



Kansas Register

Kris W. Kobach, Secretary of State

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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 5-14-18 through 5-20-18

Term	Rate
1-89 days	1.70%
3 months	1.92%
6 months	2.07%
12 months	2.31%
18 months	2.47%
2 years	2.53%

Scott Miller
Director of Investments

Doc. No. 046299

(Published in the Kansas Register May 17, 2018.)

South Central Kansas Economic Development District, Inc.

Request for Proposals

The South Central Kansas Economic Development District, Inc. (SCKEDD) is seeking a financial advisor for our employee retirement plan. This individual would also locate a company to hold the plan assets and provide ongoing service on the plan.

To view the full text of the request for proposal, please visit <https://bit.ly/2rbCYtw>.

SCKEDD is an Equal Opportunity employer, lender, and housing provider.

Daniel Bass
CFO/Controller

Doc. No. 046285

(Published in the Kansas Register May 17, 2018.)

Garden City Western Railroad

Request for Proposals

Introduction and Purpose:

The Garden City Western Railroad is requesting proposals from contractors, experienced in railroad track construction, for the replacement of three #8 turnouts and removal and installation of 800 ties over two (2) miles of track in Garden City, Kansas. Interested contractors shall request a bid package in accordance with the instructions below and attend a mandatory pre-bid meeting. Bidders will submit a bid along with proof of completion of at least 5 similar projects.

Project information:

- Kansas Department of Transportation–Project #28 RF-0054-01
- Rehabilitate or reconstruct three (3) turnouts and approximately 2 miles of track
- Location – Garden City, Kansas
- Garden City Western Railroad – North Line

Instruction to Bidding Contractors:

Interested parties may request a bid package by sending requests to moneil@pioneer-railcorp.com. All bid package requests must be received by 5:00 p.m. (CST) May 31, 2018. Requests received after the specified date and time will not be considered. All qualified requests will receive an electronic bid request package.

Michael O’Neil, P.E., S.E,
Senior Engineer Track & Structures
Pioneer Railroad Services, Inc.

Doc. No. 046304

(Published in the Kansas Register May 17, 2018.)

Northeast Kansas Credit Union

Notice of Field of Membership Change

This is to certify that at a special meeting of the Board of Directors of Topeka City Employees Credit Union, now known as North East Kansas Credit Union, held on April 12, 2018, in Topeka, Kansas, legal notice having been given that the following amendment to the bylaws was to be submitted, and a quorum being present, the following resolution was adopted by at least three-fourths (¾) vote of all Board members present:

Amend Article III, Section 1, to read as follow: Membership to this credit union is open to any person or organization residing, working, or worshipping within the following Kansas Counties: Shawnee, Pottawatomie, Jackson, Jefferson, Douglas, Osage, and Wabaunsee. Membership, once established, may continue even though the credit union member would not be eligible for new membership.

Jennifer Froman
General Manager

Doc. No. 046316

State of Kansas

Secretary of State

Notice of Forfeiture

In accordance with Kansas statutes, the following business entities organized under the laws of Kansas and the foreign business entities authorized to do business in Kansas were forfeited during the month of April 2018 for failure to timely file an annual report and pay the annual report fee.

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

Domestic Business Entities

- Acme Lithographers, Inc., Derby, KS
- Al’s Plumbing, Heating & Air Conditioning, Inc., Great Bend, KS
- All Things Exterior, Inc., Beloit, KS
- American Automation, Inc., Olathe, KS

(continued)

Backyard Lodge, Inc., Beloit, KS
 Beemer Construction, Inc., Abilene, KS
 Blasi Tire Center, Inc., Wichita, KS
 Book Publisher, Inc., Olathe, KS
 Bromley Quarry & Asphalt, Inc., Dallas, TX
 Buyers Guide, LLC, Hutchinson, KS
 C & K Cox Farms, Inc., Valley Falls, KS
 Charles Loop Enterprises, Inc., Wichita, KS
 Chosen Virtue Foundation, Leawood, KS
 Commercial Lending & Leasing, Inc., Parsons, KS
 Comprehensive Maintenance & Repairs, LLC, Topeka, KS
 Corporate Resource Group, Inc., Lenexa, KS
 Crawford Oil & Gas Co., LLC, El Dorado, KS
 Deals on Wheels Automotive, LLC, Overland Park, KS
 Delta Omega of Delta Zeta Building, Inc., Hays, KS
 Denco, Ltd., Leawood, KS
 Direct Wholesale Supply, Inc., Beloit, KS
 DSA Consulting, Incorporated, Fairway, KS
 E-Mergeplus, LLC, Valley Center, KS
 El Rinconcito Mexican Store, LLC, Lyons, KS
 Gametime Recreation, Inc., Lawrence, KS
 Georgetown, Inc., Salina, KS
 Gilson Operating Co., Inc., Overland Park, KS
 Harris Business Services, LLC, Hutchinson, KS
 Holy Land Café, Inc., Lenexa, KS
 Kansas Association of Family and Consumer Sciences Foundation, Inc., Altoona, KS
 Kaps, Inc., Cheney, KS
 KCG & Dago's Corp., Lawrence, KS
 Kee-Ell-Co Distributors Incorporated, Belleville, KS
 Lady Jaguar Volleyball, Inc., Gardner, KS
 Larry Allen Motor Car Company, Inc., Parsons, KS
 LCD Enterprises, Inc., Olathe, KS
 LMH Consulting, LLC, Kansas City, KS
 Logicmaze, LLC, Hutchinson, KS
 M&G Stucco, Inc., Kansas City, KS
 McLisa Sales & Services, Ltd., Olathe, KS
 Metro Tow, Inc., Kansas City, KS
 Midwest Ag Enterprises, Inc., Linn, KS
 Modern Electronics, Inc., Manhattan, KS
 NB Angus Farms, Inc., Highland, KS
 Ottawa Herald, LLC, Hutchinson, KS
 Pinnacle Home Design Corporation, Overland Park, KS
 Platinum Contracting, LLC, Lenexa, KS
 R. Wayne Thompson, D.D.S., P.A., Shawnee, KS
 Rea of Hope Church and Salvation, Lansing, KS
 S & A Industrial Corporation, Mission, KS
 Salina Building Systems, Inc., Salina, KS
 Salina Journal, LLC, Hutchinson, KS
 Shirley Farms, Inc., Oberlin, KS
 Tabler Furniture, Inc., Larned, KS
 Telegram Publishing Company, LLC, Hutchinson, KS
 Terry's Billiard Club, Topeka, KS
 The Goico Family Foundation, Wichita, KS
 The Hutchinson Publishing Company, LLC, Hutchinson, KS
 The News Publishing Company, LLC, Hutchinson, KS
 The Topeka Foundry and Iron Works Company, Topeka, KS
 Thomas Trailer Town, Inc., Paola, KS
 Top Form Fitness Systems, Inc., Olathe, KS
 Trux Unlimited, Inc., Kansas City, KS
 Wayne & Co., Inc., Junction City, KS
 Wood Technology, Inc., Topeka, KS

Foreign Business Entities

Baystate Services, Inc., Woburn, MA
 Bridges R Us Painting Co., Inc., Campbell, OH
 Burns & Company, Leawood, KS
 Caliper, Inc., Virginia Beach, VA
 E.F. Lea Electrical Contractor, Inc., Jacksonville, FL
 Global Isotopes, LLC, Decatur, IL
 Goodwin Bros. Construction Co., Crystal City, MO
 Health Food Associates, Inc., Tulsa, OK
 High Plains Marketing Services, Inc., Englewood, CO
 Industrial Flooring Services, Inc., Houston, TX
 Johnson Controls Security Systems, L.L.C., Springfield, VA

Kemp Technologies, Inc., New York, NY
 KK Wind Solutions Service U.S., Inc., Ikast, Denmark
 McKenzie Check Advance of Kansas, LLC, Spartanburg, SC
 PP Twin Rivers, LLC, Fresno, CA
 Rink Management Services Corporation, Mechanicsville, VA
 RM Bridge Company, LLC, Norfolk, NE
 SECTEK, Inc., Reston, VA
 Specialties Company, LLC, Anderson, IN
 Te-Ray Resources, LLC, Oklahoma City, OK
 The Comtran Group, Inc., Buford, GA
 TPP Acquisition, Inc., Richardson, TX
 Unify, Inc., Boca Raton, FL
 Valley Prescription Services, Inc., Warrendale, PA
 Vitamin World, Inc., Holbrook, NY
 Western Marketing, Inc., Abilene, TX
 Westin Engineering, Inc., Rancho Cordova, CA

Kris W. Kobach
 Secretary of State

Doc. No. 046300

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, June 1, 2018 in Room 509 of the Landon State Office Building, 900 SW Jackson, Topeka, Kansas. Meetings for the Planning and Operations Committee, the Medical Advisory Council, the Education, Examination, Certification, and Training Committee, the Investigation Committee, and the Executive Committee will be held at 8:30 a.m. Thursday, May 31, 2018 at the same location. Items on the agenda for the board meeting can be found on our website <http://www.ksbems.org>.

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

Joseph House
 Executive Director

Doc. No. 046305

State of Kansas

Wichita State University

Notice of Intent to Lease Land and/or Building Space

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

please contact Vice President for Research and Technology Transfer Dr. John Tomblin, john.tomblin@wichita.edu, or Property Manager Crystal Deselms, crystal.deselms@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. 045794

State of Kansas

**Department of Administration
Procurement and Contracts**

Notice to Bidders

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

05/30/2018	EVT0005867	Concrete Low-Water Crossing
06/01/2018	EVT0005801	Playground Equipment
06/01/2018	EVT0005868	Crack Sealant for Pavement
06/04/2018	EVT0005869	Salt for Ice and Snow Removal
06/04/2018	EVT0005870	Vehicle Maintenance, Topeka
06/05/2018	EVT0005862	AGC Juvenile PREA Audit
06/05/2018	EVT0005873	License Plate Readers (Cameras, software, Support)
06/07/2018	EVT0005860	Firefighters Physicals
06/07/2018	EVT0005871	Administrative Services
06/14/2018	EVT0005872	Banking Services (Wichita State University courtesy bid)
06/14/2018	EVT0005875	Ombudsman Reporting System Software

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

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

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

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

05/31/2018	A-013438	Osawatomie State Hospital Biddle Building Remodel for SPTP
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Information regarding prequalification, projects, and bid documents can be obtained at 785-296-8899 or <http://admin.ks.gov/offices/ofpm/dcc>.

Tracy T. Diel, Director
Procurement and Contracts

Doc. No. 046317

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 trans-

actions, 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: <http://www.emporia.edu/busaff/purchasing>. Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: purchaseorders@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801-5415.

Fort Hays State University – Bid postings: <http://www.fhsu.edu/purchasing/bids/>. Additional contact info: phone: 785-628-4251, fax: 785-628-4046, 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://www.k-state.edu/purchasing/rfq>. Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: kspurch@k-state.edu. Mailing address: Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506.

Pittsburg State University – Bid postings: <http://www.pittstate.edu/office/purchasing>. Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: jensch@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

University of Kansas – Electronic bid postings: <http://www.procurement.ku.edu/>. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 30, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: purchasing@ku.edu.

University of Kansas Medical Center – Bid postings: <http://www2.kumc.edu/finance/purchasing/bids.html>. Additional contact info: phone: 913-588-1100, fax: 913-588-1102. Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

Wichita State University – Bid postings: <http://www.wichita.edu/purchasing>. Additional contact info: phone: 316-978-3080, fax: 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Cathy Oehm
Chair of Regents Purchasing Group
Assistant Director of Purchasing
Kansas State University

Doc. No. 045529

State of Kansas

Department of Health and Environment

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

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been pre-

(continued)

pared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

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

Public Notice No. KS-AG-18-102

Application for New or Expansion of Existing Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located	Receiving Water
Jennifer Gerety Bancroft Site 604 Nemaha St. Seneca, KS 66538	J-Six Enterprises, LLC – Five Star Land Series 604 Nemaha St. Seneca, KS 66538	Kansas River Basin
Legal Description		
N/2 of S/2 of Section 18 T05S, R14E Nemaha County		

Kansas Permit No. A-KSNM-S044

This is notification KDHE has received a complete permit application for the operation of a swine waste management facility capable of housing 2,490 head (996 animal units) of swine weighing more than 55 pounds each. The complete application can be viewed at the office of the Nemaha County Clerk, the KDHE Northeast District Office in Lawrence, Kansas or the KDHE Main Office in Topeka, Kansas. A permit to operate the proposed swine waste management system will not be issued without additional public notice.

Public Notice No. KS-AG-18-103/107

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Jennifer Gerety – Bancroft Site 604 Nemaha St. Seneca, KS 66538	N/2 of S/2 of Section 18 T05S, R14E Nemaha County	Kansas River Basin

Kansas Permit No. A-KSNM-S044

This is a new permit for a new facility for 2,490 head (996 animal units) of swine weighing greater than 55 pounds. Two enclosed swine buildings with underground concrete wastewater pits are proposed to be constructed at the site.

Name and Address of Applicant	Legal Description	Receiving Water
Irsik & Doll Feed Yard Pat Schwab 8220 E. U.S. 50 Garden City, KS 67846	W/2 of Section 19 and N/2 and SW/4 of Section 20 T24S, R31W Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-C004
Federal Permit No. KS0055069

This is a permit modification and reissuance for an expanding facility with the proposed maximum capacity of 65,000 head (65,000 animal units) of cattle weighing greater than 700 pounds. The permit contains modifications consisting of 192 acres of additional pens and an additional wastewater retention structure. This represents an increase in the permitted animal units from the previous permitted capacity of 40,000 animal units of cattle. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Overmiller Farms, Inc. Steve Overmiller 6041 S Road Smith Center, KS 66967	SE/4 of Section 36 T01S, R13W Smith County	Solomon River Basin

Kansas Permit No. A-SOSM-S008

This is a renewal permit for an existing facility for 710 head (284 animal units) of swine greater than 55 pounds and 500 head (50 animal units) of swine less than or equal to 55 pounds. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Tiffany Cattle Co. Inc. 1333 S. 2500 Road Herington, KS 67449	SE/4 and S/2 of NE/4 of Section 20, T18S, R04W McPherson County	Smoky Hill River Basin

Kansas Permit No. A-SHMP-C001
Federal Permit No. KS0116351

This permit is being modified to change the method of mortality disposal to rendering. There are no other changes to the permit. Only the mortality management portion of the permit is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Noble Dairy, LLC 3705 F Road Garden City, KS 67846	W/2 of Section 8 T26S, R32W Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-D002
Federal Permit No. KS0097365

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 2,950 head (4,130 animal units) of mature dairy cows, 1,500 head (1,500 animal units) of dairy heifers weighing greater than 700 pounds and 1,400 head (700 animal units) of dairy calves weighing 700 pounds or less. The facility's NMP was updated to include the addition of a new land application field. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Public Notice No. KS-AG-R-18-006/007

Per Kansas Statutes Annotated 65-171d, the following registration(s) have been received for proposed confined feeding facilities:

Name and Address of Registrant	Legal Description	County
Doug Claassen Henry Creek Sow Farm 12247 NW 130th St. Whitewater, KS 67154	N/2 of Section 17 T24S, R04E	Butler

Name and Address of Registrant	Legal Description	County
John E. Yoder 6309 S. Dean Rd. Hutchinson, KS 67501	NW/4 of Section 19 T24S, R06W	Reno

Public Notice No. KS-Q-18-091/102

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
Allen County Commission 1 N. Washington Iola, KS 66749	Neosho River via Elm Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-NE39-PO01
Federal Permit No. KS0082473

Legal Description: E½ of SE¼, NE¼, S2, T25S, R19E, Allen County, Kansas

Facility Name: Allen County Quarry

The proposed action is to reissue an existing State/NPDES permit to an existing facility. This facility is a limestone quarrying and crushing operation with no washing. The proposed permit contains generic language to protect the waters of the State.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Altamont, City of PO Box 305 Altamont, KS 67330	Deer Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-NE01-OO01
Federal Permit No. KS0045918

Legal Description: W½, SW¼, SE¼, S11, T33S, R19E, Labette County, Kansas

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Americus, City of PO Box 526 Americus, KS 66835	Pester Creek	Treated Domestic Wastewater

Kansas Permit No. M-NE02-OO01
Federal Permit No. KS0047406

Legal Description: SW¼, S12, T18S, R10E, Lyon County, Kansas

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Chetopa, City of PO Box 203 Chetopa, KS 67336	Neosho River via Town Creek	Treated Domestic Wastewater

Kansas Permit No. N-NE13-OO01
Federal Permit No. KS0031135

Legal Description: E½, NW¼, NW¼, S2, T35S, R21E, Labette County, Kansas

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Highland, City of PO Box 387 Highland, KS 66035	Mission Creek	Treated Domestic Wastewater

Kansas Permit No. M-MO09-OO01
Federal Permit No. KS0047457

Legal Description: SW¼, NE¼, and N½, SE¼, S23, T2S, R19E, Doniphan County, Kansas

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Marion, City of 208 E. Santa Fe Marion, KS 66861	Cottonwood River	Treated Domestic Wastewater

Kansas Permit No. M-NE45-OO01
Federal Permit No. KS0051691

Legal Description: W½, SW¼, SW¼, S5, T20S, R4E, Marion County, Kansas

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Midwest Minerals, Inc. PO Box 412 Pittsburg, KS 66762	Neosho River via Rock Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-NE25-PO01
Federal Permit No. KS0088889

(continued)

Legal Description: NE¼ of SE¼, S9, T29S, R19E, Neosho County, Kansas

Facility Name: Erie Quarry #7

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a limestone quarrying and crushing operation, with no washing. The proposed permit contains generic language to protect the waters of the State.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Neosho County Commission PO Box 173 Erie, KS 66733	Neosho River via Elk Creek via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-NE25-PO03
Federal Permit No. KS0094021

Legal Description: SE¼, S30, T28S, R19E, Neosho County, Kansas

Facility Name: Erie Quarry

The proposed action is to reissue an existing State/NPDES permit to an existing facility. This is a limestone quarrying and crushing operation with no washing. The proposed permit contains generic language to protect the waters of the State.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Oswego, City of PO Box 210 Oswego, KS 67356	Labette Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-NE53-OO01
Federal Permit No. KS0047554

Legal Description: S½, NW¼, S20, T33S, R21E, Labette County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a three-cell wastewater stabilization lagoon system and performs disinfection of effluent for irrigation of the local golf course. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and ammonia, as well as monitoring for pH, E. coli, and total phosphorus.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Seneca, City of PO Box 40 Seneca, KS 66538	South Fork Big Nemaha River	Treated Domestic Wastewater

Kansas Permit No. M-MO19-OO01
Federal Permit No. KS0047538

Legal Description: E½, NE¼, SE¼, S34, T2S, R12E, Nemaha County, Kansas

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
St. Paul, City of PO Box 311 St. Paul, KS 66771	Neosho River via Flat Rock Creek via Neosho River Wildlife Area Wetlands	Treated Domestic Wastewater

Kansas Permit No. M-NE59-OO02
Federal Permit No. KS0084174

Legal Description: S½, SE¼, NE¼, S24, T29S, R20E and SW¼, SW¼, NW¼, S19, T29S, R 21E, Neosho County, Kansas

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Strong City, City of PO Box 208 Strong City, KS 66869	Cottonwood River via Fox Creek	Treated Domestic Wastewater

Kansas Permit No. M-NE63-OO01
Federal Permit No. KS0031178

Legal Description: E½, NW¼, NE¼, S17, T19S, R8E, Chase County, Kansas

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

Public Notice No. KS-NQ-18-015

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).

Name and Address of Applicant	Legal Location	Type of Discharge
Anthony, City of PO Box 504 Anthony, KS 67003	Three Separate Cluster Septic Tank and Lateral Treatment Systems	Non-Overflowing

Kansas Permit No. M-AR04-NO04
Federal Permit No. KSJ000689

Facility Name: Anthony Lake Wastewater Treatment Facilities

Legal Descriptions:

East Lake: NW¼, NE¼, SW¼, S11, T33S, R7W, Harper County, Kansas

North Lake: NE¼, SW¼, NW¼, S11, T33S, R7W, Harper County, Kansas

West Lake: SW¼, SW¼, NW¼, S14, T33S, R7W, Harper County, Kansas

This action consists of issuing a new Kansas Water Pollution Control Permit for a new non-overflowing facility. This wastewater treatment facility serves residential development around Anthony Lake and includes three separate treatment systems consisting of cluster septic tank lateral systems.

Persons wishing to comment on the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments considered in the decision-making process. Comments should be submitted to the attention of the Livestock Waste Management

Section for agricultural related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before June 16, 2018, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-18-102/107, KS-AG-R-006/007, KS-Q-18-091/102, KS-NQ-18-015) and name of the applicant/permittee when preparing comments.

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

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Jeff Andersen
Secretary

Doc. No. 046314

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

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

LINN Operating–West Main Compressor Station, Inc., 2225 W. Oklahoma Ave., Ulysses, KS 67880, owns and operates a natural gas compressor station located at 5.2 miles west of Ulysses, KS 67880.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau

of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Southwest District Office (SWDO), 302 W. McArtor Rd., Dodge City, KS 67801. To obtain or review the proposed permit and supporting documentation, contact Keaton Abeln, 785-296-8142, at the central office of the KDHE or Ethel Evans, 620-225-0596 at the SWDO. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website, <http://www.kdheks.gov/bar/publicnotice.html>.

Please direct written comments or questions regarding the proposed permit to Keaton Abeln, 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 noon Monday, June 18, 2018.

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 Keaton Abeln, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than noon Monday, June 18, 2018 in order for the secretary of Health and Environment to consider the request.

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

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

Jeff Andersen
Secretary

Doc. No. 046302

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Mid-Continent Fractionation and Storage, LLC – Conway Fractionator has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the

(continued)

sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

Mid-Continent Fractionation and Storage, LLC – Con-way Fractionator, PO Box 645, Tulsa, OK 74101-0645, owns and operates LNG fractionation facility located at 1407 5th Ave., McPherson, Kansas.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the North Central District Office (NCDO), 2501 Market Place, Suite D, Salina, KS 67401. To obtain or review the proposed permit and supporting documentation, contact Matthew Reynolds, 785-296-1719, at the central office of the KDHE or Joshua Webb, 785-827-9639 at the NCDO. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website, <http://www.kdheks.gov/bar/publicnotice.html>.

Please direct written comments or questions regarding the proposed permit to Matthew Reynolds, 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 noon Monday, June 18, 2018.

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 Matthew Reynolds, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than noon Monday, June 18, 2018 in order for the secretary of Health and Environment to consider the request.

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

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

Jeff Andersen
Secretary

Doc. No. 046303

State of Kansas

Department of Health and Environment

Notice of Hearing for Kansas Public Water Supply Loan Fund 2019 Intended Use Plan

A public hearing will be conducted at 1:00 p.m. Tuesday, June 26, 2018, in the Azure Conference Room of the Curtis State Office Building, 1000 SW Jackson, 4th floor, Topeka, Kansas, to discuss the Kansas Public Water Supply Loan Fund (KPWSLF) 2019 Intended Use Plan (IUP). The Intended Use Plan will make additions to the Project Priority List and include estimates and uses of anticipated Capitalization Grants from the Environmental Protection Agency (EPA). Copies of the draft IUP can be obtained online at:

www.kdheks.gov/pws/loansgrants/loanfunddocumentsadministration.html

Any individual with a disability may request accommodation to participate in the public hearing. Requests for accommodation should be made at least five working days before the hearing by contacting Linda White at 785-296-5514.

Comments can be presented at the hearing or in writing prior to the hearing. Written comments should be addressed to Linda White, Bureau of Water, Kansas Department of Health and Environment, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

Jeff Andersen
Secretary

Doc. No. 046306

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9:00 a.m. Thursday, May 31, 2018, 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 Bonds for the projects numbered below in the respective maximum principal amounts. The bonds will be issued to assist the borrowers named below (who will be the owners and operators of the projects) to finance the cost in the amount of the bonds, which are then typically purchased by a lender bank who then, through the K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The projects shall be located as shown:

Project No. 001009 Maximum Principal Amount: \$212,500. Owner/Operator: Brock S. and Melissa L. Bruna; Description: Acquisition of 160 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 Brock S. and Melissa L. Bruna (the "Beginning Farmer") and is located at Section 12, Little Blue Township, Washington County, Kansas, approximately 6 miles north of Barnes, KS on K-148 and 2 miles east on 16th Road.

Project No. 001010 Maximum Principal Amount: \$61,200. Owner/Operator: Thayne D. Rawson; Description: Acquisition of 78 acres of agricultural land and re-

lated improvements and equipment to be used by the owner/operator for farming purposes (the "Project"). The Project is being financed by the Lender for Thayne D. Rawson (the "Beginning Farmer") and is located at the East Half of the Northwest Quarter of Section 3, Township 18, Range 4, McPherson County, Kansas, approximately 5 miles south of Lindsborg, Kansas then west on Shawnee Road to the intersection of 9th Avenue and Shawnee Road.

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

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

Tim Shallenburger
President

Doc. No. 046307

State of Kansas

Office of the Governor

**Executive Order 18-13
Transparency Regarding Licensing
and Certification Requirements**

WHEREAS, thousands of Kansans who have served criminal penalties subsequently return to their homes and communities across Kansas seeking potential employment opportunities; and

WHEREAS, individuals who have completed their sentences and have paid their debts to society are deserving of a second chance in life and a helping hand as they seek to reenter society; and

WHEREAS, individuals with criminal records often experience obstacles that increase the difficulties associated with successfully reentering society; and

WHEREAS, gainful employment is a significant factor for success in reducing recidivism rates and providing financial stability among former offenders; and

WHEREAS, individuals seeking to obtain state licenses, certifications, or other registrations necessary to obtaining employment in their chosen profession or area of work should be able to obtain information clearly stating the requirements to obtain such a license, certification, or other registration, including whether criminal history or other prior legal issues are disqualifying factors; and

WHEREAS, the Legislature has passed, and I have on this day signed into law, Senate Substitute for Senate Substitute for House Bill 2386, which requires state

boards and commissions with authority over licensing, certification, and like matters to list the specific civil and criminal records that could disqualify applicants.

NOW THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby order as follows:

1. Within one hundred eighty (180) days of the effective date of Section 1 of Senate Substitute for Senate Substitute for House Bill 2386, all Executive Branch departments, agencies, boards, and commissions under the jurisdiction of the Office of the Governor and Section 1 of the Bill, which have the legal authority to issue any license, certification, or other registration that may be required as a condition of employment, shall publicly disclose in a prominent place on their websites the "list," as required by Section 1 of the Bill, of the specific civil and criminal legal records or matters that could disqualify an applicant from receiving a license, certification, or other registration.
2. This Order is intended to supplement existing laws and regulations concerning State of Kansas licensing, certification, or other registration practices, and shall not be interpreted to in any way diminish such laws and regulations. The Order is not intended to create any new right or benefit enforceable against the State of Kansas.

This document shall be filed with the Secretary of State as Executive Order No. 18-13 and shall become effective immediately.

Dated May 10, 2018.

Jeff Colyer, M.D.
Governor

Doc. No. 046318

(Published in the Kansas Register May 17, 2018.)

City of Gardner, Kansas

**Summary Notice of Bond Sale
\$15,850,000*
General Obligation Bonds,
Series 2018a**

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

Bids

Subject to the Notice of Bond Sale dated May 24, 2018 (the "Notice of Bond Sale"), bids will be received on behalf of the City of Gardner, Kansas (the "City"), at the offices of Ehlers & Associates, Inc., 3060 Centre Pointe Drive, Roseville, MN 55113-1105, by delivery; by telephone at 651-697-8500, or via facsimile at 651-697-8555; or in the case of electronic proposals, via PARITY® Electronic Bid Submission System ("PARITY"), until 11:00 a.m. (CST) June 4, 2018, for the purchase of \$15,850,000* principal amount of General Obligation Bonds, Series 2018A (the "Bonds"). No bid of less than 99.1% of the par value of the Bonds, plus accrued interest to the date of delivery, will be considered. Bidders may be required

(continued)

to be qualified in a manner established by the City before submitting a bid.

Bond Details

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated June 28, 2018 (the "Dated Date"), and will become due on October 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2018	\$490,000	2028	\$685,000
2019	735,000	2029	710,000
2020	755,000	2030	730,000
2021	770,000	2031	755,000
2022	790,000	2032	785,000
2023	805,000	2033	815,000
2024	830,000	2034	845,000
2025	850,000	2035	875,000
2026	870,000	2036	910,000
2027	900,000	2037	945,000

The Bonds will bear interest from the Dated Date at rates to be determined when the Bonds are sold as provided in the Notice of Bond Sale, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on October 1, 2018. A bidder may elect to have all or a portion of the Bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the Notice of Bond Sale.

Paying Agent and Bond Registrar

Treasurer of the State of Kansas, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America or a wire transfer in the manner that complies with the requirements set forth in the Notice of Bond Sale in the amount of \$317,000 (2% of the principal amount of the Bonds).

Delivery

The City will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder(s) on or about June 28, 2018, at the offices of The Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2017 is \$199,992,373. The total general obligation indebtedness of the City as of the date of the Bonds, including the Bonds being sold, is \$51,880,000.

Approval of Bonds

The Bonds will be sold subject to the legal opinion of Kutak Rock LLP, Kansas City, Missouri, Bond Counsel, whose approving legal opinion as to the validity of the Bonds will be furnished and paid for by the City and delivered to the successful bidder(s) as and when the Bonds are delivered.

Additional Information

Additional information regarding the Bonds may be obtained from Laura Gourley, the City's Finance Direc-

tor, phone 913-856-7535; from the City's Municipal Advisor, Ehlers & Associates, Inc. of Roseville, Minnesota, phone 651-697-8500; or from Kutak Rock LLP, Bond Counsel, Attn: Joe Serrano, 2300 Main St., Suite 800, Kansas City, MO 64108, phone 816-960-0090.

Dated May 10, 2018.

Laura Gourley
Finance Director
120 E. Main
Gardner, KS 66030
913-856-7535

*Subject to change
Doc. No. 046315

State of Kansas

**Department of Agriculture
Division of Conservation**

Permanent Administrative Regulations

Article 13.—KANSAS SEDIMENT AND NUTRIENT REDUCTION INITIATIVE

11-13-1. Definitions. Each of the following terms, as used in this article of the division of conservation's regulations, shall have the meaning specified in this regulation:

(a) "Bottomland timber establishment" means the trees planted in floodplains adjacent to perennial streams to provide wildlife habitat and other benefits.

(b) "CRP" means the conservation reserve program administered by the USDA farm service agency.

(c) "Director" means the executive director of the division of conservation, Kansas department of agriculture or the executive director's designee.

(d) "Farmable wetland or farmable wetland buffer" means land eligible for restoration by improving the land's hydrology and vegetation.

(e) "Filter strip" means a strip or area of grass for removing sediment, organic matter, and other pollutants from runoff and wastewater and for providing food and cover for wildlife.

(f) "FSA" means the farm service agency in the USDA.

(g) "Grassed waterway" means a designated strip of grass that is designed to convey runoff and gully erosion for the purpose of improving water quality and providing wildlife habitat.

(h) "Habitat buffers for upland birds" means a narrow band of native grasses, legumes, forbs, or shrubs, or any combination of these, to provide habitat for bobwhite quail, ring-necked pheasant, and other upland birds and to limit the amount of nutrients, sediment, pesticides, and other contaminants entering water bodies.

(i) "HUC 12 watershed" means a hydrological unit code consisting of a sequence of 12 numbers identifying a hydrological feature like a river, river reach, or lake or an area like a drainage basin.

(j) "Initiative" means the Kansas water quality buffer initiative and the application requirements for the program specified in this article of the division of conservation's regulations. This term is also known as the Kansas sediment and nutrient reduction initiative.

(k) "NRCS" means natural resources conservation service.

(l) "Practices" means the use of cultural techniques or structures installed or constructed on land for the purpose of improving or maintaining water quality.

(m) "Program-eligible area" means the Big Creek, Delaware, Little Arkansas, Lower Big Blue, Lower Kansas, Lower Little Blue, Lower Republican, Lower Smoky Hill, Neosho Headwaters, Upper Cottonwood, and Lower Cottonwood watersheds.

(n) "Program-eligible boundaries" means the boundaries based on HUC 12 watersheds that are above Tuttle Creek, Milford, Perry, John Redmond, and Clinton reservoirs and are identified as target areas for nutrient and sediment reduction in watershed restoration and protection strategy plans. The program-eligible boundaries shall contain two tiers for priority enrollment, which are called tier 1 areas and tier 2 areas.

(o) "Shallow water areas for wildlife" means wet areas that have been developed or restored and include 6-18 inches of water depth for wildlife.

(p) "Tier 1 areas" means those HUC 12 watersheds identified in watershed restoration and protection strategy plans as the highest priority target areas for nutrient and sediment reduction within program-eligible boundaries.

(q) "Tier 2 areas" means all areas within the program-eligible boundaries that are not tier 1 areas.

(r) "Unfarmable field" means the remaining portion of a field in which 51 percent or more of the total acreage has been enrolled in CRP.

(s) "USDA" means United States department of agriculture.

(t) "Wetland restoration" means the restoration of constructed wetlands for the purpose of intercepting tile runoff, reducing nutrient loss, improving water quality, and enhancing agricultural production practices.

(u) "WRAPS" means watershed restoration and protection strategy, which consists of a planning and management framework intended to engage stakeholders in a process to identify watershed restoration. The process documents stakeholder goals, strategies to achieve the goals, and the resources required to implement the strategies. (Authorized by and implementing K.S.A. 2017 Supp. 2-1915; effective June 1, 2018.)

11-13-2. Initiative requirements for new applications; funds for existing contracts. On and after the effective date of this regulation, all new applications for the initiative shall be required to meet the requirements in this article of the division of conservation's regulations. These requirements shall be known as the Kansas sediment and nutrient reduction initiative, which consists of the new requirements for the Kansas water quality initiative. All persons with parcels currently enrolled in the initiative with contracts whose terms have not yet expired shall continue to be paid through funds made available under K.S.A. 2-1915, and amendments thereto, and any other available sources. (Authorized by and implementing K.S.A. 2017 Supp. 2-1915; effective June 1, 2018.)

11-13-3. Selection of applicants for initiative. Funding may be distributed to initiative applicants for proposed projects that meet the eligibility requirements

specified in K.S.A. 2-1915 and K.S.A. 2017 Supp. 2-1933, and amendments thereto, and the director's requirements as follows:

(a) Land shall lie within a tier 1 area or a tier 2 area of the initiative-eligible area and meet the basic eligibility criteria for CRP.

(b) To be eligible for tier 1 area payments, all of the land shall be within the tier 1 area. To be eligible for tier 2 area payments, all of the land shall be within the tier 2 area.

(c) Land that has an existing CRP contract or an approved offer with a CRP contract pending shall not be eligible for the initiative. (Authorized by K.S.A. 2017 Supp. 2-1915; implementing K.S.A. 2017 Supp. 2-1915 and 2-1933; effective June 1, 2018.)

11-13-4. Haying and grazing. Any eligible initiative applicant that is authorized to hay or graze, or both, pursuant to an existing CRP contract may conduct these activities upon initiative-eligible land without penalty. (Authorized by K.S.A. 2016 Supp. 2-1915; implementing K.S.A. 2016 Supp. 2-1915 and 2-1933; effective June 1, 2018.)

11-13-5. Practices eligible for incentive payments.

(a) Any of the following practices may be eligible for incentive payments:

- (1) Grassed waterways;
- (2) shallow water areas for wildlife;
- (3) filter strips;
- (4) riparian buffers;
- (5) wetland restorations;
- (6) improvements to farmable wetland or farmable wetland buffers by utilizing any of the practices listed in this regulation or any other conservation practice approved by the director;
- (7) bottomland timber establishment; or
- (8) habitat buffers for upland birds.

(b) Payments made through the initiative shall be in addition to any CRP payments. (Authorized by K.S.A. 2017 Supp. 2-1915; implementing K.S.A. 2017 Supp. 2-1915 and 2-1933; effective June 1, 2018.)

11-13-6. Incentive payments; refunds. (a) Incentive payments under the initiative shall be made on a one-time basis coinciding with enrollment in the CRP. Each incentive payment shall be an upfront payment on all eligible acres enrolled.

- (b) Incentive payments shall not exceed the following:
- (1) \$225.00 per acre in tier 1 areas; and
 - (2) \$162.50 per acre in tier 2 areas.

(c) Any acres determined to be in an unfarmable field may be eligible for the one-time incentive payment if the applicant agrees to establish and maintain permanent vegetative cover for the duration of the CRP contract.

(d) If a CRP contract is terminated by the FSA for any contract violation or for any other reason, a refund of the incentive payment shall be required.

(e) A refund of the incentive payment shall be required from any initiative participant who fails to meet the initiative requirements. (Authorized by K.S.A. 2017 Supp. 2-1915; implementing K.S.A. 2017 Supp. 2-1915 and 2-1933; effective June 1, 2018.)

Jackie McClaskey
Secretary

Doc. No. 046301

State of Kansas

Secretary of State

Certification of New State Laws

I, Kris W. Kobach, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

Kris W. Kobach
Secretary of State

(Published in the Kansas Register May 17, 2018.)

HOUSE BILL No. 2542

AN ACT concerning postsecondary educational institutions; relating to the Kansas private and out-of-state postsecondary educational institution act; fee schedule; exempting certain postsecondary educational institutions from performance-based budgeting; amending K.S.A. 2017 Supp. 74-32,181 and 75-3718b and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2017 Supp. 74-32,181 is hereby amended to read as follows: 74-32,181. (a) The state board shall fix, charge and collect fees not to exceed the following amounts by adopting rules and regulations for such purposes:

(1) For institutions chartered, incorporated or otherwise organized under the laws of Kansas and having their principal place of business within the state of Kansas:

Table listing various fees: Initial application fees (Non-degree granting institution \$2,000, Degree granting institution \$3,000), Initial evaluation fee (Non-degree level \$750, Associate degree level \$1,000, Baccalaureate degree level \$2,000, Master's degree level \$3,000, Professional or doctoral degree level \$4,000), Renewal application fees (Non-degree granting institution Up to 2% of gross tuition, but not less than \$500, nor more than \$25,000; Degree granting institution Up to 2% of gross tuition, but not less than \$1,000, nor more than \$25,000), New program submission fees (Non-degree program \$250, Associate degree program \$500, Baccalaureate degree program \$750, Master's degree program \$1,000, Professional or doctoral degree program \$2,000, Program modification fee, for each program \$100), Branch campus site fees (Initial non-degree granting institution \$1,500, Initial degree granting institution \$2,500, Renewal branch campus site fees, for each branch campus site: Non-degree granting institution Up to 2% of gross tuition, but not less than \$500, nor more than \$25,000; Degree granting institution Up to 2% of gross tuition, but not less than \$1,000, nor more than \$25,000; On-site branch campus review fee, for each site \$250), Representative fees (Initial registration \$200, Renewal of registration \$150, Late submission of renewal of application fee \$500, Student transcript copy fee \$10, Returned check fee \$50), Changes in institution profile fees (Change of institution name \$100, Change of institution location \$100, Change of ownership only \$100).

(2) For institutions domiciled or having their principal place of business outside the state of Kansas:

Table listing various fees: Initial application fees (Non-degree granting institution \$4,000, Degree granting institution \$5,500), Initial evaluation fee (Non-degree level \$1,500, Associate degree level \$2,000, Baccalaureate degree level \$3,000, Master's degree level \$4,000, Professional or doctoral degree level \$5,000), Renewal application fees (Non-degree granting institution Up to 3% of gross tuition, but not less than \$1,000, nor more than \$25,000; Degree granting institution Up to 3% of gross tuition, but not less than \$2,000, nor more than \$25,000), New program submission fees (Non-degree program \$500, Associate degree program \$750, Baccalaureate degree program \$1,000, Master's degree program \$1,500, Professional or doctoral degree program \$2,500, Program modification fee, for each program \$100), Branch campus site fees (Initial non-degree granting institution \$4,000, Initial degree granting institution \$5,500), Renewal branch campus site fees (Non-degree granting institution Up to 3% of gross tuition, but not less than \$1,000, nor more than \$25,000; Degree granting institution Up to 3% of gross tuition, but not less than \$2,000, nor more than \$25,000; On-site branch campus review fee, for each site \$500), Representative fees (Initial registration \$350, Renewal of registration \$250, Late submission of renewal of application fee \$500, Student transcript copy fee \$10, Returned check fee \$50), Changes in institution profile fees (Change of institution name \$100, Change of institution location \$100, Change of ownership only \$100).

(b) Fees shall not be refundable.

(c) If there is a change in the ownership of an institution and, if at the same time, there also are changes in the institution's programs of instruction, location, entrance requirements or other changes, the institution shall be required to submit an application for an initial certificate of approval and shall pay all applicable fees associated with an initial application.

(d) An application for renewal shall be deemed late if the applicant fails to submit a completed application for renewal, including all required documentation, information and fees requested by the state board to complete the renewal process, at least 60 days prior to the expiration of the institution's certificate of approval.

(e) The state board shall determine on or before June 1 of each year the amount of revenue which will be required to properly carry out and enforce the provisions of the Kansas private and out-of-state postsecondary educational institution act for the next ensuing fiscal year and shall fix the fees authorized for such year at the sum deemed necessary for such purposes within the limits of this section.

(f) Fees may be charged to conduct on-site reviews for degree granting and non-degree granting institutions or to review curriculum in content areas where the state board does not have expertise.

(g) The provisions of this section shall expire on June 30, 2018.

Sec. 2. K.S.A. 2017 Supp. 75-3718b is hereby amended to read as follows: 75-3718b. (a) On or before January 14, 2019, the secretary of administration, in consultation with the division of the budget, the office of revisor of statutes and the Kansas legislative research department, shall implement a budget process that accomplishes the following objectives:

(1) A program service inventory, to be complete on or before January 9, 2017. Such inventory shall include, but not be limited to, the following:

(A) Identification of agency programs and subprograms by objective, function and purpose;

(B) the state or federal statutory citation authorizing those programs, if any;

(C) identification of programs that are mandatory versus discretionary;

(D) a history of the programs, including interaction with other agency programs and objectives;

(E) state matching or other federal financial requirements;

(F) prioritization of the level of all programs and subprograms; and

(G) the consequence of not funding the program or subprogram.

(2) An integrated budget fiscal process, to be complete on or before January 6, 2018. Such process shall institute common accounting procedures consistent with budget development, budget approval, budget submission, through actual expenditures by fund.

(3) A performance based budgeting system, to be completed on or before January 14, 2019. Such budgeting system shall include, but not be limited to, the following:

(A) Incorporation of various outcome based performance measures, for state programs; and

(B) enhancement of the capability to compare program effectiveness across multiple state and political boundaries.

(b) *The provisions of this section shall not apply to postsecondary educational institutions that have implemented the performance agreement pursuant to K.S.A. 74-3202d, and amendments thereto.*

Sec. 3. K.S.A. 2017 Supp. 74-32,181 and 75-3718b are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after June 29, 2018, and its publication in the Kansas register.

(Published in the Kansas Register May 17, 2018.)

SENATE BILL No. 261

AN ACT concerning state agencies; relating to the judicial branch; docket fees; disposition of docket fees for the fiscal years ending June 30, 2020, and June 30, 2021; marriage license information; notification by courts to the secretary of health and environment; attorney general; enforcement of the scrap metal theft reduction act; crime victims compensation board; definition of collateral source; appraisal of real property before purchase or disposal by the state or any agency thereof; duties of the judicial administrator and the director of property valuation; amending K.S.A. 2017 Supp. 20-362, 23-2511, 50-6,109a, 50-6,109c, 50-6,110, 50-6,111, 50-6,112a, 50-6,112b, 74-7301 and 75-3043a and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2017 Supp. 20-362 is hereby amended to read as follows: 20-362. The clerk of the district court shall remit all revenues received from docket fees as follows:

(a) At least monthly to the county treasurer, for deposit in the county treasury and credit to the county general fund:

(1) A sum equal to \$10 for each docket fee paid pursuant to K.S.A. 60-2001 and 60-3005, and amendments thereto, during the preceding calendar month;

(2) a sum equal to \$10 for each \$46 or \$76 docket fee paid pursuant to K.S.A. 61-4001, or K.S.A. 61-2704 or 61-2709, and amendments thereto; and

(3) a sum equal to \$5 for each \$26 docket fee paid pursuant to K.S.A. 61-4001 or K.S.A. 61-2704, and amendments thereto, during the preceding calendar month.

(b) At least monthly to the board of trustees of the county law library fund, for deposit in the fund, a sum equal to the library fees paid during the preceding calendar month for cases filed in the county.

(c) At least monthly to the county treasurer, for deposit in the county treasury and credit to the prosecuting attorneys' training fund, a sum equal to \$2 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month for cases filed in the county and a sum equal to \$1 for each fee paid pursuant to K.S.A. 28-170(c), and amendments thereto, during the preceding calendar month for cases filed in the county.

(d) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury and credit to the law enforcement training center fund a sum

equal to \$15 for each docket fee paid pursuant to K.S.A. 28-172a, and amendments thereto, during the preceding calendar month.

(e) To the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, for deposit in the state treasury a sum equal to the balance which remains from all docket fees paid during the preceding calendar month after deduction of the amounts specified in subsections (a), (b), (c) and (d). Of the balance remitted to the state treasury pursuant to this subsection, the state treasurer shall credit 0.99% to the judicial council fund. During the fiscal years ending ~~June 30, 2015; June 30, 2016; June 30, 2017; June 30, 2018, and June 30, 2019, June 30, 2020, and June 30, 2021,~~ of the remainder, the state treasurer shall deposit and credit the first \$3,100,000 to the electronic filing and management fund created in K.S.A. 2017 Supp. ~~20-1a16 20-1a20,~~ and amendments thereto. During the fiscal year ending June 30, ~~2020~~ 2022, and each fiscal year thereafter, of the remainder, the state treasurer shall deposit and credit the first ~~\$1,000,000~~ \$1,500,000 to the electronic filing and management fund. Of the balance which remains after deduction of the amounts specified in this subsection, the state treasurer shall deposit and credit the remainder to the judicial branch docket fee fund.

Sec. 2. K.S.A. 2017 Supp. 23-2511 is hereby amended to read as follows: 23-2511. ~~(a) Every person who performs a marriage ceremony under the provisions of this act shall endorse the person's certificate of the marriage on the license, give the duplicate copy of the license to the parties to the marriage and return the license, within 10 days after the marriage, to the judge or clerk of the district court who issued it. The judge or clerk shall record the marriage on the marriage record in the office of the judge or clerk and shall forward, not later than the third day of the following month, to the secretary of health and environment the license and certificate of marriage, together with a statement of the names of the parties and the name and address of the person who performed the marriage ceremony. Not later than the third day of the following month, the judge or clerk shall submit the information from the license to the vital statistics integrated information system maintained by the secretary of health and environment, or by other means as designated by the secretary and the judicial administrator.~~

~~(b) If no marriage license has been issued by the judge or clerk of the district court during a month, the judge or clerk shall promptly notify the secretary of health and environment to that effect on a form provided for that purpose.~~

Sec. 3. K.S.A. 2017 Supp. 50-6,109a is hereby amended to read as follows: 50-6,109a. (a) The attorney general is hereby given jurisdiction and authority over all matters involving the implementation, administration and enforcement of the provisions of the scrap metal theft reduction act including to:

- (1) Employ or appoint agents as necessary to implement, administer and enforce the act;
- (2) contract;
- (3) expend funds;
- (4) license and discipline;
- (5) investigate;
- (6) issue subpoenas;
- (7) keep statistics; and
- (8) conduct education and outreach programs to promote compliance with the act.

(b) In accordance with the rules and regulations filing act, the attorney general is hereby authorized to adopt rules and regulations necessary to implement the provisions of the scrap metal theft reduction act.

(c) There is hereby established in the state treasury the scrap metal theft reduction fee fund to be administered by the attorney general. All moneys received by the attorney general from fees, charges or penalties collected under the provisions of the scrap metal theft reduction act shall be remitted to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, who shall deposit the entire amount thereof in the state treasury to the credit of the scrap metal theft reduction fee fund. All expenditures from such fund shall be made in accordance with appropriation acts upon warrants approved by the director of accounts and reports issued pursuant to vouchers approved by the attorney general or the attorney general's designee. All moneys credited to the scrap metal theft reduction fee fund shall be expended for the administration of the duties, functions and operating expenses incurred under the provisions of the scrap metal theft reduction act.

(d) (1) Before January 1, ~~2019~~ 2020, the attorney general shall establish and maintain a database which shall be a central repository for the information required to be provided under K.S.A. 2017 Supp. 50-6,110,

(continued)

and amendments thereto. The database shall be maintained for the purpose of providing information to law enforcement and for any other purpose deemed necessary by the attorney general to implement and enforce the provisions of the scrap metal theft reduction act.

(2) *On or before February 1, 2019, the attorney general shall submit a report to the president of the senate, the speaker of the house of representatives and the standing committees on judiciary in the senate and the house of representatives on the progress achieved in establishing the database required by this subsection.*

(e) The information required by K.S.A. 2017 Supp. 50-6,110, and amendments thereto, maintained in such database by the attorney general, or by any entity contracting with the attorney general, submitted to, maintained or stored as part of the system shall:

(1) Be confidential, shall only be used for investigatory, evidentiary or analysis purposes related to criminal violations of city, state or federal law and shall only be released to law enforcement in response to an official investigation or as permitted in subsection (d); and

(2) not be a public record and shall not be subject to the Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto. The provisions of this subsection shall expire on July 1, 2020, unless the legislature reviews and reenacts this provision pursuant to K.S.A. 45-229, and amendments thereto.

Sec. 4. K.S.A. 2017 Supp. 50-6,109c is hereby amended to read as follows: 50-6,109c. (a) Any scrap metal dealer who violates any of the provisions of the scrap metal theft reduction act, in addition to any other penalty provided by law, may incur a civil penalty imposed pursuant to subsection (b) in an amount not less than \$100 nor more than \$5,000 for each violation.

(b) The attorney general, upon a finding that a scrap metal dealer or any employee or agent thereof or any person or entity required to be registered as a scrap metal dealer has violated any of the provisions of the scrap metal theft reduction act may impose a civil penalty as provided in this subsection upon such scrap metal dealer.

(c) A civil penalty shall not be imposed pursuant to this section except upon the written order of the attorney general to the scrap metal dealer who is responsible for the violation. Such order is a final order for purposes of judicial review and shall state the violation, the penalty to be imposed and the right of such dealer to appeal as provided in the Kansas judicial review act.

(d) This section shall be unenforceable and shall not apply from ~~the effective date of this act June 1, 2017,~~ to January 1, 2019 2020.

Sec. 5. K.S.A. 2017 Supp. 50-6,110 is hereby amended to read as follows: 50-6,110. (a) It shall be unlawful for any person to sell any item or items of regulated scrap metal to a scrap metal dealer, or employee or agent of a dealer, in this state unless such person meets the requirements of this subsection.

(1) Such person shall present to such scrap metal dealer, or employee or agent of such dealer, at or before the time of sale, the following: The seller's name, address, sex, date of birth and the seller's driver's license, military identification card, passport or personal identification license. An official governmental document for a country other than the United States may be used to meet this requirement provided that a legible fingerprint is also obtained from the seller.

(2) Such person shall complete and sign the statement provided for in subsection (b)(10).

(b) Every scrap metal dealer shall keep a register in which the dealer, or employee or agent of the dealer, shall at the time of purchase or receipt of any item for which such information is required to be presented, cross-reference to previously received information, or accurately and legibly record at the time of sale the following information:

(1) The time, date and place of transaction;

(2) the seller's name, address, sex, date of birth and the identifying number from the seller's driver's license, military identification card, passport or personal identification license; the identifying number from an official governmental document for a country other than the United States may be used to meet this requirement provided that a legible fingerprint is also obtained from the seller;

(3) a copy of the identification card or document containing such identifying number. Failure to comply with the provisions of this paragraph between ~~the effective date of this act June 1, 2017,~~ and January 1, 2019 2020, may result in an assessment of a civil penalty by the attorney general of not less than \$100 nor more than \$5,000 for each violation;

(4) the license number, color and style or make of any motor vehicle in which the junk vehicle or other regulated scrap metal property is delivered in a purchase transaction;

(5) a general description, made in accordance with the custom of the trade, of the predominant types of junk vehicle or other regulated scrap metal property purchased in the transaction;

(6) the weight, quantity or volume, made in accordance with the custom of the trade, of the regulated scrap metal property purchased;

(7) if a junk vehicle or vehicle part is being bought or sold, a description of the junk vehicle or vehicle part, including the make, model, color, vehicle identification number and serial number if applicable;

(8) the price paid for, traded for or dealt for in a transaction for the junk vehicle or other regulated scrap metal property;

(9) the full name of the individual acting on behalf of the regulated scrap metal dealer in making the purchase; and

(10) a signed statement from the seller indicating from where the property was obtained and that: (A) Each item is the seller's own personal property, is free of encumbrances and is not stolen; or (B) the seller is acting for the owner and has permission to sell each item. If the seller is not the owner, such statement shall include the name and address of the owner of the property.

(c) Every scrap metal dealer shall photograph the item or lot of items being sold at the time of purchase or receipt of any item for which such information is required to be presented. Such photographs shall be kept with the record of the transaction and the scrap metal dealer's register of information required by subsection (b). Failure to comply with the provisions of this subsection between ~~the effective date of this act June 1, 2017,~~ and January 1, 2019 2020, may result in an assessment of a civil penalty by the attorney general of not less than \$100 nor more than \$5,000 for each violation.

(d) The scrap metal dealer's register of information required by subsection (b), including copies of identification cards and signed statements by sellers, and photographs required by subsection (c) may be kept in electronic format.

(e) Every scrap metal dealer shall forward the information required by this section to the database described in K.S.A. 2017 Supp. 50-6,109a, and amendments thereto.

(f) Notwithstanding any other provision to the contrary, this section shall not apply to transactions in which the seller is a:

(1) Registered scrap metal dealer;

(2) vehicle dealer licensed under chapter 8 of the Kansas Statutes Annotated, and amendments thereto; or

(3) scrap metal dealer or vehicle dealer registered or licensed in another state.

(g) (1) Except as provided in subsection (g)(2), this section shall not apply to transactions in which the seller is known to the purchasing scrap metal dealer to be a licensed business that operates out of a fixed business location and that can reasonably be expected to generate regulated scrap metal.

(2) The attorney general may determine, by rules and regulations, which of the requirements of this section shall apply to transactions described in subsection (g)(1).

(h) The amendments made to subsection (e) by section 13 of chapter 96 of the 2015 Session Laws of Kansas shall be unenforceable and shall not apply from ~~the effective date of this act June 1, 2017,~~ to January 1, 2019 2020.

Sec. 6. K.S.A. 2017 Supp. 50-6,111 is hereby amended to read as follows: 50-6,111. (a) It shall be unlawful for any such scrap metal dealer, or employee or agent of the dealer, to purchase any item or items of regulated scrap metal in a transaction for which K.S.A. 2017 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller, without demanding and receiving from the seller that information. Every scrap metal dealer shall file and maintain a record of information obtained in compliance with the requirements in K.S.A. 2017 Supp. 50-6,110, and amendments thereto. All records kept in accordance with the provisions of the scrap metal theft reduction act shall be open at all times to law enforcement officers and shall be kept for two years. If the required information is maintained in electronic format, the scrap metal dealer shall provide a printout of the information to law enforcement officers upon request.

(b) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any junk vehicle in a transaction for which K.S.A. 2017 Supp. 50-6,110, and amendments thereto, requires information to be presented by the seller, without:

(1) Inspecting the vehicle offered for sale and recording the vehicle identification number; and

(2) obtaining an appropriate bill of sale issued by a governmentally operated vehicle impound facility if the vehicle purchased has been impounded by such facility or agency.

(c) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase or receive any regulated scrap metal from a minor unless such minor is accompanied by a parent or guardian or such minor is a licensed scrap metal dealer.

(d) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to purchase any of the following items without obtaining proof that the seller is an employee, agent or person who is authorized to sell the item on behalf of the governmental entity; utility provider; railroad; cemetery; civic organization; manufacturing, industrial or other commercial vendor that generates or sells such items in the regular course of business; or scrap metal dealer:

- (1) Utility access cover;
- (2) street light poles or fixtures;
- (3) road or bridge guard rails;
- (4) highway or street sign;
- (5) water meter cover;
- (6) traffic directional or traffic control signs;
- (7) traffic light signals;
- (8) any metal marked with any form of the name or initials of a governmental entity;
- (9) property owned and marked by a telephone, cable, electric, water or other utility provider;
- (10) property owned and marked by a railroad;
- (11) funeral markers or vases;
- (12) historical markers;
- (13) bales of regulated metal;
- (14) beer kegs;
- (15) manhole covers;
- (16) fire hydrants or fire hydrant caps;
- (17) junk vehicles with missing or altered vehicle identification numbers;
- (18) real estate signs;
- (19) bleachers or risers, in whole or in part;
- (20) twisted pair copper telecommunications wiring of 25 pair or greater existing in 19, 22, 24 or 26 gauge; and
- (21) burnt wire.

(e) It shall be unlawful for any scrap metal dealer, or employee or agent of the dealer, to sell, trade, melt or crush, or in any way dispose of, alter or destroy any regulated scrap metal, junk vehicle or vehicle part upon notice from any law enforcement agency, or any of their agents or employees, that they have cause to believe an item has been stolen. A scrap metal dealer shall hold any of the items that are designated by or on behalf of the law enforcement agency for 30 days, exclusive of weekends and holidays.

(f) Failure to comply with the provisions of this section between ~~the effective date of this act June 1, 2017,~~ and January 1, ~~2019~~ 2020, may result in an assessment of a civil penalty by the attorney general of not less than \$100 nor more than \$5,000 for each violation.

Sec. 7. K.S.A. 2017 Supp. 50-6,112a is hereby amended to read as follows: 50-6,112a. (a) A scrap metal dealer shall not purchase any regulated scrap metal without having first registered each place of business with the attorney general as herein provided.

(b) The attorney general shall establish a system for the public to confirm scrap metal dealer registration certificates. Such system shall include a listing of valid registration certificates and such other information collected pursuant to the scrap metal theft reduction act, as the attorney general may determine is appropriate. Disclosure of any information through use of the system established by the attorney general shall not be deemed to be an endorsement of any scrap metal dealer or determination of any facts, qualifications, information or reputation of any scrap metal dealer by the attorney general, the state, or any of their respective agents, officers, employees or assigns.

(c) A registration for a scrap metal dealer shall be verified and upon a form approved by the attorney general and contain:

- (1) (A) The name and residence of the applicant, including all previous names and aliases; or
- (B) if the applicant is a: Corporation, the name and address of each manager, officer or director thereof, and each stockholder owning in the aggregate more than 25% of the stock of such corporation; or partnership or limited liability company, the name and address of each partner or member;
- (2) the length of time that the applicant has resided within the state of Kansas and a list of all residences outside the state of Kansas during the previous 10 years;
- (3) the particular place of business for which a registration is desired, the name of the business, the address where the business is to

be conducted, the hours of operation and the days of the week during which the applicant proposes to engage in business;

(4) the name of the owner of the premises upon which the place of business is located; and

(5) The applicant shall disclose any prior convictions within 10 years immediately preceding the date of making the registration for: A violation of article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 2017 Supp. 21-5801 through 21-5839 or K.S.A. 2017 Supp. 21-6412(a)(6), and amendments thereto; perjury, K.S.A. 21-3805, prior to its repeal, or K.S.A. 2017 Supp. 21-5903, and amendments thereto; compounding a crime, K.S.A. 21-3807, prior to its repeal; obstructing legal process or official duty, K.S.A. 21-3808, prior to its repeal; falsely reporting a crime, K.S.A. 21-3818, prior to its repeal; interference with law enforcement, K.S.A. 2017 Supp. 21-5904, and amendments thereto; interference with judicial process, K.S.A. 2017 Supp. 21-5905, and amendments thereto; or any crime involving dishonesty or false statement or any substantially similar offense pursuant to the laws of any city, state or of the United States.

(d) Each registration for a scrap metal dealer to purchase regulated scrap metal shall be accompanied by a fee of not less than \$500 nor more than \$1,500, as prescribed by the attorney general for each particular place of business for which a registration is desired.

(e) The attorney general shall accept a registration for a scrap metal dealer as otherwise provided for herein, from any scrap metal dealer qualified to file such registration, to purchase regulated scrap metals. Such registration shall be issued for a period of one year.

(f) If an original registration is accepted, the attorney general shall grant and issue renewals thereof upon application of the registration holder, if the registration holder is qualified to receive the same and the registration has not been revoked as provided by law. The renewal fee shall be not more than \$1,500, as prescribed by the attorney general.

(g) Any registration issued under the scrap metal theft reduction act shall not be transferable.

(h) This section shall not apply to a business licensed under the provisions of K.S.A. 8-2404, and amendments thereto, unless such business buys or recycles regulated scrap metal that are not motor vehicle components.

(i) The amendments made to subsections (d) and (f) by section 15 of chapter 96 of the 2015 Session Laws of Kansas shall be unenforceable and shall not apply from ~~the effective date of this act June 1, 2017,~~ to January 1, ~~2019~~ 2020.

Sec. 8. K.S.A. 2017 Supp. 50-6,112b is hereby amended to read as follows: 50-6,112b. (a) After examining the information contained in a filing for a scrap metal dealer registration and determining the registration meets the statutory requirements for such registration, the attorney general shall accept such filing and the scrap metal dealer shall be deemed to be properly registered.

(b) No scrap metal registration shall be accepted for:

(1) A person who is not a citizen or legal permanent resident of the United States.

(2) A person who is under 18 years of age and whose parents or legal guardians have been convicted of a felony or other crime which would disqualify a person from registration under this section and such crime was committed during the time that such parents or legal guardians held a registration under the scrap metal theft reduction act.

(3) A person who, within 10 years immediately preceding the date of filing, has pled guilty to, entered into a diversion agreement for, been convicted of, released from incarceration for or released from probation or parole for committing, attempting to commit, or conspiring to commit a violation of: Article 37 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or K.S.A. 2017 Supp. 21-5801 through 21-5839 or K.S.A. 2017 Supp. 21-6412(a)(6), and amendments thereto; perjury, K.S.A. 21-3805, prior to its repeal, or K.S.A. 2017 Supp. 21-5903, and amendments thereto; compounding a crime, K.S.A. 21-3807, prior to its repeal; obstructing legal process or official duty, K.S.A. 21-3808, prior to its repeal; falsely reporting a crime, K.S.A. 21-3818, prior to its repeal; interference with law enforcement, K.S.A. 2017 Supp. 21-5904, and amendments thereto; interference with judicial process, K.S.A. 2017 Supp. 21-5905, and amendments thereto; or any crime involving dishonesty or false statement or any substantially similar offense pursuant to the laws of any city, state or of the United States.

(4) A person who within the 10 years immediately preceding the date of registration held a scrap metal dealer registration which was revoked, or managed a facility for a scrap metal dealer whose registration

(continued)

was revoked, or was an employee whose conduct led to or contributed to the revocation of such registration.

(5) A person who makes a materially false statement on the registration application or has made a materially false statement on a registration or similar filing within the last 10 years.

(6) A partnership or limited liability company, unless all partners or members of the partnership or limited liability company are otherwise qualified to file a registration.

(7) A corporation, if any manager, officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of such corporation, would be ineligible to receive a license hereunder for any reason.

(8) A person whose place of business is conducted by a manager or agent unless the manager or agent possesses all of the qualifications for registration.

(9) A person whose spouse has been convicted of a felony or other crime which would disqualify a person from registration under this section and such crime was committed during the time that the spouse held a registration under the scrap metal theft reduction act.

(10) A person who does not own the premises upon which the place of business is located for which a license is sought, unless the person has a written lease for at least 3/4 of the period for which the license is to be issued.

(c) Any person filing a scrap metal dealer registration may be subject to a criminal history records check and may be given a written notice that a criminal history records check is required. The attorney general may require such applicant to be fingerprinted and submit to a state and national criminal history record check. If required, such fingerprints shall be used to identify the applicant and to determine whether the applicant has a record of criminal history in this state or another jurisdiction. The attorney general shall submit any fingerprints provided to the Kansas bureau of investigation and the federal bureau of investigation for a state and national criminal history record check. Local and state law enforcement officers and agencies shall assist the attorney general in the taking and processing of fingerprints of applicants. The attorney general may use the information obtained from fingerprinting and the criminal history for purposes of verifying the identification of the applicant and in the official determination of whether the scrap metal dealer registration shall be accepted. If the criminal history record information is used to disqualify an applicant, the applicant shall be informed in writing of that decision.

(d) The amendments made to subsections (b)(10) and (c) by section 16 of chapter 96 of the 2015 Session Laws of Kansas shall be unenforceable and shall not apply from the effective date of this act June 1, 2017, to January 1, 2019 2020.

Sec. 9. K.S.A. 2017 Supp. 74-7301 is hereby amended to read as follows: 74-7301. As used in this act:

(a) "Allowance expense" means reasonable charges incurred for reasonably needed products, services and accommodations, including those for medical care, rehabilitation, rehabilitative occupational training and other remedial treatment and care and for the replacement of items of clothing or bedding which were seized for evidence. Such term includes a total charge not in excess of \$5,000 for expenses in any way related to funeral, cremation or burial; but such term shall not include that portion of a charge for a room in a hospital, clinic, convalescent or nursing home or any other institution engaged in providing nursing care and related services, in excess of a reasonable and customary charge for semi-private accommodations, unless other accommodations are medically required. Such term includes a total charge not in excess of \$1,000 for expenses in any way related to crime scene cleanup.

(b) "Board" means the crime victims compensation board established under K.S.A. 74-7303, and amendments thereto.

(c) "Claimant" means any of the following persons claiming compensation under this act: A victim; a dependent of a deceased victim; a third person other than a collateral source; or an authorized person acting on behalf of any of them.

(d) "Collateral source" means the net financial benefit, after deduction of taxes, legal fees, costs, expenses of litigation, liens, offsets, credits or other deductions, from a source of benefits or advantages for economic loss otherwise reparable under this act which the victim or claimant has received, or which is readily available to the victim or claimant, from:

(1) The offender;

(2) the government of the United States or any agency thereof, a state or any of its political subdivisions or an instrumentality or two

or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under this act;

(3) social security, medicare and medicaid;

(4) state-required temporary nonoccupational disability insurance;

(5) workers' compensation;

(6) wage continuation programs of any employer;

(7) proceeds of a contract of insurance payable to the victim for loss which the victim sustained because of the criminally injurious conduct;

or

(8) a contract providing prepaid hospital and other health care services or benefits for disability; or

(9) damages awarded in a tort action.

(e) "Criminally injurious conduct" means conduct that: (1) (A) Occurs or is attempted in this state or occurs to a person whose domicile is in Kansas who is the victim of a violent crime which occurs in another state, possession, or territory of the United States of America may make an application for compensation if:

(i) The crimes would be compensable had it occurred in the state of Kansas; and

(ii) the places the crimes occurred are states, possessions or territories of the United States of America not having eligible crime victim compensation programs;

(B) poses a substantial threat or personal injury or death; and

(C) either is punishable by fine, imprisonment or death or would be so punishable but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state; or

(2) is an act of terrorism, as defined in 18 U.S.C. § 2331, or a violent crime that posed a substantial threat or caused personal injury or death, committed outside of the United States against a person whose domicile is in Kansas, except that criminally injurious conduct does not include any conduct resulting in injury or death sustained as a member of the United States armed forces while serving on active duty.

Such term shall not include conduct arising out of the ownership, maintenance or use of a motor vehicle, except for violations of K.S.A. 8-2,144 or 8-1567, and amendments thereto, or violations of municipal ordinances or county resolutions prohibiting the acts prohibited by those statutes, or violations of K.S.A. 8-1602, and amendments thereto, K.S.A. 21-3404, 21-3405 and 21-3414, prior to their repeal, or K.S.A. 2017 Supp. 21-5405, 21-5406 and subsection (b) of K.S.A. 2017 Supp. 21-5413(b), and amendments thereto, or when such conduct was intended to cause personal injury or death.

(f) "Dependent" means a natural person wholly or partially dependent upon the victim for care or support, and includes a child of the victim born after the victim's death.

(g) "Dependent's economic loss" means loss after decedent's death of contributions of things of economic value to the decedent's dependents, not including services they would have received from the decedent if the decedent had not suffered the fatal injury, less expenses of the dependents avoided by reason of decedent's death.

(h) "Dependent's replacement services loss" means loss reasonably incurred by dependents after decedent's death in obtaining ordinary and necessary services in lieu of those the decedent would have performed for their benefit if the decedent had not suffered the fatal injury, less expenses of the dependents avoided by reason of decedent's death and not subtracted in calculating dependent's economic loss.

(i) "Economic loss" means economic detriment consisting only of allowable expense, work loss, replacement services loss and, if injury causes death, dependent's economic loss and dependent's replacement service loss. Noneconomic detriment is not loss, but economic detriment is loss although caused by pain and suffering or physical impairment.

(j) "Noneconomic detriment" means pain, suffering, inconvenience, physical impairment and nonpecuniary damage.

(k) "Replacement services loss" means expenses reasonably incurred in obtaining ordinary and necessary services in lieu of those the injured person would have performed, not for income, but for the benefit of self or family, if such person had not been injured.

(l) "Work loss" means loss of income from work the injured person would have performed if such person had not been injured, and expenses reasonably incurred by such person in obtaining services in lieu of those the person would have performed for income, reduced by any income from substitute work actually performed by such person or by income such person would have earned in available appropriate substitute work that the person was capable of performing but unreasonably failed to undertake.

(m) "Victim" means a person who suffers personal injury or death as a result of: (1) Criminally injurious conduct; (2) the good faith effort

of any person to prevent criminally injurious conduct; or (3) the good faith effort of any person to apprehend a person suspected of engaging in criminally injurious conduct.

(n) "Crime scene cleanup" means removal of blood, stains, odors or other debris caused by the crime or the processing of the crime scene.

Sec. 10. K.S.A. 2017 Supp. 75-3043a is hereby amended to read as follows: 75-3043a. Except as otherwise specifically provided by statute or rule and regulation, prior to the state of Kansas or any agency thereof purchasing or disposing of any real property, by deed, mortgage, gift or other means of conveyance, transfer or exchange, such property shall be appraised by one disinterested appraiser, to be appointed by the ~~judicial administrator~~ *director of property valuation*, to determine the market-value appraisal of such property; ~~but~~. Nothing in this section shall be construed as establishing or limiting the consideration for the acquisition or disposition of any such property. If the value of the real property is over \$200,000 as determined by the county assessment value of such property, the ~~judicial administrator~~ *director of property valuation* may appoint three disinterested appraisers to determine the market-value appraisal of such real property. Any appraiser selected pursuant to this section shall receive reasonable fees or compensation from legislative appropriations made available therefor.

Sec. 11. K.S.A. 2017 Supp. 20-362, 23-2511, 50-6,109a, 50-6,109c, 50-6,110, 50-6,111, 50-6,112a, 50-6,112b, 74-7301 and 75-3043a are hereby repealed.

Sec. 12. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 17, 2018.)

SENATE BILL No. 310

AN ACT concerning amusement rides; relating to the Kansas amusement ride act; relating to antique amusement rides, limited-use amusement rides and registered agritourism activities; amending K.S.A. 2017 Supp. 40-4801, 40-4802, 44-1601, 44-1602, 44-1603, 44-1605, 44-1606, 44-1607, 44-1608, 44-1609, 44-1610, 44-1611, 44-1612, 44-1613, 44-1614, 44-1616, 44-1617, 44-1618 and 44-1619 and repealing the existing sections; also repealing section 1 of 2018 House Substitute for Senate Bill No. 307 and K.S.A. 2017 Supp. 40-4801, as amended by section 2 of 2018 House Substitute for Senate Bill No. 307, 40-4802, as amended by section 3 of 2018 House Substitute for Senate Bill No. 307, 44-1601, as amended by section 4 of 2018 House Substitute for Senate Bill No. 307, 44-1602, as amended by section 5 of 2018 House Substitute for Senate Bill No. 307, 44-1603, as amended by section 6 of 2018 House Substitute for Senate Bill No. 307, 44-1605, as amended by section 7 of 2018 House Substitute for Senate Bill No. 307, 44-1606, as amended by section 8 of 2018 House Substitute for Senate Bill No. 307, 44-1607, as amended by section 9 of 2018 House Substitute for Senate Bill No. 307, 44-1608, as amended by section 10 of 2018 House Substitute for Senate Bill No. 307, 44-1609, as amended by section 11 of 2018 House Substitute for Senate Bill No. 307, 44-1610, as amended by section 12 of 2018 House Substitute for Senate Bill No. 307, 44-1611, as amended by section 13 of 2018 House Substitute for Senate Bill No. 307, 44-1612, as amended by section 14 of 2018 House Substitute for Senate Bill No. 307, 44-1613, as amended by section 15 of 2018 House Substitute for Senate Bill No. 307, 44-1614, as amended by section 16 of 2018 House Substitute for Senate Bill No. 307, 44-1616, as amended by section 17 of 2018 House Substitute for Senate Bill No. 307, 44-1617, as amended by section 18 of 2018 House Substitute for Senate Bill No. 307, 44-1618, as amended by section 19 of 2018 House Substitute for Senate Bill No. 307, and 44-1619, as amended by section 20 of 2018 House Substitute for Senate Bill No. 307.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) No antique amusement ride, limited-use amusement ride or registered agritourism activity shall be operated in this state unless a valid permit for such ride has been issued by the department. The owner of any such ride shall make application for a permit for such ride to the secretary on such form and in such manner as prescribed by the secretary. The application for a permit shall include, but is not limited to, the following:

(1) The name of the owner and operator of the antique amusement ride, limited-use amusement ride or registered agritourism activity;

(2) the location of the ride, or the location where such ride is stored when not in use;

(3) valid certificate of inspection; and

(4) proof of insurance.

(b) Each applicant shall submit a permit fee of \$50 along with the application.

(c) Upon approval of an application and receipt of the required fee, the secretary shall issue a permit for the antique amusement ride, limited-use amusement ride or registered agritourism activity. Such permit shall be valid for one year from the date of issuance. Any permit fee paid by an applicant shall be returned to the applicant if the application is denied.

(d) In addition to the permit fee required under subsection (b), no antique amusement ride, limited-use amusement ride or registered agritourism activity shall be operated in this state unless the owner of such ride has registered as an antique amusement ride, limited-use amusement ride or registered agritourism activity owner with the department. Registration shall be valid for a period of one year. The owner of an antique amusement ride, limited-use amusement ride or registered agritourism activity shall register with the department in such form and in such manner as prescribed by the secretary and by paying a registration fee of \$50. The fee required under this subsection shall be an annual fee paid by the owner, regardless of the number of rides owned by such owner.

(e) All fees received by the secretary pursuant to this section shall be remitted by the secretary to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the amusement ride safety fund.

Sec. 2. K.S.A. 2017 Supp. 40-4801 is hereby amended to read as follows: 40-4801. As used in K.S.A. 40-4802 and 40-4803, and amendments thereto, the terms "amusement ride," "antique amusement ride," "limited-use amusement ride," "operator," ~~and~~ "owner" and "registered agritourism activity" shall have the same meanings as those terms are defined in K.S.A. 2017 Supp. 44-1601, and amendments thereto.

Sec. 3. K.S.A. 2017 Supp. 40-4802 is hereby amended to read as follows: 40-4802. No amusement ride, antique amusement ride, limited-use amusement ride or registered agritourism activity shall be operated in this state unless at the time of operation the owner has in effect an insurance policy insuring the owner and operator against liability for bodily injury to persons arising out of the operation of the amusement ride, antique amusement ride, limited-use amusement ride or registered agritourism activity. The insurance policy shall be written by an insurance company doing business in Kansas, or by a surplus lines insurer. Such insurance policy shall:

(a) (1) For an owner or operator of an amusement ride, provide for coverage in an amount not less than \$1,000,000 per occurrence with a \$2,000,000 annual aggregate, except that this requirement shall be satisfied if the owner of such amusement ride is the state or any subdivision of the state and such owner self-insures, or participates in a public entity self-insurance pool in accordance with K.S.A. 75-6111, and amendments thereto; ~~and~~ or

(2) for an owner or operator of an antique amusement ride, limited-use amusement ride or registered agritourism activity, provide for coverage in an amount not less than \$750,000 per occurrence with a \$1,000,000 annual aggregate; and

(b) name as an additional insured any person contracting with the owner for the ~~amusement ride's~~ operation of the amusement ride, antique amusement ride, limited-use amusement ride or registered agritourism activity.

Sec. 4. K.S.A. 2017 Supp. 44-1601 is hereby amended to read as follows: 44-1601. As used in this act:

(a) (1) "Amusement ride" means any mechanical or electrical device that carries or conveys passengers along, around or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure, thrills or excitement ~~and shall include all rides and devices included under ASTM international F24 committee standards~~, including, but not be limited to:

(A) Rides commonly known as ferris wheels, carousels, parachute towers, bungee jumping, reverse bungee jumping, tunnels of love, roller coasters, boat rides, water slides, inflatable devices, commercial zip lines, trampoline courts and go-karts;

(B) equipment generally associated with winter activities, such as ski lifts, ski tows, j-bars, t-bars, chair lifts and aerial tramways; and

(continued)

(C) equipment not originally designed to be used as an amusement ride, such as cranes or other lifting devices, when used as part of an amusement ride.

(2) "Amusement ride" does not include:

(A) Games, concessions and associated structures;
 (B) any single passenger coin-operated ride that: (i) Is manually, mechanically or electrically operated; (ii) is customarily placed in a public location; and (iii) does not normally require the supervision or services of an operator;

(C) nonmechanized playground equipment, including, but not limited to, swings, seesaws, stationary spring-mounted animal features, rider-propelled merry-go-rounds, climbers, slides and physical fitness devices; ~~or~~

(D) ~~home-owned antique amusement rides;~~

(E) ~~limited-use amusement rides;~~

(F) ~~registered agritourism activities;~~

(G) ~~any ride commonly known as a hayrack ride in which patrons sit in a wagon or cart that is then pulled by horses or a tractor or other motor vehicle;~~

(H) ~~any ride commonly known as a barrel train, which has a series of handmade cars fashioned from barrels that are connected and pulled by a tractor or other motor vehicle; or~~

(I) ~~any amusement ride owned by an individual and operated solely within a single county for strictly private use.~~

(b) "Antique amusement ride" means an amusement ride, as defined in subsection (a)(1), manufactured prior to January 1, 1930.

(c) "Certificate of inspection" means a certificate, signed and dated by a qualified inspector, showing that an amusement ride has satisfactorily passed inspection by such inspector.

(~~e~~)(d) "Class A amusement ride" means an amusement ride designed for use primarily by individuals aged 12 or less.

(~~d~~)(e) "Class B amusement ride" means an amusement ride that is not classified as a class A amusement ride.

(~~e~~)(f) "Department" means the department of labor.

(~~f~~)(g) "~~Home-owned Limited-use amusement ride~~" means an amusement ride, as defined in subsection (a)(1), ~~owned by an individual and operate solely within a single county for strictly private use and operated by a nonprofit, community-based organization that is operated for less than 20 days, or 160 hours, in a year and is operated at only one location each year.~~

(~~g~~)(h) "Nondestructive testing" means the development and application of technical methods in accordance with ASTM F747 standards such as radiographic, magnetic particle, ultrasonic, liquid penetrant, electromagnetic, neutron radiographic, acoustic emission, visual and leak testing to:

(1) Examine materials or components in ways that do not impair the future usefulness and serviceability in order to detect, locate, measure and evaluate discontinuities, defects and other imperfections;

(2) assess integrity, properties and composition; and

(3) measure geometrical characters.

(~~h~~)(i) "Operator" means a person actually supervising, or engaged in or directly controlling the operations of an amusement ride.

(~~h~~)(j) "Owner" means a person who owns, leases, controls or manages the operations of an amusement ride and may include the state or any political subdivision of the state.

(~~f~~)(k) "Parent or guardian" means any parent, guardian or custodian responsible for the control, safety, training or education of a minor or an adult or minor with an impairment in need of a guardian or a conservator, or both, as those terms are defined by K.S.A. 59-3051, and amendments thereto.

(~~k~~)(l) (1) "Patron" means any individual who is:

(A) Waiting in the immediate vicinity of an amusement ride to get on the ride;

(B) getting on an amusement ride;

(C) using an amusement ride;

(D) getting off an amusement ride; or

(E) leaving an amusement ride and still in the immediate vicinity of the ride.

(2) "Patron" does not include employees, agents or servants of the owner while engaged in the duties of their employment.

(~~h~~)(m) "Person" means any individual, association, partnership, corporation, limited liability company, government or other entity.

(~~m~~)(n) "Qualified inspector" means a person who:

(1) Is a licensed professional engineer, as defined in K.S.A. 74-7003, and amendments thereto, and has completed at least two years of experience in the amusement ride field, consisting of at least one year of actual inspection of amusement rides under a qualified inspector for

a manufacturer, governmental agency, amusement park, carnival or insurance underwriter, and an additional year of practicing any combination of amusement ride inspection, design, fabrication, installation, maintenance, testing, repair or operation;

(2) provides satisfactory evidence of completing a minimum of five years of experience in the amusement ride field, at least two years of which consisted of actual inspection of amusement rides under a qualified inspector for a manufacturer, governmental agency, amusement park, carnival or insurance underwriter, and the remaining experience consisting of any combination of amusement ride inspection, design, fabrication, installation, maintenance, testing, repair or operation; ~~or~~

(3) has received qualified training from a third party, such as attainment of level-~~H~~ I certification from the national association of amusement ride safety officials (NAARSO), attainment of level-~~H~~ I certification from the amusement industry manufacturers and suppliers international (AIMS), attainment of a qualified inspector certification from the association for challenge course technology (ACCT), ~~Pennsylvania department of agriculture — general qualified inspector status,~~ when applicable, or other similar qualification from another nationally recognized organization; or

(4) for purposes of inspecting inflatable devices that are rented on a regular basis and erected at temporary locations, provides satisfactory evidence of completing a minimum of five years of experience working with inflatable devices and has received qualified training from a third party, such as attainment of an advanced inflatable safety operations certification from the safe inflatable operators training organization or other nationally recognized organization.

(o) "Registered agritourism activity" means an amusement ride, as defined in subsection (a)(1), that is a registered agritourism activity, as defined in K.S.A. 2017 Supp. 32-1432, and amendments thereto.

(~~n~~)(p) "Secretary" means the secretary of labor.

(~~o~~)(q) "Serious injury" means an injury that results in:

(1) Death, dismemberment, significant disfigurement or permanent loss of the use of a body organ, member, function or system;

(2) a compound fracture; or

(3) other injury or illness that requires immediate ~~medical treatment admission and overnight hospitalization, and observation by a licensed physician.~~

(~~p~~)(r) "Sign" means any symbol or language reasonably calculated to communicate information to patrons or their parents or guardians, including placards, prerecorded messages, live public address, stickers, pictures, pictograms, guide books, brochures, videos, verbal information and visual signals.

(~~q~~)(s) "Water slide" means a slide that is at least ~~45~~ 35 feet in height and that uses water to propel the patron through the ride.

Sec. 5. K.S.A. 2017 Supp. 44-1602 is hereby amended to read as follows: 44-1602. (a) No amusement ride shall be operated in this state unless such ride has a valid certificate of inspection. An amusement ride erected in this state shall be inspected by a qualified inspector at least every 12 months.

The certificate of an inspection required by this subsection shall be signed and dated by the inspector and shall be available to any person contracting with the owner for the ~~amusement ride's~~ operation of such amusement ride, antique amusement ride, limited-use amusement ride or registered agritourism activity. In addition, a visible inspection decal provided by the department or other evidence of inspection shall be posted in plain view on or near the amusement ride, antique amusement ride, limited-use amusement ride or registered agritourism activity in a location where it can easily be seen.

(b) Inspections performed pursuant to this section shall be paid for by the owner of the amusement ride, antique amusement ride, limited-use amusement ride or registered agritourism activity, or in the case of a state agency or political subdivision of the state, such governmental entity shall pay for the inspection.

(c) In addition to the annual inspection required by subsection (a), the operator of an amusement ride, antique amusement ride, limited-use amusement ride or registered agritourism activity shall perform and record daily inspections of the ~~amusement~~ ride. The daily inspection shall include an inspection of equipment identified for daily inspection in accordance with the applicable codes and the manufacturer's recommendations.

(d) The secretary shall conduct random compliance audits of amusement rides erected both at permanent locations and at temporary locations. A warning citation for violation of this act shall be issued against any owner or operator for a first violation.

(e) The secretary shall develop an inspection checklist, which shall be posted on the department's website.

Sec. 6. K.S.A. 2017 Supp. 44-1603 is hereby amended to read as follows: 44-1603. The owner of an amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity* shall retain at all times current records relating to the construction, repair and maintenance of its operation, including safety, inspection, maintenance records and ride operator training activities for such ride. Such records shall be available to any person contracting with the owner for the amusement ride's operation of such ride, and shall be made available to the department at reasonable times, including during an inspection upon the department's request. Records of daily inspections must be available for inspection at the location where the ride or device is operated. All records must be maintained for a period of three years.

Sec. 7. K.S.A. 2017 Supp. 44-1605 is hereby amended to read as follows: 44-1605. (a) No amusement ride shall be operated in this state unless the operator has satisfactorily completed training that includes, at a minimum:

- (1) Instruction on operating procedures for the ride, the specific duties of the operator, general safety procedures and emergency procedures;
- (2) demonstration of physical operation of the ride; and
- (3) supervised observation of the operator's physical operation of the ride.

(b) No amusement ride shall be operated in this state unless the name of each operator trained to operate the ride and the certificate of each such operator's satisfactory completion of such training, signed and dated by the trainer, is available to any person contracting with the owner for the amusement ride's operation on the premises where the amusement ride is operated, during the hours of operation of the ride.

(c) *No inflatable device that is rented on a regular basis and erected at a temporary location shall be operated in this state unless the operator has been trained by a person who has attained a basic inflatable safety operations certification from the safe inflatable operators training organization or other nationally recognized organization.*

(d) *No slide that uses water to propel the patron through the ride and that is at least 15 feet in height shall be operated in this state unless there is an attendant stationed at such slide to ensure patrons are properly adhering to the safety standards in place.*

Sec. 8. K.S.A. 2017 Supp. 44-1606 is hereby amended to read as follows: 44-1606. No amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity* shall be operated in this state unless there is posted in plain view on or near the ride, in a location where they can be easily read, all safety instructions for the ride.

Sec. 9. K.S.A. 2017 Supp. 44-1607 is hereby amended to read as follows: 44-1607. (a) Each patron of an amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity*, by participation, accepts the risks inherent in such participation of which an ordinary prudent person is or should be aware.

- (b) Each patron of an amusement ride has a duty to:
- (1) Exercise the judgment and act in the manner of an ordinary prudent person while participating in an amusement ride;
 - (2) obey all instructions and warnings, written or oral, prior to and during participation in an amusement ride;
 - (3) refrain from participation in an amusement ride while under the influence of alcohol or drugs;
 - (4) engage all safety devices that are provided;
 - (5) refrain from disconnecting or disabling any safety device except at the express direction of the owner's agent or employee; and
 - (6) refrain from extending arms and legs beyond the carrier or seating area except at the express direction of the owner's agent or employee.

(c) Any parent or guardian of a patron shall have a duty to reasonably ensure that the patron complies with all provisions of this act.

Sec. 10. K.S.A. 2017 Supp. 44-1608 is hereby amended to read as follows: 44-1608. Any person contracting with an owner for the amusement ride's operation of an amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity* shall ensure that:

- (a) Inspection certificates required by K.S.A. 2017 Supp. 44-1602, and amendments thereto, are available;
- (b) maintenance and inspection records required by K.S.A. 2017 Supp. 44-1603, and amendments thereto, are available; and
- (c) safety instructions for the ride are posted as required by K.S.A. 2017 Supp. 44-1606, and amendments thereto.

Sec. 11. K.S.A. 2017 Supp. 44-1609 is hereby amended to read as follows: 44-1609. Whenever a serious injury results from the operation

of an amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity*:

- (a) Operation of the ride shall immediately be discontinued;
- (b) operation of the ride shall not be resumed until it has been inspected and the qualified inspector has approved resumption of operation; and
- (c) the owner, within 30 days after the injury, shall notify the manufacturer of the ride, if the manufacturer is known and in existence at the time of the injury.

Sec. 12. K.S.A. 2017 Supp. 44-1610 is hereby amended to read as follows: 44-1610. (a) It is a class B misdemeanor for an owner or operator of an amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity* knowingly to operate, or cause or permit to be operated, any amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity* without a valid permit issued by the secretary.

(b) A notice of violation may be issued by the department when an amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity* is found to be out of compliance with the provisions of this act, or any rules or regulations adopted pursuant thereto. The notice of violation may include an order to cease and desist operation of the specific amusement ride until all violations are satisfactorily corrected.

(c) Within 10 business days after a notice of violation has been issued, the person issued such notice may file a written request with the department for an informal conference regarding the notice. If the person issued the notice of violation does not request an informal conference within this time frame, all provisions of the notice shall become final. If the notice of violation is not resolved within the prescribed time frame, the department may seek judicial enforcement of the notice of violation, or an enforcement order may be issued.

(d) The secretary may impose a fine of not more than \$1,000 for any violation of the provisions of this act, or any rules or regulations adopted pursuant thereto. All fines received by the secretary pursuant to this section shall be remitted by the secretary to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the amusement ride safety fund.

(e) Each day a violation continues shall constitute a separate offense.

(f) The provisions of this section shall be subject to the Kansas administrative procedure act.

~~(g) No prosecution for an offense described in subsection (a) shall be brought prior to January 1, 2018. The provisions of this subsection shall expire on June 30, 2018.~~

Sec. 13. K.S.A. 2017 Supp. 44-1611 is hereby amended to read as follows: 44-1611. The attorney general, or the county or district attorney in a county in which an amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity* is located or operated, may apply to the district court for an order enjoining operation of any amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity* operated in violation of this act.

Sec. 14. K.S.A. 2017 Supp. 44-1612 is hereby amended to read as follows: 44-1612. The governing body of any city or county may establish and enforce safety standards for amusement rides, *antique amusement ride, limited-use amusement rides or registered agritourism activities* in addition to, but not in conflict with, the standards established by this act.

Sec. 15. K.S.A. 2017 Supp. 44-1613 is hereby amended to read as follows: 44-1613. The provisions of K.S.A. 2017 Supp. 44-1601 through 44-1619, and section 1, and amendments thereto, shall be known as the Kansas amusement ride act.

Sec. 16. K.S.A. 2017 Supp. 44-1614 is hereby amended to read as follows: 44-1614. (a) The secretary of labor shall adopt rules and regulations necessary to implement provisions of the Kansas amusement ride act, K.S.A. 2017 Supp. 44-1601 et seq., and amendments thereto.

(b) (1) On or before January 1, 2018, the secretary shall adopt rules and regulations necessary to implement the amendments made to the Kansas amusement ride act, K.S.A. 2017 Supp. 44-1601 et seq., and amendments thereto, and the amusement ride insurance act, K.S.A. 40-4801 et seq., and amendments thereto, by this act.

(2) The secretary shall adopt rules and regulations specifying nationally recognized organizations that issue certifications or other evi-

(continued)

dence of qualification to inspect amusement rides, and that require education, experience and training at least equivalent to that required for a level-H I certification from NAARSO as of July 1, 2017.

(3) All references to the American society for testing and materials (ASTM) standards shall be to those standards ~~adopted~~ *developed* by the ASTM international F24 committee, as published in ASTM international standards volume 15.07, or any later version adopted by the secretary in rules and regulations.

Sec. 17. K.S.A. 2017 Supp. 44-1616 is hereby amended to read as follows: 44-1616. (a) No amusement ride shall be operated in this state unless a valid permit for such ride has been issued by the department. The owner of an amusement ride shall make application for a permit for such amusement ride to the secretary on such form and in such manner as prescribed by the secretary. The application for a permit shall include, but is not limited to, the following:

- (1) The name of the owner and operator of the amusement ride;
- (2) the location of the amusement ride, or the location where such ride is stored when not in use;
- (3) valid certificate of inspection;
- (4) proof of insurance; and
- (5) (A) *for amusement rides manufactured prior to July 1, 2018, certification that such ride qualifies as service proven, as that term is used in the applicable ASTM international F24 committee standards; and*

(B) *for amusement rides manufactured on and after July 1, 2018, certification that such ride meets the applicable ASTM international F24 committee standards pertaining to ride maintenance and operation.*

(b) Each applicant shall submit a permit fee along with the application in an amount as follows:

- (1) For amusement rides erected at a permanent location, \$75 for a class A amusement ride, and \$100 for a class B amusement ride;
- (2) for amusement rides erected at a temporary location, \$30; and
- (3) for amusement rides owned or operated by a municipality or a nonprofit entity, whether erected at a permanent or temporary location, \$10.

(c) Upon approval of an application and receipt of the required fee, the secretary shall issue a permit for the amusement ride. Such permit shall be valid for one year from the date of issuance. Any permit fee paid by an applicant shall be returned to the applicant if the application is denied.

(d) In addition to the permit fees required under subsection ~~(a)~~ (b), no amusement ride shall be operated in this state unless the owner of such ride has registered as an amusement ride owner with the department. Registration shall be valid for a period of one year. The owner of an amusement ride shall register with the department in such form and in such manner as prescribed by the secretary, and by paying a registration fee as follows:

- (1) For amusement rides erected at a permanent location, \$500;
- (2) for amusement rides erected at a temporary location, \$250; and
- (3) for amusement rides owned by a municipality or nonprofit entity, whether erected at a permanent or temporary location, \$50.

The fee required under this subsection shall be an annual fee paid by the owner, regardless of the number of amusement rides owned by such owner.

(e) All fees received by the secretary pursuant to this section shall be remitted by the secretary to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the amusement ride safety fund.

Sec. 18. K.S.A. 2017 Supp. 44-1617 is hereby amended to read as follows: 44-1617. There is hereby established in the state treasury the amusement ride safety fund, which shall be administered by the department of labor. The amusement ride safety fund shall consist of those moneys credited to the amusement ride safety fund pursuant to K.S.A. 44-1610, and amendments thereto, and K.S.A. 2017 Supp. 44-1616 and section 1, and amendments thereto. All expenditures from the amusement ride safety fund shall be for the administration and enforcement of the Kansas amusement ride act, and shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary, or the secretary's designee.

Sec. 19. K.S.A. 2017 Supp. 44-1618 is hereby amended to read as follows: 44-1618. (a) (1) A patron, or a patron's parent or guardian on a patron's behalf, shall report in writing to the owner any injury sus-

tained on an amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity* before leaving the premises. Such report shall include:

- (A) The name, address and phone number of the injured person;
- (B) a full description of the incident, the injuries claimed, any treatment received and the location, date and time of the injury;
- (C) the cause of the injury, if known; and
- (D) the names, addresses and phone numbers of any witnesses to the incident.

(2) If a patron, or a patron's parent or guardian, is unable to file a report because of the severity of the patron's injuries, the patron or the patron's parent or guardian shall file the report as soon as reasonably possible.

(3) The owner shall prominently display signage at the point of admission or ticket sale and at least two other locations in close proximity to the amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity* explaining a patron's duty to report injuries sustained on such amusement ride. Such signage shall include instructions on how to contact the owner's representatives if immediate assistance is needed and how to make an injury report.

(4) The failure of a patron, or the patron's parent or guardian, to report an injury under this subsection shall have no effect on the patron's right to commence a civil action.

(b) The owner of an amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity* shall notify the department of any serious injury reported by a patron, or any injury caused by a malfunction or failure of an amusement ride or caused by an operator or patron error. Such notification shall be submitted to the department within 72 hours of the time that the operator becomes aware of the injury.

(c) If a serious injury occurs, the equipment or conditions that caused the injury shall be preserved for the purpose of an investigation by the department and such amusement ride shall be immediately removed from service ~~until an investigation is completed or deemed unnecessary by the secretary.~~ Except as provided in subsection (d), *if upon notification, the department shall acknowledge receipt of such notice and determine if an investigation of a serious injury is necessary. If an investigation is not commenced within 24 hours after the department receives notification of such injury, then an investigation shall be deemed unnecessary.*

(d) If the serious injury results in the death of a patron, the owner shall notify the department of the injury as soon as possible. Such notification shall be by telephone initially with a written notification sent within 24 hours after the initial notice. If the patron's death is related to a major malfunction of the amusement ride, an investigation shall be required and the department shall commence such investigation within 24 hours after receiving initial notice of the injury. No part of the amusement ride or the ride itself, shall be moved or repaired without the written approval of the secretary, or the secretary's designee, except that nothing in this subsection shall be construed so as to hinder emergency response personnel from performing their duties, or to prevent the elimination of an obvious safety hazard. The owner shall provide the department with complete access to the amusement ride and all related premises for the purposes of the investigation and shall provide all information related to the cause of the injury to the department.

Sec. 20. K.S.A. 2017 Supp. 44-1619 is hereby amended to read as follows: 44-1619. The provisions of this act shall not be enforced by the secretary prior to the date of publication of the rules and regulations adopted by the secretary pursuant to K.S.A. 2017 Supp. 44-1614(b), and amendments thereto. Prior to taking any action pursuant to K.S.A. 2017 Supp. 44-1610, and amendments thereto, the secretary shall provide the owner or operator of an amusement ride, *antique amusement ride, limited-use amusement ride or registered agritourism activity* a reasonable period of time to comply with the provisions of K.S.A. 2017 Supp. 44-1601 et seq., and amendments thereto, and K.S.A. 40-4801 et seq., and amendments thereto.

Sec. 21. K.S.A. 2017 Supp. 40-4801, 40-4802, 44-1601, 44-1602, 44-1603, 44-1605, 44-1606, 44-1607, 44-1608, 44-1609, 44-1610, 44-1611, 44-1612, 44-1613, 44-1614, 44-1616, 44-1617, 44-1618 and 44-1619 are hereby repealed.

Sec. 22. On and after July 1, 2018, section 1 of House Substitute for Senate Bill No. 307 and K.S.A. 2017 Supp. 40-4801, as amended by section 2 of 2018 House Substitute for Senate Bill No. 307, 40-4802, as amended by section 3 of 2018 House Substitute for Senate Bill No. 307,

44-1601, as amended by section 4 of 2018 House Substitute for Senate Bill No. 307, 44-1602, as amended by section 5 of 2018 House Substitute for Senate Bill No. 307, 44-1603, as amended by section 6 of 2018 House Substitute for Senate Bill No. 307, 44-1605, as amended by section 7 of 2018 House Substitute for Senate Bill No. 307, 44-1606, as amended by section 8 of 2018 House Substitute for Senate Bill No. 307, 44-1607, as amended by section 9 of 2018 House Substitute for Senate Bill No. 307, 44-1608, as amended by section 10 of 2018 House Substitute for Senate Bill No. 307, 44-1609, as amended by section 11 of 2018 House Substitute for Senate Bill No. 307, 44-1610, as amended by section 12 of 2018 House Substitute for Senate Bill No. 307, 44-1611, as amended by section 13 of 2018 House Substitute for Senate Bill No. 307, 44-1612, as amended by section 14 of 2018 House Substitute for Senate Bill No. 307, 44-1613, as amended by section 15 of 2018 House Substitute for Senate Bill No. 307, 44-1614, as amended by section 16 of 2018 House Substitute for Senate Bill No. 307, 44-1616, as amended by section 17 of 2018 House Substitute for Senate Bill No. 307, 44-1617, as amended by section 18 of 2018 House Substitute for Senate Bill No. 307, 44-1618, as amended by section 19 of 2018 House Substitute for Senate Bill No. 307, and 44-1619, as amended by section 20 of 2018 House Substitute for Senate Bill No. 307, are hereby repealed.

Sec. 23. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 17, 2018.)

SENATE BILL No. 328

AN ACT concerning correctional institutions and juvenile correctional facilities; prohibiting the outsourcing or privatization of any security operations thereof; allowing existing contracts to be renewed.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) (1) Notwithstanding any other provision of law, no state agency shall enter into any agreement or take any action to outsource or privatize any security operations of any correctional institution, as defined by K.S.A. 75-5202, and amendments thereto, or juvenile correctional facility, as defined by K.S.A. 2017 Supp. 38-2302, and amendments thereto, that is operated by a state agency without prior specific authorization by an act of the legislature or an appropriation act of the legislature. The restriction imposed by this subsection applies to any action to outsource or privatize all or any part of any security operation or job classifications and duties associated with a security operation of such correctional institution or juvenile correctional facility.

(2) For the purposes of this section, "security operations" shall include the supervision of inmates in a correctional institution or juvenile correctional facility by a corrections officer or warden as those terms are defined in K.S.A. 75-5202, and amendments thereto, or any other position that is part of security operations as identified in rules and regulations adopted by the secretary.

(3) The secretary of corrections may adopt rules and regulations to identify job classifications and duties that are part of the security operations of a correctional institution or juvenile correctional facility.

(b) Nothing in this section shall prevent the department of corrections from renewing, in substantially the same form as an existing agreement, any agreement in existence prior to January 1, 2018, for services at such correctional institution or juvenile correctional facility.

(c) Nothing in this section shall prevent the department of corrections from entering into an agreement for services at such correctional institution or juvenile correctional facility with a different provider if such agreement is substantially similar to an agreement for services in existence prior to January 1, 2018.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 17, 2018.)

SENATE BILL No. 348

AN ACT concerning insurance; relating to health insurance; authorizing electronic delivery as the standard method of delivery for certain health benefit plan documents; coverage for amino acid-based elemental formula; amending K.S.A. 2017 Supp. 40-5802, 40-5803 and 40-5804 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2017 Supp. 40-5802 is hereby amended to read as follows: 40-5802. (a) This act allows the use of electronic notices and documents in lieu of any other provision of law for the sending of insurance notices and documents. *Except as provided in subsection (b)*, in order to send electronic notices and documents to another party the insurer must obtain the consent of the other party as provided in this act.

(b) (1) *Notwithstanding any other provision of law, a health benefit plan may utilize electronic delivery as its standard method to send the explanation of benefits and policy, including federally required summary of benefit and coverage documents, to a party only if: (A) Paper documents are readily available; and (B) notification has been provided to the party explaining the party's option to receive paper documents via U.S. mail.*

(2) *If a party notifies a health benefit plan that the party wishes to receive paper documents via U.S. mail, the health benefit plan.*

Sec. 2. K.S.A. 2017 Supp. 40-5803 is hereby amended to read as follows: 40-5803. For the purposes of this act:

(a) "Delivered by electronic means" includes:

(1) Delivery to an electronic mail address at which a party has consented to receive notices or documents; or

(2) posting on an electronic network or site accessible via the internet, mobile application, computer, mobile device, tablet or any other electronic device, together with separate notice of the posting, which shall be provided by electronic mail to the address at which the party has consented to receive notice or by any other delivery method that has been consented to by the party.

(b) "Party" means any recipient of any notice or document required as part of an insurance transaction, including, but not limited to, an applicant, an insured, a policyholder or an annuity contract holder.

(c) "Health benefit plan" means the same as in K.S.A. 40-4602, and amendments thereto. "Health benefit plan" shall also include any: (1) Individual health insurance policy; (2) individual or group dental insurance policy; or (3) nonprofit dental services corporation.

(d) "Nonprofit dental services corporation" means a nonprofit corporation organized pursuant to the nonprofit dental service corporation act, K.S.A. 40-19a01 et seq., and amendments thereto.

Sec. 3. K.S.A. 2017 Supp. 40-5804 is hereby amended to read as follows: 40-5804. (a) Subject to subsection (c), any notice to a party or any other document required under applicable law in an insurance transaction or that is to serve as evidence of insurance coverage may be delivered, stored and presented by electronic means so long as it meets the requirements of this act.

(b) Delivery of a notice or document in accordance with this section shall be considered equivalent to any delivery method required under applicable law, including delivery by first class mail; first class mail, postage prepaid; certified mail; certificate of mail; or certificate of mailing.

(c) A notice or document may be delivered by electronic means by an insurer to a party under this section if:

(1) The party has affirmatively consented to that method of delivery and has not withdrawn the consent;

(2) the party, before giving consent, is provided with a clear and conspicuous statement informing the party of:

(A) Any right or option of the party to have the notice or document provided or made available in paper or another non-electronic form;

(B) the right of the party to withdraw consent to have a notice or document delivered by electronic means and any fees, conditions or consequences imposed in the event consent is withdrawn;

(C) whether the party's consent applies: (i) Only to the particular transaction as to which the notice or document must be given; or (ii) to identified categories of notices or documents that may be delivered by electronic means during the course of the parties' relationship;

(D) (i) the means, after consent is given, by which a party may

(continued)

obtain a paper copy of a notice or document delivered by electronic means; and (ii) the fee, if any, for the paper copy; and

(E) the procedure a party must follow to withdraw consent to have a notice or document delivered by electronic means and to update information needed to contact the party electronically;

(3) the party, before giving consent, is provided with a statement of the hardware and software requirements for access to and retention of a notice or document delivered by electronic means; and consents electronically, or confirms consent electronically, in a manner that reasonably demonstrates that the party can access information in the electronic form that will be used for notices or documents delivered by electronic means as to which the party has given consent; and

(4) after consent of the party is given, the insurer, in the event a change in the hardware or software requirements needed to access or retain a notice or document delivered by electronic means creates a material risk that the party will not be able to access or retain a subsequent notice or document to which the consent applies, provides the party with a statement of: (A) The revised hardware and software requirements for access to and retention of a notice or document delivered by electronic means; and (B) the right of the party to withdraw consent without the imposition of any fee, condition, or consequence that was not disclosed under subsection (c)(2).

(d) This act does not affect requirements related to content or timing of any notice or document required under applicable law.

(e) If a provision of this act or applicable law requiring a notice or document to be provided to a party expressly requires verification or acknowledgment of receipt of the notice or document, the notice or document may be delivered by electronic means only if the method used provides for verification or acknowledgment of receipt.

(f) The legal effectiveness, validity, or enforceability of any contract or policy of insurance executed by a party may not be denied solely because of the failure to obtain electronic consent or confirmation of consent of the party in accordance with subsection (c)(3).

(g) A withdrawal of consent by a party does not affect the legal effectiveness, validity, or enforceability of a notice or document delivered by electronic means to the party before the withdrawal of consent is effective. A withdrawal of consent by a party is effective within a reasonable period of time after receipt of the withdrawal by the insurer. Failure by an insurer to comply with subsection (c)(4) may be treated, at the election of the party, as a withdrawal of consent for purposes of this section.

(h) This section does not apply to a notice or document delivered by an insurer in an electronic form before the effective date of this act to a party who, before that date, has consented to receive a notice or document in an electronic form otherwise allowed by law.

(i) If the consent of a party to receive certain notices or documents in an electronic form is on file with an insurer before the effective date of this act, and pursuant to this section, an insurer intends to deliver additional notices or documents to such party in an electronic form, then prior to delivering such additional notices or documents electronically, the insurer shall notify the party of the notices or documents that may be delivered by electronic means under this section that were not previously delivered electronically and the party's right to withdraw consent to have notices or documents delivered by electronic means.

(j) Notwithstanding any other provisions of this section, insurance policies and endorsements that do not contain personally identifiable information may be mailed, delivered or posted on the insurer's website. If the insurer elects to post insurance policies and endorsements on its website in lieu of mailing or delivering such policies and endorsements to the insured, such insurer shall comply with all of the following conditions:

(1) The policy and endorsements shall be easily accessible and remain that way for as long as the policy is in force;

(2) after the expiration of the policy, the insurer shall archive its expired policies and endorsements for five years and make them available upon request;

(3) the policies and endorsements shall be posted in a manner that enables the insured to print and save the policy and endorsements using programs or applications that are widely available on the internet and free to use;

(4) the insurer shall provide notice, at the time of issuance of the initial policy forms and any renewal forms, of a method by which insureds may obtain, upon request and without charge, a paper or electronic copy of their policy or endorsements;

(5) on each declarations page issued to an insured, the insurer shall clearly identify the exact policy and endorsement forms purchased by the insured; and

(6) the insurer shall provide notice of any changes to the forms or endorsements, and of the insured's right to obtain, upon request and without charge, a paper or electronic copy of such forms or endorsements.

(k) Except as otherwise provided by law, if an oral communication or a recording of an oral communication from a party can be reliably stored and reproduced by an insurer, the oral communication or recording may qualify as a notice or document delivered by electronic means for purposes of this section. If a provision of this title or applicable law requires a signature or notice or document to be notarized, acknowledged, verified or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by the provision, is attached to or logically associated with the signature, notice or document.

(l) This section shall not affect any obligation of the insurer to provide notice to any person other than the insured of any notice provided to the insured.

(m) This section shall not be construed to modify, limit or supersede the provisions of the federal electronic signatures in global and national commerce act, public law 106-229, or the provisions of the uniform electronic transactions act, K.S.A. 16-1601 et seq., and amendments thereto.

(n) The provisions of ~~this act~~ *the electronic notice and document act* shall not apply to any mutual insurance company organized pursuant to article 12a of chapter 40 of the Kansas Statutes Annotated, and amendments thereto.

(o) *The provisions of this section shall not apply to the electronic delivery of explanation of benefits and policies, including federally required summary of benefit and coverage documents, to a party by a health benefit plan.*

New Sec. 4. (a) In the coverage for the next health plan coverage year commencing on January 1, 2019, the state employees health care commission shall provide for the coverage for amino acid-based elemental formula, regardless of delivery method, for the diagnosis or treatment of food protein-induced enterocolitis syndrome, eosinophilic disorders or short bowel syndrome, if prescribed by a prescriber, as defined by K.S.A. 65-1626, and amendments thereto, authorized by the pharmacy act of the state of Kansas and the applicable medical professional licensure entity in the state of Kansas.

(b) (1) Pursuant to the provisions of K.S.A. 40-2249a, and amendments thereto, on or before March 1, 2020, the state employees health care commission shall submit to the president of the senate and to the speaker of the house of representatives a report including the following information pertaining to the mandated coverage for amino acid-based elemental formula provided during the plan year commencing on January 1, 2019, and ending on December 31, 2019:

(A) The impact that the mandated coverage for amino acid-based elemental formula required by subsection (a) has had on the state health care benefits program;

(B) data on the utilization of coverage for amino acid-based elemental formula by covered individuals and the cost of providing such coverage for amino acid-based elemental formula; and

(C) a recommendation whether such mandated coverage for amino acid-based elemental formula should continue for the state health care benefits program or whether additional utilization and cost data is required.

(2) At the next legislative session following receipt of the report required in paragraph (1), the legislature may consider whether or not to require the coverage for amino acid-based elemental formula required by subsection (a) to be included in any individual or group health insurance policy, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society or health maintenance organization that provides coverage for accident and health services and that is delivered, issued for delivery, amended or renewed in this state on or after July 1, 2021.

Sec. 5. K.S.A. 2017 Supp. 40-5802, 40-5803 and 40-5804 are hereby repealed.

Sec. 6. This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced May 3-4 during the 2018 session of the Kansas Legislature. Full text of bills, bill tracking, and other information may be accessed at <http://www.kslegislature.org/li/>.

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended, and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2017 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-9-7b	Amended	V. 36, p. 1089

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-2-3	Amended	V. 36, p. 1088
4-2-8	Amended	V. 36, p. 1088
4-2-17a	Revoked	V. 36, p. 1088
4-2-21	New	V. 36, p. 1088

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-3-6a	Amended	V. 36, p. 159
5-5-9	Amended	V. 36, p. 1036
5-5-10	Amended	V. 36, p. 1036
5-5-16	Amended	V. 36, p. 1037
5-14-10	Amended	V. 36, p. 823
5-14-11	Amended	V. 36, p. 1038
5-14-12	New	V. 36, p. 825
5-21-3	Amended	V. 36, p. 160

AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

Reg. No.	Action	Register
9-3-9	Amended	V. 36, p. 140
9-3-10	Amended	V. 36, p. 140
9-10-33a	Amended	V. 36, p. 1038
9-10-40	New	V. 36, p. 1038
9-18-1	Revoked	V. 36, p. 1229
9-18-2	Revoked	V. 36, p. 1229
9-18-3	Revoked	V. 36, p. 1229
9-18-4	New	V. 36, p. 1229
9-18-5	New	V. 36, p. 1229
9-18-6	New	V. 36, p. 1229
9-18-7	New	V. 36, p. 1230
9-18-8	New	V. 36, p. 1230
9-18-9	New	V. 36, p. 1230

9-18-10	New	V. 36, p. 1231
9-18-11	New	V. 36, p. 1231
9-18-12	New	V. 36, p. 1232
9-18-13	New	V. 36, p. 1232
9-18-14	New	V. 36, p. 1233
9-18-15	New	V. 36, p. 1233
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9-18-17	New	V. 36, p. 1233
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9-19-12	Revoked	V. 36, p. 1237
9-20-1	Revoked	V. 36, p. 1237
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9-25-14	Revoked	V. 36, p. 1237
9-25-15	Revoked	V. 36, p. 1237

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-17-1	New	V. 37, p. 160

AGENCY 21: HUMAN RIGHTS COMMISSION

Reg. No.	Action	Register
21-41-5	Amended	V. 36, p. 1228

Senate Resolutions

SR 1794, A RESOLUTION recognizing Kansas' celebration of the 100th anniversary of the 19th Amendment, by Senator Tyson.

SR 1795, A RESOLUTION congratulating and commending the members of the Shawnee Heights High School cheer squad for winning the Class 5A championship in the inaugural Game Day Spirit Showcase Competition, by Senator Hensley.

Doc. No. 046309

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-6-12	Revoked	V. 37, p. 244
22-6-16	Revoked	V. 37, p. 244
22-6-20	Amended	V. 37, p. 244
22-6-24	Amended	V. 37, p. 245
22-6-25	Amended	V. 37, p. 245
22-8-10	Amended	V. 37, p. 246
22-19-5	Amended	V. 37, p. 246
22-24-1	Amended	V. 37, p. 247
22-24-2	Revoked	V. 37, p. 247
22-24-3	Revoked	V. 37, p. 247
22-24-4	Revoked	V. 37, p. 247
22-24-5	Revoked	V. 37, p. 247
22-24-6	Revoked	V. 37, p. 247
22-24-7	Amended	V. 37, p. 247
22-24-8	Revoked	V. 37, p. 247
22-24-9	Revoked	V. 37, p. 247
22-24-10	Revoked	V. 37, p. 247
22-24-11	Revoked	V. 37, p. 247
22-24-12	Revoked	V. 37, p. 247
22-24-13	Revoked	V. 37, p. 247
22-24-15	Amended	V. 37, p. 247
22-24-16	Revoked	V. 37, p. 247
22-24-17	Revoked	V. 37, p. 247
22-24-18	Revoked	V. 37, p. 247

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-1	Amended	V. 37, p. 374
28-1-2	Amended	V. 37, p. 374
28-1-4	Amended	V. 37, p. 376
28-1-6	Amended	V. 37, p. 376
28-1-7	Revoked	V. 37, p. 377
28-1-12	Amended	V. 37, p. 377
28-1-13	Amended	V. 37, p. 377
28-1-18	Amended	V. 37, p. 377
28-4-114a	Amended	V. 36, p. 364
28-4-118	Amended	V. 36, p. 365
28-4-428	Amended	V. 36, p. 366
28-4-428a	Amended	V. 36, p. 366
28-4-587	Amended	V. 36, p. 571
28-4-592	Amended	V. 36, p. 573
28-4-802	Revoked	V. 36, p. 973
28-16-28b	Amended	V. 37, p. 98
28-16-28d	Amended	V. 37, p. 101
28-16-28e	Amended	V. 37, p. 103
28-16-28f	Amended	V. 37, p. 105
28-16-28h	New	V. 37, p. 106
28-19-202	Revoked	V. 36, p. 1382
28-19-516	Amended	V. 36, p. 1382
28-19-517	Amended	V. 36, p. 1382
28-32-11	Amended (T)	V. 36, p. 1435
28-32-11	Amended	V. 37, p. 244
28-35-135a	Amended	V. 37, p. 325
28-35-135c	Amended	V. 37, p. 327
28-35-135i	Amended	V. 37, p. 328
28-35-135s	Amended	V. 37, p. 329
28-35-135u	Amended	V. 37, p. 330

28-35-140	Amended	V. 37, p. 331
28-35-177a	Amended	V. 37, p. 331
28-35-178i	Amended	V. 37, p. 332
28-35-179a	Amended	V. 37, p. 333
28-35-180a	Amended	V. 37, p. 333
28-35-180b	Amended	V. 37, p. 334
28-35-181h	Amended	V. 37, p. 336
28-35-181i	Amended	V. 37, p. 337
28-35-181k	Amended	V. 37, p. 337
28-35-181m	Amended	V. 37, p. 338
28-35-181o	Amended	V. 37, p. 339
28-35-181t	New	V. 37, p. 340
28-35-184a	Amended	V. 37, p. 340
28-35-192a	Amended	V. 37, p. 341
28-35-192c	Amended	V. 37, p. 342
28-35-192g	Amended	V. 37, p. 342
28-35-192h	New	V. 37, p. 343
28-35-197a	Revoked	V. 37, p. 343
28-35-197b	New	V. 37, p. 343
28-35-205b	Amended	V. 37, p. 343
28-35-217b	Amended	V. 37, p. 343
28-35-221a	Amended	V. 37, p. 344
28-35-221b	Amended	V. 37, p. 345
28-35-230d	Revoked	V. 37, p. 345
28-35-264	Amended	V. 37, p. 345
28-35-288	Amended	V. 37, p. 346
28-35-343	Amended	V. 37, p. 346
28-35-344	Amended	V. 37, p. 346
38-35-347	Amended	V. 37, p. 346
28-35-362	Amended	V. 37, p. 347
28-35-504	Amended	V. 37, p. 347
28-35-700	Amended	V. 37, p. 348
28-54-1	Amended	V. 36, p. 939
28-54-2	Amended	V. 36, p. 939
28-54-3	Amended	V. 36, p. 939
28-54-4	Amended	V. 36, p. 940
28-54-5	Amended	V. 36, p. 940
28-71-1	Amended	V. 36, p. 1051
28-71-2	Amended	V. 36, p. 1052
28-71-3	Amended	V. 36, p. 1052
28-71-4	Amended	V. 36, p. 1052
28-71-5	Amended	V. 36, p. 1052
28-71-6	Amended	V. 36, p. 1053
28-71-7	Amended	V. 36, p. 1053
28-71-8	Amended	V. 36, p. 1053
28-71-9	Amended	V. 36, p. 1053
28-71-10	Amended	V. 36, p. 1054
28-71-11	Amended	V. 36, p. 1054
28-71-12	Amended	V. 36, p. 1055

AGENCY 30: KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

Reg. No.	Action	Register
30-47-3	New	V. 36, p. 973

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-37	Amended	V. 36, p. 918
40-1-48	Amended	V. 37, p. 291
40-3-60	New	V. 37, p. 127
40-4-35	Amended	V. 36, p. 972
40-4-42a	Amended	V. 36, p. 954

AGENCY 49: DEPARTMENT OF LABOR

Reg. No.	Action	Register
49-55-1	Amended	V. 36, p. 1106
49-55-2	Amended	V. 36, p. 1106
49-55-3	Revoked	V. 36, p. 1106
49-55-4	Amended	V. 36, p. 1106
49-55-5	Revoked	V. 36, p. 1107
49-55-6	Amended	V. 36, p. 1107
49-55-8	Amended	V. 36, p. 1107
49-55-11	Amended	V. 36, p. 1107
49-55-12	Amended	V. 36, p. 1107
49-55-13	New	V. 36, p. 1107

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-4-101	Amended	V. 36, p. 369

AGENCY 67: BOARD OF EXAMINERS IN FITTING AND DISPENSING OF HEARING INSTRUMENTS

Reg. No.	Action	Register
67-2-4	Amended	V. 36, p. 80
67-5-5	Amended	V. 36, p. 81

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-3a	Amended	V. 36, p. 1307
68-5-17	New	V. 37, p. 366
68-7-12a	Amended	V. 36, p. 1434
68-7-15	Amended	V. 36, p. 1307
68-7-20	Amended	V. 36, p. 1308
68-7-23	New	V. 36, p. 1017
68-11-2	Amended	V. 36, p. 1308
68-13-2	New	V. 37, p. 366
68-13-3	New	V. 37, p. 368
68-13-4	New	V. 37, p. 370
68-21-7	Amended	V. 37, p. 374

AGENCY 70: DEPARTMENT OF AGRICULTURE, BOARD OF VETERINARY EXAMINERS

Reg. No.	Action	Register
70-1-7	New	V. 36, p. 1328
70-3-1	Amended	V. 36, p. 1328
70-3-2	Amended	V. 36, p. 1328
70-3-5	Amended	V. 36, p. 1328
70-5-1	Amended	V. 36, p. 140
70-6-1	Amended	V. 36, p. 1328
70-7-1	Amended	V. 36, p. 1330
70-8-1	Amended	V. 36, p. 1331

AGENCY 74: BOARD OF ACCOUNTANCY

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

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-4-3a	Amended (T)	V. 37, p. 27
82-4-3a	Amended	V. 37, p. 307
82-16-1	Amended	V. 36, p. 102
82-16-2	Amended	V. 36, p. 103
82-16-3	Revoked	V. 36, p. 103
82-16-4	Amended	V. 36, p. 103
82-16-5	Revoked	V. 36, p. 103
82-16-6	Amended	V. 36, p. 103

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-5	Amended	V. 36, p. 159

86-3-26	Amended	V. 37, p. 181
86-3-27	Amended	V. 37, p. 181
86-3-28	Amended	V. 37, p. 181

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-3-8a	Amended	V. 36, p. 444
88-24-2	Amended	V. 36, p. 445
88-28-1	Amended	V. 36, p. 445
88-28-2	Amended	V. 36, p. 446
88-28-3	Amended	V. 36, p. 449
88-28-4	Amended	V. 36, p. 450
88-28-5	Amended	V. 36, p. 450
88-28-6	Amended	V. 36, p. 1309
88-28-7	Amended	V. 36, p. 451
88-28-8	Amended	V. 36, p. 452

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-70a	Amended	V. 36, p. 609
91-1-208	Amended	V. 36, p. 609
91-1-221	Revoked	V. 36, p. 609
91-1-235	Amended	V. 36, p. 610
91-38-1	Amended	V. 36, p. 611
91-38-2	Amended	V. 36, p. 611
91-38-3	Amended	V. 36, p. 611
91-38-4	Amended	V. 36, p. 612
91-38-5	Amended	V. 36, p. 612
91-38-6	Amended	V. 36, p. 613
91-38-7	Amended	V. 36, p. 615
91-38-8	Amended	V. 36, p. 615
91-42-1	Amended	V. 36, p. 616
91-42-2	Amended	V. 36, p. 616
91-42-4	Amended	V. 36, p. 617
91-42-7	Amended	V. 36, p. 618

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-146	Amended	V. 36, p. 1383
92-12-148	Amended	V. 36, p. 1383
92-12-149	Amended	V. 36, p. 1384
92-51-34a	Amended	V. 36, p. 1203
92-57-1	Amended	V. 36, p. 843
92-57-2	Amended	V. 36, p. 844
92-57-3	Amended	V. 36, p. 844
92-57-4	Amended	V. 36, p. 844
92-57-5	New	V. 36, p. 844

AGENCY 99: DEPARTMENT OF AGRICULTURE – DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-25-5	Amended	V. 36, p. 1355
99-26-1	Amended	V. 36, p. 1355

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-29-18	New	V. 36, p. 368
100-29-19	New	V. 36, p. 368
100-29-20	New	V. 36, p. 368
100-29-21	New	V. 36, p. 369
100-76-1	New	V. 36, p. 1430
100-76-2	New	V. 36, p. 1430
100-76-3	New	V. 36, p. 1430
100-76-4	New	V. 36, p. 1430
100-76-5	New	V. 36, p. 1431
100-76-6	New	V. 36, p. 1431
100-76-7	New	V. 36, p. 1432
100-76-8	New	V. 36, p. 1433
100-76-9	New	V. 36, p. 1433
100-76-10	New	V. 36, p. 1433
100-76-11	New	V. 36, p. 1433
100-76-12	New	V. 36, p. 1434

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-3-7b	New	V. 36, p. 1089
102-5-7b	New	V. 36, p. 1090

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-1-1	Amended	V. 36, p. 1356
109-2-9	Amended	V. 36, p. 1358
109-2-8	Amended	V. 36, p. 593
109-3-3	Amended	V. 36, p. 329
109-3-4	Amended	V. 36, p. 330
109-5-1	Amended	V. 36, p. 1359
109-5-1a	Amended	V. 36, p. 1359
109-5-1b	Amended	V. 36, p. 1359
109-5-1c	Amended	V. 36, p. 1359
109-5-1d	Amended	V. 36, p. 1360
109-5-1f	Revoked	V. 36, p. 1360
109-5-3	Amended	V. 36, p. 1360
109-5-7a	Revoked	V. 36, p. 1361
109-5-7b	Revoked	V. 36, p. 1361
109-5-7c	Revoked	V. 36, p. 1361
109-5-7d	Revoked	V. 36, p. 1361
109-6-2	Amended	V. 36, p. 1361
109-7-1	Amended	V. 36, p. 1361
109-8-1	Amended	V. 36, p. 1362
109-8-2	Amended	V. 36, p. 1362
109-9-4	Amended	V. 36, p. 1363
109-10-1a	Amended	V. 36, p. 1363
109-10-1b	Amended	V. 36, p. 1363
109-10-1c	Amended	V. 36, p. 1363
109-10-1d	Amended	V. 36, p. 1364
109-10-1f	Revoked	V. 36, p. 1364
109-10-1g	Revoked	V. 36, p. 1364
109-10-3	Amended	V. 36, p. 1364
109-10-7	Amended	V. 36, p. 1364
109-11-1a	Amended	V. 36, p. 1365
109-11-9	Amended	V. 36, p. 1365
109-13-1	Revoked	V. 36, p. 1366

AGENCY 111: KANSAS LOTTERY

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

2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*.

Reg. No.	Action	Register
111-4-3507	Amended	V. 37, p. 127
111-4-3508	New	V. 37, p. 132
111-4-3509	New	V. 37, p. 132
111-4-3510	New	V. 37, p. 215
111-4-3511	New	V. 37, p. 216
111-4-3512	New	V. 37, p. 217
111-4-3513	New	V. 37, p. 247
111-4-3514	New	V. 37, p. 248
111-4-3515	New	V. 37, p. 249
111-4-3516	New	V. 37, p. 439
111-4-3517	New	V. 37, p. 440
111-4-3518	New	V. 37, p. 442
111-4-3519	New	V. 37, p. 443
111-4-3520	New	V. 37, p. 444
111-5-80	Amended	V. 37, p. 218
111-5-81	Amended	V. 37, p. 219
111-5-82	Amended	V. 37, p. 220
111-5-83	Amended	V. 37, p. 221
111-5-84	Amended	V. 37, p. 221
111-5-85	Amended	V. 37, p. 221
111-7-267	New	V. 37, p. 133
111-9-218	New	V. 37, p. 251
111-19-11	Amended	V. 37, p. 251
111-19-26	New	V. 37, p. 134
111-19-27	New	V. 37, p. 222
111-19-28	New	V. 37, p. 222
111-19-43	New	V. 37, p. 252
111-301-39	Amended	V. 37, p. 223
111-301-63	New	V. 37, p. 135
111-301-64	New	V. 37, p. 135
111-301-65	New	V. 37, p. 135
111-301-66	New	V. 37, p. 136
111-302-4	Amended	V. 37, p. 223
111-302-5	Amended	V. 37, p. 223
111-401-6	Amended	V. 37, p. 253
111-401-11	Amended	V. 37, p. 254
111-401-63	Amended	V. 37, p. 445
111-401-117	Amended	V. 37, p. 254

111-501-24	Amended	V. 37, p. 256
111-501-25	Amended	V. 37, p. 257
111-501-141	Amended	V. 37, p. 257
111-501-142	Amended	V. 37, p. 258
111-501-143	Amended	V. 37, p. 258
111-601-36	Amended	V. 37, p. 447
111-601-37	Amended	V. 37, p. 449

AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

Reg. No.	Action	Register
115-2-1	Amended	V. 36, p. 1332
115-2-3	Amended	V. 36, p. 1334
115-2-4	Amended	V. 36, p. 1335
115-2-6	Amended	V. 36, p. 1335
115-4-2	Amended	V. 36, p. 273
115-4-11	Amended	V. 36, p. 274
115-7-1	Amended	V. 36, p. 1336
115-7-4	Amended	V. 36, p. 1337
115-7-10	Amended	V. 36, p. 1337
115-8-1	Amended	V. 36, p. 398
115-15-3	Amended	V. 37, p. 81
115-15-4	Amended	V. 37, p. 82
115-16-3	Amended	V. 36, p. 859
115-17-2	Amended	V. 36, p. 1337
115-17-3	Amended	V. 36, p. 1338
115-18-12	Amended	V. 36, p. 1338
115-18-19	Amended	V. 36, p. 1338
115-18-20	Amended	V. 36, p. 1338
115-20-2	Amended	V. 36, p. 859
115-20-7	Amended	V. 36, p. 860

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 36, p. 452
117-2-2	Amended	V. 36, p. 452
117-2-2a	Amended	V. 36, p. 453
117-3-2	Amended	V. 36, p. 454
117-3-2a	Amended	V. 36, p. 455
117-4-2	Amended	V. 36, p. 455
117-4-2a	Amended	V. 36, p. 456
117-5-2a	Amended	V. 36, p. 457
117-8-3	Amended	V. 37, p. 98

AGENCY 123: DEPARTMENT OF CORRECTIONS—DIVISION OF JUVENILE SERVICES

Reg. No.	Action	Register
123-17-101	New	V. 36, p. 369

AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION

Reg. No.	Action	Register
128-6-4	Amended	V. 36, 271

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