



# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 29, No. 7

February 18, 2010

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The Kansas Register (USPS 0662-190) 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. One-year subscriptions are \$80 (Kansas residents must include applicable state and local sales tax). Single copies, if available, may be purchased for \$2. **Periodicals postage paid at Topeka, Kansas. POSTMASTER:** Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

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Hard copy subscription information and current and back issues of the Kansas Register (PDF format) can be found at the following link: [http://www.kssos.org/pubs/pubs\\_kansas\\_register.asp](http://www.kssos.org/pubs/pubs_kansas_register.asp)

**Published by**  
 Ron Thornburgh  
 Secretary of State  
 1st Floor, Memorial Hall  
 120 S.W. 10th Ave.  
 Topeka, KS 66612-1594  
 (785) 296-4564  
 www.kssos.org



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State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking a qualified consulting engineering firm or team, prequalified in categories 322 (Bridge Inspection) and 323 (Underwater Bridge Inspection), for the project listed below. Eight signed copies of the response can be mailed to David Nagy, P.E., Assistant to the Bureau Chief of Design/Contracts Engineer, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Interest responses shall be limited to four pages and must be received by noon March 5 for the consulting engineering firm to be considered.

Please note: Category 323 (Underwater Bridge Inspection) requires commercial divers. If a consultant is not prequalified in category 323, it must retain staff or "team" with a commercial diving company. View categories at [www.ksdot.org/divengdes/prequal](http://www.ksdot.org/divengdes/prequal).

The Consultant Shortlist Committee will select three to five of the most highly qualified firms expressing interest and schedule an individual interview. The consulting firms can more thoroughly discuss their experience related to the project at the interview and will be expected to discuss their approach to this project in detail and the personnel to be assigned to this project. Firms not selected to be short-listed will be notified.

The Consultant Selection Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified of the outcome.

**106 KA-1675-01  
Statewide**

This project is to investigate and prepare reports for underwater bridge inspections in accordance with FHWA-DP-90-1 within calendar year 2010. The project has twenty-one (21) locations, which includes four (4) Missouri River crossings. The consultant will need to augment the underwater diving inspections with side scan radar technology. The consultant also will be an "on-call" consultant for additional underwater inspections through calendar year 2014 as warranted by flood events.

It is KDOT's policy to use the following criteria as the basis for selection of the consulting engineering firms:

1. Size and professional qualifications;
2. experience of staff;
3. location of firm with respect to proposed project;
4. work load of firm; and
5. firm's performance record.

The firm's accounting systems must have the following capabilities before the firm may be awarded a contract:

- Valid, reliable and current costs must be available within the system to support cost and pricing data;
- capability to provide a means of measuring the reasonableness of incurred costs;

- capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger; and
- ability to provide supporting documentation of actual expenditures for each billing, based on costs.

Deb Miller  
Secretary of Transportation

Doc. No. 038036

State of Kansas

Board of Nursing

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 11 a.m. Friday, May 21, in Room 1051 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the revocation of one existing regulation relating to the advisory committee for IV therapy.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comment on the proposed revocation of one regulation. All interested parties may submit written comments prior to the hearing to the executive administrator of the Board of Nursing, Room 1051, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the revocation of the regulation during the hearing. Phone comments will be taken by calling (877) 278-8686 (access code 161046) at 11 a.m. the day of the hearing. In order to give all persons the opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes.

A summary of the regulation and the economic impact follows:

**K.A.R. 60-16-105. Advisory committee.** The proposed revocation of this regulation deletes the stand-alone advisory committee for IV therapy. This committee has been incorporated into the practice committee for the board of nursing. There is no negative economic impact for the State Board of Nursing, other governmental entities, private business or individuals.

A copy of the regulation and associated economic impact statement may be obtained by accessing the Board of Nursing Web site at [www.ksbn.org](http://www.ksbn.org) or by contacting the executive administrator at the address above, (785) 296-5752, prior to the date of hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advanced of the hearing by contacting the Board of Nursing.

Mary Blubaugh, MSN, RN  
Executive Administrator

Doc. No. 038025

## State of Kansas

## Home Inspectors Registration Board

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted by teleconference at 1 p.m. Friday, April 23, to consider the adoption of the following proposed regulations as permanent regulations of the Kansas Home Inspectors Registration Board. To attend the teleconference, members of the public may be present in the conference room at either of the following two locations: Joseph & Hollander, P.A., 500 N. Market St., Wichita, or Coldwell Banker Regan, 11900 Shawnee Mission Parkway, Shawnee.

This 60-day notice of the public hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments to the Kansas Home Inspection Registration Board, 610 Rivera, Mulvane, 67110. Written comments must be received at or prior to the hearing. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

A summary of the proposed regulations and their economic impact follows:

**Article 4.—CODE OF ETHICS AND  
STANDARDS OF PRACTICE**

**130-4-1.** This regulation would adopt the code of ethics approved by the board April 17, 2009. The regulation is currently in effect as a temporary regulation.

**130-4-2.** This regulation would adopt the standards of practice approved by the board September 17, 2009. The regulation is currently in effect as a temporary regulation.

The proposed regulations have little or no calculable economic impact on individuals who perform home inspections in Kansas.

Copies of the proposed regulations and economic impact statement may be obtained by sending a request to Kansas Home Inspection Registration Board at the address above or may be viewed at [www.ksinspectors.org](http://www.ksinspectors.org).

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting the Kansas Home Inspection Registration Board.

Jeff Barnes  
President

Doc. No. 038042

## State of Kansas

## Department of Wildlife and Parks

## Public Notice

The Kansas Department of Wildlife and Parks is proposing to purchase a tract of land in Labette County. The parcel consists of 2,015.51 acres in Sections 22, 23, 25, 26, 27, 33, 34, 35, 36, T31S, R20E and S31, 32 of T31S, R21E, and S1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 22, 23, 24 T32S, R20E and S 5, 6, 7, 18, 19 of T32S, R21E of the sixth principal meridian, Labette County, Kansas. The property is located on a portion of the former Parsons Kansas Army Ammunition Plant and is currently owned by the United States Army. Purchase would be funded in part from Federal Aid in Wildlife Restoration funds from the Fish and Wildlife Service, Department of Interior (CFDA #15.611).

Written comments concerning the purchase may be sent to the Kansas Department of Wildlife and Parks, Federal Aid Coordinator, 1020 S.W. Kansas Ave., Room 200, Topeka, 66612. The comment period will close as of March 12. This tract would remain on the county tax rolls.

J. Michael Hayden  
Secretary of Wildlife and Parks

Doc. No. 038039

## State of Kansas

## Department of Wildlife and Parks

## Notice of Meetings

Pursuant to K.S.A. 32-960, the Department of Wildlife and Parks will conduct public informational meetings to present background information regarding certain species that have been petitioned and may be considered for listing as threatened or endangered species. These meetings coincide with scientific review of the species outside the agency, at least 90 days prior to submission of any proposed listing action to the Wildlife and Parks Commission, and are scheduled as follows:

**April 27 (Tuesday), 7 p.m.**

Lee Richardson Zoo  
Finnup Center for Conservation Education  
312 Finnup Drive, Garden City

**April 28 (Wednesday), 1 p.m.**

Meade County 4-H Building  
707 W. Washington, Meade

**April 29 (Thursday), 7 p.m.**

Great Plains Nature Center  
Auditorium  
6232 E. 29th St. North, Wichita

**May 3 (Monday), 7 p.m.**

Kansas Wildlife and Parks Region 2 Office  
300 Wanamaker Road, Topeka

Species being petitioned, discussed and reviewed for **listing** to threatened or endangered: lesser prairie chicken (*Tympanuchus pallidicinctus*).

J. Michael Hayden  
Secretary of Wildlife and Parks

Doc. No. 038043

## State of Kansas

## Department of Wildlife and Parks

## Public Notice

The Kansas Department of Wildlife and Parks is proposing to purchase a tract of land in Labette County. The parcel consists approximately 975.2 acres described as Sections 33 and 34, Township 31 South, Range 20 East, Labette County, Kansas, and Sections 3 and 4, Township 32 South, Range 20 East, Labette County, Kansas. The appraised value is approximately \$1,303,500. The purchase price shall be \$1,000,000. Purchase would be funded in part from Federal Aid in Wildlife Restoration funds from the Fish and Wildlife Service, Department of Interior (CFDA #15.611). This tract shall be known as Parsons Wildlife Area and payment shall be made in lieu of taxes.

Written comments concerning the purchase may be sent to the Kansas Department of Wildlife and Parks, Federal Aid Coordinator, 1020 S.W. Kansas Ave., Room 200, Topeka, 66612. The comment period will close as of March 12. This tract would remain on the county tax rolls.

J. Michael Hayden  
Secretary of Wildlife and Parks

Doc. No. 038040

## State of Kansas

Department of Agriculture  
Division of Water ResourcesNotice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Wednesday, April 21, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of an amendment to an existing rule and regulation on a permanent basis.

**K.A.R. 5-17-2. Application to deposit a water right into a water bank or withdraw a deposit.** The proposed amendment to the regulation changes the deadline for an application to deposit a water right into a water bank and changes the eligibility requirements for a water right to be deposited into a water bank.

**Economic Impact:** There will be no fiscal impact to the agency, governmental agencies and upon private business or individuals.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendment to the rule and regulation. All interested parties may submit written comments prior to the hearing to the chief engineer, Division of Water Resources, Department of Agriculture, 109 S.W. 9th, 2nd Floor, Topeka, 66612, or by e-mail at [leslie.garner@kda.ks.gov](mailto:leslie.garner@kda.ks.gov). Comments also may be made through the department's Web site, under the proposed regulation. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Leslie Garner at (785) 296-4623 or fax (785) 368-6668. Handicapped parking is located at the southwest corner of 9th and Kansas Ave., and the north entrance to the building is accessible to individuals with disabilities.

Copies of the regulation and its economic impact statement may be obtained by contacting Leslie Garner at the contact information above or by accessing the department's Web site at <http://www.ksda.gov>.

David W. Barfield  
Chief Engineer  
Division of Water Resources

Doc. No. 038031

## State of Kansas

## Social and Rehabilitation Services

## Request for Proposals

The Department of Social and Rehabilitation Services' Division of Disability and Behavioral Health Services-Mental Health (DBHS-MH) announces the release of the Interim Housing Grant for fiscal year 2011. The intended use of the grant is to continue or create new interim housing projects for persons experiencing severe and persistent mental illness and youth (18-21) with serious emotional disturbance. Interim housing is short-term (up to six months) project-based housing that provides immediate housing for persons living in the community but who are homeless or for persons who are homeless who are leaving a state hospital, nursing facility for mental health or any other state-funded institution or system of care setting. The goal of the Interim Housing Grant is for community mental health centers to provide immediate housing, in lieu of discharging individuals to homeless shelters, and then assisting participants to rapidly obtain permanent housing. The funds may be used to buy household items for the property(ies). This grant will be awarded to community mental health centers or their affiliates that have the ability to make a community and system-wide impact.

The RFP is posted on the SRS/DBHS/MH RFP Web site at <http://www.srskansas.org/hcp/MHSIP/MHSIPRFPs.htm>.

Direct written comments or questions regarding the intended use of interim housing by March 19 to Daniel Klucas, Grants Development Manager, 8th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, (785) 296-3248, fax (785) 296-4676, or [Daniel.Klucas@srs.ks.gov](mailto:Daniel.Klucas@srs.ks.gov).

Don Jordan  
Secretary of Social and  
Rehabilitation Services

Doc. No. 038032

## State of Kansas

## Department of Commerce

Notice of Amendment to the  
Kansas Consolidated Plan

The Kansas Department of Commerce (KDOC) is proposing to amend the Community Development Block Grant Action Plan for program year 2008 and modify the Neighborhood Stabilization Program (NSP) Action Plan. KDOC is proposing to reallocate unobligated funding under NSP to the following current NSP grantees:

- Unified Government of Wyandotte County/  
Kansas City — \$1,000,000
- City of Ottawa — \$322,837
- Miami County — \$15,000

Two subgrantees, Crawford County and Jefferson County, have declined participation in the program.

The NSP Action Plan and additional program information is available on the KDOC Web site at [www.kansascommerce.com](http://www.kansascommerce.com). Comments on this amendment will be accepted until March 5. For additional information, contact the Kansas Department of Commerce, Rural Development Division, 1000 S.W. Jackson, Suite 100, Topeka, 66612, (785) 296-3004, or [www.kansascommerce.com](http://www.kansascommerce.com).

Carole Jordan, Director  
Rural Development Division

Doc. No. 038026

## State of Kansas

## Wildlife and Parks Commission

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, April 22, at the Great Plains Nature Center, 6232 E. 29th St. North, Wichita, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife and Parks.

A general discussion and workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. April 22 at the location listed above. The meeting will recess at 5:30 p.m., then resume at 7 p.m. at the same location for more business and the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete business matters, the commission will reconvene at 9 a.m. April 23 at the same location.

Any individual with a disability may request accommodation in order to participate in the public meeting and may request the meeting materials in an accessible format. Requests for accommodation to participate in the meeting should be made at least five working days in advance of the meeting by contacting Sheila Kemmis, commission secretary, at (620) 672-5911. Persons with a hearing impairment may call the Kansas Commission for

the Deaf and Hard of Hearing at (800) 432-0698 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on proposed administrative regulations. All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, 1020 S. Kansas Ave., Suite 200, Topeka, 66612, or to [sheilak@wp.state.ks.us](mailto:sheilak@wp.state.ks.us) if electronically. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

**K.A.R. 115-4-4.** This permanent regulation establishes legal equipment and taking methods for big game. The proposed amendment would clarify that archery and crossbow big game hunters could possess non-broadhead-tipped arrows as long as the arrows are not used to take big game.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-4-4a.** This permanent regulation establishes legal equipment and taking methods for wild turkeys. The proposed amendment would clarify that archery and crossbow wild turkey hunters could possess non-broadhead-tipped arrows as long as the arrows are not used to take wild turkeys.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-18-7.** This permanent regulation establishes use of crossbows and locking draws for big game and wild turkey hunting by persons with disabilities. The proposed amendment would clarify that crossbow big game and wild turkey hunters could possess non-broadhead-tipped arrows as long as the arrows are not used to take big game and wild turkeys.

Economic Impact Summary: The proposed amendments are not anticipated to have any appreciable negative economic impact on the department, other agencies, small businesses or the public.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by writing the chairman of the commission at the address above, electronically on the department's Web site at [www.kdwp.state.ks.us](http://www.kdwp.state.ks.us), or by calling (785) 296-2281.

Kelly Johnston  
Chairman

Doc. No. 038029

(Published in the Kansas Register February 18, 2010.)

## Coffey County, Kansas

### Notice of Proposed DBE Program

Coffey County has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation, 49 CFR Part 26, for FAA funding at the Coffey County Airport. The county anticipates receiving federal financial assistance from the Department of Transportation, and, as a condition of receiving this assistance, the county will sign an assurance that it will comply with 49 CFR Part 26.

The county's overall project-specific goal for FY 2010 is 2.91 percent of the federal financial assistance.

The proposed DBE Program is available for public inspection and comment at the office of the Airport Manager, Coffey County Airport, 1899 Highway 75, Burlington, 66839. The county will accept comments on the goals for 30 days from the date of this notice. Comments can be sent to Darren Isch, Airport Manager.

Darren Isch  
Airport Manager

Doc. No. 038030

## State of Kansas

### Kansas Insurance Department

#### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 1:30 p.m. Tuesday, April 20, in the third floor conference room, Kansas Insurance Department, 420 S.W. 9th, Topeka, to consider the adoption of a proposed rule and regulation.

The 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to John Wine, Kansas Insurance Department, 420 S.W. 9th, Topeka, 66612-1678, via facsimile at (785) 291-3673, or via e-mail at [jwine@ksinsurance.org](mailto:jwine@ksinsurance.org). All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing.

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

**K.A.R. 40-4-43. Hospital, medical, surgical expense insurance policies and certificates, prohibiting certain types of discrimination.** This regulation is being proposed to prohibit an unfair discriminatory practice in the administration of health insurance policies. Without this regulation cancer patients could experience negative economic impact if they choose to participate in a clinical trial. Currently a cancer patient whose physician recommends participation in an approved clinical trial at the University of Kansas Medical Center might be forced to choose between participation in the trial or insurance coverage for all other costs of treatment for the condition. In some cases where the insured elected to participate in the trial, the company not only denied the costs of the trial, but refused to reimburse costs that would have been reimbursed if the insured had not participated in the trial.

Although this regulation would not require any insurance company to pay for the costs of participation in the clinical trial itself, it would prohibit the company from suspending payment for costs that would otherwise have been incurred.

The proposed regulation is not mandated by federal law.

There will be a positive economic impact on cancer patients and the University of Kansas Medical Center to the extent that participation in an approved trial is made economically feasible by this regulation. Affected insurance companies will experience a negative economic impact only if they insured cancer patients who without this regulation would have forfeited coverage in order to participate in a trial. There will be no economic impact on insurance companies to the extent that the cancer patients were foregoing participation in the trial in order to receive benefits from the companies. The amount of economic impact is impossible to identify with precision. There will be no other known economic impact on the department or other government agencies, small businesses or the general public.

K.S.A. 40-2404a expressly authorizes the Kansas Insurance Department to adopt regulations identifying specific methods of unfair discrimination and no other less costly or less intrusive approach for achieving the stated purpose was found.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and the economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting John Wine at (785) 296-7847 or via e-mail at [jwine@ksinsurance.org](mailto:jwine@ksinsurance.org). Any individual desiring a copy of this regulation and/or the policy and procedure that is being adopted by reference, if applicable, may obtain a copy from the department's Web site, [www.ksinsurance.org](http://www.ksinsurance.org), under the Legal Issues link, or by contacting John Wine. The charge for copies is 50 cents per page.

Sandy Praeger  
Kansas Insurance Commissioner

Doc. No. 038033

## State of Kansas

### Legislature

#### Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced February 4-10 by the 2010 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 58-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at [www.kslegislature.org](http://www.kslegislature.org).

#### House Bills

**HB 2649.** An act designating little bluestem (*schizachyrium scoparium*) as the state grass of Kansas, by Committee on Federal and State Affairs.

(continued)

**HB 2650**, An act designating part of United States highway 75 as the James Lane Freedom Trail memorial highway; amending K.S.A. 68-1051 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2651**, An act concerning lotteries; dealing with debt setoff for child support; amending K.S.A. 2009 Supp. 75-3306 and 75-6202 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2652**, An act concerning the Kelsey Smith act; amending K.S.A. 2009 Supp. 22-4615 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2653**, An act regulating traffic; concerning United States postal service vehicles; amending K.S.A. 2009 Supp. 8-1520a and 8-2118 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2654**, An act concerning elections; relating to changing the date of primary elections from April to August; amending K.S.A. 12-1004, 12-1005a, 12-1005b, 12-1005c, 12-1036d, 12-1037, 14-1204, 19-3507, 24-412, 25-2006, 25-2007, 25-2010, 25-2018, 25-2023, 25-2102, 25-2107, 25-2109, 25-2120, 25-2311, 25-2502, 25-3503, 25-3901, 71-1413 and 71-1414 and K.S.A. 2009 Supp. 14-201, 25-1122 and 25-2108a and repealing the existing sections, by Committee on Elections.

**HB 2655**, An act concerning crimes, criminal procedure and punishment; relating to good time credits in community correctional services; amending K.S.A. 21-4703 and 21-4706 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2656**, An act concerning the code of civil procedure; amending K.S.A. 8-113a, 21-4311, 21-4623, 21-4624, 21-4634, 21-4718, 22-2408, 22-2516, 22-2807, 22-2901, 22-2902, 22-3208, 22-3212, 22-3302, 22-3305, 22-3428, 22-3428a, 22-3501, 22-3502, 22-3603, 22-3608, 22-3609, 22-3609a, 22-3707, 22-3902, 22-4006, 22-4904, 22-4905, 22-4907, 23-4,107, 23-701, 26-503, 26-510, 59-807, 59-2947, 59-29a14, 59-29b47, 59-3052, 60-101, 60-102, 60-103, 60-104, 60-201, 60-202, 60-203, 60-204, 60-205, 60-207, 60-208, 60-209, 60-210, 60-211, 60-212, 60-213, 60-214, 60-215, 60-217, 60-218, 60-219, 60-220, 60-221, 60-222, 60-223, 60-223a, 60-223b, 60-224, 60-225, 60-227, 60-228, 60-229, 60-230, 60-231, 60-232, 60-235, 60-236, 60-238, 60-239, 60-240, 60-241, 60-242, 60-243, 60-244, 60-245a, 60-246, 60-247, 60-248, 60-249, 60-249a, 60-250, 60-251, 60-252, 60-252a, 60-252b, 60-254, 60-255, 60-257, 60-258, 60-258a, 60-259, 60-260, 60-261, 60-262, 60-263, 60-264, 60-265, 60-266, 60-267, 60-268, 60-270, 60-271, 60-301, 60-302, 60-304, 60-305, 60-305a, 60-306, 60-307, 60-309, 60-310, 60-311, 60-312, 60-313, 60-612, 60-712, 60-731, 60-735, 60-738, 60-739, 60-740, 60-904, 60-1005, 60-1006, 60-1009, 60-1011, 60-1207, 60-1305, 60-1629, 60-2002, 60-2103, 60-2103a, 60-2414, 60-2604, 60-2801, 60-2802, 60-2803, 60-3106, 60-31a05, 60-4109, 60-4112, 60-4113, 60-4116, 61-2709, 61-2904, 61-2912, 61-3002, 61-3006, 61-3101, 61-3103, 61-3105, 61-3201, 61-3301, 61-3504, 61-3508, 61-3509, 61-3511, 61-3512, 61-3513, 61-3604, 61-3701, 61-3702, 61-3705, 61-3807, 61-3808, 61-3902, 61-3904 and 61-3905 and K.S.A. 2009 Supp. 8-235, 8-259, 8-1002, 8-1020, 21-4316, 22-3437, 22-3717, 26-505, 26-506, 26-507, 26-508, 38-2229, 38-2255, 38-2258, 38-2305, 38-2329, 38-2343, 38-2350, 38-2362, 38-2371, 38-2373, 38-2374, 38-2381, 59-2401a, 60-206, 60-216, 60-226, 60-233, 60-234, 60-237, 60-245, 60-253, 60-256, 60-303, 60-308, 60-736, 60-1007, 60-1505, 60-1607, 60-2102, 60-2409, 60-3503, 60-4107, 61-2707, 61-3703 and 77-503 and repealing the existing sections; also repealing K.S.A. 60-248a and 60-258b, by Committee on Judiciary.

**HB 2657**, An act concerning information technology; establishing the Kansas partnership for accessible technology, by Committee on Federal and State Affairs.

**HB 2658**, An act concerning the state fair board; authorizing the purchase of workers compensation insurance, by Committee on Appropriations.

**HB 2659**, An act concerning lodging establishments; relating to license requirements; amending K.S.A. 36-505, 36-515a and 36-517 and K.S.A. 2009 Supp. 36-503, 36-515, 36-518 and 79-201b and repealing the existing sections; also repealing K.S.A. 2009 Supp. 36-502, by Committee on Appropriations.

**HB 2660**, An act relating to motor vehicles; concerning recreational off-highway vehicles; amending K.S.A. 2009 Supp. 8-126, 8-128, 8-197, 8-198, 8-1486, 8-1493, 8-1494 and 8-2118 and repealing the existing sections, by Committee on Transportation.

**HB 2661**, An act concerning crimes, criminal procedure and punishments; concerning drug crimes; amending K.S.A. 2009 Supp. 12-4104, 21-36a05, 21-36a06, 21-36a08, 21-36a10, 21-4203, 21-4204, 21-4226, 21-4704, 22-3901, 22-4902, 59-2132, 65-516, 72-1397, 72-5445, 75-7c04 and 76-11a13 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2662**, An act concerning energy; establishing the wind generation permit act, by Committee on Energy and Utilities.

**HB 2663**, An act concerning cities and counties; creating energy management districts, by Committee on Energy and Utilities.

**HB 2664**, An act concerning income taxation; relating to credits; certain contributions by taxpayers to employment security fund, by Committee on Commerce and Labor.

**HB 2665**, An act concerning labor and employment; providing for the individual unemployment insurance savings account program, by Committee on Commerce and Labor.

**HB 2666**, An act concerning the animal health department; relating to fees; amending K.S.A. 47-1001e and K.S.A. 2009 Supp. 47-1011, 47-1503 and 47-2101 and repealing the existing sections, by Committee on Appropriations.

**HB 2667**, An act concerning domestic relations; relating to recodification of certain domestic relations matters; amending K.S.A. 20-164, 20-165, 20-302b, 23-4,118, 60-1606, 60-1613, 60-1620, 60-1629 and 60-3107 and K.S.A. 2009 Supp. 12-5005 and repealing the existing sections; also repealing K.S.A. 23-101, 23-201, 60-1608, 60-1611, 60-1612 and 60-1616 and K.S.A. 2009 Supp. 60-1610, by Committee on Judiciary.

**HB 2668**, An act concerning crimes, punishment and criminal procedure; recodification; amending K.S.A. 22-3427 and repealing the existing section; also repealing K.S.A. 21-3101, 21-3102, 21-3103, 21-3104, 21-3105, 21-3106, 21-3107, 21-3108, 21-3109, 21-3110a, 21-3111, 21-3112, 21-3201, 21-3202, 21-3203, 21-3204, 21-3205, 21-3206, 21-3207, 21-3208, 21-3209, 21-3210, 21-3211, 21-3212, 21-3213, 21-3214, 21-3215, 21-3216, 21-3217, 21-3218, 21-3219, 21-3301, 21-3302, 21-3303, 21-3401, 21-3402, 21-3403, 21-3404, 21-3405, 21-3406, 21-3408, 21-3409, 21-3410, 21-3411, 21-3412, 21-3413, 21-3414, 21-3415, 21-3416, 21-3418, 21-3420, 21-3421, 21-3422, 21-3422a, 21-3423, 21-3424, 21-3425, 21-3426, 21-3427, 21-3428, 21-3430, 21-3434, 21-3435, 21-3437, 21-3439, 21-3442, 21-3443, 21-3444, 21-3445, 21-3446, 21-3447, 21-3448, 21-3449, 21-3450, 21-3451, 21-3452, 21-3501, 21-3502, 21-3503, 21-3504, 21-3505, 21-3506, 21-3507, 21-3508, 21-3510, 21-3511, 21-3512, 21-3513, 21-3515, 21-3516, 21-3517, 21-3518, 21-3520, 21-3521, 21-3522, 21-3601, 21-3602, 21-3603, 21-3604, 21-3604a, 21-3605, 21-3608, 21-3609, 21-3610b, 21-3612, 21-3701, 21-3703, 21-3704, 21-3707, 21-3709, 21-3710, 21-3711, 21-3712, 21-3713, 21-3714, 21-3715, 21-3716, 21-3719, 21-3720, 21-3721, 21-3722, 21-3724, 21-3725, 21-3726, 21-3727, 21-3728, 21-3729, 21-3730, 21-3731, 21-3734, 21-3738, 21-3739, 21-3742, 21-3743, 21-3744, 21-3748, 21-3749, 21-3750, 21-3751, 21-3755, 21-3756, 21-3757, 21-3758, 21-3759, 21-3760, 21-3761, 21-3762, 21-3763, 21-3764, 21-3765, 21-3766, 21-3801, 21-3802, 21-3805, 21-3807, 21-3808, 21-3809, 21-3810, 21-3812, 21-3813, 21-3814, 21-3815, 21-3816, 21-3817, 21-3818, 21-3819, 21-3820, 21-3821, 21-3822, 21-3823, 21-3824, 21-3825, 21-3827, 21-3828, 21-3829, 21-3830, 21-3831, 21-3832, 21-3833, 21-3834, 21-3835, 21-3836, 21-3837, 21-3838, 21-3839, 21-3840, 21-3841, 21-3842, 21-3844, 21-3845, 21-3846, 21-3847, 21-3848, 21-3849, 21-3850, 21-3851, 21-3852, 21-3853, 21-3854, 21-3855, 21-3856, 21-3901, 21-3902, 21-3903, 21-3904, 21-3905, 21-3910, 21-3911, 21-3912, 21-4001, 21-4002, 21-4003, 21-4004, 21-4005, 21-4006, 21-4009, 21-4010, 21-4011, 21-4012, 21-4013, 21-4014, 21-4016, 21-4017, 21-4018, 21-4019, 21-4101, 21-4102, 21-4103, 21-4104, 21-4105, 21-4106, 21-4106a, 21-4107, 21-4110, 21-4111, 21-4113, 21-4202, 21-4204a, 21-4206, 21-4207, 21-4208, 21-4209, 21-4209a, 21-4209b, 21-4210, 21-4211, 21-4212, 21-4213, 21-4216, 21-4219, 21-4220, 21-4221, 21-4222, 21-4223, 21-4224, 21-4225, 21-4227, 21-4228, 21-4229, 21-4230, 21-4231, 21-4232, 21-4301, 21-4301a, 21-4301b, 21-4301c, 21-4302, 21-4303, 21-4303a, 21-4304, 21-4305, 21-4306, 21-4307, 21-4308, 21-4309, 21-4311, 21-4312, 21-4313, 21-4314, 21-4317, 21-4318, 21-4401, 21-4402, 21-4403, 21-4404, 21-4405, 21-4406, 21-4407, 21-4408, 21-4409, 21-4410, 21-4501, 21-4501a, 21-4503, 21-4503a, 21-4504, 21-4601, 21-4602, 21-4603, 21-4603b, 21-4604, 21-4605, 21-4606, 21-4606a, 21-4606b, 21-4607, 21-4609, 21-4610, 21-4610a, 21-4612, 21-4613, 21-4614, 21-4614a, 21-4615, 21-4618, 21-4620, 21-4621, 21-4622, 21-4623, 21-4624, 21-4625, 21-4626, 21-4627, 21-4629, 21-4630, 21-4631, 21-4632, 21-4633, 21-4634, 21-4635, 21-4636, 21-4637, 21-4638, 21-4639, 21-4640, 21-4641, 21-4643, 21-4644, 21-4645, 21-4701, 21-4702, 21-4703, 21-4706, 21-4707, 21-4709, 21-4710, 21-4711, 21-4716, 21-4718, 21-4720, 21-4721, 21-4722, 21-4723, 21-4724, 21-4725, 21-4726, 21-4727, 21-4728 and 21-4801 and K.S.A. 2009 Supp. 21-3110, 21-3412a, 21-3419, 21-3419a, 21-3436, 21-3438, 21-3523, 21-3525, 21-3608a, 21-3610, 21-3610c, 21-3702, 21-3705, 21-3718, 21-3736, 21-3737, 21-3811, 21-3826, 21-3843, 21-4015a, 21-4201, 21-4203, 21-4204, 21-4205, 21-4217, 21-4218, 21-4226, 21-4310, 21-4315, 21-4316, 21-4319, 21-4502, 21-4603d, 21-4608, 21-4611, 21-4619, 21-4642, 21-4704, 21-4705, 21-4708, 21-4713, 21-4714, 21-4715, 21-4717, 21-4719 and 21-4729, by Committee on Judiciary.



**HB 2669**, An act establishing the Kansas employment initiative act and creating the Kansas employment first oversight commission, by Committee on Federal and State Affairs.

**HB 2670**, An act concerning crimes and criminal procedure; providing for electronic citations, complaints and notices to appear; amending K.S.A. 2009 Supp. 40-3104 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2671**, An act concerning the fire marshal; relating to investigation authority; amending K.S.A. 31-157 and repealing the existing section, by Committee on Appropriations.

**HB 2672**, An act concerning the Kansas taxpayer transparency act; amending K.S.A. 2009 Supp. 74-72,123 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2673**, An act providing for assessments on certain nursing facilities; prescribing powers, duties and functions for the Kansas health policy authority; creating the quality care assessment fund; providing for implementation and administration, by Committee on Federal and State Affairs.

**HB 2674**, An act concerning the personal and family protection act; amending K.S.A. 2009 Supp. 75-7c10 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2675**, An act concerning certain city annexation of fire district territory, by Committee on Federal and State Affairs.

**HB 2676**, An act concerning employment security law; relating to contribution rates and penalties and interest; amending K.S.A. 2009 Supp. 44-710 and 44-717 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2677**, An act concerning school districts; relating to child care facilities; amending K.S.A. 72-8236 and repealing the existing section, by Committee on Appropriations.

**HB 2678**, An act designating part of United States highway 59 as the Vern Chesbro memorial highway, by Committee on Appropriations.

**HB 2679**, An act concerning cemeteries; amending K.S.A. 2009 Supp. 17-1367 and repealing the existing section, by Committee on Appropriations.

**HB 2680**, An act regulating traffic; concerning driving in the right lane; impeding traffic; amending K.S.A. 8-1561 and K.S.A. 2009 Supp. 8-1522 and repealing the existing sections, by Committee on Appropriations.

**HB 2681**, An act establishing the passenger rail service program; providing for powers and duties of the secretary of transportation; establishing the passenger rail service revolving fund, by Committee on Appropriations.

**HB 2682**, An act concerning insurance; relating to health insurance and taxation; amending K.S.A. 2009 Supp. 40-2240 and 79-32,117 and repealing the existing sections, by Committee on Taxation.

**HB 2683**, An act concerning health insurance; relating to eligible employees; amending K.S.A. 2009 Supp. 40-2209d and repealing the existing section, by Committee on Appropriations.

### House Concurrent Resolutions

**HCR 5031**, A concurrent resolution concerning the expenditure of public moneys to finance certain litigation against the Legislature or the State of Kansas.

**HCR 5032**, A proposition to amend the constitution of the state of Kansas by adding a new article 16 thereto, concerning health care.

**HCR 5033**, A concurrent resolution remembering Bryce Miller and recommending that a future state mental health program be named the Bryce Miller Mental Health Program.

### House Resolutions

**HCR 6015**, A resolution honoring the Boy Scouts of America's Contributions to Society and Vision for the Future.

### Senate Bills

**SB 530**, An act concerning sales taxation; relating to exemptions; repealing all sales tax exemptions; amending K.S.A. 12-3418 and K.S.A. 2009 Supp. 12-189a, 41-501, 79-3602, 79-3603, 79-3606 and 82a-2101 and repealing the existing sections; also repealing K.S.A. 74-8721 and 79-3606d and K.S.A. 2009 Supp. 76-784, 79-3606e and 79-3606f, by Committee on Assessment and Taxation.

**SB 531**, An act enacting the radon certification law; amending K.S.A. 48-1625 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 532**, An act concerning alcoholic beverages; relating to licenses and eligibility; amending K.S.A. 2009 Supp. 41-311 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 533**, An act concerning crimes and criminal procedure; providing for electronic citations, complaints and notices to appear; amending K.S.A. 2009 Supp. 40-3104 and repealing the existing section, by Committee on Judiciary.

**SB 534**, An act concerning criminal procedure; relating to the correctional supervision fee; pretrial supervision fee; amending K.S.A. 21-4610a and 22-2814 and repealing the existing sections, by Committee on Judiciary.

**SB 535**, An act concerning crimes, punishment and criminal procedure; relating to parole and postrelease supervision for violent offenders and sex offenders; conditions; amending K.S.A. 2009 Supp. 22-3717 and repealing the existing section, by Committee on Judiciary.

**SB 536**, An act relating to motor vehicles; concerning recreational off-highway vehicles; amending K.S.A. 2009 Supp. 8-126, 8-128, 8-197, 8-198, 8-1486, 8-1493, 8-1494 and 8-2118 and repealing the existing sections, by Committee on Transportation.

**SB 537**, An act concerning liens and claims against real or personal property; amending K.S.A. 58-4301 and repealing the existing section, by Committee on Judiciary.

**SB 538**, An act regulating traffic; concerning school buses; amending K.S.A. 8-2009a and repealing the existing section, by Committee on Federal and State Affairs.

**SB 539**, An act concerning school finance; repealing K.S.A. 72-6406, 72-6408, 72-6411, 72-6415, 72-6416, 72-6418, 72-6419, 72-6420, 72-6422, 72-6423, 72-6424, 72-6427, 72-6429, 72-6432, 72-6436, 72-6437, 72-6444, 72-6446, 72-6447, 72-7105a and 72-8237 and K.S.A. 2009 Supp. 72-3715, 72-3716, 72-6405, 72-6407, 72-6409, 72-6410, 72-6412, 72-6413, 72-6414, 72-6414a, 72-6414b, 72-6415b, 72-6417, 72-6421, 72-6425, 72-6426, 72-6428, 72-6430, 72-6431, 72-6433, 72-6433d, 72-6434, 72-6434b, 72-6435, 72-6438, 72-6439, 72-6439a, 72-6441, 72-6442b, 72-6443, 72-6445a, 72-6448, 72-6449, 72-6450, 72-6451, 72-6452, 72-6453, 72-6454, 72-6455, 72-6456, 72-6457, 72-6458, 72-6459, 72-64b01, 72-64c01, 72-64c03, 72-64c04, 72-8238, 72-8248, 72-8249, 72-8250, 72-9509 and 72-9609, by Committee on Ways and Means.

**SB 540**, An act concerning utilities; concerning the Kansas underground utilities damage prevention act; amending K.S.A. 66-1811 and repealing the existing section, by Committee on Ways and Means.

**SB 541**, An act concerning the court of appeals; relating to the number of judges; amending K.S.A. 2009 Supp. 20-3002 and repealing the existing section, by Committee on Ways and Means.

**SB 542**, An act concerning elections; relating to changing the date of primary elections from April to August; amending K.S.A. 12-1004, 12-1005a, 12-1005b, 12-1005c, 12-1036d, 12-1037, 14-1204, 19-3507, 24-412, 25-1115, 25-2006, 25-2007, 25-2010, 25-2018, 25-2023, 25-2102, 25-2107, 25-2109, 25-2120, 25-2311, 25-2502, 25-3503, 71-1413 and 71-1414 and K.S.A. 2009 Supp. 14-201, 25-1122 and 25-2108a and repealing the existing sections, by Committee on Ways and Means.

### Senate Concurrent Resolutions

**SCR 1627**, A proposition to amend article 11 of the constitution of the state of Kansas by adding a new section thereto, concerning a budget stabilization fund in the state treasury.

### Senate Resolutions

**SR 1813**, A resolution congratulating and commending Shawnee Heights math teacher Bradley Nicks for being honored as a Milken Family National Educator.

**SR 1814**, A resolution encouraging participation in the American Heart Association's Go Red for Women campaign.

**SR 1815**, A resolution congratulating Avery Clifton for being an outstanding Kansas high school athlete and student.

**SR 1816**, A resolution congratulating the Washburn Rural High School volleyball team for winning the 2009 Class 6A State Volleyball Championship.

**SR 1817**, A resolution congratulating the Washburn Rural High School boys' soccer team for winning the 2009 Class 6A State Soccer Championship.

**SR 1818**, A resolution honoring the Boy Scouts of America's contributions to society and vision for the future and congratulating the Boy Scouts of America on its 100th Anniversary.

**SR 1819**, A resolution recommending Kevin Saunders for the position of Chairman of the President's Council on Physical Fitness and Sports.

**SR 1821**, A resolution supporting visually impaired pedestrian safety.

Doc. No. 038022

## State of Kansas

**Secretary of State****Executive Appointments**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions, and county officials are included in the Kansas Directory, which is available on the Secretary of State's Web site at [www.kssos.org](http://www.kssos.org). The following appointments were recently filed with the Secretary of State:

**Secretary of Aging**

**Martin Kennedy**, Kansas Department on Aging, 503 S. Kansas Ave., Topeka, 66603. Serves at the pleasure of the Governor. Succeeds Kathy Greenlee, resigned.

**Secretary of Agriculture**

**Joshua Svaty**, Kansas Department of Agriculture, 109 S.W. 9th, Topeka, 66612. Serves at the pleasure of the Governor. Succeeds Adrian Polansky, resigned.

**State Building Advisory Commission**

**Dwight E. Zwiener**, 531 School St., Auburn, 66402. Term expires Dec. 31, 2013. Succeeds Mark Arbuthnot.

**Advisory Commission for Children With Special Health Care Needs**

**Debra A. Whited-Burnham**, 1209 E. 2100 Road, Eudora, 66025. Term expires February 27, 2014. Reappointed.

**State Corporation Commission**

**Robert Sanders**, 4326 S.E. Oakwood St., Topeka, 66609. Term expires Jan. 15, 2012. Reappointed.

**Michael Tom Sawyer**, 1041 S. Elizabeth St., Wichita, 67213. Term expires Jan. 15, 2011. Succeeds Paul Feleciano.

**Kansas Development Finance Authority**

**Suchitra Padmanabhan**, 510 Urish Road, Topeka, 66614. Term expires January 15, 2013. Succeeds John Montgomery.

**Kansas Electric Transmission Authority**

**Timothy McKee**, 1531 Siefkin Lane, Wichita, 67208. Term expires March 15, 2013. Reappointed.

**State Board of Healing Arts**

**Brenda R. Sharpe**, 10808 W. 118th Terrace, Overland Park, 66210. Term expires June 30, 2011. Succeeds Myra Christopher.

**Kansas Health Policy Authority**

**Dr. Vernon A. Mills**, 174 Canyon View Drive, Lansing, 66043. Term expires March 15, 2013. Reappointed.

**State Board of Indigents' Defense Services**

**John Poertner**, 1646 Hillcrest Road, Lawrence, 66044. Term expires January 15, 2011. Succeeds David Herndon.

**Kansas-Missouri Metropolitan Culture Commission**

**Larry G. Meeker**, 503 Pawnee East St., Lake Quivira, 66217. Term expires Jan. 4, 2011.

**Kansas Works State Board**

**Debra K. Shepard**, 451 S. 3rd, Clearwater, 67026. Serves at the pleasure of the Governor. New position.

**State Long-Term Care Ombudsman**

**Belinda Vierthaler**, 15718 Glenwood Drive, Bonner Springs, 66012. Term expires March 15, 2012. Succeeds Gilbert Cruz.

**Northwest Kansas Regional Library System**

**Martin K. Melia**, 1550 Road 65, Goodland, 67735. Term expires June 30, 2013. Reappointed.

**Partnership Historic Site Committee**

**Edward A. Roth**, 2100 W. 50th Terrace, Westwood Hills, 66205. Term expires June 30, 2011.

**Kansas Board of Regents**

**Christine L. Downey-Schmidt**, 10320 N. Wheat State Road, Inman, 67546. Term expires June 30, 2013. Reappointed.

**Robert Daniel Lykins**, 5740 S.W. 38th St., Topeka, 66610. Term expires June 30, 2013. Reappointed.

**Juana Perkins**, 901 N. 6th, Garden City, 67846. Term expires June 30, 2013. Reappointed.

**State Use Law Committee**

**Sen. Oletha Faust-Goudeau**, P.O. Box 20335, Wichita, 67208. Term expires June 30, 2011. Reappointed.

**Linda K. Merrill-Parman**, 2340 Lighthouse Cove, Wichita, 67205. Term expires June 30, 2011. Reappointed.

**Ron Pasmore**, 12722 W. Jayson Lane Circle, Wichita, 67235. Term expires June 30, 2011. Reappointed.

**Rep. Jo Ann Pottorff**, 6321 E. 8th St. North, Wichita, 67218. Term expires June 30, 2011. Reappointed.

**State Court of Tax Appeals**

**Rebecca Crotty**, 3405 S.W. Amarosa Circle, Topeka, 66614. Term expires Jan. 15, 2013. Reappointed.

**Kansas Technology Enterprise Corporation**

**Thomas N. Cohen**, 6906 W. 129th Place, Overland Park, 66209. Term expires Jan. 15, 2011. Succeeds Ted Haggart.

**University of Kansas Hospital Authority**

**Betty T. Keim**, 3608 W. 71st St., Prairie Village, 66208. Term expires March 15, 2012. Reappointed.

**Scott Slabotsky**, 5625 W. 131 St., Leawood, 66209. Term expires March 15, 2012. Succeeds John Payne.

Ron Thornburgh  
Secretary of State

Doc. No. 038037

(Published in the Kansas Register February 18, 2010.)

## City of Overland Park, Kansas

### Notice to Bidders

Sealed bids for **Antioch Road Widening — 119th Street to I-435, KDOT No. 46 N 0374-01, Overland Park No. TH-0853, Federal No. STP-N037 (401), Johnson County CARS No. 320000781** will be received by the city of Overland Park, Kansas, at the office of the city clerk, City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212, until 2 p.m. local time March 23, 2010. At that time all sealed bids will be transferred to the City Council Chamber, City Hall, where they will be publicly opened and read aloud. Any bid received after the designated closing time will be returned unopened.

All bids shall be submitted in sealed envelopes addressed to the city clerk of Overland Park, Kansas, and marked "BID FOR: Antioch Road Widening — 119th Street to I-435." Copies of plans, specifications, bid documents and other contract documents are on file at the office of the HNTB Corporation located at 7450 W. 130th St., Suite 400, Overland Park, KS 66213, (913) 491-9333. Contractors desiring the contract documents for use in preparing bids may obtain a set of such documents from HNTB upon payment of the following amounts, which are not refundable:

Half-Size Plan Drawings (11" x 17") and Contract Documents: \$100  
Full-Size Plan Drawings (22" x 34") and Contract Documents: \$450

Neither the city nor consultant shall be responsible for the accuracy, completeness or sufficiency of any bid documents obtained from any source other than the source indicated above. Obtaining copies of plans, specifications, bid documents and other contract documents from any other source(s) may result in obtaining incomplete and inaccurate information. Obtaining these documents from any source other than directly from the source listed herein also may result in failure to receive any addenda, corrections or other revisions to these documents that may be issued.

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

Should a bidder find "defects" as defined in paragraph GC-3 of the General Conditions, it shall follow the procedures outlined in paragraph GC-3 to bring same to the attention of the city. Changes necessitated thereby shall be in the form of addenda issued by the consulting engineer.

All bidders shall verify that they have considered all written addenda. Neither the city nor the consulting engineer shall be responsible for oral instructions.

Any written addenda issued during the time of bidding shall be covered and included in the bid. There will be no clarifications or exceptions allowed on the bid. Bids are for a total bid package, total contract price.

Bids shall be made upon the form provided in ink or typewritten. Numbers shall be stated both in writing and

in figures, the signature shall be long hand, and the complete form shall be without alteration or erasure. On alternate items for which a bid is not submitted, a written indication of "no bid" on the bid form is required.

No oral, telegraphic, facsimile or telephonic bids or alterations will be considered.

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

- a. Bid
- b. 5% Bid Security — Bid Bond, Cashier's Check or Certified Check (see below)
- c. Signed Documents (KDOT Certifications)
  - Required Contract Provision — DBE Contract Goal
  - Certification — Noncollusion & History of Debarment
  - Declaration — Limitations on Use of Federal Funds for Lobbying
  - Certification — Contractual Services with Current Legislator or Current Legislator's Firm

Each bidder shall file with its bid a bid bond, a cashier's check or a certified check drawn on any acceptable bank, made payable to the city of Overland Park, Kansas, in an amount of not less than 5 percent of the total bid, which shall be retained by the city of Overland Park until a contract for the project has been executed. Bid bonds will be returned to the unsuccessful bidders, with the exception of the second qualifying bidder, at such time as their bids are rejected. The bid deposit of the successful bidder and the second qualifying bidder will be returned when satisfactory bonds in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been furnished and the contract documents have been executed.

In the event the successful bidder is unable to execute the contract, for whatever reason, the city may exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of the city clerk prior to the time and date for bid opening; provided, however, that no bidder may withdraw its bid for a period of 30 days from the date set for the opening thereof. All bidders agree that rejection shall create no liability on the part of the city because of such rejection. It is understood by all bidders that an unsuccessful bidder has no cause of action against the city for bid preparation costs. The filing of any bid in response to this invitation shall constitute an agreement of the bidder to these conditions.

A pre-bid conference will be held at 10 a.m. March 16 in the conference room, first floor, Overland Park City Hall, 8500 Santa Fe Drive, Overland Park.

Mary Lou McClanahan  
Contract Specialist  
Public Works Department  
City of Overland Park, Kansas

Doc. No. 038044

## State of Kansas

**Department of Administration  
Division of Purchases**

**Notice to Bidders**

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

03/01/2010	12819	Arrow Boards
03/02/2010	12821	Construct Low Water Crossing
03/02/2010	12828	Labor Only to Upgrade Fire Alarm System
03/02/2010	12836	Salt Brine Production System
03/04/2010	12831	Benchmarking Physical Assets
03/11/2010	12833	Excavating, Rock Hauling
03/12/2010	12830	Real Estate Brokerage Services
03/16/2010	12815	Health Care Services
03/26/2010	12832	Insurance, Property
05/10/2010	12837	Electronic Media Services

The above-referenced bid documents can be downloaded at the following Web site:

<http://www.da.ks.gov/purch/>

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

<http://da.state.ks.us/purch/adds/default.htm>

Contractors wishing to bid on the projects listed below must be prequalified. Information regarding prequalification, projects and bid documents can be obtained by calling (785) 296-8899 or by visiting [www.da.ks.gov/fp/](http://www.da.ks.gov/fp/).

03/02/2010	A-011268(a)	Yates Hall Renovation Window Replacement, Pittsburg State University, Pittsburg
03/02/2010	A-011268(b)	Yates Hall Renovation New Roof, Pittsburg State University, Pittsburg
03/04/2010	A-011320	Kaw Valley State Park Boat Ramp, Kansas Department of Wildlife and Parks, Shawnee County
03/09/2010	A-011333	Commons Building Partial, TPO Reroof, El Dorado Correctional Facility, El Dorado
03/11/2010	A-011339	Agnew Hall Raze Building, Fort Hays State University, Hays
03/16/2010	A-011291	Park Street/South Campus Drive Improvements, Fort Hays State University, Hays
03/18/2010	A-011211	Roof Replacement-Rarick Hall, Fort Hays State University, Hays
03/18/2010	A-011268	Yates Hall Renovation-HVAC, Pittsburg State University, Pittsburg
03/18/2010	A-011290	Utility Tunnel Replacement-Center of Quadrangle to Picken Hall, Fort Hays State University, Fort Hays

Chris Howe  
Director of Purchases

Doc. No. 038045

## State of Kansas

**Fort Hays State University**

**Notice to Bidders**

Fort Hays State University encourages interested vendors to visit the Fort Hays State University Purchasing Web site, <http://www.fhsu.edu/adminfin/purchasing/bids/>, for a complete list of all goods and services currently out for bid. Paper postings of all open bids may be reviewed at Purchasing, Room 318, Sheridan Hall, 601 Park St., Hays. Copies of open bids also may be requested by contacting Purchasing at (785) 628-4251, by fax at (785) 628-4046, or by e-mail at [purchasing@fhsu.edu](mailto:purchasing@fhsu.edu).

Kathy Herrman  
Purchasing Director

Doc. No. 038035

## State of Kansas

**Kansas State University**

**Notice to Bidders**

Kansas State University encourages interested vendors to visit the Kansas State University Controller's Office/Purchasing Web site at <http://www.ksu.edu/purchasing/rfq> for a complete listing of all transactions for which Kansas State University Purchasing, or one of the consortia commonly utilized by K-State, is seeking competitive bids. Paper postings of Kansas State University Purchasing's bid transactions may be viewed at the Purchasing Office, 21 Anderson Hall, Manhattan, or persons may contact Purchasing at (785) 532-6214, by fax at (785) 532-5577, or by e-mail at [cbishop@ksu.edu](mailto:cbishop@ksu.edu) to request a copy of a current bid.

Carla Bishop  
Director of Purchasing

Doc. No. 037624

## State of Kansas

**University of Kansas**

**Notice to Bidders**

The University of Kansas encourages interested vendors to visit the University of Kansas Purchasing Services Web site at <http://www.purchasing.ku.edu/> for a complete listing of all transactions for which KU Purchasing Services, or one of the consortia commonly utilized by KU, is seeking competitive bids. Paper postings of KU Purchasing Services bid transactions may be viewed at the Purchasing Services office located at 1246 W. Campus Road, Room 7, Lawrence, 66045, or persons may contact Purchasing Services at (785) 864-3790, by fax at (785) 864-3454, or by e-mail at [purchasing@ku.edu](mailto:purchasing@ku.edu) to request a copy of a current bid.

Barry K. Swanson  
Associate Comptroller/  
Director of Purchasing Services

Doc. No. 037757

State of Kansas

Wichita State University

Notice to Bidders

Wichita State University encourages interested vendors to visit the Wichita State University Office of Purchasing Web site at [wichita.edu/purchasing](http://wichita.edu/purchasing) for a complete listing of all transactions for which Wichita State University, or one of the consortia commonly utilized by WSU, is seeking competitive bids. Paper postings of WSU Office of Purchasing bid transactions may be viewed at the Office of Purchasing, 1845 Fairmount, Room 021 Morrison Hall, Wichita, or persons may contact the Office of Purchasing at (316) 978-3080, by fax at (316) 978-3528, or by e-mail at [steven.white@wichita.edu](mailto:steven.white@wichita.edu) to request a copy of a current bid.

Steve White  
Director of Purchasing

Doc. No. 037745

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. 2009 Supp. 12-1675(b)(c)(d) and K.S.A. 2009 Supp. 12-1675a(g).

Effective 2-15-10 through 2-21-10	
Term	Rate
1-89 days	0.12%
3 months	0.07%
6 months	0.16%
1 year	0.35%
18 months	0.54%
2 years	0.83%

Elizabeth B.A. Miller  
Director of Investments

Doc. No. 038021

(Published in the Kansas Register February 18, 2010.)

City of Almena, Kansas

Notice of Intent to Seek Private Placement  
\$225,000  
General Obligation Bonds  
Series 2010

Notice is hereby given that the city of Almena, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$225,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds and the passage of an ordinance and adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

City of Almena, Kansas  
Twila Ingram, City Clerk

Doc. No. 038034

(Published in the Kansas Register February 18, 2010.)

Summary Notice of Bond Sale  
Unified School District No. 101  
Neosho County, Kansas (Erie)  
\$6,900,000

General Obligation School Building Bonds  
Series 2010

(General obligation bonds payable from  
unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated February 9, 2010, written and electronic bids will be received on behalf of the clerk of Unified School District No. 101, Neosho County, Kansas (Erie) (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 1 p.m. March 3, 2010, for the purchase of the above-referenced bonds. No bid of less than 99.5 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated April 1, 2010, and will become due on October 1 in the years as follows:

Year	Principal Amount
2012	\$ 120,000
2013	130,000
2014	130,000
2015	135,000
2016	130,000
2017	135,000
2018	140,000
2019	150,000
2020	155,000
2021	170,000
2022	170,000
2023	185,000
2024	195,000
2025	200,000
2026	210,000
2027	220,000
2028	230,000
2029	245,000
2030	250,000
2031	270,000
2032	280,000
2033	295,000
2034	310,000
2035	330,000
2036	345,000
2037	370,000
2038	390,000
2039	1,010,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semian-

(continued)

nually on April 1 and October 1 in each year, beginning April 1, 2010.

#### Book-Entry-Only System

The bonds shall be registered under a book-entry-only system administered through DTC.

#### Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

#### Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$138,000.

#### Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about April 1, 2010, to DTC for the account of the successful bidder.

#### Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2009 is \$56,220,655. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$21,900,000.

#### Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

#### Additional Information

Additional information regarding the bonds may be obtained from the undersigned or from the financial advisor at the addresses set forth below.

#### Written Bid and Good Faith Deposit Delivery Address:

Ginny Oliver, Clerk  
Office of the Board of Education  
205 S. Main, P.O. Box 137  
Erie, KS 66733  
(620) 244-3264  
Fax (620) 244-3664  
E-mail: ginny@usd101.com

#### Financial Advisor - Facsimile Bid and Good Faith Deposit Delivery Address:

George K. Baum & Company  
100 N. Main, Suite 810  
Wichita, KS 67202  
Attn: Charles M. Bouilly  
(316) 264-9351  
Fax. (316) 264-9370  
E-mail: bouilly@gkbaum.com

Dated February 9, 2010.

Unified School District No. 101  
Neosho County, Kansas (Erie)

Doc. No. 038041

#### State of Kansas

#### Office of the Governor

#### Executive Order 10-01

WHEREAS, the last 20 years has seen remarkable changes in the lives of Kansans with developmental disabilities; and

WHEREAS, prior to 1989 these individuals would either have lived in an institution or at home with his or her parents, usually with limited services; and

WHEREAS, today all the private, large bed institutions in Kansas have closed and the remaining two state institutions serve only 350 individuals, while approximately 7,300 Kansans with a developmental disability receive services in Kansas communities on the Home and Community Based Services Waiver; and

WHEREAS, thousands more attend local schools, enjoying a level of participation in community activities not imagined a generation ago and the pace of these changes is only occurring more rapidly; and

WHEREAS, the understanding that every Kansas citizen deserves the right to achieve to his or her full potential has driven these changes; and

WHEREAS, Parsons State Hospital ("PSH") and the Kansas Neurological Institute ("KNI") have made remarkable strides in building programs to deliver comprehensive and inclusive services, these facilities remain very expensive options compared to average home and community-based services; and

WHEREAS, we must make sure we use all state resources as effectively as possible since approximately 3,000 Kansans are not served or waiting for additional services; and

WHEREAS, community resources currently do not exist at such a level to allow immediate downsizing and consolidation of PSH and KNI.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby order the Secretary of the Department of Social and Rehabilitation Services ("SRS") to do the following:

1. Work in cooperation with Community Developmental Disability Organizations ("CDDOs") to establish standards to determine which individuals require the level of care provided in the state hospitals.
2. Establish new standards which impose restrictions on admissions to PSH and KNI.
3. Work in cooperation with CDDOs to increase the capacity in the community to appropriately and effectively serve all Kansans who are currently residents of PSH or KNI.
4. Facilitate the movement of individuals currently served at PSH and KNI to community living by developing and implementing a process to introduce guardians to the potential benefits and opportunities available in their local communities.
5. Pursuant to K.S.A. 39-1806, move to community living arrangements, at an appropriate pace, all individuals who do not meet the new state hospital levels of care standards.
6. Establish responsible and attainable goals for the consolidation of PSH and KNI, including the move-

ment of individual residents to community living, and monitor the progress each hospital makes in meeting these targets.

7. Track the quality of services provided to individuals who leave PSH and KNI to assure their needs are met and that they experience improvement in the quality of their lives.
8. In accordance with K.S.A. 39-7,161, as individuals leave PSH and KNI and move to community based living environments any savings of state funds shall be annually and timely redirected to the Home and Community Based Services for the Developmentally Disabled ("HCBS DD") Waiver.
9. In cooperation with the Director of the Division of Budget, track savings accomplished through this process using the procedures established to assure savings are redirected to reducing the number of individuals on the waiting list for HCBS DD services.
10. Report annually to the Governor on the status of the above directives, and whether the population at PSH and KNI combined has reached a level to make continued operation of both facilities impractical and inefficient. The Secretary shall also provide an annual report to the Governor on whether an Executive Reorganization Order to consolidate PSH and KNI is recommended for continued improvement of the service system for individuals with a developmental disability.
11. The above directives should also be designed to assure that every Kansan with a developmental disability has the opportunity to live with their fellow citizens and experience the full range of activities available to Kansans, while maximizing the effective use of Kansas taxpayer resources.

This document shall be filed with the Secretary of State as Executive Order 10-01, and shall become effective immediately.

Dated January 26, 2010.

Mark Parkinson  
Governor  
Attest: Ron Thornburgh  
Secretary of State

Doc. No. 038023

## State of Kansas

### Office of the Governor

#### Executive Order 10-02

WHEREAS, all Kansans who experience blindness or low vision deserve the opportunity to enjoy full employment and independence; and

WHEREAS, ensuring the success of our blind or visually impaired citizens impacts all Kansans, resulting in stronger communities, a viable and diverse workforce and a civically engaged population; and

WHEREAS, research indicates that 34% of Kansans surveyed for the November 2009 Kansas Health Statistics Report reported some degree of visual impairment; and

WHEREAS, Kansans who experience blindness or low vision require specialized support services to be fully employed and live independently; and

WHEREAS, the Kansas Department of Social and Rehabilitation Services ("SRS") desires to develop, implement and maintain community based programs and services to serve the employment and independent living needs of Kansans who experience blindness or low vision.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby establish the Kansas Advisory Committee for the Blind and Visually Impaired ("Committee") with the following purposes and charges:

1. The Committee will provide advice and counsel to the Secretary of SRS on issues that improve opportunities for employment and independent living of Kansans who are blind or visually impaired.
2. The Committee will serve as an advisory body for SRS and, as such, will advise the Secretary and the staff of SRS in matters affecting policies, programs, priorities and a long-term, strategic direction for the state's services to Kansans who are blind or visually impaired.
3. The Committee shall act in an advisory capacity and shall do the following:
  - a. Advise the Secretary of SRS on development and implementation of programs, services and initiatives affecting the employment and independent living of Kansans who are blind or visually impaired.
  - b. Review and advise the Secretary of SRS on strategic plans affecting employment and independent living of Kansans who are blind or visually impaired.
  - c. Review the status of services provided to Kansans who are blind or visually impaired and make recommendations for needed improvements.
  - d. Provide other information or advice as requested by the Secretary of SRS.
4. On an annual basis, the Committee will submit to the Governor and the Secretary of SRS, a report that overviews the prior year's accomplishments and Committee activities, and outlines recommendations made, actions taken by SRS and priorities for the upcoming year.
5. The Committee shall be composed of:
  - a. A representative of the Kansas Association for the Blind and Visually Impaired.
  - b. A representative of the National Federation of the Blind of Kansas.
  - c. A representative of the Kansas State Department of Education with substantial knowledge/expertise in teaching students who are blind or visually impaired.
  - d. A representative of the Statewide Independent Living Council of Kansas.
  - e. A representative of the Statewide Rehabilitation Council.
  - f. Three representatives of not-for-profit organizations serving the employment or independent living needs of Kansans who are blind or visually impaired.

*(continued)*

- g. A representative of the Low Vision sub-committee of the Kansas Optometric Association or an optometrist or ophthalmologist practicing in Kansas with a Low Vision Specialty.
  - h. A parent of a transition aged youth who is blind or visually impaired.
  - i. A transition aged youth who is blind or visually impaired.
  - j. Three at-large members who are consumers of programs or services designed for individuals who are blind or visually impaired.
  - k. The Director of Kansas Rehabilitation Services or his/her designee shall serve in an ex-officio capacity.
  - l. The Secretary of the Kansas Department on Aging or his/her designee shall serve in an ex-officio capacity.
  - m. Any other members as determined necessary by the Governor to achieve the purposes of the Committee as set forth in this Order.
6. The Committee membership shall be appointed by the Governor and shall serve at his/her pleasure.
  7. The Committee shall annually elect a chairperson and vice-chairperson.
  8. The Committee shall be staffed by a division housed within SRS.
  9. The Committee will meet quarterly on the call of the Chair.
  10. Members shall serve without compensation with the exception that expenses incurred in the furtherance of the organization's mission are allowed to be reimbursed with documentation and prior approval. Approved expenses include mileage reimbursement for travel to Committee meetings.

This document shall be filed with the Secretary of State as Executive Order 10-02, and shall become effective immediately.

Dated January 26, 2010.

Mark Parkinson  
Governor

Attest: Ron Thornburgh  
Secretary of State

Doc. No. 038024

#### State of Kansas

### Department of Health and Environment

#### Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Regency Gas Services has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et seq. 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.

Regency Gas Services, 401 Edwards St., Suite 1320, Shreveport, Louisiana, owns and operates Hugoton #7 compressor station located at Section 5, T26S, R35W, Kearny County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka; and copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Ethyl Evans, (620) 225-0596, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business March 18.

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 Sharon Burrell, Bureau of Air, not later than the close of business March 18 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day 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 Patricia Scott, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 038027



## State of Kansas

Department of Health  
and Environment

## Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Regency Gas Services has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et seq. 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.

Regency Gas Services, 401 Edwards St., Suite 1320, Shreveport, Louisiana, owns and operates Lakin compressor station located at Section 29, T24S, R36W, Kearny County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka; and copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Michael J. Parhomek, (785) 296-1580, at the KDHE central office; and to review the proposed permit only, contact Ethyl Evans, (620) 225-0596, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business March 18.

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 Sharon Burrell, Bureau of Air, not later than the close of business March 18 in order for the Secretary of Health and Environment to consider the request.

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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 im-

practicable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Patricia Scott, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 038028

## State of Kansas

Department of Health  
and EnvironmentNotice Concerning Kansas/Federal Water  
Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

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

## Public Notice No. KS-Q-10-012/013

The requirements of the draft permits public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria:

Name and Address of Applicant	Receiving Stream	Type of Discharge
Axtell, City of P.O. Box A Axtell, KS 66403	North Fork Black Vermillion River	Treated Domestic Wastewater

Kansas Permit No. M-BB01-0001      Federal Permit No. KS0047228  
 Legal Description: SE¼, NW¼, SW¼, S24, T2S, R10E, Marshall County  
 Facility Description: The proposed action is to reissue an existing permit for the operation of an existing lagoon wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and E. coli, as well as monitoring for ammonia, total phosphorus, total recoverable copper and lead, and pH. The draft permit requires the permittee to hire a consultant to provide an operations review of the facility to improve plant operations. If consistent compliance is not achieved, a plan and schedule are required to upgrade the facility.

(continued)

Name and Address of Applicant	Receiving Stream	Type of Discharge
Norton, City of 301 E. Washington Norton, KS 67654	Prairie Dog Creek	Treated Domestic Wastewater

Kansas Permit No. M-UR16-003 Federal Permit No. KS0097730  
 Legal Description: NW¼, SE¼, SE¼, S35, T2S, R23W, Norton County  
 Facility Description: The proposed action is to reissue an existing permit for the operation of an existing mechanical wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, ammonia, E. coli and pH, as well as monitoring for dissolved oxygen, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, total recoverable arsenic and effluent flow.

### Public Notice No. KS-NQ-10-003/004

Name and Address of Applicant	Legal Location	Type of Discharge
Unified School District #348 P.O. Box 67 Baldwin City, KS 66006	NW¼, SW¼, SW¼, S32, T14S, R19E, Douglas County	Nonoverflowing

Kansas Permit No. M-MC04-NO01 Federal Tracking No. KSJ000370  
 Facility Name: Marion Springs School  
 Facility Address: 316 E. 900 Road, Baldwin City, KS 66006  
 Facility Description: The proposed action is to reissue an existing wastewater permit for an existing nonoverflowing wastewater retention system. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit. Discharge of wastewater from this treatment facility to surface waters of the State of Kansas is prohibited by this permit.

Name and Address of Applicant	Legal Location	Type of Discharge
Woodston, City of P.O. Box 216 Woodston, KS 67675	NE¼, SW¼, NW¼, S15, T7S, R16W, Rooks County	Nonoverflowing

Kansas Permit No. M-SO43-NO01 Federal Tracking No. KSJ000286  
 Facility Description: The proposed action is to reissue an existing wastewater permit for an existing nonoverflowing wastewater retention system. Included in this permit is a schedule of compliance requiring the permittee to bring the facility into compliance with the requirements of this permit and the Kansas Minimum Standards of Design for Water Pollution Control Facilities by December 31, 2013. Discharge of wastewater from this treatment facility to surface waters of the state of Kansas is prohibited by this permit.

### Public Notice No. KS-PT-10-001/003

Name and Address of Applicant	Legal Location	Type of Discharge
Alexander Manufacturing Company Inc. 1407 Corporate Drive Parsons, KS 67357	Parsons MWWTP	Process Wastewater

Kansas Permit No. P-NE55-0005 Federal Tracking No. KSP000065  
 Facility Description: The proposed action is to reissue an existing pretreatment permit for this facility. This facility coats various types of materials with plastic, including rebar used to reinforce concrete. Metal parts are processed in a three-stage phosphating operation prior to the parts being coated. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

Name and Address of Applicant	Legal Location	Type of Discharge
Stuart Gribble 4601 N. Tyler Maize, KS 67101	Maize MWWTP	Process Wastewater

Kansas Permit No. P-AR58-0001 Federal Tracking No. KSP000086

Facility Name: Carlson Products  
 Facility Address: 9010 W. 45th St. North, Maize, KS 67101  
 Facility Description: The proposed action is to reissue an existing pretreatment permit for this facility. This facility anodizes aluminum pans and doors. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

Name and Address of Applicant	Legal Location	Type of Discharge
Deines Manufacturing Corporation P.O. Box 266 Ransom, KS 67572	Ransom MWWTP	Process Wastewater

Kansas Permit No. P-UA34-0001 Federal Tracking No. KSP000045  
 Facility Description: The proposed action is to reissue an existing pretreatment permit for this facility. This facility manufactures commercial lawn mowers and uses a small conversion coating process to phosphate steel parts prior to painting them. Since the tank containing phosphating wastes is rarely used, it seldom discharges. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

### Public Notice No. KS-EG-10-004/009

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for the use of the well(s) described below within the state of Kansas:

#### Name and Address of Applicant

Cargill, Inc.  
 P.O. Box 1403  
 Hutchinson, KS 67504  
 Facility Location: Hutchinson, Kansas

#### Well and Permit Number

#### Location

J-2	2678 feet from south line and 3458 feet from east line of Section 19-23-5W, (SW SE NW)
KS-03-155-159	2978 feet from south line and 3481 feet from east line of Section 19-23-5W, (SW SE NW)
J-3	3278 feet from south line and 3490 feet from east line of Section 19-23-5W, (SW SE NW)
KS-03-155-160	3278 feet from south line and 3490 feet from east line of Section 19-23-5W, (SW SE NW)
J-4	3582 feet from south line and 3491 feet from east line of Section 19-23-5W, (NW SE NW)
KS-03-155-161	3582 feet from south line and 3491 feet from east line of Section 19-23-5W, (NW SE NW)
J-5	3878 feet from south line and 3488 feet from east line of Section 19-23-5W, (NW SE NW)
KS-03-155-162	3878 feet from south line and 3488 feet from east line of Section 19-23-5W, (NW SE NW)
J-6	4177 feet from south line and 3484 feet from east line of Section 19-23-5W, (SW NE NW)
KS-03-155-163	4177 feet from south line and 3484 feet from east line of Section 19-23-5W, (SW NE NW)
J-7	
KS-03-155-158	

Facility Description: The proposed action is to reissue six salt solution mining wells. The production of brine is by a gallery system and consists of six brine production wells. The injection fluids consist of a mixture of fresh water and weak brine. Injection is to be made into Hutchinson Salt member of the Wellington formation. Mining shall not extend into the upper 40 feet of the salt member. The maximum operation injection pressure is not to exceed 150 pounds per square inch at the well head. All construction, monitoring and operation of these wells will meet the requirements that apply to Class III injection wells under the Kansas Underground Injection Control Regulations, K.A.R. 28-43-1 through 28-43-11, and Kansas Underground Injection Control Regulations, K.A.R. 28-46-1 through 28-46-42.

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

submitted to the attention of the Livestock Waste Management Section for agricultural-related draft documents or applications, or to the Technical Services Section for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft documents or application notices received on or before March 20 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-Q-10-012/013, KS-NQ-10-003/004, KS-PT-10-001/003, KS-EG-10-004/009) and name of the applicant/permittee when preparing comments.

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

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

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 038038

## State of Kansas

### Kansas Lottery

#### Temporary Administrative Regulations

#### Article 2.—LOTTERY RETAILERS

**111-2-30. Retailer bonus.** (a) On all Powerball, Mega Millions, Hot Lotto, and Super Kansas Cash drawings in which the prize claimed and awarded is the “jackpot prize” offered in the game it represents, the Kansas lottery retailer(s) selling the ticket(s) shall receive \$10,000 for Powerball, \$10,000 for Mega Millions, \$2,500 for Hot Lotto, and \$1,000 for Super Kansas Cash, or share equally in a bonus if there are multiple winners and the prize is paid on a parimutuel basis. The bonus shall be in addition to compensation specified in K.A.R. 111-2-4.

(b) A “jackpot prize” is the highest prize awarded in the prize structure of the Powerball, Mega Millions, Hot Lotto, or Super Kansas Cash game it represents.

(c) On all Powerball drawings where the prize claimed and awarded is less than the jackpot prize and is not less than \$200,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(d) On all Keno drawings where the prize claimed and awarded is not less than \$100,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(e) On all raffle game drawings where the prize claimed and awarded is not less than \$1,000,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(f) On all Mega Millions drawings where the prize claimed and awarded is less than the jackpot prize and is not less than \$250,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(g) In addition to other commissions and bonuses received, each retailer shall receive a sales bonus of one percent (1%) of each instant and online tickets sold by the retailer where the prize claimed and awarded is over \$599, with a minimum bonus of \$10 and a maximum bonus of \$100. A retailer receiving a bonus pursuant to subsections (a), (b), (c), (d), (e) or (f) above shall not be entitled to this bonus.

(h) A bonus as provided in subsections (a), (b), (c), (d), (e), (f), or (g) above shall only be paid to a Kansas lottery retailer that, at the time the qualifying prize is claimed and awarded, is not delinquent in any payments due the lottery, is a certified lottery retailer, is not suspended or on “hold” status, and is otherwise in compliance with retailer’s contract with the lottery. In the event a bonus is earned but the retailer is not at that time eligible to receive the bonus, the lottery will withhold payment or credit for up to 90 days to allow the retailer to cure any such delinquency or other deficiency. If after 90 days the retailer fails to cure said delinquency or deficiency, the retailer shall forfeit said bonus. Under extenuating circumstances, as determined by the executive director, the time for curing said delinquency or deficiency may be extended. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-8-5-94, July 15, 1994; amended, T-111-3-22-95, March 16, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-27-96, June 21, 1996; amended, T-111-7-22-96, July 19, 1996; amended, T-111-3-13-98, Feb. 20, 1998; amended, T-111-5-28-98, May 15, 1998; amended, T-111-7-19-99, June 17, 1999; amended, T-111-6-8-00, May 12, 2000; amended, T-111-7-31-00, July 21, 2000; amended, T-111-11-14-00, Oct. 20, 2000; amended, T-111-3-30-06, March 15, 2006; amended, T-111-12-24-2009, Dec. 16, 2009; amended, T-111-1-29-10, Jan. 20, 2010.)

#### HANDY’S PROMOTION

**111-2-232. Handy’s Super Kansas Cash give-away.** (a) During the term of this promotion with participating chain numbers 1572 and 1610 Handy’s stores in Kansas, for every Super Kansas Cash single ticket purchase of \$3 or more, the player shall receive an entry for the “Handy’s Give-A-Way” promotion drawing. Lottery terminals shall automatically dispense an entry form for each \$3 or more Super Kansas Cash single ticket purchase at participating Handy’s Kansas lottery retailers during the term of this promotion. The qualifying Super Kansas Cash purchase may be for a single draw or for multiple draws.

(b) The term of this promotion shall be on or about February 15, 2010, through the end of the business day on March 16, 2010.

(continued)

(c) During the term of this promotion, drop boxes for the deposit of entries shall be provided by the lottery and placed at all participating Handy's locations. All drop boxes shall be retrieved by the Kansas lottery at the end of the promotion.

(d) After the term of this promotion has ended, one entry and two alternate entries shall be drawn by the Kansas lottery pursuant to standard lottery drawing procedures for each of the five Handy's locations.

(e) The winner from each store will win a \$100 gift card. The Kansas lottery will give each store a \$75 instant ticket credit. Handy's will pay the additional \$25 per store for the total \$100 prize.

(f) The drawing is tentatively set to be held on or about March 17, 2010, at each store location.

(g) The game promotion procedure set forth hereinabove shall be repeated for the second eligible contestant and possible alternate winners. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-2009, Dec. 16, 2009; amended, T-111-1-29-10, Jan. 20, 2010.)

**111-2-233. Method of entry.** (a) Entry into the "Handy's Give-A-Way" promotion shall be accomplished as follows:

(1) During the term of this promotion, with every qualifying purchase of \$3 or more Super Kansas Cash on a single ticket, an entry form shall be automatically produced by the lottery online terminal.

(2) The purchaser must complete the information on the entry form in a legible manner. Only one name shall appear on each entry form.

(3) The completed entry form must be placed into the designated drawing receptacle provided at any participating Handy's store no later than the close of business for that store on March 16, 2010.

(4) The holder of the entry is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner.

(5) The drawing shall be conducted at each store location after the entry deadline for the promotion. One and two alternate entries per store shall be drawn by lottery personnel pursuant to standard Kansas lottery procedures.

(6) Entry forms obtained during the stated period of time may be entered in the drawing.

(b) There is no limit on the number of entries a person may make, but each person may only win once regardless of the place of entry.

(c) All eligible entry forms which are deposited into a drawing receptacle by the end of business for that store on March 16, 2010, shall be entered into the drawing.

(d) Eligible entrants in the promotion must be 18 years of age or older, and may not be an employee of any Handy's store in Kansas.

(e) Completing the information form on the entry form and entering the ticket into any drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-2009, Dec. 16, 2009; amended, T-111-1-29-10, Jan. 20, 2010.)

**Article 4.—INSTANT GAMES AND DRAWINGS**

**111-4-2924. "Aces High" instant ticket lottery game number 262.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Aces High" commencing on or after February 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2924.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
J	JAK
Q	QEN
K	KNG
A	ACE

Prize Symbols	Captions
\$5 <sup>00</sup>	FIVE\$
10 <sup>00</sup>	TEN\$
15 <sup>00</sup>	FIFTEEN
20 <sup>00</sup>	TWENTY
25 <sup>00</sup>	TWEN-FIV
50 <sup>00</sup>	FIFTY
75 <sup>00</sup>	SVTYFIV
\$100\$	ONE-HUN
\$500\$	FIVE-HUN
\$1000	ONETHOU
\$5000	FIVETHOU
\$25000	25-THOU

(c) For this game, a play symbol shall appear in each of 16 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWY	=	\$20.00
FTY	=	\$50.00
STF	=	\$75.00
HUN	=	\$100.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.

(g) "Aces High" is a key symbol match game. A player will remove the scratch-off material to reveal four "WINNING CARDS" and 12 "YOUR CARDS" with a prize amount below each of the "YOUR CARDS." If a

player matches any of the "WINNING CARDS" to any of the "YOUR CARDS," the player wins the prize shown below that symbol. If a player reveals an "ACE" symbol, the player wins double the prize shown below that symbol.

(h) Each ticket in this game may win 12 times.

(i) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Prize	Expected Number of Prizes in Game	Expected Value in Game
\$5	28,000	\$140,000
\$10	7,500	75,000
\$5 DBL	7,500	75,000
\$5 + \$5	7,500	75,000
\$15	5,500	82,500
\$5 DBL + \$5	5,500	82,500
(\$5 x 3)	5,500	82,500
\$20	1,500	30,000
\$10 + \$10	1,500	30,000
\$5 DBL + \$10	1,500	30,000
(\$5 x 4)	1,500	30,000
\$50	425	21,250
\$25 DBL	425	21,250
(\$10 x 5)	400	20,000
(\$5 x 10)	400	20,000
\$75	80	6,000
\$25 + \$25 DBL	80	6,000
(\$25 x 3)	100	7,500
(\$5 x 11) + \$20	120	9,000
\$100	20	2,000
(\$50 x 2)	15	1,500
\$50 DBL	15	1,500
(\$25 x 4)	25	2,500
(\$10 x 10)	25	2,500
(\$5 x 8) + (\$10 x 2) + (\$20 x 2)	30	3,000
\$500	8	4,000
(\$100 x 5)	8	4,000
(\$50 x 10)	12	6,000
\$1,000	3	3,000
(\$500 x 2)	3	3,000
(\$100 x 5) + \$500	3	3,000
(\$50 x 4) + (\$100 x 8)	3	3,000
\$5,000	2	10,000
(\$1,000 x 5)	2	10,000
\$25,000	3	75,000
<b>TOTAL</b>	<b>75,207</b>	<b>\$977,500</b>

(k) The odds of winning a prize in this game are approximately one in 3.99. (Authorized by K.S.A. 74-8710, implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-4-2925. "Cash Darts" instant ticket lottery game number 263.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Cash Darts" commencing on or after February 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2925.

(b) The "play and prize symbols" and "captions" for this game are as follows:

Play/Prize Symbols	Captions
FREE	TICKET
\$1 <sup>00</sup>	ONE\$
\$2 <sup>00</sup>	TWO\$
\$4 <sup>00</sup>	FOUR\$
\$5 <sup>00</sup>	FIVE\$
10 <sup>00</sup>	TEN\$
25 <sup>00</sup>	TWEN-FIV
50 <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$250\$	TWOFIFTY
\$500\$	FIVE-HUN
\$1,000	ONETHOU
\$4000	FOURTHOU
BULLSEYE	DOUBLER

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
FOR	=	\$4.00
TEN	=	\$10.00
FTY	=	\$50.00
HUN	=	\$100.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Cow Darts" is a match three of six prize amounts or a match two prize amounts plus a "BULLSEYE" symbol to win double the prize amount. A player will remove the latex covering the play area to reveal six prize amounts or five prize amounts and a "BULLSEYE" symbol. If the player matches three like prize amounts, the player wins that amount. If the player matches two like prize amounts plus a "BULLSEYE" symbol, the player wins double the prize amount.

(h) Each ticket in this game may win up to one time.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's	Free Ticket	40,000	\$0
2 - \$1.00's & (D)	\$2	28,000	56,000
3 - \$2.00's	\$2	28,000	56,000
2 - \$2.00's & (D)	\$4	15,000	60,000
3 - \$4.00's	\$4	15,000	60,000
2 - \$5.00's & (D)	\$10	2,000	20,000
3 - \$10.00's	\$10	2,000	20,000
2 - \$25.00's & (D)	\$50	100	5,000

(continued)

3 - \$50.00's	\$50	100	5,000
3 - \$100.00's	\$100	100	10,000
2 - \$50.00's & (D)	\$100	50	5,000
3 - \$500.00's	\$500	8	4,000
2 - \$250.00's & (D)	\$500	6	3,000
3 - \$1,000.00's	\$1,000	4	4,000
2 - \$500.00's & (D)	\$1,000	2	2,000
3 - \$4,000.00's	\$4,000	4	16,000
TOTAL		<u>130,374</u>	<u>\$326,000</u>

(D) - denotes doubler symbol

(k) The odds of winning a prize in this game are approximately one in 4.60. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-4-2926. "Shopping Spree" instant ticket lottery game number 264.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Shopping Spree" commencing on or after February 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2926.

(b) The "play and prize symbols" and "captions" for this game are as follows:

<b>Play Symbols</b>	<b>Captions</b>
01	ONE
02	TWO
03	THREE
04	FOUR
05	FIVE
06	SIX
07	SEVEN
08	EIGHT
09	NINE
10	TEN
11	ELEVEN
12	TWELVE
13	THRTN
14	FORTN
15	FIFTN
Symbol of a purse	DOUBLE
<b>Prize Symbols</b>	<b>Captions</b>
FREE	TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$3. <sup>00</sup>	THR\$
\$4. <sup>00</sup>	FOUR\$
\$5. <sup>00</sup>	FIVE\$
10. <sup>00</sup>	TEN\$
20. <sup>00</sup>	TWENTY
50. <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$2500	TWF-HUN

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
FTY	=	\$50.00
HUN	=	\$100.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Shopping Spree" is a key number match game. A player will remove the latex covering the play area to reveal one "WINNING NUMBER," five "YOUR NUMBERS," and five prize amounts. If the player matches the "WINNING NUMBER" to any of the "YOUR NUMBERS," the player wins the prize shown below that number. If the player reveals a "PURSE" symbol, the player wins double the prize shown instantly.

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

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	40,000	\$0
\$1	\$1	48,000	48,000
\$4	\$4	8,000	32,000
\$2 DBL	\$4	8,000	32,000
(\$1 x 4)	\$4	7,000	28,000
\$5	\$5	4,000	20,000
\$2 + \$3	\$5	3,000	15,000
(\$1 x 5)	\$5	3,000	15,000
\$1 + \$2 DBL	\$5	3,000	15,000
\$10	\$10	800	8,000
(\$2 x 5)	\$10	800	8,000
\$1 + \$4 + \$5	\$10	800	8,000
\$5 DBL	\$10	800	8,000
\$20	\$20	300	6,000
(\$10 x 2)	\$20	300	6,000
\$10 DBL	\$20	300	6,000
(\$5 x 4)	\$20	300	6,000
\$50	\$50	200	10,000
\$20 DBL + \$10	\$50	200	10,000
(\$10 x 5)	\$50	200	10,000
\$100	\$100	40	4,000
(\$20 x 3) + \$20 DBL	\$100	30	3,000
(\$100 x 5)	\$500	16	8,000
\$2,500	\$2,500	8	20,000
TOTAL		<u>129,094</u>	<u>\$326,000</u>

(D) - denotes doubler symbol

(k) The odds of winning a prize in this game are approximately one in 4.65. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-4-2927. "Blackjack" instant ticket lottery game number 265.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Blackjack" com-

mencing on or after February 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2927.

(b) The “play symbols” and “captions” for the “DEALER’S HAND” for this game are as follows:

Card Symbols	Captions
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
J	JAK
Q	QEN
K	KNG
A	ACE
BUST	BUST

The “play symbols” and “captions” for the “PLAYER’S HAND” for this game are as follows:

Card Symbols	Captions
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
J	JAK
Q	QEN
K	KNG
A	ACE

The “prize symbols” and “captions” for this game are as follows:

Prize Symbols	Play Symbol Captions
FREE	TICKET
\$1 <sup>.00</sup>	ONE\$
\$2 <sup>.00</sup>	TWO\$
\$3 <sup>.00</sup>	THR\$
\$4 <sup>.00</sup>	FOUR\$
\$6 <sup>.00</sup>	SIX\$
\$8 <sup>.00</sup>	EGT\$
12 <sup>.00</sup>	TWLV
24 <sup>.00</sup>	TWNFOR
50 <sup>.00</sup>	FIFTY
70 <sup>.00</sup>	SEVENTY
\$210\$	TWOTEN
\$700\$	SEVHUN
\$10000	10-THOU

(c) For this game, a play symbol shall appear in each of four play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight

varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
FOR	=	\$4.00
SIX	=	\$6.00
TWL	=	\$12.00
TFO	=	\$24.00
FTY	=	\$50.00
THT	=	\$210.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) “Blackjack” is a beat the dealer game. The player will remove the scratch-off material over each table play area to reveal three “HANDS,” “HAND 1,” “HAND 2,” and “HAND 3,” three “PRIZE” amounts, and one “DEALER’S HAND.” If the value of a “HAND” is higher than the value of the “DEALER’S HAND,” the player wins the “PRIZE” directly below that “HAND.” If the player gets “BLACKJACK” (21) in any “HAND,” the player wins double the prize for that “HAND.” If the dealer busts, the player wins all three prizes. The cards “J,” “Q,” and “K” will have a point value of 10. The card “A” will have a point value of 11.

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

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	60,000	\$0
\$1	18,000	18,000
\$2	16,000	32,000
\$1 Doubled	17,000	34,000
\$4	6,000	24,000
\$2 + \$2	6,400	25,600
\$2 Doubled	7,000	28,000
\$1 + \$1 + \$2	9,000	36,000
\$6	600	3,600
\$3 + \$3	640	3,840
(\$2 x 3) (Bust)	700	4,200
\$12	200	2,400
\$6 + \$6	200	2,400
(\$4 x 3) (Bust)	240	2,880
\$4 Doubled + \$4	280	3,360
\$24	200	4,800
\$12 + \$12	200	4,800
(\$8 x 3) (Bust)	260	6,240
\$50	100	5,000
\$2 + \$24 + \$24	100	5,000
\$210	4	840
\$70 + \$70 + \$70	4	840
(\$700 x 3) (Bust)	4	8,400
\$10,000	6	60,000
TOTAL	<u>143,138</u>	<u>\$316,200</u>

(continued)

(k) The odds of winning a prize in this game are approximately one in 4.19. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-4-2928. "Fin Win Tripler" instant ticket lottery game number 266.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Fin Win Tripler" commencing on or after February 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2928.

(b) The "play and prize symbols" and "captions" for this game are as follows:

<b>Play Symbols</b>		<b>Captions</b>
02		TWO
03		THR
04		FOR
05		FIV
06		SIX
07		SEV
08		EGT
09		NIN
10		TEN
J		JAK
Q		QEN
K		KNG
A		ACE
Symbol of a shark fin		WIN
<b>Prize Symbols</b>		<b>Captions</b>
FREE		TICKET
\$1. <sup>00</sup>		ONE\$
\$2. <sup>00</sup>		TWO\$
\$3. <sup>00</sup>		THR\$
\$5. <sup>00</sup>		FIVE\$
\$6. <sup>00</sup>		SIX\$
10. <sup>00</sup>		TEN\$
15. <sup>00</sup>		FIFTEEN
20. <sup>00</sup>		TWENTY
30. <sup>00</sup>		THIRTY
60. <sup>00</sup>		SIXTY
\$100\$		ONE-HUN
\$300		THRTHOU

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
ONE	=	\$1.00
THR	=	\$3.00
SIX	=	\$6.00
FTN	=	\$15.00
TRY	=	\$30.00
SXY	=	\$60.00
HUN	=	\$100.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) "Fin Win Tripler" is a key symbol match game. A player will remove the latex covering the play area to reveal one "LUCKY CARD," five "YOUR CARDS," and five prize amounts. If the player matches the "LUCKY CARD" to any of the "YOUR CARDS," the player wins the prize shown below that number. If the player reveals a "SHARK FIN" symbol, the player wins triple the prize shown instantly.

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

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	40,000	\$0
\$1	\$1	48,000	48,000
\$3	\$3	10,000	30,000
(\$1 x 3)	\$3	7,000	21,000
\$1 T	\$3	6,500	19,500
\$6	\$6	4,000	24,000
\$3 + \$3	\$6	4,000	24,000
(\$2 x 2) + (\$1 x 2)	\$6	3,000	18,000
\$2 T	\$6	2,000	12,000
\$15	\$15	800	12,000
(\$5 x 3)	\$15	800	12,000
(\$1 x 2) + \$3 + (\$5 x 2)	\$15	700	10,500
\$5 T	\$15	600	9,000
\$30	\$30	300	9,000
(\$10 x 3)	\$30	300	9,000
\$10 T	\$30	300	9,000
(\$5 x 4) + \$10	\$30	200	6,000
\$60	\$60	150	9,000
\$20 T	\$60	100	6,000
(\$10 x 4) + \$20	\$60	100	6,000
\$100	\$100	30	3,000
(\$5 x 2) + (\$15 x 2) + (\$20 T)	\$100	30	3,000
(\$100 x 5)	\$500	16	8,000
\$3,000	\$3,000	6	18,000
<b>TOTAL</b>		<u>128,932</u>	<u>\$326,000</u>

(T) - denotes tripler symbol

(k) The odds of winning a prize in this game are approximately one in 4.65. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-4-2929. "Bonus Crossword" instant ticket lottery game number 269.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Bonus Crossword" commencing on or after February 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2829.

(b) The "play symbols" for this game are as follows: A - B - C - D - E - F - G - H - I - J - K - L - M - N - O - P - Q - R - S - T - U - V - W - X - Y - Z. There are no "play symbol captions" in this game.

(c) For this game, a play symbol shall appear in each of 18 play spots within the "YOUR LETTERS" play area, in each of two play spots within the "BONUS" play area,



and a variable number of times within the crossword puzzle grid.

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

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free ticket
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) "Bonus Crossword" consists of three play areas. In the upper part of the ticket there is a crossword puzzle grid that contains 11 spaces (height) by 11 spaces (width) covered by transparent latex. In the "YOUR LETTERS" play area, located in the lower part of the ticket, there are 18 letters located under opaque latex. To the right of the "YOUR LETTERS" play area is the "BONUS" play area in which there are two letters covered by opaque latex. Imaged around each of the 18 "YOUR LETTERS" and two "BONUS" letters there will be a four-sided box composed of solid lines. A player will remove the latex from the "YOUR LETTERS" and "BONUS" play areas one letter at a time, and then for each matching letter in the crossword puzzle grid scratch off the transparent latex. Each letter revealed in the "YOUR LETTERS" and "BONUS" play areas may be used an unlimited number of times in the crossword puzzle grid. If a player reveals at least three complete words in the crossword puzzle grid, the player wins the corresponding prize in the prize legend. The prize legend on the front of the ticket indicates prizes won for number of words revealed, as is also set forth in subsection (k) hereinafter.

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

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

(6) the three small letters outside the squares in the "YOUR LETTERS" area are for validation purposes and cannot be used to play "Bonus Crossword."

(i) Each ticket in this game may win up to one time. Only the highest prize won on each ticket will be awarded.

(j) Approximately 3,600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall

have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - words	FREE TICKET	600,000	\$0
4 - words	\$5	156,000	780,000
5 - words	\$10	82,800	828,000
6 - words	\$20	27,600	552,000
7 - words	\$100	3,600	360,000
8 - words	\$500	552	276,000
9 - words	\$2,000	132	264,000
10 - words	\$20,000	24	480,000
TOTAL		<u>870,708</u>	<u>\$3,540,000</u>

(l) The odds of winning a prize in this game are approximately one in 4.13. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-4-2930. "Sunflower State Games" instant ticket lottery game number 270.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Sunflower State Games" commencing on or after February 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2930.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Captions
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELV
12	TWV
13	TRN
14	FRN
15	FTN
16	SXTN
17	SVTN
18	EGTN
19	NTN
20	TWTY
MAYBE NEXT TIME	
GOOD LUCK	

Prize Symbols	Captions
FREE	TICKET
\$2. <sup>00</sup>	TWO\$
\$3. <sup>00</sup>	THR\$
\$4. <sup>00</sup>	FOUR\$
\$5. <sup>00</sup>	FIVE\$
\$8. <sup>00</sup>	EGT\$
10. <sup>00</sup>	TEN\$
20. <sup>00</sup>	TWENTY

(continued)

40. <sup>00</sup>	FORTY
50. <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$500\$	FIVE-HUN
\$1000	ONETHOU
\$10000	10-THOU

(c) For this game, a play symbol shall appear in each of 11 play spots within the play area or areas.

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

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
FRY	=	\$40.00
FTY	=	\$50.00
HUN	=	\$100.00

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

(g) "Sunflower State Games" consists of two games. Game 1 is a key number match game. A player will remove the scratch-off material to reveal two "WINNING NUMBERS" and eight "YOUR NUMBERS" with a prize amount below each of the "YOUR NUMBERS." If the player matches either of the "WINNING NUMBERS" to any of the "YOUR NUMBERS," the player wins the prize shown below that symbol. A player can win up to eight times in this play area.

Game 2 is an instant win game. If a player reveals any prize amount, the player wins that amount instantly. A player can win one time in this game.

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

(i) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	20,000	\$0
\$2	\$2	12,600	25,200
	\$2	12,600	25,200
\$4	\$4	5,000	20,000
\$2	\$4	2,500	10,000
(\$2 x 2)	\$4	2,500	10,000
\$2 + \$3	\$5	3,200	16,000
\$2	\$5	3,000	15,000
\$5	\$5	3,000	15,000
	\$5	3,000	15,000
\$10	\$10	1,400	14,000
\$2 + \$3	\$10	1,400	14,000
(\$5 x 2)	\$10	1,400	14,000
	\$10	1,200	12,000
\$20	\$20	600	12,000
(\$10 x 2)	\$20	600	12,000
	\$20	600	12,000

(\$2 x 8)	\$4	\$20	600	12,000
(\$5 x 4)		\$20	600	12,000
\$40		\$40	150	6,000
(\$4 x 8)	\$8	\$40	150	6,000
(\$20 x 2)		\$40	150	6,000
\$50		\$50	70	3,500
(\$10 x 3) + (\$4 x 5)		\$50	70	3,500
(\$5 x 8)	\$10	\$50	60	3,000
\$100		\$100	30	3,000
(\$50 x 2)		\$100	30	3,000
\$1,000		\$1,000	5	5,000
(\$500 x 2)		\$1,000	5	5,000
\$10,000		\$10,000	4	40,000
TOTAL			<u>76,524</u>	<u>\$349,400</u>

(k) The odds of winning a prize in this game are approximately one in 3.92. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-1-29-10, Jan. 20, 2010.)

**Article 5.—MULTI-STATE ON-LINE GAMES AND DRAWINGS**

**111-5-180. Name of the game; rules and regulations.** The Kansas lottery shall conduct a lotto game entitled "Mega Millions" conducted twice weekly on Tuesdays and Fridays, beginning at the start of the business day on January 31, 2010.

The rules and regulations for "Mega Millions" game are contained in K.A.R. 111-5-180 through 111-5-194, and applicable generic rules are contained in K.A.R. 111-6-1 *et seq.* (Authorized by and implementing K.S.A. 74-8710; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-181. Definitions.** The following definitions shall apply to the Kansas lottery's "Mega Millions" game unless the context requires a different meaning or is otherwise inconsistent with the intention of other rules adopted by the Kansas lottery.

(a) "Agent" or "retailer" means a person or entity authorized by the Kansas lottery to sell Kansas lottery tickets.

(b) "Drawing" means the formal process of selecting winning numbers which determine the number of winners for each prize level of the game.

(c) "Computer pick" means the random selection of two-digit numbers by the computer system, which appear on a ticket and are played by a player in the game.

(d) "Finance and Audit Committee" shall mean the committee established by the Multi-State Lottery Association Agreement (MUSL).

(e) "Game board" or "boards" means that area of the play slip, also known as a "panel," which contains two sets of numbered squares to be marked by the player, the first set containing fifty-six (56) squares, number one (1) through fifty-six (56) and the second set containing forty-six (46) squares, number one (1) through forty-six (46).

(f) "Game ticket" or "ticket" means an acceptable evidence of play, which is a ticket produced by a terminal which meets the specifications defined in these rules.

(g) "Jackpot" or "Grand Prize" means the top prize of the Mega Millions game. The annuity grand prize is an amount that would be paid in twenty-six (26) annual installments.

(h) "Mega Millions Finance Committee" means a committee of the Mega Millions lotteries which determines

the grand prize jackpot amount and the cash value option rate.

(i) "Mega Millions Lottery or Lotteries" means those lotteries which have joined under the Mega Millions lottery agreement; the group of lotteries that has reached a cross-selling agreement with the MUSL product group for the selling of the Mega Millions game.

(j) "MUSL" means the Multi-State Lottery Association, a government-benefit association wholly owned and operated by the party lotteries.

(k) "MUSL Board" means the governing body of the MUSL which is comprised of the chief executive officer of each party lottery.

(l) "On-Line Lottery Game" means a lottery game wherein a player selects numbers out of a larger predetermined set or sets of numbers.

(k) "Participating Lottery" or "Selling Lottery" means a state lottery which is participating in selling the Mega Millions game.

(l) "Party lottery" means a state lottery which has joined the MUSL and, in the context of the product group rules, which has joined in selling the games offered by the MUSL Mega Millions product group.

(m) "Play" or "bet" means the six (6) numbers, the first five (5) from a field of fifty-six (56) numbers and the last one (1) from a field of forty-six (46) numbers, that appear on a ticket as a single-lettered selection and are to be played by a player in the game.

(n) "Product Group" means the group of lotteries which has joined together to offer the Mega Millions lottery game product pursuant to the terms of its cross-selling agreement with the Mega Millions lotteries, the Multi-State Lottery Agreement, and the group's own rules.

(o) "Play slip" or "bet slip" means a card used in marking a player's game plays and containing one or more boards.

(p) "Set Prize" means all other prizes except the grand prize that are advertised to be paid by a single cash payment and, except in instances outlined in these rules, will be equal to the prize amount established by the MUSL board for the prize level.

(q) "Terminal" means a device authorized by the Kansas lottery to function in an on-line interactive mode with the lottery's computer system for the purpose of issuing lottery tickets and entering, receiving, and processing lottery transactions, including purchases, validating tickets, and transmitting reports.

(r) "Winning numbers" means the six (6) numbers, the first five (5) from a field of fifty-six (56) numbers and the last one (1) from a field of forty-six (46) numbers, randomly selected at each drawing, which shall be used to determine winning plays contained on a game ticket. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-1-29-10, Jan. 20, 2010.)

#### **111-5-182. Game description; retail sale of tickets.**

(a) "Mega Millions" is a five (5) out of fifty-six (56) plus one (1) out of forty-six (46) on-line lottery game, drawn on the day(s), time(s), and location(s) as determined by the Mega Millions lotteries, and which pays the grand prize, at the election of the player, made in accordance with these rules or by a default election made in accord-

ance with these rules, either on an annual pari-mutuel basis or as a cash value option using a rate determined by the Mega Millions finance committee on a pari-mutuel basis. Except as provided in these rules, all other prizes are paid on a set cash basis.

(b) To play Mega Millions, a player shall select five (5) different numbers, from one (1) through fifty-six (56) and one (1) additional number from one (1) through forty-six (46), for input into a terminal. The additional number may be the same as one of the first five numbers selected by the player.

(c) A "Mega Millions" game ticket shall sell for one dollar.

(d) Tickets shall not be sold to any person under the age of 18 years. Each retailer may require a person purchasing tickets to produce proof of age.

(e) Each ticket shall be purchased from a terminal operated by a retailer. The player may select a set of five numbers and one additional number by:

(1) communicating the six numbers to the retailer;

(2) marking six numbered squares in any one game board on a play slip and submitting the play slip to the retailer; or

(3) requesting a "computer pick" or "quick pick" from the retailer.

(f) A validated ticket shall be the only proof of a game play or plays. The only method of claiming a prize or prizes shall be the submission of the winning ticket to and receipt of the ticket by the lottery or its authorized agent. A play slip shall have no pecuniary nor prize value and shall not be used as evidence of a ticket purchase or of numbers selected. A terminal produced paper receipt has no pecuniary nor prize value and shall not constitute evidence of ticket purchase or of numbers selected.

(g) A ticket shall not be voided or cancelled by returning the ticket to the selling retailer, including tickets that are printed in error. No ticket which can be used to claim a prize shall be returned to the Kansas lottery for credit. Tickets accepted by retailers as returned tickets and which cannot be re-sold shall be deemed owned by the bearer thereof.

(h) Ticket sales will end at approximately 8:59 p.m. central time on Tuesdays and Fridays and will resume at approximately 9:05 p.m. on those same days.

(i) Drawings will be conducted twice weekly, on Tuesdays and Fridays at approximately 10:00 p.m. central time (CT), after the game is closed at approximately 8:59 p.m. central time (CT) and the external auditor has verified that the game is closed, under conditions and procedures promulgated by the executive director of the lottery.

(j) It shall be the sole responsibility of each player to verify the accuracy of the game play or plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the lottery retailer who is deemed to be acting on behalf of the player in entering the play or plays. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and 74-8718; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-183. Prize pool; reserve account.** (a) The prize pool for all prize categories shall consist of up to  
*(continued)*

51.0% of each drawing period’s sales, including any specific statutorily-mandated tax to be included in the price of a lottery ticket, after the prize reserve accounts are funded to the amounts set by the product group, but may be higher or lower based upon the number of winners at each prize level, as well as the funding required to meet a guaranteed annuity grand prize. Any amount remaining in the prize pool or reserves at the end of this game shall be carried forward to a replacement game or expended in a manner as directed by the product group.

(b) An amount up to one percent (1%) of the Kansas lottery’s Mega Million sales shall be added to the Kansas lottery’s grand prize pool contribution and placed in trust in one or more prize reserve accounts held by the product group at any time that the Kansas lottery’s share of the prize reserve account(s) is below the amounts designated by the product group. The product group, with approval of the finance and audit committee, may establish a maximum balance for the prize reserve account(s). The product group may determine to expend all or a portion of the funds in the accounts for the payment of prizes or special prizes in the game, subject to the approval of the finance and audit committee. The shares of the Kansas lottery may be adjusted with refunds to the Kansas lottery from the prize reserve account(s) as may be needed to maintain the approved maximum balance and shares of the party lotteries. Any amount remaining in a prize reserve account at the end of this game shall be carried forward to a replacement prize reserve account or expended in a manner as directed by the product group in accordance with Kansas law. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8731; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-184. Expected prize payout pari-mutuel prizes.** (a) The grand prize shall be determined on a pari-mutuel basis. Except as provided in these rules, all other prizes awarded shall be paid as set cash prizes with the following expected approximate prize payout percentages, which does not include an additional amount held in prize reserves:

Number of Matches Per Play	Prize Payment	Prize Pool Percentage Allocated to Prize
All five (5) of first set plus one (1) of second set	Grand Prize	63.60%
All five (5) of first set and none of second set	\$250,000	12.80%
Any four (4) of first set plus one (1) of second set	\$10,000	2.90%
Any four (4) of first set and none of second set	\$150	1.96%
Any three (3) of first set plus one (1) of second set	\$150	2.18%
Any two (2) of the first set plus one (1) of second set	\$10	2.38%
Any three (3) of first set and none of second set	\$7	4.58%
Any one (1) of first set plus one (1) of second set	\$3	4.26%
None of first set plus one (1) of second set	\$2	5.34%

(b) The prize money allocated to the grand prize category shall be divided equally by the number of game boards winning the grand prize.

(c) The prize pool percentage allocated to the set prizes (the cash prizes of \$250,000 or less) shall be carried forward to subsequent draws if all or a portion of it is not needed to pay the set prizes awarded in the current draw.

(d) If the total prize liability for all lotteries selling Mega Millions (exclusive of jackpot prize carry forward) exceeds 300 percent (300%) of draw sales or 50 percent (50%) of draw sales plus \$50,000,000 (fifty million dollars), whichever is less, (both hereinafter referred to as the “liability cap”), the second through fifth prizes (\$250,000, \$10,000, \$150, and \$150 prize levels) shall be paid on a pari-mutuel basis, provided that in no event shall the pari-mutuel prize be greater than the official advertised prize. The amount to be used for the allocation of such pari-mutuel prizes (two through five) shall be the liability cap less the amount paid for the jackpot prize and prize levels six through nine (\$10, \$7, \$3, and \$2 prize levels). To fund the Kansas lottery’s portion of the liability cap, the Kansas lottery may utilize:

- (1) the amount allocated to the set prizes and carried forward from previous draws, if any, and
- (2) an amount from the reserve accounts.

(e) In the event the liability cap is met, the amount to fund the grand/jackpot prize, together with the amounts to fund prize levels six (6) through nine (9), shall be first paid from the liability cap amount. The balance of the liability cap, after deducting the grand/jackpot prize and payment for prize levels six (6) through nine (9) (hereinafter referred to as the “liability cap balance”), shall be applied to prize levels two (2) through (5) on a pari-mutuel basis in accordance with the following formula:

- (1) Prize level two (2) (normally \$250,000) shall be an amount equal to 64.53% of the Liability Cap Balance divided by the number of winners in prize level two (2);
- (2) Prize level three (3) (normally \$10,000) shall be an amount equal to 14.63% of the liability cap balance divided by the number of winners in prize level three (3); and
- (3) Prize levels four (4) and five (5) (normally \$150) shall be an amount equal to 20.84% of the liability cap balance divided by the number of combined winners in prize levels four (4) and five (5).

(f) Except as required by K.A.R. 111-5-186(a), the official advertised grand prize annuity amount is subject to change based on sales forecasts and/or actual sales. Additionally, this prize amount may be rounded up to the next highest affordable multiple of one million dollars, at the discretion of the Kansas lottery.

(g) Subject to the laws and rules governing each participating lottery, the number of prize categories and the allocation of the prize fund among the prize categories may be changed at the discretion of the Mega Millions lotteries, for promotional purposes. Such change shall be announced by Mega Millions lotteries. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-185. Probability of winning.** (a) The following table sets forth the approximate probability of winning and the probable distribution of winners in and among each prize category based upon the total number of possible combinations in Mega Millions.

Number of Matches Per Ticket	Probability Distribution		Probable/Set Prize Amount
	Winners	Probability	
All five (5) of first set plus one (1) of second set	1	1: 175,711,536.00	Grand Prize
All five (5) of first set and none of second set	45	1: 3,904,700.80	\$250,000
Any four (4) of first set plus one (1) of second set	255	1: 689,064.85	\$10,000
Any four (4) of first set and none of second set	11,475	1: 15,312.55	\$150
Any three of first set plus one (1) of second set	12,750	1: 13,781.30	\$150
Any two (2) of first set plus one (1) of second set	208,250	1: 843.75	\$10
Any three (3) of first set and none of second set	573,750	1: 306.25	\$7
Any one (1) of first set plus one (1) of second set	1,249,500	1: 140.63	\$3
None of first set plus one (1) of second set	2,349,060	1: 74.80	\$2
Overall	4,405,086	1: 39.89	

(Authorized by and implementing K.S.A. 74-8710; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-186. Prize payments; annuitized and cash prizes.** (a) The portion of the prize money allocated from the current Mega Millions prize pool for the grand prize, plus any previous portions of prize money allocated to the grand prize category in which no matching tickets were sold and moneys from a reserve needed to fund a guaranteed grand prize will be divided equally among all jackpot prize winners. The annuity grand prize amount will be paid in 26 annual installments. If a Mega Millions lottery law or rule requires that the official advertised annuity prize amount shall be the basis for determining the amount to be awarded for the Mega Millions grand prize, a play matching all five of the five Mega Millions winning numbers drawn for field 1 and the one Mega Millions winning number drawn for field 2, then it shall be funded by the selling lotteries. However, if the sales support a jackpot that is at least \$12 million, as an annuity, lower than the advertised annuity prize amount, then the resulting annuity prize amount to be paid will be the highest fully funded million plus \$12 million, as an annuity, or the advertised jackpot, whichever is lower. In no event, however, as may be required by a Mega Millions lottery law or rule, shall the jackpot paid be less than the official advertised annuity prize amount of the immediately prior drawing. When there is only one winning Mega Millions ticket for the annuity prize, no grand prize paid in 26 annual installments shall be less than \$12 million.

(b) If in any Mega Millions drawing there are no Mega Millions plays which qualify for the grand prize category, the portion of the prize fund allocated to such grand prize category shall remain in the jackpot prize category and be added to the amount allocated for the grand prize category in the next consecutive Mega Millions drawing.

(c) Grand prizes shall be paid, at the election of the player made no later than 60 days after the player becomes entitled to a prize, with either a per winner annuity or cash payment. If the payment election is not made by the player within 60 days after the player becomes entitled to the prize, then the prize shall be paid as an annuity prize. The election to take the cash payment may be made

within 60 days after the player becomes entitled to the prize. An election made after the winner becomes entitled to the prize is final and cannot be revoked, withdrawn, or otherwise changed.

(d) In the event of a prize winner who selects the cash value option, the prize winner's share will be paid in a single payment upon completion of internal validation procedures. The cash option amount shall be determined by the product group.

(e) Annual payment option jackpot prizes shall be paid in 26 annual installments upon completion of internal validation procedures. The initial payment shall be paid upon completion of internal validation procedures. The subsequent 25 payments shall be paid annually to coincide with the month of the Federal auction date at which the bonds were purchased to fund the annuity. All such payments shall be made within seven days of the anniversary of the annual auction date.

(f) If individual shares of the cash held to fund an annuity are less than \$250,000, the product group, in its sole discretion, may elect to pay the winners their share of the cash held in the grand prize pool. All annuitized prizes shall be paid annually in twenty-six (26) payments with the initial payment being made in cash, to be followed by twenty-five (25) payments funded by the annuity. Prize payments may be rounded down to the nearest one thousand dollars (\$1,000).

(g) Funds for the initial payment of an annuitized prize or the lump sum cash prize shall be made available by MUSL for payment by the party lottery on a schedule approved by the product group. If necessary, when the due date for the payment of a prize occurs before the receipt of funds in the prize pool trust is sufficient to pay the prize, the transfer of funds for the payment of the full lump sum cash amount may be delayed pending receipt of funds from the party lotteries or other lotteries participating in the Mega Millions game.

(h) In the event of the death of a lottery winner sold during the annuity payment period, the MUSL finance and audit committee, in its sole discretion excepting a discretionary review by the product group, upon the petition of the estate of the lottery winner (the "estate") to the Kansas lottery, and subject to federal, state, district, or territorial applicable laws, may accelerate the payment of all of the remaining lottery proceeds to the estate. If such a determination is made, then securities and/or cash held to fund the deceased lottery winner's annuitized prize may be distributed to the estate. The identification of the securities to fund the annuitized prize shall be at the sole discretion of the finance and audit committee or the product group.

(i) All low-tier cash prizes (all prizes except the grand prize) shall be paid in cash. The Kansas lottery may begin paying low-tier cash prizes after receiving authorization to pay from the MUSL central office.

(j) Annuitized payments of the grand prize or a share of the grand prize may be rounded to facilitate the purchase of an appropriate funding mechanism. Breakage on an annuitized grand prize win shall be added to the first cash payment to the winner or winners. Prizes other than the grand prize, which, under these rules, may become

(continued)

single-payment, pari-mutuel prizes, may be rounded down so that prizes can be paid in multiples of whole dollars. Breakage resulting from rounding these prizes shall be carried forward to the prize pool for the next drawing.

(k) If the grand prize is not won in a drawing, the prize money allocated for the grand prize shall roll over and be added to the grand prize pool for the following drawing.

(l) The holder of a winning ticket may win only one prize per board in connection with the winning numbers drawn, and shall be entitled only to the prize won by those numbers in the highest matching prize category.

(m) Prize claims must be claimed within 365 days of the day of the drawing in which the prize was won. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8731; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-187. Ticket validation requirements.** (a) To be a valid ticket and eligible to receive a prize, a ticket shall satisfy all the requirements established by the Kansas lottery for validation of winning tickets sold through its on-line system and any other validation requirements adopted by the product group, the MUSL board and published as the confidential MUSL minimum game security standards. The MUSL and the Kansas lottery shall not be responsible for tickets which are altered in any manner.

(b) Under no circumstances will a claim be paid for either the grand prize or the second prize without an official Mega Millions ticket matching all game play, serial number, and other validation data residing in the Kansas lottery's gaming system computer and such ticket shall be the only valid proof of the wager placed and the only valid receipt for claiming or redeeming such prize.

(c) In order to be deemed a valid, winning Mega Millions ticket, all of the following conditions must be met:

(1) The validation data must be present in its entirety and must correspond, using the computer validation file, to the number selections printed on the ticket for the drawing date(s) printed on the ticket;

(2) The ticket must be intact;

(3) The ticket must not be mutilated, altered, reconstituted, or tampered with in any manner;

(4) The ticket must not be counterfeit or an exact duplicate of another winning ticket;

(5) The ticket must have been issued by an authorized Kansas lottery retailer on official paper stock of the Kansas lottery;

(6) The ticket must not have been stolen, to the knowledge of the Kansas lottery;

(7) The ticket must be submitted for payment in accordance with procedures for claiming and payment of prizes;

(8) The ticket data must have been recorded on the central computer system prior to the drawing and the ticket data must match this computer record in every respect. In the event of a contradiction between information as printed on the ticket and as accepted by the Kansas lottery computer, the wager accepted by the Kansas lottery computer shall be the valid wager;

(9) The player or computer number selections, validation data, and the drawing date(s) of an apparent winning

ticket must appear on the official file of winning tickets, and a ticket with that exact data must not have been previously paid;

(10) The ticket must not be misregistered, defectively printed, or printed or produced in error to an extent that it cannot be processed by the Kansas lottery;

(11) The ticket must pass validation tests using a minimum of three (3) of the five (5) validation methods as defined in the Mega Millions finance and operations procedures, section 15. In addition, the ticket must pass all other confidential security checks of the Kansas lottery;

(12) In submitting a Mega Millions ticket for validation, the claimant agrees to abide by applicable laws, all rules and regulations, instructions, conditions, and final decisions of the executive director of the Kansas lottery;

(13) There must not be any other breach of Mega Millions or Kansas lottery rules in relation to the ticket, which in the opinion of the executive director of the Kansas lottery, justifies invalidation;

(14) The ticket must be submitted to the party lottery that issued the ticket.

(d) An official Mega Millions ticket submitted for validation, which fails any of the preceding validation conditions, shall be considered void, subject to the following determinations:

(1) In all cases of doubt, the determination of the party lottery which sold the Mega Millions ticket shall be final and binding. The party lottery may, at its option, replace an invalid ticket with a Mega Millions ticket of equivalent sales price;

(2) In the event a defective ticket is purchased or in the event the party lottery determines to adjust an error, the claimant's sole and exclusive remedy shall be the replacement of such defective or erroneous ticket(s) with a Mega Millions ticket of equivalent sales price;

(3) In the event a Mega Millions ticket is not paid by a party lottery and a dispute occurs as to whether the ticket is a winning ticket, the party lottery may, at its option, replace the ticket as provided in this rule. This shall be the sole and exclusive remedy of the claimant unless the laws or regulations of the party lottery provide for further administrative review. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-188. Claiming prizes; procedure and time period.** (a) Prior to the payment of any prize, each ticket shall be validated by the retailer or lottery office pursuant to this act.

(b) The procedures for payment of a "Mega Millions" prize on any single game ticket of \$599 or less, except for a grand prize, are as follows:

(1) The claimant of a ticket purchased in Kansas may present the ticket to any Kansas lottery on-line retailer. Upon validation of the ticket, the retailer shall immediately make payment for the prize to the claimant. If the retailer cannot validate the ticket, the claimant shall fill out a claim form provided by the retailer and personally present or mail the completed form together with the ticket to any office of the Kansas lottery. If the ticket is validated, then payment shall be made to the claimant by mail.

(2) The claimant may bring the ticket to any office of the Kansas lottery during the hours that the office is open

to the public for business. Upon validation of the ticket, and completion of a claim form, payment shall be processed for the claimant.

(3) The claimant may mail the ticket with a completed claim form in any envelope to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer, online, or any office of the Kansas lottery. Upon receipt of the ticket and completed claim form and validation of the ticket, payment shall be processed for the claimant.

If any evidence of alteration, mutilation, tear, or other ambiguity appears on the ticket, the retailer shall not make direct payment of a prize. The claimant shall submit a claim form with the ticket to the lottery.

(c) The procedure for the payment of a Mega Millions prize on any single game ticket which totals \$600.00 or more shall be as follows:

(1) The claimant may bring the signed ticket to any office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the ticket and completion of a claim form, payment shall be processed for the claimant.

(2) The claimant may mail the ticket with a completed claim form to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer, online, or any office of the Kansas lottery. Upon receipt of the ticket and completed claim form and validation of the ticket, payment shall be processed for the claimant.

(d) Although tickets and claim forms may be presented or mailed to any Kansas lottery office, such prizes may only be paid by lottery headquarters.

(e) All prizes must be claimed within 365 days of the drawing in which the prize was won. Any prize or prizes not claimed within the time specified shall be forfeited. If a prize is claimed by mail, the ticket and claim form must actually be received by the lottery within the claim period. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and 74-8720; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-189. Ticket responsibility.** (a) Until such time as a signature, mark or printed name is placed on the back of a ticket in the area designated for a signature, mark or name, a ticket shall be owned by the holder of the ticket. When a signature, mark or name is placed on a ticket in the place designated, the person whose signature, mark or name appears in that area shall be the owner of the ticket and shall be entitled (subject to the validation requirements in K.A.R. 111-5-187) to any prize attributable thereto.

(b) If the signature of more than one person appears on the back of the ticket in the designated place, the lottery shall make payment to the person presenting the ticket whose signature appears on both the ticket and the winner claim form. If all persons whose signatures appear in the appropriate space cannot identify one person to whom payment should be made, the lottery shall keep the prize until a determination of entitlement is made by the parties. In no event shall more than one person be entitled to a particular prize.

(c) The product group, the MUSL and Kansas lottery shall not be responsible for lost or stolen tickets.

(d) The Kansas lottery shall not be responsible to a prize claimant for Mega Millions tickets redeemed in error by a Kansas lottery retailer.

(e) Winners are determined by the numbers drawn and certified by the independent auditor responsible for auditing the Mega Millions draw. MUSL and the Kansas lottery are not responsible for Mega Millions winning numbers reported in error. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and 74-8720; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-190. Ineligible players.** (a) All provisions of K.S.A. 74-8718 and K.S.A. 74-8719, and amendments thereto, apply to the "Mega Millions" game.

(b) A ticket or share for a MUSL game issued by the MUSL or any of its party lotteries shall not be purchased by, and a prize won by any such ticket or share shall not be paid to:

(1) a MUSL employee, officer or director;

(2) a contractor or consultant under agreement with the MUSL to review the MUSL audit and security procedures; or

(3) an employee of an independent accounting firm under contract with MUSL to observe drawings or site operations and actually assigned to the MUSL account and all partners, shareholders, or owners in the local office of the firm;

(4) an immediate family member (parent, stepparent, child, stepchild, spouse, or sibling) of an individual described in subsections (b)(1), (b)(2), and (b)(3) and residing in the same household.

(c) A ticket or share of the Mega Millions game may not be purchased in any lottery jurisdiction by any party lottery board member, commissioner, officer, employee, or spouse, child, brother, sister, or parent residing as a member of the same household in the principle place of residence of any such persons. Prizes shall not be paid to any persons prohibited from playing Mega Millions in a particular jurisdiction by rules, governing law, or any contract executed by the selling lottery. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8718 and 74-8719; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-191. Multi-draw.** (a) In addition to a single play for each \$1.00, a player may also have his or her selections entered in multiple drawings. Multi-draw tickets must be purchased for consecutive drawings beginning with the next drawing. This is done by marking one of the multi-draw boxes designated by 2, 3, 4, 5, 6, 7, 8, 9, 10, or 15 on the play slip. The additional draw period(s) for which the ticket is valid will then appear on the computer generated ticket given to the player by the retailer.

(b) A player must pay an additional \$1.00 per play for each additional drawing in which he or she wishes to play.

(c) Unless one of the multi-draw boxes is marked and the additional amount paid, the play will only be eligible for the current drawing up to 8:59 p.m. the day of the drawing.

(d) A player may purchase only the same numbers on the same boards for multiple drawings.

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(e) Multi-draw tickets for Mega Millions drawings conducted after the January 30, 2010, business day shall not be available for purchase prior to the business day beginning January 31, 2010.

(f) A business day for the purposes of this game shall be defined at subsection (p) of K.A.R. 111-6-1. (Authorized by and implementing K.S.A. Supp. 74-8710; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-192. Entry of plays.** Plays may only be entered manually using the lottery terminal keypad or touch screen or by means of a play slip provided by the lottery and hand-marked by the player or by such other means approved by the lottery. Retailers shall not permit the use of facsimiles of play slips, copies of play slips, or other materials that are inserted into the terminal's play slip reader that are not printed or approved by the lottery. Retailers shall not permit any device to be connected to a lottery terminal to enter plays, except as approved by the lottery. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-193. Applicable law.** In purchasing a ticket, the purchaser agrees to comply with and abide with all applicable laws, rules, regulations, procedures, and decisions of the Kansas lottery and by the directives and determinations of the executive director of the Kansas lottery. The player shall be bound to all applicable provisions in the Mega Millions finance and operations procedures. The player agrees, in its sole and exclusive remedy, that claims arising out of a Mega Millions ticket can only be pursued against the party lottery of ticket purchase. Litigation, if any, shall only be maintained within the jurisdiction in which the Mega Millions ticket was purchased and only against the party lottery that issued the ticket. Nothing in this rule shall be construed as a waiver of any defense or claim a party lottery may have in the event a player pursues litigation against the party lottery, its officers, or employees. All decisions made by a party lottery, including the declaration of prizes and the payment thereof and the interpretation of Mega Millions rules, shall be final and binding on all purchasers and on every person making a claim in respect thereof, but only in the jurisdiction where the Mega Millions ticket was issued. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-5-194. Mega Millions Megaplier promotion.**

(a) The Mega Millions megaplier promotion is a limited extension of the Mega Millions game and is conducted in accordance with the Mega Millions game rules and other lottery rules applicable to the Mega Millions game except as may be amended herein. The promotion will begin on January 31, 2010, which is the day Mega Millions tickets are first offered for sale by the Kansas lottery. The promotion will continue until it is discontinued by the Kansas lottery. The promotion will offer to the owners of a qualifying play a chance to multiply the amount of any of the eight lump sum set prizes (the lump sum prizes normally paying \$2 to \$250,000) won in a drawing held during the promotion. The grand prize is not a set prize and will not be multiplied.

(b) A qualifying play is any single Mega Millions play for which the player pays an extra dollar for the mega-

plier option play and which is recorded at the Kansas Lottery's central computer as a qualifying play.

(c) A qualifying play which wins one of eight lowest lump sum set prizes will be multiplied by the number selected, either two, three, or four (2, 3, or 4), in a separate random megaplier drawing announced in a manner approved by the product group.

(d) MUSL will either itself conduct, or authorize a United States lottery to conduct on its behalf, a separate random megaplier drawing. Before each Mega Millions drawing, a single number (2, 3, or 4) shall be drawn. The Mega Millions group may change one or more of these multiplier numbers for special promotions from time to time.

(e) The prize pool for all prize categories offered by the party lotteries shall consist of up to fifty percent (50%) of each drawing period's sales, including any specific statutorily-mandated tax of a party lottery to be included in the price of a lottery ticket, after the Mega Millions prize reserve accounts are funded to the amounts set by the product group. Any amount remaining in the prize pool at the end of this game shall be carried forward to a replacement game or expended in a manner as directed by the product group in accordance with jurisdiction law.

(f) Any amount not used to pay for multiplied prizes may be collected and placed in the rollover account or in trust in one or more prize reserve accounts until the prize reserve accounts reach the amounts designated by the product group.

(g) Except as provided in these rules, all prizes awarded shall be paid as lump sum set prizes. Instead of the Mega Millions set prize amounts, qualifying megaplier plays will pay the amounts shown below when matched with the megaplier number drawn:

	Prize Amount	2X	3X	4X
Match 5+0	\$250,000	\$500,000	\$750,000	\$1,000,000
Match 4+1	\$10,000	\$20,000	\$30,000	\$40,000
Match 4+0	\$150	\$300	\$450	\$600
Match 3+1	\$150	\$300	\$450	\$600
Match 2+1	\$10	\$20	\$30	\$40
Match 3+0	\$7	\$14	\$21	\$28
Match 1+1	\$3	\$6	\$9	\$12
Match 0+1	\$2	\$4	\$6	\$8

Note: Megaplier does not apply to the Mega Millions grand prize.

In certain rare instances, the Mega Millions set prize amount may be less than the amount shown. In such case, the megaplier prizes will be a multiple of the changed Mega Millions prize amount announced after the draw. For example, if the match 5+0 Mega Millions set prize amount of \$250,000 becomes \$150,000 under the rules of the Mega Millions game, then a megaplier player winning that prize amount with a 4X multiplier would win \$600,000 (\$150,000 x 4).

(h) The following table sets forth the probability of the various megaplier numbers being drawn during a single Mega Millions drawing. The group may elect to run limited promotions that may increase the multiplier numbers.

Megaplier	Probability of Prize Increase
4X - Prize won times 4	12 in 21
3X - Prize won times 3	7 in 21
2X - Prize won times 2	2 in 21



Note: Megaplier does not apply to the Mega Millions grand prize.

(i) The prize pool percentage allocated to the megaplier set prizes shall be carried forward to subsequent draws if all or a portion of it is not needed to pay the set prizes awarded in the current draw or may be held in a prize reserve account.

(j) If the total of the original Mega Millions set prizes and the multiplied megaplier set prizes awarded in a drawing exceeds the percentage of the prize pools allocated to the set prizes, then the amount needed to fund the set prizes (including the multiplied set prizes) awarded shall be drawn from the following sources, in the following order:

(1) the amount allocated to the set prizes and carried forward from previous draws, if any;

(2) an amount from the Mega Millions reserve accounts not to exceed the lesser of 300% of draw sales or 50% of draw sales plus \$50 million.

If, after these sources are depleted, there are not sufficient funds to pay the set prizes awarded (including multiplied prizes), then the prize levels two through five shall become a pari-mutuel prize, as set out in K.A.R. 111-4-184(d). The Mega Millions and megaplier prize pools shall be combined in the rare instance when the set prizes, pursuant to the rules, are paid on a pari-mutuel basis, so that the multipliers, as provided for in the rules, will remain in effect for all prize levels.

(k) All megaplier prizes shall be paid in one lump sum through the party lottery that sold the winning ticket(s). A party lottery may begin paying megaplier prizes after receiving authorization to pay from the MUSL central office.

(l) Prizes, which under these rules, may become pari-mutuel prizes, may be rounded down so that prizes can be paid in multiples of whole dollars. Breakage resulting from rounding these prizes shall be carried forward to the prize pool for the next drawing. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-1-29-10, Jan. 20, 2010.)

**Article 9.—PULL-TAB GAMES**

**111-9-162. “Step Right Up” pull tab ticket lottery game number 248.** (a) The Kansas lottery shall conduct a pull tab lottery game entitled “Step Right Up” commencing on or after February 1, 2010. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-162.

(b) The price of pull tab tickets sold by a retailer for this game shall be \$1.00 each.

(c) Approximately 1,200,000 tickets shall be ordered initially for this pull tab game which shall be packaged in packs of 300 tickets each. The ticket numbers in each pack in this game shall start with 000 and end with 299. Additional ticket orders shall have the same prize structure, the same number of prizes per pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(d) The play symbols for this game are as follows:

- Symbol of a box of popcorn
- Symbol of a clown
- Symbol of a circus tent

- Symbol of a lion
- Symbol of a trapeze artist
- Symbol of a cannon

(e) For this game, three play symbols shall appear under each of four tabs on the back of each ticket. On the front of each ticket shall appear a legend of all winning combinations using the play symbols for this game along with the corresponding prize amount for each combination, as follows: three cannon symbols equal \$1.00; three trapeze artist symbols equal \$5.00; three lion symbols equal \$10.00; three circus tent symbols equal \$25.00; three clown symbols equal \$100.00; three boxes of popcorn symbols equal \$1,000.00.

(f) All tabs on the back of each ticket are to be pulled open. For each combination of three play symbols matching the legend on the front of the ticket, the player wins the prize amount corresponding to each combination as shown in (h) below. All winning combinations shall be within a single window in a horizontal line.

(g) The retailer validation codes for this game and their meanings are as follows:

ONE	=	\$1.00
FIV	=	\$5.00
SIX	=	\$6.00
TEN	=	\$10.00
FTN	=	\$15.00
TWF	=	\$25.00
THF	=	\$35.00
HUN	=	\$100.00

(h) The number and value of prizes in this game and winning combinations shall be as follows: (See corresponding play symbol values in subsection (e) above.)

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	\$1	220,000	\$220,000
\$5	\$5	40,000	200,000
\$1 + \$5	\$6	24,000	144,000
\$10	\$10	6,000	60,000
\$5 + \$10	\$15	3,200	48,000
\$25	\$25	1,740	43,500
\$10 + \$25	\$35	1,100	38,500
\$100	\$100	420	42,000
\$1,000	\$1,000	20	20,000
TOTAL		<u>296,480</u>	<u>\$816,000</u>

(i) Each ticket in this game may have up to two winning combinations.

(j) The overall odds of winning a prize in this game are approximately one in 4.05. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-9-163. “Rack ‘Em Up” pull tab ticket lottery game number 249.** (a) The Kansas lottery shall conduct a pull tab lottery game entitled “Rack ‘Em Up” commencing on or after February 1, 2010. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-163.

(b) The price of pull tab tickets sold by a retailer for this game shall be \$1.00 each.

(c) Approximately 1,200,000 tickets shall be ordered initially for this pull tab game which shall be packaged in

*(continued)*

packs of 300 tickets each. The ticket numbers in each pack in this game shall start with 000 and end with 299. Additional ticket orders shall have the same prize structure, the same number of prizes per pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(d) The play symbols for this game are as follows:

- Symbol of a rack of pool balls
- Symbol of a pool table
- Symbol of a pool ball
- Symbol of a pool player
- Symbol of a pool cue stick
- Symbol of a pool chalker

(e) For this game, three play symbols shall appear under each of four tabs on the back of each ticket. On the front of each ticket shall appear a legend of all winning combinations using the play symbols for this game along with the corresponding prize amount for each combination, as follows: three pool chalker symbols equal \$1.00; three pool cue stick symbols equal \$5.00; three pool player symbols equal \$10.00; three pool ball symbols equal \$25.00; three pool table symbols equal \$100.00; three racks of pool balls symbols equal \$1,000.00.

(f) All tabs on the back of each ticket are to be pulled open. For each combination of three play symbols matching the legend on the front of the ticket, the player wins the prize amount corresponding to each combination as shown in (h) below. All winning combinations shall be within a single window in a horizontal line.

(g) The retailer validation codes for this game and their meanings are as follows:

ONE	=	\$1.00
FIV	=	\$5.00
SIX	=	\$6.00
TEN	=	\$10.00
FTN	=	\$15.00
TWF	=	\$25.00
THF	=	\$35.00
HUN	=	\$100.00

(h) The number and value of prizes in this game and winning combinations shall be as follows: (See corresponding play symbol values in subsection (e) above.)

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	\$1	220,000	\$220,000
\$5	\$5	40,000	200,000
\$1 + \$5	\$6	24,000	144,000
\$10	\$10	6,000	60,000
\$5 + \$10	\$15	3,200	48,000
\$25	\$25	1,740	43,500
\$10 + \$25	\$35	1,100	38,500
\$100	\$100	420	42,000
\$1,000	\$1,000	20	20,000
TOTAL		<u>296,480</u>	<u>\$816,000</u>

(i) Each ticket in this game may have up to two winning combinations.

(j) The overall odds of winning a prize in this game are approximately one in 4.05. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-1-29-10, Jan. 20, 2010.)

**111-9-164. "Money Mine" pull tab ticket lottery game number 271.** (a) The Kansas lottery shall conduct a

pull tab lottery game entitled "Money Mine" commencing on or after February 1, 2010. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-164.

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

(c) Approximately 600,000 tickets shall be ordered initially for this pull tab game that shall be packaged in packs of 150 tickets each. The ticket numbers in each pack in this game shall start with 000 and end with 149. Additional ticket orders shall have the same prize structure, the same number of prizes per pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

(d) The play symbols for this game are as follows:

- Symbol of a minor
- Symbol of sticks of dynamite
- Symbol of a mining pick
- Symbol of a mining cart
- Symbol of a donkey
- Symbol of a lantern
- Symbol of a mining helmet
- Symbol of a mine

(e) For this game, three play symbols shall appear under each of eight tabs on the back of each ticket. On the front of each ticket shall appear a legend of all winning combinations using the play symbols for this game along with the corresponding prize amount for each combination, as follows: three mine symbols equal \$2.00; three mining helmet symbols equal \$5.00; three lantern symbols equal \$10.00; three donkey symbols equal \$25.00; three mining cart symbols equal \$50.00; three mining pick symbols equal \$100.00; three sticks of dynamite symbols equal \$250.00; three miners equal \$2,500.00.

(f) All tabs on the back of each ticket are to be pulled open. For each combination of three play symbols matching the legend on the front of the ticket, the player wins the prize amount corresponding to each combination as shown in (h) below. All winning combinations shall be within a single window in a horizontal line.

(g) The three letters comprising the retailer validation codes used in this game shall appear in three of 24 varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

TWO	=	\$2.00
FOR	=	\$4.00
FIV	=	\$5.00
SEV	=	\$7.00
TEN	=	\$10.00
TWF	=	\$25.00
THF	=	\$35.00
FTY	=	\$50.00
HUN	=	\$100.00
THY	=	\$250.00

(h) The number and value of prizes in this game and winning combinations shall be as follows: (See corresponding play symbol values in subsection (e) above.)

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$2	\$2	82,000	\$164,000
\$2 + \$2	\$4	28,120	112,480









**AGENCY 112: RACING AND GAMING COMMISSION**

Reg. No.	Action	Register
112-12-15	New	V. 28, p. 797
112-13-6	New	V. 28, p. 376
112-100-1 through 112-100-7	New	V. 27, p. 1378
112-101-1 through 112-101-16	New	V. 28, p. 376-379
112-102-1 through 112-102-13	New	V. 28, p. 1161-1163
112-103-1 through 112-103-12	New	V. 28, p. 376-382
112-103-15	New	V. 28, p. 382
112-103-16	New	V. 28, p. 382
112-104-1 through 112-104-33	New	V. 27, p. 1378-1406
112-104-34 through 112-104-41	New	V. 28, p. 1457-1459
112-105-1 through 112-105-7	New	V. 27, p. 1406-1408
112-106-1 through 112-106-7	New	V. 27, p. 1408-1411
112-107-1	New	V. 28, p. 424
112-107-2	New	V. 28, p. 424
112-107-3	New	V. 28, p. 424
112-107-5	New	V. 28, p. 428
112-107-6	New	V. 28, p. 428
112-107-7	New	V. 28, p. 428
112-107-9	New	V. 28, p. 429
112-107-10	New	V. 28, p. 429
112-107-11	New	V. 28, p. 430
112-107-13 through 112-107-32	New	V. 28, p. 430-440
112-107-34	New	V. 28, p. 441
112-108-1 through 112-108-57	New	V. 28, p. 1766-1788
112-110-1 through 112-110-13	New	V. 28, p. 464-470
112-111-1 through 112-111-5	New	V. 28, 470-472
112-112-1 through 112-112-9	New	V. 27, p. 1411-1413
112-113-1	New	V. 28, p. 382
112-114-1 through 112-114-6	New	V. 28, p. 472
112-114-8 through 112-114-12	New	V. 28, p. 472, 473

112-114-14 New V. 28, p. 473

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

Reg. No.	Action	Register
115-2-1	Amended	V. 28, p. 1595
115-2-3	Amended	V. 27, p. 1264
115-2-3a	Amended	V. 28, p. 1596
115-2-5	Amended	V. 27, p. 1265
115-4-1	Amended	V. 28, p. 569
115-4-4	Amended	V. 27, p. 403
115-4-4a	Amended	V. 27, p. 403
115-4-6	Amended	V. 27, p. 109
115-4-6a	Revoked	V. 27, p. 112
115-4-11	Amended	V. 29, p. 67
115-4-13	Amended	V. 27, p. 404
115-4-14	Revoked	V. 27, p. 112
115-5-1	Amended	V. 28, p. 1250
115-5-2	Amended	V. 28, p. 1251
115-6-1	Amended	V. 28, p. 1251
115-7-1	Amended	V. 28, p. 1598
115-7-2	Amended	V. 27, p. 1708
115-7-3	Amended	V. 28, p. 1599
115-7-8	Amended	V. 27, p. 405
115-7-9	Amended	V. 27, p. 406
115-7-10	New	V. 28, p. 1600
115-8-1	Amended	V. 28, p. 571
115-8-6	Amended	V. 28, p. 1600
115-8-9	Amended	V. 27, p. 1265
115-8-10	Amended	V. 27, p. 1265
115-8-13	Amended	V. 27, p. 112
115-15-1	Amended	V. 28, p. 1079
115-15-2	Amended	V. 28, p. 1080
115-18-7	Amended	V. 27, p. 406
115-18-21	New	V. 27, p. 1708
115-20-7	New	V. 28, p. 1600

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-1-1	Amended	V. 28, p. 373
117-2-2a	Amended	V. 28, p. 373
117-3-1	Amended	V. 28, p. 1027
117-3-2a	Amended	V. 28, p. 373
117-4-1	Amended	V. 28, p. 1028
117-4-2a	Amended	V. 28, p. 374
117-5-2	Amended	V. 28, p. 374
117-5-2a	Amended	V. 28, p. 375
117-6-1	Amended	V. 28, p. 1029
117-7-1	Amended	V. 28, p. 375
117-10-1	New	V. 28, p. 375

**AGENCY 121: DEPARTMENT OF CREDIT UNIONS**

Reg. No.	Action	Register
121-9-1	Amended	V. 28, p. 457
121-10-1	New	V. 27, p. 1099
121-10-2	New	V. 27, p. 1099
121-11-1	New	V. 28, p. 457
121-11-2	New	V. 28, p. 457
121-12-1	New	V. 28, p. 459

**AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION**

Reg. No.	Action	Register
127-2-1	New	V. 28, p. 192
127-2-2	New	V. 28, p. 192
127-2-3	New	V. 28, p. 193

**AGENCY 128: DEPARTMENT OF COMMERCE—KANSAS ATHLETIC COMMISSION**

Reg. No.	Action	Register
128-1-1	New (T)	V. 27, p. 106
128-1-1	New	V. 27, p. 358
128-2-1	New	V. 27, p. 360
128-2-3 through 128-2-13	New	V. 27, p. 360-362
128-2-12	New (T)	V. 27, p. 107
128-3-1	New	V. 27, p. 362
128-4-1 through 128-4-9	New	V. 27, p. 363-367
128-4a-1	New	V. 27, p. 367
128-5-1	New	V. 27, p. 367
128-5-2	New	V. 27, p. 368
128-6-1	New	V. 27, p. 368
128-6-2	New	V. 27, p. 371
128-6-4	New	V. 27, p. 374

**AGENCY 129: KANSAS HEALTH POLICY AUTHORITY**

Reg. No.	Action	Register
129-5-1	Amended	V. 27, p. 628
129-5-78	Amended	V. 28, p. 1464
129-5-108	Amended	V. 27, p. 1346
129-10-15a	New	V. 27, p. 1346
129-10-15b	New	V. 27, p. 1348
129-10-17	New	V. 27, p. 1348
129-10-18	New	V. 27, p. 1350
129-10-23a	New	V. 27, p. 1353
129-10-23b	New	V. 27, p. 1353
129-10-25	New	V. 27, p. 1354
129-10-26	New	V. 27, p. 1355
129-10-27	New	V. 27, p. 1356
129-10-200	New	V. 27, p. 1356
129-10-210	New	V. 27, p. 1358

**AGENCY 130: HOME INSPECTORS REGISTRATION BOARD**

Reg. No.	Action	Register
130-1-1	New	V. 28, p. 1737
130-1-2	New (T)	V. 29, p. 38
130-1-3	New (T)	V. 29, p. 38
130-1-4	New	V. 28, p. 1737
130-1-5	New	V. 28, p. 1738
130-2-1	New	V. 28, p. 1738
130-3-1	New (T)	V. 29, p. 38
130-4-1	New (T)	V. 29, p. 39
130-4-2	New (T)	V. 29, p. 39

**Kansas Register**  
**Secretary of State**  
**1st Floor, Memorial Hall**  
**120 S.W. 10th Ave.**  
**Topeka, KS 66612-1594**

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