023_24/committees/ctte_jt_clms_agnst_1/documents/agenda/weeklyinterim/20230831.pdf</a>

Tom Day  
Director

Legislative Administrative Services

Doc. No. 051442

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 8-28-23 through 9-3-23**

Term	Rate
1-89 days	5.33%
3 months	5.31%
6 months	5.41%
12 months	5.37%
18 months	5.19%
2 years	4.99%

Joel Oliver  
Executive Director  
Chief Investment Officer  
Pooled Money Investment Board

Doc. No. 051437

State of Kansas

**Wichita State University**

**Notice of Intent to Lease Real Property**

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to

lease, subject to all required state approvals, up to 1.22 acres of real property located on the northwest corner of the intersection of Fountain Avenue and 21st Street North, directly adjacent to the Wichita State University campus. This location would be designated for private development committed to supporting broadband infrastructure and Internet exchanges. The university is interested in leasing such ground to any individual, organization, or entity whose presence would advance WSU’s vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. WSU intends to lease such space for a mutually agreeable period of time, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with WSU’s educational mission and identify anticipated benefits to the university, its students, and the surrounding community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, community benefit commitments, 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 and the surrounding community, design concepts, financial stability, and proposed use. Interested tenants will be responsible for all costs associated with the development and ongoing maintenance costs of any improvements. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of the improvement, and benefit to  
*(continued)*

WSU. WSU will consider serious offers and inquiries from any financially qualified individual, group, organization. If interested, please contact Property Manager Crystal Stegeman at [crystal.stegeman@wichita.edu](mailto: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. 051201

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to four acres of real property located on the Wichita State University's campus designated as the "Innovation Campus," for the private development and operation of a partnership building or buildings. 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. The university intends to lease such space for a mutually agreeable period of time up to sixty 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. Interested tenants will be required to construct adjacent and adequate surface parking that will not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of building improvement, and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization. If interested, please contact Senior Vice President for Industry and Defense Programs, Dr. John Tomblin at [john.tomblin@wichita.edu](mailto:john.tomblin@wichita.edu) or Property Manager Crystal Stegeman at [crystal.stegeman@wichita.edu](mailto: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. 051423

State of Kansas

Department of Revenue

Notice of Corporate Income  
Tax Normal Rate Reduction

Pursuant to the provisions of K.S.A. 2022 Supp. 74-50,321(d), notice is hereby provided that the normal corporate income tax rate set forth in K.S.A. 2022 Supp. 79-32,110(c)(1) shall be reduced to 3.5% of Kansas taxable income, effective January 1, 2024.

Mark A. Burghart  
Secretary  
Department of Revenue

Doc. No. 051443

State of Kansas

Department of Health and Environment  
Division of Health Care Finance

Public Notice

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan. The Diabetes Self-Management Training (DSMT) benefit will be added to the Kansas Medicaid State Plan as a preventive outpatient service for persons diagnosed with diabetes.

The proposed effective date for the State Plan Amendment (SPA) is October 1, 2023.

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2024	\$108,478
FFY 2025	\$108,831

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact William C. Stelzner by email at [william.stelzner@ks.gov](mailto:william.stelzner@ks.gov), or by mail at:

William C. Stelzner  
Kansas Department of Health and Environment  
Division of Health Care Finance  
900 SW Jackson, Room 900N  
Topeka, KS 66612

The last day for public comment is October 2, 2023. Draft copies of the proposed SPA may also be found at a Local Health Department (LHD).

Sarah Fertig  
State Medicaid Director  
Division of Health Care Finance  
Department of Health and Environment

Doc. No. 051441

State of Kansas

Department of Health and Environment  
Division of Health Care Finance

Public Notice

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amend-

ing the Kansas Medicaid State Plan. The reimbursement rates for lactation counseling services will be increased.

The proposed effective date for the State Plan Amendment (SPA) is October 1, 2023.

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2024	\$127
FFY 2025	\$127

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact William C. Stelzner by email at [william.stelzner@ks.gov](mailto:william.stelzner@ks.gov), or by mail at:

William C. Stelzner  
 Kansas Department of Health and Environment  
 Division of Health Care Finance  
 900 SW Jackson, Room 900N  
 Topeka, KS 66612

The last day for public comment is October 2, 2023.

Draft copies of the proposed SPA may also be found at a Local Health Department (LHD).

Sarah Fertig  
 State Medicaid Director  
 Division of Health Care Finance  
 Department of Health and Environment

Doc. No. 051449

**State of Kansas**

**Board of Regents Universities**

**Notice to Bidders**

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

**Emporia State University** – Bid postings: <https://www.emporia.edu/about-emporia-state-university/business-office/purchasing>. Additional contact info: phone: 620-341-5137, email: [purchaseorders@emporia.edu](mailto:purchaseorders@emporia.edu). Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Cir., Emporia, KS 66801.

**Fort Hays State University** – Electronic bid postings: <http://www.fhsu.edu/purchasing/bids>. Additional contact info: phone: 785- 628-4251, email: [purchasing@fhsu.edu](mailto:purchasing@fhsu.edu). Mailing address: Fort Hays State University Purchasing Office, 601 Park St., Sheridan Hall 318, Hays, KS 67601.

**Kansas State University** – Bid postings: <https://bidportal.ksu.edu>. Effective August 1, 2023, all bids, quotes, or proposals must be submitted via the Kansas State University Bid Portal at <https://bidportal.ksu.edu>. Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506.

Additional contact information, phone: 785-532- 6214, email: [kspurch@k-state.edu](mailto:kspurch@k-state.edu).

**Pittsburg State University** – Bid postings: <https://www.pittstate.edu/office/purchasing>. Additional contact info: phone: 620-235-4167, email: [swburke@pittstate.edu](mailto:swburke@pittstate.edu). Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762.

**University of Kansas** – Electronic bid postings: <http://www.procurement.ku.edu/>. The University of Kansas exclusively uses the online eBid tool and will no longer accept paper responses unless otherwise specified in a solicitation. Additional contact information, email: [purchasing@ku.edu](mailto:purchasing@ku.edu). Mailing address: University of Kansas, Procurement Department, 1246 W. Campus Road Room 20, Lawrence, KS 66045.

**University of Kansas Medical Center** – Electronic bid postings: <https://www.kumc.edu/finance/supply-chain/bid-opportunities.html>. Additional contact information, phone: 913-588-1117, email: [hunkemoore@kumc.edu](mailto:hunkemoore@kumc.edu). The University of Kansas Medical Center accepts only electronic bids.

**Wichita State University** – Bid postings: [https://www.wichita.edu/services/purchasing/Bid\\_Documents/Bid\\_Documents.php](https://www.wichita.edu/services/purchasing/Bid_Documents/Bid_Documents.php). Additional contact information, phone: 316-978-3080, fax: 316-978-3738, email: [purchasing.office@wichita.edu](mailto:purchasing.office@wichita.edu). Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 38, Wichita, KS 67260-0038.

Chris Robinson  
 Director  
 Purchasing and Contract Services  
 Kansas State University

Doc. No. 051386

**State of Kansas**

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

**Notice to Bidders**

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

All bids are to be submitted via email only to [procurement@ks.gov](mailto:procurement@ks.gov). For more information, please visit [https://supplier.sok.ks.gov/psc/sokfspdsc/SUPPLIER/ERP/c/SCP\\_PUBLIC\\_MENU\\_FL.SCP\\_PUB\\_BID\\_CMP\\_FL.GBL](https://supplier.sok.ks.gov/psc/sokfspdsc/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL).

09/18/2023	EVT0009360	Drug and Alcohol Testing
09/19/2023	EVT0009356	On-the-Job Training Supporting Services Program
09/26/2023	EVT0009365	Certified Court Reporting
09/28/2023	EVT0009358	Disadvantaged Business Enterprise Support Program
10/02/2023	EVT0009362	Study – Intercity Bus Routes
10/02/2023	EVT0009370	Pest Control Services

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

(continued)



[https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP\\_PUBLIC\\_MENU\\_FL.SCP\\_PUB\\_BID\\_CMP\\_FL.GBL](https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL)

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

<https://admin.ks.gov/offices/procurement-contracts/bidding--contracts/additional-bid-opportunities>

09/20/2023	A-014886	KAGD; Tice Hall – Building 1951 DFAC HVAC
09/21/2023	A-014790	KAGD; Salina Regional Training Site Maintenance – Conference Room
09/21/2023	A-014889	KAGD; Holton National Guard Armory – POV Resurfacing
09/21/2023	A-014899	KAGD; Hiawatha Readiness Center – Window Renovations
09/26/2023	A-014727	KAGD; Kansas City Readiness Center – Aon Flood Restoration

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

Todd Herman  
Director  
Office of Procurement and Contracts  
Department of Administration

Doc. No. 051447

## State of Kansas

### Department of Transportation

#### Notice to Contractors

Electronic copies of the letting proposals and plans are available on the Kansas Department of Transportation (KDOT) website at <https://kdotapp.ksdot.org/Proposal/Proposal.aspx>. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the “Bid Holders List,” or to be included on the “Non-Bid Holders List” as a subcontractor/supplier. KDOT’s approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid no later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject your bid. The Secretary reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2015 edition of the Kansas Department of Transportation *Standard Specifications for State Road and Bridge Construction*.

KDOT will only accept electronic internet proposals using the Bid Express website at <https://bidx.com/ks/main> until 1:00 p.m. (Central Time) on letting day. The KDOT bid letting will be conducted remotely by audio broadcast only at 3:00 p.m. (Central Time) on letting day. For the conference call information see <https://www.ksdot.org/bureaus/burconsmain/lettinginfo.asp>. KDOT has tested the process, but in the event of an unforeseen issue, KDOT will provide updates.

Each bidder shall certify that such person, firm, association, or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This certification shall be in the form of a required contract provision provided by the state to each prospective bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid nonresponsive and not eligible for award consideration.

#### Projects for the Sept. 20, 2023, letting.

##### District One – Northeast

**Douglas:** 23 TE-0496-01 – Baldwin City, 11th Street from High to US-56; High Street from 4th Street to 2nd Street; 2nd Street from Fremont to US-56; Quayle Street from 6th Street to the Middle School, pedestrian and bicycle paths, 1.1 miles. (Federal Funds)

**Marshall:** 9-58 KA-7038-01 – K-9, from K-99/K-9 north junction east to K-87/K-9 junction, milling and overlay, 4.5 miles. (Federal Funds)

**Osage:** 70 C-5146-01 – County bridge, located 0.5 mile south and 4.0 miles east of Vassar over 110 Mile Creek, bridge replacement, 0.1 mile. (Federal Funds)

**Shawnee:** 89 C-5033-01 – Shawnee County, Topeka Boulevard at 57th, University and Gary Ormsby, traffic signals. (Federal Funds)

**Wyandotte:** 105 N-0728-01 – Edwardsville, 98th Street from Kansas Avenue to north city limits, grading and surfacing, 1.0 mile. (Federal Funds)

**Statewide:** 36-106 KA-7109-01 – US-36, from the west city limits of Hiawatha east to the Brown/Doniphan County line; US-73, from the south city limits of Hiawatha north to the north city limits of Hiawatha; US-36, from the Brown/Doniphan County line east to the east city limits of Troy and then from the north city limits of Wathena east to the Kansas/Missouri state line, sealing, 33.7 miles. (State Funds)

##### District Two – North Central

**Dickinson:** 70-21 KA-7141-01 – I-70, from 2.3 miles east of K-43/I-70 junction east to the Dickinson/Geary County line, pavement patching, 6.2 miles. (State Funds)

**Geary:** 31 KA-7123-01 – K-57, from 0.2 mile east of US-77/K-57 junction east to the north city limits of Junction City; US-77, from 0.02 mile south of US-77/Lacy Drive junction north to 0.1 mile north of US-77/Lacy Drive junction; US-77, from 0.1 mile south of US-77/Rucker Road junction north to 0.3 mile north of US-77/Rucker Road junction, milling and overlay, 2.7 miles. (State Funds)

**Statewide:** 28-106 KA-7056-01 – K-28, from the Jewell/Cloud County line east to K-9/K-28 junction; K-28, in Jewell County from K-28/K-148 junction east to the Jewell/Cloud county line, sealing, 22.9 miles. (State Funds)

##### District Three – Northwest

**Logan:** 83-55 KA-7002-01 – US-83, bridge #026 over Smoky Hill River located 6.8 miles north of the Scott/Logan County line, bridge repair. (State Funds)

**District Four – Southeast**

**Bourbon:** 6 C-5152-01 – County bridge, located 1.0 mile west and 2.8 miles north of Pawnee Station over Tributary to Pawnee Creek, bridge replacement, 0.1 mile. (Federal Funds)

**Bourbon:** 69-6 KA-7178-01 – US-69, southbound lanes beginning 2.1 miles north of the Bourbon/Crawford County line north 3.8 miles, crack repair, 3.8 miles. (State Funds)

**Miami:** 169-61 KA-6241-02 – US-169, beginning 3.9 miles south of K-68/US-169 (Baptiste Drive) junction to 1.4 miles south of the Miami/Johnson County line (northbound only), guard fence, 10.7 miles. (State Funds)

**Miami:** 69-61 KA-6055-02 – US-69, beginning 1.3 miles south of 359th Street north to 0.6 mile south of K-68, guard fence, 10.8 miles. (State Funds)

**Montgomery:** 75-63 KA-6448-01 – US-75, from Morningside Drive to north city limits, grading and surfacing, 0.5 mile. (Federal Funds)

**Woodson:** 54-104 KA-6726-01 – US-54, bridge #007 over Cherry Creek Overflow located 6.7 miles east of US-75; bridge #008 over Cherry Creek located 6.8 miles east of US-75, bridge repair. (State Funds)

**Statewide:** 106 KA-7173-01 – Various locations in Allen, Bourbon, Coffey, Franklin, Greenwood, Labette, Linn, Miami, Neosho, Wilson and Osage counties, mud jacking. (State Funds)

**District Five – South Central**

**Cowley:** 77-18 KA-6766-01 – US-77, bridge #102 over BNSF Railroad/F Street located 0.4 mile north of US-77B/US-77 south junction, bridge repair. (Federal Funds)

**Kingman:** 42-48 KA-6939-01 – K-42, bridge #046 over Wild Horse Creek located 5.1 miles west of K-14; bridge #067 over Chikaskia River located 7.3 miles west of K-14, bridge repair. (State Funds)

**Statewide:** 55-106 KA-7048-01 – K-55 in Sumner County from K-55/US-81 junction east to the Sumner/Cowley County line; K-55 in Cowley County from the Sumner/Cowley County line east to K-15/K-55 junction, recycle and overlay, 12.0 miles. (State Funds)

**Statewide:** 281-106 KA-7085-01 – US-281, from K-19/US-281 junction north to the Stafford/Barton County line; US-281, from the Stafford/Barton County line north to 2.5 miles south of the south city limits of Great Bend; US-281 from 2.5 miles south of the south city limits of Great Bend north to the south city limits of Great Bend, sealing, 13.7 miles. (State Funds)

**District Six – Southwest**

**Ford:** 56-29 KA-6776-01 – US-56, bridge #064 over the Arkansas River located 2.6 miles northeast of US-56/US-283 south junction, bridge repair. (State Funds)

Calvin Reed  
Secretary  
Department of Transportation

Doc. No. 051424

**State of Kansas**

**Department of Health and Environment**

**Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications**

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

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

Las acciones propuestas con respecto a los documentos preliminares se basan en la revisión del personal, aplicando los estándares, regulaciones y limitaciones de efluentes apropiados del estado de Kansas y de la Agencia de Protección Ambiental de Estados Unidos. La acción final resultará en la emisión de una Autorización Federal del Sistema Nacional de Eliminación de Descargas de Contaminantes y un permiso de Control de Contaminación del Agua de Kansas, sujeto a ciertas condiciones, revocación y reemisión del permiso designado o terminación del permiso designado. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación al 785-296-5156 o en [KDHE.NonDiscrimination@ks.gov](mailto:KDHE.NonDiscrimination@ks.gov).

**Public Notice No. KS-AG-23-250/260**

**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Max and John Menefee 12241 W. 343rd St. Paola, KS 66071	NW/4 of Section 11 T18S, R24E Miami County	Marais des Cygnes River Basin

Kansas Permit No. A-MCMI-S032

The proposed action is to modify and reissue an existing state permit for a facility for 265 head (106 animal units) of swine weighing more than 55 pounds and 130 head (13 animal units) of swine weighing 55 pounds or less for a total of 119 animal units. This permit is being modified to incorporate a new grower barn and gestation pens. There is no change in the permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Hess Cattle Co., Inc. 3501 N. Grant Rd. Scott City, KS 67871	NE/4 of Section 31 T17S, R33W Scott County	Upper Arkansas River Basin

Kansas Permit No. A-UASC-C028  
Federal Permit No. KS0080624

(continued)

The proposed action is to reissue an existing NPDES permit for an existing facility for 2,500 head (2,500 animal units) of cattle weighing more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Hilltop Nursery Julia Nelson 1324 W. Granite Rd. Long Island, KS 67647	W/2 of Section 03 T02S, R20W Phillips County	Upper Republican River Basin
Kansas Permit No. A-URPL-H011 Federal Permit No. KS0101257		

The proposed action is to reissue an existing state permit for an existing facility for 24,000 head (2,400 animal units) of swine weighing 55 pounds or less. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Foods, LLC - Feterita #221, #223, & #225 #221: 1079 Road 4 #223: 1127 Road 4 #225: 1100 Road 4 Hugoton, KS 67951	#221: NE/4 of NE/4 of Section 36 & SE/4 of NE/4 of Section 36 T33S, R39W #223: NE/4 of SE/4 of Section 25 T33S, R39W #225: SE/4 of SW/4 of Section 30 T34S, R38W All in Stevens County	Cimarron River Basin

Kansas Permit No. A-CISV-H003  
Federal Permit No. KS0092215

The proposed action is to reissue an existing NPDES permit for an existing facility for a total maximum capacity of 64,800 head (6,480 animal units) of swine weighing 55 pounds or less OR 32,400 head (12,960 animal units) of swine weighing more than 55 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Condray Farms, Inc. 289 Concord Rd. Clifton, KS 66937	NE/4 of SW/4 of Section 22 T05S, R01E Washington County	Lower Republican River Basin

Kansas Permit No. A-LRWS-H008  
Federal Permit No. KS0095974

The proposed action is to reissue an existing state permit for an existing facility for 8,000 head (3,200 animal units) of swine weighing more than 55 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Prairie View Farms, LLC Tom Frederick PO Box 515 Hugoton, KS 67951	S/2 of Section 27 & S/2 of Section 28 & E/2 of Section 29 T30S, R36W Grant County	Cimarron River Basin

Kansas Permit No. A-CIGT-H001  
Federal Permit No. KS0095427

The proposed action is to reissue an existing NPDES permit for an existing facility for not to exceed 129,600 head (51,840 animal units) of weaned swine weighing up to 70 pounds OR a total maximum capacity not to exceed 64,800 head (25,920 animal units) of finisher swine with an average weight of 150 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Klassen, Inc. Dale Klassen 922 240th Hillsboro, KS 67063	SW/4 of Section 04 T19S, R02E Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-M020

The proposed action is to reissue an existing state permit for an existing facility for 400 head (560 animal units) of mature dairy cattle, 200 head (200 animal units) of replacement heifers, and 100 head (50 animal units) of dairy calves, for a total of 700 head (810 animal units). There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Werner Feeders - East 12113 SE Pleasant Hill Rd. Sharon, KS 67138	NW/4 of Section 26 T32S, R10W Barber County	Lower Arkansas River Basin

Kansas Permit No. A-ARBA-B005

The proposed action is to reissue an existing state permit for an existing facility for 999 head (499.5 animal units) of cattle 700 pounds or less. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Dwight Miller 12205 W. Illinois Partridge, KS 67566	NE/4 of Section 32 T23S, R07W Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M053

The proposed action is to reissue an existing state permit for an existing facility for 40 head (56 animal units) of mature dairy cows and 22 head (22 animal units) of replacement heifers, for a total of 78 animal units of dairy cattle. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Felix Gorges Dairy Felix Gorges 22801 W. 13th Goddard, KS 67052	NW/4 of Section 13 T27S, R03W Sedgwick County	Lower Arkansas River Basin

Kansas Permit No. A-ARSG-M027

The proposed action is to reissue an existing state permit for an existing facility for 50 head (70 animal units) of mature dairy cattle, 10 head (10 animal units) of dairy cattle weighing more than 700 pounds, 50 head (20 animal units) of swine weighing more than 55 pounds and 98 head (9.8 animal units) of swine weighing 55 pounds or less, for a total of 109.8 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Prairie Pork Producers Dale Wenger 4800 N. Golden Prairie Rd. Burrton, KS 67020	NW/4 of Section 32 T22S, R02W Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-S033

The proposed action is to reissue an existing state permit for an existing facility for 1,800 head (720 animal units) of swine more than 55 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.



**Public Notice No. KS-Q-23-157/158**

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
Girard, City of 120 N. Ozark St. Girard, KS 66743	Thunderbolt Creek	Treated Domestic Wastewater

Kansas Permit No. M-NE31-0001  
Federal Permit No. KS0022551

Legal Description: SW¼, SE¼, Section 23, Township 29S, Range 23E of Crawford County, Kansas

Facility Location: Latitude: 37.50148, Longitude: -94.85815

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential and commercial areas. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH and E. coli. This NPDES discharging lagoon wastewater treatment facility has been reviewed for eligibility for the MDV for ammonia and has been determined to be eligible. Eligibility was determined through analysis of the facility's highest attainable criteria (HAC) for ammonia. The ammonia effluent limit was determined on 4/14/2023 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of 14.5 mg/L for this facility. The 99th percentile decreased during the current permit cycle resulting in a lower limit for the proposed permit.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Sunflower Electric Power Corporation 301 W. 13th St. Hays, KS 67601-0980	Arkansas River via Dry Walnut Creek via long pipeline	Processed Wastewater

Kansas Permit No. I-UA16-PO02  
Federal Permit No. KS0080012

Legal Description: SE ¼ Section 9, Township 19S, Range 14 W of Barton County, Kansas

Facility Location: Latitude: 38.41001, Longitude: -98.86978

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a peaking natural gas fired steam electric power generating station which operates about 1-3 weeks in a year. Steam electric generating units #1 and #2 were permanently retired in 1983. Unit #3 has a generator nameplate rating of 82 megawatts. During operation of any unit or the auxiliary boiler, wastewater consisting of cooling tower blowdown, boiler blowdown, and floor drains is discharged to Dry Walnut Creek through Outfall 001A. The average design discharge is about 0.4 million gallons per day when the station is on-line and about 55 gpd when the station is off-line. Domestic waste is directed to a leach field. Source water for this facility is from 8 groundwater wells. The proposed permit contains limits for pH, Total Residual Oxidant, Total Suspended Solids, and Oil and Grease; as well as monitoring for Flow, Electric Power Generation, Gross Alpha, Temperature, Nitrate + Nitrite, Total Phosphorus, Sulfate, and Total Recoverable Selenium.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or

before September 30, 2023, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-23-250/260, KS-Q-23-157/158) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

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

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at [kdhe.feedlots@ks.gov](mailto:kdhe.feedlots@ks.gov). Las preguntas o comentarios por escrito deben dirigirse a Erich Glave, Director, Bureau of Environmental Field Services en KDHE: 1000 SW Jackson St., Suite 430, Topeka, Kansas 66612-1367; por correo electrónico: [kdhe.feedlots@ks.gov](mailto:kdhe.feedlots@ks.gov); por teléfono: 785-296-6432. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Neal Niceswanger, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-6804 or email at [Neal.Niceswanger@ks.gov](mailto:Neal.Niceswanger@ks.gov). These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 051446

(Published in the Kansas Register August 31, 2023.)

**Disability Rights Center of Kansas, Inc.**

**Request for Proposals**

**General Information**

Purpose

Disability Rights Center of Kansas, Inc. (DRC) is requesting proposals for Information Technology (IT) services.

(continued)

## Instructions on Proposal Submission

### Closing Submission Date

Proposals must be received by DRC no later than 5:00 p.m. Friday, September 15, 2023.

### Submitting Proposals

Proposals can be emailed to [mike@drckansas.org](mailto:mike@drckansas.org) with "Proposal for IT Services" in the subject line.

Proposals also can be addressed and mailed as follows:

Mike Burgess  
Disability Rights Center of Kansas, Inc.  
214 SW 6th Ave., Suite 100  
Topeka, KS 66603

It is the responsibility of the offeror to ensure that the proposal is received by DRC by the date and time specified above. DRC reserves the right to extend the proposal deadline.

Questions regarding this request for proposals may be directed to Mike Burgess at 785-273-9661 or [mike@drckansas.org](mailto:mike@drckansas.org).

### Review of Proposals

Upon receipt of the proposals, DRC will review the content and may contact the offeror to meet with DRC staff to present and discuss the options outlined in the written proposal.

### Conditions of Proposal

All costs incurred in the preparation of a proposal responding to this request for proposals will be the responsibility of the offeror and will not be reimbursed by DRC.

### Right to Reject

DRC reserves the right to reject any and all proposals received in response to this request for proposals.

### Small and/or Minority-Owned Businesses

Efforts will be made by DRC to utilize small businesses and minority-owned businesses.

### Existing Technical Environment

DRC staff work in a hybrid environment where staff split their time working in the office and remotely. The following systems are many of the key pieces of our technical environment currently in place:

- Microsoft Office 365; including a SharePoint instance, OneDrive, Microsoft Teams. Users have either Office 365 Business Standard or Office 365 Business Premium licenses.
- In addition to web-based applications, DRC staff use a variety of productivity software including applications such as Word, Excel, Outlook, PowerPoint, and Adobe Acrobat.
- One Physical Server (including domain controller).
- Approximately 25 laptops and desktops.
- Three wireless access points (including guest Wi-Fi).
- Firewall and POE switches.
- DRC also utilizes a VOIP (Voice Over Internet Protocol) phone system, but that is not part of this RFP for IT Services.

### Scope of Service

The IT management and support areas that should be included in your proposal include the following:

- Antivirus for both PCs and Server Infrastructure.

- Email security services to manage spam, viruses, phishing, and other malicious attacks.
- Help Desk for individual users to contact for support on IT issues during business hours of 8:00 a.m. to 5:00 p.m. Monday to Friday.
- Backup service for both PCs and server infrastructure.
- Management of wireless access points and security.
- Management of firewall and switches.
- Management of our VPN (Virtual Private Network).
- Hourly rate for additional services not included in the list above.

Feel free to include other services not listed above in your proposal. Further, you can proposal additional services DRC may want to consider as optional add-on services.

### Payment Options

DRC is willing to consider multiple payment options. This could include monthly, quarterly, or annual payment options. However, DRC has a strong preference to pre-pay for a year. Additionally, bidders are strongly encouraged to offer a discount for pre-payment.

Interested bidders shall submit a brief written informal proposal that outlines general information and options, including pricing and services included. Proposals shall be submitted to DRC by the due date given and according to the directions outlined in the sections above.

Mike Burgess  
Director  
Policy and Outreach  
Disability Rights Center of Kansas

Doc. No. 051450

## State of Kansas

## Department for Aging and Disability Services

### Request for Comment

The following Intermediate Care Facility for Individuals with Intellectual Disabilities (ICF-IID) cost center limits are being set forth for public comment. Comments should be sent to Sheri Jurad, Director of Nursing Facility and Adult Care Home Programs, 503 Kansas Ave., Topeka, KS 66603. The comment period will expire 30 days from the publication of this notice.

K.A.R. 30-10-214 provides for the annual review and adjustment of Class II ICF-IID cost center limits, approved by the secretary of the Kansas Department for Aging and Disability Services (KDADS) or designee, based on current cost information supplied by the enrolled, licensed providers of ICF-IID services, and formula set forth in the Kansas State Medicaid Plan (Attachment 4.19-D, Part II, Subpart O). The formula is as follows: Total allowable costs, including an inflation factor, are compared to the amount to be reimbursed under the current limits.

The formula threshold requires that 60 percent of all ICF-IIDs are reimbursed 90 percent of their allowable costs. If less than 60 percent of the facilities are reimbursed at 90 percent of their allowable costs, then the cost center limits are adjusted until the threshold is met. The inflation factor is based on the IHS Global Insight, National Skilled Nursing Facility Market Basket Without Capital Index (IHS Index).



To determine where to make the adjustments, two major cost centers are analyzed according to the following prescription:

- Administrative costs are based on facility size.
- Habilitation costs are based on facility size and level of care (LOC).

The cost analysis for SFY2024 demonstrates 87.5 percent of the Class II ICF-IIDs are being reimbursed at 90 percent or more of their allowable costs. Per the state plan, the analysis indicates that adjustments are not required.

**Recommendations**

Based on cost report analysis, available funding and to incentivize providers that care for high acuity residents, two additional habilitation levels are being added and cost center limits for Class II ICF-IIDs are as follows:

Levels	Converted DDP Scores
Level I	225-and up
Level II	200-224.99
Level III	175-199.99
Level IV	150-174.99
Level V	125-149.99
Level VI	100-124.99
Level VII	75-99.99

**Facility**

Size	Level I	Level II	Level III	Level IV	Level V	Level VI	Level VII
A. +16 beds	\$224.65	\$197.06	\$172.86	\$164.71	\$156.98	\$149.64	\$142.65
B. 9-16 beds	\$278.91	\$244.66	\$214.61	\$204.40	\$194.68	\$185.46	\$176.67
C. 4-8 beds	\$324.11	\$284.30	\$249.39	\$237.42	\$226.04	\$215.24	\$204.98

Administrative per diem limits are based on the size of the facility, using the same classes as referred to above.

**Administrative Per Diem Limits**

- A. \$26.92
- B. \$44.68
- C. \$50.18

**Fiscal Impact**

Due to changes to inflation factors and per diem limits, the estimated annual cost increase is \$288,350.

Laura Howard  
Secretary

Department for Aging and Disability Services

Doc. No. 051451

**State of Kansas**

**Secretary of State**

**Notice of Forfeiture**

In accordance with Kansas statutes, the following business entities organized under the laws of Kansas and the foreign business entities authorized to do business in Kansas were forfeited during the month of July 2023 for failure to timely file an annual report and pay the annual report fee. The list of forfeited domestic and foreign business entities can be found at <https://www.sos.ks.gov/publications/Register/Volume-42/PDF/Vol-42-No-35-August-31-2023-July-2023-Forfeitures.pdf>.

**Please Note:** The following list represents business entities forfeited in July. Any business entity listed may

have filed for reinstatement and be considered in good standing. To check the status of a business entity, go to the Kansas Business Center’s Business Entity Search Station at <https://www.kansas.gov/bess/flow/main?execution=e2s4> (select Business Entity Database) or contact the Business Services Division at 785-296-4564.

Scott Schwab  
Secretary of State

Doc. No. 051438

**State of Kansas**

**Attorney General**

**Updated Guidelines for State Agencies in Complying with the Private Property Protection Act; Reporting Requirement Regarding Regulatory Impacts on Property Rights and Property Values**

Pursuant to K.S.A. 77-704, the Office of the Attorney General hereby updates the guidelines to assist state agencies in evaluating proposed governmental actions and determining whether such actions may constitute a taking.

State agencies are reminded that, before any formal rule or “governmental action” (defined in K.S.A. 77-703(b)) may be implemented, a takings assessment report following these guidelines must be submitted to both the Governor and the Attorney General. K.S.A. 77-706(d). Insofar as the action is a rule or regulation, the report must also be submitted to the Secretary of State and Director of the Budget. See K.S.A. 77-706(e), 77-416.

“Governmental actions” subject to the reporting requirement of K.S.A. 77-706 include the following, if any potential effect on private property rights or private property values may occur:

1. The proposal of legislation by a state agency;
2. proposed agency rules, regulations, or directives; or
3. proposed agency guidelines and procedures concerning the process of issuing licenses or permits.

“Private property” under the Act means any real property or interest arising from or relating to any real property in the state. K.S.A. 77-704(c). Consequently, the reporting requirements do not apply to actions that only affect personal property, intangible property, or other property rights not involving real property. However, “takings” of such other forms of property are still governed by the U.S. and Kansas Constitutions, and state agencies must remain vigilant that their actions do not take such property without just compensation.

**Please note:** The guidelines issued by the Office of the Attorney General and published in the Kansas Register on December 21, 1995, were read by some to suggest that the agency need only complete the required report if the agency, in its own judgment, concluded that a constitutionally compensable taking of private property would in fact occur as a result of the governmental action. Insofar as earlier guidelines suggested as much, they were incorrect. The Private Property Protection Act plainly requires state agencies to complete a report regardless of the agency’s assessment of whether a constitutionally compensable taking might occur: “Before any governmental action is initiated, the state agency shall prepare a

(continued)

written report available for public inspection that follows the guidelines established by the attorney general . . .” K.S.A. 77-706(a) (emphasis added). From the date of publication of this update, all agencies must produce the required report before initiating any governmental action, as defined above, and must submit the report to the Attorney General and the Governor before implementing the governmental action.

The report required by K.S.A. 77-706 must contain the following:

1. A detailed description of how the governmental action would be implemented and how it would either affect the rights of property owners to use their property or affect the value of private property in Kansas, regardless of what the scale or the amount of the potential effect on private property rights would be.
2. A detailed description of the manner in which the proposed governmental action would substantially advance the purpose of protecting the health, safety, or welfare of the citizens of Kansas against a specifically identified risk.
3. A detailed description of all facts relied upon by the agency to justify the proposed governmental action’s effects, restrictions, or limitations on private property rights, uses, or values.
4. A detailed analysis of whether the proposed governmental action may constitute a compensable taking of private property (including references to pertinent caselaw) by:
  - a. restricting the permissible uses of the private property,
  - b. restricting the permissible activities on the private property,
  - c. requiring a permit or license to conduct any activity on the private property when such a permit or license was not previously required,
  - d. diminishing the ability of the owner to sell the private property, or
  - e. diminishing the value of the private property.
5. A detailed description of any alternatives to the proposed governmental action that may:
  - a. fulfill the legal obligations of the state agency, along with a description of the source of those legal obligations;
  - b. reduce or mitigate the extent of the limitation on the use, or the reduction in value, of the private property; and
  - c. reduce the risk to the state that the proposed governmental action would be deemed a compensable taking if the governmental action were challenged in court.
6. With respect to governmental actions regarding the issuance of permits, a detailed explanation of how any conditions imposed upon the issuance of such permits relate directly to the public health, safety, or welfare purpose for which the permit is issued, how the conditions advance that purpose, and how the conditions are authorized by law.
7. With respect to emergency governmental actions under K.S.A. 77-706(b), a detailed description of the facts relied upon by the agency in declaring the need for emergency action.

Agencies should keep in mind that a taking of private property can occur via regulation, without the government physically entering or taking possession of the private property. A compensable regulatory taking undeniably occurs whenever regulations completely deprive an owner of “all economically beneficial use[]” of his property. *Lucas v. S.C. Coastal Council*, 505 U.S. 1003, 1019 (1992). However, regulatory takings are not limited to such extreme cases. A regulatory taking (requiring compensation of the property owner) can potentially occur wherever the regulation restricts the use of the property or devalues the property. The U.S. Supreme Court has stated that several factors must be considered in assessing whether a compensable regulatory taking has occurred. Those factors are:

1. “the economic impact of the regulation on the claimant,”
2. “the extent to which the regulation has interfered with distinct investment-backed expectations,” and
3. “the character of the governmental action.”

*Penn Cent. Transp. Co. v. New York City*, 438 U.S. 104, 124 (1978). A report submitted to the Office of the Attorney General should analyze each of these factors when addressing requirements (4)(a)–(e) above. Finally, it should be remembered that takings need not be permanent to be compensable—the law applies to temporary takings as well.

The Office of the Attorney General will review any and all reports submitted to the Office pursuant to K.S.A. 77-706 and will notify the agency whether the report complies with the requirements of Kansas law, as described in this guidance. The agency should not proceed with the implementation of the proposed governmental action until the agency is notified that the report complies with the aforementioned requirements of Kansas law.

However, the law requires that the report be prepared and available for public inspection *before any governmental action is initiated*, except in very limited circumstances addressed by K.S.A. 77-706(b). Thus, insofar as the Attorney General’s review or approval is required for any governmental action (including but not limited to review of rules and regulations under K.S.A. 77-420) such approval will require not only a legally sufficient takings report consistent with these guidelines, but also evidence that such report was prepared and made available for public inspection at the beginning of considering the proposed governmental action.

#### Safe Harbor

The Attorney General recognizes that the timing requirements of the Act—i.e., a report prepared at the initiation of a proposed action but not submitted for review until immediately before implementation—have the potential to create inefficiencies. Therefore, in order to encourage the efficient use of government resources and limit wasteful spending of taxpayer dollars, state agencies may (but are not required to) submit their takings assessment reports to the Office of the Attorney General for review, comment, and/or approval prior to public inspection and initiation of the governmental action. Insofar as approval is obtained through this procedure, such approval shall be noted on the Attorney General’s



letterhead or other form approved by the Attorney General and signed by the Attorney General or his designee. This memorandum of approval shall accompany the proposed action throughout its consideration and will constitute preclearance of the report at any future stage requiring Attorney General approval.

### Proposed Legislation

As noted above, governmental action, as defined in K.S.A. 77-703(b), is not limited to regulatory promulgation. Legislation often originates from an executive-branch agency, whether in the form of revisions to existing laws or the creation of new statutes. K.S.A. 77-703(b) specifically identifies “proposed legislation” as “governmental action,” indicating that a takings analysis is required regardless of whether the legislation ultimately is passed into law. In this case, “initiation” and “implementation” occur at the same time: when the proposed legislation is introduced in either legislative house. Therefore, prior to the introduction in either legislative chamber of any agency-proposed legislation that may constitute a taking, a state agency must prepare a K.S.A. 77-706 report, make it available to the public, and submit a copy of that report to the Governor and the Attorney General.

The Office of the Attorney General will review the submitted report and may report to the legislature on its assessment of the report and the proposed legislation.

### Proposed Agency Guidelines and Procedures Concerning the Process of Issuing Licenses or Permits

State agencies may develop policies and procedures concerning issuing licenses that are not embodied in any regulation. Before new or revised licensing-related policies or procedures that may constitute a taking under these Guidelines are introduced to the person or persons authorized to approve such policies and procedures, a state agency must prepare a K.S.A. 77-706 report and make it available to the public. Further, before such governmental action is approved, the state agency must file a copy of the report with the Governor and the Attorney General.

The Attorney General or his designee may advise the state agency regarding compliance with the Private Property Protection Act by letter or by personal appearance before the person or persons who approve such policies and procedures. No state agency should approve policies and procedures that constitute “governmental action” without written or other confirmation from the Office of the Attorney General that the K.S.A. 77-706 reporting requirements have been satisfied.

### Material Changes to the Proposed Action After Preparation of the Takings Report

The Rules and Regulations Filing Act is designed to encourage public input into proposed rules and regulations and, in appropriate circumstances, amendment of proposed rules and regulations to account for public input. However, agencies must remember that, at some point, changes become so significant that the amended proposal cannot reasonably be seen as the same proposal; the rulemaking proceedings must start over. K.S.A. 77-421(c). Similarly, proposed governmental actions that do not go through the formal rulemaking process can change so significantly that they cannot fairly be understood as the same proposal. In either case, preclearance

of a takings assessment report cannot extend to the altered proposal.

Where an agency intends to make material changes to a proposed action, it should consult with the Office of the Attorney General to determine whether a new takings assessment is needed. While the need for a new assessment in any particular case is necessarily fact-dependent, changes that lessen the proposed action’s burden on private property ordinarily will not require a new assessment, while changes that increase the burden on private property will.

Kris W. Kobach  
Attorney General

Doc. No. 051439

## State of Kansas

### Office of the Governor

#### Executive Order No. 23-05

#### Establishing an Advisory Panel for Planning, Design, and Construction of a Regional Psychiatric Hospital in South Central Kansas

**WHEREAS**, the Kansas mental health system has an urgent need for additional in-patient psychiatric beds, and the criminal justice system has a need for more timely forensic evaluations and treatment;

**WHEREAS**, a lack of psychiatric beds is one of the largest barriers that prevents Kansans from accessing mental health resources;

**WHEREAS**, Kansas has a need for increased competency evaluation and competency restoration services pursuant to K.S.A. 22-3301 *et seq.*, to reduce wait times for defendants to obtain such evaluations and treatment;

**WHEREAS**, Kansas currently operates state psychiatric hospitals in Osawatimie and Larned, pursuant to K.S.A. 39-1601, *et seq.*;

**WHEREAS**, the Kansas Department for Aging and Disability Services (KDADS), on behalf of the State of Kansas, has entered into an agreement with Sedgwick County to provide funding for planning, design, and other services for the construction of a regional psychiatric hospital in south central Kansas; and

**WHEREAS**, there should be an open and public process documenting discussion of stakeholders and decision-makers when gathering community input and making recommendations regarding a hospital.

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby establish the South Central Regional Psychiatric Hospital Advisory Panel (“Advisory Panel”) and order the following:

1. The Advisory Panel shall consist of no more than 14 members selected by the Governor.
2. All members of the Advisory Panel shall serve at the pleasure of the Governor.
3. The Chair of the Advisory Panel shall be selected by the KDADS Secretary from the Panel’s membership. The Vice Chair of the Advisory Panel shall be selected by the Chair of the Sedgwick County Com-

(continued)

mission from the Panel’s membership. The Chair of the Advisory Panel may establish rules for the meetings and conduct of business of the Advisory Panel. Upon the absence or vacancy of the Chair, the Vice-Chair shall serve as Chair in an acting capacity.

4. Monthly meetings shall occur in Sedgwick County, and the Advisory Panel shall engage stakeholders to elicit feedback on the needs and location of a regional psychiatric hospital.
5. Members shall receive no compensation or reimbursement for expenses and shall serve voluntarily. Officers or employees of state agencies who are appointed to the Advisory Panel as part of their duties shall be authorized to participate on the Advisory Panel and may claim subsistence, allowance, mileage, or associated expenses from their respective agency budgets as permitted by law.
6. Plans, reports, or recommendations adopted by the Advisory Panel shall be considered advice to the Governor, KDADS, and the County and shall not be construed as official policies, positions, or interpretations of laws, rules, or regulations by any department or agency of the state and County government, nor shall any department or agency be bound in any manner to consider such advice when conducting their advisory and regulatory business.
7. An interim report shall be made to the Sedgwick County Commission and the Governor of the State of Kansas by January 15, 2024, with a final report due by June 30, 2024.
8. The Advisory Panel shall be tasked with, the following tasks in order:
  - a. Gathering public input on the needs and location for a regional psychiatric hospital, including how a state hospital would fit into existing services or planned services in Sedgwick County and south central Kansas, and researching existing resources, gaps to services, barriers to care, including affordability and accessibility, and opportunities to improve access to and delivery of mental health services in south central Kansas. The Advisory Panel shall consider the public input received and research conducted in making its recommendations under this Executive Order.
  - b. Making recommendations on workforce development needed to staff a regional psychiatric hospital and other service providers in south central Kansas in response to adding acute psychiatric hospital beds in the region, including but not limited to recommendations for training programs, talent pipelines, and recruitment and retention strategies.
  - c. Making recommendations about the operating model for a regional psychiatric hospital to the Governor regarding integration with existing mental health services in Sedgwick County, the other state hospitals, and acute health care services.
  - d. Recommending statutory changes needed to operate a new state hospital including changes to catchment areas, scope of practice, and cooperation with other service providers in time for the 2024 legislative session through the interim

report due January 15, 2024, and the 2025 legislative session, through the final report due June 30, 2024.

9. At the direction of the Chair and Vice-Chair, the Advisory Panel may form subpanels composed of members of the Advisory Panel to assist the Advisory Panel in carrying out its tasks under this Executive Order.
10. The Advisory Panel, and any subpanel of the Advisory Panel, shall be subject to the Kansas Open Records Act and the Kansas Open Meetings Act.

This document shall be filed with the Secretary of State as Executive Order No. 23-05. It shall become effective immediately and remain in force until March 31, 2025.

Dated August 25, 2023.

Laura Kelly  
Governor

Doc. No. 051452

(Published in the Kansas Register August 31, 2023.)

### City of Maize, Kansas

#### Summary Notice of Bond Sale \$2,830,000

#### General Obligation Bonds, Series 2023A

#### (General Obligation Bonds Payable from Unlimited Ad Valorem Taxes)

#### Bids

Subject to the Notice of Bond Sale dated July 17, 2023 (the “Notice”), facsimile, email, and electronic bids will be received on behalf of the Clerk of the City of Maize, Kansas (the “Issuer”) at the address set forth below, and in the case of electronic bids, through PARITY® until 11:00 a.m (Central Time) September 11, 2023, for the purchase of the above-referenced bonds (the “Bonds”). No bid of less than 98.50% of the principal amount of the Bonds and accrued interest thereon to the date of delivery will be considered.

#### Bond Details

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated September 28, 2023, and will become due on October 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2025	\$105,000	2035	\$140,000
2026	105,000	2036	145,000
2027	110,000	2037	150,000
2028	115,000	2038	155,000
2029	115,000	2039	160,000
2030	120,000	2040	165,000
2031	125,000	2041	170,000
2032	130,000	2042	180,000
2033	130,000	2043	185,000
2034	135,000	2044	190,000

\* Subject to change, see the Notice



The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 2024.

**Book-Entry-Only System**

The Bonds shall be registered under a book-entry-only system administered through DTC.

**Paying Agent and Bond Registrar**

Treasurer of the State of Kansas, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of 2% of the principal amount of the Bonds.

**Delivery**

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or about September 28, 2023, to DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations for the year 2023 is \$95,651,280. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold and excluding the temporary notes being retired by the Bonds, is \$53,735,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the Bonds may be obtained from the Financial Advisor at the address set forth below:

**Issuer Address**

City of Maize, Kansas  
 Attn: Sue Villarreal, Clerk  
 City Hall  
 10100 Grady Ave.  
 Maize, KS 67101  
 316-722-7561  
 Fax: 316-722-0346  
[svillarreal@maizeks.org](mailto:svillarreal@maizeks.org)

**Financial Advisor – Facsimile and Email Bid Delivery Address**

Ranson Financial Group, LLC  
 Attn: Larry Kleeman  
 200 W. Douglas, Suite 600  
 Wichita, KS 67202  
 316-264-3400

Fax: 316-265-5403  
[larry@citycode.com](mailto:larry@citycode.com)  
 Bid email: [bids@ransonfinancial.com](mailto:bids@ransonfinancial.com)

Dated July 17, 2023.

Sue Villarreal  
 Clerk  
 City of Maize, Kansas

Doc. No. 051445

(Published in the Kansas Register August 31, 2023.)

**City of Wichita, Kansas**

**Summary Notice of Bond Sale**  
**\$16,945,000**

**General Obligation Bonds, Series 831**

**\$23,065,000**

**General Obligation Bonds, Series 832**

**\$2,135,000**

**Taxable General Obligation Bonds, Series 833**

**\$4,220,000**

**General Obligation Tax Increment Financing Bonds, Series 965**

**(General Obligation Bonds Payable from Unlimited Ad Valorem Taxes)**

**Bids**

Subject to the Official Notice of Bond Sale, dated August 15, 2023, separate electronic bids for the purchase of each series of the above-referenced bonds (collectively, the "Bonds") of the City of Wichita, Kansas (the "City") herein described will be received by the Director of Finance of the City via PARITY® at the times set forth below (the "Submittal Hour") Thursday, September 14, 2023. No bid of less than 100% of the principal amount of each series of the Bonds and accrued interest thereon to the date of delivery will be considered.

Description	Submittal Hour (Central Time)
Series 831 Bonds	10:00 a.m.
Series 832 Bonds	10:00 a.m.
Series 833 Bonds	11:00 a.m.
Series 965 Bonds	11:00 a.m.

**Bond Details**

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated October 1, 2023 (the "Dated Date"), and will become due in the years as follows:

**Series 831 Bonds**

The Series 831 Bonds shall become due in principal installments as follows:

Payment Date (Dec. 1)	Principal Amount*	Payment Date (Dec. 1)	Principal Amount*
2024	\$1,315,000	2029	\$1,745,000
2025	1,465,000	2030	1,805,000
2026	1,530,000	2031	1,870,000

(continued)

Payment Date (Dec. 1)	Principal Amount*	Payment Date (Dec. 1)	Principal Amount*
2027	1,595,000	2032	1,940,000
2028	1,670,000	2033	2,010,000

\* Subject to change

**Series 832 Bonds**

The Series 832 Bonds will become due in principal installments as follows:

Payment Date (June 1)	Principal Amount*	Payment Date (June 1)	Principal Amount*
2024	\$1,160,000	2034	\$1,215,000
2025	855,000	2035	1,265,000
2026	890,000	2036	1,315,000
2027	930,000	2037	1,370,000
2028	970,000	2038	1,430,000
2029	1,020,000	2039	1,130,000
2030	1,055,000	2040	1,180,000
2031	1,090,000	2041	1,235,000
2032	1,130,000	2042	1,295,000
2033	1,175,000	2043	1,355,000

\* Subject to change

**Series 833 Bonds**

The Series 833 Bonds will become due in principal installments as follows:

Payment Date (June 1)	Principal Amount*	Payment Date (June 1)	Principal Amount*
2024	\$65,000	2032	\$150,000
2025	105,000	2033	155,000
2026	110,000	2034	165,000
2027	115,000	2035	170,000
2028	125,000	2036	180,000
2029	130,000	2037	190,000
2030	135,000	2038	200,000
2031	140,000		

\* Subject to change

**Series 965 Bonds**

The Series 965 Bonds will become due in principal installments as follows:

Payment Date (Dec. 1)	Principal Amount*	Payment Date (Dec. 1)	Principal Amount*
2024	\$190,000	2032	\$290,000
2025	220,000	2033	300,000
2026	230,000	2034	315,000
2027	240,000	2035	325,000
2028	250,000	2036	335,000
2029	260,000	2037	350,000
2030	270,000	2038	365,000
2031	280,000		

\* Subject to change

The Bonds will bear interest from the Dated Date at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1, beginning on June 1, 2024 (the "Interest Payment Dates").

**Book-Entry-Only System**

The Bonds shall be registered under a book-entry-only system administered through DTC.

**Paying Agent and Bond Registrar**

Treasurer of the State of Kansas, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a wire transfer in Federal Reserve funds immediately available for use by the City in an amount equal to 2% of the principal amount of the applicable series of the Bonds.

**Delivery**

The City will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or about October 13, 2023 to DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations for the year 2023 is \$4,707,007,290. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$664,235,000, which includes the Bonds being sold, the City's temporary notes which will be issued on the Closing Date, less the City's previously issued temporary notes to be retired out of proceeds of the Bonds and other funds on the Closing Date.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the Bonds, the delivery of the Deposit and notification regarding the same may be obtained from the Department of Finance, 12th Floor, City Hall, 455 N. Main, Wichita, KS 67202-1679, or by contacting:

Mr. Mark L. Manning  
 Director of Finance  
 316-268-4300  
 Fax: 316-219-6262  
[mmanning@wichita.gov](mailto:mmanning@wichita.gov)

Ms. Cheryl Busada  
 Debt Coordinator  
 316-268-4143  
 Fax : 316-219-6216  
[cbusada@wichita.gov](mailto:cbusada@wichita.gov)

Dated August 15, 2023.

Mark L. Manning  
 Director of Finance  
 City of Wichita, Kansas

Doc. No. 051448

## State of Kansas

## Board of Emergency Medical Services

Notice of Hearing on Proposed  
Administrative Regulation

A public hearing will be conducted at 10:00 a.m. Tuesday, November 14, 2023, in Room 560 of the Landon State Office Building, 900 SW Jackson, Topeka, Kansas, to consider the adoption of a proposed administrative regulation of the Board of Emergency Medical Services on a permanent basis. The hearing will also be held via GoToMeeting conferencing. Remote access information will be provided upon request to any person wishing to observe, participate in, or listen to the hearing. Request for access must be submitted by 4:30 p.m. Thursday, November 9, 2023, via email to [joseph.house@ks.gov](mailto:joseph.house@ks.gov).

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendments to the regulation. All interested parties may submit written comments prior to the hearing to the Board of Emergency Medical Services, Landon State Office Building, 900 SW Jackson, Room 1031, Topeka, KS 66612 or by email to [joseph.house@ks.gov](mailto:joseph.house@ks.gov). All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed amendments to the regulation during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentations to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Suzette Smith at 785-296-7296 (or TTY 1-800-766-3777). Handicapped parking is located in front of and to the north of the Landon State Office Building.

K.A.R. 109-2-2 is being amended to better align with statutory requirements for information to be received on applications for an ambulance service permit and ambulance license as well as to reduce the administrative burden during renewal of an ambulance license or an ambulance service permit.

There is no anticipated economic impact to any governmental agency or unit or to the general public in the adoption of this amended regulation.

Copies of the complete regulation and the complete economic impact statement may be obtained from the Board of Emergency Medical Services at the contact information above or can be accessed at <http://www.ksbems.org>.

Joseph House  
Executive Director  
Board of Emergency Medical Services

Doc. No. 051440

## State of Kansas

## Department of Wildlife and Parks

## Permanent Administrative Regulations

## Article 7.—FISH AND FROGS

**115-7-10. Fishing; special provisions.** (a) A person who takes any fish from a body of water shall not tag, mark, brand, clip any fin of, mutilate, or otherwise disfigure any fish in a manner that would prevent species identification, examination of fins, recovery of tags, or determination of sex, age, or length of the fish before releasing the fish back into the body of water, unless a permit authorizing this activity has been issued to that person by the department.

(b) No person may possess any live fish upon departure from any designated aquatic nuisance body of water, except during a department-permitted fishing tournament. During a department-permitted fishing tournament, any individual may possess live fish upon departure from designated aquatic nuisance waters along the most direct route to the weigh-in site if the individual possesses a department authorization certificate as a participant in the tournament. Designated aquatic nuisance species waters shall be those specified in the department's "Kansas aquatic nuisance species designated waters," dated November 17, 2022, which is hereby adopted by reference.

(c) No person may fish or collect bait within, from, or over a fish passage, fish ladder, fish steps, or fishway. "Fish passage, fish ladder, fish steps, or fishway" shall mean a structure that facilitates the natural migration of fish upstream on, through, or around an artificial barrier or dam. (Authorized by and implementing K.S.A. 32-807; effective Nov. 20, 2009; amended Jan. 1, 2012; amended Jan. 1, 2013; amended Nov. 15, 2013; amended Nov. 14, 2014; amended Nov. 30, 2015; amended Nov. 28, 2016; amended Dec. 22, 2017; amended Jan. 11, 2019; amended Dec. 20, 2019; amended Dec. 25, 2020; amended Sept. 15, 2023.)

## Article 18.—SPECIAL PERMITS

**115-18-10. Importation and possession of certain wildlife; prohibition, permit requirement, and restrictions.** (a) The importation, possession, or release in Kansas of the following live wildlife species shall be prohibited, except as authorized by terms of a wildlife importation permit issued by the secretary:

- (1) Walking catfish (*Clarias batrachus*);
- (2) silver carp (*Hypophthalmichthys molitrix*);
- (3) bighead carp (*Hypophthalmichthys nobilis*);
- (4) black carp (*Mylopharyngodon piceus*);
- (5) snakehead fish (all members of the family Channidae);
- (6) round goby (*Neogobius melanostomus*);
- (7) white perch (*Morone americana*);
- (8) zebra mussel (*Dreissena polymorpha*);
- (9) quagga mussel (*Dreissena bugensis*);
- (10) New Zealand mudsnail (*Potamopyrgus antipodarum*);
- (11) diploid grass carp (*Ctenopharyngodon idella*);
- (12) marbled crayfish (*Procambarus virginalis*);
- (13) monk parakeet (*Myiopsitta monachus*);

(continued)



- (14) Asian raccoon dog (*Nyctereutes procyonoides*);
- (15) crucian carp (*Carassius carassius*);
- (16) largescale silver carp (*Hypophthalmichthys harmandi*);
- (17) Prussian carp (*Carassius gibelio*);
- (18) wels catfish (*Silurus glanis*);
- (19) Eurasian minnow (*Phoxinus phoxinus*);
- (20) stone moroko (*Pseudorasbora parva*);
- (21) European perch (*Perca fluviatilis*);
- (22) Nile perch (*Lates niloticus*);
- (23) roach (*Rutilus rutilus*);
- (24) amur sleeper (*Perccottus glenii*);
- (25) zander (*Sander lucioperca*);
- (26) common yabby (*Cherax destructor*); and
- (27) rusty crayfish (*Orconectes rusticus*).

(b) Any live member of a wildlife species listed in subsection (a) and possessed before the following dates may be retained in possession, in closed confinement, by making application to the secretary that provides information detailing the circumstances, including the location, by which the animal came into the applicant's possession:

- (1) February 1, 1978 for fish and bird species other than black carp, snakehead fish, round goby, white perch, zebra mussel, quagga mussel, New Zealand mudsnail, and diploid grass carp;
- (2) February 1, 1986 for mammal species;
- (3) October 1, 2000 for black carp;
- (4) May 1, 2003 for snakehead fish;
- (5) August 1, 2004 for round goby, quagga mussel, and zebra mussel;
- (6) May 15, 2005 for New Zealand mudsnail;
- (7) February 15, 2007 for white perch;
- (8) January 1, 2008 for diploid grass carp;
- (9) January 30, 2019 for marbled crayfish; and
- (10) January 1, 2021 for crucian carp, largescale silver carp, Prussian carp, wels catfish, Eurasian minnow, stone moroko, European perch, Nile perch, roach, amur sleeper, zander, and common yabby.

The manner in which the animal is to be used shall be identified in the application.

(c) Any wildlife importation permit for the importation or possession of live members of the wildlife species listed in subsection (a) may be issued by the secretary for

experimental, scientific, display, or other purposes subject to any conditions and restrictions contained or referenced in the wildlife importation permit.

(d) Each individual wanting to import or possess live members of the wildlife species listed in subsection (a) shall apply to the secretary for a wildlife importation permit. The application shall be submitted on forms provided by the department and shall contain the following information:

- (1) The name, address, and telephone number of applicant;
- (2) the wildlife species to be imported or possessed and the number of wildlife involved;
- (3) the purpose or purposes for importation or possession;
- (4) a description of the facilities for holding and using the wildlife species;
- (5) a description of plans to prevent the release of the wildlife species; and
- (6) other relevant information as requested by the secretary.

(e) Each wildlife importation permit, once issued, shall be valid during the time period specified on the permit.

(f) In addition to other penalties prescribed by law, any wildlife importation permit may be refused issuance or revoked by the secretary if any of the following conditions is met:

- (1) The application is incomplete or contains false information.
- (2) Issuance of a permit would not be in the best interest of the public or of the natural resources of Kansas.
- (3) The permittee fails to meet permit requirements or violates permit conditions. (Authorized by K.S.A. 32-807 and K.S.A. 32-956; implementing K.S.A. 32-956; effective Dec. 27, 1993; amended Sept. 22, 2000; amended April 18, 2003; amended July 23, 2004; amended May 20, 2005; amended Feb. 9, 2007; amended Nov. 16, 2007; amended Dec. 21, 2018; amended Dec. 25, 2020; amended Sept. 15, 2023.)

Brad Loveless  
Secretary  
Department of Wildlife and Parks

Doc. No. 051444

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended, and revoked administrative regulations with a future effective date and the *Kansas Register* issue in which the regulation can be found. A complete listing and the complete text of all currently effective regulations required to be published in the *Kansas Administrative Regulations* can be found at [https://www.sos.ks.gov/pubs/pubs\\_kar.aspx](https://www.sos.ks.gov/pubs/pubs_kar.aspx).

**AGENCY 40: INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-53	New	V. 42, Issue 24

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-20-32	New (T)	V. 42, Issue 30

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-11-1	Amended	V. 42, Issue 34

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-1-13	Amended (T)	V. 42, Issue 30
102-2-3	Amended (T)	V. 42, Issue 30
102-3-2	Amended (T)	V. 42, Issue 30
102-4-2	Amended (T)	V. 42, Issue 30
102-5-2	Amended (T)	V. 42, Issue 30
102-7-2	Amended (T)	V. 42, Issue 30

**AGENCY 111: KANSAS LOTTERY**

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

through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*. A list of regulations filed from 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 *Kansas Register*.

Reg. No.	Action	Register
111-2-329	New	V. 41, Issue 40
111-4-3547	Amended	V. 42, Issue 33
111-4-3681	Amended	V. 41, Issue 6
111-4-3695	New	V. 41, Issue 6
111-4-3696	New	V. 41, Issue 6
111-4-3697	New	V. 41, Issue 6
111-4-3698	New	V. 41, Issue 6
111-4-3699	New	V. 41, Issue 6
111-4-3700	New	V. 41, Issue 6
111-4-3701	New	V. 41, Issue 6
111-4-3702	New	V. 41, Issue 6
111-4-3703	New	V. 41, Issue 9
111-4-3704	New	V. 41, Issue 9
111-4-3705	New	V. 41, Issue 9
111-4-3706	New	V. 41, Issue 9
111-4-3707	New	V. 41, Issue 9
111-4-3708	Amended	V. 41, Issue 19
111-4-3709	Amended	V. 41, Issue 19
111-4-3710	New	V. 41, Issue 19
111-4-3711	New	V. 41, Issue 19
111-4-3712	New	V. 41, Issue 19
111-4-3713	Amended	V. 41, Issue 29
111-4-3714	New	V. 41, Issue 19
111-4-3715	New	V. 41, Issue 24
111-4-3716	New	V. 41, Issue 24
111-4-3717	New	V. 41, Issue 24
111-4-3718	New	V. 41, Issue 29
111-4-3719	New	V. 41, Issue 29
111-4-3720	New	V. 41, Issue 29
111-4-3721	New	V. 41, Issue 29
111-4-3722	New	V. 41, Issue 29
111-4-3723	New	V. 41, Issue 33
111-4-3724	New	V. 41, Issue 33
111-4-3725	New	V. 41, Issue 33
111-4-3726	New	V. 41, Issue 33
111-4-3727	New	V. 41, Issue 40
111-4-3728	New	V. 41, Issue 44
111-4-3729	New	V. 41, Issue 44
111-4-3730	New	V. 41, Issue 51
111-4-3731	New	V. 41, Issue 51
111-4-3732	New	V. 41, Issue 51

111-4-3733	New	V. 41, Issue 51
111-4-3734	New	V. 41, Issue 51
111-4-3735	New	V. 41, Issue 51
111-4-3736	New	V. 41, Issue 51
111-4-3737	New	V. 41, Issue 51
111-4-3738	New	V. 41, Issue 51
111-4-3739	New	V. 41, Issue 51
111-4-3740	New	V. 42, Issue 7
111-4-3741	New	V. 42, Issue 15
111-4-3742	New	V. 42, Issue 15
111-4-3743	New	V. 42, Issue 18
111-4-3744	New	V. 42, Issue 22
111-4-3745	New	V. 42, Issue 22
111-4-3746	New	V. 42, Issue 22
111-4-3747	New	V. 42, Issue 22
111-4-3748	New	V. 42, Issue 22
111-4-3749	New	V. 42, Issue 28
111-4-3750	New	V. 42, Issue 28
111-4-3751	New	V. 42, Issue 33
111-4-3752	New	V. 42, Issue 33
111-4-3753	New	V. 42, Issue 33
111-4-3754	New	V. 42, Issue 33
111-4-3755	New	V. 42, Issue 33
111-4-3756	New	V. 42, Issue 33
111-4-3757	New	V. 42, Issue 33
111-4-3758	New	V. 42, Issue 33
111-4-3759	New	V. 42, Issue 33
111-4-3760	New	V. 42, Issue 33
111-5-230	Amended	V. 42, Issue 18
111-5-248	New	V. 41, Issue 12
111-5-249	New	V. 42, Issue 15
111-9-229	New	V. 41, Issue 12
111-9-230	New	V. 41, Issue 12
111-9-231	New	V. 41, Issue 51
111-9-232	New	V. 41, Issue 51
111-15-1	Amended	V. 42, Issue 28
111-15-3	Amended	V. 42, Issue 33
111-18-2	Amended	V. 42, Issue 33
111-18-3	Amended	V. 42, Issue 33
111-18-5	Amended	V. 42, Issue 33
111-18-8	New	V. 41, Issue 29
111-19-2a	Amended	V. 41, Issue 12
111-19-121	New	V. 41, Issue 9
111-19-122	New	V. 41, Issue 9
111-19-123	New	V. 41, Issue 12
111-19-124	New	V. 41, Issue 24
111-19-125	New	V. 41, Issue 24
111-19-126	New	V. 41, Issue 29
111-19-127	New	V. 41, Issue 29
111-19-128	New	V. 41, Issue 29
111-19-129	New	V. 41, Issue 29
111-19-130	New	V. 41, Issue 29
111-19-131	New	V. 41, Issue 33
111-19-132	New	V. 41, Issue 33
111-19-133	New	V. 41, Issue 40
111-19-134	New	V. 41, Issue 44

111-19-135	New	V. 41, Issue 44
111-19-136	New	V. 41, Issue 44
111-19-137	Amended	V. 41, Issue 51
111-19-138	New	V. 41, Issue 51
111-19-139	New	V. 41, Issue 51
111-19-140	New	V. 41, Issue 51
111-19-141	New	V. 41, Issue 51
111-19-142	New	V. 42, Issue 21
111-19-143	New	V. 42, Issue 11
111-19-144	New	V. 42, Issue 11
111-19-145	New	V. 42, Issue 15
111-19-146	New	V. 42, Issue 15
111-19-147	New	V. 42, Issue 15
111-19-148	New	V. 42, Issue 15
111-19-149	New	V. 42, Issue 18
111-19-150	New	V. 42, Issue 18
111-19-151	New	V. 42, Issue 18
111-19-152	New	V. 42, Issue 18
111-19-153	New	V. 42, Issue 22
111-19-154	New	V. 42, Issue 22
111-19-155	New	V. 42, Issue 28
111-19-156	New	V. 42, Issue 28
111-19-157	New	V. 42, Issue 28
111-19-158	New	V. 42, Issue 28
111-19-159	New	V. 42, Issue 28
111-19-160	New	V. 42, Issue 33
111-19-161	New	V. 42, Issue 33
111-302-4	Amended	V. 42, Issue 18
111-501-6	Amended	V. 41, Issue 24
111-501-45a	New	V. 41, Issue 51
111-501-122	Amended	V. 41, Issue 29
111-501-123	Amended	V. 41, Issue 24
111-501-124	Amended	V. 41, Issue 24
111-501-125	Amended	V. 41, Issue 24
111-501-126	Amended	V. 41, Issue 24
111-501-127	Amended	V. 41, Issue 24
111-501-148a	New	V. 41, Issue 51
111-501-154	Amended	V. 41, Issue 33
111-501-155	Amended	V. 41, Issue 33
111-601-51	New	V. 42, Issue 11
111-601-52	New	V. 42, Issue 11
111-601-53	New	V. 42, Issue 11
111-601-54	New	V. 42, Issue 11
111-601-55	New	V. 42, Issue 11
111-701-1	New	V. 41, Issue 35
111-701-20	New	V. 41, Issue 35
111-701-30	New	V. 41, Issue 35
111-701-31	New	V. 41, Issue 35
111-701-32	New	V. 41, Issue 35
111-701-33	New	V. 41, Issue 35
111-701-34	New	V. 41, Issue 35
111-701-35	New	V. 41, Issue 35
111-701-36	New	V. 41, Issue 35
111-701-50	New	V. 41, Issue 35
111-701-60	New	V. 41, Issue 35
111-701-70	New	V. 41, Issue 35

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

---