

Kansas Register

Vol. 43, No. 51

December 19, 2024

Pages 1755-1786



In this issue ...

Page

Legislative Branch

Legislative Administrative Services

Interim Committee Schedule for December 16 – January 5, 2025.....1757

Rates

Pooled Money Investment Board

Notice of Investment Rates December 16 – December 22, 2024.....1757

Notices

Kansas Department of Transportation

Request for Bids for Designer/Contractor Services for Rice County Transit Facility1757

Notice to Contractors for January 2025 Letting Information.....1757

Kansas State Board of Regents Universities

Notice to Bidders for University Purchase.....1759

Kansas Department of Administration – Office of Procurement and Contracts

Notice to Bidders for State Purchase.....1759

Wichita State University

Notice of Intent to Lease Real Property1760

Notice of Intent to Lease Real Property1760

Kansas Department of Administration – Office of Facilities and Property Management

Notice of Requested On-Call Architectural Services for the Kansas Adjutant General’s Department.....1760

Notice of Requested On-Call Civil Engineering Services for the Kansas Adjutant General’s Department.....1761

Notice of Requested On-Call Mechanical-Electrical-Plumbing Engineering Services for the Kansas Adjutant General’s Department.....1761

Kansas Historic Sites Board of Review

Notice of Meeting.....1762

Kansas Department of Health and Environment

Notice of Proposed Kansas Air Quality Construction Approval for Targa Pipeline Mid-Continent WestOK – Anthony Station1762

Notice of Proposed Kansas Air Quality Construction Permit for Evergy, Inc. – Emporia Energy Center.....1763

Notice of Proposed Amendment to Kansas Air Quality Construction Permit for Evergy, Inc. – Gordon Evans Energy Center.....1763

Notice of Proposed Kansas Air Quality Class I Operating Permit Renewal for CST Industries1764

Notice of Proposed Kansas/Federal Water Pollution Control Permits and Applications1765

Kansas Department for Aging and Disability Services

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

Notice of Amendment to the Kansas Medicaid State Plan1768

Notice of Amendment to the Kansas Medicaid State Plan1768

Mid-States Materials, LLC

Request for Proposals for New Track Siding Project in South Hutchinson, Kansas1769

Executive Branch

Office of the Governor

Proclamation by the Governor Proclaiming States of Drought for Kansas Counties.....1770

Proclamation by the Governor Proclaiming States of Drought for Kansas Counties.....1770

Bonds

Kansas Development Finance Authority

Notice of Hearing on Proposed Agricultural Development Revenue Bonds1771

Regulations

Kansas Department of Agriculture

Notice of Hearing on Proposed Administrative Regulations.....1771

Kansas Department of Agriculture – Division of Animal Health

Permanent Administrative Regulations.....1773

Kansas Department for Children and Families

Permanent Administrative Regulations.....1782

Index to administrative regulations

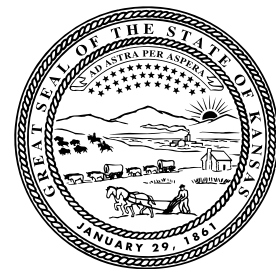
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The Kansas Register is an official publication of the state of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly and a cumulative index is published annually by the Kansas Secretary of State.

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

Register Office:
1st Floor, Memorial Hall
785-368-8095
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Published by
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Secretary of State
1st Floor, Memorial Hall
120 SW 10th Ave.
Topeka, KS 66612-1594
785-296-4564
<https://www.sos.ks.gov>

Cover Artwork: Wheat Ready to Harvest
Photo by Todd Caywood

State of Kansas

Legislative Administrative Services

Interim Committee Schedule

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

December 16, 2024, through January 5, 2025

Date	Room	Time	Committee	Agenda
Dec. 16	112-N	9:00 a.m.	Joint Committee on State Building Construction	https://kslegislature.gov/li/b2023_24/committees/cte_jt_bldg_constr_1/documents/agenda/weeklyinterim/20241216.pdf
Dec. 16	546-S	11:00 a.m.	Legislative Post Audit	https://www.kslpa.gov/wp-content/uploads/2024/12/Draft-LPAC-Agenda-12.16.2024.pdf
Dec. 17	548-S	4:00 p.m.	Legislative Coordinating Council	Legislative Matters
Dec. 18	112-N	9:00 a.m.	Special Committee on Legislative Budget	No Agenda Available
Dec. 19	112-N	9:00 a.m.	Special Committee on Legislative Budget	No Agenda Available
Dec. 19	548-S	1:30 p.m.	Capital Preservation Committee	No Agenda Available

Tom Day
 Director
 Legislative Administrative Services

Doc. No. 052734

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 12-16-24 through 12-22-24	Term	Rate
	1-89 days	4.58%
	3 months	4.30%
	6 months	4.26%
	12 months	4.24%
	18 months	4.19%
	2 years	4.15%

Joel Oliver
 Executive Director
 Chief Investment Officer
 Pooled Money Investment Board

Doc. No. 052721

tural, mechanical, and electrical services necessary to design the facility. The designer/contractor will complete the following activities as part of this project:

- Prepare detailed construction drawings and submit for the RCCA review at 30%, 60%, 90%, and 100% design.
- Prepare bid specifications and bidding requirements for the PEMB.
- Provide assistance in the bidding process and reviewing construction bids.
- Construction of the facility.
- Review and approve payment applications and review and approve change orders.

The full Request for Bids can be obtained by contacting:

Alice Prester
 114 E. Ave. N
 Lyons, KS 67554
alicercca@gmail.com

Calvin Reed
 Secretary
 Department of Transportation

Doc. No. 052738

State of Kansas

Department of Transportation

Request for Bids

The purpose of this request is to secure designer/contractor services to provide the Rice County Council on Aging (RCCA) with a pre-engineered metal building (PEMB) for a transit facility. The contractor awarded will also provide engineering services including civil, struc-

State of Kansas

Department of Transportation

Notice to Contractors

Electronic copies of the letting proposals and plans are available on the Kansas Department of Transportation
(continued)

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

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

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

Projects for the January 22, 2025 Letting

District One – Northeast

Atchison: 59-3 KA-5769-01 – US-59, bridge #003 over Stranger Creek Drainage located 3 miles northeast of K-116; and bridge #004 over 262nd Road located 5.8 miles northeast of K-116, bridge replacement. (Federal Funds)

Jackson: 43 C-5292-01 – County bridge, over Tributary to Elk Creek located 1.0 miles south of Circleville, bridge replacement, 0.1 miles. (Federal Funds)

Jefferson: 44 C-5297-01 – County bridge, over Slough Creek located 1.9 miles north of Oskaloosa, bridge replacement, 0.2 miles. (Federal Funds)

Marshall: 77-58 KA-7503-01 – US-77, beginning at the US-77/K-9 west junction east and north to the south city limits of Marysville, surface recycle, 16.4 miles. (Federal Funds)

Marshall: 9-58 KA-7502-01 – K-9, beginning at the Washington/Marshall County line east to the US-77/K-9 west junction, surface recycle, 3.2 miles. (State Funds)

District Two – North Central

McPherson: 59 TE-0493-02 – Northview Road in McPherson, from Main Street to East Veranda Circle; and

from Main Street to Grimes Street, pedestrian and bicycle paths, 0.7 miles. (Federal Funds)

Saline: 81-85 KA-7358-01 – US-81/I-135, bridge #039 located at the southbound I-70/I-135 junction, bridge repair. (State Funds)

District Three – Northwest

Sherman: 27-91 KA-7628-01 – K-27, beginning at the K-27/US-24B junction in Goodland north to the Sherman/Cheyenne County line, milling and overlay, 16.4 miles. (State Funds)

Sherman: 91 KA-7632-01 – K-267, beginning at the I-70/K-267 junction northwest to the east city limits of Kanorado (end of route); and K-253, beginning at the I-70/K-253 junction north to old US-24 (end route), milling and overlay, 1.9 miles. (State Funds)

District Four – Southeast

Anderson: 59-2 KA-5566-01 – US-59, located at the US-59/US-169 junction, intersection improvement. (Federal Funds)

Coffey: 75-16 KA-7545-01 – US-74, beginning 0.96 miles south of the north city limits of Burlington north to 0.135 miles north of the I-35/US-75 junction, milling and overlay, 16.5 miles. (Federal Funds)

Coffey: 58-16 KA-5701-01 – K-58, bridge #043 over Crooked Creek located 6.68 miles east of the south US-75/K-58 junction, bridge replacement. (Federal Funds)

Labette: 50 TE-0530-01 – Tolen Creek in Parsons, from Cattle Drive to Walmart (parallel to US-59), pedestrian and bicycle paths, 0.5 miles. (Federal Funds)

Linn: 69-54 KA-7543-01 – US-69, beginning 4.185 miles north of the K-52/US-69 south junction north to 2.675 miles north of the K-52/US-69 north junction, ultra-thin bonded asphalt surfacing, 7.2 miles. (Federal Funds)

Statewide: 31-54 KA-7561-01 – K-31, beginning at the Bourbon/Linn County line to the K-65/K-31 junction; and K-31, beginning at the K-52/K-31 junction to the Linn/Bourbon County line, overlay, 6.3 miles. (State Funds)

Wilson: 75-103 KA-6782-01 – US-75, bridge #034 over Verdigris River located 2.3 miles north of the US-400/US-75 north junction; and culvert #530 over Verdigris River Drainage located 2.1 miles east of the US-75/US-400, bridge repair. (Federal Funds)

District Five – South Central

Barton: 281-5 KA-7560-01 – US-281, beginning at the north city limits of Great Bend north to the south city limits of Hoisington, milling and overlay, 8.9 miles. (Federal Funds)

Sedgwick: 87 TE-0519-01 – In Garden Plain, Harry Street/15th Avenue, from Doyle Street to Section Line Road; and Main Street, from baseball field entrance 0.06 miles south of Abel Avenue to Harry Street, pedestrian and bicycle paths, 0.6 miles. (Federal Funds)

Statewide: 44-106 KA-7648-01 – K-44, beginning at the east city limits of Anthony in Harper County east to the Sumner/Harper County line; and K-44, beginning at the Sumner/Harper County line in Sumner County east to the K-44/K-49 junction, surface recycle, 23.3 miles. (State Funds)

District Six – Southwest

Lane: 96-51 KA-7651-01 – K-96, beginning at the K-96/K-23 junction east to the Lane/Ness County line, milling and overlay, 12.3 miles. (State Funds)

Ness: 96-68 KA-6447-01 – Pavement restoration on K-96 in Ness City, from Court Street to Kansas Avenue; and from US-283 to School Street, grading and surfacing, 0.2 miles. (Federal Funds)

Calvin Reed
Secretary

Department of Transportation

Doc. No. 052730

State of Kansas

Board of Regents Universities

Notice to Bidders

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

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

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

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

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

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

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

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

Jim Hughes
Director of Purchasing
Pittsburg State University

Doc. No. 052485

State of Kansas

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

Notice to Bidders

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

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

01/14/2025	EVT0010049	Online Recruit Testing Services
01/17/2025	EVT0010054	FSA Administration–SEHBP
01/22/2025	EVT0010050	Janitorial Services – Great Bend KDLEX Office
01/23/2025	EVT0010051	Court Reporting Services
01/23/2025	EVT0010055	Advisor for Future Business Leaders of America

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

https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL

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

01/02/2025	A-015133	HVAC Equipment Replacement 401 Topeka Blvd
01/16/2025	A-015085	002 Remodel Fairchild Hall

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

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

Todd Herman
Director
Office of Procurement and Contracts
Department of Administration

Doc. No. 052739

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to 1.22 acres of real property located on the northwest corner of the intersection of Fountain Avenue and 21st Street North, directly adjacent to the Wichita State University campus. This location would be designated for private development committed to supporting broadband infrastructure and Internet exchanges. The university is interested in leasing such ground to any individual, organization, or entity whose presence would advance WSU's vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. WSU intends to lease such space for a mutually agreeable period of time, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with WSU's educational mission and identify anticipated benefits to the university, its students, and the surrounding community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, community benefit commitments, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU and the surrounding community, design concepts, financial stability, and proposed use. Interested tenants will be responsible for all costs associated with the development and ongoing maintenance costs of any improvements. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of the improvement, and benefit to WSU. WSU will consider serious offers and inquiries from any financially qualified individual, group, organization. If interested, please contact Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

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

Doc. No. 052352

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to four acres of real property located on the Wichita State University's campus designated as the "Innovation Campus," for the private development and operation of a partnership building or buildings. The university is interested in leasing such ground to any individu-

al, organization, or entity whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to lease such space for a mutually agreeable period of time up to sixty years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with the university's educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Interested tenants will be required to construct adjacent and adequate surface parking that will not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of building improvement, and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization. If interested, please contact Senior Vice President for Industry and Defense Programs, Dr. John Tomblin at john.tomblin@wichita.edu or Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

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

Doc. No. 052353

State of Kansas

Department of Administration
Office of Facilities and Property Management

Notice of Requested On-Call Architectural Services

Notice is hereby given of the commencement of the selection process for on-call architectural services for the Kansas Adjutant General's Department. Services are required for restricted (small) projects with a project budget of \$1,500,000 or less. Multiple firms will be selected. The contracts will be for three years with two one-year renewal options.

For more information, contact Barbara Schilling at 785-291-3695 or Barb.Schilling@ks.gov. Firms interested in providing these services should be familiar with the requirements which can be found in Part B-Chapter 4 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at https://admin.ks.gov/offices/facilities-property-management/design-construction-compliance/forms-and-documents. State of Kansas Professional Qualifications DCC

Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation, and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 Mb and follow the current State Building Advisory Commission guidelines which can be found in Part B—Chapter 2 of the Building Design and Construction Manual at <https://admin.ks.gov/offices/facilities-property-management/design-construction--compliance/building-design-and-construction-manual-bdcm>. Paper copies and flash drives containing copies of the proposals are not required.

Proposals should be sent to professional.qualifications@ks.gov. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions about the proposal submissions, please contact Randy Riveland at randy.riveland@ks.gov or call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of State Building Advisory Commission by 2:00 p.m. on or before January 3, 2025.

The State of Kansas, as a matter of public policy, encourages anyone doing business with the State of Kansas to take steps to discourage human trafficking. If prospective bidders/vendors/contractors have any policies or participate in any initiatives that discourage human trafficking, then the prospective bidder/vendor/contractor is encouraged to submit same as part of their bid response.

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

Doc. No. 052735

State of Kansas
Department of Administration
Office of Facilities and Property Management

Notice of Requested On-Call Engineering Services

Notice is hereby given of the commencement of the selection process for on-call civil engineering services for the Kansas Adjutant General’s Department. Services are required for restricted (small) projects with a project budget of \$1,500,000 or less. Multiple firms will be selected. The contracts will be for three years with two one-year renewal options.

For more information, contact Barbara Schilling at 785-291-3695 or Barb.Schilling@ks.gov. Firms interested in providing these services should be familiar with the requirements which can be found in Part B-Chapter 4 of the Building Design and Construction Manual at the website below.

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

Doc. No. 052736

State of Kansas
Department of Administration
Office of Facilities and Property Management

Notice of Requested On-Call Engineering Services

Notice is hereby given of the commencement of the selection process for on-call mechanical-electrical-plumbing engineering services for the Kansas Adjutant General’s Department. Services are required for restricted (small) projects with a project budget of \$1,500,000 or less. Multiple firms will be selected. The contracts will be for three years with two one-year renewal options.

For more information, contact Barbara Schilling at 785-291-3695 or Barb.Schilling@ks.gov. Firms interested in providing these services should be familiar with the requirements which can be found in Part B-Chapter 4 of the Building Design and Construction Manual at the website below.

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

Doc. No. 052737

State of Kansas

Historic Sites Board of Review

Notice of Meeting

The Kansas Historic Sites Board of Review will meet at 9:30 a.m. Saturday, February 1, 2025, via Zoom hosted by the Kansas Historical Society. We invite you to attend the meeting virtually or by phone. The link will be posted on our website 14 days before the meeting and can be found at <https://www.kshs.org/14633>.

The Board will consider the following items:

- Heritage Trust Fund report.
- Minutes from the October 5, 2024 meeting.
- Consideration of Nominations for both the National and State Registers of Historic Places:
 - Bank of Powhattan – Powhattan, Brown County.
 - Pray Farmstead – Hope, Dickinson County.
 - Baldwin City Downtown Historic District – Baldwin, Douglas County.
 - Methodist Episcopal Church – Oskaloosa, Jefferson County.
 - Hugh and Rachel Brook House – Blue Mound, Linn County.
 - Bertrand House – Oakley, Logan County.
 - Judge W.T. McCarty Home – Emporia, Lyon County.
 - Fowler’s Feed and Grain – Paola, Miami County.
 - Ursuline Academy – Paola, Miami County.
 - John Waggoner Home – Sabetha, Nemaha County.
 - Pospishil Building – Luray, Russell County.

- Paul Laurence Dunbar School – Salina, Saline County.
- Will G Price Elementary – Wichita, Sedgwick County.
- Lucinda Todd Residence – Topeka, Shawnee County.
- Gardener House – Topeka, Shawnee County.
- Consideration of Nominations to the National Register of Historic Places (only):
 - Edwards Building – Larned, Pawnee County.
- Consideration of Nominations for the Register of Historic Kansas Places (only):
 - Brown Brother’s Store – Mildred, Allen County.

The Kansas State Historical Society welcomes individuals with disabilities to participate in its activities. If you have a visual, aural, or other impairment and wish to participate in this meeting, please contact the Cultural Resources Division of the Kansas State Historical Society, 6425 SW 6th Ave., Topeka, KS 66615-1099 or by telephone 785-272-8681 ext., 240 at least two weeks prior to the meeting to discuss how we can ensure your participation.

Patrick Zollner
Executive Director
Kansas Historical Society

Doc. No. 052733

State of Kansas

Department of Health and Environment

Notice of Proposed Kansas Air Quality Construction Approval

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality construction approval. Targa Pipeline Mid-Continent WestOK – Anthony Station has applied for an air quality construction approval in accordance with the provisions of K.A.R. 28-19-300. Emissions of volatile organic compounds (VOC), particulate matter (PM), particulate matter with less than or equal to 10 microns in aerodynamic diameter (PM₁₀), particulate matter with less than or equal to 2.5 microns in aerodynamic diameter (PM_{2.5}) were evaluated during the permit review process.

Targa Pipeline Mid-Continent WestOK – Anthony Station, 110 W. 7th St., Suite 2300, Tulsa, OK 74119, owns and operates a compression station located at Section 4, Township 34S, Range 8W, Anthony, Harper County, KS 67150, at which a replacement compressor engine is to be installed.

A copy of the proposed approval, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review from the date of publication during normal business hours at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the South Central District Office, 300 W. Douglas, Suite 700, Wichita, KS 67202-2921. To obtain or review the proposed permit and supporting documentation, contact Prashant Rimal at the central office of KDHE at 785-296-8548, or Joshua Webb at the South Central District Office at 316-337-6042. The stan-

dard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed approval to Prashant Rimal, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final approval decision, written comments must be received no later than 12:00 p.m. Monday, January 20, 2025.

A person may request a public hearing be held on the proposed approval. 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 Prashant Rimal, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, January 20, 2025, in order for the Secretary of Health and Environment to consider the request.

The preceding notice refers to the air permit for Targa Pipeline Mid-Continent WestOK – Anthony Station located at Section 4, Township 34S, Range 8W, Anthony, Harper County, KS 67150. If you want more information or you have other questions, please contact the KDHE Non-Discrimination coordinator and call 785-296-5156 or send an email to: KDHE.NonDiscrimination@ks.gov. [El aviso anterior se refiere al permiso de aire para Targa Pipeline Mid-Continent WestOK – Anthony Station ubicado en Section 4, Township 34S, Range 8W, Anthony, Harper County, KS 67150. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación de KDHE y llame al 785-296-5156 o envíe un correo electrónico a: KDHE.NonDiscrimination@ks.gov.]

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 052727

State of Kansas

Department of Health and Environment

Notice of Proposed Kansas Air Quality Construction Permit

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

Evergy, Inc. – Emporia Energy Center, 818 S. Kansas Ave., PO Box 889, Topeka, KS 66601, owns and operates fossil fuel-fired electric power generation plant located at 1685 Road 200th, Section 34, Township 18S, Range 12E, Lyon County, KS 66801, at which wet compression

systems to three (3) natural gas-fired electric generating combustion engines are to be added.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review from the date of publication during normal business hours at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Southeast District Office, 308 W. 14th St., Chanute, KS 66720. To obtain or review the proposed permit and supporting documentation, contact Angel Gonzalez at the central office of KDHE at 785-296-1104, or Ryan Jack at the Southeast District Office at 620-860-7235. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Angel Gonzalez, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, January 20, 2025.

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 Angel Gonzalez, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, January 20, 2025, in order for the Secretary of Health and Environment to consider the request.

The preceding notice refers to the air permit for Evergy, Inc. – Emporia Energy Center located at 1685 Road 200th, Section 34, Township 18S, Range 12E, Lyon County, KS 66801. If you want more information or you have other questions, please contact the KDHE Non-Discrimination coordinator and call 785-296-5156 or send an email to: KDHE.NonDiscrimination@ks.gov. [El aviso anterior se refiere al permiso de aire para Evergy, Inc. – Emporia Energy Center ubicado en 1685 Road 200th, Section 34, Township 18S, Range 12E, Lyon County, KS 66801. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación de KDHE y llame al 785-296-5156 o envíe un correo electrónico a: KDHE.NonDiscrimination@ks.gov.]

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 052731

State of Kansas

Department of Health and Environment

Notice of Proposed Amendment to Kansas Air Quality Construction Permit

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding the amendment of a previously issued air *(continued)*

quality construction permit. Evergy, Inc. – Gordon Evans Energy Center, 818 S. Kansas Ave., PO Box 889, Topeka, KS 66601, owns and operates the stationary source located at 6001 N. 151st St., West, Colwich, Sedgwick County, KS 67030. Certain requirements were found to no longer be appropriate in the construction permit dated May 31, 2024. These requirements are being modified, including the addition of a wet compression system and modifying existing operation limitations. Emissions of volatile organic compounds (VOC), particulate matter (PM), particulate matter with less than or equal to 10 microns in aerodynamic diameter (PM₁₀), particulate matter with less than or equal to 2.5 microns in aerodynamic diameter (PM_{2.5}), carbon monoxide (CO), oxides of sulfur (SO_x), were evaluated during the permit review process.

A copy of the modification is available for public inspection, from the date of publication, during normal business hours, at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, and at the South Central District Office, 300 W. Douglas, Suite 700, Wichita, KS 67202-2921. To obtain or review the modification, contact Angel Gonzalez at the central office of KDHE at 785-296-1101, and to review the proposed permit only, contact Joshua Webb at the South Central District Office at 316-337-6042. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed modification to Angel Gonzalez, 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 the 12:00 p.m. Monday, January 20, 2025.

A person may request a public hearing be held on the proposed modification. 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 Angel Gonzalez, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, January 20, 2025, in order for the Secretary of Health and Environment to consider the request.

The preceding notice refers to the air permit for Evergy, Inc. – Gordon Evans Energy Center located at 6001 N. 151st St., West, Colwich, Sedgwick County, KS 67030. If you want more information or you have other questions, please contact the KDHE Non-Discrimination coordinator and call 785-296-5156 or send an email to: KDHE.NonDiscrimination@ks.gov. [El aviso anterior se refiere al permiso de aire para Evergy, Inc. – Gordon Evans Energy Center ubicado en 6001 N. 151st St., West, Colwich, Sedgwick County, KS 67030. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación de KDHE y llame al 785-296-5156 o envíe un correo electrónico a: KDHE.NonDiscrimination@ks.gov.]

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 052732

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. CST Industries 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.

CST Industries, 2101 S. 21st St., Parsons, KS 67359, owns and operates a fabricated structural metal manufacturing facility located at 2101 S. 21st St., Parsons, Labette County, KS 67359.

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 Southeast District Office, 308 W. 14th St., Chanute, KS 66720. To obtain or review the proposed permit and supporting documentation, contact Angela Bryson at the central office of KDHE at 785-296-3589 or Ryan Jack at the Southeast District Office at 620-860-2390. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Angela Bryson, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, January 20, 2025.

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 Angela Bryson, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, January 20, 2025, in order for the Secretary of Health and Environment to consider the request.

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

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

The preceding notice refers to the air permit for CST Industries located at 2101 S. 21st St., Parsons, Labette County, KS 67359. If you want more information or you have other questions, please contact the KDHE Non-Discrimination coordinator and call 785-296-5156 or send an email to: KDHE.NonDiscrimination@ks.gov. [El aviso anterior se refiere al permiso de aire para CST Industries ubicado en 2101 S. 21st St., Parsons, Labette County, KS 67359. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación de KDHE y llame al 785-296-5156 o envíe un correo electrónico a: KDHE.NonDiscrimination@ks.gov.]

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 052728

State of Kansas

Department of Health and Environment

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

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

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

Las acciones propuestas con respecto a los documentos preliminares se basan en la revisión del personal, aplicando los estándares, regulaciones y limitaciones de efluentes apropiados del estado de Kansas y de la Agencia de Protección Ambiental de Estados Unidos. La acción final resultará en la emisión de una Autorización Federal del Sistema Nacional de Eliminación de Descargas

de Contaminantes y un permiso de Control de Contaminación del Agua de Kansas, sujeto a ciertas condiciones, revocación y reemisión del permiso designado o terminación del permiso designado. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación al 785-296-5156 o en: KDHE.NonDiscrimination@ks.gov.

Public Notice No. KS-AG-24-402/409

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Buessing Dairy, LLC 2920 Jayhawk Rd. Axtell, KS 66403	SW/4 of Section 23 & SE/4 of Section 22 T02S, R10E Marshall County	Big Blue River Basin

Kansas Permit No. A-BBMS-M014

The proposed action is to modify and reissue an existing state permit for a facility for 450 head (630 animal units) of mature dairy cattle, 225 head (225 animal units) of dairy heifers weighing more than 700 pounds, and 225 head (112.5 animal units) of dairy heifers weighing less than 700 pounds for a total of 967.5 animal units. This permit is being modified to reflect the construction of an existing calf barn that replaced the calf hutches within the facility footprint. There is no change in the permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Dairy-Tech, LLC - Rome Farms 1186 BB Rd. Hugoton, KS 67951	SE/4 of Section 08 T31S, R37W Stevens County	Cimarron River Basin

Kansas Permit No. A-CISV-D003
Federal permit No. KS0090913

The proposed action is to modify and reissue an existing NPDES permit for an existing facility for a proposed 4,900 head (6,860 animal units) of mature dairy cattle, and 300 head (300 animal units) of cattle weighing more than 700 pounds. There will be no change in the permitted number of animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Eck Feeders 11329 SE US-160 Hwy. Sharon, KS 67138	NW/4 of Section 22 T32S, R10W Barber County	Lower Arkansas River Basin

Kansas Permit No. A-ARBA-B003

The proposed action is to reissue an existing state permit for an existing facility for of 600 head (300 animal units) of cattle weighing 700 pounds or less. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Eckhardt Farms Dallas Eckhardt 2520 Road 62 Goodland, KS 67735	SW/4 of Section 31 T08S, R38W Sherman County	Upper Republican River Basin

Kansas Permit No. A-URSH-B008

The proposed action is to reissue an existing state permit for an existing facility for 900 head (900 animal units) of cattle weighing greater than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

(continued)

Name and Address of Applicant **Legal Description** **Receiving Water**

Fletchall Feedlot
Martin Fletchall
652 230 Rd.
Scottsdale, KS 67420

SW/4 of Section 05
T09S, R08W
Mitchell County

Solomon River Basin

Kansas Permit No. A-SOMC-B014

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

Name and Address of Applicant **Legal Description** **Receiving Water**

Long Branch Farms, Inc.
Sam Stapp
2013 2700th Rd.
Norcatour, KS 67653

SW/4 of Section 22
T02S, R26W
Decatur County

Upper Republican River Basin

Kansas Permit No. A-URDC-B005

The proposed action is to reissue an existing state permit for an existing facility for 350 head (350 animal units) of cattle weighing more than 700 pounds and 325 head (162.5 animal units) of cattle weighing less than 700 pounds; for a total of 512.5 animal units of cattle. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant **Legal Description** **Receiving Water**

Steve Winkel
2319 190 Rd.
Glen Elder, KS 67446

SE/4 of Section 09
T06S, R09W
Mitchell County

Solomon River Basin

Kansas Permit No. A-SOMC-S022

The proposed action is to reissue an existing state permit for an existing facility for 880 head (352 animal units) of swine weighing more than 55 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant **Legal Description** **Receiving Water**

TCK Farms, LLC
1534 1st Rd.
Palmer, KS 66962

NE/4 of Section 33
T05S, R03E
Washington County

Big Blue River Basin

Kansas Permit No. A-BBWS-S039

The proposed action is to reissue an existing state permit for an existing facility for 1,300 head (520 animal units) of swine weighing greater than 55 pounds, and 650 head (65 animal units) of swine weighing 55 pounds or less; for a total of 585 animal units of swine. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Public Notice No. KS-AG-R-24-018/020

Per Kansas Statutes Annotated 65-171d, the following registrations have been received for a proposed facility.

Name and Address of Registrant **Legal Description** **County**

ILS Feeders, LLC
WFY Holding Co., Inc.
379 80th Ave.
Larned, KS 67550

All of Section 23 & SE/4 of Section 14
T23S, R16W

Pawnee County

Name and Address of Registrant **Legal Description** **County**

Rodney Burdick
641 Y Rd.
Wetmore, KS 66550

SE/4 of Section 01
T05S, R14E

Nemaha County

Name and Address of Registrant **Legal Description** **County**

T3 Feeders
Trey Ruetti
1470 K-9 Hwy.
Blue Rapids, KS 66411

NE/4 of NE/4 of Section 29
T04S, R08E

Marshall County

Public Notice No. KS-Q-24-257/262

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**

Mid-States Materials, LLC
PO Box 236
Topeka, KS 66601

Marais des Cygnes via One Hundred Ten Mile Creek via Unnamed Tributary

Process Wastewater

Permit No. I-MC39-PO03
Federal Permit No. KS0098990

Legal Description: NE¼ of Section 33, Township 16S, Range 17E, Osage County

Location: [38.62001, -95.53195](#)

The proposed action consists of reissuing the above referenced NPDES permit. No significant changes were made to the permit. This facility is engaged in the quarrying, crushing and some washing of limestone rock. Outfall 002A consists of wash-water and stormwater runoff discharged via a sedimentation pond. Outfalls 001A and 003A consists of stormwater runoff and pit water discharged via sedimentation ponds. This permit contains generic language to protect water quality.

Name and Address of Applicant **Receiving Stream** **Type of Discharge**

St. George, City of
214 First St.
PO Box 33
St. George, KS 66535

Kansas River

Treated Domestic

Permit No. M-KS66-0002
Federal Permit No. KS0099139

Legal Description: NW¼, NE¼, NW¼, Section 16, Township 10S, Range 9E, Pottawatomie County

Location: [39.18745, -96.42160](#)

The proposed action consists of reissuance of a Kansas/NPDES Water Pollution Control permit for an existing mechanical wastewater treatment facility. The facility receives domestic wastewater from residential and commercial areas. This permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, E. coli, and Total Phosphorus. The permit contains monitoring for Ammonia, Total Phosphorus, Nitrates + Nitrites, Total Kjeldahl Nitrogen, and Total Nitrogen.

Name and Address of Applicant **Receiving Stream** **Type of Discharge**

Kensington, City of
PO Box 186
Kensington, KS 66951

Middle Creek via Unnamed Tributary

Treated Domestic

Permit No. M-SO21-0002
Federal Permit No. KS0093998

Legal Description: E½, SE¼, SW¼, Section 28, Township 3S, Range 15W, Smith County

Location: [39.758220, -99.020670](#)

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Eureka, City of PO Box 68 Eureka, KS 67045	Fall River via Unnamed Tributary	Process Wastewater

Permit No. I-VE16-PO06
Federal Permit No. KS0101222

Legal Description: NE¼, SW¼, SW¼, Section 34, Township 25S, Range 10 E, Greenwood County

Location: [37.82900, -96.30171](#)

The proposed action consists of renewal of a new Kansas/NPDES Water Pollution Control permit for the discharge of wastewater from the water treatment plant. This is a potable water treatment plant. The plant treats on average approximately 0.5 MGD of Potable water. Domestic wastewater is discharged to the city sanitary sewer collection system. This permit contains limits for Total Residual Chlorine, and Total Suspended Solids.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Day & Zimmermann Kansas, LLC 21017 Scott Rd. Parsons, KS 67357	Neosho River via Labette Creek	Process Wastewater

Permit No. I-NE55-PO09
Federal Permit No. KS0099945

Legal Description: Labette County

Location: [37.29810, -95.18342](#)

This action consists of reissuance of an existing industrial process NPDES/Kansas Water Pollution Control wastewater discharge permit for an existing facility. This facility, as a privately-owned business, continues production activities of the former Kansas Army Ammunition Plant. Domestic waste is discharged to the Great Plains Development Authority sanitary sewer system. This permit contains limits for Total Suspended Solids, Oil and Grease, RDX + HMX, TNT, pH, Whole Effluent Toxicity, and Perchlorate. The permit contains monitoring for Total Phosphorus, and Total Recoverable Metals Monitor.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Williams Petroleum Services, LLC OI Bix 3483 MD-48-6 Tulsa, OK 74101	Walnut River via Whitewater River	Process Wastewater

Permit No. I-WA03-PO01
Federal Permit No. KS0000213

Legal Description: SE¼ Section 28, Township 27S, Range 4E, Butler County

Location: [37.67371, -96.98707](#)

The proposed action consists of reissuance of an existing National Pollutant Discharge Elimination System (NPDES)/Kansas Water Pollution Control (KWPC) Permit for an existing facility. This is a former petroleum refinery with no active operations. Site groundwater and soils are contaminated from the previous refining activities. Remediation activities are ongoing under EPA/Resource Conservation and Recovery Act (RCRA) oversight. This permit contains limits for Oil & Grease, and pH. The permit contains monitoring for TPH – LRH, TPH – MRH, TPH – HRH, VOC Scan, Priority Pollutant Scan, and Oil and Grease.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before January 18, 2025, will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-24-402/409, KS-AG-R-24-018/020, KS-Q-24-257/262) and name of the applicant/permittee when preparing comments.

Notice of Intent to Terminate

Pursuant to the requirements of K.A.R. 28-16-60 and K.A.R. 28-16-62, the Kansas Department of Health and Environment (KDHE) hereby provides notice of intent to terminate Neodesha Studios water pollution control permit, formally known as, Sportsman Inn Motel, Neodesha Inn, and Homestead Inn. The water pollution control state permit number is C-VE29-NO01 and the federal tracking number is KSJ000536. The facility is located at 4265 N. US-75 Hwy., Neodesha, KS 66757. This facility has been closed and/or abandon. The water pollution control permit will be terminated, and Wilson County will oversee the regulatory requirements until such a time that the facility reopens which will require a water pollution control permit application for a new permit. The current absentee owner is listed as Renew Milwaulkee, LLC and Others Homes, LLC whom purchased the facility from Shobhana Patel, LLC DBA Spat Capital on July 30, 2021.

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

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

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Jada Martin at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at kdhe.feedlots@ks.gov. Las preguntas o comentarios

(continued)

por escrito deben dirigirse a Erich Glave, Director, Bureau of Environmental Field Services en KDHE: 1000 SW Jackson St., Suite 430, Topeka, KS 66612-1367; por correo electrónico: kdhe.feedlots@ks.gov; por teléfono: 785-296-6432. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Jamie Packard, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-4148 or email at Jamie.Packard@ks.gov. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Secretary
Department of Health and Environment

Doc. No. 052729

State of Kansas

**Department for Aging and Disability Services
and
Department of Health and Environment
Division of Health Care Finance**

Public Notice

The Kansas Department for Aging and Disability Services (KDADS), Behavioral Health Commission and the Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan to allow behavioral health integration with primary care via the Collaborative Care Model (CoCM). CoCM will be a benefit of Kansas Medicaid for persons of all ages who have a mental health, behavioral health, substance use disorder or psychiatric condition to include a suspected or pre-existing condition, if medically necessary, as determined by the primary care provider (i.e., physician, physician assistant, nurse practitioner or nurse midwife.)

The proposed effective date for the state plan amendment (SPA) is January 1, 2025.

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2025	\$0
FFY 2026	\$0

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact Patricia Satterlee by email at Patricia.Satterlee2@ks.gov or by mail at:

Patricia Satterlee
Kansas Department for Aging and Disability Services
Behavioral Health Commission
503 S. Kansas Ave.
Topeka, KS 66603

The last day for public comment is January 20, 2025. Draft copies of the proposed SPA may also be found at a Local Health Department (LHD).

Laura Howard
Secretary
Department for Aging and Disability Services

Christine Osterlund
Medicaid Director
Deputy Secretary of Agency Integration and Medicaid
Division of Health Care Finance
Department of Health and Environment

Doc. No. 052723

State of Kansas

**Department for Aging and Disability Services
and
Department of Health and Environment
Division of Health Care Finance**

Public Notice

The Kansas Department for Aging and Disability Services (KDADS), Behavioral Health Commission and the Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan to allow Partial Hospitalization Program (PHP) and Intensive Outpatient Treatment (IOP) of mental health disorders related to Eating Disorder Care. Rehabilitative services must be medically necessary and in accordance with 42 CFR 440.130(d). Services shall be recommended by a physician or other licensed practitioner and provided by a health care professional licensed by the State of Kansas operating within their scope of practice.

The proposed effective date for the state plan amendment (SPA) is January 1, 2025.

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2025	\$0
FFY 2026	\$0

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact Patricia Satterlee by email at Patricia.Satterlee2@ks.gov or by mail at:

Patricia Satterlee
Kansas Department for Aging and Disability Services
Behavioral Health Commission
503 S. Kansas Ave.
Topeka, KS 66603

The last day for public comment is January 20, 2025. Draft copies of the proposed SPA may also be found at a Local Health Department (LHD).

Laura Howard
Secretary
Department for Aging and Disability Services

Christine Osterlund,
Medicaid Director
Deputy Secretary of Agency Integration and Medicaid
Division of Health Care Finance
Department of Health and Environment

Doc. No. 052724

(Published in the Kansas Register December 19, 2024.)

Mid-States Materials, LLC

Request for Proposals

Interested parties are invited to submit a proposal to complete scope of repairs for the proposed Mid-States Materials, LLC – South Hutchinson, Kansas location.

Scope of Work

Complete all aspects needed for completion of Design Build project for new track siding in South Hutchinson, Kansas. Scope to include civil/structural/rail engineering services, civil grading drainage, new track construction, rail dump pit installation, site improvement, and mobile transloading ramp required for the Mid-States Materials, LLC – South Hutchinson Kansas track project. The scope is defined further as follows:

- Contract with ASM Engineering for civil, rail, and structural engineering:
 - Contact Ryan McCune at rmccune@asm4.com.
- Civil grading and drainage package for rail bed and truck routes.
- Install two mainline No. 10 switch packages.
- 1251 track feet new construction.
- Design and installation of rail dump pit.
- Manufacture/furnish transload ramp:
 - Contact Bettis Contractors, Inc. – Justin Collins at jcollins@bettiscontractors.com.
- All track materials to be provided by owner to include ballast, sub-ballast, turnouts, rail, and OTM. Receiving of all materials to be coordinated by winning contractor.

All pre-existing rail, ties, OTM, or other materials that are removed must be disposed of according to all local, state, and federal regulations.

Minimum Requirements

1. Roadway Worker Protection.
2. Comply with all Kansas & Oklahoma (K&O) Railroad requirements.
3. Contractors shall comply with all parts of 49 CFR Part 214 and 219 regarding FRA Roadway Worker Safety at all times. Workers and equipment shall remain clear of the track unless they have gained Roadway Worker Protection from a qualified person.
4. Contractor, contractor employees, agents, and/or subcontractors must be enrolled and comply with the FRA 219 approved drug testing program.
5. Subcontracted work will need to be approved prior to any work starting.

Work Windows

Impact to current railroad operations must be kept to a minimum. When work must take place that causes an active track to be taken out of service for the purposes of performing work that pertains to the project, the contractor must pre-arrange a defined work window with the K&O Railroad.

Standards

All Standards referenced by the project plans, scope of work, and specifications, as well as applicable AREMA

standards must be upheld during all phases of the project. Use existing rail.

Submittals

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

1. Schedule of Work – Submitted with proposal.
2. Certificate of Insurance – Submitted prior to construction.
3. Safety Plan – Submitted prior to construction.
4. Proof of Roadway Worker Training – Submitted prior to construction.

Other Responsibilities

1. Permits – Contractor is responsible for all federal, state, and local permits for the work.
2. Utilities – Contractor is responsible for locating and protecting site utilities.
3. Site Clean-up – Contractor is responsible for proper site disposal of materials in accordance with local, state and federal laws. Contractor is responsible for securing dumpster and hauling off used material. No old ties will be allowed to be stored on site in a pile.
4. Right-of-Way Access – Contractor is responsible for obtaining proper right of way entry prior to Mid-States Materials, LLC property and entering K&O Railroad property.
5. KDOT Grant – All requirements applicable to the contractor pursuant to the grant provided to Mid-States Materials, LLC from the Kansas Department of Transportation (KDOT) in connection with this project.

Insurance

Contractor shall purchase required insurance coverage and submit verification of Certificate of Insurance prior to construction. Contractor shall address insurance requirements by K&O Railroad and submit proof to both Mid-States Materials, LLC and K&O Railroad.

Materials

All materials will be supplied by the owner. Coordination, delivery unload, and material safety will be the responsibility of the winning contractor. Material storage is granted on Mid-States Materials, LLC right of way to the contractor. However, no materials shall be stored closer than 15' from the centerline of any active track at any time. Material and equipment laydown areas and reclaimed materials stockpiling locations shall be discussed and further if needed. Contractor is responsible for furnishing all required materials to complete the project.

Non-Project Areas

Mid-States Materials, LLC has secured access to the project through the K&O Railroad. Other access may be obtained by the contractor if they so choose. All areas (public, private, and railroad right of way) that are used for access to the project, including parts of the railroad right of way which have no proposed work, shall be maintained and/or remediated, incidental to the project, by the contractor to the satisfaction of the property owner if any damage to these areas occurs.

(continued)

Pre-Bid Meeting

There will be a mandatory onsite pre-bid meeting December 23, 2024, at 108 Williams Ave., South Hutchinson, KS 67505. Anyone who does not attend the mandatory pre-bid meeting will not be offered a chance to offer a proposal.

Project Completion

All work pertaining to this project shall be completed by June 1, 2025. Failure to complete work by June 1, 2025, may result in the contractor’s removal from the property or charges of \$2,500/day until completed to satisfaction.

Submission of a Proposal

All proposals must be submitted no later than January 6, 2025, via email to Cole Andersen at candersen@midstatesmaterials.com. All submitted proposals shall be reviewed by Mid-States Materials, LLC. Proposal must include all required information. Incomplete proposals shall be rejected. The structure of the proposal must be clearly understood, all proposals shall provide the following line items and provide costs as required. Bid tabs to be provided at pre-bid meeting.

Work Reporting

Weekly work reports must be filled out and submitted to Cole Anderson via email at candersen@midstatesmaterials.com. Weekly reports should include updates to project schedules, materials used, materials received, any delays, or any change in the scope of work. A detailed summary report must be submitted at the completion of the project.

Cole Andersen
Senior Vice-President
Mid-States Materials, LLC

Doc. No. 052710

State of Kansas

Office of the Governor

Proclamation by the Governor

TO THE PEOPLE OF KANSAS, GREETINGS:

WHEREAS, the Director of the Kansas Water Office has informed me, pursuant to K.S.A. 74-2608, of drought conditions within the state;

WHEREAS, there is every indication that drought conditions are present across the state;

WHEREAS, the Kansas Emergency Management Act (K.S.A. 48-924, et seq.) states that the Governor shall be responsible for meeting the dangers to the state and its people from disasters, and specifically authorizes drought proclamations such as this to address drought conditions; and

WHEREAS, Director of the Kansas Water Office, in consultation with the Governor’s Drought Response Team, is authorized to upgrade a county to emergency status, as the need arises;

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas and K.S.A. 48-924(e), I hereby:

1. Declare a Drought Watch, Drought Warning or Drought Emergency for the counties below:

- a. Drought Watch counties: Allen, Anderson, Atchison, Bourbon, Brown, Butler, Chase, Chautauqua, Cherokee, Cheyenne, Clay, Cloud, Coffey, Cowley, Crawford, Decatur, Dickinson, Doniphan, Douglas, Elk, Franklin, Geary, Gove, Graham, Greenwood, Jackson, Jefferson, Jewell, Johnson, Labette, Leavenworth, Lincoln, Linn, Logan, Lyon, Marion, Marshall, Miami, Mitchell, Montgomery, Morris, Nemaha, Neosho, Norton, Osage, Osborne, Ottawa, Phillips, Pottawatomie, Rawlins, Republic, Riley, Rooks, Saline, Shawnee, Sheridan, Sherman, Smith, Thomas, Trego, Wabaunsee, Wallace, Washington, Wilson, Woodson, Wyandotte.
- b. Drought Warning counties: Barber, Barton, Clark, Comanche, Edwards, Ellis, Ellsworth, Finney, Ford, Grant, Gray, Greeley, Hamilton, Harper, Harvey, Haskell, Kearny, Kingman, Kiowa, Lane, McPherson, Meade, Morton, Pratt, Reno, Rice, Russell, Scott, Sedgwick, Seward, Stafford, Stanton, Stevens, Sumner, Wichita.
- c. Drought Emergency counties: Hodgeman, Ness, Pawnee, Rush.

2. Authorize and direct all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor’s Drought Response Team.
3. Rescind Executive Order 24-01

DONE: At the Capitol in Topeka under the Great Seal of the State this 7th day of June, A.D. 2024.

Laura Kelly
Governor

Doc. No. 052725

State of Kansas

Office of the Governor

Proclamation by the Governor

TO THE PEOPLE OF KANSAS, GREETINGS:

WHEREAS, the Director of the Kansas Water Office has informed me, pursuant to K.S.A. 74-2608, of drought conditions within the state; and

WHEREAS, there is every indication that drought conditions are present across the state; and

WHEREAS, the Kansas Emergency Management Act (K.S.A. 48-924, et seq.) states that the Governor shall be responsible for meeting the dangers to the state and its people from disasters, and specifically authorizes drought proclamations such as this to address drought conditions; and

WHEREAS, Director of the Kansas Water Office, in consultation with the Governor’s Drought Response Team, is authorized to upgrade a county to emergency status, as the need arises; and

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas and K.S.A. 48-924(e), I hereby:

1. Declare a Drought Watch, Drought Warning or Drought Emergency for the counties below:
 - a. Drought Watch counties: Allen, Anderson, Atchison, Barber, Butler, Chase, Clark, Coffey, Comanche, Dickinson, Doniphan, Douglas, Edwards, Finney, Ford, Franklin, Geary, Gove, Grant, Gray, Greeley, Greenwood, Haskell, Hodgeman, Jackson, Jefferson, Kearny, Kiowa, Leavenworth, Logan, Lyon, Marion, McPherson, Meade, Morris, Ness, Osage, Pawnee, Pratt, Rice, Saline, Seward, Stevens, Trego, Wichita, Wilson, Woodson.
 - b. Drought Warning counties: Barton, Bourbon, Brown, Chautauqua, Cherokee, Cheyenne, Clay, Cloud, Cowley, Crawford, Decatur, Elk, Ellis, Ellsworth, Graham, Hamilton, Harper, Jewell, Johnson, Kingman, Labette, Lane, Lincoln, Linn, Marshall, Miami, Mitchell, Montgomery, Morton, Nemaha, Neosho, Norton, Osborne, Ottawa, Phillips, Pottawatomie, Rawlins, Republic, Riley, Rooks, Rush, Russell, Scott, Shawnee, Sheridan, Sherman, Smith, Stafford, Stanton, Sumner, Thomas, Wabaunsee, Wallace, Washington, Wyandotte.
 - c. Drought Emergency counties: Harvey, Reno, Sedgwick.
2. Authorize and direct all agencies under the jurisdiction of the Governor to implement the appropriate Watch, Warning or Emergency level drought response actions assigned to them in the Operations Plan of the Governor’s Drought Response Team.

DONE: At the Capitol in Topeka under the Great Seal of the State this 10th day of October, A.D. 2024.

Laura Kelly
Governor

Doc. No. 052726

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9:00 a.m. Friday, January 3, 2025, in the offices of the Kansas Development Finance Authority (K DFA), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, on the proposal for the K DFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

Project No. 001155 Maximum Principal Amount: \$409,830. Owner/Operator: Jeremy and Kailey Patton; Description: Acquisition of 78 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 Jeremy and Kailey Patton (the “Beginning Farmer”) and is located at the West Half of Section 13, Township 2 South, Range 17 East of the 6th P.M., Brown County, Kansas, approximately 1 mile north and 3 miles east of Hiawatha, Kansas at the intersection of 250th Street and Nighthawk Road.

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

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

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

Rebecca Floyd
President

Kansas Development Finance Authority

Doc. No. 052722

State of Kansas

Department of Agriculture

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10:00 am February 26, 2025, in the 1st floor meeting room 124, Kansas Department of Agriculture, 1320 Research Park Dr., Manhattan, Kansas, to consider the adoption of the proposed regulations. The public hearing will be conducted in person and via video conferencing system. Members of the public who wish to attend the public hearing virtually must pre-register at <https://kansasag.zoom.us/j/85789934414?pwd=v8k2rJlBenFOyXZZ3P27yq3u6MPFqU.1>.

After registering, you will receive a confirmation email containing information about joining the meeting.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments regarding the proposed regulations. All interested parties may submit written comments prior to the hearing by mail or email to Kansas Department of Agriculture, Attn: Ronda Hutton, 1320 Research Park Dr., Manhattan, KS 66502, or ronda.hutton@ks.gov. Comments may also be made via the Kansas Department of Agriculture’s website at <https://www.agriculture.ks.gov/public-resources/public-comments>.

All interested parties will also be given a reasonable opportunity to orally present their views regarding the

(continued)

adoption of the proposed regulations during the hearing. To give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. These regulations are proposed for adoption on a permanent basis.

A summary of each proposed regulation and its economic impact follows:

The Kansas Department of Agriculture (KDA) is proposing amendments to two existing regulations, K.A.R. 4-16-1a and K.A.R. 4-16-1c, and the revocation of one existing regulation, K.A.R. 4-16-129a, for the administration of the Kansas Meat and Poultry Inspection Act, K.S.A. 65-6a18 *et seq.* and amendments thereto. KDA's Meat and Poultry Inspection Program is required to adopt requirements at least equal to that of USDA's federal inspection program to receive federal funding. To accomplish this, KDA has numerous regulations that adopt federal regulations by reference. These proposed changes are to incorporate the currently adopted federal code sections into a single, complete document that will allow the state meat and poultry inspection program's regulatory scheme to remain at least equal to that of the federal inspection program. The federal code sections adopted in the amended regulation are those that are internally referenced within the newly published Kansas Meat and Poultry Inspection Code.

There will be no change in current economic costs or benefits because these proposed changes will adopt the Federal Code as our own State Code whereas before the Federal Code was incorporated by reference in K.A.R. 4-16-1c.

The regulations adopt the document titled Kansas Meat and Poultry Inspection Code 2024, which is based primarily on the regulatory structure of the Federal Food Safety and Inspection Service (FSIS). The federal regulations incorporated into the document that is adopted by reference are the standards that are adopted by other state meat and poultry inspection programs that participate in the FSIS program. Because USDA requires state meat and poultry programs to enact regulatory schemes at least equal to federal standards to receive funding, the proposed regulations employ a similar approach to those utilized by agencies of contiguous states.

KDA's Meat and Poultry Inspection Program is required to adopt requirements at least equal to that of USDA's federal inspection program to receive federal funding for the KDA Meat and Poultry Inspection Program. The proposed regulations do not exceed any requirements of the federal government.

The majority of the changes from the previously adopted standards apply to facility or registration types that Kansas does not currently have, such as large-scale swine processing facilities and young poultry processing facilities. The changes that apply to those facility types codify the flexibility that operations in neighboring states expect and should encourage those types of operations to seriously consider Kansas as a viable location for a new facility. As those changes mainly apply to larger scale operations, they also have the potential to encourage current registrants to expand their operations into new areas. Those changes that apply to facilities currently operating in Kansas are largely aimed at adopting standards that are already widely employed by the meat and

poultry industry, so there will be negligible enhancement or restriction on current businesses with regard to those changes.

The economic effect of the proposed regulations on state-inspected meat and poultry processing operations will be negligible. Most of the updates to the Code of Federal Regulations that are incorporated into the Meat and Poultry Inspection Code 2024 and apply to current Kansas state-inspected facilities relate to changes in labeling requirements, and most, if not all, facilities already have the capability to design and print their labels in-house, which allows them to implement the updated requirements at minimal additional cost. Other businesses, sectors, public utility ratepayers, individuals, local governments, and the state economy will be largely unaffected by the proposed rules and regulations.

State inspected meat and poultry processing facilities will be the only businesses directly affected by the proposed regulations.

The incentive for new businesses to come to Kansas and the opportunity for efficient growth in existing operations outweighs the negligible costs that will be incurred in complying with the newly adopted regulations.

KDA was careful to consider the state standards in relation to the federal standards when crafting the Kansas Meat and Poultry Code and the regulations that adopt it. Adopting standards that are not more restrictive than federal standards, while still being sufficient to allow participation in the FSIS cooperative agreement keeps impacts on business and economic development as low as possible.

The vast majority of meat and poultry industry operators have already voluntarily adhered to many of the requirements contained in the proposed regulations, since it is in their best interest to operate using the most updated practices. Accordingly, even minimal costs that might have been associated with facilities implementing the proposed changes have already been absorbed prior to adoption of these regulations. Furthermore, because the proposed regulations do not substantially change the framework for inspection by the Meat and Poultry Inspection Program in Kansas, the implementation of these regulations will not impose any significant new costs.

The proposed regulations will not result in any change to aggregate state revenues, as they do not change the fees for participation in the state Meat and Poultry Inspection Program, which are already established in K.S.A. 65-6a34 and are merely referenced by the proposed regulations. However, the incentive for new businesses to participate in the Program has the potential to generate an increase in revenue through those annual licensing fees. With regard to expenditures, implementation of the proposed regulations should have no impact. The updated regulations can be implemented without creation of new government positions or additional expenditures for labor or other resources.

Though there are no economic impacts expected from implementation of the proposed regulations, existing Kansas facilities may pass any costs they do incur while complying with the updated requirements on to their customers through a small increase in processing fees or prices for goods. This number is difficult to estimate as the decision whether to pass costs on to customers will

be up to the few individual facilities that may incur increased costs. The overall economic impact on individuals, small employers, and the public will be negligible.

The proposed regulations will not increase or decrease revenues of cities, counties or school districts, or impose functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability. On July 1, 2022, KDA sent letters to the League of Kansas Municipalities, Kansas Association of Counties, and the Kansas Association of School Boards requesting input as to the effect of the proposed rules and regulations on those entities. The letters contained a copy of the proposed regulations and stated that the entities could contact KDA if they wished to review the proposed Meat and Poultry Inspection Code in full. To date KDA has received no response from any of these entities.

KDA circulated information regarding the proposed updates to current regulations, along with a draft of the Meat and Poultry Inspection Code, to representatives from Kansas Farm Bureau, Kansas Livestock Association, Kansas Restaurant and Hospitality Association, and the Kansas Meat Packers Association, all of which serve a large number of stakeholders that would be affected by the updates. None of the organizations raised objections to the proposed regulations or the document that they adopt by reference. KDA also provided information on the proposed changes to all current licensees who have an email address on file with the agency.

Any individual with a disability may request accommodations to participate in the public hearing and may request the proposed regulations and their economic impact statement in an accessible format. Requests for accommodations should be made at least five working days in advance of the hearing by contacting Ronda Hutton, via telephone at 785-564-6715 or fax at 785-564-6777. The entrance is located on the west side of the building at 1320 Research Park Dr., Manhattan, Kansas, and is accessible to individuals with disabilities including handicapped parking.

Copies of the regulations and their economic impact statement may be obtained by contacting the Department via mail at Kansas Department of Agriculture, Attn: Ronda Hutton, 1320 Research Park Dr., Manhattan, KS 66502, via telephone at 785-564-6715, or via the Department's website at <https://www.agriculture.ks.gov>.

Michael M. Beam
Secretary
Department of Agriculture

Doc. No. 052740

State of Kansas

Department of Agriculture Division of Animal Health

Permanent Administrative Regulations

Article 7.—MOVEMENT OF LIVESTOCK INTO OR THROUGH KANSAS

9-7-1. General. (a) Livestock and exotic animals shall not be imported into Kansas except in accordance with

the laws and regulations of Kansas, and of the United States department of agriculture.

(b) Except as specified in subsection (c), livestock and exotic animals shall not be imported into Kansas without a certificate of veterinary inspection issued by a licensed, accredited veterinarian in the state of origin. If a permit is required, each permit number shall be shown on the certificate of veterinary inspection.

(c) Livestock and exotic animals may be imported without a certificate of veterinary inspection directly to any of the following:

(1) A Kansas-approved or United States department of agriculture-approved slaughter establishment for immediate slaughter;

(2) a United States department of agriculture-approved public livestock market for sale;

(3) a Kansas premises based on a special permit pursuant to K.S.A. 47-607a, and amendments thereto, or movement agreement approved by the animal health commissioner before movement of any livestock or exotic animal; or

(4) a Kansas premises when moving livestock or exotic animals between Kansas and an adjacent county in an adjacent state without a change in ownership or commingling of livestock or exotic animals when accompanied by a statement documenting ownership, date of movement, point of origin, and point of destination. Each owner shall retain a copy of the statement for five years from the date of movement.

(d) A copy of the certificate of veterinary inspection as required in subsection (b) shall accompany the livestock or exotic animals to the final destination.

(e) The following records shall be considered records obtained by the animal health commissioner to develop and implement a voluntary premises registration and animal identification and tracking system for Kansas:

(1) Movement records;

(2) diagnostic laboratory results;

(3) vaccination records;

(4) tag distribution records;

(5) livestock market official identification information;

(6) enhanced biosecurity plan information; and

(7) any other records deemed necessary by the animal health commissioner. (Authorized by K.S.A. 47-607d, 47-610, 47-674, and 47-1832; implementing K.S.A. 47-607, 47-620, and 47-674; effective Jan. 1, 1966; amended Jan. 1, 1971; amended Jan. 1, 1974; amended, E-76-28, Aug. 15, 1975; amended May 1, 1976; amended May 1, 1980; amended May 1, 1982; amended Jan. 3, 2025.)

9-7-14. Equidae. (a) Each equid entering Kansas, offered for sale in Kansas, changing ownership, or used for exhibition purposes, except a nursing foal six months of age or younger that is accompanied by its dam that has a current negative equine infectious anemia test, shall be identified individually on and accompanied by a complete United States department of agriculture (USDA) veterinary services form 10-11, or an equivalent form approved by the animal health commissioner, that declares that the equid has had an official negative test for equine infectious anemia within the previous 12 months. If an equid has been tested for equine infectious anemia more

(continued)

than one time during the previous 12 months, only the most recent test shall be considered a valid test.

(b) In addition to the equine infectious anemia test required in subsection (a), each equid entering Kansas shall be accompanied by a certificate of veterinary inspection that includes the following information from the equine infectious anemia test required in subsection (a):

- (1) The date of the test;
- (2) the type of test utilized;
- (3) the test results;
- (4) the name of the testing laboratory;
- (5) the accession number which is the laboratory test number; and
- (6) the description of the equidae.

(c) The following definitions shall be included for the purpose of this regulation:

- (1) "Equidae" shall include the following:
 - (A) Horses;
 - (B) asses;
 - (C) zebras; and
 - (D) equidae hybrids.
- (2) "Exhibition" shall mean the commingling of animals for the purpose of showing or judging contest or any other type of public display, equidae used for team roping, penning, barrel racing, rodeo, or other performance events. (Authorized by K.S.A. 47-607d and 47-610; implementing K.S.A. 47-610; effective, E-76-28, Aug. 15, 1975; effective May 1, 1976; amended Jan. 23, 1998; amended Jan. 3, 2025.)

Article 10.—PUBLIC LIVESTOCK MARKETS

9-10-1. (Authorized by K.S.A. 47-610, 47-1009, 47-1010; implementing K.S.A. 47-607, 47-658b and 47-1008; effective Jan. 1, 1966; amended May 1, 1982; revoked Jan. 3, 2025.)

9-10-2. (Authorized by K.S.A. 47-610, 47-1010; implementing K.S.A. 47-607 and 47-1008; effective Jan. 1, 1966; amended May 1, 1982; revoked Jan. 3, 2025.)

9-10-3. (Authorized by K.S.A. 47-610; effective Jan. 1, 1966; revoked Jan. 3, 2025.)

9-10-4. (Authorized by K.S.A. 47-607a, 47-610, K.S.A. 1965 Supp. 47-607; effective Jan. 1, 1966; revoked Jan. 3, 2025.)

9-10-5. (Authorized by K.S.A. 47-610, 47-1009, K.S.A. 1970 Supp. 47-1010; effective Jan. 1, 1966; amended, E-70-40, Aug. 19, 1970; amended Jan. 1, 1971; revoked Jan. 3, 2025.)

9-10-7. (Authorized by K.S.A. 47-610, K.S.A. 1965 Supp. 47-1010; effective Jan. 1, 1966; revoked Jan. 3, 2025.)

9-10-8. (Authorized by K.S.A. 47-610, 47-1009, 47-1010; effective Jan. 1, 1966; amended Jan. 1, 1974; amended May 1, 1980; revoked Jan. 3, 2025.)

9-10-9. (Authorized by K.S.A. 47-610, 47-1009, 47-1010; effective Jan. 1, 1966; amended, E-70-40, Aug. 19, 1970; amended Jan. 1, 1971; amended Jan. 1, 1974; revoked Jan. 3, 2025.)

9-10-10. (Authorized by K.S.A. 47-610, K.S.A. 1971 Supp. 47-1010; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1970; amended, E-71-19, July 1, 1971; amended Jan. 1, 1972; revoked Jan. 3, 2025.)

9-10-14, 9-10-15, 9-10-16, 9-10-17, 9-10-18, and 9-10-19. (Authorized by K.S.A. 47-610, K.S.A. 1965 Supp. 47-1010; effective Jan. 1, 1966; revoked Jan. 3, 2025.)

9-10-21. (Authorized by K.S.A. 47-610, K.S.A. 1965 Supp. 47-1010; effective Jan. 1, 1966; revoked Jan. 3, 2025.)

9-10-22a. (Authorized by K.S.A. 47-610, 47-1008, 47-1009, 47-1010; effective, E-70-40, Aug. 19, 1970; effective Jan. 1, 1971; amended, E-71-19, July 1, 1971; amended Jan. 1, 1972; amended Jan. 1, 1974; amended May 1, 1980; revoked Jan. 3, 2025.)

9-10-23. (Authorized by K.S.A. 47-610, 47-1011, K.S.A. 1965 Supp. 47-1010; effective Jan. 1, 1966; revoked Jan. 3, 2025.)

9-10-24a. (Authorized by K.S.A. 47-610, 47-657, 47-658a, 47-1004; implementing K.S.A. 47-658a and 47-1008; effective, E-70-40, Aug. 19, 1970; effective Jan. 1, 1971; amended Jan. 1, 1974; amended May 1, 1982; revoked Jan. 3, 2025.)

9-10-25a. (Authorized by K.S.A. 47-610, 47-657, 47-658a, 47-1004, 47-1008; effective, E-70-40, Aug. 19, 1970; effective Jan. 1, 1971; amended Jan. 1, 1974; revoked Jan. 3, 2025.)

9-10-26a. (Authorized by K.S.A. 47-610, 47-657, 47-658a, 47-1004; implementing K.S.A. 47-658a and 47-1007; effective, E-70-40, Aug. 19, 1970; effective Jan. 1, 1971; amended Jan. 1, 1974; amended May 1, 1982; revoked Jan. 3, 2025.)

9-10-27a. (Authorized by K.S.A. 47-610, 47-657, 47-658a, 47-1004; effective, E-70-40, Aug. 19, 1970; effective Jan. 1, 1971; amended Jan. 1, 1974; revoked Jan. 3, 2025.)

9-10-30. (Authorized by K.S.A. 47-610, K.S.A. 1971 Supp. 47-1010; effective, E-71-19, July 1, 1971; effective Jan. 1, 1972; revoked Jan. 3, 2025.)

9-10-31. (Authorized by and implementing K.S.A. 47-1001d, as amended by 1996 S.B. 659, § 2; effective, T-9-7-1-96, July 1, 1996; effective Nov. 15, 1996; revoked Jan. 3, 2025.)

9-10-32. (Authorized by and implementing K.S.A. 47-1001d, as amended by 1996 S.B. 659, § 2; effective, T-9-7-1-96, July 1, 1996; effective Nov. 15, 1996; revoked Jan. 3, 2025.)

9-10-33. (Authorized by and implementing K.S.A. 1996 Supp. 47-1008, as amended by L. 1997, Ch. 19, Sec. 2; effective April 3, 1998; revoked Jan. 3, 2025.)

9-10-33a. (Authorized by and implementing K.S.A. 2016 Supp. 47-1008; effective, T-9-8-29-00, Aug. 29, 2000; effective Dec. 29, 2000; amended Sept. 22, 2017; revoked Jan. 3, 2025.)

9-10-34, 9-10-35, 9-10-36, 9-10-37, 9-10-38, and 9-10-39. (Authorized by and implementing K.S.A. 1996 Supp. 47-1008, as amended by L. 1997, Ch. 129, Sec. 2; effective April 3, 1998; revoked Jan. 3, 2025.)

9-10-40. (Authorized by and implementing K.S.A. 47-1001a and K.S.A. 2016 Supp. 47-1001e; effective Sept. 22, 2017; revoked Jan. 3, 2025.)

9-10-41. Definitions. Each of the following terms, as used in this article of the department's regulations, shall have the meaning specified in this regulation:

(a) "Alias name" means a pseudonym or assumed identity used for the purposes of deception as a buyer or seller or to conceal the real identity of an individual or individuals, except that alias name does not include corporations, LLC's, partnerships, or individuals operating under names listed as "doing business as," a commonly used nickname, or initials.

(b) "Accredited veterinarian" means a veterinarian approved by the administrator of the United States department of agriculture, animal plant health inspections service, to perform functions required by the cooperative state-federal disease control and eradication programs.

(c) "Backtag" means a tag issued by USDA that provides a temporary unique identification number for each animal.

(d) "Backtag contractor" means a person receiving payment for the application, recording, and reporting of official United States department of agriculture backtags applied to all sexually intact bovine 18 months of age and older at a public livestock market.

(e) "Bovine sold for slaughter" means any sexually intact bovine intended to move from a public livestock market or occasional livestock sale directly to a slaughter facility within 72 hours.

(f) "Certificate of veterinary inspection" means an official document issued by a federal, state, tribal, or accredited veterinarian certifying that the livestock or exotic animal identified on the document has been inspected and found to meet the requirements of the regulations pertaining to the intended movement location, within the same state, between states, or internationally.

(g) "Consignor" has the meaning specified for this term in K.S.A. 47-1001, and amendments thereto.

(h) "Electronic auction" has the meaning specified for this term in K.S.A. 47-1001, and amendments thereto.

(i) "Exotic animal" has the meaning specified for this term in K.S.A. 47-1832, and amendments thereto.

(j) "Livestock" has the meaning specified for this term in K.S.A. 47-1001, and amendments thereto.

(k) "Market veterinarian" means a licensed, accredited veterinarian approved by the animal health commissioner to perform functions at a public livestock market.

(l) "Occasional livestock sale" has the meaning specified for this term in K.S.A. 47-1001, and amendments thereto.

(m) "Occasional livestock sale operator" means any person who is licensed to conduct an occasional livestock sale.

(n) "Official identification" means a permanent, tamperproof means approved by the United States department of agriculture, animal plant health inspections service, and the animal health commissioner that assigns a permanent, unique numeric or alphanumeric identification to a livestock or exotic animal or a group of livestock or exotic animals.

(o) "Owner" means the individual or entity with legal possession or the financial control of livestock or exotic animals.

(p) "Person" has the meaning specified for this term in K.S.A. 47-1001, and amendments thereto.

(q) "Public livestock market" has the meaning specified for this term in K.S.A. 47-1001, and amendments thereto.

(r) "Public livestock market facilities" means all pens, yards, alleyways, sale rings, loading docks, scales, and vehicles and any other equipment necessary for the handling of livestock.

(s) "Public livestock market operator" has the meaning specified for this term in K.S.A. 47-1001, and amendments thereto, and also includes any designee of a person who meets that definition.

(t) "Purchaser" means the person responsible for payment of livestock or exotic animals that person purchased or were purchased by an agent in the person's name.

(u) "Sale" means livestock auctions or events, that receive on consignment, or solicit from the producer or consignor thereof, or hold in trust or custody for another, any livestock that is offered for exchange in return for monetary payment, payment in kind, or other consideration, on behalf of such producer or consignor at such auction or event, or sells, or offers for exchange in return for monetary payment, payment in kind, or other consideration, at such auction or event, for the account of the producer or consignor thereof, any livestock or directly or indirectly owns, conducts or operates such auction or event.

(v) "USDA" means United States department of agriculture. (Authorized by and implementing K.S.A. 47-610 and K.S.A. 47-1832; effective Jan. 3, 2025.)

9-10-42. Public livestock market facilities. (a) Each public livestock market operator shall construct and maintain all public livestock market facilities used for handling, loading, and penning livestock or exotic animals in a manner that minimizes the risk of physical injury to people and to livestock or exotic animals.

(b) Each public livestock market operator shall maintain all public livestock market facilities used for handling, loading, and penning livestock or exotic animals in a manner that permits adequate drainage and in a clean and sanitary condition. Each public livestock market operator shall clean all public livestock market facilities used for handling, loading, and penning livestock or exotic animals before the next sale at the public livestock market. (Authorized by and implementing K.S.A. 47-610 and K.S.A. 47-1832; effective Jan. 3, 2025.)

9-10-43. Limitation on use of public livestock market facilities. (a) Each public livestock market operator shall use the public livestock market facilities only for feeding, holding, trading, or assembling livestock or exotic animals if the livestock or exotic animals are consigned to the public livestock market for sale or the public livestock market is being used as a collection point for livestock moving directly to a slaughter facility.

(b) Any public livestock market operator may use the public livestock market facilities for feeding, holding, trading, or assembling livestock or exotic animals that are not consigned to the market for sale if one of the following conditions is met:

(1) housing livestock or exotic animals during an emergency response approved by the animal health commissioner; or

(2) housing "stray" as defined in K.S.A. 47-229 and amendments thereto, under the custody and control of

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local law authorities. (Authorized by and implementing K.S.A. 47-610 and K.S.A. 47-1832; effective Jan. 3, 2025.)

9-10-44. Disinfection of public livestock market facilities and vehicles. (a) If any livestock or exotic animal at a public livestock market facility are found to be infected with or exposed to a contagious or infectious disease, the public livestock market operator shall clean and disinfect all public livestock market facilities under the supervision of the market veterinarian with a disinfectant approved by the animal health commissioner.

(b) If a vehicle is used to transport or confine infected or exposed livestock or exotic animals, each owner or operator of the vehicle shall pay all expenses incurred in cleaning and disinfecting the vehicle. (Authorized by K.S.A. 47-610 and K.S.A. 47-1832; implementing K.S.A. 47-610 and K.S.A. 47-634; effective Jan. 3, 2025.)

9-10-45. Quarantine pens and facilities. (a) If the market veterinarian determines that a livestock or an exotic animal shall be placed under quarantine, the public livestock market operator shall provide and maintain quarantine pens for the livestock or exotic animal.

(b) The market veterinarian shall ensure that each quarantine pen meets the following requirements:

(1) Be separate and apart from any pen used to pen livestock or exotic animals consigned for sale when the exposed or infected livestock or exotic animals are placed in the quarantine pen;

(2) be of ample size with sufficient shed coverage or other sheltering for exposed or infected livestock or exotic animals; and

(3) have adequate feeding and watering facilities.

(c) Each market veterinarian shall provide supervision over any quarantine pen located at the public livestock market and shall ensure that each quarantine pen is locked, unless the animal health commissioner or the market veterinarian authorizes the movement of livestock or exotic animals into or out of the quarantine pen. (Authorized by K.S.A. 47-610 and K.S.A. 47-1832; implementing K.S.A. 47-610; effective Jan. 3, 2025.)

9-10-46. Quarantine of diseased and exposed livestock or exotic animals. (a) If a market veterinarian finds evidence of any contagious or infectious disease or finds evidence of livestock or exotic animals being exposed to any contagious or infectious disease, the market veterinarian shall place the entire consignment of the livestock or exotic animals under quarantine and shall immediately notify the public livestock market operator and the animal health commissioner of this action. Each public livestock market operator shall immediately notify the owner of the infected or exposed livestock or exotic animals that have been placed under quarantine.

(b) If the market veterinarian observes clinical signs consistent with a contagious or infectious disease leading to the quarantine or any other adverse health or welfare issue, the market veterinarian may prescribe and administer any necessary treatment. If treatment is administered, the market veterinarian shall submit a statement of cost that includes the cost of necessary treatment, feed, water, and care to the public livestock market that shall be paid by the owner.

(c) If the animal health commissioner believes that the

owner is prepared to hold the infected or exposed livestock or exotic animals at the owner's premises and the owner agrees to comply with all provisions of the quarantine, the animal health commissioner may permit the infected or exposed livestock or exotic animals to move from the public livestock market to the owner's premises.

(d) When infected or exposed livestock or exotic animals are removed from a public livestock market, the market veterinarian shall document each livestock or exotic animal on a "permit for movement of restricted animals," USDA VS form 1-27, or an equivalent form approved by the animal health commissioner, to accompany the livestock or exotic animals to the place of destination.

(e) If the animal health commissioner believes that the owner is not prepared to hold the infected or exposed livestock or exotic animals at the owner's premises or the owner does not agree to comply with all provisions of the quarantine, the animal health commissioner shall require each infected or exposed livestock or exotic animal to be placed in quarantine pens provided by the public livestock market operator and supervised by the market veterinarian. The market veterinarian shall submit a statement of cost of the necessary treatment and administrative fees to the public livestock market operator. The public livestock market operator shall feed, water, and care for livestock or exotic animals placed under quarantine on the public livestock market premises. Each owner shall pay the cost of necessary treatment, administrative fees, feed, water, and care incurred during the quarantine.

(f) If the market veterinarian finds that livestock or exotic animals consigned to the public livestock market originated outside the state of Kansas and did not enter the state as required by article 7 of the department's regulations, the market veterinarian shall hold the livestock or exotic animals under quarantine in quarantine pens provided by the public livestock market operator until released from quarantine by the animal health commissioner. If the livestock or exotic animals are bovine, each market veterinarian shall restrict the movement as required by K.A.R. 9-7-4a. The market veterinarian shall submit a statement of cost of the necessary treatment and administrative fees to the public livestock market operator. Each public livestock market operator shall feed, water, and care for all livestock or exotic animals placed under quarantine on the public livestock market premises. Each owner shall pay the cost of the necessary treatment, administrative fees, feed, water, and care incurred during the quarantine. (Authorized by and implementing K.S.A. 47-610 and K.S.A. 47-1832; effective Jan. 3, 2025.)

9-10-47. Diseases, injuries, and conditions rendering livestock or exotic animals unfit for sale; limitation on sale; euthanasia, removal, or disposal. (a) Each market veterinarian shall have sole discretion to render any livestock or exotic animal unfit for sale based on the following diseases, injuries, and conditions:

(1) Ocular neoplasia, commonly known as "cancer eye," unless the neoplastic lesions show no sign of metastasis and have not destroyed the eye or the eyelid. Each livestock or exotic animal with cancer eye shall be deemed unfit for sale if one of the following conditions is met:

(A) The neoplastic lesions affect the eye, eyelids, or both and have destroyed the affected organ to the point that the affected area cannot be surgically removed;

(B) the neoplastic lesions show signs of local metastatic invasion from the primary site to the bone of the orbit; or

(C) there are marked signs of swelling, discoloration, draining necrotic lesions, deformation of tissue, or odor;

(2) any other forms of neoplasia, regardless of tissue origin, that exhibit significant symptoms, including swelling, discoloration, draining necrotic lesions, tissue deformation, or odor;

(3) any disease process, including actinomycosis, pneumonia, and urinary calculi, or injury that the market veterinarian determines is unlikely to respond to treatment and has resulted in emaciation of the livestock or exotic animal;

(4) any disease process or injury resulting in a nonambulatory condition in the livestock or exotic animal;

(5) a fracture of the long bone, open fracture, or other fracture or dislocation of a joint that renders the animal unable to bear weight on the affected limb without that limb collapsing; and

(6) any injury that results in a condition that caused an objectionable wound.

(b) If a disease, injury, or condition occurs that is not listed in subsection (a), the market veterinarian may render any livestock or exotic animal unfit for sale upon receiving approval from the animal health commissioner or the animal health commissioner's designee.

(c) After examination of the livestock or exotic animal, the market veterinarian shall determine whether each livestock or exotic animal shall be sold, removed from the public livestock market, or euthanized pursuant to K.S.A. 47-1008 and amendments thereto.

(d) If the market veterinarian permits the livestock or exotic animal to be sold, the market veterinarian shall provide a written notification to the public livestock market operator that states the livestock or exotic animal's disease, injury, or condition, and the public livestock market operator or the public livestock market operator's representative shall announce the livestock or exotic animal's disease, injury, or condition as stated in the written notification from the auction block at the time of the sale.

(e) If the market veterinarian determines the livestock or exotic animal is unfit for sale as specified in subsections (a) and (b), the market veterinarian shall identify the livestock or exotic animal with a backtag and shall make a reasonable effort to contact the owner by phone or in person to discuss euthanasia, removal, or disposal of the livestock or exotic animal.

(1) If the market veterinarian is successful in contacting the owner, the owner shall remove the livestock or exotic animal rendered unfit for sale as described in subsections (a) and (b) from the public livestock market within 12 hours of the notification or direct the market veterinarian to euthanize the livestock or exotic animal.

(2) If the market veterinarian is unsuccessful in contacting the owner, the market veterinarian shall determine whether the livestock or exotic animal rendered unfit for sale as described in subsections (a) and (b) shall be euthanized to prevent further pain or suffering.

(3) If a livestock or exotic animal rendered unfit for sale

as described in subsections (a) and (b) is not removed from the public livestock market facilities within 12 hours after notification, the market veterinarian shall have discretion to euthanize the livestock or exotic animal.

(f) Each market veterinarian shall document each livestock or exotic animal rendered unfit for sale as described in subsections (a) and (b) and removed alive from the public livestock market facility on a "permit for movement of restricted animals," USDA VS form 1-27, or an equivalent form approved by the animal health commissioner, which shall accompany the livestock or exotic animals at the time of movement.

(g) If the market veterinarian determines that a livestock or an exotic animal rendered unfit for sale as described in subsections (a) and (b) shall be euthanized, the market veterinarian shall perform or direct all euthanasia procedures at the public livestock market and shall provide written notice to the owner of the livestock or exotic animal that indicates the reason for euthanasia and the cost of euthanasia.

(h) If a livestock or exotic animal dies or is euthanized at a public livestock market, an owner may request the return of the carcass and may retrieve the carcass within six hours after the livestock or exotic animal's death or euthanasia. If the owner does not retrieve the carcass within six hours after death or euthanasia, the carcass shall be disposed of pursuant to K.S.A. 47-1219, and amendments thereto.

(i) Each consignor of livestock or exotic animals rendered unfit for sale as specified in subsections (a) and (b) shall pay all costs associated with euthanasia, removal, and disposal. (Authorized by and implementing K.S.A. 47-610, K.S.A. 47-1008, and K.S.A. 47-1832; effective Jan. 3, 2025.)

9-10-48. Certificate of veterinary inspection. (a) Each market veterinarian shall provide a certificate of veterinary inspection that covers all livestock and exotic animals consigned to or sold through a public livestock market to the purchaser before the livestock or exotic animals leave the public livestock market.

(1) If the livestock or exotic animals are moving intrastate from a public livestock market, a public livestock market operator may incorporate a statement certifying veterinary inspection in the invoice of the sale unless prohibited by provisions in article 7 and 10 of the department's regulations.

(2) If the livestock or exotic animals are moving interstate from a public livestock market, each livestock or exotic animal shall be accompanied by a certificate of veterinary inspection, unless the livestock or exotic animal is moving directly to a slaughter facility. The market veterinarian shall issue a certificate of veterinary inspection before the livestock or exotic animal leaves the public livestock market if the market veterinarian knows that the livestock or exotic animal is moving interstate.

(b) If the livestock or exotic animal requires a certificate of veterinarian inspection, the market veterinarian shall provide the purchaser with documentation showing any relevant inspection, treatment, or quarantine. A public livestock market operator shall not release livestock or exotic animals until the livestock or exotic animals meet

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all the requirements of the state of destination. Each market veterinarian shall submit a copy of the certificate of veterinarian inspection and all applicable attachments to the division of animal health within seven business days from the date the certificate of veterinary inspection was issued to the owner.

(c) If livestock or exotic animals are sold by an electronic auction, each consignor shall pay the cost associated with issuance of the certificate of veterinary inspection required under K.S.A. 47-1008, and amendments thereto. (Authorized by K.S.A. 47-607d, K.S.A. 47-610, K.S.A. 47-1008, and K.S.A. 47-1832; implementing K.S.A. 47-607 and K.S.A. 47-1008; effective Jan. 3, 2025.)

9-10-49. Requirement for consignment for public livestock markets. (a) Each public livestock market operator or the public livestock market operator's representative shall complete an unloading ticket for each load of livestock or exotic animals delivered to the public livestock market at the time the livestock or exotic animals are unloaded at the public livestock market.

(1) Each unloading ticket shall contain the name, address, and contact information of the consignor.

(2) Each public livestock market operator shall be responsible for the accuracy of all information collected on the unloading ticket.

(3) A public livestock market shall not offer for sale livestock or exotic animals that are offered for sale by a consignor using a name that the public livestock market operator knows or reasonably should know is an alias name.

(b) Each public livestock market operator or the public livestock market operator's representative shall require each consignor to disclose to the public livestock market operator or the public livestock market operator's representative all known disease conditions, injuries, or physical defects of each livestock or exotic animal listed on the unloading ticket while unloading livestock or exotic animals at the public livestock market.

(c) Each market veterinarian shall inspect each livestock or exotic animal before the livestock or exotic animal is sold or exchanged to determine if the livestock or exotic animal possesses any of the diseases or injuries specified in K.A.R. 9-10-47 regardless of the livestock or exotic animal's physical location on the public livestock market premises.

(d) A public livestock market operator shall not allow a livestock or an exotic animal to be offered for sale, sold, or exchanged anywhere on the public livestock market's facilities without the livestock or exotic animal being inspected and released by the market veterinarian.

(e) By consigning livestock or exotic animals to a public livestock market, the consignor shall consent to the following:

(1) To have the livestock or exotic animal inspected by the market veterinarian;

(2) to abide by the market veterinarian's determination of the disposition of the livestock or exotic animal;

(3) to pay any costs incurred for the removal of the livestock or exotic animal from the public livestock market if the livestock or exotic animal is deemed unfit for sale by the market veterinarian as specified in K.A.R. 9-10-47; and

(4) to pay any costs incurred for euthanasia and disposal of the livestock or exotic animal if a livestock or exotic animal is deemed unfit for sale as specified in K.A.R. 9-10-47.

(f) A person shall not remove or tamper with any official identification except at the time of slaughter.

(g) A public livestock market operator or public livestock market operator's representative shall not accept livestock or exotic animals unless the livestock or exotic animals meet the requirements in article 2, article 3, and article 7 of the department's regulations.

(h) A public livestock market shall not sell livestock or exotic animals that have been classified as a brucellosis reactor, tuberculosis-positive, pseudorabies-positive, scrapie-positive, positive for equine infectious anemia, positive for chronic wasting disease, or positive for any other disease as specified by the animal health commissioner.

(i) When livestock or exotic animals are sold for slaughter purposes, each public livestock market operator or the public livestock market operator's representative shall disclose the status of the livestock or exotic animal from the auction block before the livestock or exotic animal is sold. Each public livestock market operator shall require that all livestock and exotic animals sold for slaughter purposes move directly from the original public livestock market to an approved slaughter facility. (Authorized by K.S.A. 47-610, K.S.A. 47-1008, and K.S.A. 47-1832; implementing K.S.A. 47-607, K.S.A. 47-658b, K.S.A. 47-1008, and K.S.A. 47-1009; effective Jan. 3, 2025.)

9-10-50. Special sales at irregular intervals. (a) Each public livestock market operator shall be responsible for the sale, purchase, or exchange of any livestock or exotic animal at regular or irregular intervals at the public livestock market, including private sales, livestock production sales, consignment sales, breed association sales, and occasional livestock sales regardless of whether the public livestock market is used by a third party or the sale is hosted by the public livestock market operator.

(b) Each public livestock market operator shall ensure that all livestock and exotic animals are released from the public livestock market as required by article 7 and article 10 of the department's regulations.

(c) Each public livestock market operator shall ensure that an accredited veterinarian is present at any sale hosted at the public livestock market. (Authorized by K.S.A. 47-607d, K.S.A. 47-610, K.S.A. 47-1008, and K.S.A. 47-1832; implementing K.S.A. 47-607 and 47-1008; effective Jan. 3, 2025.)

9-10-51. Notice. (a) Each public livestock market operator shall post and maintain signs at the public livestock market that state the notices specified in subsection (b). A sign shall be readable and placed in a clearly visible location at the check-in dock and in the public livestock market office area accessible to the public. Signs with notices in subsection (b) shall be submitted to the animal health commissioner for review and approval before posting.

(b) The signs required in subsection (a) shall contain adaptations of the following notices:

(1) "Each non-virgin bull, bull older than 18 months of

age, and bull of unknown virginity status sold at a public livestock market shall be certified negative for *Tritrichomonas foetus*, go directly to slaughter, or be purchased for feeding purposes only and then to slaughter as required by K.A.R. 9-7-4a.”

(2) “All cows, except virgin heifers, moving interstate to a public livestock market shall meet requirements in K.A.R. 9-7-4a before sale or be sold directly to slaughter or be sold for feeding purposes only and then to slaughter.”

(3) “To: All livestock owners, consignors, or agents. Any livestock or exotic animal that is injured, disabled, or deemed unfit for sale shall be examined by the market veterinarian. After examination of the livestock or exotic animal, the market veterinarian has sole discretion to determine whether the livestock or exotic animal will be sold, removed from the livestock market, or euthanized in accordance with K.S.A. 47-1008, and amendments thereto.” (Authorized by and implementing K.S.A. 47-610 and K.S.A. 47-1008; effective Jan. 3, 2025.)

9-10-52. Occasional livestock sales. (a) The annual license fees for occasional livestock sales shall be the following:

- (1) 1-5 sales per year..... \$50.00
- (2) 6-9 sales per year..... \$75.00
- (3) 10-12 sales per year..... \$100.00

(b) In addition to record requirements in K.A.R. 9-10-53 through K.A.R. 9-10-57, each occasional livestock sale operator shall collect and maintain records for each sale that includes the following:

(1) Any official identification associated with the livestock or exotic animal;

(2) the name and address of both the consignor and the purchaser of the livestock or exotic animal;

(3) the species, breed, age and sex of each livestock or exotic animal; and

(4) the name and contact information for the attending accredited, licensed veterinarian.

(c) Each occasional livestock sale operator shall submit an electronic copy of a record containing the following information to the division of animal health within five business days from the conclusion of the sale:

(1) The date of the sale;

(2) the sale veterinarian’s name and contact information;

(3) a list of all species sold and the number of each animal of those species sold; and

(4) all official identification information collected and the consignors associated with those officially identified animals.

(d) An occasional livestock sale license shall not be required for any of the following sales:

(1) A sale held in conjunction with a county, district, regional, or state livestock exhibition for youth exhibitors;

(2) a sale intended for the purpose of selling livestock to youth exhibitors; or

(3) a livestock production sale with three or fewer consignors. (Authorized by K.S.A. 47-610 and K.S.A. 47-1832; implementing K.S.A. 47-610 and K.S.A. 47-1001d; effective Jan. 3, 2025.)

9-10-53. Bovine. (a) Each public livestock market operator or occasional livestock sale operator shall meet the

following requirements for bovine failing to meet the requirements in K.A.R. 9-7-4a prior to arrival at the market:

(1) Each cow, except a virgin heifer, moving interstate to a public livestock market shall meet the requirements in K.A.R. 9-7-4a before being sold at a public livestock market, or the cow shall be sold directly to a slaughter facility or sold for feeding purposes and then moved directly to a slaughter facility.

(2) Each non-virgin bull, bull older than 18 months of age, or bull of unknown virginity status that is not a certified negative *Tritrichomonas foetus* bull as specified in K.A.R. 9-7-4a before leaving the public livestock market or occasional livestock sale shall be sold directly to a slaughter facility or sold for feeding purposes and then moved directly to a slaughter facility.

(3) Each public livestock market operator, public livestock market operator’s representative, occasional livestock sale operator, or occasional livestock sale operator’s representative shall announce the status and restriction of sale for any bovine that does not meet the requirements in K.A.R. 9-7-4a at auction block before the sale of the bovine.

(b) Each public livestock market operator or occasional livestock sale operator shall meet the following requirements for any bovine known to be persistently infected with bovine viral diarrhea virus:

(1) Each public livestock market operator or occasional livestock sale operator shall require each consignor to disclose the status of each bovine known to be persistently infected with bovine viral diarrhea virus to the public livestock market’s representative or the occasional livestock sale’s representative at the time of unloading.

(2) Each public livestock market operator, public livestock market operator’s representative, occasional livestock sale operator, or occasional livestock sale operator’s representative shall disclose the bovine’s status as persistently infected with bovine viral diarrhea virus at the auction block immediately before the sale of the bovine.

(3) Each bovine known to be persistently infected with bovine viral diarrhea virus, regardless of the age of the bovine, shall be tagged with official identification before arrival at the public livestock market or by the public livestock market operator’s representative or occasional livestock sale operator’s representative upon discovering the bovine is known to be persistently infected with bovine viral diarrhea virus.

(4) Each bovine known to be persistently infected with bovine viral diarrhea virus shall be handled and penned in an isolated manner to prevent direct contact with other livestock or exotic animals on the premises. Each pen shall be separate and apart from pens that are regularly used to pen livestock or exotic animals consigned for sale and shall not share a feeding or watering source.

(5) Movement of each bovine known to be persistently infected with bovine viral diarrhea virus from the public livestock market or occasional livestock sale shall be allowed intrastate and shall be accompanied by a certification that includes the following:

(A) Purchaser name;

(B) destination of the bovine;

(continued)

(C) all official identification of the bovine;

(D) a statement identifying the bovine as known to be persistently infected with bovine viral diarrhea virus; and

(E) the signature of the market veterinarian or occasional livestock sale veterinarian and the date the certification was signed.

(6) Each market veterinarian or occasional livestock sale veterinarian shall submit a copy of the certification as required in paragraph (b)(5) to the division of animal health within seven business days from the date the certification was issued.

(c) A public livestock market operator, public livestock market operator's representative, occasional livestock sale operator, or occasional livestock sale operator's representative shall not allow any of the following bovine to leave the public livestock market facility or the occasional livestock sale unless the bovine is individually identified by a method of official identification approved by the animal health commissioner:

(1) All sexually intact bovine 18 months of age or older;

(2) all dairy bovine, regardless of sex and age;

(3) all "M" branded bovine, including any commingled domestic bovine; and

(4) all exhibition, event, roping, and rodeo bovine.

(d) In spite of the requirements of subsection (c), any bovine sold for slaughter not already identified may be allowed to leave the public livestock market or occasional livestock sale without being individually identified by a method of official identification approved by the animal health commissioner. Instead, any such bovine sold for slaughter shall be furnished with a backtag approved by United States department of agriculture.

(e) In spite of the requirements of subsection (c), any bovine that are weak as determined by the market veterinarian or pose a greater than normal risk of being injured or injuring a person may be allowed to leave the public livestock market or occasional livestock sale without being individually identified by a method of official identification approved by the animal health commissioner if the bovine moves directly to a slaughter facility.

(f) Each public livestock market operator shall meet the following backtagging requirements for all bovine offered for sale at the public livestock market:

(1) Each public livestock market operator shall acquire and utilize backtags and glue or other adhesives furnished at federal or state expense.

(2) Each public livestock market operator shall employ a backtag contractor that is designated through a written contract with the animal health commissioner. Each backtag contractor shall be reimbursed by the animal health commissioner for personnel services in applying the backtags on the basis of \$0.15 per head for each bovine backtagged pursuant to the backtag contractor agreement.

(3) Each backtag contractor shall apply backtags to each sexually intact heifer, cow, or bull that is 18 months of age and older, except that upon prior approval by the animal health commissioner, the backtag contractor shall not be required to apply backtags to animals already individually identified by a method of official identification.

(4) Each backtag contractor shall maintain a backtag re-

cord on each bovine offered for sale at a public livestock market as specified in paragraph (f)(3) that includes the following:

(A) The backtag number applied;

(B) all official identification;

(C) any backtag numbers on the bovine at arrival;

(D) the sex;

(E) the breed; and

(F) the name and address of the consignor of the bovine or the consignor's agent if the name and address of the consignor cannot be determined.

(5) Each backtag contractor shall send a copy of the backtag record to the division of animal health in an electronic format approved by the animal health commissioner within five business days from the conclusion of the sale.

(6) Each backtag shall be applied behind the shoulder and below the mid-line of the back on each bovine. The backtag shall not be applied on the hip of the bovine.

(7) If a bovine is sold for slaughter purposes, a backtag shall not be removed until time of slaughter.

(8) Each backtag shall remain on the bovine until the bovine is determined to be part of the purchaser's herd at the point of destination.

(9) Unauthorized removal of a backtag shall be prohibited and shall be reported to the animal health commissioner immediately. (Authorized by K.S.A. 47-607d, K.S.A. 47-610, K.S.A. 47-1008, and K.S.A. 47-1832; implementing K.S.A. 47-607, K.S.A. 47-610, and K.S.A. 47-1008; effective Jan. 3, 2025.)

9-10-54. Poultry. (a) Each public livestock market operator, public livestock market operator's representative, occasional livestock sale operator, or occasional livestock sale operator's representative shall ensure that each box, crate, coop, or other container containing poultry is plainly labeled with the following:

(1) The name of consignor;

(2) the number and species of the birds;

(3) a guarantee of sex on sexed turkeys under 12 weeks of age or any other domestic fowl under 16 weeks of age;

(4) the date the birds were hatched; and

(5) the pullorum classification of the birds.

(b) If any turkeys 12 weeks of age and older and all other poultry 16 weeks of age and older originate outside of Kansas, each public livestock market operator, public livestock market operator's representative, occasional livestock sale operator, or occasional livestock sale operator's representative shall ensure that each bird tests negative for pullorum within 90 days before sale at the public livestock market or occasional livestock sale or that each bird originated and moved directly from a pullorum-free flock to the public livestock market or the occasional livestock sale. A bird's negative pullorum test shall be documented on a VS 9-2 form, VS 9-3 form, certificate of veterinary inspection, or an equivalent form approved by the animal health commissioner.

(c) Each public livestock market operator or occasional livestock sale operator shall keep a record that includes the following for two years from the date of the sale:

(1) Number and species of birds sold;

(2) name, address, and phone number of the consignor; and

(3) the pullorum classification if the birds originate outside of Kansas. (Authorized by K.S.A. 47-610 and K.S.A. 47-1832; implementing K.S.A. 47-610 and K.S.A. 47-1009; effective Jan. 3, 2025.)

9-10-55. Equidae. (a) Each equidae offered for sale at a public livestock market or at an occasional livestock sale, except a nursing foal six months of age or younger that is accompanied by the foal's dam that has a current negative equine infectious anemia test, shall have a valid USDA VS form 10-11, or an equivalent form approved by the animal health commissioner, that declares that the equidae had an official negative test for equine infectious anemia within the previous 12 months.

(b) Each public livestock market operator, public livestock market operator's representative, occasional livestock sale operator, or occasional livestock sale operator's representative shall ensure that each consignor offering an equidae for sale at the public livestock market or occasional livestock sale provides a copy of a valid official equine infectious anemia test for each equidae offered for sale. If an equidae has been tested for equine infectious anemia more than once during the previous 12 months, only the most recent test shall be considered a valid test.

(c) Each public livestock market operator, public livestock market operator's representative, occasional livestock sale operator, or occasional livestock sale operator's representative shall maintain a copy of the equine infectious anemia test for each equidae sold at the public livestock market or the occasional livestock sale for at least five years from the date of sale. (Authorized by K.S.A. 47-607d and K.S.A. 47-610; implementing K.S.A. 47-607, K.S.A. 47-610, and K.S.A. 47-1008; effective Jan. 3, 2025.)

9-10-56. Swine. (a) Each public livestock market operator or occasional livestock sale operator shall offer for sale swine that originate from a healthy herd and from a state designated as free of swine pseudorabies and swine brucellosis.

(b) A public livestock market or an occasional livestock sale shall not offer for sale swine unless the swine is officially identified with one of the following means:

- (1) Official ear tag;
- (2) official backtag on sexually mature sows or boars that will be moved directly to slaughter;
- (3) official premises tag;
- (4) official swine tattoo; or
- (5) any other means approved in advance by the USDA or the animal health commissioner.

(c) Each public livestock market operator, public livestock market operator's representative, occasional livestock sale operator, or occasional livestock sale operator's representative shall apply official identification as required by subsection (b) at the consignor's expense before the swine may be offered for sale, unless the swine is officially identified with a means of official identification outlined in subsection (b) before arrival at the public livestock market or occasional livestock sale.

(d) When a swine is officially identified as required by subsection (c), the public livestock market operator or occasional livestock sale operator shall keep a record for two years from the date of the sale. The record shall include the following:

- (1) The swine's official identification;
- (2) the date the official identification number was applied; and

(3) name, address and phone number of the consignor.
(e) Pursuant to K.S.A. 47-1809 and amendments thereto, a public livestock market operator or occasional livestock sale operator shall not offer feral swine for sale.

(f) Each public livestock market operator, public livestock market operator's representative, occasional livestock sale operator, or occasional livestock sale operator's representative shall report any feral swine to the animal health commissioner upon the feral swine's arrival at the public livestock market or occasional livestock sale.

(g) Each public livestock market operator, public livestock market operator's representative, occasional livestock sale operator, or occasional livestock sale operator's representative shall ensure that each swine intended for breeding purposes is not commingled with swine intended for feeding or slaughter purposes. (Authorized by K.S.A. 47-610; implementing K.S.A. 47-610, K.S.A. 47-1009, and K.S.A. 47-1809; effective Jan. 3, 2025.)

9-10-57. Sheep and goats. (a) Each public livestock market operator, public livestock market operator's representative, occasional livestock sale operator, or occasional livestock sale operator's representative shall ensure that each sheep or goat offered for sale at the public livestock market or occasional livestock sale regardless of age, breed, or sex, is identified with one of the following means of official identification:

- (1) USDA approved scrapie tags;
- (2) USDA animal identification number 840 tags which is an eartag that consists of 15 digits, with the first three digits being the United States country code of 840; or
- (3) any other means approved in advance by the USDA or the animal health commissioner.

(b) Each public livestock market operator, public livestock market operator's representative, occasional livestock sale operator, or occasional livestock sale operator's representative shall identify each sheep or goat not identified before arrival at the public livestock market or occasional livestock sale as required by subsection (a) at the consignor's expense.

(c) When an animal is officially identified as required by subsection (b), the public livestock market operator or occasional livestock sale operator shall maintain a record that includes the following for a period of five years:

- (1) The sheep's or goat's official identification number;
- (2) the date the official identification was applied; and
- (3) the name, address, and phone number of the consignor.

(d) Each public livestock market operator, public livestock market operator's representative, occasional livestock sale operator, or occasional livestock sale operator's representative shall ensure that any sheep or goat sold through a public livestock market or an occasional livestock sale complies with requirements in article 32 of the department's regulations. (Authorized by K.S.A. 47-610; implementing K.S.A. 47-610 and K.S.A. 47-1009; effective Jan. 3, 2025.)

(continued)

9-10-58. Regulatory, inspection, and brand inspection fees. (a) Each public livestock market operator shall charge each consignor a separate regulatory fee of \$0.20 for each horse, mule, bovine, swine, sheep, or goat offered for sale at the public livestock market except that each consignor shall be charged one regulatory fee for each sow and suckling pigs, cow and suckling calf, mare and suckling colt, doe and suckling kid, or ewe and suckling lamb offered for sale as a unit.

(b) Each electronic auction operator shall charge each consignor a separate regulatory fee of \$.20 for each horse, mule, bovine, swine, sheep, or goat offered for sale if the livestock animal originates in the state of Kansas, except that each consignor shall be charged only one regulatory fee for each sow and suckling pigs, cow and suckling calf, mare and suckling colt, doe and suckling kid, or ewe and suckling lamb offered for sale as a unit.

(c) In addition to the fees required by subsections (a) and (b), each public livestock market operator shall charge each consignor a separate inspection fee for each livestock offered for sale at the public livestock market, except that each consignor shall only be charged one inspection fee for each mother and suckling offspring offered for sale as a unit.

(d) In addition to the fees required by subsections (a), (b), and (c), each public livestock market operator shall charge each consignor a separate brand inspection fee of \$.40 per head on all bovine when a brand inspection occurs.

(e) Each regulatory fee, inspection fee, and brand inspection fee shall be shown on the consignor's invoice as a separate item. These fees shall not be included with any charges made by the operator for yardage, insurance, or other items. (Authorized by K.S.A. 47-610 and K.S.A. 47-1008; implementing K.S.A. 47-1008, K.S.A. 47-1011, and K.S.A. 47-1011a; effective Jan. 3, 2025.)

9-10-59. License fees and renewals. (a) As part of the application for a public livestock market license or an electronic auction license, each public livestock market operator and each electronic auction operator shall pay a license application fee of \$375 to the animal health commissioner.

(b) Each license shall expire annually on September 30.

(c) Each electronic auction operator and each public livestock market operator shall pay one of the following annual license renewal fees on or before September 30:

(1) For each electronic auction operator, an annual license renewal fee of \$250;

(2) for each public livestock market operator, an annual license renewal fee of \$250; or

(3) for each person who simultaneously operates an electronic auction and a public livestock market, an annual license renewal fee of \$375.

(d) Pursuant to K.S.A. 47-1001e and amendments thereto, it shall be illegal to operate a public livestock market or an electronic auction without a valid license. (Authorized by and implementing K.S.A. 47-1001a and K.S.A. 47-1001e; effective Jan. 3, 2025.)

Michael M. Beam
Secretary
Department of Agriculture

Doc. No. 052741

State of Kansas

Department for Children and Families

Permanent Administrative Regulations

Article 46.—CHILD ABUSE AND NEGLECT

30-46-10. Definitions. For the purpose of the child abuse and neglect central registry, the following definitions shall apply:

(a) "Abandon" and "abandonment" have the meaning specified in K.S.A. 38-2202, and amendments thereto.

(b) "Abuse" means "physical, mental or emotional abuse" or "sexual abuse," as these two terms are defined in K.S.A. 38-2202, and amendments thereto, and as "sexual abuse" is further defined in this regulation, involving a child who resides in Kansas or is found in Kansas, regardless of where the act occurred. The term "abuse" shall include any act that occurred in Kansas, regardless of where the child is found or resides. The term "abuse" may include the following:

(1) Terrorizing a child, by creating a climate of fear or engaging in violent or threatening behavior toward the child or toward others in the child's presence that demonstrates a flagrant disregard for the child;

(2) emotionally abandoning a child, by being psychologically unavailable to the child, demonstrating no attachment to the child, or failing to provide adequate nurturance of the child; and

(3) corrupting a child, by teaching or rewarding the child for unlawful, antisocial, or sexually mature behavior.

(c) "Alleged perpetrator" means the person identified in the initial report or during the investigation as the person suspected of perpetrating an act of abuse or neglect.

(d) "Child" means anyone under the age of 18 or anyone under the age of 21 and in the custody of the secretary pursuant to K.S.A. 38-2255, and amendments thereto.

(e) "Child abuse and neglect central registry" means the list of names for individuals identified by the department as substantiated perpetrators.

(f) "Child care facility" has the meaning specified in K.S.A. 65-503, and amendments thereto.

(g) "Department" means Kansas department for children and families.

(h) "Investigation" means the gathering and assessing of information to determine if a child has been harmed, as defined in K.S.A. 38-2202, and amendments thereto, as the result of abuse or neglect, to identify the individual or individuals responsible, and to determine if the incident perpetrated by the individual or individuals should be substantiated.

(i) "Neglect" has the meaning specified in K.S.A. 38-2202, and amendments thereto, involving a child who resides in Kansas or is found in Kansas, regardless of where the act or failure to act occurred.

(j) "Sexual abuse" has the meaning specified in K.S.A. 38-2202, and amendments thereto. With respect to the determination by the department for children and families of a substantiated finding of sexual abuse, difference in age and maturity between the perpetrator and victim and issues of force or coercion may be considered.

(k) “Substantiated perpetrator” and “perpetrator” mean a person, regardless of where the person resides, who has been substantiated by the secretary or the secretary’s designee, by a preponderance of evidence, to have either intentionally committed an act of abuse or neglect or failed or refused to protect a child when a reasonable person would have anticipated that the act of abuse or neglect would result in or create a likelihood of serious harm, injury, or deterioration to the child. The substantiated perpetrator’s name is placed on the Kansas child abuse and neglect central registry, and the person is thereby prohibited from residing, working, or volunteering in a child care facility pursuant to K.S.A. 65-516, and amendments thereto.

(l) “Unsubstantiated alleged perpetrator” means a person who has been determined by the secretary or the secretary’s designee, by a preponderance of evidence, to have not committed an alleged act of abuse or neglect. (Authorized by K.S.A. 38-2225 and 39-708c; implementing K.S.A. 2023 Supp. 38-2226 and K.S.A. 38-2230; effective Jan. 2, 1989; amended Jan. 2, 1990; amended Oct. 1, 1993; amended Jan. 1, 1997; amended Oct. 3, 1997; amended July 9, 2004; amended July 6, 2009; amended, T-30-6-1-12, June 1, 2012; amended Sept. 14, 2012; amended July 1, 2016; amended, T-30-11-15-18; Nov. 15, 2018; amended Feb. 22, 2019; amended Jan. 3, 2025.)

30-46-13. Right to interview. Each alleged perpetrator shall have an opportunity to be interviewed before a finding substantiating the perpetrator under K.A.R.

30-46-15 is issued. (Authorized by K.S.A. 39-708c; implementing K.S.A. 2023 Supp. 38-2226, K.S.A. 39-708c, and K.S.A. 2023 Supp. 65-516, as amended by L. 2024, ch. 15, sec. 45; effective Jan. 2, 1989; amended Oct. 28, 1991; amended July 1, 1997; amended July 9, 2004; amended, T-30-11-15-18; Nov. 15, 2018; amended Feb. 22, 2019; amended Jan. 3, 2025.)

30-46-15. Notice of decision. (a) Each substantiated perpetrator shall be notified in writing of the secretary’s decision to substantiate the perpetrator for the purpose of placing the name of the perpetrator in the child abuse and neglect central registry. The notice shall specify the reasons for the finding and shall inform the substantiated perpetrator of the perpetrator’s right to appeal the decision.

(b) Each unsubstantiated alleged perpetrator shall be notified in writing of the secretary’s decision that based on a preponderance of evidence, the alleged perpetrator has not committed an alleged act of abuse or neglect. (Authorized by K.S.A. 39-708c; implementing K.S.A. 2023 Supp. 38-2226, K.S.A. 39-708c, and K.S.A. 2023 Supp. 65-516, as amended by L. 2024, ch. 15, sec. 45; effective Jan. 2, 1989; amended Oct. 28, 1991; amended July 1, 1997; amended July 9, 2004; amended, T-30-11-15-18, Nov. 15, 2018; amended Feb. 22, 2019; amended Jan. 3, 2025.)

Laura Howard
Secretary

Department for Children and Families

Doc. No. 052742

INDEX TO ADMINISTRATIVE REGULATIONS

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

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-15-5	Amended (T)	V. 43, Issue 42
4-15-7	Amended (T)	V. 43, Issue 42

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-5	Amended	V. 43, Issue 50
86-1-10	Amended	V. 43, Issue 50

AGENCY 111: KANSAS LOTTERY

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

Reg. No.	Action	Register
111-2-331	New	V. 43, Issue 46
111-4-3547	Amended	V. 43, Issue 31
111-4-3771	New	V. 43, Issue 5
111-4-3772	New	V. 43, Issue 11
111-4-3773	New	V. 43, Issue 12
111-4-3774	New	V. 43, Issue 14
111-4-3775	New	V. 43, Issue 29

111-4-3776	New	V. 43, Issue 29	111-19-190	New	V. 43, Issue 45
111-4-3777	New	V. 43, Issue 29	111-19-191	New	V. 43, Issue 45
111-4-3778	New	V. 43, Issue 29	111-19-192	New	V. 43, Issue 46
111-4-3779	New	V. 43, Issue 29	111-19-193	New	V. 43, Issue 47
111-4-3780	New	V. 43, Issue 29	111-19-194	New	V. 43, Issue 47
111-4-3781	New	V. 43, Issue 29	111-19-195	New	V. 43, Issue 47
111-4-3782	New	V. 43, Issue 29	111-20-1	New	V. 43, Issue 5
111-4-3783	New	V. 43, Issue 29	111-20-2	New	V. 43, Issue 5
111-4-3784	New	V. 43, Issue 30	111-20-3	New	V. 43, Issue 5
111-4-3785	New	V. 43, Issue 30	111-20-4	New	V. 43, Issue 5
111-4-3786	New	V. 43, Issue 30	111-20-5	New	V. 43, Issue 5
111-4-3787	New	V. 43, Issue 30	111-20-6	New	V. 43, Issue 5
111-4-3788	New	V. 43, Issue 30	111-20-7	New	V. 43, Issue 5
111-4-3789	New	V. 43, Issue 30	111-20-8	New	V. 43, Issue 5
111-4-3790	New	V. 43, Issue 31	111-20-9	New	V. 43, Issue 5
111-4-3791	New	V. 43, Issue 31	111-20-10	New	V. 43, Issue 5
111-4-3792	New	V. 43, Issue 31	111-20-11	New	V. 43, Issue 5
111-4-3793	New	V. 43, Issue 31	111-20-12	New	V. 43, Issue 5
111-4-3794	New	V. 43, Issue 36	111-20-13	New	V. 43, Issue 5
111-4-3795	New	V. 43, Issue 36	111-20-14	New	V. 43, Issue 5
111-4-3796	New	V. 43, Issue 36	111-20-15	New	V. 43, Issue 5
111-4-3797	New	V. 43, Issue 36	111-20-16	New	V. 43, Issue 5
111-4-3798	New	V. 43, Issue 36	111-20-17	New	V. 43, Issue 5
111-4-3799	New	V. 43, Issue 36	111-20-18	New	V. 43, Issue 5
111-4-3800	New	V. 43, Issue 36	111-20-19	New	V. 43, Issue 5
111-4-3801	New	V. 43, Issue 36	111-20-20	New	V. 43, Issue 5
111-4-3802	New	V. 43, Issue 36	111-20-21	New	V. 43, Issue 5
111-4-3803	New	V. 43, Issue 36	111-20-22	New	V. 43, Issue 5
111-4-3804	New	V. 43, Issue 36	111-20-23	New	V. 43, Issue 5
111-4-3805	New	V. 43, Issue 36	111-21-1	New	V. 43, Issue 11
111-4-3806	New	V. 43, Issue 36	111-21-2	New	V. 43, Issue 11
111-4-3807	New	V. 43, Issue 36	111-21-3	New	V. 43, Issue 11
111-4-3808	New	V. 43, Issue 45	111-21-4	New	V. 43, Issue 11
111-4-3809	New	V. 43, Issue 45	111-21-5	New	V. 43, Issue 11
111-4-3810	New	V. 43, Issue 45	111-21-6	New	V. 43, Issue 11
111-4-3811	New	V. 43, Issue 46	111-21-7	New	V. 43, Issue 11
111-4-3812	New	V. 43, Issue 46	111-21-8	New	V. 43, Issue 11
111-4-3813	New	V. 43, Issue 46	111-21-9	New	V. 43, Issue 11
111-4-3814	New	V. 43, Issue 46	111-21-10	New	V. 43, Issue 11
111-4-3815	New	V. 43, Issue 46	111-21-11	New	V. 43, Issue 45
111-4-3816	New	V. 43, Issue 46	111-21-12	New	V. 43, Issue 45
111-4-3817	New	V. 43, Issue 46	111-21-13	New	V. 43, Issue 45
111-4-3818	New	V. 43, Issue 46	111-21-14	New	V. 43, Issue 45
111-5-23	Amended	V. 43, Issue 46	111-22-1	New	V. 43, Issue 36
111-5-24	Amended	V. 43, Issue 46	111-22-2	New	V. 43, Issue 36
111-5-28	Amended	V. 43, Issue 46	111-22-3	New	V. 43, Issue 36
111-5-30	Amended	V. 43, Issue 46	111-22-4	New	V. 43, Issue 36
111-9-233	New	V. 43, Issue 5	111-22-5	New	V. 43, Issue 36
111-9-234	New	V. 43, Issue 12	111-22-6	New	V. 43, Issue 36
111-9-235	New	V. 43, Issue 45	111-22-7	New	V. 43, Issue 36
111-9-236	New	V. 43, Issue 45	111-22-8	New	V. 43, Issue 36
111-9-237	New	V. 43, Issue 45	111-22-9	New	V. 43, Issue 36
111-15-1	Amended	V. 43, Issue 31	111-22-10	New	V. 43, Issue 36
111-15-3	Amended	V. 43, Issue 31	111-22-11	New	V. 43, Issue 36
111-18-5	Amended	V. 43, Issue 12	111-22-12	New	V. 43, Issue 36
111-19-169	New	V. 43, Issue 5	111-22-13	New	V. 43, Issue 36
111-19-170	New	V. 43, Issue 12	111-23-1	New	V. 43, Issue 36
111-19-171	New	V. 43, Issue 12	111-23-2	New	V. 43, Issue 36
111-19-172	New	V. 43, Issue 12	111-23-3	New	V. 43, Issue 36
111-19-173	New	V. 43, Issue 12	111-23-4	New	V. 43, Issue 36
111-19-174	New	V. 43, Issue 14	111-23-5	New	V. 43, Issue 45
111-19-175	New	V. 43, Issue 14	111-23-6	New	V. 43, Issue 45
111-19-176	New	V. 43, Issue 14	111-23-7	New	V. 43, Issue 45
111-19-177	New	V. 43, Issue 29	111-23-8	New	V. 43, Issue 45
111-19-178	New	V. 43, Issue 29	111-301-4	Amended	V. 43, Issue 45
111-19-179	New	V. 43, Issue 29	111-301-5	Amended	V. 43, Issue 45
111-19-180	New	V. 43, Issue 29	111-313-1	New	V. 43, Issue 47
111-19-181	New	V. 43, Issue 30	111-313-2	New	V. 43, Issue 47
111-19-182	New	V. 43, Issue 30	111-313-3	New	V. 43, Issue 47
111-19-183	New	V. 43, Issue 31	111-313-4	New	V. 43, Issue 47
111-19-184	New	V. 43, Issue 36	111-313-5	New	V. 43, Issue 47
111-19-185	New	V. 43, Issue 45	111-313-6	New	V. 43, Issue 47
111-19-186	New	V. 43, Issue 45	111-501-68	Amended	V. 43, Issue 45
111-19-187	New	V. 43, Issue 45	111-501-113	Amended	V. 43, Issue 11
111-19-188	New	V. 43, Issue 45	111-501-120	Amended	V. 43, Issue 45
111-19-189	Amended	V. 43, Issue 47	111-501-155	Amended	V. 43, Issue 11

111-501-161 New V. 43, Issue 30

AGENCY 112: RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-201-1	New (T)	V. 42, Issue 44
112-201-2	New (T)	V. 42, Issue 44
112-201-3	New (T)	V. 42, Issue 44
112-201-4	New (T)	V. 42, Issue 44
112-201-5	New (T)	V. 42, Issue 44
112-201-6	New (T)	V. 42, Issue 44
112-201-7	New (T)	V. 42, Issue 44
112-201-8	New (T)	V. 42, Issue 44
112-201-9	New (T)	V. 42, Issue 44
112-201-10	New (T)	V. 42, Issue 44
112-201-11	New (T)	V. 42, Issue 44
112-201-12	New (T)	V. 42, Issue 44
112-201-13	New (T)	V. 42, Issue 44
112-201-14	New (T)	V. 42, Issue 44
112-201-15	New (T)	V. 42, Issue 44
112-201-16	New (T)	V. 42, Issue 44
112-201-17	New (T)	V. 42, Issue 44
112-201-18	New (T)	V. 42, Issue 44
112-201-19	New (T)	V. 42, Issue 44
112-201-20	New (T)	V. 42, Issue 44
112-201-21	New (T)	V. 42, Issue 44
112-201-22	New (T)	V. 42, Issue 44
112-201-23	New (T)	V. 42, Issue 44
112-202-1	New (T)	V. 42, Issue 44
112-202-2	New (T)	V. 42, Issue 44
112-203-1	New (T)	V. 42, Issue 44
112-203-2	New (T)	V. 42, Issue 44
112-203-3	New (T)	V. 42, Issue 44
112-203-4	New (T)	V. 42, Issue 44
112-203-5	New (T)	V. 42, Issue 44
112-203-6	New (T)	V. 42, Issue 44
112-203-7	New (T)	V. 42, Issue 44
112-203-8	New (T)	V. 42, Issue 44
112-204-1	New (T)	V. 42, Issue 44
112-204-2	New (T)	V. 42, Issue 44
112-204-3	New (T)	V. 42, Issue 44

112-204-4	New (T)	V. 42, Issue 44
112-204-5	New (T)	V. 42, Issue 44
112-204-6	New (T)	V. 42, Issue 44
112-204-7	New (T)	V. 42, Issue 44

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-25-8	Amended	V. 43, Issue 50
115-25-9a	Amended	V. 43, Issue 50

AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT - DIVISION OF HEALTH CARE FINANCE

Reg. No.	Action	Register
129-1-1	Amended	V. 43, Issue 50
129-7-1	New	V. 43, Issue 50
129-7-2	New	V. 43, Issue 50
129-7-3	New	V. 43, Issue 50
129-7-4	New	V. 43, Issue 50
129-7-5	New	V. 43, Issue 50
129-7-8	New	V. 43, Issue 50
129-7-10	New	V. 43, Issue 50
129-7-11	New	V. 43, Issue 50
129-7-12	New	V. 43, Issue 50
129-7-13	New	V. 43, Issue 50
129-7-14	New	V. 43, Issue 50
129-7-16	New	V. 43, Issue 50
129-7-17	New	V. 43, Issue 50
129-7-18	New	V. 43, Issue 50
129-7-19	New	V. 43, Issue 50
129-7-20	New	V. 43, Issue 50
129-7-21	New	V. 43, Issue 50
129-7-22	New	V. 43, Issue 50
129-7-23	New	V. 43, Issue 50
129-7-24	New	V. 43, Issue 50
129-7-25	New	V. 43, Issue 50
129-7-65	Revoked	V. 43, Issue 50
129-8-1	New	V. 43, Issue 50
129-8-3	New	V. 43, Issue 50

129-8-4	New	V. 43, Issue 50
129-8-5	New	V. 43, Issue 50
129-8-7	New	V. 43, Issue 50
129-8-8	New	V. 43, Issue 50
129-8-10	New	V. 43, Issue 50
129-8-11	New	V. 43, Issue 50
129-8-12	New	V. 43, Issue 50
129-8-13	New	V. 43, Issue 50
129-8-14	New	V. 43, Issue 50
129-8-17	New	V. 43, Issue 50
129-8-18	New	V. 43, Issue 50
129-8-19	New	V. 43, Issue 50
129-8-20	New	V. 43, Issue 50
129-8-22	New	V. 43, Issue 50
129-8-23	New	V. 43, Issue 50
129-8-24	New	V. 43, Issue 50
129-8-25	New	V. 43, Issue 50
129-9-1	New	V. 43, Issue 50
129-9-2	New	V. 43, Issue 50
129-9-3	New	V. 43, Issue 50
129-9-4	New	V. 43, Issue 50
129-9-5	New	V. 43, Issue 50
129-9-6	New	V. 43, Issue 50
129-9-7	New	V. 43, Issue 50
129-9-8	New	V. 43, Issue 50
129-9-10	New	V. 43, Issue 50
129-9-11	New	V. 43, Issue 50
129-9-12	New	V. 43, Issue 50
129-9-13	New	V. 43, Issue 50
129-9-14	New	V. 43, Issue 50
129-9-15	New	V. 43, Issue 50
129-9-17	New	V. 43, Issue 50
129-9-18	New	V. 43, Issue 50
129-9-19	New	V. 43, Issue 50
129-9-20	New	V. 43, Issue 50
129-9-21	New	V. 43, Issue 50
129-9-22	New	V. 43, Issue 50
129-9-23	New	V. 43, Issue 50
129-9-24	New	V. 43, Issue 50
129-9-25	New	V. 43, Issue 50

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