



# Kansas Register

Kris W. Kobach, Secretary of State

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State of Kansas

Legislature

Interim Committee Schedule

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

Date	Room	Time	Committee	Agenda
Oct 24	152-S	9:30 a.m.	Joint Committee on Administrative Rules and Regulations	Review rules and regulations noticed for hearing by the Board of Accountancy, the Department of Health and Environment, the Board of Pharmacy, the Board of Veterinary Examiners, the Board of Emergency Medical Services, the Wildlife, Parks, and Tourism Commission, the Department of Health and Environment, the State Fire Marshal, the Department of Agriculture Division of Weights and Measures, the Department of Revenue, and the Board of Healing Arts.
Oct 27	582-N	9:00 a.m.	Special Committee on Elections	Presentations on Ranked Choice Voting.
Oct 30	218-N	9:00 a.m.	Joint Committee on Special Claims Against the State	Review claims.
Oct 30	548-S	2:00 p.m.	Legislative Coordinating Council	Legislative Matters.
Oct 31	548-S	TBA	Special Committee on Natural Resources	Agenda not available.

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[kansasregister@ks.gov](mailto:kansasregister@ks.gov)

Nov 1	346-S	9:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Overview of Kansas Department of Corrections operations and adult prison population projections; Discussion of juvenile justice reform implementation and proportionality in the sentencing grid.
Nov 2	346-S	9:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Discussion of the impact of juvenile adjudications and diversions, Romeo and Juliet laws, and efforts to address opioid abuse in Kansas; Committee comments and recommendations.

Tom Day  
Director of Legislative  
Administrative Services

Doc. No. 045807

**State of Kansas  
Pooled Money Investment Board**

**Notice of Investment Rates**

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

**Effective 10-23-17 through 10-29-17**

Term	Rate
1-89 days	1.16%
3 months	1.11%
6 months	1.24%
12 months	1.43%
18 months	1.50%
2 years	1.56%

Scott Miller  
Director of Investments

Doc. No. 045798

**State of Kansas  
911 Coordinating Council**

**Notice of Meeting**

The Kansas 911 Coordinating Council will meet from 11:00 a.m. to 1:00 p.m. Friday, December 1, 2017, via web conference at <https://join.startmeeting.com/fullcouncil>. For more information, please contact Gayle Schwarzrock by phone at 844-271-5301 or via email at K911@np-solutions.org.

Gayle Schwarzrock  
Nonprofit Solutions, Inc.  
Local Collection Point Administrator

Doc. No. 045812

**State of Kansas  
Wichita State University**

**Notice of Intent to Lease Building Space**

Public notice is hereby given that Wichita State University (WSU) intends to lease approximately 9,004 square feet of office/classroom/lab space, to include an attached covered garage, and located on the Wichita State University main campus. The university is interested in leas-

ing such space to any individual, organization, or entity whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to lease such space for any period of time up to two years, but renewal options are available. Interested tenants must be willing to be a good fit with the university's educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.). Rental rate is negotiable based on term of lease and benefit to the university. The university will consider serious offers and inquiries from any financially qualified individual, group, organization, or company. If interested, please contact Vice President for Research and Technology Transfer, Dr. John Tomblin, [john.tomblin@wichita.edu](mailto:john.tomblin@wichita.edu) or Property Manager Crystal Deselms, [crystal.deselms@wichita.edu](mailto:crystal.deselms@wichita.edu). This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

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

Doc. No. 045793

**State of Kansas  
Wichita State University**

**Notice of Intent to Lease Land and/or Building Space**

Public notice is hereby given that Wichita State University (WSU) intends to lease available land and building space. The university will consider leasing such property and/or space to those whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. Because tenant use must be a good fit with the university's educational mission and available space, please be prepared to provide the following information: (1) name; (2) square footage of space needs; (3) equipment, design, or other special needs; (4) description of anticipated use; and (5) the

*(continued)*

anticipated benefits to the university, its students, and the WSU community (e.g. applied learning, joint research, faculty start-up, etc.). The university will consider serious offers and inquiries from any financially qualified individual, group, organization, or company. If interested, please contact Vice President for Research and Technology Transfer, Dr. John Tomblin, john.tomblin@wichita.edu or Property Manager Crystal Deselms, crystal.deselms@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

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

Doc. No. 045794

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

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

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

Public Notice No. KS-AG-17-232

Application for New or Expansion of Existing Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located	Receiving Water
Melissa Langhofer Kansas-Smith Farms, LLC 23179 #5 Road Plains, KS 67869	Kansas-Smith Farms, LLC 23179 #5 Road Plains, KS 67869	Cimarron River Basin
<b>Legal Description</b>		
NW/4 of Section 34 T33S, R131W Seward County		
Kansas Permit No. A-CISW-H008	Federal Permit No. KS0093581	

This is notification KDHE has received a complete permit application for the operation of a swine waste management facility capable of housing 7,200 head (2,880 animal units) of swine weighing more than 55 pounds each. The complete application can be viewed at the

office of the Seward County Clerk, the KDHE Southwest District Office in Dodge City, Kansas or the KDHE Main Office in Topeka, KS. A permit to operate the proposed swine waste management system will not be issued without additional public notice.

Public Notice No. KS-AG-17-233/243

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Melissa Langhofer Kansas-Smith Farms, LLC Parity Grain 23179 #5 Road Plains, KS 67859	NW/4 of Section 34 T33S, R31W Seward County	Cimarron River Basin
Kansas Permit No. A-CISW-H008	Federal Permit No. KS0093581	

This permit is being reissued for an existing facility for 7,200 head (2,880 animal units) of swine weighing more than 55 pounds. This is an increase from the previously permitted number of animal units. The previous permit was approved for eight swine buildings but only four were built. The lagoon for the facility was built to handle the waste from eight buildings. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Craig Achen Lakin Dairy, LLP PO Box 323 Lakin, KS 67860-0323	SE/4 of Section 29 & E/2 of Section 32 T25S, R36W Kearny County	Upper Arkansas River Basin
Kansas Permit No. A-UAKE-D001	Federal Permit No. KS0093599	

This is a reissued permit for a combined facility. Modifications to the permit include the combination of two previously permitted facilities, A-UAKE-D001 and A-UAKE-C003, under common ownership and management into one permit, A-UAKE-D001. The facility is proposing to expand Area 6 by adding additional pens which will drain to an existing retention structure. The facility will have a maximum capacity of 16,660 animal units consisting of 9,700 head (9,700 animal units) of cattle weighing greater than 700 pounds, 3,000 head (1,500 animal units) of cattle weighing 700 pounds or less, and 3,900 head (5,460 animal units) of mature dairy cows. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Steven Keating Winifred Feedlot 1731 18th Road Frankfort, KS 66427	NE/4 of Section 26 T03S, R08E Marshall County	Big Blue River Basin
Kansas Permit No. A-BBMS-C001	Federal Permit No. KS0080365	

This permit is being modified for an existing facility for 2,900 head (2,900 animal units) of cattle weighing greater than 700 pounds and 50 head (2 animal units) of dogs. This facility has an approved Nutrient Management Plan on file with KDHE. The Nutrient Management Plan has been revised to include rendering and composting as methods of mortality disposal. Modifications to the permit include an updated facility description, schedule of compliance, and facility map. There are no other changes to the permit. Only the portions of the permit being modified are subject to comment.

Name and Address of Applicant	Legal Description	Receiving Water
Eldon Sudbeck 2412 J Road Seneca, KS 66538	SW/4 of Section 03 T02S, R12E Nemaha County	Missouri River Basin
Kansas Permit No. A-MONM-B013		

This is a new permit for a new facility for 999 head (999 animal units) of cattle weighing greater than 700 pounds. Runoff from 9 acres of pens will be controlled by a diversion/sediment basin and a new earthen retention control structure.

Name and Address of Applicant	Legal Description	Receiving Water
Perry A. Beachy Persue Dairy 4406 W. Red Rock Road Hutchinson, KS 67501	SE/4 of Section 20 T24S, R06W Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M013

This is a renewal permit for an existing facility for 170 head (238 animal units) of mature dairy cattle, 122 head (61 animal units) of cattle weighing less than 700 pounds, 50 head (0.4 animal units) of chickens, and 40 head (0.488 animal units) of laying hens for a total of 299.888 animal units. There is no change in the animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Brad Shogren 914 Sioux Road Lindsborg, KS 67456	SW/4 of Section 27 T17S, R04W McPherson County	Smoky Hill River Basin

Kansas Permit No. A-SHMP-B003

This permit is being reissued for an existing facility with a maximum capacity of 600 head (600 animal units) of cattle more than 700 pounds and 2 head (4 animal units) of horses, for a total of 604 animal units. This represents a decrease in animal units from the previous permit cycle.

Name and Address of Applicant	Legal Description	Receiving Water
Mick Summervill Spring Valley Farm 1626 Turkey Creek Road Marion, KS 66861	SW/4 of Section 16 T20S, R04E Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-B001

This permit is being reissued for an existing facility with a maximum capacity of 950 head (950 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Rick Hanschu 133 Quail Road Ramona, KS 67475	SE/4 of Section 36 T16S, R03E Dickinson County	Smoky Hill River Basin

Kansas Permit No. A-SHDK-B004

This permit is being reissued for an existing facility with a maximum capacity of 700 head (700 animal units) of cattle more than 700 pounds. There is no change in the permitted animal units from the previous permit cycle.

Name and Address of Applicant	Legal Description	Receiving Water
Robbie Dee Sweet Sweet Livestock Farm 15269 Road B75 Colby, KS 67701	NE/4 of Section 29 T05S, R33W Rawlins County	Upper Republican River Basin

Kansas Permit No. A-URRA-C002      Federal Permit No. KS0097454

This is a renewal permit for an existing facility for 2,500 head (2,500 animal units) of cattle weighing more than 700 pounds. There has been no change in animal numbers from the last permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Daniel E. Gerety Daniel and Jennifer Gerety Farm – Eastgate 604 Nemaha St. PO Box 170 Seneca, KS 66538	NW/4 of Section 10 T03S, R13E Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S067

This permit is being reissued for an existing facility with a maximum capacity of 1,400 head (560 animal units) of swine more than 55 pounds and 2,520 head (252 animal units) of swine 55 pounds or less, for a total of 3,920 head (812 animal units) of swine. There is no change in the permitted animal units from the previous permit cycle.

Name and Address of Applicant	Legal Description	Receiving Water
Bethell Hog Farm 32700 Stanley Road Melvern, KS 66510	NE/4 of Section 28 T18S, R17E Osage County	Maris des Cygnes

Kansas Permit No. A-MCOS-H001      Federal Permit No. KS0093734

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 4,800 head (1,920 animal units) of swine weighing greater than 55 pounds. The facility's NMP was updated to include a change in the application rate limitation for one field from no application to 1 x crop P removal application rate limitation. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

**Public Notice No. KS-Q-17-138/144**

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Bushton, City of PO Box 194 Bushton, KS 67427-0194	Cow Creek via Plum Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-AR15-OO01      Federal Permit No. KS0022250

Legal Description: NE½, SE¼, NW¼, S11, T18S, R10W, Rice County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a mechanical wastewater treatment plant consisting of: bar screen, imhoff tank, trickling filter, final clarification, sludge digestion, and sludge drying beds. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and pH, as well as monitoring for ammonia, E.coli, arsenic, flow, chloride and total phosphorus.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Chase, City of PO Box 223 Chase, KS 67524	Cow Creek via Spring Creek	Treated Domestic Wastewater

Kansas Permit No. M-AR19-OO01      Federal Permit No. KS0051667

Legal Description: NW¼, SE¼, NE¼, S32, T19S, R9W, Rice County, Kansas

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

(continued)

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

Effingham, City of  
PO Box 94  
Effingham, KS 66023

Stranger Creek via  
Unnamed Tributary

Treated Domestic  
Wastewater

Kansas Permit No. M-KS15-OO01      Federal Permit No. KS0047279

Legal Description: S½, NW¼, NE¼, S15, T6S, R18E, Atchison  
County, Kansas

Facility Name: Effingham Wastewater Treatment Facility

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a three cell wastewater stabilization lagoon system. The facility receives domestic wastewater from residential and commercial areas. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and E.coli, as well as monitoring for ammonia and total phosphorus.

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

Exxon Mobil Corp  
1400 S Harrison  
Olathe, KS 66061-7227

Kansas River via  
Mill Creek

Treated Domestic  
Wastewater

Kansas Permit No. I-KS52-PO02      Federal Permit No. KS0082988

Legal Description: NW¼, S1, T14S, R23E, Johnson County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility manufactures greases using refined base oils and commercially available fats, acids, amines, isocyanate, and additives. They also blend gear oils using refined base oils and additives. Steam condensate, cooling tower overflow, potable water line maintenance and fire protection water, and storm water runoff from the plant site are routed through a retention pond with an aerator and an oil water separator prior to discharge to Mill Creek (001). The annual average discharge to surface waters is about 19,000 gallons per day. The proposed permit contains limits for oil and grease, total residual chlorine, and pH, as well as monitoring for priority pollutant scan, flow, total sulfate, total suspended solids, phosphorus, and total petroleum hydrocarbon.

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

Galva, City of  
PO Box 223  
Galva, KS 67443

Turkey Creek via  
Unnamed Tributary

Treated Domestic  
Wastewater

Kansas Permit No. M-LA03-OO01      Federal Permit No. KS0022560

Legal Description: N½, SE¼, NW¼, S28, T19S, R2W, McPherson  
County, KS

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a five cell wastewater stabilization lagoon system. The facility will be updated in the next year to include three additional treatment cells and decommissioning of two existing cells. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E.coli, as well as monitoring for ammonia, chlorides, total phosphorus, and selenium.

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

Globe Engineering,  
Inc.  
1539 S. St. Paul  
Wichita, KS 67213

Arkansas River via  
Wichita Municipal  
Storm Sewer System

Treated Domestic  
Wastewater

Kansas Permit No. I-AR94-PO31      Federal Permit No. KS0086703

Legal Description: SE¼, SW¼, SE¼, S25, T27S, R1W, Sedgwick  
County, KS

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility manufactures aircraft sheet metal parts. All contact process and domestic wastewater is discharged into the city of Wichita's sanitary sewer. Air stripper effluent is discharged to the city storm sewer (outfall 001A1) but can be diverted

to the city's sanitary sewer. The proposed permit contains limits for trichloroethylene, as well as monitoring for flow and volatile organic compounds (VOCs).

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

Partridge, City of  
PO Box 174  
Partridge, KS 67556

North Fork  
Ninnescah River  
via Red Rock Creek

Treated Domestic  
Wastewater

Kansas Permit No. M-AR70-OO01      Federal Permit No. KS0024619

Legal Description: SE¼, NW¼, NW¼, and SW¼, S15, T24S, R7W, Reno  
County, KS

Facility Name: Partridge Wastewater Treatment Facility

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

**Public Notice No. KS-NQ-17-015**

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g).

**Name and Address of Applicant      Legal Location      Type of Discharge**

Happy Joy Acres  
PO Box 699  
Perry, KS 66073

NE¼, NE¼, NW¼,  
S28, T10S, R18E,  
Jefferson County, KS

Non-Overflowing

Kansas Permit No. C-KS58-NO04      Federal Tracking No. KSJ000569

This action consists of reissuing an existing Kansas Water Pollution Control Permit for an existing non-overflowing facility. The schedule of compliance states that by December 25, 2017, the permittee shall have a KDHE certified wastewater treatment operator to oversee the operation of this facility. The operator certification may be obtained

either through training and examination of employing the services of a contract certified operator. A list of available contract certified operators may be obtained by calling KDHE at 785-296-5511.

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

All comments regarding the draft documents or application notices received on or before **November 25, 2017**, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-17-232/243, KS-Q-17-138/144, KS-NQ-17-015) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the secretary of Health and Environment will issue a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant

public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

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

Susan Mosier, MD, MBA, FACS  
Secretary and State Health Officer

Doc. No. 045808

## State of Kansas

### Department of Health and Environment

#### Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

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

The Monarch Cement Company, PO Box 1000, Humboldt, KS 66748, owns and operates a Portland cement manufacturing facility located at 449 1200 St., Humboldt, KS 66748.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Southeast District Office (SEDO), 1500 W. 7th St., Chanute, KS 66720-9701. To obtain or review the proposed permit and supporting documentation, contact James Stewart, 785-296-1104, at the central office of the KDHE or Doug Cole, 620-860-7235 at the SEDO. The standard departmental cost will be assessed for any copies requested.

Please direct written comments or questions regarding the proposed permit to James Stewart, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than noon Monday, November 27, 2017.

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 James Stewart, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than noon Monday, November 27, 2017 in order for the secretary of Health and Environment to consider the request.

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

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

Susan Mosier, MD, MBA, FACS  
Secretary and State Health Officer

Doc. No. 045799

## State of Kansas

### Department of Transportation

#### Notice to Contractors

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

KDOT will only accept electronic internet proposals using the Bid Express website at <http://www.bidx.com> until 1:00 p.m. (CDT) November 15, 2017. KDOT will open and read these proposals at the Eisenhower State Office Building, 700 SW Harrison, Topeka, Kansas, at 1:30 p.m. (CDT) November 15, 2017. An audio broadcast of the bid letting is available at <http://www.ksdot.org/burconsmain/audio.asp>.

(continued)

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

#### District One — Northeast

**Douglas** – 23 TE-0373-01 – Preservation of Santa Fe Station located at 413 E. 7th Street in Lawrence, rehabilitate and operating of historic transportation buildings. (Federal Funds)

**Osage** – 70 C-4844-01 – 1.7 miles north and 1.4 miles west of Burlingame, bridge replacement, 0.2 mile. (Federal Funds)

**Pottawatomie** – 63-75 KA-4717-01 – K-63, beginning at the north city limits of St. Marys north to the Pottawatomie/Nemaha county line, milling and overlay, 26.8 miles. (State Funds)

**Wyandotte** – 70-105 KA-2130-02 – Bridges #030 and #173 of the Lewis and Clark Viaduct in Kansas City, Kansas, bridge replacement, 0.6 mile. (Federal Funds)

**Statewide** – 106 KA-4752-01 – Various locations in Atchison, Brown, Douglas, Johnson, Lyon, Osage, Nemaha, and Shawnee counties in District 1, mud jacking. (State Funds)

#### District Two — North Central

**Jewell** – 14-45 KA-4719-01 – K-14, beginning at the Jewell/Mitchell county line north to the west U.S. 36 junction, sealing, 15.3 miles. (State Funds)

**Marion** – 57 TE-0444-01 – Main Street (K-256) from 1st Street to 5th Street in Marion, landscaping and beautification, 0.3 mile. (Federal Funds)

**Mitchell** – 14-62 KA-4672-01 – K-14, beginning at the U.S. 24/K-14 junction north to the Mitchell/Jewell county line, sealing, 7.8 miles. (Federal Funds)

**Mitchell** – 14-62 KA-4720-01 – K-14, beginning at the Mitchell/Lincoln county line north to the south city limits of Beloit, sealing, 16.7 miles. (State Funds)

**Mitchell** – 62 U-0473-01 – City of Beloit, pedestrian and bicycle paths. (Federal Funds)

**Morris** – 64 C-0371-01 – Various locations in the county, grade and surfacing. (Federal Funds)

**Ottawa** – 106-72 KA-4674-01 – K-106, beginning at the east city limits of Minneapolis east to the State Park, overlay, 7.2 miles. (Federal Funds)

**Ottawa** – 18-72 KA-4726-01 – K-18, from the Ottawa/Lincoln county line east to the south Old U.S. 81/K-18 junction, surface recycle, 17.2 miles. (State Funds)

**Washington** – 36-101 KA-4632-01 – U.S. 36, beginning at K-22 east to the Washington/Marshall county line, signing, 23.5 miles. (Federal Funds)

**Washington** – 36-101 KA-4673-01 – U.S. 36, from the east city limits of Washington east to the 2-lane/4-lane divide, milling and overlay, 9.2 miles. (Federal Funds)

**Washington** – 101 KA-4725-01 – K-9, from the Clay/Washington county line at the south K-9/K-15 junction north to the south K-9/K-15/K-148 junction; K-15, from the K-9/K-15/K-148 junction north to the south city limits of Washington; K-15, from the south city limits of Washington north to the east K-15/U.S. 36 junction; and K-115, from the K-9/K-15/K-115 junction west to the east city limits of Palmer, recycle and overlay, 19.8 miles. (State Funds)

**Statewide** – 106 KA-4634-01 – ADA sidewalk improvements at various locations in districts 2, 5 and 6, special. (State Funds)

#### District Three — Northwest

**Norton** – 283-69 KA-4550-09 – U.S. 283, Bridge #075 on U.S. 283 (North Fork Solomon River Drainage), flood damage. (State Funds)

**Russell** – 281-84 KA-4662-01 – U.S. 281, from the north city limits of Russell to the west K-18 junction, ultra-thin bonded asphalt surfacing, 15.0 miles. (State Funds)

#### District Four — Southeast

**Allen** – 1 U-2308-01 – City of Iola, pedestrian and bicycle paths, 0.5 mile. (Federal Funds)

**Anderson** – 2 C-4839-01 – Bridge located where Martin Creek crosses the Anderson/Allen county line, bridge replacement, 0.2 mile. (Federal Funds)

**Bourbon** – 6 TE-0445-01 – Long Shoals Historic Parker Truss in Fort Scott, bridge. (Federal Funds)

**Chautauqua** – 166-10 KA-4731-01 – U.S. 166, pavement marking, 9.5 miles. (Federal Funds)

**Montgomery** – 160-63 KA-4740-01 – U.S. 160 and U.S. 169, pavement marking, 1.2 miles. (Federal Funds)

**Neosho** – 169-67 KA-4631-01 – U.S. 169, U.S. 169 and 190th Road south of Chanute, lighting, 0.5 mile. (Federal Funds)

#### District Five — South Central

**Cowley** – 77-18 KA-4647-01 – U.S. 77, U.S. 77 bypass/U.S. 77 junction north to south city limits of Winfield, overlay, 8.0 miles. (Federal Funds)

**Cowley** – 15-18 KA-4708-01 – K-15, from the north K-15/U.S. 77 junction northwest to the east city limits of Udall, milling and overlay, 5.9 miles. (State Funds)

**Cowley** – 77-18 KA-4712-01 – U.S. 77, from the K-15/U.S. 77 junction north to the Cowley/Butler county line, milling and overlay, 6.0 miles. (State Funds)

**Cowley** – 18 U-0681-01 – Bridge located 1 mile west of U.S. 77 (Main Street) on Fourteenth Avenue over Walnut River in Winfield, bridge replacement, 0.2 mile. (Federal Funds)

**Statewide** – 106 KA-4235-25 – Various rest area locations in Kansas, special. (Federal Funds)

#### District Six — Southwest

**Clark** – 160-13 KA-4676-01 – U.S. 160, from the Meade/Clark county line east to the north U.S. 160/U.S. 283 junction, milling and overlay, 5.0 miles. (Federal Funds)

**Clark** – 160-13 KA-4679-01 – U.S. 160, from the south junction of U.S. 160/U.S. 283 north to the north junction of U.S. 160/U.S. 283, surface recycle, 6.6 miles. (Federal Funds)



**Gray** – 35 U-2311-01 – Cimarron Safe Routes to School (Phase 2), pedestrian and bicycle paths. (Federal Funds)

**Meade** – 160-60 KA-4677-01 – U.S. 160, from the east U.S. 160/U.S. 54 junction east to the Meade/Clark county line, milling and overlay, 12.3 miles. (Federal Funds)

Richard Carlson  
Secretary

Doc. No. 045785

(Published in the Kansas Register October 26, 2017.)

**City of Wichita, Kansas**

**Notice to Bidders**

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, Kansas, until 10:00 a.m. **Friday, December 1, 2017**, for the bidding of 45th Street North and Hillside Intersection.

**KDOT Project No. 87N-0616-01/472-85160/211531  
OCA Code 707067/636362**

Plans and specifications for this project will be available on October 25, 2017. Requests for the bid documents and plans should be directed to ARC Document Solutions at 316-264-9344, or you may contact Jody Doyle at 316-268-4503. Other questions should be directed to the respective design engineer 316-268-4632.

All bids received will thereafter be publicly opened, read aloud, and considered by the Board of Bids and Contracts. All work is to be done under the direction and supervision of the city manager and according to plans and specifications on file in the office of the city engineer. Bidders are required to enclose a bid bond in the amount of five per cent (5%) with each bid as a guarantee of good faith. The Wichita City Council reserves the right to reject any and all bids.

The successful bidder may contact Kim Pelton at 316-268-4499 for extra sets of plans/specs.

Jody Doyle  
Administrative Aide II  
City of Wichita-Engineering

Doc. No. 045802

**State of Kansas**

**Board of Regents Universities**

**Notice to Bidders**

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

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

**Fort Hays State University** – Bid postings: <http://www.fhsu.edu/purchasing/bids/>. Additional contact info: phone: 785-628-4251, fax: 785-628-4046, email: [purchasing@fhsu.edu](mailto:purchasing@fhsu.edu). Mailing address: Fort Hays State University Purchasing Office, 601 Park St., Sheridan Hall 318, Hays, KS 67601.

**Kansas State University** – Bid postings: <https://www.k-state.edu/purchasing/rfq>. Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: [kspurch@k-state.edu](mailto:kspurch@k-state.edu). Mailing address: Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506.

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

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

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

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

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

Doc. No. 045529

**State of Kansas**

**Department of Administration  
Procurement and Contracts**

**Notice to Bidders**

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

11/07/2017	EVT0005418	Milford Hatchery Residence Renovation
11/08/2017	EVT0005425	Epoxy Coatings – Highway Patrol Salina
11/09/2017	EVT0005376	Video Surveillance System
11/09/2017	EVT0005428	Elevator Maintenance – Capital Complex
11/09/2017	EVT0005431	Elevator Maintenance – Curtis Building
11/14/2017	EVT0005435	Radio Equipment Shelters
11/16/2017	EVT0005411	Promotional Products
11/21/2017	EVT0005417	Well Plugging – District 2
11/22/2017	EVT0005434	Record Storage Boxes
11/30/2017	EVT0005432	Clothing Seasonal-QVL

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

(continued)

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

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

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

### **There Are No Bids Under this Website Closing in this Week's Ad**

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

Tracy T. Diel, Director  
Procurement and Contracts

Doc. No. 045810

## **State of Kansas**

### **Department of Health and Environment Division of Health Care Finance**

#### **Request for Comments**

The Kansas Department of Health and Environment (KDHE) is offering additional opportunities to attend public hearings regarding the State's renewal of the KanCare program, and to provide comments about the renewal request application.

#### **KanCare – Summary of Program and Renewal Information**

KanCare is the program through which the State of Kansas administers Medicaid and the Children's Health Insurance Program, CHIP. The State determined that contracting with multiple managed care organizations (MCOs) would result in more efficient and effective health care services to the populations covered by Medicaid and CHIP.

On August 6, 2012, the State of Kansas submitted a Medicaid Section 1115 demonstration proposal, KanCare, to CMS. CMS approved that proposal on December 27, 2012, effective from January 1, 2013, through December 31, 2017. Subsequently, CMS approved a one-year extension of the current demonstration on October 13, 2017 to extend the end the current demonstration to December 31, 2018. The State is preparing to submit an application to renew the KanCare program for five years, effective January 1, 2019, through December 31, 2023.

The KanCare demonstration is operating concurrently with the State's seven 1915(c) HCBS waivers, which together provide the authority necessary to require almost all Medicaid beneficiaries to enroll in a managed care delivery system. KanCare includes a Safety Net Care Pool to support certain hospitals that incur uncompensated care costs for Medicaid beneficiaries and the uninsured. This Pool also provides incentives to hospitals for programs that result in delivery system reforms that enhance access to health care and improve the quality of care.

Building on the success of the current KanCare program, KanCare 2.0 will continue to:

- Maintain Medicaid state plan eligibility;

- Maintain state plan benefits; and
- Allow the State to require eligible beneficiaries to enroll in MCOs to receive covered benefits through the MCOs, except for American Indian/Alaska Natives, who have the option of opting out of managed care.

The goal for KanCare 2.0 is to help Kansans achieve healthier, more independent lives by providing services and supports for social determinants of health and independence in addition to traditional Medicaid benefits. Although the basic structure of the KanCare program will remain the same, KanCare 2.0 will include select program improvements such as enhanced service coordination, employment support initiatives, and other improvements to streamline administrative processes.

The State of Kansas does not anticipate any changes to covered benefits and cost sharing requirements, or annual aggregate expenditures as part of the renewal application. However, the State is requesting the following:

- *Waiver expenditure authorities:* While all current waiver and expenditure authorities will remain the same, the State will request a new expenditure authority for Institutions for Mental Disease.
- *Populations:* All current populations will remain in KanCare 2.0. The State is considering the addition of certain MediKan enrollees who voluntarily discontinue pursuit of a disability determination in exchange for Medicaid benefits with employment support.
- *Enrollment Process:* The State is considering work requirements for able-bodied adults. However, the following KanCare members will **not** be subject to work requirements:
  - Members receiving long-term care, including institutional care and Money Follows the Person, or enrolled in the following Home- and Community-Based Services (HCBS) waiver programs: Autism, Serious Emotional Disturbance (SED), Technology Assisted (TA), Frail Elderly (FE), Traumatic Brain Injury (TBI), Intellectual and Developmental Disabilities (I/DD), and Physical Disability (PD);
  - Children;
  - Women who are pregnant;
  - Members who have disabilities and are receiving SSI;
  - Caretakers for dependent children under six years or those caring for a household member who has a disability;
  - Medicaid beneficiaries who have an eligibility period that is only retroactive;
  - Members enrolled in the MediKan program;
  - Members presumptively eligible for Medicaid;
  - Persons whose only coverage is under a Medicare Savings Program;
  - Persons enrolled in Program of All-inclusive Care for the Elderly (PACE); and
  - Members with TBI, human immunodeficiency virus (HIV), or in the Breast and Cervical Cancer Program.

KanCare 2.0 will evaluate:

1. Expanding service coordination to include assisting members with accessing affordable housing,

food security, employment and other social determinants of health and independence will increase independence, stability and resilience and improve health outcomes;

2. Increasing employment and independent living supports for members with behavioral health needs, or who have intellectual, developmental or physical disabilities or traumatic brain injuries will increase independence and improve health outcomes; and
3. Providing service coordination for all youth in foster care will decrease the number of placements, reduce psychotropic medication use, and improve health outcomes for these youths.

The State will maintain current information about the KanCare renewal process throughout the public comment and review process, during which CMS is reviewing and acting upon the State’s renewal request. This information will be available at the KanCare Renewal page of the KanCare website: <http://www.kancare.ks.gov/about-kancare/kancare-renewal>. The request to renew the KanCare program will be posted by CMS on its website for viewing and commenting: [https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/waivers\\_faceted.html](https://www.medicaid.gov/medicaid/section-1115-demo/demonstration-and-waiver-list/waivers_faceted.html).

**Public Comment – Timing and Process**

The public comment period will run from October 27, 2017 until November 26, 2017. Comments will be accepted until November 26, 2017. The State will submit the renewal request no later than December 31, 2017.

The KanCare renewal request, including the renewal application and documented comments from public comment meetings held in June 2017, is available for public review at the KanCare website: <http://www.kancare.ks.gov/about-kancare/kancare-renewal>. A copy of the renewal application will also be located at the reception desks for:

**KDHE-Division of Health Care Finance**  
 900 SW Jackson, LSOB –  
 9th Floor  
 Topeka, KS 66612

**Kansas Department for Aging and Disability Services**  
 New England Building, 503 S.  
 Kansas Ave.  
 Topeka, KS 66603

Written comments about the KanCare renewal request may be sent to: [kdhe.kancarerenewal@ks.gov](mailto:kdhe.kancarerenewal@ks.gov); or mailed to:

**KanCare Renewal**  
 c/o Becky Ross  
 KDHE-Division of Health Care Finance  
 900 SW Jackson, LSOB – 9th Floor  
 Topeka, KS 66612

**Public Hearings – When and Where**

<b>The same information and opportunity for feedback will be shared at each session.</b>	
<b>Tuesday, November 14, 2017</b>	
<b>Providers:</b> 2:00 p.m. to 4:00 p.m. <b>Members:</b> 6:00 p.m. to 8:00 p.m.	
Pittsburg State University Overman Student Center, Ballroom A 1701 S. Broadway St. Pittsburg, KS, 66762	Dodge House Hotel & Convention Center 2408 W. Wyatt Earp Blvd. Dodge City, KS, 67801
<b>Wednesday, November 15, 2017</b>	
<b>Providers:</b> 2:00 p.m. to 4:00 p.m. <b>Members:</b> 6:00 p.m. to 8:00 p.m.	
Kansas State University Olathe Great Plains A & B 22201 W. Innovation Drive Olathe, KS, 66061	Perkins Restaurant & Bakery Meeting Room 2920 10th St. Great Bend, KS, 67530
<b>Thursday, November 16, 2017</b>	
<b>Providers:</b> 2:00 p.m. to 4:00 p.m. <b>Members:</b> 6:00 p.m. to 8:00 p.m.	
Ramada Topeka Downtown Jefferson Hall 420 SE 6th St. Topeka, KS, 66607	Wichita Marriott Corporate Hills Ballroom 9100 Corporate Hills Drive Wichita, KS, 67207
<b>Monday, November 20, 2017</b>	
<b>Conference Call Option</b>	
<b>Providers:</b> 12:00 p.m. to 1:30 p.m. <b>Please call: Toll Free: 1-833-791-5968 and Enter Code: 871 777 85</b>	
<b>Members:</b> 6:00 p.m. to 7:30 p.m. <b>Please call: Toll Free: 1-833-791-5968 and Enter Code: 871 807 85</b>	

(continued)

All meeting rooms are Americans with Disabilities Act (ADA) accessible.

**Language Accommodations**

If you need language accommodations, such as sign language interpreter or large print or Braille, please contact Dawn Goertzen at 785-291-3461 or dawn.goertzen@ks.gov. Please make your request by October 27, 2017.

Si desea esta información en Español, por favor llame al 1-800-766-9012.

Michael Randol, Director  
Division of Health Care Finance

Doc. No. 045809

**State of Kansas**

**Kansas Development Finance Authority**

**Notice of Hearing**

A public hearing will be conducted at 9:00 a.m. Thursday, November 9, 2017, in the offices of the Kansas Development Finance Authority (KDFA), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, on the proposal for the KDFA to issue its Agricultural Development Revenue Bonds for the projects numbered below in the respective maximum principal amounts. The bonds will be issued to assist the borrowers named below (who will be the owners and operators of the projects) to finance the cost in the amount of the bonds, which are then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The projects shall be located as shown:

**Project No. 000988 Maximum Principal Amount: \$280,710.66.** Owner/Operator: Wilfred J Hund; Description: Acquisition of 193.07 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes (the "Project"). The Project is being financed by the lender for Wilfred J Hund (the "Beginning Farmer") and is located at Tract #1: Southwest Quarter of Section 34, Township 10, Range 2, and Tract #2: Southeast Quarter of the Southeast Quarter of Section 34, Township 10, Range 12, both in Wabaunsee County, Kansas and both located on Turkey Creek Road, Maple Hill, Kansas.

**Project No. 000989 Maximum Principal Amount: \$188,400.00.** Owner/Operator: Levi and Veronica Winkler; Description: Acquisition of 160 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes (the "Project"). The Project is being financed by the lender for Levi and Veronica Winkler (the "Beginning Farmer") and is located at the Southwest Quarter of Section 25, Township 6 South, Range 13 East, Jackson County Kansas, approximately 6.5 miles southeast of Soldier, Kansas.

The bonds, when issued, will be a limited obligation of the KDFA and will not constitute a general obligation or indebtedness of the state of Kansas or any political subdivision thereof, including the KDFA, nor will they be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bonds will be payable solely from amounts received from the respective borrower, the obligation of which will be suf-

ficient to pay the principal of, interest and redemption premium, if any, on the bonds when they become due.

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

Tim Shallenburger  
President

Doc. No. 045800

(Published in the Kansas Register October 26, 2017.)

**City of Ellinwood, Kansas**

**Summary Notice of Bond Sale  
\$1,250,000\*  
General Obligation Bonds  
Series 2017**

**Details of the Sale**

Subject to the terms and requirements of the Official Notice of Bond Sale, dated October 10, 2017, of the City of Ellinwood, Kansas (the "City"), bids to purchase the City's General Obligation Bonds, Series 2017, (the "Bonds") will be received at the office of the City Clerk at City Hall, 104 E. 2nd, Ellinwood, KS, 67526 or by telefacsimile at 620-564-3375 or electronically as described in the Official Notice of Bond Sale until 11:00 a.m. (CDT) Tuesday, November 14, 2017. The bids will be considered by the governing body at its meeting at 7:00 p.m. (CDT) on the sale date.

No oral or auction bids for the Bonds shall be considered, and no bids for less than 100 percent of the total principal amount of the Bonds and accrued interest to the date of delivery shall be considered.

**Good Faith Deposit**

Bidders must submit a good faith deposit in the form of a wire transfer or certified or cashier's check made payable to the order of the City, or a financial surety bond (if then available), in an amount equal to 2% of the principal amount of the Bonds.

**Details Of The Bonds**

The Bonds will be dated November 30, 2017 and will be issued as registered bonds in denominations of \$5,000, or any integral multiple thereof. Interest on the Bonds is payable semiannually on March 1 and September 1 of each year, beginning March 1, 2019. Principal of the Bonds becomes due on September 1 in the years and amounts as shown below:

**Maturity Schedule**

Principal Amount*	Maturity Date	Principal Amount*	Maturity Date
\$30,000	2019	\$100,000	2026
85,000	2020	105,000	2027
90,000	2021	110,000	2028
95,000	2022	110,000	2029
95,000	2023	115,000	2030

95,000	2024	120,000	2031
100,000	2025		

**Payment of Principal and Interest**

The Treasurer of the State of Kansas will serve as the Bond Registrar and Paying Agent for the Bonds.

**Book-Entry Bonds**

The Bonds will be issued and registered under a book-entry-only system administered by The Depository Trust Company, New York, New York (“DTC”).

**Delivery of The Bonds**

The City will prepare the Bonds at its expense and will deliver the registered Bonds to DTC on or about November 30, 2017. Any bond printing costs will be paid by the City from the proceeds of the Bonds or other City funds.

**Legal Opinion**

The Bonds will be sold subject to the legal opinion of Triplett Woolf Garretson, LLC, Wichita, Kansas, Bond Counsel, whose fees will be paid by the City.

**Financial Matters**

The City’s current assessed valuation for purposes of calculating statutory debt limitations is \$12,027,688. As of November 30, 2017, the City’s total outstanding general obligation debt (including the Bonds), is \$1,250,000\*. The City’s total indebtedness which is subject to debt limitation, as of November 30, 2017, is estimated to be \$737,704.92\*, which is 6.13% of the assessed valuation of the City.

**Additional Information**

For additional information contact the City Clerk at the address and telephone number shown below, or the Financial Advisor, Mr. Greg Vahrenberg, Piper Jaffray & Co., 11635 Rosewood St., Leawood, KS 66211-2000, telephone 913-345-3374.

City of Ellinwood, Kansas  
 By Kim Schartz  
 City Clerk  
 City Hall, 104 E. 2nd  
 Ellinwood, KS 67526  
 620-564-3161  
 Fax: 620-564-3375

\* Subject to Change  
 Doc. No. 045805

(Published in the Kansas Register October 26, 2017.)

**City of Manhattan, Kansas**

**Summary Notice of Bond Sale  
 \$10,170,000\***

**General Obligation Refunding and Improvement  
 Bonds, Series 2017-D**

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

**Bids**

Subject to the Notice of Bond Sale dated October 17, 2017 (the “Notice”), facsimile and electronic bids will be received on behalf of the Director of Finance of the City of Manhattan, Kansas (the “Issuer”) in the case of facsim-

ile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11:00 a.m. (CDT), on November 14, 2017 for the purchase of the above-referenced bonds (the “Bonds”). No bid of less than 100% of the principal amount of the Bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated December 15, 2017, and will become due on November 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2018	\$1,725,000	2028	\$110,000
2019	1,700,000	2029	65,000
2020	1,690,000	2030	65,000
2021	580,000	2031	65,000
2022	590,000	2032	70,000
2023	590,000	2033	70,000
2024	610,000	2034	75,000
2025	630,000	2035	75,000
2026	640,000	2036	75,000
2027	665,000	2037	80,000

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 2018.

**Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Treasurer of the State of Kansas, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier’s or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$203,400.

**Delivery**

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or about December 15, 2017, 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 2017 is \$602,377,137. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$173,325,000; such amount includes the Issuer’s temporary notes in the principal amount of \$2,495,000 which will be issued on or about December 15, 2017. Temporary notes in the principal amount of \$6,085,000 will be retired out of proceeds of the Bonds and other available funds, which will reduce the out-

(continued)

standing general obligation indebtedness of the Issuer to \$167,240,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the Bonds may be obtained from the undersigned, or from the Municipal Advisor at the addresses set forth below:

**Issuer –Good Faith Deposit Delivery Address**

Rina Neal, City Treasurer  
City Hall, First Floor  
1101 Poyntz Ave.  
Manhattan, KS 66502-5497  
785-587-2465  
Fax: 785-587-2409  
neal@cityofmhk.com

**Municipal Advisor Facsimile Bid Delivery Address:**

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

Dated October 17, 2017.

Rina Neal  
City Treasurer  
City of Manhattan, Kansas

\* Subject to change, see the Notice  
Doc. No. 045806

(Published in the Kansas Register October 26, 2017.)

**Unified School District No. 229,  
Johnson County, Kansas (Blue Valley)**

**Summary Notice of Bond Sale  
\$91,285,031  
General Obligation School Bonds  
Series 2017-A**

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

**Bids**

Subject to the Notice of Bond Sale dated October 9, 2017 (the "Notice"), facsimile and electronic bids will be received on behalf of the Executive Director of Business and Finance of Unified School District No. 229, Johnson County, Kansas (Blue Valley) (the "Issuer") in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11:00 a.m. (CDT) on November 13, 2017 for the purchase of the above-referenced bonds (the "Bonds"). No bid of less than 100% 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, except for one bond either in the denomination of or including \$31. The Bonds will be dated December 6, 2017 and will become due on October 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2018	\$19,465,031	2028	1,900,000
2019	17,450,000	2029	2,000,000
2020	7,625,000	2030	2,095,000
2021	8,665,000	2031	2,200,000
2022	6,390,000	2032	2,310,000
2023	1,735,000	2033	2,430,000
2024	855,000	2034	2,550,000
2025	1,645,000	2035	2,675,000
2026	1,725,000	2036	2,810,000
2027	1,810,000	2037	2,950,000

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning on April 1, 2018.

**Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Treasurer of the State of Kansas, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of 2% of the principal amount of the Bonds.

**Delivery**

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or about December 6, 2017, 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 2016 was \$3,095,130,051. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$395,355,031.

**Approval of Bonds**

The Bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, Bond Counsel to the Issuer, whose approving legal opinion as to the validity of the Bonds will be furnished and paid for by the Issuer, printed on the Bonds and delivered to the successful bidder as and when the Bonds are delivered.

**Additional Information**

Additional information regarding the Bonds may be obtained from the undersigned, or from the Municipal Advisor at the addresses set forth below:

**Issuer –Facsimile Bid and Good Faith Deposit**

**Delivery Address**

Unified School District No. 229, Johnson County,  
 State of Kansas  
 Attn: Jenni Newell, Executive Director of Business  
 and Finance  
 15020 Metcalf  
 Overland Park, KS 66223  
 913-239-4000  
 Fax: 913-239-4150  
 jnewell@bluevalleyk12.org

**Municipal Advisor**

George K. Baum & Company  
 Attn: David Arteberry  
 4801 Main Street, Suite 500  
 Kansas City, MO 64112  
 816-283-5137  
 Fax: 816-283-5326  
 arteberry@gkbaum.com

Dated October 9, 2017.

Jenni Newell  
 Executive Director of Business and Finance  
 Unified School District No. 229,  
 Johnson County (Blue Valley)

\* Subject to change, see the Notice.  
 Doc. No. 045804

(Published in the Kansas Register October 26, 2017.)

**City of Bel Aire, Kansas**

**Summary Notice of Sale**

**\$5,705,000\***

**General Obligation Bonds**

**Series 2017a  
 \$2,135,000\***

**General Obligation Temporary Notes**

**Series 2017b  
 \$180,000\***

**General Obligation Temporary Renewal Notes**

**Series 2017c**

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

**Bids**

Subject to the Notice of Sale dated October 17, 2017, written and electronic bids will be received on behalf of the Clerk of the City of Bel Aire, Kansas (the "Issuer") in the case of written bids, at the address set forth below, and in the case of electronic bids, via [www.columbiacapitalauction.com](http://www.columbiacapitalauction.com) (the "Columbia Capital Auction"), until 9:30 a.m. (CDT) for the General Obligation Bonds, Series 2017A, (the "Bonds") and 10:00 a.m. (CDT) for the General Obligation Temporary Notes, Series 2017B (the "Series 2017B Notes") and the General Obligation Temporary Renewal Notes, Series 2017C (the "Series 2017C Notes," and, with the Series 2017B Notes, jointly, the "Notes") on November 7, 2017, for the purchase of the Bonds and Notes. No bid of less than 99% of the principal amount of

the Bonds, or 99.5% of the principal amount of the Notes (collectively, the "Obligations") and accrued interest thereon to the date of delivery will be considered.

**Obligation Details**

The Obligations will consist of fully registered bonds and notes in the denomination of \$5,000 or any integral multiple thereof. The Obligations will be dated November 21, 2017. The Series 2017A Bonds will become due November 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2019	\$265,000	2029	\$320,000
2020	265,000	2030	330,000
2021	270,000	2031	340,000
2022	275,000	2032	350,000
2023	280,000	2033	360,000
2024	285,000	2034	220,000
2025	290,000	2035	225,000
2026	295,000	2036	230,000
2027	305,000	2037	240,000
2028	315,000	2038	245,000

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on May 1, 2018.

The Series 2017B Notes will become due as follows:

Stated Maturity (December 1)	Principal Amount*
2020	\$2,135,000

The Series 2017B Notes will bear interest from the Dated Date at rates to be determined when the Series 2017B Notes are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning on June 1, 2018.

The Series 2017C Notes will become due as follows:

Stated Maturity (January 1)	Principal Amount*
2019	\$180,000

The Series 2017C Notes will bear interest from the Dated Date at rates to be determined when the Notes are sold as hereinafter provided, which interest will be payable semiannually on January 1 and July 1 in each year, beginning on July 1, 2018.

**\*Adjustment of Issue Size**

The Issuer reserves the right to increase or decrease the total principal amount of the Bonds or the Notes, or both, depending on prepaid special assessments, with respect to the Bonds, and the purchase price and interest rates bid, and the offering prices specified by the Successful Bidder. The principal amount of any maturity may be adjusted by the Issuer in order to properly size the Obligation issue based on the discount or premium and interest rates bid on the Obligations. The Successful Bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of

(continued)

the Obligations or principal of any maturity as described herein. If there is an increase or decrease in the final aggregate principal amount of the Obligations or the schedule of principal payments as described above, the Issuer will notify the Successful Bidder by means of telephone or facsimile transmission, subsequently confirmed in writing, no later than 2:00 p.m. (CDT) on the Sale Date. The actual purchase price for the Obligations shall be calculated by applying the percentage of par value bid by the Successful Bidder against the final aggregate principal amount of the Obligations, as adjusted.

#### Book-Entry-Only System

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

#### Paying Agent and Bond Registrar

Treasurer of the State of Kansas, Topeka, Kansas.

#### Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States of America, a qualified financial surety bond, or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$114,100 for the Bonds, and \$46,300 for the Notes.

#### Delivery

The Issuer will pay for preparation of the Obligations and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about November 21, 2017, 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 2017 is \$62,162,393. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Obligations being sold, is \$36,540,000.

#### Approval of Bonds

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

#### Additional Information

Additional information regarding the Obligations 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

7651 E. Central Park Ave.  
Bel Aire, KS 67226  
316-744-2451  
Fax: 316-744-3739  
scook@belaireks.gov

#### Financial Advisor-Facsimile Bid Delivery Address

Columbia Capital Management, LLC  
6330 Lamar Ave., Suite 200  
Overland Park, KS 66202  
913-312-8055

Fax: 913-312-8053  
apope@columbiacapital.com

Dated October 17, 2017.

Stacey Cook  
Clerk  
City of Bel Aire, Kansas

Doc. No. 045811

#### State of Kansas

### Real Estate Appraisal Board

#### Notice of Hearing on Proposed Administrative Regulation

A public hearing will be conducted at 10:00 a.m. Tuesday, January 9, 2018, at Jayhawk Tower, 700 SW Jackson, Suite 804, Topeka, KS 66603, to consider the adoption of K.A.R. 117-8-3.

This 60-day notice of public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to the Kansas Real Estate Appraisal Board, Jayhawk Tower, 700 SW Jackson, Suite 804, Topeka, KS 66603 or via email to [cheryl.magathan@ks.gov](mailto:cheryl.magathan@ks.gov). 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 each participant to 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 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 Sally Pritchett at 785-296-6736 or [cheryl.magathan@kreab.ks.gov](mailto:cheryl.magathan@kreab.ks.gov).

The proposed regulation is for adoption on a permanent basis. A summary of the proposed regulation and the economic impact follows:

**117-8-3. "Uniform standards of professional appraisal practice"; adoption by reference.** This amended regulation will adopt by reference the current edition of the Uniform Standards of Professional Appraisal Practice (USPAP).

There is no economic impact to this agency, other state agencies, or to the public.

Copies of this regulation and the economic impact statement may be obtained by contacting the Kansas Real Estate Appraisal Board at:

785-296-6736  
785-368-6443 (fax)  
[cheryl.magathan@ks.gov](mailto:cheryl.magathan@ks.gov)  
<http://www.kansas.gov/kreab>

Sally Pritchett  
Executive Director

Doc. No. 045813



## State of Kansas

## Department of Revenue

## Permanent Administrative Regulation

## Article 51.—TITLES AND REGISTRATION

**92-51-34a. License plates; new issuance.** (a) During calendar year 2017, one decal shall be furnished for the license plate issued for each new registration of a vehicle, as provided in K.S.A. 8-134 and amendments thereto, and for each renewal registration of a vehicle. New license plates shall be issued during calendar year 2018 and during every fifth calendar year after 2018, for each new registration of a vehicle and for each renewal registration of a vehicle.

(b) During each of the four years following 2018 and during each of the four years following any year in which new license plates are issued, one decal shall be furnished for the license plate issued for each new registration of a vehicle and for each renewal registration of a vehicle. (Authorized by and implementing K.S.A. 2016 Supp. 8-132; effective Jan. 23, 2004; amended April 22, 2005; amended Nov. 13, 2017.)

Samuel M. Williams  
Secretary

Doc. No. 045801

## State of Kansas

## Kansas Lottery

## Temporary Administrative Regulations

## Article 2.—LOTTERY RETAILERS

**111-2-323. Cosentino's Price Chopper grocery give-away.** (a) The term of this promotion shall be from 5:00 a.m. November 2, 2017, through 8:59 p.m. on November 29, 2017.

(b) During the term of this promotion with participating chain numbers 1436 and 1732 Cosentino's Price Chopper stores in Kansas, for every Super Kansas Cash single ticket purchase of \$3 or more, the player shall receive an entry for the "Grocery 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 Cosentino's Price Chopper 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.

(c) During the term of this promotion, drawing receptacles for the deposit of entries shall be provided by the lottery and placed at all participating Cosentino's Price Chopper locations. All drawing receptacles shall be collected by store managers and brought to the Cosentino's corporate office on the date of the drawing.

(d) After the term of this promotion has ended on November 29, 2017, three entries shall be drawn by the Kansas lottery pursuant to standard lottery drawing procedures for each of the participating Price Chopper grocery store locations. The first entry drawn shall be

the winner of \$100 in groceries. The second and third entries drawn shall be marked 1A and 2A in the order drawn and shall be used as alternate winners in the event the prize winner cannot be contacted or does not qualify under the terms of this promotion to win a prize. The winner shall be contacted by phone at the phone number listed by the entrant on the entry form. The winner shall be instructed how to verify his or her personal identification. If the winning entry does not qualify under the terms of this promotion or the winner is not able to be contacted within seven days from the date of the drawing, the prize shall be awarded to the first alternate winner. The alternate winner shall be contacted by phone at the phone number listed by the entrant on the entry form and shall be instructed how to verify his or her personal identification. If the alternate winning entry does not qualify under the terms of this promotion or the alternate winner is not able to be contacted within seven days from the date the alternate winner was first attempted to be contacted, the prize shall be awarded to the second alternate winner. A claim form is not required to claim a prize in this drawing.

(e) The Kansas lottery will give each participating Cosentino store which awards a prize a \$75 instant ticket credit. Cosentino's will pay the additional \$25 per store for the total \$100 prize. (Authorized by and implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

**111-2-324. Method of entry.** (a) Entry into the "Grocery 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 Cosentino's Price Chopper location no later than 8:59 p.m. on November 29, 2017.

(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 Cosentino's corporate office by lottery personnel during the week of December 4, 2017, at their monthly managers' meeting. One winner and two alternate entries per store shall be drawn pursuant to standard Kansas lottery procedures.

(6) Only 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) Eligible entrants in the promotion must be 18 years of age or older, and may not be an employee of any Cosentino's Price Chopper store in Kansas. (Authorized by and implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

(continued)

**Article 19. — SPECIFIC PLAYER  
LOYALTY CLUB RULES**

**111-19-22. Star Trek drawing.** (a) The Kansas lottery may conduct a “Star Trek” drawing awarding four grand prize packages to players selected as winners. Entries into the drawing will be accepted beginning at 5:00 a.m. on or after September 20, 2017. Entry deadline is 12:00 p.m. on February 12, 2018. The drawing will be conducted sometime after the entry into the drawing has closed but before 12:00 p.m. on February 15, 2018, after which time the winners will be announced.

(b) The specific ticket eligible for entry into this drawing shall be the non-winning \$5 Star Trek, game number 777.

(c) A player shall enter the drawing through the Kansas lottery PlayOn program available at [www.kslottery.com](http://www.kslottery.com). The player shall follow the hyperlink specifically designated for the purpose of accessing the “Star Trek” drawing. The player may enter the required data from the instant ticket manually for entry into the drawing. If the player does not enter the ticket data manually, the player may scan, if available, the ticket to enter data to be used for entry into the drawing using a mobile device and a downloaded Kansas Lottery PlayOn app. After the ticket data is successfully entered either manually or scanned using an app, the player will receive one entry into the second-chance drawing.

(d) Four entrants shall win prize packages in the drawing. Twelve entrants shall be selected in the drawing, with the first four entrants drawn, numbers 1 through 4, being the prize package winners. The next eight entrants selected, numbers 5 through 12, shall be used as alternate winners in the order drawn, if needed.

(e) Each prize package shall consist of economy airfare for two adults from an international airport in the state of Kansas to Las Vegas, Nevada; hotel accommodations for five nights at the Rio Suites Hotel in Las Vegas, Nevada; round trip car service between the airport and hotel; tickets for two to a Star Trek convention on dates and location to be determined, and \$1,000 spending money.

(f) Each prize package is valued at approximately \$5,000.

(g) A player may enter the drawing an unlimited number of times, but may win only one prize package in this promotion.

(h) A player who is selected as a prize winner in the drawing will be sent a claim form via U.S. mail. The winner must return his or her completed claim form, and the claim form must be received by the Kansas lottery within 14 days following the date of the online event drawing. In the event an alternate winner is awarded a prize, the winner must return his or her completed claim form and the claim form must be received by the Kansas lottery within 14 days following the date the alternate winner was sent a claim form via U. S. mail.

(i) In the event any prize awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions or other compensation shall be provided. No cash substitute is available for this prize.

(j) Only registered PlayOn members may enter the “Star Trek Drawing.” PlayOn members must enter themselves into the drawing according to the terms and con-

ditions of PlayOn. Entries shall not be accepted which are submitted by any method other than through PlayOn.

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

(l) Rules applicable to this promotion are contained in K.A.R. 111-19-22 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-9-21-17, Aug. 9, 2017; amended, T-111-10-2-17, Sept. 6, 2017.)

**111-19-23. Holiday Luck instant ticket promotion.**

(a) The Kansas lottery may conduct four drawings entitled “Holiday Luck Instant Ticket Promotion” awarding cash prizes to players selected as winners. Entries into the drawings will be accepted beginning at 5:00 a.m. on or after September 20, 2017. Entry deadline into the drawings is noon on January 17, 2018. The drawings will be conducted sometime after the entry into the drawings has closed but before 12:00 p.m. on January 19, 2018, after which time the winners will be announced.

(b) The specific tickets eligible for entry into these drawings shall be non-winning tickets for the following games: \$1 “Holiday Sparkle,” game number 772; \$2 “Holiday Shine,” game number 773; \$5 “Holiday Treasures,” game number 774; and \$10 “Holiday Greetings,” game number 775.

(c) There shall be one drawing conducted for each of the four instant ticket games listed in subsection (b).

(d) A player shall enter a drawing by accessing an interactive game and entering a code in the interactive game. The name of the non-winning ticket held by the player shall be the same name of the interactive game accessed to enter the drawing. A player shall access the appropriate interactive game through the Kansas Lottery PlayOn program available on mobile devices and at [www.kslottery.com](http://www.kslottery.com). The player shall follow the hyperlink specifically developed for the purpose of accessing the “Holiday Luck Instant Ticket Promotion.” The player may enter the required data from the instant ticket manually for entry into the drawing. If the player does not enter the ticket data manually, the player may scan, if available, the ticket to enter data to be used for entry into the drawing using a mobile device and a downloaded Kansas Lottery PlayOn app. After the ticket data is successfully entered either manually or scanned using an app, the player will receive one entry into the second-chance drawing.

(e) Each drawing shall select six entrants. The first entrant selected in each drawing shall be the winner of a cash prize. The next five entrants selected, numbers 2 through 6, shall serve as alternates in the order drawn, if needed.

(f) The first drawing conducted shall be from among the entrants in the \$1 Holiday Sparkle, game number 772, second-chance drawing. The cash prize awarded to the first entrant selected in the first drawing shall be \$1,000. The second drawing conducted shall be from among the entrants in the \$2 Holiday Shine, game number 773, second-chance drawing. The cash prize awarded to the first entrant selected in the second drawing shall be \$5,000. The third drawing conducted shall be from among the entrants in the \$5 Holiday Treasures, game number 774, second-chance drawing. The cash prize awarded to the first entrant selected in the third drawing shall be \$10,000.

The fourth drawing conducted shall be from among the entrants in the \$10 Holiday Greetings, game number 775, second-chance drawing. The cash prize awarded to the first entrant selected in the fourth drawing shall be \$15,000.

(g) A player may enter each drawing an unlimited number of times. A player can win an unlimited number of times in this promotion.

(h) A player who is selected as a prize winner in the drawings will be sent a claim form via U.S. mail. The winner must return his or her completed claim form, and the claim form must be received by the Kansas lottery within 20 days following the date of the online event drawing. In the event an alternate winner is awarded a prize, the winner must return his or her completed claim form and the claim form must be received by the Kansas lottery within 20 days following the date the alternate winner was sent a claim form via U. S. mail.

(i) Only registered PlayOn members may enter the "Holiday Luck Instant Ticket Promotion." PlayOn members must enter themselves into the drawings according to the terms and conditions of PlayOn. Entries shall not be accepted which are submitted by any method other than through PlayOn.

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

(l) Rules applicable to this promotion are contained in K.A.R. 111-19-23 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-9-21-17, Aug. 9, 2017; amended, T-111-10-2-17, Sept. 6, 2017.)

#### Article 401.—NORTHEAST GAMING ZONE

**111-401-217. Name of the game; rules and regulations.** The Kansas lottery shall conduct a lottery facility game at the Hollywood Casino at Kansas Speedway in Kansas City, Kansas, entitled "Five-Card Omaha Poker" beginning on or after October 1, 2017.

The rules and regulations for the game of "Five-Card Omaha Poker" are contained in K.A.R. 111-401-217 through 111-401-222, and applicable generic rules are contained in K.A.R. 111-201-1 *et seq.* (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

**111-401-218. Object of game.** Five-Card Omaha Poker is played at a large table with a maximum number of 10 players using one standard deck of playing cards. The object of the game is for a player to either:

(a) create a five-card poker hand of a higher rank than the poker hand of all other players, with each player utilizing two of the five cards dealt to them and three of the community cards available for use by all players; or

(b) remain the only player in the hand after all other players have folded (quit the hand). (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

**111-401-219. Definitions.** The following words and terms, when pertaining to the game of Five-Card Omaha Poker, shall have the following meanings unless the context clearly indicates otherwise:

(a) "All in" means when a player who has no funds remaining on the poker table to continue betting in a round of play still retains the right to contend for that portion of the pot in which the player has already placed a bet.

(b) "Ante" means a predetermined wager, which a player may be required to make prior to any cards being dealt in order to participate in the round of play.

(c) "Bet" or "wager" means an action by which a player places gaming chips into the pot on any betting round.

(d) "Betting round" means a complete wagering cycle in a hand of poker.

(e) "Blind bet" means a forced bet that only players sitting in specific betting positions at the poker table shall be required to place prior to looking at any cards.

(f) "Burn a card" means to remove a card from the top of a deck, which is discarded face down, which card is not in play and the identity of which remains unknown.

(g) "Button" or "dealer button" means an object, which is moved clockwise around the table after each hand is complete to denote an imaginary dealer and thereby determine the betting and dealing sequence.

(h) "Call" means a wager made in an amount equal to the immediately preceding wager.

(i) "Check" means when a player waives the right to initiate the betting in a betting round but retains the right to act if another player initiates the betting.

(j) "Collection" means another name for the rake collected by the house, which may be a specified amount charged to each player or as a percentage of the pot for each hand.

(k) "Community cards" means cards which are dealt face upward and which can be used by all players to form their best hand.

(l) "Cut" means to divide a deck of playing cards into two parts in order to change the order of the cards without revealing the identity of any cards in the deck.

(m) "Deck" means a standard collection of 52 playing cards with the following 13 cards in each of four suits: 2, 3, 4, 5, 6, 7, 8, 9, 10, jack, queen, king, and ace.

(n) "Face card" means a king, queen, or jack.

(o) "Flop" means the first three community cards dealt during a hand.

(p) "Fold" means the withdrawal of a player from a round of play by discarding his hand of cards during a betting round and refusing to equal a wager.

(q) "Forced bet" means a wager, which is required to start the wagering on the first betting round.

(r) "Hand" means one of two things, depending upon the context in which the term is used:

(1) the cards available to a player to use; or

(2) a complete round of play from the first ante or blind bet until the pot is awarded to a player.

(s) "Hole cards" means any cards dealt to a player face down, which are also "pocket cards," "in the hole," or "in the pocket."

(t) "Kill" means when one player wins an entire qualifying pot, the betting limits are twice the posted table wagering limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low hand.

(u) "Opening bet" means the first bet by each player in a round of play.

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(v) "Pot" or "kitty" means the amount that is awarded to the winning player or players at the conclusion of a round of play and is equal to the total amount wagered by the players during the round of play minus any rake.

(w) "Raise" means a bet in an amount greater than the immediately preceding bet in that betting round.

(x) "Rake" means the amount of gaming chips collected on each hand by the dealer representing the predetermined amount to be included in net gaming revenue.

(y) "Round of plays" means the process by which cards are dealt, bets are placed and the winner of the pot is determined and paid in accordance with the rules of this game.

(z) "Suit" means one of the following four categories of cards: diamonds, spades, clubs, or hearts.

(aa) "Table stakes" means the gaming chips on the table, which are in play. A player may not add or subtract from his or her gaming chips at any time during a betting round of play.

(bb) "Up cards" means any card dealt face up to a player or as community cards. (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

**111-401-220. Five-Card Omaha Poker hand rankings.** (a) The rank of the cards used in Five-Card Omaha Poker for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3, and 2. All suits shall be considered equal in rank. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with a 2, 3, 4, and 5.

(b) The permissible poker hands in order of highest to lowest rank, shall be:

(1) "Royal flush" is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;

(2) "Straight flush" is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10, and 9 being the highest ranking straight flush and ace, 2, 3, 4, and 5 being the lowest ranking straight flush;

(3) "Four-of-a-kind" is a hand consisting of four cards of the same rank regardless of suit, with four aces being the highest ranking four-of-a-kind and four 2s being the lowest ranking four of a kind;

(4) "Full house" is a hand consisting of a "three-of-a-kind" and a "pair," with the three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house;

(5) "Flush" is a hand consisting of five cards on the same suit;

(6) "Straight" is a hand consisting of five cards of consecutive rank, regardless of suit with an ace, king, queen, jack, and 10 being the highest ranking straight and an ace, 2, 3, 4, and 5 being the lowest ranking straight, provided that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand, (for example queen, king, ace, 2, 3);

(7) "Three-of-a-kind" is a hand consisting of three cards of the same rank regardless of suit, with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind;

(8) "Two pairs" is a hand consisting of two "pairs," with two aces and two kings being the highest ranking

two pair and two 3s and two 2s being the lowest ranking two pair; and

(9) "One pair" is a hand consisting of two cards of the same rank, regardless of suit with two aces being the highest ranking pair and two 2s being the lowest ranking pair;

(10) "High hand" is, when comparing two hands that are of otherwise identical poker rank, the hand with the highest-ranking card.

(c) When comparing two hands, if none of the above poker rankings are contained in a ranking hand, the hand with the highest-ranking card shall be considered the higher hand.

(d) If, after all five cards are compared and the hands are identical, they shall be considered a tie and the pot split equally among those players that are tied. (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

**111-401-221. Wagers.** (a) Only players who are seated at the poker table shall be permitted to receive cards and participate in each betting round.

(b) Depending upon the predetermined option for the poker game being dealt, a player may be required to:

(1) Place a predetermined ante prior to receiving any cards; or

(2) Place a predetermined blind bet prior to receiving any cards.

(c) A player may only participate in the wagering during a round of play with the table stakes gaming chips, which were already placed on the poker table in front of that player when the round of play commenced.

(d) A player may only add to his gaming chips between rounds of play and may not remove any of that player's gaming chips from the poker table at any time during ongoing play.

(e) A player who depletes his funds on the poker table prior to the completion of a round of play shall be deemed to be "all-in."

(f) An "all-in" player shall retain financial interest in the outcome of the round of play, but shall only be eligible to win the amount of the pot to which that player contributed.

(g) An "all-in" player shall continue to receive any cards to which that player would normally be entitled.

(h) Betting shall continue unimpeded among the other players by generating a separate secondary pot that only those active players shall be eligible to win.

(i) A verbal statement of "fold," "check," "call," "raise," or an announcement of a specific size wager by a player, assuming it is within the rules herein and the minimum and maximum wager limits for the poker table, shall be binding on the player if it is that player's turn to act.

(j) A player who announces a bet or raise of a certain amount but places a different amount of gaming chips in the pot shall be required to correct his or her bet or raise to the announced amount in accordance with the instructions of the dealer.

(k) A player shall be considered to have placed a wager if the player:

(1) Pushes gaming chips forward to indicate the intent of placing a wager;

(2) Releases gaming chips into the pot; or

(3) Releases gaming chips at a sufficient distance from the player and towards the pot to make it obvious that it is intended as a wager.

(l) A player shall not be permitted to make a wager and thereafter attempt to increase the amount of that wager.

(m) If the player wishes to add additional gaming chips to a wager, the player must indicate at the time the wager is being made that the wager is not yet complete.

(n) A player who puts the proper amount of gaming chips into the pot to call a wager, without indicating his or her intention to raise, may not thereafter raise the previous wager.

(o) No player may touch any of the gaming chips once placed into the pot until a decision on the hand has been made.

(p) Unless a raise has been verbally announced by that player, a player who puts into the pot a single gaming chip that is larger than required is assumed to have only called the preceding wager and to be awaiting change from the dealer.

(q) Unless specifically posted at the gaming table to the contrary, a player shall be permitted to raise after that player has previously checked in a betting round. (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

**111-401-222. Play.** (a) Prior to dealing the cards, the player in the first playing position clockwise from the player who has the dealer button must post a small blind bet and the player to the immediate left of the player posting a small blind bet must post a big blind bet. This constitutes the initial betting action. The small blind bet will be equal to or less than half of the table minimum wager. The big blind bet will be equal to or less than the table minimum wager. The required amount of all blind bets, if any, will be posted on a sign at the table.

(b) The dealer must deal five cards one at a time face down to each player. The first player to receive a card is the player in the first player position clockwise from the player assigned the button. The last player to receive cards is the player assigned the button.

(c) After each player receives five cards there is a first round of betting. The player to the left of the player placing the big blind bet may call, raise, or fold and each player following in order shall have the same option to call, raise, or fold.

(d) After the first round of betting is complete the dealer will burn one card and deal three community cards from the deck. Each card will be dealt face up and placed in the center of the table. Community cards are common to the hand of every active player in the hand. Community cards are also known as the "flop".

(e) Following the flop, a second round of betting occurs. The player in the first position clockwise from the player assigned the button shall either check or bet and each player following in order shall call, raise, or fold.

(f) The dealer will burn another card on top of the first burn card. Following the burn card, the dealer then deals another community card face up in the center of the table.

(g) A third round of betting occurs. The player in the first position clockwise from the player assigned the but-

ton shall either check or bet and each player following in order shall call, raise, or fold.

(h) Following the third round of betting dealer will burn a third card. The dealer then deals the fifth and final community card and places it face up in the center of table and the final betting round is conducted. The player in the first position clockwise from the player assigned the button shall either check or bet and each player following in order shall call, raise, or fold.

(i) Upon the completion of the final betting round, the cards belonging to each active player are turned face-up and the highest ranking five-card poker hand using two of the player's cards and three of the community cards wins the pot, unless there is a tie, in which case the pot is split equally between the active players holding tied hands. (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

**111-401-223. Name of the game; rules and regulations.** The Kansas lottery shall conduct a lottery facility game at the Hollywood Casino at Kansas Speedway in Kansas City, Kansas, entitled "Five-Card Omaha High-Low," beginning on or after October 1, 2017.

The rules and regulations for the game of "Five-Card Omaha High-Low" are contained in K.A.R. 111-401-223 through 111-401-228, and applicable generic rules are contained in K.A.R. 111-201-1 *et seq.* (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

**111-401-224. Object of game.** Five-Card Omaha Poker High-Low is played at a large table with a maximum number of 10 players using one standard deck of playing cards. The object of the game is for a player to either:

(a) create a five-card poker hand of a higher rank than the poker hand of all other players, with each player utilizing two of the five cards dealt to them and three of the community cards available for use by all players; or

(b) remain the only player in the hand after all other players have folded (quit the hand). (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

**111-401-225. Definitions.** The following words and terms, when pertaining to the game of Five-Card Omaha High-Low Poker, shall have the following meanings unless the context clearly indicates otherwise:

(a) "All in" means when a player who has no funds remaining on the poker table to continue betting in a round of play still retains the right to contend for that portion of the pot in which the player has already placed a bet.

(b) "Ante" means a predetermined wager, which a player may be required to make prior to any cards being dealt in order to participate in the round of play.

(c) "Bet" or "wager" means an action by which a player places gaming chips into the pot on any betting round.

(d) "Betting round" means a complete wagering cycle in a hand of poker.

(e) "Blind bet" means a forced bet that only players sitting in specific betting positions at the poker table shall be required to place prior to looking at any cards.

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(f) "Burn a card" means to remove a card from the top of a deck, which is discarded face down, which card is not in play and the identity of which remains unknown.

(g) "Button" or "dealer button" means an object, which is moved clockwise around the table after each hand is complete to denote an imaginary dealer and thereby determine the betting and dealing sequence.

(h) "Call" means a wager made in an amount equal to the immediately preceding wager.

(i) "Check" means when a player waives the right to initiate the betting in a betting round but retains the right to act if another player initiates the betting.

(j) "Collection" means another name for the rake collected by the house, which may be a specified amount charged to each player or as a percentage of the pot for each hand.

(k) "Community cards" means cards which are dealt face upward and which can be used by all players to form their best hand.

(l) "Cut" means to divide a deck of playing cards into two parts in order to change the order of the cards without revealing the identity of any cards in the deck.

(m) "Deck" means a standard collection of 52 playing cards with the following 13 cards in each of four suits: 2, 3, 4, 5, 6, 7, 8, 9, 10, jack, queen, king, and ace.

(n) "Face card" means a king, queen, or jack.

(o) "Flop" means the first three community cards dealt during a hand.

(p) "Fold" means the withdrawal of a player from a round of play by discarding his hand of cards during a betting round and refusing to equal a wager.

(q) "Forced bet" means a wager, which is required to start the wagering on the first betting round.

(r) "Half-kill" means in the game of Five-Card Omaha High-Low poker when one player wins an entire qualifying pot, the betting limits are increased by one-half the posted table wagering limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low hand.

(s) "Hand" means one of two things, depending upon the context in which the term is used:

(1) the cards available to a player to use; or

(2) a complete round of play from the first ante or blind bet until the pot is awarded to a player.

(t) "Hole cards" means any cards dealt to a player face down, which are also "pocket cards," "in the hole," or "in the pocket."

(u) "Kill" means when one player wins an entire qualifying pot, the betting limits are twice the posted table wagering limits for the next hand and remain in effect until a pot is split between one player winning the high hand and another player winning the low hand.

(v) "Opening bet" means the first bet by each player in a round of play.

(w) "Pot" or "kitty" means the amount that is awarded to the winning player or players at the conclusion of a round of play and is equal to the total amount wagered by the players during the round of play minus any rake.

(x) "Raise" means a bet in an amount greater than the immediately preceding bet in that betting round.

(y) "Rake" means the amount of gaming chips collected on each hand by the dealer representing the predetermined amount to be included in net gaming revenue.

(z) "Round of plays" means the process by which cards are dealt, bets are placed and the winner of the pot is determined and paid in accordance with the rules of this game.

(aa) "Suit" means one of the following four categories of cards: diamonds, spades, clubs, or hearts.

(bb) "Table stakes" means the gaming chips on the table, which are in play. A player may not add or subtract from his or her gaming chips at any time during a betting round of play.

(cc) "Up cards" means any card dealt face up to a player or as community cards. (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

### **111-401-226. Five-Card Omaha High-Low Poker hand rankings.**

(a) The rank of the cards used in Five-Card Omaha High-Low Poker for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3, and 2. All suits shall be considered equal in rank. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with a 2, 3, 4, and 5.

(b) The permissible poker hands in order of highest to lowest rank, shall be:

(1) "Royal flush" is a hand consisting of an ace, king, queen, jack, and 10 of the same suit;

(2) "Straight flush" is a hand consisting of five cards of the same suit in consecutive ranking, with king, queen, jack, 10, and 9 being the highest ranking straight flush and ace, 2, 3, 4, and 5 being the lowest ranking straight flush;

(3) "Four-of-a-kind" is a hand consisting of four cards of the same rank regardless of suit, with four aces being the highest ranking four-of-a-kind and four 2s being the lowest ranking four of a kind;

(4) "Full house" is a hand consisting of a "three-of-a-kind" and a "pair," with the three aces and two kings being the highest ranking full house and three 2s and two 3s being the lowest ranking full house;

(5) "Flush" is a hand consisting of five cards on the same suit;

(6) "Straight" is a hand consisting of five cards of consecutive rank, regardless of suit with an ace, king, queen, jack, and 10 being the highest ranking straight and an ace, 2, 3, 4, and 5 being the lowest ranking straight, provided that an ace may not be combined with any other sequence of cards for purposes of determining a winning hand, (for example queen, king, ace, 2, 3);

(7) "Three-of-a-kind" is a hand consisting of three cards of the same rank regardless of suit, with three aces being the highest ranking three-of-a-kind and three 2s being the lowest ranking three-of-a-kind;

(8) "Two pairs" is a hand consisting of two "pairs," with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair; and

(9) "One pair" is a hand consisting of two cards of the same rank, regardless of suit with two aces being the highest ranking pair and two 2s being the lowest ranking pair;

(10) "High hand" is, when comparing two hands that are of otherwise identical poker rank, the hand with the highest-ranking card.

(c) When comparing two hands, if none of the above poker rankings are contained in a ranking hand, the hand with the highest-ranking card shall be considered the higher hand.

(d) If, after all five cards are compared and the hands are identical, they shall be considered a tie and the pot split equally among those players that are tied. (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

**111-401-227. Wagers.** (a) Only players who are seated at the poker table shall be permitted to receive cards and participate in each betting round.

(b) Depending upon the predetermined option for the poker game being dealt, a player may be required to:

(1) Place a predetermined ante prior to receiving any cards; or

(2) Place a predetermined blind bet prior to receiving any cards.

(c) A player may only participate in the wagering during a round of play with the table stakes gaming chips, which were already placed on the poker table in front of that player when the round of play commenced.

(d) A player may only add to his gaming chips between rounds of play and may not remove any of that player's gaming chips from the poker table at any time during ongoing play.

(e) A player who depletes his funds on the poker table prior to the completion of a round of play shall be deemed to be "all-in."

(f) An "all-in" player shall retain financial interest in the outcome of the round of play, but shall only be eligible to win the amount of the pot to which that player contributed.

(g) An "all-in" player shall continue to receive any cards to which that player would normally be entitled.

(h) Betting shall continue unimpeded among the other players by generating a separate secondary pot that only those active players shall be eligible to win.

(i) A verbal statement of "fold," "check," "call," "raise," or an announcement of a specific size wager by a player, assuming it is within the rules herein and the minimum and maximum wager limits for the poker table, shall be binding on the player if it is that player's turn to act.

(j) A player who announces a bet or raise of a certain amount but places a different amount of gaming chips in the pot shall be required to correct his or her bet or raise to the announced amount in accordance with the instructions of the dealer.

(k) A player shall be considered to have placed a wager if the player:

(1) Pushes gaming chips forward to indicate the intent of placing a wager;

(2) Releases gaming chips into the pot; or

(3) Releases gaming chips at a sufficient distance from the player and towards the pot to make it obvious that it is intended as a wager.

(l) A player shall not be permitted to make a wager and thereafter attempt to increase the amount of that wager.

(m) If the player wishes to add additional gaming chips to a wager, the player must indicate at the time the wager is being made that the wager is not yet complete.

(n) A player who puts the proper amount of gaming chips into the pot to call a wager, without indicating his or her intention to raise, may not thereafter raise the previous wager.

(o) No player may touch any of the gaming chips once placed into the pot until a decision on the hand has been made.

(p) Unless a raise has been verbally announced by that player, a player who puts into the pot a single gaming chip that is larger than required is assumed to have only called the preceding wager and to be awaiting change from the dealer.

(q) Unless specifically posted at the gaming table to the contrary, a player shall be permitted to raise after that player has previously checked in a betting round. (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

**111-401-228. Play.** In Five-Card Omaha High-Low, a poker hand will consist of the best five cards hand using two of the five cards dealt and three of the five community cards dealt on the board (the game table layout).

(a) The order in which the cards will be dealt and the order in which players will be required to have the option to bet will be determined as follows:

(1) A flat disk called the button will be used to indicate an imaginary dealer.

(2) At the commencement of play, the dealer will shuffle, either manually or through the use of a shuffling machine, cut the cards and deliver one card to each player, starting with the player in the first position to the left of the dealer. The highest ranking card will receive the button and become the imaginary dealer.

(3) Thereafter, the button will rotate around the table in a clockwise manner after each round of play.

(b) The first player to the left of the button will be required to initiate the first betting round by placing a blind bet (small blind). An additional blind bet (big blind) may be made immediately subsequent to the small blind. The small blind will be equal to or less than half of the table minimum wager. The big blind will be equal to or less than the table minimum wager. The required amount of all blind bets, if any, will be posted on a sign at the table.

(c) Starting with the first player to the left of the button and continuing in a clockwise rotation around the table, the dealer will deal four rounds of cards face down to each player with the player with the button being the last player to receive a card each time.

(d) Following the placement of the blind bet(s) and delivery of the first five cards, each player will in turn, in a clockwise rotation around the table, either fold, call or raise the bet. The option to raise will apply to the player who made the blind bet(s). After the last player has responded to the most recent bet, the betting round will be considered complete.

(e) The dealer will then burn the top card of the deck and proceed to deal three community cards face up in the center of the table. The next betting round will commence with the option to bet or check belonging to the first player to the left of the button who has not folded. Each subsequent player many, in clockwise rotation,

*(continued)*

fold, call, raise the bet or, if preceding players have not made a bet, make an opening bet or check. The betting round will be considered complete when each player has either folded or called to the most recent bet.

(f) Upon completion of the betting round above, the dealer will again burn the top card of the deck and then deal a fourth community card face up in the center of the table. The next betting round will be commended and completed in the same procedure as set forth above.

(g) Upon completion of the betting round above, the dealer will again burn the top card of the deck and deal a fifth and final community card face up in the center of the table. The final betting round will be commended and completed in accordance with the same procedure set forth above.

(h) If more than one player remains in the round of play after the final betting round has been completed, a show-down (determination of each remaining player's highest ranking hand) will be used to determine the winner of the pot. Each player remaining in the game will form the player's highest ranking five-card poker hand and/or the player's lowest ranking five-card poker hand by using in any combination of two of the player's own five cards and three of the five community cards available on the table. The player may use a different combination of hole cards (cards dealt face down) for the player's high and low hand, as long as the player uses exactly two hole cards and three community cards for each.

(i) The player with the highest ranking five-card poker hand wins half of the pot, and the player with the lowest ranking five-card poker hand wins the other half. If there is no qualifying low hand, the player with the highest ranking hand wins the entire pot.

(j) A qualifying low hand consists of five cards which have a ranking of eight or lower, with an ace counting as the lowest ranking card. No pairs can exist in the low hand, but a straight and/or a flush may. The lowest possible qualifying low hand is ace, 2, 3, 4, and 5. The highest possible qualifying low hand is 8, 7, 6, 5, and 4.

(k) Whenever a pot cannot be split evenly, any odd chip will go to the first player in action (still in play for that round) clockwise from the button. (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-10-2-17, Sept. 6, 2017.)

Article 501.—SOUTH CENTRAL GAMING ZONE

**111-501-78. Additional procedures.** (a) If a player asks the dealer for advice on how to set the player's cards, the dealer will simply tell the player how the hand would be set per the house way. The dealer shall not contradict or discuss the manner in which a player has set the hand.

(b) If a player requests assistance from another player, a table games supervisor or higher ranking casino official must first approve of the other player providing assistance. The player that is assisting another player, however, must first set that player's own hand before assisting any other player. Only the original player may touch the cards.

(c) The dealer shall determine if a non-banking player's hand is set properly with the high hand being higher than the low hand. If not set this way, it is considered a fouled hand and the hand automatically loses.

(d) If any player or the dealer is dealt an incorrect number of cards, all hands shall be void and the cards reshuffled.

(e) The banker, whether the house or a player, cannot foul the banker's hand. If the hand is set incorrectly, a supervisor should be called and the hand reset the house way. (Authorized by K.S.A. 2016 Supp. 74-8710 and 74-8748; implementing K.S.A. 2016 Supp. 74-8710; effective, T-111-12-22-11, Oct. 12, 2011, amended, T-111-10-2-17, Sept. 6, 2017.)

Terry P. Presta  
Executive Director

Doc. No. 045803

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2016 Supplement of the *Kansas Administrative Regulations*.

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1-2-74	Amended	V. 35, p. 1093
1-6-23	Amended	V. 35, p. 1093
1-9-7b	Amended	V. 36, p. 1089
1-9-23	Amended	V. 35, p. 1094
1-14-8	Amended	V. 35, p. 1096
1-14-10	Amended	V. 35, p. 1097

1-16-4	Amended	V. 35, p. 44
1-16-8	Amended	V. 35, p. 44
1-16-15	Amended	V. 35, p. 45
1-16-18	Amended	V. 35, p. 45
1-16-18a	Amended	V. 35, p. 46
1-39-1 through 1-39-4	Revoked	V. 36, p. 8

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
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4-2-8	Amended	V. 36, p. 1088
4-2-17a	Revoked	V. 36, p. 1088
4-2-21	New	V. 36, p. 1088
4-5-1	Revoked	V. 35, p. 238
4-5-2	Revoked	V. 35, p. 238
4-5-4	New	V. 35, p. 238

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-1-1	Amended	V. 35, p. 308

5-3-6a	Amended	V. 36, p. 159
5-5-9	Amended	V. 36, p. 1036
5-5-10	Amended	V. 36, p. 1036
5-5-16	Amended	V. 36, p. 1037
5-12-1	Amended	V. 35, p. 313
5-14-10	Amended	V. 36, p. 823
5-14-11	Amended	V. 36, p. 1038
5-14-12	New	V. 36, p. 825
5-21-3	Amended	V. 36, p. 160
5-21-6	Amended	V. 35, p. 431
5-22-7	Amended	V. 35, p. 199
5-23-4	Amended	V. 35, p. 385
5-23-4b	Revoked	V. 35, p. 386
5-24-2	Amended	V. 35, p. 386
5-25-21	New	V. 35, p. 200

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-23-16	New (T)	V. 35, p. 662

AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

Reg. No.	Action	Register
9-3-9	Amended	V. 36, p. 140



9-3-10	Amended	V. 36, p. 140
9-7-4	Amended	V. 35, p. 428
9-7-4a	New	V. 35, p. 428
9-10-33a	Amended	V. 36, p. 1038
9-10-40	New	V. 36, p. 1038
9-18-31	New	V. 35, p. 313
9-26-1	Revoked	V. 35, p. 314
9-27-1	Amended	V. 35, p. 695

**AGENCY 16: ATTORNEY GENERAL**

Reg. No.	Action	Register
16-9-1	Revoked	V. 35, p. 1033
16-14-10	New (T)	V. 35, p. 626
16-14-10	New	V. 35, p. 858
16-14-11	New (T)	V. 35, p. 626
16-14-11	New	V. 35, p. 858
16-15-1 through 16-15-4	New (T)	V. 35, p. 626-628
16-15-4 through 16-15-4	New	V. 35, p. 858-860
16-16-1	New	V. 35, p. 1033
16-16-2	New	V. 35, p. 1033
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**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

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28-4-118	Amended	V. 36, p. 365
28-4-428	Amended	V. 36, p. 366
28-4-428a	Amended	V. 36, p. 366
28-4-587	Amended	V. 36, p. 571
28-4-592	Amended	V. 36, p. 573
28-4-802	Revoked	V. 36, p. 973
28-17-10	Amended	V. 35, p. 566
28-17-11	Revoked	V. 35, p. 567
28-17-20	Amended	V. 35, p. 567
28-19-11	Amended	V. 35, p. 930
28-19-300	Amended	V. 35, p. 954
28-19-304	Amended	V. 35, p. 955
28-54-1 through 28-54-5	Amended	V. 36, p. 939-940
28-71-1 through 28-71-12	Amended	V. 36, p. 1051-1055
28-74-1	New	V. 35, p. 383
28-74-2	New	V. 35, p. 383
28-74-3	New	V. 35, p. 383
28-74-4	New	V. 35, p. 384

**AGENCY 30: KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES**

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30-44-6	New	V. 35, p. 63
30-46-10	Amended	V. 35, p. 581
30-47-3	New	V. 36, p. 973

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

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40-1-48	Amended	V. 36, p. 919
40-2-18	Amended	V. 35, p. 405
40-4-34	Amended	V. 35, p. 384
40-4-35	Amended	V. 36, p. 972
40-4-41	Amended	V. 35, p. 633
40-4-42a	Amended	V. 36, p. 954

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44-12-301	Amended (T)	V. 35, p. 742

44-12-301	Amended	V. 35, p. 898
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49-55-2	Amended (T)	V. 36, p. 842
49-55-2	Amended	V. 36, p. 1106
49-55-3	Revoked (T)	V. 36, p. 842
49-55-3	Revoked	V. 36, p. 1106
49-55-4	Amended (T)	V. 36, p. 842
49-55-4	Amended	V. 36, p. 1106
49-55-5	Revoked (T)	V. 36, p. 842
49-55-5	Revoked	V. 36, p. 1107
49-55-6	Amended (T)	V. 36, p. 842
49-55-6	Amended	V. 36, p. 1107
49-55-8	Amended (T)	V. 36, p. 842
49-55-8	Amended	V. 36, p. 1107
49-55-11	Amended (T)	V. 36, p. 843
49-55-11	Amended	V. 36, p. 1107
49-55-12	Amended (T)	V. 36, p. 843
49-55-12	Amended	V. 36, p. 1107
49-55-13	New (T)	V. 36, p. 843
49-55-13	New	V. 36, p. 1107

**AGENCY 51: DEPARTMENT OF LABOR—DIVISION OF WORKERS COMPENSATION**

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51-9-7	Amended	V. 35, p. 1046

**AGENCY 60: BOARD OF NURSING**

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60-3-102	Amended	V. 35, p. 323
60-3-103	Amended	V. 35, p. 323
60-3-110	Amended	V. 35, p. 323
60-3-113	Amended	V. 35, p. 324
60-4-101	Amended	V. 36, p. 369
60-7-102	Amended	V. 35, p. 324
60-7-106	Amended	V. 35, p. 324
60-9-105	Amended	V. 35, p. 325
60-9-106	Amended	V. 35, p. 326
60-17-102	Amended	V. 35, p. 327

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61-3-3	Amended	V. 35, p. 991
61-3-5	Amended	V. 35, p. 991
61-3-7	Amended	V. 35, p. 384
61-3-20	Amended	V. 35, p. 991
61-4-2	Amended	V. 35, p. 991
61-7-1	Revoked	V. 35, p. 385
61-7-2	New	V. 35, p. 385

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-6-1	Amended	V. 35, p. 455

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

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

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-1-1b	Amended	V. 35, p. 695
68-1-1f	Amended	V. 35, p. 696
68-1-1g	Revoked	V. 35, p. 696
68-5-18	New	V. 35, p. 696

68-7-10	Amended	V. 35, p. 697
68-7-22	New	V. 35, p. 427
68-7-23	New (T)	V. 36, p. 822
68-7-23	New	V. 36, p. 1017
68-9-2	Amended	V. 35, p. 698
68-9-3	New	V. 35, p. 699
68-11-3	New	V. 35, p. 700

**AGENCY 69: BOARD OF COSMETOLOGY**

Reg. No.	Action	Register
69-11-1	Amended	V. 35, p. 1097
69-12-18	New	V. 35, p. 1098

**AGENCY 70: DEPARTMENT OF AGRICULTURE, BOARD OF VETERINARY EXAMINERS**

Reg. No.	Action	Register
70-5-1	Amended	V. 36, p. 140

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-6-5	Amended	V. 35, p. 140

**AGENCY 74: BOARD OF ACCOUNTANCY**

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74-1-4	Amended	V. 35, p. 84
74-2-7	Amended	V. 35, p. 85
74-4-8	Amended	V. 35, p. 85
74-4-9	Amended	V. 35, p. 86
74-5-2	Amended	V. 35, p. 87
74-5-2a	Amended	V. 35, p. 88
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74-5-201 through 74-5-203	Amended	V. 35, p. 89
74-5-301	Amended	V. 35, p. 90
74-5-401	Amended	V. 35, p. 90
74-5-403	Amended	V. 35, p. 90
74-5-405a	Amended	V. 35, p. 90
74-5-406	Amended	V. 35, p. 90
74-5-407	Amended	V. 35, p. 91
74-11-6	Amended	V. 35, p. 91
74-11-7	Amended	V. 35, p. 91
74-15-1	Amended	V. 35, p. 92

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82-4-3h	Amended	V. 35, p. 359
82-4-3i	Amended	V. 35, p. 360
82-4-3j	Amended	V. 35, p. 362
82-4-3k	Amended	V. 35, p. 363
82-4-3n	Amended	V. 35, p. 364
82-4-3o	Amended	V. 35, p. 366
82-4-8a	Revoked	V. 35, p. 366
82-4-20	Amended	V. 35, p. 366
82-16-1	Amended	V. 36, p. 102
82-16-2	Amended	V. 36, p. 103
82-16-3	Revoked	V. 36, p. 103
82-16-4	Amended	V. 36, p. 103
82-16-5	Revoked	V. 36, p. 103
82-16-6	Amended	V. 36, p. 103

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86-1-2	Revoked	V. 35, p. 928
86-1-4	Revoked	V. 35, p. 929

86-1-5	Amended	V. 36, p. 159
86-2-8	Revoked	V. 35, p. 929
86-3-19	Amended	V. 35, p. 929
86-3-26a	Amended	V. 35, p. 929
86-3-30	Revoked	V. 35, p. 929
86-3-31	New	V. 35, p. 929

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88-24-2	Amended	V. 36, p. 445
88-28-1 through 88-28-8	Amended	V. 36, p. 445-452
88-29-2	Revoked	V. 35, p. 1113
88-29-5	Revoked	V. 35, p. 1113
88-29-6	Revoked	V. 35, p. 1113
88-29-7	Revoked	V. 35, p. 1113
88-29-7a	Revoked	V. 35, p. 1113
88-29-8	Revoked	V. 35, p. 1113
88-29-8c	Revoked	V. 35, p. 1113
88-29-9	Revoked	V. 35, p. 1113
88-29-10	Revoked	V. 35, p. 1113
88-29-11	Amended	V. 35, p. 1113

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91-1-70a	Amended	V. 36, p. 609
91-1-208	Amended	V. 36, p. 609
91-1-221	Revoked	V. 36, p. 609
91-1-235	Amended	V. 36, p. 610
91-31-32	Amended	V. 35, p. 1014
91-38-1 through 91-38-8	Amended	V. 36, p. 611-615
91-42-1	Amended	V. 36, p. 616
91-42-2	Amended	V. 36, p. 616
91-42-3	New	V. 35, p. 487
91-42-4	Amended	V. 36, p. 617
91-42-5	New	V. 35, p. 488
91-42-6	New	V. 35, p. 489
91-42-7	Amended	V. 36, p. 618

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Reg. No.	Action	Register
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92-23-25	Revoked	V. 35, p. 64
92-23-30	Revoked	V. 35, p. 64
92-23-31	Revoked	V. 35, p. 64
92-23-37 through 92-23-40	Revoked	V. 35, p. 64
92-23-41 through 92-23-59	New	V. 35, p. 64-67
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92-57-1 through 92-57-5	New	V. 36, p. 843, 844

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Reg. No.	Action	Register
93-6-3	Amended	V. 35, p. 357

**AGENCY 100: BOARD OF HEALING ARTS**

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100-28a-1a	New	V. 35, p. 353

100-28a-6	Amended	V. 35, p. 353
100-28a-9	Amended	V. 35, p. 354
100-28a-9a	New	V. 35, p. 354
100-28a-10	Amended	V. 35, p. 354
100-28a-11	Amended	V. 35, p. 355
100-28a-12	Amended	V. 35, p. 355
100-28a-13	Amended	V. 35, p. 355
100-28a-14	Amended	V. 35, p. 356
100-28a-15	Amended	V. 35, p. 356
100-28a-17	Amended	V. 35, p. 356
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100-29-16	Amended	V. 35, p. 388
100-29-18 through 100-29-21	New	V. 36, p. 368, 369
100-54-7	Amended	V. 35, p. 389
100-54-12	New	V. 35, p. 390
100-76-1 through 100-76-12	New (T)	V. 36, p. 1107-1111

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-3-7b	New (T)	V. 36, p. 546
102-3-7b	New	V. 36, p. 1089
102-5-7b	New (T)	V. 36, p. 546
102-5-7b	New	V. 36, p. 1090
102-8-1	New (T)	V. 35, p. 628
102-8-1	New	V. 35, p. 930
102-8-2	New (T)	V. 35, p. 628
102-8-2	New	V. 35, p. 931
102-8-4	New (T)	V. 35, p. 629
102-8-4	New	V. 35, p. 931
102-8-6	New (T)	V. 35, p. 629
102-8-6	New	V. 35, p. 932
102-8-7	New (T)	V. 35, p. 629
102-8-7	New	V. 35, p. 932
102-8-8	New (T)	V. 35, p. 646
102-8-8	New	V. 35, p. 932
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105-5-3	Amended	V. 35, p. 936
105-5-6	Amended	V. 35, p. 937
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105-5-8	Amended	V. 35, p. 937
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109-2-6	Amended	V. 35, p. 318
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109-2-8	Amended	V. 36, p. 593
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109-5-1a	Amended	V. 35, p. 935
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109-5-5	Amended	V. 35, p. 582
109-7-1	Amended	V. 35, p. 321

**AGENCY 111: KANSAS LOTTERY**

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111-2-62	Amended	V. 36, p. 564
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111-2-322	New	V. 35, p. 898
111-3-1	Amended	V. 35, p. 898
111-4-878	Amended	V. 35, p. 819
111-4-879	Amended	V. 35, p. 819
111-4-880	Amended	V. 35, p. 819
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111-4-3422	New	V. 35, p. 157
111-4-3423	New	V. 35, p. 157
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111-4-3433 through 111-4-3439	New	V. 35, p. 457-461
111-4-3440	Amended	V. 35, p. 900
111-4-3441	New	V. 35, p. 463
111-4-3442 through 111-4-3445	New	V. 35, p. 492-495
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111-4-3450	New	V. 35, p. 678
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111-4-3452	New	V. 35, p. 766
111-4-3453	New	V. 35, p. 768
111-4-3454	New	V. 35, p. 821
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 111-15-21 Amended V. 35, p. 1064  
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128-6-4	Amended	V. 36, 271

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