



Kansas Register

Kris W. Kobach, Secretary of State

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November 1, 2018

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In this issue ...	Page
Legislature	
Interim committee schedule	1046
Rates	
Pooled Money Investment Board	
Notice of investment rates	1047
Secretary of State	
Code mortgage rate for November	1047
Notices	
Kansas Department of Transportation	
Request for letters of interest for bridge inspection project.....	1048
Advisory Committee on Trauma	
Notice of meeting.....	1049
North Central Regional Planning Commission	
Notice to bidders.....	1049
Kansas Department of Administration – Procurement and Contracts	
Notice to bidders for state purchase	1049
City of Lenexa, Kansas	
Notice to bidders.....	1049
Wichita State University	
Notice of intent to lease land and/or building space.....	1050
Kansas Insurance Department	
Notice of changes in pharmacy networks.....	1050
Kansas Department of Health and Environment	
Notice concerning water pollution control permits/applications.....	1051
Kansas Department for Children and Families	
Notice of hearing on Family Preservation and Case Management.....	1054
Bond Sales	
City of Newton, Kansas	
Summary notice of bond sale.....	1054
City of Derby, Kansas	
Summary notices of bond sale	1055-1056
Ottawa County, Kansas	
Notice of intent to seek private placement general obligation bonds.....	1057
Opinions	
Governmental Ethics Commission	
Opinions 2018-05 and 2018-06	1057

(continued)

Executive Branch

Office of the Governor

Executive Directive No. 18-495, authorizing expenditure of federal funds..... 1059

Regulations

Kansas Human Rights Commission

Permanent administrative regulations 1059

Index to administrative regulations 1060

State of Kansas

Legislature

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
Oct. 29	548-S	10:00 a.m.	Joint Committee on Pensions, Investments and Benefits	2017 Valuation of Retirement System; Performance of Bond Proceeds; Review of Enacted 2018 Legislation; Investment Performance; Kansas Policy and Firemen’s Retirement System.
Oct. 29	159-S	9:00 a.m.	Joint Committee on State Building Construction	Agency 5-year Capital Improvement Plans
Oct. 31	548-S	10:00 a.m.	Confirmation Oversight Committee (Senate)	Confirmation of Nominees.
Nov. 8	KNI	10:00 a.m.	Robert G. (Bob) Bethell Joint Committee on Home and Community	Tour of Kansas Neurological Institute
Nov. 8	112-N	1:30 p.m.	Based Services and KanCare Oversight	Presentations on KanCare from Individuals, Providers, and Organizations; Update on KanCare Meaningful Measures Collaborative; Presentation on Telemonitoring.

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Nov. 8	Kansas State University Innovation Campus Multipurpose Room, 22201 W. Innovation Dr., Olathe, Kansas	10:00 a.m.	Joint Legislative Transportation Vision Task Force	Selection Criteria; Economic impact of Transportation; Local Input Testimony
Nov. 9	112-N	9:00 a.m.	Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight	KanCare Update by Kansas Department of Health and Environment; Kansas Department for Aging and Disability Services Update; KanCare Ombudsman Update; Managed Care Organizations' Presentations and Responses to Presentations by Individuals, Providers, and Organizations; Committee Discussion and Report Recommendations.
Nov. 9	548-S	10:00 a.m.	Legislative Coordinating Council	Agenda not available.
Nov. 9	Kansas Farm Bureau 2627 KFB Plaza, Manhattan, Kansas	10:00 a.m.	Joint Legislative Transportation Vision Task Force	Priority Formulas; Local Input Testimony.
Nov. 13	El Dorado, KS		Joint Committee on Corrections and Juvenile Justice Oversight	Tour of El Dorado Correctional Facility.
Nov. 13	218-N	9:00 a.m.	Joint Committee on Special Claims Against the State	Hearing of Claims Noticed for Hearing.
Nov. 14	548-S	9:00 a.m.	Legislative Budget Committee	Overview Consensus Revenue and Caseload Estimates; Overview Agency Budget Enhancement Requests; Updates on Specific Education Programs and Funding including Pilot Mental Health Program and Teach for America; Update on Child Welfare System Task Force; Review Funding for Investigations of Child Abuse or Missing Children; Review Kansas Department of Health and Environment PRTF Audit Results; Update on Mental Health Task Force; and Committee Recommendations.
Nov. 16	548-S	9:00 a.m.	Health Care Stabilization Fund Oversight Committee	Annual meeting and statutory report; overview of the Health Care Stabilization Fund

Tom Day
Director of Legislative
Administrative Services

Doc. No. 046692

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

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

Effective 10-29-18 through 11-4-18

Term	Rate
1-89 days	2.19%
3 months	2.31%
6 months	2.43%
12 months	2.69%
18 months	2.80%
2 years	2.86%

Scott Miller
Director of Investments

Doc. No. 046687

State of Kansas

Secretary of State

Code Mortgage Rate for November

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of November 1-30, 2018, 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.

Kris W. Kobach
Secretary of State

Doc. No. 046689

State of Kansas

Department of Transportation

Request for Letters of Interest

Description

Bridge inspection project 106 C-4864-02 and 106 KA-4089-02.

Schedule and Deadlines

Technical Proposals are due on or before 12:00 p.m. (CST) November 9, 2018 to be delivered via email to David.Nagy@ks.gov. Interested consulting firms must be pre-qualified by the Kansas Department of Transportation (KDOT) in category 322 and submit a Letter of Interest with the subject line reading "P&H and FC [Firm Name]."

Anticipated Schedule for Subsequent Events

Evaluation and ranking of technical proposals on or about November 30, 2018 after which time all firms that submitted will be notified of the ranking. Negotiations with the most highly ranked firm to commence on or about December 14, 2018. Agreement/work order in place and in effect January 1, 2019.

Request for Proposal (Technical)**Background and Purpose of Project**

The Kansas Department of Transportation is seeking a consultant to provide statewide bridge inspection services consisting of requested Fracture Critical Member inspections and ultrasonic inspections of Pin and Hanger connections, all on the local system, starting with the inspections due in 2019. Due to the unique nature of these inspections, as well as the need at times to use specialized access equipment, these individual programs are offered to the local bridge owners as a method to economically share the costs of equipment and for the economics of bundling inspections. Inspections are to be performed in accordance with the latest published edition of the KDOT Bureau of Local Projects Local Bridge Inspection Manual, Local Fracture Critical Member Inspection Scope of Services, and the Local Pin and Hanger Inspection Scope of Services (available at <http://kart.ksdot.org>).

Scope of Services to be Performed

Consultant shall complete the following tasks and produce the deliverables described below:

- Provide an estimate of cost for work to be performed each year to be approved prior to commencing inspections.
- Inspect Pin and Hanger connections on local system bridges (currently 11 annually (2019/2020/2021/2022), 5 on a 24-month interval (2019/2021), and 20 bridges on a 48-month interval (2021)).
- Provide Fracture Critical Member inspections on bridges requested by individual owners to KDOT-Bureau of Local Projects (typically about 40-60 per year).
- Provide a final cost-per-bridge for each inspection performed at the end of each program year.
- Input inspection data into the KDOT-BLP Bridge Inspection Portal.
- Provide PDFs of the Draft Inspection Reports to the

KDOT Program Manager for review and approval.

- Upload PDFs of the Final Inspection Reports into the Bridge Inspection Portal and provide them to the KDOT Program Manager for distribution to the bridge owners.

Evaluation Factors

Technical proposals will be evaluated based on the factors listed below, evenly weighted, to rank the most qualified firm in order of preference as first, second, third, etc. Evaluation factors: 1) the quality and completeness of the response to this request; 2) qualifications and experience of consultant personnel/manager proposed for services; 3) proposed approach for inspection and ability to maintain separate costs for each bridge and program; and 4) past performance history for similar projects/services for KDOT. The highest ranked firm will be asked to enter into negotiations with KDOT for an agreement. In the event KDOT cannot reach agreement with the ranked firm, it will terminate negotiations with such firm and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives.

Contract Terms and Conditions

A four-year inspection contract will be implemented, with a CMS contract issued and closed annually. Special attachments for the Kansas "Tax Clearance Certificate," the "Certification of Final Indirect Costs," and the "Policy Regarding Sexual Harassment" will be among the standard special attachments with the contract.

Instructions for Technical Proposal

Note: No costs shall be contained in the technical proposal. Technical proposals will consist of the technical proposals and a completed and signed Special Attachment No. 7 ("Certificate of Final Indirect Costs"), a completed and signed Special Attachment No. 8 ("Tax Clearance Certificate"), and a completed and signed Special Attachment No. 10 ("Policy Regarding Sexual Harassment"). All these forms are attached to the original email announcement.

The main text of the consultant's technical proposal must not exceed four (4) pages (including cover sheets, indexes, etc.) to address the topics listed. Describe processes and procedures proposed by the consultant to complete the project requirements listed above. Describe processes and procedures, including best practices, that will be used to perform tasks and produce deliverables described above under "Scope of Services to be Performed." Include in the technical proposal items such as:

- Project manager/engineer in charge.
- Team leaders in charge of the inspections and their history of experience with Pin and Hanger and Fracture Critical Member inspections.
- Availability of staff to meet schedule.
- Proposed methods to separate costs for each bridge and each program.
- Cost-effective or cost-reduction practices, processes or procedures used by the consultant, if any.
- Any sub-consultant and their role, if any, that will be performing services on the project. All sub-

consultants must complete Special Attachment No. 7 ("Certificate of Final Indirect Costs"), the Special Attachment No. 8 ("Tax Clearance Certificate"), and a completed and signed Special Attachment No. 10 ("Policy Regarding Sexual Harassment").

Questions about this request for proposals shall be sent to KDOT by proposers via email to David.Nagy@ks.gov.

Ron Seitz, P.E., Director
Division of Engineering and Design

Doc. No. 046685

State of Kansas

Advisory Committee on Trauma

Notice of Meeting

The Advisory Committee on Trauma will meet from 10:00 a.m. to 3:00 p.m. Wednesday, November 7, 2018, at the Kansas Medical Society, 623 SW 10th Ave., Topeka, KS 66612.

Jeff Andersen
Secretary

Department of Health and Environment

Doc. No. 046697

(Published in the Kansas Register November 1, 2018.)

**North Central Regional
Planning Commission**

Notice to Bidders

Request for proposals for a Kansas All Hazard Incident Management Team HSEEP compliant full scale exercise will be accepted by the North Central Regional Planning Commission (NCRPC), at 109 N. Mill St., Beloit, KS 67420 until 10:00 a.m. (CST) Friday, November 16, 2018, at which time they will be publicly opened and read aloud at the same address. Copies of the request for proposal 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@nckcn.com. This action is being taken on behalf of the Northeast, Southeast, North Central, South Central, Northwest and Southwest Kansas Regional Homeland Security Councils. Estimated project value exceeds \$25,000.

Lisa Peters
Homeland Security Clerk

Doc. No. 046695

State of Kansas

**Department of Administration
Procurement and Contracts**

Notice to Bidders

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

- 11/16/2018 EVT0006163 Repairs to Wash Building – Eureka
- 11/16/2018 EVT0006154 Janitorial Services – Independence
- 11/20/2018 EVT0006160 Janitorial Services – Topeka

- 11/20/2018 EVT0006156 Janitorial Services – Topeka
- 11/21/2018 EVT0006158 Tree Shearing Services
- 11/30/2018 EVT0006155 Harmful Algae Bloom Reduction, Marion and Milford Reservoirs
- 12/04/2018 EVT0006164 Wait Line Management System Software

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

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

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

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

- 11/27/2018 A-013377 Hutchison Correctional Facility Replace Main Door Control Panel

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

Tracy T. Diel, Director
Procurement and Contracts

Doc. No 046701

(Published in the Kansas Register November 1, 2018.)

City of Lenexa, Kansas

Notice to Bidders

Sealed bids for Renner Boulevard Mixed-Use Trail (91st Street – 93rd Street) 46 TE-0428-01-017186001 will be accepted by the City of Lenexa, Kansas at the Community Development Department, Lenexa City Hall, 17101 W. 87th St. Parkway, Lenexa, KS 66219, until 1:00 p.m. (CST) December 4, 2018, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Community Development Department Customer Service Staff (Main Level) in sealed envelopes addressed to the City of Lenexa, Kansas, Attn: City Clerk, and marked "Bid for: Renner Boulevard Mixed-Use Trail (91st St – 93rd St) 46 TE-0428-01-017186001 Copies of plans, specifications, bidding documents, and other contract documents are on file at:

Drexel Technologies, Inc.
10840 W. 86th St.
Lenexa, KS 66214

Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above. Plans and specifications may be downloaded from the Drexel Technologies, Inc. website at <http://planroom.drexeltech.com/>. Note: Davis Bacon wage rates apply to this project.

Each bidder will be responsible for ensuring that it has received any and all addenda issued by the city in accordance with IB-10 of the instructions to bidders.

(continued)

Contractors should read and be fully familiar with all contract documents including addenda before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations and shall include in its bid a sum to cover the cost of all items of the work as specified in the contract documents.

No oral telegraphic, telephonic proposals, or alterations will be considered. Facsimile transmissions will not be accepted.

The following items must be included in the sealed envelope with the bid:

- a. Bid form;
- b. 5% Bid security – bid bond, cashier’s check, or certified check (see below); and
- c. Acknowledgment of addenda issued by the city.

Each bidder shall file with its bid a bid bond, a cashier’s check, or a certified check drawn on an acceptable bank, made payable to the City of Lenexa, Kansas, in an amount equal to five percent (5%) of the total bid, which shall be retained by the City of Lenexa, Kansas until a contract for the project has been executed. Bid bonds will be returned to the bidders, with the exception of the best and lowest and second best and second lowest responsible bidders, within twenty-one (21) days after their bids are rejected. The bid deposit of the lowest and the second lowest responsible bidders will be returned when the performance bond, maintenance bond, and statutory bond, each in an amount equal to 100% of the contract amount; required insurance certificates and other required documents shall have been furnished and the contract documents have been executed by the successful bidder.

In the event the low bidder is unable to execute the contract, for whatever reason, within the time provided in the notice of award, the city may annul the notice of award and the bid deposit may be forfeited and the city shall exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security or specific performance.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of the City Clerk, prior to the time and date for bid opening.

From and after the release of this notice, any party intending to bid on the above referenced project, including their officers, employees, agents, or contractors are specifically prohibited from communicating with any elected or appointed official of the city, directly or indirectly, with regard to the award of the contract for the project listed above, except as specifically authorized by the instructions to bidders. Any such unauthorized communication may result in the automatic disqualification of such bidder.

All bidders agree that rejection shall create no liability on the part of the city because of such rejection, and the filing of any bid in response to this notice shall constitute an agreement of the bidder to these conditions.

If this section is completed, a pre-bid conference will be held at 1:00 p.m. November 28, 2018 in the Lenexa City Hall, Prairie Star Conference Room.

Danielle Dulin
Interim City Clerk

Doc. No. 046690

State of Kansas

Wichita State University

Notice of Intent to Lease Land and/or Building Space

Public notice is hereby given that Wichita State University (WSU) intends to lease available land and building space. The university will consider leasing such property and/or space to those whose presence on campus would advance the university’s applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good, or otherwise provide supporting services and amenities to the campus community (such as restaurants, retail establishments, financial institutions, etc.). Because tenant use must be a good fit with the university’s educational mission and available space, please be prepared to provide the following information: (1) name; (2) square footage of space needs and desired lease term and location; (3) equipment, design, or other special needs; (4) description of anticipated use; and (5) the anticipated benefits to the university, its students, and the WSU community (e.g. applied learning, joint research, faculty start-up, etc.). The university will consider serious offers and inquiries from any financially qualified individual, group, organization, or company. If interested, please contact Vice President for Research & Technology Transfer, Dr. John Tomblin, john.tomblin@wichita.edu or Property Manager Crystal Stegeman, crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

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

Doc. No. 046691

State of Kansas

Insurance Department

Notice of Changes in Pharmacy Networks

Pursuant to K.S.A. 40-2,153, the Commissioner of Insurance is publishing notice that a change has occurred in a pharmacy network in the State of Kansas.

Aetna Health, Inc. and Aetna Life Insurance Company has notified the Department of the following additions and deletions to their pharmacy HMO and PPO networks:

Additions

Facility Name	Address	City	State
Prescription Shop, Inc.	601 W. 11th St.	Coffeyville	KS
SRHC Pharmacy	400 S. Santa Fe	Salina	KS

University of Kansas Hospital – Indian Creek Campus 10710 Nall Ave. Overland Park KS

Degoler Pharmacy 21 N. 12th St. Kansas City KS
Paul's Pharmacy 461 E. Poyntz Ave. Manhattan KS

Deletions

Facility Name	Address	City	State
Degoler's Prescription Pharmacy	21 N. 12th St., Suite 100	Kansas City	KS
Pratt Medical Arts Pharmacy	420 Country Club Rd.	Pratt	KS
Preston Pharmacy	2622 W. Central Ave., Suite 302	Wichita	KS
Preston Pharmacy	2900 SW Wanamaker Dr., #201N	Topeka	KS
Preston Pharmacy	111 Oak St.	Bonner Springs	KS

Cigna HealthCare of St. Louis, Inc. and affiliates, **CGLIC** and **CHLIC** has notified the Department of the following additions and deletions to their pharmacy network:

Additions

Facility Name	Address	City	State
Salina Family Healthcare Pharmacy	651 E. Prescott Rd.	Salina	KS
Stafford County Drug	311 N. Broadway St.	St. John	KS
Healthcore Community Pharmacy	2707 E. 21st St. N, Suite 201	Wichita	KS
Hunter Health Community Pharmacy	527 N. Grove St., Suite 100	Wichita	KS

Deletions

Facility Name	Address	City	State
Degoler's Prescription Pharmacy	21 N. 12th St.	Kansas City	KS
Pratt Medical Arts Pharmacy	420 Country Club Rd.	Pratt	KS
Paul's Pharmacy 1299	461 E. Poyntz Ave.	Manhattan	KS
Preston Pharmacy	2622 W. Central Ave., #302	Wichita	KS
Preston Pharmacy 3	111 Oak St.	Bonner Springs	KS
Preston Pharmacy	2900 SW Wanamaker Dr., #201N	Topeka	KS

Humana Health Plan and **Humana Insurance Company Pharmacy Network** has notified the Department of the following additions or deletions to their pharmacy network:

Additions

Facility Name	Address	City	State
Harvey Drug	115 W. 5th St.	Newton	KS
Pratt Medical Arts Pharmacy	420 Country Club Rd.	Pratt	KS
Palace Drug Store	460 N. Franklin	Colby	KS

Deletions

Facility Name	Address	City	State
Pierson Hanover Professional Pharmacy	103 W. North St.	Hanover	KS
Pratt Medical Art Pharmacy	420 County Club Rd.	Pratt	KS
PMA Pharmacy	4300 Brenner Dr., Suite 200	Kansas City	KS

Any questions should be directed to the Insurance Department at 785-296-3071.

Ken Selzer, CPA
Insurance Commissioner

Doc. No. 046702

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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

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

Public Notice No. KS-AG-18-231/245

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Kenny and Lisa Stroda Kenny Stroda 177 Oat Rd. Ramona, KS 67475	SE/4 of Section 27 T16S, R03E Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-B037

This is a new permit for an existing, expanding facility for 999 head (999 animal units) of cattle weighing greater than 700 pounds. Four additional pens and grass buffer area are proposed next to the existing pen area.

Name and Address of Applicant	Legal Description	Receiving Water
JLB Farms, Inc. Jeff and Jay Baumgartner 2738 R Rd. Bern, KS 66408	NW/4 of Section 23 T01S, R13E Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S076

This is a new permit for a swine and beef facility for 400 head (160 animal units) of swine weighing greater than 55 pounds, 700 head (70 animal units) of swine weighing 55 pounds or less, and 300 head (150 animal units) of cattle weighing 700 pounds or less for a total of 380 animal units. Two enclosed swine buildings drain via underground

(continued)

pipng to an existing retention control structure. 2.25 acres of pens drain to a proposed retention control structure. Feed storage area and accompanying areas drain across a grass buffer.

Name and Address of Applicant	Legal Description	Receiving Water
Forshee Farms, LLC David Forshee 1141 Cloud Rd. Delphos, KS 67436	SW/4 of Section 36 T08S, R04W Cloud County	Solomon River Basin

Kansas Permit No. A-SOCD-B003

This is a renewal permit for an existing facility for 999 head of cattle greater than 700 pounds. There has been no change in animal units from the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
Prime Pork, LLC – Sterling Facility Prime Pork, LLC PO Box 170 Scott City, KS 67871	SW/4 of Section 21 T21S, R32W Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-S004

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

Name and Address of Applicant	Legal Description	Receiving Water
Golden Plain Jersey Farm Merle Yoder 3307 S. Mohawk Rd. Hutchinson, KS 67501	NE/4 of Section 32 T23S, R06W Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M046

This permit is being reissued for a confined animal feeding operation for 90 head (126 animal units) of mature dairy cattle, 50 head (50 animal units) of cattle weighing greater than 700 pounds, and 50 head (25 animal units) of cattle weighing less than 700 pounds. This represents an increase in the permitted animal units from the previous permit. No other changes are proposed at this time.

Name and Address of Applicant	Legal Description	Receiving Water
Seaboard Foods, LLC – Shore #10 2801 Hurliman Rd. Guymon, KS 73942	NE/4 of Section 12 T30S, R40W Stanton County	Cimarron River Basin

Kansas Permit No. A-CIST-H002

Federal Permit No. KS0091588

This is a renewal permit for an existing facility for 3,320 head (1,328 animal units) of swine weighing more than 55 pounds and 4,500 head (450 animal units) of swine weighing 55 pounds or less; for a total permitted capacity of 7,820 head (1,778 animal units) of swine. There is no change in the permitted 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
Fowler Farms, Inc. Larry Fowler 1672 Road 170 Emporia, KS 66801	SE/4 of Section 10 NE/4 of Section 15 T19S, R12E Lyon County	Neosho River Basin

Kansas Permit No. A-NELY-B004

This is a renewal permit for an existing facility for 700 head (700 animal units) of cattle weighing greater than 700 pounds. There has been no change in animal units from the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
Robert and James Griffith Robert Griffith 1082 216th Rd. Seneca, KS 66538	NE/4 of Section 22 T01S, R12E Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S060

This is a renewal permit for an existing facility for 1,680 head of swine (168 animal units) weighing less than 55 pounds, 40 head of cattle (40 animal units) weighing greater than 700 pounds, and 200 head of cattle (100 animal units) weighing less than 700 pounds; for a total of 308 animal units. There has been no change in animal units from the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
David Hartter 2225 192nd Rd. Sabetha, KS 66534	SE/4 of Section 6 T02S, R14E Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S073

This is a renewal permit for an existing facility for 2,400 head (960 animal units) of swine weighing more than 55 pounds. There has been no change in animal units from the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
Beachy Dairy Roman S. Beachy 6206 S. Whiteside Rd. Hutchinson, KS 67501	NW/4 of Section 8 T24S, R06W Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M040

This is a renewal permit for an existing facility for 80 head (112 animal units) of mature dairy cattle, 45 head (45 animal units) of cattle weighing more than 700 pounds, 40 head (20 animal units) of cattle weighing less than 700 pounds, 1 chicken with other than liquid manure systems (0.008 animal units), 9 laying hens with other than liquid manure systems (0.1098 animal units), and 3 horses (6 animal units) for a total capacity of 183.1178 animal units. There has been an increase in animal units from the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
Bob Rose and Sons, LLC Bobby Rose 16413 W. US-50 Halstead, KS 67056	NW/4 of Section 30 T23S, R02W Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-T001

This is a renewal permit for an existing commercial truck washing facility for washing up to six (6) trucks per day using as much as 2,000 gallons of water per truck. This is an increase in the amount of trucks washed since the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
Livingston Ent., Inc. – LEI Washout Facility Bruce Livingston 611 29th Rd. Mahaska, KS 66955	SW/4 of Section 1 T01S, R01W Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-T001

This is a new permit for a new commercial truck wash facility for livestock trailers. Wastewater controls will consist of a proposed washout building and earthen wastewater retention structure. An existing livestock transfer station drains to grass buffer. The Certification of Compliance Livingston Enterprises, Inc. A-BBWS-TA01 has been subsumed by this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Ryan J. Burdick 33030 N. Rd. Wetmore, KS 66550	NW/4 of Section 6 T05S, R15E Jackson County	Kansas River Basin

Kansas Permit No. A-KSJA-B008

This permit is being modified to change completion dates for approved construction and seepage test requirements. There are no other changes to the permit. Only the portions of the permit being modified are subject to comment.

Name and Address of Applicant	Legal Description	Receiving Water
J-Six Farms, LLC – Sequi Site Jennifer A. Gerety 604 Nemaha St., PO Box 170 Seneca, KS 66538	SE/4 of Section 8 T04S, R01E Washington County	Lower Republican River Basin

Kansas Permit No. A-LWRS-S038

This is a renewal permit for an existing facility for 2,490 head (996 animal units) of swine weighing more than 55 pounds. There has been no change in animal units from the last permit.

Name and Address of Applicant	Legal Description	Receiving Water
William Q. Gattshall 7480 Road 12 Goodland, KS 67735	SE/4 of Section 15 T06S, R41W Sherman County	Upper Republican River Basin

Kansas Permit No. A-URSH-B003

This is a renewal permit for an existing facility for 999 head (999 animal units) of cattle weighing more than 700 pounds. There has been no change in animal units from the last permit.

Public Notice No. KS-Q-18-134/137

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
Atchison, City of 515 Kansas Ave. Atchison, KS 66002	Missouri River	Treated Domestic Wastewater

Kansas Permit No. M-MO01-IO01
Federal Permit No. KS0039128

Legal Description: E½, NE¼, NW¼, & W½, NW¼, NE¼, S18, T6S, R21E, Atchison County, Kansas

Facility Location: 120 Riverfront Rd., Atchison, KS 66002

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a mechanical wastewater treatment plant consisting of bar screens, grit chamber, pre-aeration, primary clarifiers, ABF tower, activated sludge basin, final clarifiers, anaerobic sludge digestion, sludge storage tank, and UV disinfection. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, and E. coli, as well as monitoring for ammonia, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, total phosphorus, whole effluent toxicity, priority pollutant scan, and flow.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Fairview, City of PO Box 175 Fairview, KS 66425	Walnut Creek via Spring Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-MO06-OO02
Federal Permit No. KS0098744

Legal Description: NE¼, NW¼, SW¼, S27, T2S, R15E, Brown County, Kansas

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a three-cell wastewater stabilization lagoon system. This facility has been issued a variance from the 2013 ammonia criteria which requires the inclusion of a Pollutant Minimization Plan and an alternate ammonia criteria limit that establish the highest attainable condition for the facility, to meet the terms of "Multiple-Discharger Lagoon Ammonia Variance" in the NPDES permit. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and E. Coli, as well as monitoring for pH, ammonia, and total phosphorus.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Galena, City of 211 W. 7th St. Galena, KS 66739	Spring River via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-NE28-OO01
Federal Permit No. KS0048135

Legal Description: W½, NE¼, S22, T34S, R25E, Cherokee County, Kansas

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a four-cell wastewater stabilization lagoon system supplemented with aeration in three cells. This facility has been issued a variance from the 2013 ammonia criteria which requires the inclusion of a Pollutant Minimization Plan and an alternate ammonia criteria limit that establish the highest attainable condition for the facility, to meet the terms of "Multiple-Discharger Lagoon Ammonia Variance" in the NPDES permit. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and ammonia, as well as monitoring for pH, E. coli, total phosphorus, total Kjeldahl nitrogen, nitrate + nitrite, and total nitrogen.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Solomon, City of PO Box 273 Solomon, KS 67480	Solomon River	Treated Domestic Wastewater

Kansas Permit No. M-SO39-OO01
Federal Permit No. KS0085979

Legal Description: NW¼, SW¼, NW¼, S19, T13S, R1E, Dickinson County, Kansas

The proposed action is to reissue an existing NPDES/State permit to an existing facility. This facility is a four-cell wastewater stabilization lagoon system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and ammonia, as well as monitoring for pH, E. coli, total phosphorus, chlorides, sulfates, and arsenic.

Public Notice No. KS-PT-18-012

The requirements of the draft permits public noticed below are pursuant to the Kansas Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.

Name and Address of Applicant	Receiving Facility	Type of Discharge
Kice Industries 5500 Mill Heights Wichita, KS 67219	Chisolm Creek Utility Authority	Process Wastewater

Kansas Permit No. P-LA19-OO02
Federal Permit No. KSP000101

The proposed action is to reissue a pretreatment permit for an existing facility. This facility manufactures pneumatic conveyor and filter systems for the grain milling industry. The proposed permit contains pretreatment limits for pH, total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc and cyanide.

(continued)

Persons wishing to comment on the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management Section for agricultural related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612-1367.

All comments regarding the draft documents or application notices received on or before December 1, 2018, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-18-231/245, KS-Q-18-134/137, KS-PT-18-012) and name of the applicant/permittee when preparing comments.

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

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet 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.

Jeff Andersen
Secretary

Doc. No. 046694

State of Kansas

Department for Children and Families

Notice of Hearing

Pursuant to K.S.A. 77-420, the Kansas Department for Children and Families (DCF) will hold a public hearing at 3:00 p.m. Friday, November 9, 2018, in Room 1033 of the Kansas Department for Children and Families Administration Building, 555 S. Kansas Ave., Topeka, Kansas. The purpose of the hearing will be to consult and solicit information from individuals and entities that may be affected by the proposed regulations governing Juvenile Crisis Intervention Centers.

All interested parties may submit written comments prior to the hearing to the Kansas Department for Children and Families, Attn. Legal Department, 555 S. Kansas Ave., Topeka, KS 66603 or by email to Kasey.rogg@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the proposed regulations. In order to provide all parties an

opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

An individual with a disability may request an accommodation in order to participate in the public hearing and may request a copy of the proposed regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Kasey Rogg at 785-296-2432 (or TYY 1-800-766-3777). The southeast entrance to the Kansas Department for Children and Families building is accessible. Accessible parking is located on Kansas Avenue at the southeast side of the Kansas Department for Children and Families building.

Copies of the proposed regulations and the Economic Impact Statement can be obtained by contacting Kasey Rogg at 785-296-2432 or Kasey.rogg@ks.gov.

Gina Meier-Hummel
Secretary

Doc. No. 046703

(Published in the Kansas Register November 1, 2018.)

City of Newton, Kansas

Summary Notice of Bond Sale

\$2,195,00*

General Obligation Bonds

Series 2018-A

\$1,515,000*

Taxable General Obligation Bonds Series 2018-B

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

Bids

Subject to the Notice of Bond Sale dated October 23, 2018 (the "Notice"), facsimile and electronic bids will be received on behalf of the Finance Director of the City of Newton, Kansas (the "Issuer") in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 10:30 a.m. (CST) November 13, 2018, for the separate purchase of the Series 2018-A Bonds and Series 2018-B bonds (collectively, the "Bonds"). No bid for less than 98.8% of the principal amount of the Series 2018-A Bonds and accrued interest thereon to the date of delivery will be considered. No bid for less than 98.2% of the principal amount of the Series 2018-B 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, will be dated December 5, 2018 (the "Dated Date), and 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 March 1, 2019.

Series 2018-A Bonds

The Series 2018-A Bonds will become due in principal installments on September 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2019	\$80,000	2029	\$70,000
2020	55,000	2030	75,000
2021	60,000	2031	75,000
2022	60,000	2032	75,000
2023	55,000	2033	80,000
2024	65,000	2034	220,000
2025	65,000	2035	225,000
2026	65,000	2036	235,000
2027	70,000	2037	245,000
2028	70,000	2038	250,000

Series 2018-B Bonds

The Series 2018-B Bonds will become due in principal installments on September 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2019	\$ 90,000	2027	\$100,000
2020	80,000	2028	105,000
2021	80,000	2029	110,000
2022	85,000	2030	115,000
2023	90,000	2031	120,000
2024	90,000	2032	125,000
2025	95,000	2033	130,000
2026	100,000		

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, as follows: (a) Series 2018-A Bonds – \$43,900; and (b) Series 2018-B Bonds – \$30,300.

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 December 5, 2018, 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 2018 is \$138,537,208. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$42,115,000.

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 Municipal Advisor at the address set forth below:

Issuer – Good Faith Deposit Delivery Address

City Hall
 Attn: Donna Pickman, Finance Director
 201 E. 6th
 PO Box 426
 Newton, KS 67114-0426
 316-284-6001
 Fax: 316-284-6090
 dpickman@newtonkansas.com

Municipal Advisor – Facsimile Bid Delivery Address

Springsted Incorporated
 Attn: Bond Services
 380 Jackson St., Suite 300
 Saint Paul, MN 55101-2887
 651-223-3000
 Fax: 651-223-3046
 bond_services@springsted.com

Dated October 23, 2018.

Donna Pickman
 Finance Director

* Subject to change, see the Notice
 Doc. No. 046696

(Published in the Kansas Register November 1, 2018.)

City of Derby, Kansas

**Summary Notice of Bond Sale
 \$6,160,000***

General Obligation Bonds, Series 2018-B

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

Bids

Subject to the Notice of Bond Sale dated October 23, 2018 (the “Notice”), facsimile and electronic bids will be received on behalf of the Director of Finance of the City of Derby, Kansas (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) November 8, 2018, for the purchase of the above-referenced bonds (the “Bonds”). No bid of less than 99.5% 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 December 12, 2018, and will become due on December 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2020	\$460,000	2030	\$130,000
2021	485,000	2031	135,000
2022	500,000	2032	140,000

(continued)

2023	520,000	2033	145,000
2024	545,000	2034	150,000
2025	555,000	2035	160,000
2026	570,000	2036	165,000
2027	590,000	2037	170,000
2028	185,000	2038	180,000
2029	190,000	2039	185,000

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 2019.

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 \$123,200.

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 December 12, 2018, 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 2018 is \$251,163,525. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$75,875,000.

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 – Facsimile Bid and Good Faith Deposit

Delivery Address

City Hall
 Attn: Director of Finance
 611 N. Mulberry
 Derby, KS 67037
 316-788-1519
 Fax: 316-788-6067
 jeaneperson@derbyweb.com

Financial Advisor

Piper Jaffray & Co.
 Attn: Dustin Avey
 11635 Rosewood St.
 Leawood, KS 66211
 913-345-3375
 Fax: 913-345-3393
 dustin.j.avey@pjc.com

Dated October 23, 2018.

Jean Epperson
 Director of Finance

* Subject to change, see the Notice
 Doc. No. 046699

(Published in the Kansas Register November 1, 2018.)

City of Derby, Kansas

**Summary Notice of Bond Sale
 \$3,395,000***

General Obligation Sales Tax Bonds, Series 2018-C

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

Bids

Subject to the Notice of Bond Sale dated October 23, 2018 (the "Notice"), facsimile and electronic bids will be received on behalf of the Director of Finance of the City of Derby, Kansas (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) November 8, 2018 for the purchase of the above-referenced bonds (the "Bonds"). No bid of less than 99% 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 December 12, 2018, and will become due on December 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2019	\$520,000	2022	\$575,000
2020	535,000	2023	595,000
2021	555,000	2024	615,000

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 June 1 and December 1 in each year, beginning on June 1, 2019.

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 \$67,900.

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 December 12, 2018, 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 2018 is \$251,163,525. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$75,875,000.

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 – Facsimile Bid and Good Faith Deposit

Delivery Address

City Hall
Attn: Director of Finance
611 N. Mulberry
Derby, KS 67037
316-788-1519
Fax: 316-788-6067
jeanepperson@derbyweb.com

Financial Advisor

Piper Jaffray & Co.
Attn: Dustin Avey
11635 Rosewood St.
Leawood, KS 66211
913-345-3375
Fax: (913) 345-3393
dustin.j.avey@pjc.com

Dated October 23, 2018.

Jean Epperson
Director of Finance

* Subject to change, see the Notice
Doc. No. 046700

(Published in the Kansas Register November 1, 2018.)

Ottawa County, Kansas

Notice of Intent to Seek Private Placement General Obligation Bonds, Series 2018

Notice is hereby given that Ottawa County, Kansas (the "Issuer") proposes to seek a private placement of the above-referenced bonds (the "Bonds"). The maximum aggregate principal amount of the Bonds shall not exceed \$300,000. The proposed sale of the Bonds is in all

respects subject to approval of a bond purchase agreement between the Issuer and the purchaser of the Bonds and the adoption of a resolution by the governing body authorizing the issuance of the Bonds and the execution of various documents necessary to deliver the Bonds.

Dated October 22, 2018.

Mary Arganbright
Clerk

Doc. No. 046704

State of Kansas

Governmental Ethics Commission

Opinion No. 2018-05

Written October 24, 2018, to Mr. Jeffrey A. Chanay, Chief Deputy Attorney General, 120 SW 10th Ave., 2nd Floor, Topeka, KS 66612-1597.

Synopsis: Under the facts presented, a state employee's personal trip to Africa, and her acceptance of a gift or economic opportunity to defray the costs of the trip, are not in violation of the Kansas governmental ethics laws.

Cited herein: K.S.A. 46-217, 46-228, 46-2376, 46-237a, and K.A.R. 19-40-3a(b).

Dear Mr. Chanay:

We understand that, in your capacity as chief deputy attorney general for the Kansas Office of the Attorney General (OAG), you request our opinion concerning application of the state governmental ethics law, K.S.A. 46-215 *et seq.* Our opinion in response to your request is limited to its applicability. This opinion does not address whether some other statutory system, common law theory, or agency rule or regulation applies to your inquiry.

Factual Statement

The following factual statement are provided in the request for opinion:

...one of our employees [may accept] a gift that offsets part of the cost of non-job-related travel. Because this travel is not related to the employee's job – and the travel is during the employee's vacation time – we are unable to find that the possible gift inures to the benefit of the State of Kansas and therefore falls within an exception under K.S.A. 46-237a.

The employee in question has worked in the Attorney General's office as director of human trafficking education and outreach since September 2013. She also serves as the office's public information officer. In March 2018, she accepted a volunteer position on the board of directors for Freedom Now USA, a new anti-trafficking non-profit organization affiliated with the Topeka Rescue Mission. She was later elected vice-chair of the board. ... The employee's position on this board is not *ex officio*, and her appointment is entirely independent of the Office of Attorney General. Her participation on the Freedom Now USA board is neither required nor compensated as work time by the OAG.

In June 2018, the employee decided to pursue a life-long dream of visiting Africa. She arranged to

(continued)

take a religious pilgrimage to Rwanda led by a survivor of the 1994 genocide. The group will spend time in Kigali at the national genocide memorial and travel to rural Kibeho where she will attend Mass on a special Catholic feast day. There will also be stops at local schools to visit children in need. The trip is a personal one and our employee is taking vacation days to go. The employee's request for vacation leave has been approved. The total cost of the trip, including airfare, lodging and transportation in country is approximately \$5,000. This cost is the personal responsibility of the employee.

Recently, the executive director of Freedom Now USA made the employee aware of a donor to that organization who might be interested in donating funds toward the cost of the employee's personal trip to Rwanda. In return for the donation, the employee would represent Freedom Now as a board member while traveling in Rwanda by making contact with service and non-profit organizations within that country to inquire about current anti-trafficking efforts and to assess where gaps in service and interdiction efforts might exist. Thus, although the trip is a personal trip of the employee, some portion of her activities that would be paid for by the donor would include subject matter (anti-trafficking) that is common both to her volunteer service on the Freedom Now board and her work in the OAG. The employee will be the only person affiliated with Freedom Now on this trip.

On her own, the employee has set up a Go Fund Me account to receive free will donations from friends and family and also intends to sell original artwork to offset the cost of the trip.

Questions

"Is the OAG employee allowed to accept a gift from an individual with no connection to or business before the OAG that helps to defray the cost of the employee's personal mission trip when the only consideration for that gift is that the employee represent a non-profit board on which the employee sits in her private, personal capacity?"

Analysis and Opinion

Officers and employees of the executive branch of state government are subject to the provisions of K.S.A. 46-237a(b) which prohibit them from soliciting or accepting any *gift* or *economic opportunity* because of their official position. Pursuant to K.S.A. 46-237, they also are prevented from accepting the same from any person known to have a *special interest*, under circumstances where such person knows or should know that a major purpose of the donor is to influence them in the performance of their official duties or prospective official duties. Terms italicized are defined as:

- "'Gift' means the transfer of money or anything of value unless legal consideration of a reasonably equal or greater value is received in return." K.A.R. 19-40-3a(b)
- "'Economic opportunity' means any purchase, sale, lease, contract, option, or other transaction or arrangement involving property or services wherein a state officer or employee or candidate for state of-

... fice may gain a personal economic benefit, but not including any gift.'" K.S.A. 46-217

- "'Special interest' means an interest of any person [...] in the action or non-action of any state agency or state officer or employee upon any matter affecting such person as distinct from affect upon the people of the state as a whole." K.S.A. 46-228

The facts make clear that the state employee's volunteerism and anticipated trip to Africa are not connected with her state employment—notwithstanding the anti-human trafficking nature of the employee's work for the state and her volunteering for Freedom Now USA. As such, the donor's offer to defray costs of the employee's personal Africa trip (whether defined as a gift or economic opportunity) is not because of her *official position* as a state employee in the OAG. Therefore, the K.S.A. 46-237a(b) prohibitions are inapplicable. Similarly, no suggestion of a special interest on behalf of the donor to the state employee or potential donors to the employee's "Go Fund Me" exist. Thus, prohibitions in K.S.A. 46-237(a) against receipt of any gift or economic opportunity are inapplicable.

Conclusion

Under the facts provided, the costs of the proposed Africa trip, whether personally funded or defrayed in part or in full, are not because of the OAG employee's official position. Hence, as proposed, the donor funding toward the trip costs do not violate the provisions of the Kansas governmental ethics laws, K.S.A. 46-215 *et seq.*

Sincerely,

G. Daniel Harden, Chairman
By Direction of the Commission

Opinion No. 2018-06

Written October 24, 2018.

Synopsis: Under K.S.A. 46-295, a registered lobbyist must report receipt of public funds for lobbying services and services directly related to lobbying. Public funds received by registered lobbyists for other services not related to lobbying, even if received under the same contract, are not reportable.

Cited herein: K.S.A. 46-225, 46-295.

To All Interested Persons:

Pursuant to K.S.A. 46-254, the Kansas Governmental Ethics Commission issues this opinion regarding the receipt of public funds by registered lobbyists for lobbying services on behalf of a governmental entity or association of governmental entities.

Issue

When reporting receipt of public funds for services provided to governmental entities pursuant to K.S.A. 46-295, does a registered lobbyist report the total received for all services provided or only the portion received for lobbying?

Analysis And Opinion

Interpretation of this requirement depends upon whether a person, who meets the definition of a registered lobbyist, is contracted for multiple roles with a public entity. A lobbyist contracted solely for lobbying should report the entire amount of the contract, even if

they do not expend that amount to lobby—the K.S.A. 46-295 reporting requirement is about the amount received by a lobbyist, not the amount expended. A lobbyist, contracted for lobbying as well as for other nonlobbying-related tasks, should report the approximate amount of the contract attributable to lobbying services. Further, if a lobbyist receives public funds from a public entity for a specific task, such as research, if the research was made preliminary to, or in support of, lobbying, then this amount would also need to be reported.

In closing, the Commission suggests that registered lobbyists may seek guidance from Commission staff regarding services that constitute lobbying, pursuant to K.S.A.46-225.

Sincerely,

G. Daniel Harden, Chairman
By Direction of the Commission

Doc. No. 046698

State of Kansas

Office of the Governor

Executive Directive No. 18-495

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 Department for Children and Families to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 250(b) of Chapter 104 of *The 2017 Session Laws of Kansas*, approval is hereby granted to the Department for Children and Families for expenditure in FY 2019 of monies in the federal fund entitled “SNAP Process and Technology Improvement Grant Fund.”

Pursuant to the authority of the Executive Director of the Board of Emergency Medical Services to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 250(b) of Chapter 104 of *The 2017 Session Laws of Kansas*, approval is hereby granted to the Board of Emergency Medical Services for expenditure in FY 2019 of monies in the federal fund entitled “DHH-Medicare Rural Hospital FLEX Project-Federal Fund.”

Pursuant to the authority of the Secretary of the Kansas Department for Aging and Disability Services to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 250(b) of Chapter 104 of *The 2017 Session Laws of Kansas*, approval is hereby granted to the Department for Aging and Disability Services for expenditure in FY 2019 of monies in the federal fund entitled “Traumatic Brain Injury State Partnership Program Fund.”

I have conferred with the Chief Budget Officer 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 October 23, 2018.

Jeff Colyer, M.D.
Governor

Doc. No. 046688

State of Kansas

Human Rights Commission

Permanent Administrative Regulations

Article 30.—GUIDELINES ON EMPLOYEE SELECTION PROCEDURES AND RECRUITMENT

21-30-18. (Authorized by K.S.A. 1974 Supp. 44-1003, 1004; effective, E-74-14, Dec. 28, 1973; effective May 1, 1975; revoked Nov. 16, 2018.)

Article 40.—GENERAL PROVISIONS

21-40-5. (Authorized by K.S.A. 1974 Supp. 44-1004; effective, E-74-14, Dec. 28, 1973; effective May 1, 1975; revoked Nov. 16, 2018.)

Article 45.—PROCEEDINGS

21-45-1, 21-45-2, 21-45-3, 21-45-4, 21-45-5, 21-45-6, 21-45-7, 21-45-8, 21-45-9, 21-45-10, 21-45-11, 21-45-12, 21-45-13, 21-45-14, 21-45-15, 21-45-16, 21-45-17, and 21-45-18. (Authorized by K.S.A. 1974 Supp. 44-1003, 44-1004; effective, E-74-14, Dec. 28, 1973; effective May 1, 1975; revoked Nov. 16, 2018.)

21-45-21, 21-45-22, 21-45-23, 21-45-24, and 21-45-25. (Authorized by K.S.A. 1974 Supp. 44-1003, 44-1004; effective, E-74-14, Dec. 28, 1973; effective May 1, 1975; revoked Nov. 16, 2018.)

Article 46.—MISCELLANEOUS SUBSTANTIVE PROVISIONS

21-46-2 and 21-46-3. (Authorized by K.S.A. 1974 Supp. 44-1003, 44-1004; effective, E-74-14, Dec. 28, 1973; effective May 1, 1975; revoked Nov. 16, 2018.)

Ruth Glover
Executive Director

Doc. No. 046693

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 2018 Supplement of the Kansas Administrative Regulations. Regulations can also be found at http://www.sos.ks.gov/pubs/pubs_kar.aspx.

AGENCY 4: DEPARTMENT OF AGRICULTURE

Table with 3 columns: Reg. No., Action, Register. Rows include 4-6-3, 4-28-5, 4-28-6.

AGENCY 11: DEPARTMENT OF AGRICULTURE—DIVISION OF CONSERVATION

Table with 3 columns: Reg. No., Action, Register. Rows include 11-13-1 through 11-13-6.

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL

Table with 3 columns: Reg. No., Action, Register. Rows include 14-13-1 through 14-26-8.

AGENCY 16: ATTORNEY GENERAL

Table with 3 columns: Reg. No., Action, Register. Row includes 16-17-1.

AGENCY 22: STATE FIRE MARSHAL

Table with 3 columns: Reg. No., Action, Register. Rows include 22-6-12 through 22-24-2.

Table with 3 columns: Reg. No., Action, Register. Rows include 22-24-3 through 22-24-18.

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Table with 3 columns: Reg. No., Action, Register. Rows include 28-1-1 through 28-15-91.

Table with 3 columns: Reg. No., Action, Register. Rows include 28-15a-100 through 28-35-177a.

28-35-179a	Amended	V. 37, p. 333
28-35-180a	Amended	V. 37, p. 333
28-35-180b	Amended	V. 37, p. 334
28-35-181h	Amended	V. 37, p. 336
28-35-181i	Amended	V. 37, p. 337
28-35-181k	Amended	V. 37, p. 337
28-35-181m	Amended	V. 37, p. 338
28-35-181o	Amended	V. 37, p. 339
28-35-181t	New	V. 37, p. 340
28-35-184a	Amended	V. 37, p. 340
28-35-192a	Amended	V. 37, p. 341
28-35-192c	Amended	V. 37, p. 342
28-35-192g	Amended	V. 37, p. 342
28-35-192h	New	V. 37, p. 343
28-35-197a	Revoked	V. 37, p. 343
28-35-197b	New	V. 37, p. 343
28-35-205b	Amended	V. 37, p. 343
28-35-217b	Amended	V. 37, p. 343
28-35-221a	Amended	V. 37, p. 344
28-35-221b	Amended	V. 37, p. 345
28-35-230d	Revoked	V. 37, p. 345
28-35-264	Amended	V. 37, p. 345
28-35-288	Amended	V. 37, p. 346
28-35-343	Amended	V. 37, p. 346
28-35-344	Amended	V. 37, p. 346
38-35-347	Amended	V. 37, p. 346
28-35-362	Amended	V. 37, p. 347
28-35-504	Amended	V. 37, p. 347
28-35-700	New	V. 37, p. 348

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-48	Amended	V. 37, p. 291
40-3-60	New	V. 37, p. 127

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-5-17	New	V. 37, p. 366
68-13-2	New	V. 37, p. 366
68-13-3	New	V. 37, p. 368
68-13-4	New	V. 37, p. 370
68-21-7	Amended	V. 37, p. 374

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-2-1	Amended	V. 37, p. 19
74-2-7	Amended	V. 37, p. 19
74-3-8	Amended	V. 37, p. 20
74-4-3a	Amended	V. 37, p. 20
74-4-7	Amended	V. 37, p. 20
74-4-8	Amended	V. 37, p. 21
74-4-9	Amended	V. 37, p. 22
74-4-10	Amended	V. 37, p. 23
74-5-2	Amended	V. 37, p. 23
74-5-202	Amended	V. 37, p. 24
74-5-405	Revoked	V. 37, p. 25
74-5-406	Amended	V. 37, p. 25
74-5-408	Amended	V. 37, p. 25
74-6-2	Amended	V. 37, p. 25
74-7-2	Amended	V. 37, p. 26
74-11-6	Amended	V. 37, p. 26
74-12-1	Amended	V. 37, p. 26

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-206	Amended	V. 37, p. 592
82-3-307	Amended	V. 37, p. 592
82-4-3a	Amended	V. 37, p. 307

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-3-26	Amended	V. 37, p. 181

86-3-27	Amended	V. 37, p. 181
86-3-28	Amended	V. 37, p. 181

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-3-8a	Amended	V. 37, p. 500

AGENCY 111: KANSAS LOTTERY

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

Reg. No.	Action	Register
111-4-3507	Amended	V. 37, p. 127
111-4-3508	New	V. 37, p. 132
111-4-3509	New	V. 37, p. 132
111-4-3510	New	V. 37, p. 215
111-4-3511	New	V. 37, p. 216
111-4-3512	New	V. 37, p. 217
111-4-3513	New	V. 37, p. 247
111-4-3514	New	V. 37, p. 248
111-4-3515	New	V. 37, p. 249
111-4-3516	New	V. 37, p. 439
111-4-3517	New	V. 37, p. 440
111-4-3518	New	V. 37, p. 442
111-4-3519	New	V. 37, p. 443
111-4-3520	New	V. 37, p. 444
111-4-3521	New	V. 37, p. 614
111-4-3522	New	V. 37, p. 615
111-4-3523	New	V. 37, p. 616
111-4-3524	New	V. 37, p. 617
111-4-3525	New	V. 37, p. 618
111-4-3526	New	V. 37, p. 660
111-4-3527	New	V. 37, p. 661
111-4-3528	New	V. 37, p. 662
111-4-3529	New	V. 37, p. 693
111-4-3530	New	V. 37, p. 694
111-4-3531	New	V. 37, p. 695
111-4-3532	New	V. 37, p. 697
111-4-3533	New	V. 37, p. 698
111-4-3534	New	V. 37, p. 776
111-4-3535	New	V. 37, p. 776
111-4-3536	New	V. 37, p. 777
111-4-3537	New	V. 37, p. 980
111-4-3538	New	V. 37, p. 982
111-4-3539	New	V. 37, p. 983
111-4-3540	New	V. 37, p. 984
111-4-3541	New	V. 37, p. 985
111-5-80	Amended	V. 37, p. 218
111-5-81	Amended	V. 37, p. 219

111-5-82	Amended	V. 37, p. 220
111-5-83	Amended	V. 37, p. 221
111-5-84	Amended	V. 37, p. 221
111-5-85	Amended	V. 37, p. 221
111-5-243	New	V. 37, p. 620
111-7-81	Amended	V. 37, p. 986
111-7-267	New	V. 37, p. 133
111-7-268	New	V. 37, p. 987
111-7-269	New	V. 37, p. 987
111-4-270	New	V. 37, p. 987
111-7-271	New	V. 37, p. 988
111-7-272	New	V. 37, p. 988
111-7-273	New	V. 37, p. 988
111-7-274	New	V. 37, p. 989
111-7-275	New	V. 37, p. 989
111-9-218	New	V. 37, p. 251
111-9-219	New	V. 37, p. 989
111-19-11	Amended	V. 37, p. 251
111-19-26	New	V. 37, p. 134
111-19-27	New	V. 37, p. 222
111-19-28	New	V. 37, p. 222
111-19-29	New	V. 37, p. 620
111-19-30	New	V. 37, p. 620
111-19-31	New	V. 37, p. 620
111-19-32	New	V. 37, p. 621
111-19-33	New	V. 37, p. 621
111-19-34	New	V. 37, p. 621
111-19-35	New	V. 37, p. 622
111-19-36	New	V. 37, p. 622
111-19-37	New	V. 37, p. 622
111-19-38	New	V. 37, p. 623
111-19-39	New	V. 37, p. 623
111-19-40	New	V. 37, p. 624
111-19-41	New	V. 37, p. 624
111-19-42	New	V. 37, p. 625
111-19-43	New	V. 37, p. 252
111-19-44	New	V. 37, p. 665
111-19-45	New	V. 37, p. 778
111-19-46	New	V. 37, p. 990
111-301-39	Amended	V. 37, p. 223
111-301-63	New	V. 37, p. 135
111-301-64	New	V. 37, p. 135
111-301-65	New	V. 37, p. 135
111-301-66	New	V. 37, p. 136
111-301-67	New	V. 37, p. 626
111-301-68	Amended	V. 37, p. 990
111-301-69	New	V. 37, p. 626
111-301-70	Amended	V. 37, p. 991
111-301-71	Amended	V. 37, p. 991
111-302-4	Amended	V. 37, p. 223
111-302-5	Amended	V. 37, p. 223
111-401-6	Amended	V. 37, p. 253
111-401-11	Amended	V. 37, p. 254
111-401-63	Amended	V. 37, p. 445
111-401-109	Amended	V. 37, p. 628
111-401-117	Amended	V. 37, p. 254
111-401-208	Amended	V. 37, p. 1037
111-401-240	New	V. 37, p. 667
111-401-241	New	V. 37, p. 667
111-401-242	New	V. 37, p. 667
111-401-243	New	V. 37, p. 667
111-401-244	New	V. 37, p. 668
111-401-245	New	V. 37, p. 668
111-401-246	New	V. 37, p. 669
111-401-247	New	V. 37, p. 779
111-401-248	New	V. 37, p. 779
111-401-249	New	V. 37, p. 779
111-401-250	New	V. 37, p. 780
111-401-251	New	V. 37, p. 780
111-401-252	New	V. 37, p. 781
111-501-24	Amended	V. 37, p. 256
111-501-25	Amended	V. 37, p. 257
111-501-44	Amended	V. 37, p. 781
111-501-45	Amended	V. 37, p. 783
111-501-141	Amended	V. 37, p. 1037
111-501-142	Amended	V. 37, p. 258

111-501-143	Amended	V. 37, p. 993
111-501-144	New	V. 37, p. 993
111-501-145	New	V. 37, p. 994
111-501-146	New	V. 37, p. 994
111-501-147	New	V. 37, p. 994
111-501-148	New	V. 37, p. 996
111-601-22	Amended	V. 37, p. 630
111-601-23	Amended	V. 37, p. 630
111-601-24	Amended	V. 37, p. 631
111-601-25	Amended	V. 37, p. 632

111-601-36	Amended	V. 37, p. 447
111-601-37	Amended	V. 37, p. 784
111-601-46	New	V. 37, p. 632
111-601-47	New	V. 37, p. 632
111-601-48	New	V. 37, p. 1038
111-601-49	New	V. 37, p. 633
111-601-50	New	V. 37, p. 633

**AGENCY 115: DEPARTMENT OF
WILDLIFE, PARKS AND TOURISM**

Reg. No.	Action	Register
115-4-6b	Amended	V. 37, p. 723
115-8-1	Amended	V. 37, p. 724
115-15-3	Amended	V. 37, p. 81
115-15-4	Amended	V. 37, p. 82

**AGENCY 117: REAL ESTATE
APPRAISAL BOARD**

Reg. No.	Action	Register
117-8-3	Amended	V. 37, p. 98

Kansas Register
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