

Kansas Register

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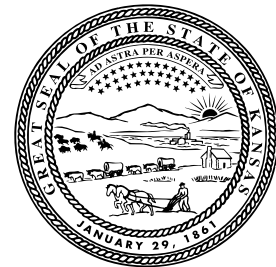
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 Photo by Todd Caywood

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 3-18-24 through 3-24-24

Term	Rate
1-89 days	5.33%
3 months	5.31%
6 months	5.25%
12 months	5.01%
18 months	4.79%
2 years	4.59%

Joel Oliver
Executive Director
Chief Investment Officer
Pooled Money Investment Board

Doc. No. 051963

State of Kansas

Board of Emergency Medical Services

Notice of Meetings

The Board of Emergency Medical Services will meet at 9:00 a.m. Friday, April 5, 2024, in Room 509 of the Landon State Office Building, 900 SW Jackson, Topeka, Kansas. Board committee meetings will be held Thursday, April 4, 2024, subject to call of the chair at the same location. All committee meeting schedules, information and items on the agenda for the board meeting can be found on our website at <http://www.ksbems.org>.

All meetings of the board are open to the public. For more information, contact Joseph House, Room 1031, Landon State Office Building, 900 SW Jackson, Topeka, KS, 66612-1228 or 785-296-7296.

Joseph House
Executive Director
Board of Emergency Medical Services

Doc. No. 051964

State of Kansas

Department of Wildlife and Parks

Public Notice

The Kansas Department of Wildlife and Parks has reached agreement for the purchase of a tract of land in Allen County, Kansas. The parcels consist of 11.77 acres, more or less, located in the SW¼ of Section 35, Township 24 South, Range 18 East in Allen County, Kansas. The appraised value is \$120,000. The total purchase price is \$127,200. The tract will be managed as part of Lehigh Portland State Park.

Brad Loveless
Secretary
Department of Wildlife and Parks

Doc. No. 051973

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to 1.22 acres of real property located on the northwest corner of the intersection of Fountain Avenue and 21st Street North, directly adjacent to the Wichita State University campus. This location would be designated for private development committed to supporting broadband infrastructure and Internet exchanges. The university is interested in leasing such ground to any individual, organization, or entity whose presence would advance WSU’s vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. WSU intends to lease such space for a mutually agreeable period of time, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with WSU’s educational mission and identify anticipated benefits to the university, its students, and the surrounding community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, community benefit commitments, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU and the surrounding community, design concepts, financial stability, and proposed use. Interested tenants will be responsible for all costs associated with the development and ongoing maintenance costs of any improvements. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of the improvement, and benefit to WSU. WSU will consider serious offers and inquiries from any financially qualified individual, group, organization. If interested, please contact Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. 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. 051863

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to four acres of real property located on the Wichita State University’s campus designated as the “Innovation Campus,” for the private development and operation of a partner-

(continued)

ship building or buildings. The university is interested in leasing such ground to any individual, organization, or entity whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to lease such space for a mutually agreeable period of time up to sixty years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with the university's educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Interested tenants will be required to construct adjacent and adequate surface parking that will not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of building improvement, and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization. If interested, please contact Senior Vice President for Industry and Defense Programs, Dr. John Tomblin at john.tomblin@wichita.edu or Property Manager Crystal Stegeman at 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. 051864

State of Kansas

Department of Revenue Division of Vehicles

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

GPI KS SK, Inc. dba Shawnee Mission Kia has filed intent to change Kia dealership line-make location. GPI KS SK, Inc. dba Shawnee Mission Kia currently conducts business at 7951 Shawnee Mission Pkwy., Merriam KS 66202. GPI KS SK, Inc. dba Shawnee Mission Kia seeks to relocate its franchised KIA line-make vehicles to 8775 Metcalf Ave., Overland Park, KS 66212.

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed relocation of the Kia line-make vehicles at GPI KS SK, Inc. dba Shawnee Mission Kia if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale by GPI KS SK, Inc. dba Shawnee Mission Kia at 8775 Metcalf Ave., Overland Park, KS 66212. K.S.A. 8-2430 (c) provides standing to any existing new motor vehicle dealer who has a franchise agreement for the same line-make vehicles as that

which is to be sold or offered for sale by GPI KS SK, Inc. dba Shawnee Mission Kia at 8775 Metcalf Ave., Overland Park, KS 66212, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e) includes the location where GPI KS SK, Inc. dba Shawnee Mission Kia, Kia line-make dealership will be relocated.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer withstanding to protest must be filed with the Director of Vehicles within thirty (30) days of this notice. Such petition or complaint must be directed to the following address:

Kansas Department of Revenue
Director of Vehicles
Zibell Building
300 SW 29th St.
Topeka, KS 66611

Mark A. Burghart
Secretary
Department of Revenue

Doc. No. 051966

State of Kansas

Board of Regents

Notice of Funding Availability

The Kansas Board of Regents is seeking applications from accredited Kansas nursing programs with a Request for Proposals available February 27, 2024. This funding supports nursing faculty and laboratory supplies with a focus on student success. The term of the grant period is from July 1, 2024 through June 30, 2025. Information and application materials are available at https://www.kansasregents.org/workforce_development/the_kansas_nursing_initiative.

April White
Director
Workforce Development
Board of Regents

Doc. No. 051912

State of Kansas

Board of Regents Universities

Notice to Bidders

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

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

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

Kansas State University – Bid postings: <https://bidportal.ksu.edu>. Effective August 1, 2023, all bids, quotes, or proposals must be submitted via the Kansas State University Bid Portal at <https://bidportal.ksu.edu>. Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506. Additional contact information, phone: 785-532- 6214, email: kspurch@k-state.edu.

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

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

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

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

Chris Robinson
Director
Purchasing and Contract Services
Kansas State University

Doc. No. 051386

State of Kansas

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

Notice to Bidders

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

All bids are to be submitted via email only to procurement@ks.gov. For more information, please visit https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL.

04/09/2024	EVT0009618	Audio, Video, and Streaming Services – KDWP
04/09/2024	EVT0009627	South Haven Electronic Screening Devices – KHP
04/11/2024	EVT0009607	Juvenile Mentorship Program – KDOC
04/15/2024	EVT0009613	Window and Shower Curtains – OSH
04/17/2024	EVT0009614	Air Monitoring Instrumentation, Replacement Parts, and Training – KDHE
04/17/2024	EVT0009623	Liquid Asphalt – KDOT
04/22/2024	EVT0009621	Lobbying Permit – KHP
04/24/2024	EVT0009630	Supply and Management of Level II (PASRR) – KDADS
04/24/2024	EVT0009631	Audit Service – KDHE

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):

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

04/03/2024	A-014660REV	LTC Bariatric Room Conversion; Halsey Hall – KSH
04/11/2024	A-014896	Concrete Repair; Goodland/Ruleton Visitor Center – KDOT

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

Todd Herman
Director
Office of Procurement and Contracts
Department of Administration

Doc. No. 051976

State of Kansas

**Department of Administration
Office of Facilities and Property Management**

Notice to Bidders

Notice is hereby given for the receipt of subcontractor bids for the A-014692f University of Kansas Memorial Stadium – Design Package H – Stadium and Conference Interiors and Sitework. This project is being delivered using procedures established under the Kansas alternate project delivery building construction procurement act (K.S.A 75-37,141 et seq.) for the Department of Administration. Turner Construction is the construction manager. Contact person is Jackson Edds at jedds@tcco.com.

Subcontractor bids will be received for the following scopes of work:

- Final clean (Stadium Interiors)
- Polished concrete (Stadium Interiors)
- Masonry (Site)
- Railings

(continued)

- General trades (Stadium Interiors)
- Metal panels (Stadium Interiors)
- Joint sealants (Stadium)
- Doors, frames, hardware (Stadium Interiors)
- Glass and glazing (Stadium Interiors)
- Metal framing/drywall/ceilings (Stadium Interiors)
- Carpet/VCT/sheet flooring/resilient base (Stadium Interiors)
- Tile (Stadium)
- Painting/wall covering (Stadium)
- Resinous flooring (Stadium)
- Wood flooring (Stadium)
- Athletic surfacing
- Specialties (furnish only)
- Code signage (Stadium)
- Operable partitions (Stadium)
- Operable glass walls (Interior)
- Food service equipment
- Window treatments (Stadium)
- Asphalt
- Site concrete
- Landscape
- Permanent fence

Bids will be received until 2:00 p.m. (Central Time) Thursday, April 18, 2024, via Electronic Sealed Bid Submission utilizing BuildingConnected.

All bidders must prequalify through Turner Construction. Turner Construction utilizes a secure online system to administer the qualification review process. Bidders who are not prequalified should go to <http://turnerconstruction.com>, click on "Become a Subcontractor" and fill out the required information.

All bidders should advise of their intent to bid on BuildingConnected. Invitations to bid will be sent through BuildingConnected by the CMAR. This online system allows bidders to indicate their intent for bidding i.e. Undecided, Bidding, Not Bidding.

Bid documents will be available through the online bid solicitation software as well as at <https://app.buildingconnected.com/public>. Any messages, addendum, notices of changes will be sent through this system. Please contact above project contact to be added to distribution list.

Construction manual including instructions to bidders, schedule, site logistics, scopes of work, bid form, insurance requirements, etc. will be issued via BuildingConnected. Notice of bid date change to be sent through BuildingConnected.

Barbara Schilling
Deputy Director-DCC
Office of Facilities and Property Management
Department of Administration

Doc. No. 051977

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the Kansas Department of Transportation (KDOT) website at <https://kdotapp.ksdot.org/Proposal/>

[Proposal.aspx](#). The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid no later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject your bid. The Secretary reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2015 edition of the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction.

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

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

Projects for the April 17, 2024 Letting.

District One – Northeast

Douglas: 23 TE-0517-01 – Church Street, from 20th to 15th Street, pedestrian and bicycle paths, 0.5 miles. (Federal Funds)

Nemaha: 66 C-5195-01 – Major collectors north of US-36, signing, 105.6 miles. (Federal Funds)

Riley: 81 TE-0525-01 – Juliette Avenue, from Pierre Street to Poyntz Avenue, surfacing, 0.1 miles. (Federal Funds)

District Two – North Central

Ellsworth: 232-27 KA-5724-01 – K-232, bridge #055 over Wilson Creek located 1.25 miles south of I-70, bridge replacement. (Federal Funds)

Mitchell: 24-62 KA-6437-01 – US-24, geometric improvements on US-24/K-9 from Oak Street to Elm Street and on Oak Street from 9th Street to US-24/K-9, grading and surfacing, 0.4 miles. (Federal Funds)

Morris: 56-64 U-2402-02 – Routes in Council Grove: Chautauqua Street, from Hall Street to Hays Street; Hall Street, from Chautauqua Street to Neosho Street; 3rd Street, from Oak Street to US-56; US-56, from 3rd Street

to 10th Street; 8th Street, from US-56 to Stevens Avenue; and 9th Street, from Welch Street to US-56, pedestrian and bicycle paths, 0.5 miles. (Federal Funds)

District Three – Northwest

Sherman: 24-91 KA-7106-01 – US-24B, from the end of Portland cement concrete pavement (PCCP) east of the K-27/US-24 junction east to the I-70/US-24B junction, milling and overlay, 2.4 miles. (Federal Funds)

Sherman: 70-91 KA-7200-01 – I-70, from 0.5 miles east of Caruso to 0.1 miles east of K-253, milling and overlay, 14.6 miles. (Federal Funds)

District Four – Southeast

Cherokee: 69-11 KA-7308-01 – US-69A, beginning at the US-69A/US-400/K-66 junction north 0.33 miles, pavement marking, 0.3 miles. (Federal Funds)

Franklin: 35-30 KA-6536-01 – I-35, beginning at the Osage/Franklin County line north and east for 20.6 miles to the I-35/US-59 north junction, special, 20.6 miles. (State Funds)

Greenwood: 37 C-5197-01 – Major collectors east of K-99, signing, 114.0 miles. (Federal Funds)

Labette: 59-50 KA-7307-01 – US-59, beginning at the US-59/US-160 junction north 0.41 miles, pavement marking, 0.4 miles. (Federal Funds)

Linn: 54 C-5081-01 – Linn County, 1.0 miles north and 1.2 miles west of LaCygne over BNSF Railroad, bridge replacement, 0.1 miles. (Federal Funds)

Miami: 68-61 KA-7306-01 – K-68, beginning 0.86 miles west of the K-68/US-169/K-7 junction east 0.4 miles, pavement marking, 0.4 miles. (Federal Funds)

Wilson: 400-103 KA-7309-01 – US-400, beginning 3.02 miles northwest of the US-400/K-47 junction northwest 0.6 miles, pavement marking, 0.6 miles. (Federal Funds)

Wilson: 39-103 KA-6728-01 – K-39, bridge #021 over Snake Creek located 7.12 miles east of the US-400/K-39 junction; and bridge #022 over the Verdigris River located 8.48 miles east of the US-400/K-39 junction, bridge repair. (State Funds)

District Five – South Central

Butler: 8 KA-6765-01 – K-900, bridge #170 located at El Dorado State Park, state park road. (State Funds)

Kiowa: 183-49 KA-6945-01 – US-183, bridge #018 over South Branch Rattlesnake Creek located 3.74 miles north of US-54; and bridge #019 over Rattlesnake Creek located 6.01 miles north of US-54, bridge repair. (Federal Funds)

Sedgwick: 135-87 KA-6769-01 – I-135; bridge #036 located 0.42 miles north of I-235, bridge repair. (State Funds)

Sedgwick: 235-87 KA-6771-01 – I-235, bridge #320 located 0.81 miles east of West Street, bridge repair. (State Funds)

Statewide: 106 KA-6262-01 – K-254, US-54 and I-135, in Sedgwick and Butler counties, signing. (Federal Funds)

District Six – Southwest

Lane: 96-51 KA-6607-02 – K-96, beginning at the Scott/Lane County line east to the west city limits of Dighton, guard fence, 11.4 miles. (State Funds)

Ness: 96-68 KA-7107-01 – K-96, from the Ness/Lane County line east to the west city limits of Ness City, milling and overlay, 18.3 miles. (Federal Funds)

Calvin Reed
Secretary

Department of Transportation

Doc. No. 051974

State of Kansas

Department of Health and Environment

**Notice of Application for a New
Municipal Solid Waste Transfer Station**

The Kansas Department of Health and Environment (KDHE) received an application from Green Environmental Recycling and Disposal, LLC for a new municipal solid waste transfer station. The proposed transfer station site is located at 5428 US-169 Hwy., Cherryvale, KS 67335.

The Montgomery County Commissioners have certified that the application described herein is consistent with their solid waste management plan and local land use restrictions or zoning. KDHE has reviewed the application and found it to be in conformance with the state solid waste statutes and regulations.

KDHE is providing public notice of their intent to issue a permit to Green Environmental Recycling and Disposal, LLC for a municipal solid waste transfer station. 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 <http://kdhe.ks.gov/676/> from March 22, 2024 through April 22, 2024 during normal business hours at the following locations:

Kansas Department of Health and Environment
1000 SW Jackson, Suite 320
Topeka, KS 66612-1366
Contact: Stacey Baalman
785-296-1596

Cherryvale Public Library
329 E. Main St.
Cherryvale, KS 67335
Contact: Diane Mahaffey
620-336-346

Anyone wishing to comment on the proposed facility should submit a written statement by 5:00 p.m. April 22, 2024, to Stacey Baalman of KDHE at the address listed above or via email to Stacey.Baalman@ks.gov. Comments that are postmarked by April 22, 2024 and received within one week thereafter will also be considered.

La noticia anterior se refiere a la solicitud de permiso para Green Environmental Recycling and Disposal, LLC en la 5428 US-169 Hwy., Cherryvale, KS 67335. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación de KDHE al 785-296-5156 o en: KDHE.NonDiscrimination@ks.gov.

(continued)

After consideration of all formal comments as described above, KDHE will make a final decision on whether to issue the 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
Secretary

Department of Health and Environment

Doc. No. 051965

State of Kansas

Department of Health and Environment

Notice of Proposed Kansas Air Quality Construction Permit

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality construction permit. Tactical Cleaning Acquisition, LLC has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300. Emissions of volatile organic compounds (VOC), particulate matter (PM), particulate matter with less than or equal to 10 microns in aerodynamic diameter (PM₁₀), particulate matter with less than or equal to 2.5 microns in aerodynamic diameter (PM_{2.5}), carbon monoxide (CO), oxides of nitrogen (NO_x), oxides of sulfur (SO_x), and hazardous air pollutants (HAPs) were evaluated during the permit review process.

Tactical Cleaning Acquisition, LLC, 6600 Thorn Dr., Kansas City, KS 66106, owns and operates a railcar cleaning facility located at 6600 Thorn Dr., Kansas City, Wyandotte County, KS 66106, at which a railcar cleaning facility and a flare are to be installed.

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 from the date of publication during normal business hours at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Unified Government of Wyandotte County District Office, 619 Ann Ave., Kansas City, KS 66101. To obtain or review the proposed permit and supporting documentation, contact Meaghan Conant, at the central office of KDHE at 785-296-8142, or Jennifer Stewart at the Unified Government of Wyandotte County District Office at 913-573-6700. 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/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Meaghan Conant, 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, April 22, 2024.

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 Meaghan Conant,

KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, April 22, 2024, in order for the Secretary of Health and Environment to consider the request.

The preceding notice refers to the air permit for Tactical Cleaning Acquisition, LLC located at 6600 Thorn Dr., Kansas City, Wyandotte County, KS 66106. If you want more information or you have other questions, please contact the KDHE Non-Discrimination coordinator and call 785-296-5156 or send an email to KDHE.NonDiscrimination@ks.gov. [El aviso anterior se refiere al permiso de aire para Tactical Cleaning Acquisition, LLC ubicado en 6600 Thorn Dr., Kansas City, Wyandotte County, KS 66106. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación de KDHE y llame al 785-296-5156 o envíe un correo electrónico a KDHE.NonDiscrimination@ks.gov.]

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051969

State of Kansas

Department of Health and Environment

Notice of Proposed Kansas/Federal Water Pollution Control Permits and Applications

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

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

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

Public Notice No. KS-AG-24-071/076

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
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Schwartz Wilke Farms, LLP – Henry Hills John Schwartz 960 7th Rd. Longford, KS 67458	NE/4 of Section 04 T10S, R02E Clay County	Smoky Hill River Basin
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Kansas Permit No. A-SHCY-H003
Federal Permit No. KS0101753

The proposed action is to modify and reissue the existing State/NPDES permit for a facility for a proposed maximum capacity of 7,680 head (768.0 animal units) of swine weighing less than 55 pounds each and 5,812 head (2,324.8 animal units) of swine weighing more than 55 pounds each, for a total of 3092.8 animal units. This represents no change in the permitted animal units from the previous permit. This permit is also being modified for the addition of one gestation building, one mortality composting structure, one freshwater diversion riser, expanding the existing gilt building, and the addition of one retention control structure. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
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Cimarron Crossing Feeders 13745 16 Rd. Cimarron, KS 67835	All of Section 04 & NE/4 of Section 09 T26S, R28W & S/2 of Section 33 T25S, R28W Gray County	Upper Arkansas River Basin
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Kansas Permit No. A-UAGY-C001
Federal Permit No. KS0037541

The proposed action is to reissue an existing NPDES permit for an existing facility for 22,500 head (22,500 animal units) of cattle weighing more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
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J-Six Enterprises, LLC - 80 Farm 848 O Rd. Goff, KS 66428	SW/4 of Section 28 T04S, R13E Nemaha County	Kansas River Basin
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Kansas Permit No. A-KSNM-S015

The proposed action is to reissue an existing state permit for an existing facility for 760 head (304 animal units) of swine weighing more than 55 pounds and 2,000 head (200 animal units) of swine weighing 55 pounds or less; for a total of 504 animal units of swine. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
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Martin Dale Bontrager 2242 Limestone Rd. Beattie, KS 66406	SW/4 of Section 34 T02S, R09E Marshall County	Big Blue River Basin
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Kansas Permit No. A-BBMS-M023

The proposed action is to reissue an existing state permit for an existing facility for 40 head (56 animal units) of mature dairy cattle, 15 head (15 animal units) of cattle greater than 700 pounds (dairy heifers), 6 head (3 animal units) of cattle weighing less than 700 pounds (dairy calves), and 6 head (12 animal units) of horses, for a total of 86 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
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Tri W Hog Farm, LLC 6135 W. 1st St. Newton, KS 67114	NE/4 of Section 21 T23S, R01W Harvey County	Little Arkansas River Basin
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Kansas Permit No. A-LAHV-S037

The proposed action is to reissue an existing state permit for an existing facility for 9,600 head (960 animal units) of swine weighing 55 pounds or less. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
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MHW Enterprises, Inc. 819 E. Rye Rd. Sylvan Grove, KS 67481	NW/4 of Section 08 T11S, R09W Lincoln County	Saline River Basin
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Kansas Permit No. A-SALC-B002

The proposed action is to reissue an existing state permit for an existing facility for 999 head (499.5 animal units) of cattle weighing less than 700 pounds, or 500 head (500 animal units) of cattle weighing more than 700 pounds, not to exceed the facility capacity of 500 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Public Notice No. KS-Q-24-034/036

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
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APAC – Kansas, Shears Division PO Box 1605 1600 N. Lorraine, Suite 1 Hutchinson, KS 67501		Process Wastewater
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Kansas Permit No. I-US14-NP10
Federal Permit No. KSJ000642

Legal Description: NW¼ Section 19, Township 24S, Range 31W, Finney County, Kansas

The proposed action consists of modifying the existing Kansas/ NPDES Water Pollution Control permit. The existing facility is engaged in an asphalt production operation. Two reinforced concrete tanks are used to treat wastewater originating from the wet washer at the asphalt plant. Wastewater from these tanks is recycled as makeup water for the wet washer or sprayed on roads for dust control. Portable toilets are used to collect domestic waters generated on-site.

Name and Address of Applicant	Receiving Stream	Type of Discharge
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Bronson, City of PO Box 54 Bronson, KS 66716	Marmation River via Unnamed Tributary	Treated Domestic
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Kansas Permit No. M-MC06-0001
Federal Permit No. KS0045942

Legal Description: SW¼, SW¼ NW¼, Section 11, Township 25S, Range 21E, Bourbon County, Kansas

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with a minimum of 120 days detention time. The facility receives domestic wastewater from residential and commercial areas. The permit has limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; and monitors for pH, and E. coli.

(continued)

Name and Address of Applicant	Receiving Stream	Type of Discharge
Barlett – Montgomery County, LLC 4208 CR 5300 Cherryville, KS 67335		Process Wastewater
Kansas Permit No. I-VE07-NP01 Federal Permit No. KSJ001018		
Legal Description: S1/2 of Section 32, Township 32S, Range 17E, Montgomery County, Kansas		
Latitude: 37.21461 Longitude: -95.56639		

This action consists of issuance of a new non-overflowing Kansas Water Pollution Control Permit. The Bartlett Soybean Processing Plant will have a processing capacity of 4200 tons/day of soybeans to crush into soybean meal and refined soybean oil. The wastewater will be directed to two evaporation ponds, which will have surface areas of 3.36 acres and 2.24 acres. A design inflow rate of 26.1 gallons per minute of wastewater will be sent to the two ponds. Domestic wastewater will be directed to a septic tank and lateral field. The permit contains generic language to protect waters of the state.

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 April 20, 2024, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-24-071/076, KS-Q-24-034/036) and name of the applicant/permittee when preparing comments.

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

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

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Jada Martin at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at kdhe.feedlots@ks.gov. [Las preguntas o comentarios por escrito deben dirigirse a Erich Glave, Director, Bureau of Environmental Field Services en KDHE: 1000 SW Jackson St., Suite 430, Topeka, KS 66612-1367; por correo electrónico: kdhe.feedlots@ks.gov; por teléfono: 785-296-6432.] For

all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Jamie Packard, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-4148 or email at Jamie.Packard@ks.gov. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051971

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment (KDHE) is soliciting comments and recommendations from the public regarding the FFY 2024 Kansas Early Childhood Developmental Services Grant Application under Part C of the Individuals with Disabilities Education Act (IDEA), and the Final IDEA Part C Regulations published on September 28, 2011. Funds from this grant will enable the continuance of a statewide comprehensive, coordinated, multidisciplinary system of services for infants and toddlers with disabilities and their families.

The grant application may be reviewed for 60 days from the publication of this notice on the KDHE website at <https://www.kdhe.ks.gov/677> or a hard copy may be requested by calling 785-296-3319.

In order to be assured consideration in this grant process, comments will be accepted during this 60-day period. Recommendations or comments must be submitted on or before May 20, 2024 to the Kansas Department of Health and Environment, Kansas Early Childhood Developmental Services, Bureau of Family Health, Suite 220, Curtis State Office Building, 1000 SW Jackson, Topeka, KS 66612-1274. Comments also may be sent by email to KDHE.KECDS@ks.gov.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051972

(Published in the Kansas Register March 21, 2024.)

Southeast KANSASWORKS

Request for Proposals

Southeast KANSASWORKS is looked for leased office space for our Pittsburg Workforce Center. If you are interested in receiving a copy of the Request for Proposals (RFP), please email leanne@sekworks.org. All RFPs must be submitted by 5:00 p.m. April 12, 2024.

Leanne Kehres
Executive Director
Southeast KANSASWORKS

Doc. No. 051970

(Published in the Kansas Register March 21, 2024.)

Kansas & Oklahoma Railroad

Request for Proposals

Interested parties are invited to submit a proposal to complete the below scope of repairs for the Kansas & Oklahoma Railroad (KORR).

Scope of Work

This project consists of the installation of ties on four tracks. There will be a total of 2,400 ties. 600 ties installed per track on 417, 418, 419, and 420.

Minimum Requirements

MSA and Roadway Worker Protection

- Contractors must complete, and have on file, a current Master Services Agreement with the KORR prior to starting work. Prior to submitting a proposal:
 - Contractors shall always comply with all parts of 49 CFR Part 214 and 219 regarding FRA Roadway Worker Safety. Workers 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 by KORR prior to any work starting.
 - All contractors will be required to complete WATCO Contractor Orientation at <https://watcocontractor.com/>. Any contractor who was previously enrolled in e-SHORTLINE with WATCO in the past, will be required to complete the WATCO Contractor Orientation. A RWIC qualified roadway worker must be on site at all times. This qualification can be obtained through the WATCO contractor website.

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 the railroad. Contractor can expect one-week windows to preform work. This topic will be further discussed during the pre-proposal meeting, as operations may change.

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 by the KORR Railroad. All rails shall be replaced at standard gauge of 56-1/2".

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.

Other Responsibilities

- Permits – Contractor is responsible for all federal, state, and local permits required for the work. Additional permit information will be covered at the pre-proposal meeting.
- 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, trash, containers, etc., must be disposed of 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 feet 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. All removed materials will be disposed of accordingly by the contractor unless otherwise arranged with the KORR.

Non-Project Areas

The KORR Railroad has secured access to the project through the railroad right of way. Other access may be obtained by the contractor if he/she 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

The KORR (Watco) shall hold a pre-proposal meeting at 10:30 a.m. April 3, 2024, to address any questions or clarify any portions of the project tasks. Please reach out to Herb Lamkin for specific meeting details.

Project Completion

It is expected the contractor must start construction no later than 60 days after being awarded the bid (dependent upon material deliveries) and complete the project within an agreed upon timeline. Prior to the completion of the project, there will be a 3rd party final inspection. If there are any issues with the quality of work, the contractor will be responsible for fixing any issues found at cost to them. A NTP is in effect on this project – planned construction timeline is slated for completion in June 2024.

Submission of a Proposal

All proposals must be submitted no later than 4:00 p.m. April 26, 2024. All submitted proposals shall be reviewed by the KORR. Please ensure your proposal
(continued)

includes all required information. All incomplete proposals shall be rejected. 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:

- Provide a total sum of all Line Items on the proposal.
- Mobilization and Demobilization – Lump sum.
- Labor (Install) for each line item; include all applicable taxes.
- RRPL Insurance – Lump sum.

For further information or questions regarding the Request for Proposals or submittal of a proposal, please contact:

- Herb Lamkin, KORR Roadmaster, phone 316-215-4080, email hlamkin@watco.com
- Cody McGee, Division Engineer, phone 217-855-4107, email cody.mcgee@watco.com

Work Reporting

Daily work reports must be filled out and submitted to Herb Lamkin – KORR Roadmaster and Cody McGee – Division Engineer. Those reports should include updates to project schedules, any delays and/or changes in the scope of work. A detailed summary report must be submitted upon the completion of the project.

Cody McGee
Division Engineer
Watco Companies

Doc. No. 051953

(Published in the Kansas Register March 21, 2024.)

Kansas & Oklahoma Railroad

Request for Proposals

Interested parties are invited to submit a proposal to complete the below scope of repairs for the Kansas & Oklahoma Railroad (KORR).

Scope of Work

This project consists of the replacement of rail on three tracks, 417, 418, and 419. We are replacing the existing 90lbs rail to 115 RE on those three tracks. It will consist of 6,000 total feet of rail upgrade and 6,000 feet of surfacing.

Minimum Requirements

MSA and Roadway Worker Protection

- Contractors must complete, and have on file, a current Master Services Agreement with the KORR prior to starting work. Prior to submitting a proposal:
 - Contractors shall always comply with all parts of 49 CFR Part 214 and 219 regarding FRA Roadway Worker Safety. Workers 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 by the KORR prior to any work starting.
 - All contractors will be required to complete

WATCO Contractor Orientation at <https://watcocontractor.com/>. Any contractor who was previously enrolled in e-SHORTLINE with WATCO in the past, will be required to complete the WATCO Contractor Orientation. A RWIC qualified roadway worker must be on site at all times. This qualification can be obtained through the WATCO contractor website.

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 the railroad. Contractor can expect one-week windows to preform work. This topic will be further discussed during the pre-proposal meeting, as operations may change.

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 by the KORR. All rails shall be replaced at standard gauge of 56-1/2".

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.

Other Responsibilities

- Permits – Contractor is responsible for all federal, state, and local permits required for the work. Additional permit information will be covered at the pre-proposal meeting.
- 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, trash, containers, etc., must be disposed of 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 feet 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. All removed materials will be disposed of accordingly by the contractor unless otherwise arranged with the KORR.

Non-Project Areas

The KORR has secured access to the project through the railroad right of way. Other access may be obtained by the Contractor if he/she 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

The KORR (Watco) shall hold a pre-proposal meeting at 10:30 a.m. April 3, 2024, to address any questions or clarify any portions of the project tasks. Please reach out to Herb Lamkin for specific meeting details.

Project Completion

It is expected the Contractor must start construction no later than 60 days after being awarded the bid (dependent upon material deliveries) and complete the project within an agreed upon timeline. Prior to the completion of the project, there will be a 3rd party final inspection. If there are any issues with the quality of work, the contractor will be responsible for fixing any issues found at cost to them. A NTP is in effect on this project – planned construction timeline is slated for completion in June 2024.

Submission of a Proposal

All proposals must be submitted no later than 4:00 p.m. April 26, 2024. All submitted proposals shall be reviewed by the KORR. Please ensure your proposal includes all required information. All incomplete proposals shall be rejected. 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:

- Provide a total sum of all line items on the proposal.
- Mobilization and Demobilization – Lump sum.
- Labor (Install) for each line item; include all applicable taxes.
- RRPL Insurance – Lump sum.

For further information or questions regarding the Request for Proposals or submittal of a proposal, please contact:

- Herb Lamkin, KORR Roadmaster, phone 316-215-4080, email hlamkin@watco.com
- Cody McGee, Division Engineer, phone 217-855-4107, email cody.mcgee@watco.com

Work Reporting

Daily work reports must be filled out and submitted to Herb Lamkin – KORR Roadmaster and Cody McGee – Division Engineer. Those reports should include updates to project schedules, any delays and/or changes in the scope of work. A detailed summary report must be submitted upon the completion of the project.

Cody McGee
Division Engineer
Watco Companies

Doc. No. 051954

State of Kansas**Legislative Administrative Services****Legislative Bills and Resolutions Introduced**

The following numbers and titles of bills and resolutions were introduced Marth 7th – March 13th during the 2024 session of the Kansas Legislature. Full text of bills, bill tracking, and other information may be accessed at <http://www.kslegislature.org/li/>.

House Bills

HB 2819, AN ACT concerning sales and compensating use tax; relating to city and countywide retailers' sales tax; providing countywide retailers' sales tax authority for Rawlins county for the purpose of financing costs of attendance centers or other district facilities; amending K.S.A. 2023 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Taxation.

HB 2820, AN ACT concerning infrastructure; relating to drone technology; prohibiting the acquisition of critical components of drone technology from countries of concern; requiring the divesture of such technology, by Committee on Appropriations.

HB 2821, AN ACT concerning administrative rules and regulations; creating the regulatory relief division within the office of the attorney general; establishing the general regulatory sandbox program within the office thereof; authorizing the regulatory relief division to waive or suspend state statutes and rules and regulations for program participants; amending K.S.A. 75-4319 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2822, AN ACT concerning the open records act; extending limitations on fees charged for records by state agencies to include fees charged for records by political and taxing subdivisions; amending K.S.A. 45-219 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2823, AN ACT concerning the residential landlord tenant act; creating an expedited process for eviction of persons not authorized to occupy the dwelling unit; amending K.S.A. 58-2545 and 58-2557 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2824, AN ACT concerning insurance; relating to health insurance plans; mandating coverage of pediatric acute-onset neuropsychiatric syndrome (PANS) and pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); amending K.S.A. 40-2,103 and 40-19c09 and K.S.A. 2023 Supp. 75-6525 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2825, AN ACT concerning health and healthcare; relating to hospitals; requiring that hospitals provide online pricing information for certain items and services; enacting the consumer protection related to hospital price transparency act; deeming noncompliance with such act to be an unfair or deceptive trade practice; providing for monetary penalties for hospitals found to be noncompliant with such act; amending K.S.A. 2023 Supp. 50-626 and repealing the existing section, by Committee on Appropriations.

HB 2826, AN ACT concerning elevators; relating to the elevator safety act; redefining the term elevator; modifying the requirements for licensure, inspection and testing of elevators and adoption of rules and regulations by the state fire marshal; amending K.S.A. 2023 Supp. 44-1802, 44-1805, 44-1807, 44-1815, 44-1816 and 44-1819 and repealing the existing sections, by Committee on Appropriations.

HB 2827, AN ACT concerning elevators; relating to the elevator safety act; delaying the enforcement thereof until at least July 1, 2025; amending K.S.A. 2023 Supp. 44-1801, 44-1816, 44-1817 and 44-1819 and repealing the existing sections, by Committee on Appropriations.

HB 2828, AN ACT concerning sales and compensating use tax; relating to city and countywide retailers' sales tax; providing countywide retailers' sales tax authority for Marshall county for the purpose of financing the costs of constructing or remodeling and furnishing a jail facility; amending K.S.A. 2023 Supp. 12-187, 12-189 and 12-192 and repealing the existing sections, by Committee on Taxation.

HB 2829, AN ACT concerning veterans and military; relating to the armed forces of the United States; clarifying the definition of armed forces; updating the definition thereof to include the space force;
(continued)

amending K.S.A. 44-706, 48-3401 and 65-1116 and K.S.A. 2023 Supp. 48-3407, 48-3408, 48-3601 and 65-6129 and repealing the existing sections, by Committee on Taxation.

HB 2830, AN ACT concerning veterans and military; relating to disabled veterans; prescribing documentation requirements to determine eligibility for benefits derived from a service-connected disability, by Committee on Taxation.

HB 2831, AN ACT concerning veterans and military; relating to disabled veterans; requiring that federal disability determinations be probative; prohibiting state agencies and municipalities from reconsidering a veteran's disability determination, by Committee on Taxation.

HB 2832, AN ACT concerning income taxation; relating to the Kansas housing investor tax credit; providing for transferability of credits from the year that the credit was issued; amending K.S.A. 2023 Supp. 79-32,313 and repealing the existing section, by Committee on Taxation.

HB 2833, AN ACT concerning veterans and military; modifying the definition of veteran and disabled veteran to create a common definition for each term; clarifying disability evaluations for benefits granted to disabled veterans; amending K.S.A. 8-160, 8-243, 8-1324, 73-201, 73-230, 73-1222 and 73-1239 and K.S.A. 2023 Supp. 32-934, 48-3601, 50-676, 75-3740 and 79-4502 and repealing the existing sections, by Committee on Taxation.

HB 2834, AN ACT concerning the state health care benefits program; transferring officers, employees, powers, duties and functions relating to such program from the division of the state employee health benefits plan of the department of administration to the insurance department; establishing the commissioner of insurance as the chairperson of the Kansas state employees health care commission; providing that all management functions of such commission shall be administered by the commissioner of insurance; eliminating a pilot program regarding employer contributions for certain children; amending K.S.A. 75-6503 and K.S.A. 2023 Supp. 75-37,169 and 75-6502 and repealing the existing sections; also repealing K.S.A. 75-6506a and K.S.A. 2023 Supp. 75-37,162, 75-37,163, 75-37,164, 75-37,165, 75-37,166, 75-37,167 and 75-37,168, by Committee on Appropriations.

HB 2835, AN ACT concerning law enforcement; requiring cities of the first class and counties that have cities of the first class to adopt by ordinance or resolution, respectively, law enforcement vehicle pursuit protocols, by Committee on Federal and State Affairs.

HB 2836, AN ACT concerning income taxation; relating to the salt parity act; clarifying the determination of taxable income of an electing pass-through entity; providing for the passing through of tax credits to electing pass-through entity owners; amending K.S.A. 2023 Supp. 79-32,284 and 79-32,287 and repealing the existing sections, by Committee on Taxation.

HB 2837, AN ACT concerning taxation; relating to income tax; modifying tax rates for individuals; increasing the Kansas personal exemption; increasing the income limit to qualify for a subtraction modification for social security income; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2023 Supp. 79-201x, 79-32,110, 79-32,117, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Taxation.

HB 2838, AN ACT concerning alcoholic beverages; relating to eligibility for licensure under the Kansas liquor control act and the club and drinking establishment act; authorizing the director to issue licenses to convicted felons when such conviction occurred more than 10 years prior to application for a license and a determination of sufficient rehabilitation is made; amending K.S.A. 41-2623 and K.S.A. 2023 Supp. 41-311 and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2839, AN ACT concerning education; relating to literacy; establishing the Kansas blueprint for literacy; creating a literacy advisory committee; directing the state board of regents to appoint a director of literacy education and develop a comprehensive assessment system for school districts; requiring the state board of regents and the state board of education to collaborate on a literacy micro-credential and professional development; authorizing the state board of regents to recommend diagnostic and formative literacy assessments; authorizing university presidents and deans of education oversight over postsecondary literacy courses; requiring a plan to establish centers of excellence in reading, by Committee on Appropriations.

HB 2840, AN ACT concerning public moneys; relating to the deposit and investment thereof; authorizing governmental units to utilize a public moneys pooled method of securities to secure the deposit of public moneys in excess of the amount insured or guaranteed by the federal deposit insurance corporation; requiring the state treasurer to establish procedures therefor; banks, savings and loan associations and savings banks to make certain reports upon the request of a governmental unit; amending K.S.A. 9-1402 and 12-1675 and repealing the existing sections, by Committee on Taxation.

House Resolutions

HR 6041, A RESOLUTION congratulating Goodwill of Western Missouri and Eastern Kansas on its 130th anniversary in 2024, by Representatives Thompson, Curtis, Hoyer, Bryce, Clifford, Ellis, Johnson, Neely, Pickert and Roth.

HR 6042, A RESOLUTION celebrating the historic and immense contributions of the Hispanic and Latino communities to the Kansas economy, by Representatives Martinez, Alcalá, Amyx, Ballard, Bloom, Buehler, Butler, Carlin, Carr, Clifford, Collins, Curtis, Dodson, Ellis, Essex, Featherston, Francis, Goddard, Goetz, Haswood, Highberger, Hill, Hougland, Howe, Howell, Howerton, Hoyer, Lewis, McDonald, Melton, Meyer, Miller, Miller, Neighbor, Ohaebosim, Oropeza, Osman, Ousley, Pickert, Poskin, Probst, Resman, Roth, Ruiz, Ruiz, Sawyer, Sawyer Clayton, Schlingensiepen, Schmoie, Schreiber, Stogsdill, Thompson, Underhill, Waggoner, Winn, Woodard, Xu and Younger.

House Concurrent Resolutions

HCR 5025, A PROPOSITION to amend section 1 of article 11 of the constitution of the state of Kansas; relating to property taxation; valuing residential real property based on the average fair market value of the prior 10 calendar years, by Committee on Taxation.

Senate Bills

SB 538, AN ACT concerning elections; relating to municipal elections; establishing a commencement date for candidate nomination filings for such elected offices; amending K.S.A. 25-205 and 25-21a01 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 539, AN ACT concerning taxation; relating to income tax; modifying tax rates for individuals; increasing the Kansas standard deduction and the Kansas personal exemption; increasing the income limit to qualify for a subtraction modification for social security income; relating to privilege tax; decreasing the normal tax rate; relating to property tax; increasing the extent of exemption for residential property from the statewide school levy; relating to sales and compensating use tax; reducing the state rate of tax on sales of food and food ingredients; modifying the percent credited to the state highway fund from revenue collected; amending K.S.A. 79-1107 and 79-1108 and K.S.A. 2023 Supp. 79-201x, 79-32,110, 79-32,117, 79-32,119, 79-32,121, 79-3603, 79-3603d, 79-3620, 79-3703 and 79-3710 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 540, AN ACT concerning the federal 340B drug pricing program; imposing restrictions concerning the federal 340B drug pricing program; enacting the defense of affordable prescriptions act to prohibit manufacturer interference relating to a 340B drug, by Committee on Assessment and Taxation.

SB 541, AN ACT creating the regulatory relief division within the office of the attorney general; establishing the general regulatory sandbox program within the office thereof; relating to administrative rules and regulations; authorizing the regulatory relief division to waive or suspend rules and regulations for program participants; amending K.S.A. 75-4319 and repealing the existing section, by Committee on Federal and State Affairs.

SB 542, AN ACT making and concerning appropriations for the fiscal year ending June 30, 2025; relating to the Kansas department for aging and disability services; creating a grant program to fund proposed homeless shelter infrastructure; establishing requirements for such grants to be awarded; creating the homeless shelter infrastructure grant fund in the state treasury, by Committee on Ways and Means.

SB 543, AN ACT concerning state educational institutions; relating to diversity, equity and inclusion; prohibiting the endorsement of discriminatory ideologies, the usage of diversity, equity and inclusion statements and the provision of preferential consideration on the basis of such discriminatory ideologies; creating a right of action and providing penalties for violations thereof, by Committee on Ways and Means.

SB 544, AN ACT concerning postsecondary education; relating to scholarship programs; establishing the Kansas academic excellence scholarship program to replace the Kansas ethnic minority scholarship program; amending K.S.A. 74-3284, 74-3285, 74-3286, 74-3287, 74-3288 and 74-3289 and repealing the existing sections, by Committee on Assessment and Taxation.

SB 545, AN ACT concerning sales taxation; relating to economic development; providing a sales tax exemption for the construction or remodeling of a qualified data center in Kansas and the purchase of data center equipment and eligible data center costs, electricity and certain labor costs to qualified firms that make a minimum investment of at least \$600,000,000 and meet new Kansas jobs and other requirements; amending K.S.A. 2023 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 546, AN ACT concerning taxation; relating to income tax; decreasing the corporate income tax rate; discontinuing income, premium and privilege tax credits of the high performance incentive program; repealing unused tax credits relating to abandoned well plugging, agri-tourism liability insurance, assistive technology contributions, declared disaster capital investment, environmental compliance, owners promoting employment across Kansas and swine facility improvement; relating to withholding tax; discontinuing benefits of the promoting employment across Kansas act; amending K.S.A. 65-7107, 74-50,132, 74-50,212 and 74-50,213 and K.S.A. 2023 Supp. 74-50,321, 79-32,110 and 79-32,160a and repealing the existing sections; also repealing K.S.A. 79-32,204, 79-32,207, 79-32,222, 79-32,262 and 79-32,266 and K.S.A. 2023 Supp. 32-1438, by Committee on Assessment and Taxation.

SB 547, AN ACT concerning agriculture; relating to the Kansas pet animal act; updating provisions for operating an animal shelter or pound; making changes to certain defined terms; modifying authority pertaining to refusal to issue or renew and the modification, limitation, suspension or revocation of any license or permit; providing for making immediate actions to protect the public interest; requiring the posting of a cash or security bond to pay for the costs of caring for a seized or impounded pet animal; requiring certain licensees that cease to engage in licensed activity to notify the commissioner at least 10 days prior to ceasing business, or if extenuating circumstances exist, not later than the date such activity ceases; requiring a closing inspection to confirm licensed activity has ceased prior to expiration of the license period; requiring certain additional rules and regulations; increasing the maximum amount of certain fees; clarifying the conditions required for a licensed veterinarian to act as or be a boarding or training kennel operator; changing the date during which a licensee or permit holder that is in the process of ceasing to do business may be issued a temporary closing permit; amending K.S.A. 47-1701, 47-1704, 47-1706, 47-1706a, 47-1707, 47-1709, 47-1712, 47-1715, 47-1721, 47-1723 and 47-1732 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 548, AN ACT concerning firearms; relating to the personal and family protection act; requiring a concealed carry license to lawfully carry a concealed handgun; providing permanent exemptions for post-secondary educational institutions from the public buildings requirements; amending K.S.A. 21-5914, 21-6301, 21-6302, 21-6308, 21-6309, 32-1002, 75-7c10, 75-7c17 and 75-7c20 and K.S.A. 2023 Supp. 75-7c02, 75-7c03, 75-7c04, 75-7c05, 75-7c08 and 75-7c21 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 549, AN ACT concerning firearms; relating to the purchase or transfer thereof; requiring criminal history record checks for such purchases and transfers; providing criminal penalties for violations, by Committee on Federal and State Affairs.

SB 550, AN ACT concerning firearms; relating to criminal possession or use of certain firearms; prohibiting persons under 21 years of age from purchasing and possessing semiautomatic rifles with high capacity ammunition magazines; amending K.S.A. 21-6301 and 21-6302 and repealing the existing sections, by Committee on Federal and State Affairs.

SB 551, AN ACT concerning crimes, punishment and criminal procedure; creating the crime of unlawful storage of a firearm; providing criminal penalties for violations thereof, by Committee on Federal and State Affairs.

Senate Resolutions

SR 1745, A RESOLUTION congratulating Goodwill of Western Missouri and Eastern Kansas on its 130th anniversary in 2024, by Senator Sykes.

Doc. No. 051982

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be held at 9:00 a.m. Friday, April 5, 2024, in the conference room of Kansas Development Finance Authority (the "Authority"), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, on the proposed issuance by the Authority in one or more series of revenue bonds (the "Bonds") in a principal amount not to exceed \$26,000,000. The Bonds will be issued pursuant to K.S.A. 74-8901 *et seq.* (the "Act") to finance the acquisition, construction, rehabilitation and equipping of an approximately 104-unit qualified residential rental project under Section 142 of the Internal Revenue Code, to be located at, or proximate to, the area immediately north of Ann Avenue and on both sides of N. 6th Street in the City of Kansas City, Kansas, including existing buildings located at 805 N. 6th Street and 538 Ann Avenue and property that is currently open space adjacent to Huron Park, to be known as City Hall Place, (the "Project"), to be owned and operated by EPD2 City Hall, LP, a Kansas limited partnership (the "Borrower").

The Bonds will be limited obligations of the Authority, payable solely from revenues pledged by the Borrower, and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, nor will the Bonds constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged, but the Bonds will be payable solely from revenues pledged by the Borrower in amounts sufficient to pay the principal of, interest and redemption premium, if any, on the Bonds.

Interested individuals may participate in the public hearing in person or via conference call. Please call toll-free at 844-621-3956 and use access code 145 880 8929 followed by # to join the hearing.

At the time and place fixed for the hearing, all individuals who appear will be given an opportunity to express their views for or against the proposal to issue the Bonds for the Project, and all written comments previously filed with the Authority at its above-referenced offices will be considered. Additional information regarding the Project may be obtained by contacting the Authority at the address of its offices shown above.

Rebecca Floyd
President

Kansas Development Finance Authority

Doc. No. 051968

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9:00 a.m. Friday, April 5, 2024, in the offices of the Kansas Development Finance Authority (K DFA), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, on the proposal for the K DFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal
(continued)

amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 001130 Maximum Principal Amount: \$210,659.90. Owner/Operator: Adam P. and Alisha M. Long; Description: Acquisition of 76.63 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes (the "Project"). The Project is being financed by the Lender for Adam P. and Alisha M. Long (the "Beginning Farmer") and is located in Section 35, Buffalo Township, Jewell County, Kansas, approximately two miles west of Jewell, Kansas on H Road to 170 Road, then south ¼ mile on the east side.

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

Interested individuals may participate in the public hearing in person or via conference call. Please call 844-621-3956 and use conference identification number 145 880 8929 followed by # to join the conference.

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

Rebecca Floyd
President

Kansas Development Finance Authority

Doc. No. 051967

State of Kansas

Insurance Department

Notice of Hearing on Proposed Administrative Regulations

The Kansas Insurance Department will conduct a public hearing at 8:30 a.m. Wednesday, May 22, 2024, at the Kansas Insurance Department, 1300 SW Arrowhead Rd., Topeka, Kansas, to consider the proposed revocation of K.A.R. 40-4-29a; and the proposed amendment of K.A.R. 40-1-36 and K.A.R. 40-8-7. Anyone desiring to participate via teleconference or virtual format should visit the Insurance Department's website at <https://insurance.kansas.gov/legal-issues/> for information on registering.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving

written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Kansas Insurance Department, 1300 SW Arrowhead Rd., Topeka, KS 66604 or by email to KID.publiccomment@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the proposed revocation and the proposed amended regulations during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five (5) minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed amended regulations, proposed revocation, 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 Bobbi Mariani at 785-296-7802 or bobbi.mariani@ks.gov or the Kansas Relay Center at 1-800-766-3777. The west entrance to the Insurance Department is accessible. Handicapped parking is located on the west side of the Insurance Department.

Copies of the proposed amended regulations, proposed revocation, and the economic impact statements can be viewed at <https://insurance.kansas.gov/legal-issues/>.

Summaries of the proposed amendments and proposed revocation and their economic impact follow. (Note: Statements indicating that a regulation or revocation is "not anticipated to have any economic impact" are intended to indicate that no economic impact on the Insurance Department, other state agencies, state employees, or the general public has been identified.)

K.A.R. 40-4-29a – Same; renewability of individual hospital, medical, or surgical expense policy. The proposed revocation of K.A.R. 40-4-29a removes an extraneous restatement of statutory language found in K.S.A. 40-2257 and removes a reference to an obsolete notice document that is no longer utilized by the insurance industry or the Insurance Department. The Insurance Department does not anticipate any significant economic impact to this agency, other governmental agencies, or to the public as a result of the revocation of this regulation.

K.A.R. 40-1-36 – Life and health insurance applications; underwriting; acquired immunodeficiency syndrome (AIDS); defined. The proposed amendments to K.A.R. 40-1-36 update the protocol for HIV testing by permitting life insurers to use newer, more accurate testing protocol approved by the United States Food and Drug Administration ("FDA"). The Insurance Department anticipates the amendment will enhance business activities by allowing insurers to use new, more accurate testing protocol. The amended regulation will permit the use of the currently required test, the Western blot, or a new protocol. This will allow insurers to update their procedures at their own pace. The Insurance Department does not anticipate any significant economic impact to this agency, other governmental agencies, or to the public as a result of the amendment of this regulation.

K.A.R. 40-8-7 – Excess lines insurance; agents; submission of affidavit required. K.A.R. 40-8-7 establishes the annual statement reporting and premium tax remittance requirements for excess lines agents. The regulation also establishes the assessment for failure to submit the annual statement and premium tax. The amendment lowers the amount of annual tax remittance from 6% to 3% in compliance with statutory amendments made to K.S.A. 40-246c, removes the requirement that annual reports and payments be submitted by mail, and removes a requirement that agents that have placed no excess lines business file the annual reporting statement with the Insurance Department. The amendment will enhance business activities and growth by reducing the burden of unnecessary annual report filing. The Insurance Department does not anticipate any significant economic impact to this agency, other governmental agencies, or to the public as a result of the amendment of this regulation.

Vicki Schmidt
Insurance Commissioner

Doc. No. 051975

State of Kansas

Department of Revenue

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted by the Department of Revenue at 1:30 p.m. Friday, May 24, 2024, in the Secretary's Conference Room, Mills Building 4th Floor, 109 SW 9th St., Topeka, KS 66612, regarding the proposed revocation of K.A.R. 92-3-7, 92-3-10, 92-3-11, 92-3-12a, 92-3-14, and 92-3-19. K.A.R. 92-3-7, 92-3-10, 92-3-11, 92-3-12a, and 92-3-14 are regulations governing motor fuel carrier tanks and measurements. Since these regulations were adopted, major inspection functions have been transferred from the Department of Revenue to the Department of Agriculture and the State Highway Patrol. K.A.R. 92-3-19 provides rules for determining a motor fuel distributor's "principal business" for purposes of the 2.5% handling allowance in K.S.A. 79-3408. Since K.A.R. 92-3-19 was adopted, K.S.A. 79-3408 has been amended to remove the "principal business" requirement.

The Department of Revenue does not anticipate any significant economic or environmental impact on local governmental agencies or units or the general public because of the changes to these regulations. Copies of the proposed regulations and the Economic Impact Statements may be found at <https://www.ksrevenue.gov/prproposedregulations.html>, or by contacting Taylor Murray at taylor.murray@ks.gov.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulations. All interested parties may submit written public comments prior to the hearing to Taylor Murray, Office of Policy and Research, Mills Building, 109 SW 9th St., Topeka, KS 66601-3506 or via email at taylor.murray@ks.gov. Additionally, interested parties wanting to participate remotely may contact Taylor Murray at taylor.murray@ks.gov to obtain remote access information.

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

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed 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 Taylor Murray at 785-296-6093 or via email at taylor.murray@ks.gov. Individuals with hearing and/or speech disabilities may contact the Kansas Relay Center at 1-800-766-3777 for communication accommodations. Disabled parking is located on the north side of the Mills Building on either side of 9th Street. The north entrance to the Mills Building is accessible.

Mark A. Burghart
Secretary
Department of Revenue

Doc. No. 051978

State of Kansas

Department of Revenue

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted by the Department of Revenue at 9:00 a.m. Friday, May 24, 2024, in the Secretary's Conference Room, Mills Building 4th Floor, 109 SW 9th St., Topeka, KS 66612, regarding the proposed amendment of K.A.R. 92-5-9 and 92-5-10. These regulations govern refunds issued to cigarette wholesale dealers if cigarette tax stamps are returned to the Department of Revenue unused or if stamped cigarettes have become unfit for sale.

K.A.R. 92-5-9 and 92-5-10 both refer to a percentage deducted from the refund amount. These percentages are set by Kansas statute. Since the regulations were adopted, the percentages set by statute have changed. The proposed amendments align K.A.R. 92-5-9 and 92-5-10 with current statute and, by directly referencing the statutory rates, help avoid the need for similar future amendments. The proposed amendments will not result in any change to Department of Revenue practices. The Department uses the correct statutory rates to calculate refund amounts.

The Department of Revenue does not anticipate any significant economic or environmental impact on local governmental agencies or units or the general public because of the changes to these regulations. Copies of the proposed regulations and the Economic Impact Statement may be found at <https://www.ksrevenue.gov/prproposedregulations.html>, or by contacting Taylor Murray at taylor.murray@ks.gov.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulations.

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lations. All interested parties may submit written public comments prior to the hearing to Taylor Murray, Office of Policy and Research, Mills Building, 109 SW 9th St., Topeka, KS 66601-3506 or via email at taylor.murray@ks.gov. Additionally, interested parties wanting to participate remotely may contact Taylor Murray at taylor.murray@ks.gov to obtain remote access information.

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

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Taylor Murray at 785-296-6093 or via email at taylor.murray@ks.gov. Individuals with hearing and/or speech disabilities may contact the Kansas Relay Center at 1-800-766-3777 for communication accommodations. Disabled parking is located on the north side of the Mills Building on either side of 9th Street. The north entrance to the Mills Building is accessible.

Mark A. Burghart
Secretary
Department of Revenue

Doc. No. 051979

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 48.— SPILL REPORTING

28-48-1. Definitions. In addition to the terms defined in K.S.A. 65-171v and amendments thereto, each of the following terms, as used in this article of the department's regulations, shall have the meaning specified in this regulation:

(a) "Department" means Kansas department of health and environment.

(b) "Discovery" means the act of finding a release or acquiring knowledge that a release has occurred.

(c) "Person responsible for the release" means either or both of the following:

(1) The person producing, handling, storing, transporting, refining, disposing of, or otherwise in control of a pollutant when the release of that pollutant occurred; or

(2) the person who owns or owned the property upon which the release occurred at the time the release occurred, if that person leased the property to the person meeting the criteria of paragraph (c)(1) at the time of the release.

(d) "Secretary" means secretary of the Kansas department of health and environment.

(e) "24-hour spill reporting telephone number" means the telephone number, designated by the department pursuant to K.S.A. 65-171v and amendments thereto, to call to notify the department of a release.

(f) "Waters of the state" has the meaning specified in K.S.A. 65-161, and amendments thereto. (Authorized by and implementing K.S.A. 2023 Supp. 65-171v; effective May 1, 1986; amended April 5, 2024.)

28-48-2. Action required. (a) For each release that is required to be reported as specified in K.A.R. 28-48-3, unless the discovery occurs as the result of an environmental investigation, the person responsible for the release shall conduct the following:

(1) Immediate action. As soon as the discovery occurs, the person responsible for the release shall:

(A) Take immediate action to accomplish the following:

(i) Protect human life and public safety;

(ii) notify local emergency responders;

(iii) stop and contain the release; and

(iv) prevent any additional release; and

(B) cooperate fully with representatives of the department and local emergency responders during the release response.

(2) Reporting and notifications. The person responsible for the release shall conduct the following:

(A) As soon as practicable after the discovery of the release, after the actions specified in paragraph (a)(1)(A) have been initiated, report the release to the department by calling the 24-hour spill reporting telephone number or by using another method specified by the department.

(B) Not later than five days after the discovery of the release, make reasonable attempts to ensure that the following are notified of the release:

(i) The owner and each tenant of the property upon which the release occurred; and

(ii) the owner and each tenant of each property onto which the release migrated.

(3) Clean up and restoration. The person responsible for the release shall conduct the following:

(A) Perform a cleanup that is determined by the secretary to be protective of human health and safety and the environment; and

(B) restore each property onto which the release migrated to a condition that is determined by the secretary to be as close as reasonably possible to the condition of the property before the release.

(b) If the discovery occurs as the result of an environmental investigation of a property, the person who owns the property at the time of the discovery shall:

(1) Not later than fourteen days after the discovery, make reasonable attempts to ensure that each tenant of the property upon which the release occurred is notified of the release; and

(2) report the discovery to the department in writing within 30 days of the discovery.

(c) Any person with knowledge of a release not specifically provided for in this regulation may report the release to the department by calling the 24-hour spill reporting telephone number or by using another method specified by the department. (Authorized by and implementing K.S.A. 2023 Supp. 65-171v; effective May 1, 1986; amended April 5, 2024.)

28-48-3. Reportable quantities. Each release shall be reported to the department, as specified in K.A.R. 28-48-2 in accordance with the following criteria:

(a) The person responsible for the release shall report the release to the department if any of the following conditions are met:

(1) The release, regardless of quantity, occurred in any waters of the state;

(2) the release occurred on soil and the quantity of released pollutant meets or exceeds any of the following reportable quantities:

(A) Any quantity identified in either table 302.4 or appendix B of 40 C.F.R. 302.4, as adopted by reference in K.A.R. 28-48-4. The reporting requirement shall be determined in accordance with the criteria specified in 40 C.F.R. 302.6(b) through (d), as adopted by reference in K.A.R. 28-48-4;

(B) 100 pounds of a pollutant that meets all of the following criteria:

(i) The pollutant is not identified in table 302.4 or appendix B of 40 C.F.R. 302.4;

(ii) the pollutant is a hazardous waste as specified in 40 C.F.R. 261, as adopted by reference in K.A.R. 28-31-261. For the purposes of this regulation, a released pollutant is considered a waste, regardless of any potential for beneficial use; and

(iii) the pollutant exhibits the characteristic of ignitability, corrosivity, reactivity, or toxicity, or any combination of these characteristics, according to the criteria specified in 40 C.F.R. 261.21 through 261.24;

(C) 25 gallons of oil, unless the oil was released during the exploration and production of petroleum and is required to be reported to the Kansas corporation commission, as specified in K.A.R. 82-3-603 through K.A.R. 82-3-608. For the purposes of this regulation, "oil" shall mean a nonpolar chemical substance that is hydrophobic and lipophilic, including the following:

(i) Naturally formed petroleum hydrocarbons, regardless of specific gravity;

(ii) refined petroleum products, including fuel;

(iii) mineral oil;

(iv) electrical insulating oil;

(v) animal fat; and

(vi) vegetable oil, including oil derived from plant seeds, nuts, kernels or fruits.

(D) 420 gallons of brine. For the purposes of this regulation, "brine" shall mean a solution of water and dissolved solids with a concentration of chlorides or sulfates of 3,000 parts per million or more;

(E) 1,000 pounds of dry fertilizer, as defined in K.A.R. 4-4-900; or

(F) 100 gallons of liquid fertilizer, as defined in K.A.R. 4-4-900; or

(3) two or more releases that occur on the same property within 90 calendar days and the cumulative amount of the pollutant released meets or exceeds any of the reportable quantities specified in paragraph (a)(2).

(b) If the discovery of one or more pollutants, in any quantity, occurs as the result of an environmental investigation of a property, the person who owns the property at the time of the discovery shall report the release to the department. (Authorized by and implementing K.S.A. 2023 Supp. 65-171v; effective April 5, 2024.)

28-48-4. Adoption of certain reportable quantities. For the purposes of K.A.R. 28-48-3, the following are hereby adopted by reference:

(a) The following portions of 40 C.F.R. 302.4, as in effect on July 1, 2021, and as amended by 87 fed. reg. 20725-20761 (2022):

(1) Table 302.4; and

(2) appendix B.

(b) 40 C.F.R. 302.6(b) through (d), as in effect on July 1, 2021. (Authorized by and implementing K.S.A. 2023 Supp. 65-171v; effective April 5, 2024.)

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051980

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-3773. "Double Bonus Crossword" instant ticket lottery game number 386. (a) The Kansas lottery may conduct an instant winner lottery game entitled "Double Bonus Crossword." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3773.

(b) The "play symbols" for the "YOUR LETTERS," "BONUS LETTERS," "BONUS WORD," and the crossword puzzle grid in this game are as follows: A - B - C - D - E - F - G - H - I - J - K - L - M - N - O - P - Q - R - S - T - U - V - W - X - Y - Z. There are no "play symbol captions" for the play symbols listed hereinabove.

The "prize box symbols" and "prize box symbol captions" for this game are as follows:

Prize Box Symbols	Captions
\$5 ⁰⁰	FIVE\$
10 ⁰⁰	TEN\$
25 ⁰⁰	TWEN-FIV
50 ⁰⁰	FIFTY

(c) For this game, a play symbol shall appear in each of 18 play spots within the "YOUR LETTERS" play area, in each of two play spots within the "BONUS LETTERS" play area, in each of the five play spots within the "BONUS WORD" play area, and a variable number of times within the crossword puzzle grid.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(f) "Double Bonus Crossword" consists of four play areas. In the upper part of the ticket there is a crossword puzzle grid that contains 11 spaces by 11 spaces covered by transparent latex. In the "YOUR LETTERS" play area, located in the lower part of the ticket, there are 18 letters located under opaque latex. To the right of the "YOUR LETTERS" play area is the "BONUS LETTERS" play area in which there are two letters covered by opaque latex. Imaged around each of the 18 "YOUR LETTERS" and two "BONUS LETTERS" there will be a four-sided box composed of solid lines. In the "BONUS WORD" play

(continued)

area, located below the “YOUR LETTERS” play area, there is a “BONUS WORD” with a prize box. Imaged around each of the five letters in the “BONUS WORD” there will be a four-sided box composed of solid lines. A player will remove the latex from the “YOUR LETTERS” and “BONUS LETTERS” play areas one letter at a time, and then for each matching letter in the crossword puzzle grid and the “BONUS WORD” play area scratch off the transparent latex. Each letter revealed in the “YOUR LETTERS” and “BONUS LETTERS” play areas may be used an unlimited number of times in the crossword puzzle grid. If a player reveals three or more complete words in the crossword puzzle grid, the player wins the corresponding prize in the prize legend. The prize legend on the front of the ticket indicates prizes won for number of words revealed. If a player reveals all letters in the “BONUS WORD,” the player wins the prize shown in the prize box.

The following prize legend will be displayed on the ticket:

FIND	WIN
3 words	Free Ticket
4 words	\$5
5 words	\$10
6 words	\$20
7 words	\$100
8 words	\$500
9 words	\$2,000
10 words	\$20,000

(g) To qualify as a complete word to win a prize in this game, the words revealed must meet the following requirements:

- (1) must contain at least three letters;
- (2) cannot be formed diagonally, run right to left or from bottom to top;
- (3) must appear in an unbroken horizontal or vertical string of letters in the crossword puzzle grid;
- (4) an unbroken string of letters cannot be interrupted by a black space and must contain every single letter square between two black spaces; and
- (5) every single letter in the unbroken string must be revealed in the “YOUR LETTERS” or “BONUS LETTERS” play areas and be included to form a word.

(h) Each ticket in this game may win up to two times.

(i) Approximately 7,680,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

(j) The expected number and value of instant prizes in this game shall be as follows:

	Bonus Word	Prize	Winners Per 7,680,000	Prize Cost
\$2 (FREE TICKET)		\$2	1,280,000	\$2,560,000
\$5		\$5	332,800	\$1,664,000
	\$5	\$5	15,360	\$76,800
\$10		\$10	176,640	\$1,766,400
	\$10	\$10	8,704	\$87,040
\$10	\$5	\$15	6,144	\$92,160
\$20		\$20	58,880	\$1,177,600

\$10	\$10	\$20	5,120	\$102,400
	\$25	\$25	2,560	\$64,000
	\$50	\$50	1,376	\$68,800
\$100		\$100	7,680	\$768,000
\$500		\$500	1,056	\$528,000
\$2,000		\$2,000	224	\$448,000
\$20,000		\$20,000	32	\$640,000
Players Loyalty Program		\$75,000		\$75,000
	TOTAL		1,896,576	\$10,118,200

(k) The odds of winning a prize in this game are approximately one in 4.05. (Authorized by K.S.A. 2023 Supp. 74-8710; implementing K.S.A. 2023 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-2-23-24, Feb. 14, 2024.)

Article 18. — GENERIC PLAYER LOYALTY CLUB RULES

111-18-5. Drawings. (a) Following the close of drawing entries, a random number generator will be used to select winners of prizes.

(b) Drawing prizes may be cash or other prizes including second-chance prizes.

(c) All drawings shall be held under the supervision of Kansas lottery security staff members. Drawings may be conducted by Kansas lottery staff or vendor staff, at a location determined by the Kansas lottery. The drawings shall be conducted pursuant to written procedures developed by the Kansas lottery and approved by the executive director of the Kansas lottery.

(d) Persons interested in attending drawings are invited to receive detailed information by contacting the Kansas lottery director of security either by telephone, email, or by postal mail to: Security director, Kansas lottery, 128 North Kansas Avenue, Topeka, Kansas 66603. Requests to witness a drawing must be received by the Kansas lottery security director no less than 24 hours in advance of the drawing. Persons attending drawings conducted by the Kansas lottery must show valid photo identification and be supervised by a member of the Kansas lottery security division or a security designee during the drawing.

(e) A PlayOn member must be opted in for email including emails to reset password, account activity, and program updates to be eligible to be a drawing winner of the player loyalty program.

(f) Each person who enters a drawing agrees to release the Kansas lottery and its respective officers, directors, employees, agents, and sponsors from liability of any kind or nature for any loss, claims, damages, illness, or injuries of any kind associated with participation in the drawing or with acceptance and use of any prize.

(g) The Kansas lottery reserves the right to substitute prizes at its sole and total discretion of approximate equal value.

(h) A selected entry in a drawing will be reviewed by Kansas lottery security staff or designated vendor staff under Kansas lottery supervision to determine whether the entry meets qualifications for the drawing. If the entrant is declared to be an eligible entry, the entrant will be contacted via email address, telephone, and/or mailing address provided by the member’s account and must present acceptable matching identification of his or her

registration information including verification of age eligibility prior to being awarded a prize. The selected entrant must complete, sign, and submit a furnished prize claim form within the time set forth in the specific rules for the drawing.

(i) Unless otherwise provided in the regulation establishing the drawing, there shall be five additional entries selected in each drawing which shall serve as alternate winners in the order drawn in the event a winner fails to properly claim a prize.

(j) If selected entrants do not qualify for the drawing, cannot provide acceptable matching identification, or fail to submit a completed claim form within the time frame specified for the drawing, that entrant will not be awarded a prize and an alternate winner shall be selected in a like manner as the original entrant was selected from the entries for that drawing.

(k) Qualifying winning entrants will be determined by the Kansas lottery at its sole discretion.

(l) A winner or alternate winner of a prize shall be notified via email that he or she has won a prize. At that time, the winner or alternate winner shall be instructed how to verify his or her personal identification.

(m) A winner or alternate winner shall be sent a claim form via U. S. mail at the time the winner or alternate winner is notified he or she has won a prize.

(n) A player who is selected as a prize winner in a drawing must return his or her completed claim form, and must be received by the Kansas lottery within 10 business days following the date the winner is announced unless otherwise provided in the regulation establishing the drawing. A player who is determined to be a winner as a result of being used as an alternate winner in a drawing must return his or her completed claim form and must be received by the Kansas lottery within 10 business days following the date the alternate winner was sent a claim form unless otherwise provided in the regulation establishing the drawing.

(o) Completed claim forms can be mailed by the winner or alternate winner via U.S. Mail to: Kansas lottery, 128 North Kansas Avenue, Topeka, Kansas 66603, emailed to an email address designated by the Kansas lottery, or the winner can deliver the completed claim form to the Kansas lottery claims center in Topeka, Kansas, during the hours the claim center is open for business.

(p) If a player fails to answer any email, respond to any request for information, or fill out any forms required by the Kansas lottery within the time allotted in the winner's notification of winning a prize, said prize shall be forfeited and awarded to an alternate winner selected in a like manner as the original entrant was selected from the entries for that drawing.

(q) A drawing entry is eligible for only one drawing unless otherwise indicated in a specific drawing rule.

(r) A member may not win more than one prize in any drawing.

(s) All entries into a drawing are final.

(t) Drawing entries may not be cancelled or returned by a player, and any points used for an entry may not be returned or restored by the lottery. The Kansas lottery reserves the right to cancel or amend any entry at its sole discretion.

(u) Prizes will be issued in the winner's name only. The winner is the name that was entered during the PlayOn registration. (Authorized by K.S.A. 2023 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2023 Supp. 74-8710; effective, T-111-2-24-17, Jan. 11, 2017; amended, T-111-8-1-23, July 12, 2023; amended, T-111-2-23-24, Feb. 14, 2024.)

Article 19.—SPECIFIC PLAYER LOYALTY CLUB RULES

111-19-170. Kansas Speedway May 2024 drawing.

(a) The Kansas lottery may conduct a drawing entitled "Kansas Speedway May 2024 Drawing." The Kansas lottery will accept entries into the drawing beginning at 12:01 a.m. on March 18, 2024, and ending at 11:59 p.m. on March 31, 2024. The drawing will be conducted sometime after entry into the drawing has closed but before noon on April 4, 2024, at which time 30 winners will be announced.

(b) Only registered PlayOn members may enter the "Kansas Speedway May 2024 Drawing." PlayOn members must enter themselves into the drawing according to the terms and conditions of PlayOn. Entries shall not be accepted that are submitted by any method other than through PlayOn.

(c) A total of 462 player loyalty club points are required for a PlayOn member to enter once into the drawing. A player may enter the drawing as many times as the player's points allow but may only win once in this drawing.

(d) The procedures set forth in K.A.R. 111-18-5 for selecting winners and alternate winners shall be followed, except as follows: in this promotion, 10 alternates shall be selected. The prize packages shall consist of the following:

(1) The Kansas lottery shall award each winner two tickets for each day of the 2024 Heart of America 200 and ARCA Menards Race on Saturday, May 4, 2024, and the AdventHealth 400 on Sunday, May 5, 2024;

(2) One double occupancy hotel room at Great Wolf Lodge for the evenings of May 3, 4 and 5, 2024;

(3) Transportation between the hotel and Kansas Speedway;

(4) Food and other amenities at the Kansas lottery winners' suite at Kansas Speedway;

(5) \$400 cash; and

(6) State and federal mandatory income withholding taxes paid by the Kansas lottery. Each prize package is valued at approximately \$3,615.

(e) The procedures set forth in K.A.R. 111-18-5 for contacting winners and the claiming of prizes shall be followed, except as follows: in this promotion the 10-day deadline for the winners to return their claim forms shall be 5 business days. The Kansas lottery is not responsible for electronic malfunction or player error.

(f) Each person who enters the drawing agrees to release Kansas Speedway Corporation, its parent and affiliated companies, the Kansas Lottery and their respective officers, directors, employees, agents, and sponsors from liability of any kind or nature for any loss, claims, damages, or injuries of any kind associated with participation in the drawing or with acceptance and use of any prize.

(continued)

Winners shall comply with the terms and conditions associated with each portion of any prize, including all venue policies, and shall follow the directions of lottery staff and event security.

(g) In the event any race in the prize package awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions shall be provided.

(h) The Kansas lottery retains the right to substitute an alternate prize of approximate equal value.

(i) A player must have a smart phone to accept speedway tickets.

(j) By entering the drawing, entrant agrees to PlayOn terms and conditions.

(k) Rules applicable to this online event drawing are contained in K.A.R. 111-19-170 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2023 Supp. 74-8710; implementing K.S.A. 2023 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-2-23-24, Feb. 14, 2024.)

111-19-171. Kansas Speedway September 2024 drawing. (a) The Kansas lottery may conduct a drawing entitled "Kansas Speedway September 2024 Drawing." The Kansas lottery will accept entries into the drawing beginning at 12:01 a.m. on April 1, 2024, and ending at 11:59 p.m. on August 11, 2024. The drawing will be conducted sometime after entry into the drawing has closed but before noon on August 15, 2024, at which time 30 winners will be announced.

(b) Only registered PlayOn members may enter the "Kansas Speedway September 2024 Drawing." PlayOn members must enter themselves into the drawing according to the terms and conditions of PlayOn. Entries shall not be accepted that are submitted by any method other than through PlayOn.

(c) A total of 546 player loyalty club points are required for a PlayOn member to enter once into the drawing. A player may enter the drawing as many times as the player's points allow but may only win once in this drawing.

(d) The procedures set forth in K.A.R. 111-18-5 for selecting winners and alternate winners shall be followed, except as follows: in this promotion, 10 alternates shall be selected. The prize packages shall consist of the following:

(1) The Kansas lottery shall award each winner two tickets for each day of the 2024 NASCAR Craftsman Truck and ARCA Menards Series Race on Friday, September 27, 2024, the NASCAR Xfinity Series on Saturday, September 28, 2024, and the Hollywood Casino 400 on Sunday, September 29, 2024;

(2) One double occupancy hotel room at Great Wolf Lodge for the evenings of September 26, 27 and 28, 2024;

(3) Transportation between the hotel and Kansas Speedway;

(4) Food and other amenities at the Kansas lottery winners' suite at Kansas Speedway;

(5) \$400 cash; and

(6) State and federal mandatory income withholding taxes paid by the Kansas lottery. Each prize package is valued at approximately \$4,455.

(e) The procedures set forth in K.A.R. 111-18-5 for contacting winners and the claiming of prizes shall be followed. The Kansas lottery is not responsible for electronic malfunction or player error.

(f) Each person who enters the drawing agrees to release Kansas Speedway Corporation, its parent and affiliated companies, the Kansas Lottery and their respective officers, directors, employees, agents, and sponsors from liability of any kind or nature for any loss, claims, damages, or injuries of any kind associated with participation in the drawing or with acceptance and use of any prize. Winners shall comply with the terms and conditions associated with each portion of any prize, including all venue policies, and shall follow the directions of lottery staff and event security.

(g) In the event any race in the prize package awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions shall be provided.

(h) The Kansas lottery retains the right to substitute an alternate prize of approximate equal value.

(i) A player must have a smart phone to accept speedway tickets.

(j) By entering the drawing, entrant agrees to PlayOn terms and conditions.

(k) Rules applicable to this online event drawing are contained in K.A.R. 111-19-171 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2023 Supp. 74-8710; implementing K.S.A. 2023 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-2-23-24, Feb. 14, 2024.)

111-19-172. Sporting KC Experience drawing. (a) The Kansas lottery may conduct a drawing entitled "Sporting KC Experience" in which 16 Kansas lottery players will win tickets for the Sporting KC soccer game at Children's Mercy Park in Kansas City on June 8, 2024. The Kansas lottery will accept entries into the drawing beginning at 12:01 a.m. on April 1, 2024, and ending at 11:59 p.m. on May 5, 2024. The drawing will be conducted sometime after entry into the drawing has closed but before noon on May 9, 2024, at which time the winners will be announced.

(b) Only registered PlayOn members may enter the drawing. PlayOn members must enter themselves into the drawing according to the terms and conditions of PlayOn. Entries shall not be accepted that are submitted by any method other than through PlayOn.

(c) A total of 387 player loyalty club points are required for a PlayOn member to enter once into the drawing. A player may enter the drawing as many times as his or her points allow, but may win only one prize package.

(d) The procedures set forth in K.A.R. 111-18-5 for selecting the winners and alternate winners shall be followed.

(e) The prize packages shall consist of the following:

(1) The Kansas lottery shall award the first four winners drawn a suite package consisting of four suite tickets, a VIP parking pass, \$400 cash, and mandatory state and federal income withholding taxes paid by the lottery. Each prize package is valued at approximately \$2,866; and

(2) The next 12 winners drawn will receive a general admission package consisting of four general admission game tickets and \$300 cash. Each prize package is valued at approximately \$512.

(f) The procedures set forth in K.A.R. 111-18-5 for contacting winners and the claiming of prizes shall be fol-

lowed. The Kansas lottery is not responsible for electronic malfunction or player error.

(g) All winners and guests shall release the Kansas lottery from any liability for injuries sustained while redeeming any portion of the prize. Winners shall comply with the terms and conditions associated with each portion of any prize, including all venue policies, and shall follow the directions of lottery staff and event security.

(h) In the event any prize awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions shall be provided.

(i) The Kansas lottery retains the right to substitute an alternate prize of approximate equal value.

(j) A player must have a smart phone to accept Sporting KC tickets.

(k) Except as otherwise stated in these rules, state and federal withholding taxes shall be the responsibility of the winner.

(l) By entering the drawing, entrant agrees to PlayOn terms and conditions.

(m) Rules applicable to this online event drawing are contained in K.A.R. 111-19-172 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2023 Supp. 74-8710; implementing K.S.A. 2023 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-2-23-24, Feb. 14, 2024.)

111-19-173. Country Stampede Concert Package.

(a) The Kansas lottery may conduct a drawing entitled "Country Stampede Concert Package," in which five Kansas Lottery players will win a concert package for the 2024 Country Stampede Music Festival at Azura Amphitheater in Bonner Springs, Kansas. The Kansas lottery will accept entries into the drawing beginning at 12:01 a.m. on April 8, 2024, and ending at 11:59 p.m. on May 19, 2024. The drawing will be conducted sometime after entry into the drawing has closed but before noon on May 23, 2024, at which time the winners will be announced.

(b) Only registered PlayOn members may enter the drawing. PlayOn members must enter themselves into the drawing according to the terms and conditions of PlayOn. Entries shall not be accepted that are submitted by any method other than through PlayOn.

(c) A total of 248 player loyalty club points are required for a PlayOn member to enter once in the drawing. A

player may enter the drawing as many times as his or her points allow, but may win only one concert package.

(d) The procedures set forth in K.A.R. 111-18-5 for selecting winners and alternate winners shall be followed. The concert packages shall consist of the following:

(1) two super fan party pit passes, including upper reserved seats, on Thursday, June 27, 2024, Friday, June 28, 2024, and Saturday, June 29, 2024;

(2) two meet and greet passes for each day;

(3) parking pass for each day;

(4) \$400 cash; and

(5) state and federal mandatory income withholding taxes paid by the Kansas lottery.

(e) Each concert package is valued at approximately \$1,476.

(f) The procedures set forth in K.A.R. 111-18-5 for contacting winners and the claiming of prizes shall be followed. The Kansas lottery is not responsible for electronic malfunction or player error.

(g) Prizes are not exchangeable for cash. The Kansas lottery retains the right to substitute an alternate prize of approximate equal value.

(h) In the event the concert package awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions or other compensation shall be provided. Any portion of this prize not used by the winner for any reason shall be forfeited.

(i) All winners and guests shall release the Kansas lottery from any liability for injuries sustained while redeeming any portion of the prize.

(j) Performer lineups or availability are subject to change without notice.

(k) By entering the drawing, entrant agrees to PlayOn terms and conditions.

(l) Rules applicable to this promotion are contained in K.A.R. 111-19-173 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2023 Supp. 74-8710; implementing K.S.A. 2023 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-2-23-24, Feb. 14, 2024.)

Stephen W. Durrell
Executive Director
Kansas Lottery

Doc. No. 051981

INDEX TO ADMINISTRATIVE REGULATIONS

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

AGENCY 7: SECRETARY OF STATE

Table with 3 columns: Reg. No., Action, Register. Row: 7-47-1 Amended (T) V. 43, Issue 11

AGENCY 22: STATE FIRE MARSHAL

Table with 3 columns: Reg. No., Action, Register. Rows: 22-8-5 Amended V. 43, Issue 11; 22-18-2 Amended V. 43, Issue 11; 22-18-3 Amended V. 43, Issue 11

AGENCY 26: DEPARTMENT FOR AGING AND DISABILITY SERVICE

Table with 3 columns: Reg. No., Action, Register. Multiple rows listing regulations from 26-52-1 to 26-52-32, mostly 'New (T)' in V. 43, Issue 9.

AGENCY 82: CORPORATION COMMISSION

Table with 3 columns: Reg. No., Action, Register. Row: 82-4-1 Amended (T) V. 43, Issue 2

Table with 3 columns: Reg. No., Action, Register. Rows: 82-4-3j Amended (T) V. 43, Issue 2; 82-4-30a Amended (T) V. 43, Issue 2

AGENCY 92: DEPARTMENT OF REVENUE

Table with 3 columns: Reg. No., Action, Register. Rows: 92-12-150 New V. 43, Issue 10; 92-12-151 New V. 43, Issue 10

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Table with 3 columns: Reg. No., Action, Register. Row: 109-2-2 Amended V. 43, Issue 11

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 Kansas Register. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 Kansas Register. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 Kansas Register. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 Kansas Register. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 Kansas Register. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 Kansas Register. A list of regulations filed from 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 Kansas Register. A list of regulations filed from 2022 through 2023 can be found in the Vol. 42, No. 52, December 28, 2023 Kansas Register.

Table with 3 columns: Reg. No., Action, Register. Multiple rows listing regulations from 111-4-3771 to 111-20-11, mostly 'New' in V. 43, Issue 5.

Table with 3 columns: Reg. No., Action, Register. Multiple rows listing regulations from 111-20-12 to 111-501-155, mostly 'New' in V. 43, Issue 5 or 11.

AGENCY 112 RACING AND GAMING COMMISSION

Table with 3 columns: Reg. No., Action, Register. Multiple rows listing regulations from 112-201-1 to 112-204-7, mostly 'New (T)' in V. 42, Issue 44.

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