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kansasregister@ks.gov



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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.

Date	Room	Time	Committee	Agenda
Nov. 29	Virtual-only for Committee members; Newton and El Dorado	5:30 p.m.	Joint Meeting of House and Senate Committees on Redistricting	Discussion on Congressional District 4
Nov. 29	548-S	10:00 a.m.	Special Committee on Taxation	Various tax items
Nov. 30	548-S	9:30 a.m.	Special Committee on Taxation	Various tax items
Nov. 30	Virtual-only for Committee members; Stilwell and Bonner Springs	5:30 p.m.	Joint Meeting of House and Senate Committees on Redistricting	Discussion on Congressional District 3
Nov. 30	112-N	10:00 a.m.	Special Committee on Education	Presentations on: Article 6; The relationship between school finance and student achievement; Understanding the student needs assessment; Examining student achievement post-graduation; and The impact of COVID-19 on student achievement
Dec. 1	112-N	9:00 a.m.	Special Committee on Education	Presentations on: Improving student outcomes from school districts; Contributing factors influencing student achievement; Trends in education; and Virtual schools
Dec. 2	Virtual-only	8:30 a.m.	Special Committee on Kansas Mental Health Modernization and Reform – System Capacity and Transformation Working Group	Working group discussion on system capacity and transformation topics
Dec. 2	Virtual-only	11:00 a.m.	Special Committee on Kansas Mental Health Modernization and Reform – Telehealth Working Group	Working group discussion on telehealth topics
Dec. 2	Virtual-only	1:00 p.m.	Special Committee on Kansas Mental Health Modernization and Reform – Services and Workforce Working Group	Working group discussion on services and workforce topics
Dec. 6	Virtual-only	11:00 a.m.	Special Committee on Kansas Mental Health Modernization and Reform – Telehealth Working Group	Working group discussion on telehealth topics
Dec. 6	Virtual-only	1:00 p.m.	Special Committee on Kansas Mental Health Modernization and Reform – Services and Workforce Working Group	Working group discussion on services and workforce topics
Dec. 6	Virtual-only	2:00 p.m.	Special Committee on Kansas Mental Health Modernization and Reform – System Capacity and Transformation Working Group	Working group discussion on system capacity and transformation topics
Dec. 6	548-S	2:00 p.m.	Senate Confirmation Oversight	Discussion of Senate confirmations
Dec. 6-7	112-N	9:00 a.m.	Kansas Senior Care Task Force	TBD
Dec. 7	582-N	10:00 a.m.	Joint Committee on Fiduciary Financial Institutions Oversight	Staff Overview of 2021 Senate Sub. for HB 2074; Update on fiduciary financial institutions' operation in the State of Kansas; Committee discussion with conferees; and Committee discussion and direction for the Committee Report

(continued)

Date	Room	Time	Committee	Agenda
Dec. 8	144-S	10:00 a.m.	Joint Committee on Pensions, Investments and Benefits	Review of KPERS actuarial report and investment returns; Review performance of bond issuances; Tier 3 return experience; Board discussions on return assumptions; Review of the DROP program; Review of information technology modernization; and Possible recommendations
Dec. 8-9	582-N	TBD	Special Committee on the 30x30 Federal Initiative	TBD
Dec. 9	112-N	10:00 a.m.	Special Committee on Federal 340B Drug Program	Presentations on: 340B historical timeline, experience of Pharmacy Benefit Managers and rural providers with 340B, experience of other states in passing legislation regarding 340B; Review of Kansas 2021 HB 2260 and HB 2383; Committee recommendations
Dec. 10	112-N	9:00 a.m.	Special Committee on Kansas Mental Health Modernization and Reform	TBD
Dec. 13-14	112-N	TBD	Joint Committee on Home and Community Based Services/KanCare Oversight	TBD
Dec. 15	582-N	TBD	Joint Committee on Information Technology	TBD
Dec. 15-16	112-N	TBD	Special Committee on Kansas Mental Health Modernization and Reform	TBD
Dec. 16	546-S	TBD	Legislative Post Audit	TBD
Dec. 16	582-N	TBD	Joint Committee on Special Claims Against the State	TBD

Tom Day, Director
Legislative Administrative Services

Doc. No. 049605

**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 11-29-21 through 12-5-21

Term	Rate
1-89 days	0.08%
3 months	0.01%
6 months	0.04%
12 months	0.18%
18 months	0.41%
2 years	0.58%

Scott Miller
Director of Investments

Doc. No. 049598

**State of Kansas
Secretary of State**

Code Mortgage Rate for December

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of December 1-31, 2021, is 12 percent. The reference rate referred to in

the definition of “code mortgage rate” set forth in K.S.A. 16a-1-301(11)(b)(i) is discontinued, has become impractical to use, and/or is otherwise not readily ascertainable from the Federal Home Loan Mortgage Corporation.

Scott Schwab
Secretary of State

Doc. No. 049600

(Published in the Kansas Register December 2, 2021.)

Central Valley Ag Cooperative

Request for Proposals

Interested parties are invited to submit a proposal to complete the below scope of repairs for the proposed Central Valley Ag Cooperative project.

Scope of Work

Central Valley Ag Cooperative track rehabilitation at Glen Elder, Kansas. Provide all necessary labor, equipment, and logistical services to supply all materials called for; complete all rehab and track construction work, ties, ballast, etc.

Bid Item	Description	Quantity	Unit
1	Tie Replacement (Install 6" grade 3 ties)	1400	each
2	Switch Tie Replacement (Install "3" No. 9 switch pkgs. evenly between all turn outs)	189	each

Bid Item	Description	Quantity	Unit
3	Anchor Install (Box anchor every new tie and switch tie installed)	6734	each
4	Tamping Installed ties (Tamp every new installed tie)	1589	each
5	Regulate ALL tracks	9700	track ft.
6	Tie Disposal	1589	each
7	Straighten Skewed ties (Correct tight gauge by straightening all skewed ties)	1	lump sum
8	Loadout track repairs (Crib fouled ballast, add new ballast, Raise track 3 inches and machine tamp)	1	lump sum
9	Tighten ALL bolts	1	lump sum
10	Ballast Installation	250	tons
110	Ties (6"X8"X8'6" Grade 3 100 EP)	1400	each
120	Spikes (5/8"X6" Cut Spike)	71	kegs
Bid Item	Description	Quantity	Unit
130	Switch Ties (7"X8"xStandard Length) (3-No. 9 Turnout pkgs.)	189	each
140	Anchors (New 90AR)	6734	each
160	Ballast (1 1/2"-2" Arema No. 4 Gradation)	300	tons
170	Mobilization	1	lump sum

Any pre-existing rail, ties, or OTM that is removed must be removed and disposed of according to all local, state, and federal regulations.

Additional details concerning the scope of work needing to be done with each portion of the project will be addressed at the in-person pre-bid meeting.

Minimum Requirements

MSA and Roadway Worker Protection

Contractors must complete, and have on file, a current Master Services Agreement with Central Valley Ag Cooperative prior to submitting a proposal.

- Contractors shall comply with all parts of 49 CFR Part 214 and 219 regarding FRA Roadway Worker Safety at all times. Men and equipment shall remain clear of the track unless they have gained Roadway Worker Protection from a qualified person.
- Contractor, contractor employees, agents, and/or subcontractors must be enrolled and comply with the FRA 219 approved drug testing program.
- Any subcontracted work will need to be approved prior to any work starting.

Work Windows

Impact to current railroad operations must be kept to a minimum. When work must take place that causes an active track to be taken out of service for the purposes of performing work that pertains to the project, the contractor must pre-arrange a defined work window with Central Valley Ag Cooperative. Contractor can anticipate a minimum work window of 8 hours with no more than one schedule of interruption in that time frame between the hours of 7:00 a.m. – 7:00 p.m. This topic will be further discussed and clarified during the pre-proposal meeting.

Standards

All standards referenced by the project plans and specifications, as well as all applicable AREMA standards, must be upheld during all phases of the project work,

unless certain standards are excluded from the project with written approval.

Submittals

The following documents shall be submitted by the contractor as part of the project, at the times listed:

- Schedule of Work – submitted with proposal
- Certificate of Insurance – submitted prior to construction
- Safety Plan – submitted prior to construction
- Proof of Roadway Worker Training – submitted prior to construction
- Rail Testing (if AREMA #1 Relay Rail is used) – submitted prior to construction (NOTE: If rail will be replaced)
- Rail Weld UT Test Requirements (all rail comp welds) – submitted with billing (NOTE: If CWR will be installed)

Other Responsibilities

- Permits – contractor is responsible for all federal, state, and local permits required for the work.
- Utilities – contractor is responsible to locate and protect site utilities.
- Site Clean-up – contractor is responsible for proper site restoration and proper disposal of materials removed in accordance with all local, state, and federal laws.

Insurance

Contractor shall purchase required coverage and submit for verification a Certificate of Insurance.

Materials

All materials shall meet the requirements found in the project plans and/or specifications as well as applicable AREMA requirements. Material storage is granted on railroad right of way to the contractor. However, no materials shall be stored closer than 15' from the centerline of any active track at any time. Material and equipment laydown areas and reclaimed materials stockpiling locations shall be discussed and further clarified at the pre-proposal meeting. Contractor is responsible for the removal and disposal of all discarded material.

Non-Project Areas

Central Valley Ag Cooperative has secured access to the project through the railroad right of way. Other access may be obtained by the contractor if he so chooses. All areas (public, private, and railroad right of way) that are used for access to the project, including parts of the railroad right of way which have no proposed work, shall be maintained and/or remediated, incidental to the project, by the contractor to the satisfaction of the property owner if any damage to these areas occurs.

Pre-Proposal Meeting

Central Valley Ag Cooperative shall hold a pre-proposal meeting at the project site, 201 S. Mill, Glen Elder, Kansas, at 1:00 p.m. December 28, 2021, at Central Valley Ag Cooperative. Contractors are required to be present at this meeting to submit a proposal or their proposal can be rejected.

Project Completion

All work pertaining to this project shall be completed by (TBD). Failure to complete work by (TBD), may result

(continued)

in the contractor’s removal from the property or charges of \$2000/day until completed to satisfaction.

Submission of a Proposal

All proposals must be submitted no later than January 14, 2022. All submitted proposals shall be reviewed by Jeff Holling. Please ensure your proposal includes all required information. All incomplete proposals shall be rejected.

Contractors who wish to submit a proposal must attend the pre-proposal meeting. The structure of your proposal must be able to be clearly understood, all proposals shall provide the following line items and provide costs as required below:

1. Provide a total sum of all line items on the proposal
2. Mobilization and demobilization – lump sum, including freight/material delivery costs
3. Material costs (by material, i.e., crossties, ballast, OTM, etc.)
4. Labor costs
5. Tamp and regulate
6. Clean up work site to completion

Work Reporting

Daily work reports must be filled out and submitted to Jeff Holling, Central Valley Ag Cooperative, phone 785-545-6684, email jeff.holling@cvacoop.com. Weekly reports should include updates to project schedules, any delays, or any change in the scope of work. A detailed summary report must be submitted at the completion of the project. Daily Reporting shall consist of daily progress reports emailed to Jeff Holling.

Jeff Holling
Regional Operations Manager

Doc. No. 049590

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. For more information, please visit <https://admin.ks.gov/docs/default-source/ofpm/procurement-contracts/bid-submission-via-email-12-7-2020.pdf>.

12/16/2021	EVT0008296	Trusted Organizations Training
12/27/2021	EVT0008313	E-Cigarette Education and Prevention
01/06/2022	EVT0008315	Lease Management Software

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

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):

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

12/13/2021	A-014114REV	PSH&TC; Recreational Building – Partial Reroof
12/21/2021	A-014341	NCF; Industrial Building – Renovation for Textiles

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

Richard Beattie, Director
Office of Procurement and Contracts

Doc. No. 049608

State of Kansas

**Department of Revenue
Division of Taxation**

Notice to Bidders

The Director of Taxation will receive bids for the leasing of oil and gas rights in and to the portion of the Arkansas Riverbed, the property of the State of Kansas, described as follows:

That portion of the Arkansas Riverbed as it meanders through Sections 19, 20 and 29, Township 27 South, Range 1 East, Sedgwick County, Kansas; containing 124.29 acres, more or less.

The bidding shall be considered upon the amount of bonus, annual rental, and royalty to be paid. Due to the cost of processing, no bids will be accepted for less than \$100 on small tracts of less than 100 acres.

Bids shall be submitted upon forms obtained from the Director of Taxation, Scott State Office Building, 120 SE 10th Ave., Topeka, KS 66612. Lease shall be made on forms provided by the state for a term of five (5) years. The successful bidder pays publication costs in the local paper and the Kansas Register.

Bids shall be opened at the office of the Director of Taxation at 2:00 p.m. December 14, 2021. The Director of Taxation reserves the right to reject any and all bids and to re-advertise.

Steven A. Stotts, Director
Division of Taxation

Doc. No. 049572

(Published in the Kansas Register December 2, 2021.)

**North Central Regional
Planning Commission**

Notice to Bidders

Request for bids for walk through metal detectors will be accepted by the North Central Regional Planning Commission (NCRPC) until 10:00 a.m. (CST) Friday, December 17, 2021, at 109 N. Mill St., Beloit, KS 67420, at which time they will be publicly opened and read aloud at the same address. Copies of the request for bid and project specifications can be accessed by going to <http://procurement.ncrpc.org/HS/projects.html> or by contacting the NCRPC at 785-738-2218 or lpeters@nckn.com. This action is being taken on behalf of the Northwest

Kansas Regional Homeland Security Council. Estimated project value exceeds \$25,000.

Lisa Peters
Homeland Security Coordinator
Assistant Executive Director

Doc. No. 049599

(Published in the Kansas Register December 2, 2021.)

**North Central Regional
Planning Commission**

Notice to Bidders

Request for bids for Paratech equipment will be accepted by the North Central Regional Planning Commission (NCRPC) until 10:00 a.m. (CST) Friday, December 17, 2021, at 109 N. Mill St., Beloit, KS 67420, at which time they will be publicly opened and read aloud at the same address. Copies of the request for bid and project specifications can be accessed by going to <http://procurement.ncrpc.org/HS/projects.html> or by contacting the NCRPC at 785-738-2218 or hlscoordinator@ncrpc.org. This action is being taken on behalf of the Northwest Kansas Regional Homeland Security Council. Estimated project value exceeds \$20,000.

Lisa Peters
Homeland Security Coordinator
Assistant Executive Director

Doc. No. 049610

State of Kansas

University of Kansas

**Notice of Intent to Offer
Commercial Property for Lease**

Public notice is hereby given that the University of Kansas (KU) intends to issue a Request for Proposals (RFP) for commercial property located at 12520 Quivira Rd., Overland Park, KS 66213 on the KU Edwards Campus.

Interested parties are invited to access the RFP at <http://www.procurement.ku.edu> between December 2, 2021 and December 16, 2021 before 2:00 p.m. (CST).

Carla Swoyer
Procurement Officer
University of Kansas Purchasing Services
1246 W. Campus Rd.
Room 20
Lawrence, KS 66045.
purchasing@ku.edu

Doc. No. 049609

State of Kansas

Department of Transportation

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking up to five consulting firms which are prequalified in one or more of the relevant transportation planning categories (listed below) for projects which may arise as described below. A PDF (2Mb maximum size) propos-

al response must be emailed to kdot.designcontracts@ks.gov, Attn: Marcia Turner, P.E., Assistant Contracts Engineer. Responses are limited to five pages; the subject line of the reply email and the PDF file name must read "Planning-Performance-Data_FIRM NAME." The letter of interest is required and must be received by 12:00 p.m. (CST), December 9, 2021, for the consulting firm to be considered.

Relevant Prequalification Categories

- 111 Rail Systems Planning
- 121 Aviation Systems/Airport Planning
- 131 Port and Waterway Systems Planning
- 141 Bicycle and Pedestrian Facilities Planning
- 151 Public Transit Facilities and Systems Planning
- 161 Corridor/Project Feasibility Studies
- 162 Long Range Planning
- 163 Congestion Management/ITS
- 171 Environmental Documentation
- 172 Site Assessments
- 173 Noise Impact Analysis
- 181 Corridor Enhancement/Scenic Byways
- 182 Parks and Recreational Planning

If a firm is not currently prequalified by KDOT in one of the categories listed above, a response may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for one or more of the categories listed in this notice for the project. Firms may use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification category definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations. Consultants may create a team to meet the prequalification requirements.

Background and Purpose of Project

KDOT is seeking up to five (5) experienced transportation consulting firms with combined experience in transportation planning, data governance, data science, data analysis, performance management, transportation policy, business intelligence, data visualization, and GIS. KDOT seeks to use the outcomes of these efforts to inform and improve data-driven decision-making and business processes, support the agency's strategies in evaluating, monitoring, and reporting agency-wide performance of business activities, bolster problem-solving capabilities as we work with communities, and support the agency's priorities of transparency and accountability. Each selected consultant will come to an agreement for on-call services. KDOT intends that the duration of this agreement will be three years with a potential for annual extensions not to exceed five years.

Overview of the Work to be Performed

Task orders will be issued as-needed by various agency bureaus and divisions for specific work under these on-call agreements. Tasks will fall under the following categories:

- Business process analysis and improvement
- (continued)*

- Transportation policy and/or program analysis and recommendations
- Analyzing, evaluating, and implementing a performance management system for the agency
- Implementation of automated collection and management of data for performance management
- Data and trend analysis/forecasting including artificial intelligence and machine learning tools
- Development of data visualizations, scorecards, and interactive dashboards in a variety of formats, including GIS, Tableau, PowerBI, etc.
- Development and implementation of data governance processes

Deliverables and schedule will vary by task order.

Instructions for Proposal

The main text of the consultant's proposal must not exceed five (5) pages sized 8½ x 11. Any pages in a larger format will be counted as two pages. Cover sheet and special attachments will not be counted against the page total. Proposals shall address and include the following items:

- Provide name(s), qualifications, education, training, and expertise as well as prior relevant experience of project manager and other key consultant personnel who may perform these services.
- Provide a minimum of three (3) and a maximum of six (6) examples of projects completed using relevant experience. At least two examples need to be specific to the transportation industry. If the examples are available for viewing online a link should be provided in addition to brief write-ups in the proposal document.

Questions can be submitted until November 29, 2021; answers will be provided to all prequalified consultants on December 2, 2021.

Qualifications Based Selection Process

No cost or pricing information shall be submitted with the Letter of Interest, such will not be considered in the selection process to rank proposals. Firms will be evaluated on the basis of the factors listed below, weighted as indicated:

1. Qualifications of project manager and consultant team (15%)
2. Demonstrated experience delivering the proposed scope of services, including innovative solutions (30%)
3. Demonstrated understanding of data governance and performance management (30%)
4. Approach to data quality control (15%)
5. Familiarity with existing KDOT data systems (5%)
6. Quality of response (5%)

KDOT will have the right to schedule follow up interviews if deemed necessary. If interviews are used, selection factors and weights will be the same as listed above. The highest ranked firms will be asked to enter into an on-call agreement with KDOT.

Contracts for task orders will be cost plus fixed fee where compensation provisions will be for payment of actual direct costs, indirect costs at approved overhead

rate and a fixed fee. Each task order will be subject to an upper limit of compensation. In the event KDOT cannot reach agreement with the one of the selected firms, it will terminate negotiations with such firm and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached or KDOT decides to pursue other alternatives.

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

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

If you have any questions, please feel free to contact kdot.designcontracts@ks.gov.

Ben Asnicar, P.E.
Interim Contracts Engineer

Doc. No. 049581

State of Kansas

Department of Health and Environment

Notice of Application to Modify Landfill

The Kansas Department of Health and Environment (KDHE) has received an application from Barber County to modify their small arid landfill located at 12890 SE US-281 Hwy., Kiowa KS 67070. The Barber County landfill primarily receives municipal solid waste or household trash for disposal.

The applicant proposes an increase in disposal capacity from about 547,502 cubic yards to 811,952 cubic yards. This expansion will be achieved by the addition of a new disposal cell and by increases in the final grades of existing adjacent cells. The permitted acreage of the landfill will not increase as a result of this modification.

The Barber County Commissioners have certified that the application described herein is consistent with their solid waste management plan and compatible with surrounding land use. KDHE has reviewed the application and found it to be in conformance with the state's solid waste statutes and regulations.

KDHE is providing public notice of their intent to issue a permit to Barber County to allow the facility modifications described herein. However, a final decision to issue the permit has not been made, and KDHE will consider information gathered during the public comment period before making a final decision. A copy of the permit application, engineering drawings, and draft permit with respect to this permit action will be available for public review at https://www.kdheks.gov/waste/p_pubnot_sw.html from November 29, 2021 through December 29, 2021, and during normal business hours at the following locations:

Kansas Department of Health and Environment
 Bureau of Waste Management
 1000 SW Jackson, Suite 320
 Topeka, KS 66612-1366
 Contact: Will Fraundorfer
 785-291-3745

Barber County Clerk
 120 E. Washington Ave.
 Medicine Lodge, KS 67104
 Contact: Debbie Wesley
 620-886-3961

Anyone wishing to comment on the proposed facility should submit a written statement by 5:00 p.m. on December 29, 2021 to Will Fraundorfer of KDHE at the address listed above, via facsimile to 785-559-4252, or via email to Wilhelm.Fraundorfer@ks.gov. Comments that are postmarked by December 29, 2021 and received within one week thereafter will also be considered.

After consideration of all written comments submitted during the public notice period, KDHE will make a final decision on whether to issue the modified permit. Notice of the decision will be given to the applicant, anyone who submitted formal comments, and those who requested notice of the final permit decision.

Janet Stanek
 Acting Secretary

Doc. No. 049601

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

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

Tyson Fresh Meats, Inc. – Holcomb, 800 Stevens Port Dr., Dakota Dunes, SD 57049, owns and operates a meat packing facility located at 3105 N. IBP Rd., Holcomb, Finney County, KS 67815.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Southwest District Office, 302 W. McArthur Rd., Dodge City, KS 67801. To obtain or review the proposed permit and supporting documentation, contact Christy Thurman, 785-296-3589, at the central office of the KDHE or Ethel Evans, 620-682-7940, at the Southwest

District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <http://www.kdheks.gov/bar/publicnotice.html>.

Please direct written comments or questions regarding the proposed permit to Christy Thurman, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, December 13, 2021.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Christy Thurman, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, December 13, 2021, in order for the Secretary of Health and Environment to consider the request.

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

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

Janet Stanek
 Acting Secretary

Doc. No. 049603

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 stan-
(continued)

dards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-21-358/360

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Perdue Premium Meat Company, Inc. - Monarch Sow Farm SW Corner of 10th St. and Alabama Rd. Savonburg, KS 66772	NE/4 of Section 03 T27S, R21E Neosho County	Neosho River Basin

Kansas Permit No. A-NENO-S024

The proposed action is to issue a new state permit for a facility for 1,600 head (640 animal units) of swine weighing more than 55 pounds, and 3,300 head (330 animal units) of swine weighing 55 pounds or less; for a total of 970 animal units. The facility will consist of five swine buildings, a covered concrete manure storage building, and a covered concrete mortality compost building. The waste management system will have internal storage of dry solids and bedding in covered manure holding areas within each barn and a concrete pit liquid waste containment system for the farrowing barns. Wastes will be stored within the buildings until land applied on crop fields at agronomic rates. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Perdue Premium Meat Company, Inc. - Savonburg Isolation Farm SW Corner of 10th St. and Alabama Rd. Savonburg, KS 66772	N/2 of SE/4 of Section 03 T27S, R21E Neosho County	Neosho River Basin

Kansas Permit No. A-NENO-S025

The proposed action is to issue a new state permit for a facility for 600 head (240 animal units) of swine weighing more than 55 pounds. The facility will consist of a swine building with a covered concrete manure storage and mortality compost area. The waste management system will have internal storage of dry solids and bedding in a covered manure holding area within the barn. Wastes will be stored within the barn until land applied on crop fields at agronomic rates. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Greg Wolf - East Pens K-18 Hwy. Bennington, KS 67422	NW/4 of Section 10 T12S, R02W Ottawa County	Solomon River Basin

Kansas Permit No. A-SOOT-C003
Federal Permit No. KS0090786

The proposed action is to reissue an existing NPDES permit for an existing facility for 2,000 head (2,000 animal units) of cattle more than 700 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.

Public Notice No. KS-Q-21-128/129

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quali-

ty Standards, K.A.R. 28-16-28(b-g), and Federal Surface Water Criteria.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Lawrence, City of PO Box 708 Lawrence, KS 66044	Kansas River	Process Wastewater

Kansas Permit No. I-KS31-PO16
Federal Permit No. KS0088234

Legal Description: NW¼, S30, T12S, R20E, Douglas County, Kansas

Facility Name: Lawrence Kaw River Water Treatment Plant

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a public water treatment plant with a design capacity of 17.5 MGD. Pump stations convey raw water from the Kansas River to the pre-sedimentation basin, where polymer is added. Powdered activated carbon is then added, which settles in the carbon contact basin. Water then flows to one of the two trains, where lime softening using polymer and alum is settled, in the primary clarifier basins. Water is then re-carbonated and chlorinated, prior to entering the secondary clarifier basins. Prior to being treated by four Mono-Media and four Dual-Media filters, carbon dioxide, polymer, sodium fluoride and phosphate is added. The proposed permit contains limits for total residual chlorine, pH, and total suspended solids, as well as monitoring for phosphorus.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Tri-District Water Treatment 1239 E. 300 Rd. Berryton, KS 66409	Kansas River via Wakarusa River via Clinton Lake via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-KS91-PO02
Federal Permit No. KS0101109

Legal Description: SE¼, S18, T13S, R18E, Douglas County, Kansas

Facility Name: Tri-District Water Treatment Facility

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a Surface Water Treatment facility for Douglas County RWD #3, which uses Clinton Lake as the source water. Copper ion zebra mussel control may be provided at the intake screens. Powdered activated carbon and a polymer are added using a static mixer in the chemical feed vault, which is followed by a pre-sedimentation basin. Ferric Chloride is added, and the water is further treated in a two-stage flocculation basin, clarifier, re-carbonization (if needed) and then by sand filters. The proposed permit contains limits for total residual chlorine, total suspended solids, and pH, as well as monitoring for total nitrogen, total phosphorus, and copper.

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 January 1, 2022 will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-21-358/360, KS-Q-21-128/129) 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 Paige Drury, 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 Michael Beezhold 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 Rachel Hammond, BEFS, Livestock Waste Management Section at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at kdhe.feedlots@ks.gov. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Christopher Zwiener, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-3056 or email at Christopher.Zwiener@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.kdheks.gov/feedlots>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Acting Secretary

Doc. No. 049604

State of Kansas

Office of the Governor

Executive Directive No. 21-544

Authorizing Expenditure of Federal Funds

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

Pursuant to the authority of the Secretary of the Kansas Department of Agriculture to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 197 of Chapter 98 of the 2021 Session Laws of Kansas, approval is hereby granted to the Kansas Department of Agriculture for expenditure in FY 2022 and FY 2023 in the federal fund account entitled "Farm and Ranch Stress Assistance Network Grant."

Pursuant to the authority of the Secretary of the Kansas Department of Health and Environment to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 197 of Chapter 98 of the 2021 Session Laws of Kansas, approval is hereby granted to the Kansas Department of Health and Environment for expenditure in FY 2022 of monies in the federal fund entitled "Increasing Technical Assistance for Regenerative Agriculture Peer Mentoring Programs (KS)."

Pursuant to the authority of the Secretary of the Kansas Department of Health and Environment to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 197 of Chapter 98 of the 2021 Session Laws of Kansas, approval is hereby granted to the Kansas Department of Health and Environment for expenditure in FY 2022 of monies in the federal fund entitled "Sewer Overflow Municipal Grants Program Fund."

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

Dated November 22, 2021.

Laura Kelly
Governor

Doc. No. 049607

(Published in the Kansas Register December 2, 2021.)

**Unified School District No. 240,
Ottawa County, Kansas
(Twin Valley Schools)**

**Summary Notice of Bond Sale
\$5,900,000
General Obligation School Building Bonds,
Series 2022**

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

Bids

Subject to the Notice of Bond Sale dated November 15, 2021 (the "Notice"), facsimile, email, and electronic bids will be received on behalf of the Clerk of Unified School District No. 240, Ottawa County, Kansas (Twin Valley Schools) (the "Issuer") in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11:00 a.m. (CST) December 16, 2021, for the purchase of the above-referenced bonds (the "Bonds"). No bid of less than 100% 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 January 6, 2022, and will become due on September 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2023	\$200,000	2033	\$320,000
2024	215,000	2034	335,000
2025	225,000	2035	345,000
2026	235,000	2036	360,000
2027	245,000	2037	370,000
2028	260,000	2038	385,000
2029	270,000	2039	400,000
2030	285,000	2040	415,000

(continued)

Year	Principal Amount*	Year	Principal Amount*
2031	295,000	2041	430,000
2032	310,000		

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on September 1, 2022.

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 \$118,000.

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 January 6, 2022, 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 2021 is \$48,615,062. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$6,605,000.

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 undersigned or from the Financial Advisor at the addresses set forth below:

Issuer – Good Faith Deposit Delivery Address

Office of the Board of Education
 Attn: Cindy Regnier, Clerk
 107 N. Nelson
 PO Box 38
 Bennington, KS 67422
 785-488-3325
 Fax: 785-488-3326
cregnier@usd240.org

Financial Advisor – Facsimile and Email Bid Delivery Address

Stifel, Nicolaus & Company, Incorporated
 Attn: Stephen E. Shogren
 301 N. Main, Suite 800

Wichita, KS 67202
 316-264-9351
 Fax: 316-337-8492
shogrens@stifel.com

Dated November 15, 2021.

Cindy Regnier
 Clerk

* Subject to change, see the Notice
 Doc. No. 049602

(Published in the Kansas Register December 2, 2021.)

City of Andover, Kansas

**Summary Notice of Bond Sale
 \$16,940,000***

**Taxable General Obligation Tax Increment Bonds
 Series B, 2021**

Details of the Sale

Subject to the terms and requirements of the Official Notice of Bond Sale, dated November 30, 2021, of the City of Andover, Kansas (the “City”), bids to purchase the City’s Taxable General Obligation Tax Increment Bonds, Series B, 2021 (the “Bonds”) will be received at the office of the City Clerk at City Hall, 1609 E. Central, Andover, KS 67002 or by telefacsimile at 316-733-4634 or electronically as described in the Official Notice of Bond Sale until 11:00 a.m. (CST) Tuesday, December 14, 2021. The bids will be considered by the governing body at its meeting at 7:00 p.m. (CST) on the sale date.

No oral or auction bids for the Bonds shall be considered, and no bids for less than 99 percent of the total principal amount of the Bonds and accrued interest to the date of delivery shall be considered.

Good Faith Deposit

Bidders must submit a good faith deposit in the form of a wire transfer or certified or cashier’s check made payable to the order of the City, or a financial surety bond (if then available), in an amount equal to 2% of the principal amount of the Bonds.

Details of the Bonds

The Bonds will be dated December 30, 2021 and will be issued as registered bonds in denominations of \$5,000, or any integral multiple thereof. Interest on the Bonds is payable semiannually on April 1 and October 1 of each year, beginning April 1, 2022. Principal of the Bonds becomes due on October 1 in the years and amounts as shown below:

Maturity Schedule

Principal Amount*	Maturity Date	Principal Amount*	Maturity Date
\$700,000	2025	\$1,065,000	2033
960,000	2026	1,090,000	2034
970,000	2027	1,115,000	2035
980,000	2028	1,140,000	2036
995,000	2029	1,165,000	2037
1,010,000	2030	1,195,000	2038
1,030,000	2031	1,225,000	2039
1,045,000	2032	1,255,000	2040

Payment of Principal and Interest

The Treasurer of the State of Kansas will serve as the Bond Registrar and Paying Agent for the Bonds.

Book-Entry Bonds

The Bonds will be issued and registered under a book-entry-only system administered by The Depository Trust Company, New York, New York (“DTC”).

Delivery of the Bonds

The City will prepare the Bonds at its expense and will deliver the registered Bonds to DTC on or about December 30, 2021. Any bond printing costs will be paid by the City from the proceeds of the Bonds or other City funds.

Legal Opinion

The Bonds will be sold subject to the legal opinion of Triplett Woolf Garretson, LLC, Wichita, Kansas, Bond Counsel, whose fees will be paid by the City.

Financial Matters

The City’s current assessed valuation for purposes of calculating statutory debt limitations is \$198,083,667. As of December 30, 2021, the City’s total outstanding general obligation debt (including the Bonds), is \$65,445,000*. The City’s total indebtedness which is subject to debt limitation, as of December 30, 2021, is estimated to be \$41,459,583.00*, which is 20.93%* of the assessed valuation of the City.

Additional Information

For additional information contact the City Clerk at the address and telephone number shown below, or the Financial Advisor, Mr. Dustin Avey, Piper Sandler & Co., 11635 Rosewood St., Leawood, KS 66211, telephone 913-345-3375.

City of Andover, Kansas
 Susan C. Renner, City Clerk
 City Hall, 1609 E. Central
 Andover, KS 67002
 316-733-1303
 Fax: 316-733-4634

* Principal amount subject to change.
 Doc. No. 049606

State of Kansas

Department of Agriculture

Permanent Administrative Regulations

Article 34.—INDUSTRIAL HEMP

4-34-24. Sampling, testing, and harvest requirements. (a) No more than 30 days before any industrial hemp cultivated or produced pursuant to the act is harvested, each licensee shall allow a sample to be collected by the secretary for testing, using post-decarboxylation or any other similarly reliable method, to determine the delta-9 tetrahydrocannabinol concentration of industrial hemp cultivated or produced. A licensee shall not harvest any industrial hemp before receiving notice that testing of the samples has shown a delta-9 tetrahydrocannabinol concentration of less than 0.3 percent on a dry-weight basis and that the licensee may harvest the industrial hemp.

(b) Each licensee shall complete each harvest of industrial hemp plants, plant parts, grain, or seeds within 30 days of sampling.

(c) If a licensee fails to harvest all of the industrial hemp plants, plant parts, grain, or seeds within the time frame specified in subsection (b), the licensee shall perform one of the following:

(1) Notify the department that harvest has not occurred within seven days after the expiration of the time frame specified in subsection (b), request that the department collect a subsequent pre-harvest sample, and pay the required sampling and testing fees; or

(2) notify the department that harvest has not occurred within seven days after the expiration of the time frame specified in subsection (b) and inform the department of the date by which the licensee intends to effectively dispose of the industrial hemp plants, plant parts, grain, or seeds. The licensee shall conduct effective disposal no more than seven days after the licensee informs the department that harvest has not occurred and shall notify the department of any change in the effective disposal date. Effective disposal of industrial hemp plants, plant parts, grain, or seeds shall occur by the licensee and at the licensee’s expense. All volunteer plants within and adjacent to the licensed growing area shall be effectively disposed of during the current license year and for at least three years after the last reported date of planting. If effective disposal of industrial hemp plants, plant parts, grain, or seeds occurs, no refund shall be issued for any fees paid by a licensee, the cost of effective disposal, or the value of the crop.

(d) Each licensee shall submit a harvest report to the department no more than 15 days after each harvest of industrial hemp plants, plant parts, grain, or seeds is completed for each lot. Each harvest report shall identify the following:

- (1) The global positioning system coordinates of the entrance to the licensed growing area and each lot where industrial hemp plants were harvested;
- (2) the total number of acres planted in the licensed growing area;
- (3) the number of acres planted in each lot;
- (4) the planting date for each lot;
- (5) the total number of acres harvested from the licensed growing area;
- (6) the number of acres harvested from each lot;
- (7) the harvest date for each lot;
- (8) the official name of the industrial hemp variety harvested from each lot; and
- (9) a statement of intended end-use for all industrial hemp plants, plant parts, grain, or seeds harvested from each lot.

(e) Industrial hemp shall be subject to post-harvest sampling and testing by the secretary. Each licensee shall agree to provide the secretary access to any harvested industrial hemp or to provide the secretary with a copy of the bill of lading and, if available, a certificate of analysis or similar document provided for any industrial hemp already sold or transferred to another person. All samples collected by the secretary shall be subject to testing, using post-decarboxylation or any other similarly reliable

(continued)

able method, of delta-9 tetrahydrocannabinol concentration of industrial hemp produced. A licensee whose industrial hemp is sampled after it is harvested shall not sell, transfer, or transport any industrial hemp harvested from the licensed growing area where samples were collected until that licensee has received notice from the department that testing of the samples has shown a delta-9 tetrahydrocannabinol content of less than 0.3 percent on a dry-weight basis.

(f) Each licensee shall be assessed a \$225 fee for the required pre-harvest sample collected and tested by the secretary.

(g) At any time other than at the time of the required pre-harvest sample collected and tested by the secretary, a licensee may request that the secretary collect a sample and test the delta-9 tetrahydrocannabinol concentration, subject to a testing fee of \$225 for each test and additional costs assessed for the secretary's travel time and mileage.

(h) All samples collected by the secretary shall become the property of the secretary, and no compensation shall be owed to any licensee.

(i) Any licensee may request a test from a private laboratory at any time. However, test results from private laboratories shall not be considered official and shall not be substituted for a sample collected and tested by the secretary, and each licensee shall be responsible for the costs of testing by a private laboratory.

(j) Each sample collected and tested by the secretary and found to contain a delta-9 tetrahydrocannabinol concentration greater than 0.3 percent on a dry-weight basis shall result in the hemp being classified as cultivated or produced in violation of the act and shall result in the issuance of a failing report of analysis. Hemp that receives a failing report of analysis may be eligible to be remediated pursuant to K.A.R. 4-34-25.

(k) Within seven days of notice of the failing report of analysis, any licensee may request, on a form provided by the secretary, an additional test by the secretary. The request shall include payment of a retesting fee of \$225 and any additional costs assessed for the secretary's travel time and mileage. If a licensee requests an additional test and the sample collected and tested pursuant to this subsection is found to contain a delta-9 tetrahydrocannabinol concentration greater than 0.3 percent on a dry-weight basis, then all plants in the licensed growing area shall be effectively disposed of as required by K.A.R. 4-34-25 or, if eligible, remediated pursuant to K.A.R. 4-34-25.

(l) For each licensee who is issued an order to effectively dispose of plants, one of the following requirements shall apply:

(1) The licensee shall be subject to a corrective action plan as specified in K.A.R. 4-34-29 and reported to the appropriate state or local law enforcement agency if the violation is deemed negligent.

(2) The licensee shall be reported to the United States department of agriculture, the office of the Kansas attorney general, the office of the United States attorney for the district of Kansas, and the appropriate state or local law enforcement agency if the violation is the result of a culpable mental state greater than negligence. If any plants are tested by the secretary and found to contain

a delta-9 tetrahydrocannabinol concentration of greater than 2.0 percent, the licensee responsible for those plants shall be presumed to have acted with a culpable mental state greater than negligence.

(m) Except as provided in K.A.R. 4-34-28, each licensee or an authorized representative of each licensee shall be present whenever the secretary collects a sample of industrial hemp cultivated or produced pursuant to the act and whenever a compliance inspection is conducted pursuant to this regulation. (Authorized by K.S.A. 2020 Supp. 2-3906; implementing K.S.A. 2020 Supp. 2-3903, as amended by L. 2021 Ch. 76, sec. 4 and 2-3906; effective Jan. 8, 2021; amended, T-4-8-25-21, Aug. 25, 2021; amended Dec. 17, 2021.)

4-34-25. Remediation; effective disposal; violations.

(a) All hemp that is deemed to be in violation of the act for any reason or that contains a delta-9 tetrahydrocannabinol concentration greater than 0.3 percent on a dry-weight basis shall, by order of the secretary, be subject to effective disposal or remediation.

(b) Remediation shall not be allowed for any hemp for which the secretary has not approved a remediation plan. Hemp for which remediation is not allowed shall be effectively disposed of as specified in this regulation.

(c) Remediation shall include any method approved by the United States department of agriculture and may include either of the following:

(1) Separating and removing all flowers and floral materials from the stalks, leaves, and seeds of all plants or plant parts, which may include removal by hand or mechanical removal; or

(2) shredding the entirety of all plants or plant parts into hemp biomass, which may be accomplished with shredders, composters, specialty mechanical equipment, or similar means.

(d) Seeds removed from hemp plants or contained in hemp biomass as a result of remediation shall not be used for propagation purposes.

(e) Each remediation plan or request to submit a remediation plan shall be submitted to the secretary before the expiration of the 10-day period following the licensee's receipt of notice that effective disposal is required as specified in subsection (q).

(f) Each remediation plan submitted to the secretary pursuant to this regulation shall include the following, at a minimum:

- (1) The date that remediation will begin;
- (2) the approximate date that remediation will be completed;
- (3) the total number of acres that will be remediated;
- (4) the intended end-use of all plants or plant parts to be remediated;
- (5) the location where each plant or plant part will be stored before and after remediation and the location where remediated material will be stored following remediation;
- (6) the method or methods of remediation intended to be used; and
- (7) any other information that is relevant to the circumstances surrounding the cultivation or production of the hemp proposed to be remediated or the intended remediation plan and that the secretary requests.

(g) Any remediation plan that does not contain all required information may be denied or returned to the licensee. Any remediation plan may be denied at the discretion of the secretary, based on the circumstances surrounding the cultivation or production of the hemp proposed to be remediated.

(h) Hemp for which a failing report of analysis is issued may be remediated by the licensee upon the secretary's approval of the remediation plan submitted by the licensee, if the most recent sampling and testing conducted showed the hemp to have a delta-9 tetrahydrocannabinol concentration of 1.0 percent or less on a dry-weight basis.

(i) Any licensee may request permission from the secretary to submit a remediation plan for any hemp for which a failing report of analysis is issued if the most recent sampling and testing conducted showed the hemp to have a delta-9 tetrahydrocannabinol concentration greater than 1.0 percent but not greater than 2.0 percent on a dry-weight basis. If the secretary agrees to review a remediation plan based upon the circumstances surrounding the production or cultivation of the hemp, then the industrial hemp may be remediated upon approval of the plan submitted by the licensee.

(j) Each licensee who conducts remediation of any hemp shall allow representatives of the secretary to be present during the remediation. Proof of remediation may be required to be provided to the secretary.

(k) All plant material that is undergoing remediation shall be clearly labeled to indicate that the plant material is remediated hemp biomass and to verify the source of all of the hemp that comprises the remediated material. Remediated hemp biomass shall require a bill of lading pursuant to K.A.R. 4-34-26, which shall identify the material as remediated hemp biomass and identify the source of all material used in the remediation.

(l) All plant material resulting from remediation shall be subject to postremediation sampling and testing and shall be required to be effectively disposed of as specified in this regulation and prohibited from entering commerce if the final postremediation testing performed shows the plant material to have a delta-9 tetrahydrocannabinol concentration of greater than 0.3 percent on a dry-weight basis.

(m) Remediation may be conducted as many times as is necessary to achieve a delta-9 tetrahydrocannabinol concentration of 0.3 percent or less on a dry-weight basis. However, all hemp biomass that is not successfully remediated so as to have a delta-9 tetrahydrocannabinol concentration of 0.3 percent or less on a dry-weight basis within 60 days of the issuance of the final failing report of analysis for any hemp that comprises the remediated hemp biomass shall be effectively disposed of as specified in this regulation.

(n) Hemp for which a failing report of analysis is issued and for which the most recent testing conducted shows a delta-9 tetrahydrocannabinol concentration greater than 2.0 percent on a dry-weight basis shall not be eligible for remediation and shall be required to be effectively disposed of as provided in this regulation.

(o) Acceptable methods of effective disposal shall include plowing under, mulching or composting, disking,

mowing or chopping, deep burial, burning, or any other method allowed under federal law and approved by the secretary.

(p) If required pursuant to federal law, all hemp that requires effective disposal shall be destroyed or disposed of as required by the controlled substances act, 21 U.S.C. 801 et seq., and in compliance with requirements of the United States drug enforcement agency.

(q) If allowed pursuant to federal law, each licensee shall conduct effective disposal at the licensee's expense within 10 days of receiving notice that effective disposal is required. Each licensee shall effectively dispose of all volunteer plants within and adjacent to the licensed growing area during the current license year and for at least three years after the last reported date of planting. Each licensee shall allow representatives of the secretary to be present during the effective disposal of plants or plant parts, or proof of the effective disposal may be required by the secretary. Each licensee who conducts effective disposal shall, within 14 days of conducting the effective disposal, report the number of acres effectively disposed of to the department. A licensee who conducts effective disposal shall not be eligible for a refund of any fees paid, the cost of effective disposal, or the value of the crop.

(r) Each licensee whose plants are effectively disposed of shall be responsible for reimbursing any law enforcement agency whose officers or agents are required to participate in or be present during the effective disposal for all of the law enforcement agency's costs associated with the effective disposal.

(s) Failure of a licensee to conduct effective disposal as required by the secretary within 10 days of receiving notice that effective disposal is required shall result in the secretary's conducting effective disposal at the expense of the licensee, unless an extension is granted by the secretary.

(t) A licensee's failure to conduct effective disposal as required by the secretary, failure to reimburse the secretary for any costs incurred as a result of the secretary's conducting effective disposal, or failure to reimburse any law enforcement agency for any costs associated with effective disposal shall be grounds for denial of any future hemp producer license application.

(u) Each licensee who violates the act with a culpable mental state of negligence shall be subject to a corrective action plan as specified in K.A.R. 4-34-29 and reported to the appropriate state or local law enforcement agency. Each licensee who violates the act with a culpable mental state greater than negligence shall be reported to the United States attorney's office and the Kansas attorney general's office, in addition to the appropriate state or local law enforcement agency. (Authorized by and implementing K.S.A. 2020 Supp. 2-3906; effective Jan. 8, 2021; amended, T-4-8-25-21, Aug. 25, 2021; amended Dec. 17, 2021.)

4-34-29. Negligent violations; corrective action plans. (a) Negligent violations of the act may include failure to provide a legal description of land on which a licensee produces industrial hemp, producing plants with a delta-9 tetrahydrocannabinol concentration greater than 1.0 percent on a dry-weight basis, or producing plants with a delta-9 tetrahydrocannabinol concentra-

tion greater than 0.3 percent on a dry-weight basis if the licensee did not make reasonable efforts to cultivate or produce industrial hemp. It shall not be a negligent violation of the act if a licensee produces plants with a delta-9 tetrahydrocannabinol concentration of 1.0 percent or less on a dry-weight basis and the licensee has made reasonable efforts to cultivate or produce industrial hemp. Each licensee who negligently violates the act or the implementing regulations shall be required to follow a corrective action plan developed by the secretary.

(b) Upon the first negligent violation, each licensee shall meet the following requirements:

(1) Correct the violation within 10 days of notification of the violation by the secretary, including conducting effective disposal of the industrial hemp crop if so ordered;

(2) for the duration of the time period specified in the corrective action plan, which shall be at least two years, provide a report to the secretary as often as is required by the secretary regarding the status of the violation; and

(3) complete any other actions required by the secretary.

(c) Upon a second negligent violation within five years of a previous negligent violation, each licensee shall meet the following requirements:

(1) Correct the violation within 10 days of notification of the violation by the secretary, including the effective disposal of the industrial hemp crop if so ordered;

(2) for the duration of the time period specified in the corrective action plan, which shall be at least two years, provide a report to the secretary at least every 30 days, or as often as is required by the secretary, regarding the status of the violation; and

(3) complete any other actions required by the secretary.

(d) Upon a third negligent violation within five years of the first negligent violation, each licensee shall be ineligible to cultivate or produce industrial hemp for a period of five years beginning on the date of the third violation. Each license or registration held by the licensee shall be subject to immediate revocation, and all of the licensee's industrial hemp shall be subject to destruction, if so ordered. (Authorized by and implementing K.S.A. 2020 Supp. 2-3906; effective Jan. 8, 2021; amended, T-4-8-25-21, Aug. 25, 2021; amended Dec. 17, 2021.)

Mike Beam
Secretary

Doc. No. 049611

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended, and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2021 Supplement of the *Kansas Administrative Regulations*. Regulations can also be found at http://www.sos.ks.gov/pubs/pubs_kar.aspx.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-18-1a	Amended	V. 40, p. 1490
1-18-2	Revoked	V. 40, p. 1490

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-8-13	Amended	V. 40, p. 320
4-8-14a	Amended	V. 40, p. 320
4-8-27	Amended	V. 40, p. 320
4-8-28	Amended	V. 40, p. 320
4-8-29	Amended	V. 40, p. 320
4-8-30	Amended	V. 40, p. 320
4-8-31	Amended	V. 40, p. 320
4-8-32	Amended	V. 40, p. 320
4-8-33	Amended	V. 40, p. 320
4-8-34	Amended	V. 40, p. 321
4-8-35	Amended	V. 40, p. 321
4-8-36	Amended	V. 40, p. 321
4-8-37	Amended	V. 40, p. 321
4-8-38	Amended	V. 40, p. 321
4-8-39	Amended	V. 40, p. 321
4-8-40	Amended	V. 40, p. 321

4-8-41	Revoked	V. 40, p. 321
4-8-42	Revoked	V. 40, p. 321
4-8-43	Revoked	V. 40, p. 321
4-8-44	New	V. 40, p. 321
4-8-45	New	V. 40, p. 322
4-8-46	New	V. 40, p. 322
4-8-47	New	V. 40, p. 322
4-8-48	New	V. 40, p. 322
4-34-1	Amended	V. 40, p. 191
4-34-24	Amended (T)	V. 40, p. 1322
4-34-25	Amended (T)	V. 40, p. 1323
4-34-29	Amended (T)	V. 40, p. 1324

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-48-1	New	V. 40, p. 263

AGENCY 11: DEPARTMENT OF AGRICULTURE—DIVISION OF CONSERVATION

Reg. No.	Action	Register
11-9-5	Amended	V. 40, p. 427

AGENCY 21: HUMAN RIGHTS COMMISSION

Reg. No.	Action	Register
21-40-10	Revoked	V. 40, p. 265
21-41-1	Revoked	V. 40, p. 265
21-41-2	Amended	V. 40, p. 265
21-41-3	Amended	V. 40, p. 265
21-41-4	Revoked	V. 40, p. 265
21-41-6	Amended	V. 40, p. 265
21-41-8	Amended	V. 40, p. 265
21-41-10	Amended	V. 40, p. 265
21-41-11	Revoked	V. 40, p. 265

AGENCY 22: STATE FIRE MARSHAL

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22-26-1	New (T)	V. 40, p. 1034
22-26-1	New	V. 40, p. 1444
22-26-2	New (T)	V. 40, p. 1035
22-26-2	New	V. 40, p. 1445
22-26-3	New (T)	V. 40, p. 1035
22-26-3	New	V. 40, p. 1445
22-26-4	New (T)	V. 40, p. 1036

22-26-5	New (T)	V. 40, p. 1037
22-26-5	New	V. 40, p. 1446
22-26-6	New (T)	V. 40, p. 1037
22-26-6	New	V. 40, p. 1446
22-26-7	New (T)	V. 40, p. 1037
22-26-7	New	V. 40, p. 1446
22-26-8	New (T)	V. 40, p. 1037
22-26-8	New	V. 40, p. 1447
22-26-9	New (T)	V. 40, p. 1038
22-26-9	New	V. 40, p. 1447
22-26-10	New (T)	V. 40, p. 1038
22-26-10	New	V. 40, p. 1447
22-26-11	New (T)	V. 40, p. 1038
22-26-11	New	V. 40, p. 1447
22-26-12	New (T)	V. 40, p. 1039
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22-26-13	New (T)	V. 40, p. 1039
22-26-13	New	V. 40, p. 1448
22-26-14	New (T)	V. 40, p. 1039
22-26-14	New	V. 40, p. 1448
22-26-15	New (T)	V. 40, p. 1040
22-26-16	New (T)	V. 40, p. 1040
22-26-16	New	V. 40, p. 1449

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

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28-18-1	Amended	V. 40, p. 1547
28-18-4	Amended	V. 40, p. 1186
28-18-14	Amended	V. 40, p. 1550
28-18-16	Amended	V. 40, p. 1551
28-18-17	Amended	V. 40, p. 1551
28-18a-4	Amended	V. 40, p. 1187
28-18a-24	Amended	V. 40, p. 1552
28-65-1	Amended	V. 40, p. 318
28-65-2	Amended	V. 40, p. 318
28-65-3	Amended	V. 40, p. 318
28-65-4	Amended	V. 40, p. 319

AGENCY 40: INSURANCE DEPARTMENT

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40-1-52	New	V. 40, p. 191

AGENCY 61: BOARD OF BARBERING

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61-4-3	New	V. 40, p. 161

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-12-1	Amended	V. 40, p. 670

AGENCY 69: BOARD OF COSMETOLOGY

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69-1-4	Amended	V. 40, p. 1522
69-6-2	Amended	V. 40, p. 1522
69-15-31	Amended	V. 40, p. 1522

AGENCY 82: STATE CORPORATION COMMISSION

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82-4-30a	Amended (T)	V. 39, p. 1383
82-4-30a	Amended	V. 40, p. 160
82-11-2	Amended	V. 40, p. 1636
82-11-3	Amended	V. 40, p. 1636
82-11-4	Amended	V. 40, p. 1638
82-11-6	Amended	V. 40, p. 1643
82-11-7	Amended	V. 40, p. 1645
82-11-10	Amended	V. 40, p. 1645

AGENCY 86: REAL ESTATE COMMISSION

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86-3-10	Amended	V. 40, p. 497
86-3-18	Amended	V. 40, 497
86-3-21	Revoked	V. 40, p. 498
86-3-22	Amended	V. 40, p. 498

AGENCY 91: DEPARTMENT OF EDUCATION

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91-31-31	Amended	V. 40, p. 1399
91-31-32	Amended	V. 40, p. 1401
91-31-33	Amended	V. 40, p. 1401
91-31-34	Amended	V. 40, p. 1401
91-31-35	Amended	V. 40, p. 1402
91-31-36	Amended	V. 40, p. 1402
91-31-37	Amended	V. 40, p. 1403
91-31-38	Amended	V. 40, p. 1403
91-31-39	Revoked	V. 40, p. 1403
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91-31-43	New	V. 40, p. 1404

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92-19-67	Revoked	V. 40, p. 290
92-51-34a	Amended	V. 40, p. 1225

AGENCY 100: BOARD OF HEALING ARTS

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100-6-7	New (T)	V. 40, p. 1321
100-6-7	New	V. 40, p. 1490
100-8-3	New	V. 40, p. 572
100-15-4	Amended	V. 40, p. 572
100-15-5	Amended	V. 40, p. 573
100-28a-5	Amended	V. 40, p. 1096
100-28a-16	Amended	V. 40, p. 1097

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

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109-3-4	Amended	V. 39, p. 31
109-3-5	Amended	V. 40, p. 1524
109-5-1a	Amended	V. 39, p.32
109-11-1a	Amended	V. 39, p.32

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*.

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111-2-328	New	V. 39, p. 1460
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111-4-3597	New	V. 39, p. 59
111-4-3598	New	V. 39, p. 60
111-4-3599	New	V. 39, p. 61
111-4-3600	New	V. 39, p. 63
111-4-3601	New	V. 39, p. 532
111-4-3602	New	V. 39, p. 533
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111-4-3607	New	V. 39, p. 576
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111-4-3649	New	V. 40, p. 40
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111-5-245	New	V. 39, p. 577
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111-19-79	New	V. 39, p. 580	111-301-4	Amended	V. 39, p. 534	111-601-35	Amended	V. 40, p. 580
111-19-80	New	V. 39, p. 626	111-301-5	Amended	V. 40, p. 925	AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS		
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