



# Kansas Register

Kris W. Kobach, Secretary of State

Vol. 30, No. 40

October 6, 2011

Pages 1357-1392

In this issue . . .	Page
<b>Kansas State Fair Board</b>	
Notice of meeting .....	1359
<b>Kansas 911 Coordinating Council</b>	
Notice of meeting .....	1359
<b>Legislative interim committee schedule.....</b>	1359
<b>Secretary of State</b>	
Code mortgage rate for October .....	1360
Usury rate for October .....	1360
<b>Department of Administration—Office of Facilities and Property Management</b>	
Notices of requested architectural/engineering services.....	1360
<b>Pooled Money Investment Board</b>	
Notice of investment rates.....	1360
<b>Kansas Department of Agriculture—Division of Conservation</b>	
Notice to contractors.....	1361
<b>Department of Administration—Procurement and Contracts</b>	
Notice to bidders for state purchases .....	1361
<b>City of Wichita</b>	
Notice to bidders.....	1362
<b>Kansas Board of Regents Universities</b>	
Notice to bidders.....	1362
<b>Kansas Judicial Council</b>	
Notice of meetings.....	1362
<b>City of Lenexa</b>	
Notice to bidders.....	1363
<b>Notice of Bond Sale</b>	
City of Hutchinson .....	1363
<b>Kansas Commission on Veterans' Affairs</b>	
Notice of meeting .....	1364
<b>Kansas Development Finance Authority</b>	
Notice of hearing on proposed revenue bonds .....	1364
<b>Kansas Department of Transportation</b>	
Notice to consulting engineers .....	1365
<b>Department of Health and Environment</b>	
Notice of hearing on proposed underground injection control permits.....	1365
Notice concerning water pollution control permits/applications .....	1366
Requests for comments on proposed air quality permits.....	1368, 1369, 1370

(continued on next page)

<b>Kansas Children's Cabinet and Trust Fund</b>	
Notice of meeting .....	1371
<b>Governmental Ethics Commission</b>	
Opinions 2011-06 through 2011-08 .....	1371
<b>Office of the Governor</b>	
Executive Directive No. 11-424, authorizing expenditure of federal funds and authorizing personnel transactions .....	1376
<b>Wildlife, Parks, and Tourism Commission</b>	
Notice of hearing on proposed administrative regulations .....	1376
<b>Permanent Administrative Regulations</b>	
Board of Regents .....	1377
<b>Temporary Administrative Regulations</b>	
Kansas Lottery .....	1378
<b>Index to administrative regulations</b> .....	1384
<b>Annual statement of ownership, management and circulation</b> .....	1390

The Kansas Register (USPS 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly and a cumulative index is published annually by the Kansas Secretary of State. One-year subscriptions are \$80 (Kansas residents must include applicable state and local sales tax). Single copies, if available, may be purchased for \$2. **Periodicals postage paid at Topeka, Kansas. POSTMASTER:** Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

© Kansas Secretary of State 2011. Reproduction of the publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

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

**Published by**  
Kris W. Kobach  
Secretary of State  
1st Floor, Memorial Hall  
120 S.W. 10th Ave.  
Topeka, KS 66612-1594  
(785) 296-4564  
[www.sos.ks.gov](http://www.sos.ks.gov)



**Register Office:**  
1st Floor, Memorial Hall  
(785) 296-3489  
Fax (785) 368-8024  
[kansasregister@sos.ks.gov](mailto:kansasregister@sos.ks.gov)

State of Kansas

**State Fair Board**

**Notice of Meeting**

The Kansas State Fair Board will meet via conference call at 9 a.m. Thursday, October 13. For more information, contact Denny Stoecklein at (620) 669-3600 or denny@kansasstatefair.com.

Jeff Deeds  
President

Doc. No. 039871

State of Kansas

**Kansas 911 Coordinating Council**

**Notice of Meeting**

The Kansas 911 Coordinating Council will meet at 11 a.m. Friday, October 7, in Room 784 of the Docking State Office Building, 915 S.W. Harrison, Topeka.

Jennifer Cook  
Governor's Grants Program Administrator

Doc. No. 039860

State of Kansas

**Legislature**

**Interim Committee Schedule**

The Legislative Research Department gives notice that the following legislative committees plan to meet during the period of October 10-20, 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 e-mail LegServ@las.ks.gov. The 2011 interim committee memberships and committee agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/.html>.

Date	Room	Time	Committee	Agenda
Oct. 10	152-S	10:00 a.m.	Administrative Rules and Regulations Joint Committee	Review of the rules and regulations proposed for adoption by: Department of Agriculture, Division of Water Resources; Board of Technical Professions; Department of Labor, Division of Workers Compensation; Board of Emergency Medical Services.
Oct. 10	346-S	10:00 a.m.	Legislative Budget Committee	Medicaid adult dental benefits.
Oct. 11	548-S	10:00 a.m.	Home- and Community-Based Services Oversight Joint Committee	11th: Overview of approved budget for FY 2011 and FY 2012; Dental Project/ Licensure of Registered Dental Practitioners; SRS follow-up; quarterly report on average daily census for state institutions and LTC facilities, savings on transfers to HCBS waivers and HCBS savings fund balance; Department on Aging follow-up and update on Provider Assessment Advisory Panel. 12th: Human trafficking in Kansas; provider presentations on impact of SRS and Department on Aging program changes; diversification into HCBS by small rural nursing homes; discussion of committee recommendations.
Oct. 12	548-S	9:00 a.m.		
Oct. 17	144-S	TBA	Kansas Security Joint Committee	Veterans, mental health issues for veterans, and services available to them.
Oct. 17	152-S	TBA	Energy and Environmental Policy Joint Committee	Agenda not available.
Oct. 18	152-S	TBA		
Oct. 19	Dodge City Garden City	9:00 a.m. 2:00 p.m.	Special Committee on Redistricting	Redistricting public hearings.
Oct. 20	Colby Hays	9:00 a.m. 3:00 p.m.	Special Committee on Redistricting	Redistricting public hearings.

Jeffrey M. Russell  
Director of Legislative  
Administrative Services

Doc. No. 039867

## State of Kansas

## Secretary of State

## Code Mortgage Rate for October

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of October 1, 2011 through October 31, 2011, is 12 percent.

Kris W. Kobach  
Secretary of State

Doc. No. 039846

## State of Kansas

## Secretary of State

## Usury Rate for October

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of October 1, 2011 through October 31, 2011, is 5.03 percent.

Kris W. Kobach  
Secretary of State

Doc. No. 039845

## State of Kansas

## Department of Administration

## Office of Facilities and Property Management

## Notice of Requested "On-Call" Architectural Services

Notice is hereby given of the commencement of the selection process for "on-call" architectural services for small projects at Fort Hays State University. One firm will be selected. The contract will be for three years.

For more information, contact Dana Cunningham at (785) 628-4424. Firms interested in providing these services should be familiar with the requirements of Chapter 9 of the Building Design and Construction Manual at the website below.

To be considered, one (1) .pdf file and one (1) bound proposal of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end. Proposals should be less than 5 MB and follow the current State Building Advisory Commission guidelines in Chapter 4 of the Building Design and Construction Manual, which is available at [www.da.ks.gov/fp/](http://www.da.ks.gov/fp/) or by contacting Barbara Schilling, Office of Facilities and Property Management, Suite 600 South, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 291-3695, [Barb.Schilling@da.ks.gov](mailto:Barb.Schilling@da.ks.gov). Both the .pdf and bound proposal submittals shall be delivered to the attention of Barbara Schilling before noon October 21.

Mark J. McGivern, Director  
Office of Facilities and  
Property Management

Doc. No. 039847

## 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. 2010 Supp. 12-1675(b)(c)(d) and K.S.A. 2010 Supp. 12-1675a(g).

## Effective 10-3-11 through 10-9-11

Term	Rate
1-89 days	0.07%
3 months	0.02%
6 months	0.05%
1 year	0.16%
18 months	0.23%
2 years	0.30%

Scott Miller  
Director of Investments

Doc. No. 039844

## State of Kansas

## Department of Administration

## Office of Facilities and Property Management

Notice of Requested "On-Call"  
Architectural/Engineering Services

Notice is hereby given of the commencement of the selection process for "on-call" masonry consultant services for Kansas State University. The contract will be for three years.

Services will include pre-bid review of construction documents, assessment of existing facilities, design assistance and project evaluation. Requirements are that the firm be an independent professional organization specializing in masonry evaluation for more than 10 years. A complete scope of work is available at the following website: <http://www.da.ks.gov/fp/ArchEngPrograms.htm>.

For more information, contact Abe Fattaey at (785) 532-1725. Firms interested in providing these services should be familiar with the requirements of Chapter 9 of the Building Design and Construction Manual at the website below.

To be considered, one (1) .pdf file and one (1) bound proposal of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end. Proposals should be less than 5 MB and follow the current State Building Advisory Commission guidelines in Chapter 4 of the Building Design and Construction Manual, which are available at [www.da.ks.gov/fp/](http://www.da.ks.gov/fp/) or by contacting Barbara Schilling, Office of Facilities and Property Management, Suite 600 South, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, (785) 291-3695, [Barb.Schilling@da.ks.gov](mailto:Barb.Schilling@da.ks.gov). Both the .pdf and bound proposal submittals shall be delivered to the attention of Barbara Schilling before noon October 21.

Mark J. McGivern, Director  
Office of Facilities and  
Property Management

Doc. No. 039857

State of Kansas

**Department of Agriculture  
Division of Conservation**

**Notice to Contractors**

1. Project: Augusta City Dam Rehabilitation, for the City of Augusta, Kansas.
2. Bids Received Until:  
10 a.m. Tuesday, November 1, 2011  
Augusta City Hall, Council Chamber, 3rd Floor  
113 E. 6th St., Augusta, KS 67010  
Bids received after said time will be returned unopened.
3. Bid Opening: Will be public.
4. Description of Work: Dam face rehabilitation and concrete spillway construction. Three hundred (300) calendar days with \$100.00 per calendar day liquidated damages will be allowed.
5. All Bids: Shall be unit price.
6. Owner: City of Augusta, Kansas. William M. Keefer, City Manager.
7. Project Engineer:  
MKEC Engineering Consultants, Inc.  
411 N. Webb Road, Wichita, KS 67206  
(316) 684-9600, fax (316) 684-5100
8. Bid Documents:
  - 8.1 Project drawings and specifications may be obtained from MKEC Engineering Consultants, Inc. at 411 N. Webb Road, Wichita, KS 67206, (316) 684-9600, fax (316) 684-5100.
  - 8.2 Project manual on file at the office of the project engineer.
  - 8.3 Non-refundable construction document fee:  
\$75.00 — Full Size Plans  
\$50.00 — Half Size Plans
9. Requirements: The owner requires that bidders be competent to fulfill the requirements of this contract and able to perform work of this nature and size.
10. Pre-bid Conference: None.
11. Pre-Construction Conference: Before the contractor starts work at the site, a conference attended by the contractor, engineer, owner and others as required will be held to discuss schedules, procedures, submittals and applications for payment, and to establish an understanding among all parties as to the work.
12. Modifications to Bid Documents: Where conflicts occur in these documents between standard form documents/specifications and any modifications thereto, the modifications shall govern.
13. Errors and Discrepancies: Bidder shall promptly report in writing to the engineer any conflict, error or discrepancy which bidder may discover and shall obtain a written interpretation or clarification from the engineer before submitting his bid for any work affected thereby.
14. Bid Security: An amount of five (5) percent of the total bid must accompany each bid.

15. Submittal: Submit bid and security in an opaque, sealed envelope. Identify the envelope as follows:

BID FORM AND BID SECURITY

To: City Clerk  
City of Augusta  
113 E. 6th St.  
Augusta, KS 67010

Bid For: Augusta City Dam Rehabilitation, for Augusta, Kansas

Bid From: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Do Not Open Until:

By: \_\_\_\_\_

Greg A. Foley  
Executive Director

Doc. No. 039865

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 p.m. on the date indicated. For more information, call (785) 296-2376:

10/18/2011	EVT0000925	Asphaltic Concrete Mix, Cold
10/18/2011	EVT0000926	High Performance Cold Asphaltic Concrete Mix
10/18/2011	EVT0000929	Liquid Magnesium Chloride
10/19/2011	EVT0000920	Engineering Paper & Mylar
10/20/2011	EVT0000930	Elevator Maintenance — Historical Society
11/01/2011	EVT0000914	Youth & Parent Consumer Run Organization Services
11/02/2011	EVT0000917	Consumer Run Organization Services
11/03/2011	EVT0000918	Mental Health for Children Services
11/04/2011	EVT0000919	Children’s Prosocial Behavior Services
11/07/2011	EVT0000928	Adult Support Education and Referral Services
11/08/2011	EVT0000935	Balance of State Continuum of Care Services

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

<http://www1.da.ks.gov/purch/contracts/bids.aspx>

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

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

Information regarding prequalification, projects and bid documents can be obtained at (785) 296-8899 or <http://da.ks.gov/fp/>.

Chris Howe  
Director of Procurement and Contracts

Doc. No. 039872

(Published in the Kansas Register October 6, 2011.)

**City of Wichita, Kansas**

**Notice to Bidders**

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, November 4, for the following project:

**(KDOT Project No. 87N-0495-01/472-84881/210479)  
(OCA Code 707014)**

**Paving**

Pawnee and Broadway Intersection

Requests for the bid documents and plans should be directed to City Blue Print at (316) 265-6224 or Marty Strayer at (316) 268-4488. Other questions should be directed to the respective design engineer, (316) 268-4501.

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 5 percent 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 and specifications.

Marty Strayer  
Administrative Aide  
City of Wichita—Engineering

Doc. No. 039849

**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: www.emporia.edu/busaff/. Additional contact info: phone: 620-341-5145, fax: 620-341-5073, email: thouse@emporia.edu. Mailing address: Emporia State University, Controller's Office/Purchasing, Campus Box 4021, 1200 Commercial, Emporia, KS 66801.

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

**Kansas State University** – Bid postings: www.k-state.edu/purchasing/rfq. Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: kspurch@k-state.edu. Mailing address: Division of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

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

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

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

**Wichita State University** – Bid postings: 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.

Carla K. Bishop  
Chair of Regents Purchasing Group  
Director of Purchasing  
Kansas State University

Doc. No. 039551

**State of Kansas**

**Kansas Judicial Council**

**Notice of Meetings**

The Kansas Judicial Council, its Advisory Committees and the Commission on Judicial Performance will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka, unless otherwise designated:

Date	Committee	Time	Location
Oct. 7	Family Law	9:30 a.m.	Suite 140
Oct. 14	Commission on Judicial Performance	9:30 a.m.	Suite 140
Oct. 20	Pattern Instructions for Kansas-Criminal	1:00 p.m.	Suite 140
Oct. 21	Pattern Instructions for Kansas-Criminal	9:30 a.m.	Suite 140
Oct. 21	Probate Law	9:30 a.m.	Room 269
Oct. 28	Civil Code	9:30 a.m.	Suite 140
Oct. 28	Criminal Law	9:30 a.m.	COA Courtroom
Nov. 16	Supreme Court Rules	9:30 a.m.	Fatzer Courtroom
Nov. 17	Pattern Instructions for Kansas-Criminal	1:00 p.m.	Suite 140
Nov. 18	Pattern Instructions for Kansas-Criminal	9:30 a.m.	Suite 140
Nov. 18	Probate Law	9:30 a.m.	COA Courtroom

Hon. Lawton R. Nuss  
Chairman

Doc. No. 039855

(Published in the Kansas Register October 6, 2011.)

**City of Lenexa, Kansas****Notice to Bidders**

Sealed bids for **Lackman Road Traffic Signal Coordination** will be accepted by the city of Lenexa, Kansas, at the Community Development Department, Lenexa City Hall, 12350 W. 87th St. Parkway, Lenexa, 66215, until 2 p.m. November 1, 2011, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Community Development Department customer service staff (main level) in sealed envelopes addressed to the City of Lenexa, Kansas, Attention: City Clerk, and marked "Bid for: 79th & Lackman Road Traffic Signalization." Copies of plans, specifications, bidding documents and other contract documents are on file at Drexel Technologies, Inc., 10840 W. 86th St., Lenexa, 66214.

Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above. Plans and specifications may be downloaded from the Drexel Technologies, Inc. website at <http://planroom.drexeltech.com/>.

**Note:** Davis Bacon wage rates apply to this project.

Each bidder will be responsible for ensuring that it has received any and all addenda issued by the city in accordance with IB-10 of the instructions to bidders.

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

No oral, telegraphic, telephonic proposals or alterations will be considered. Facsimile transmissions will not be accepted.

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

- a. Bid form;
- b. 5% bid security—bid bond, cashier's check or certified check (see below); and
- c. Acknowledgment of addenda issued by the city.

Each bidder shall file with its bid a bid bond, a cashier's check or a certified check drawn on an acceptable bank, made payable to the city of Lenexa, Kansas, in an amount equal to 5 percent of the total bid, which shall be retained by the city of Lenexa until a contract for the project has been executed. Bid bonds will be returned to the bidders, with the exception of the best and lowest and second best and second lowest responsible bidders, within 21 days after their bids are rejected. The bid deposit of the lowest and the second lowest responsible bidders will be returned when the performance bond, maintenance bond and statutory bond, each in an amount equal to 100 percent of the contract amount, required insurance certificates and other required documents shall have been fur-

nished and the contract documents have been executed by the successful bidder.

In the event the low bidder is unable to execute the contract, for whatever reason, within the time provided in the notice of award, the city may annul the notice of award and the bid deposit may be forfeited, and the city shall exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security or specific performance.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of city clerk prior to the time and date for bid opening.

From and after the release of this notice, any party intending to bid on the above-referenced project, including their officers, employees, agents or contractors, are specifically prohibited from communicating with any elected or appointed official of the city, directly or indirectly, with regard to the award of the contract for the project listed above, except as specifically authorized by the instructions to bidders. Any such unauthorized communication may result in the automatic disqualification of such bidder.

All bidders agree that rejection shall create no liability on the part of the city because of such rejection, and the filing of any bid in response to this notice shall constitute an agreement of the bidder to these conditions.

A pre-bid conference will be held at 2 p.m. October 25 in the Executive Conference Room, upper level, Lenexa City Hall.

David F. Bryant III, City Clerk  
City of Lenexa, Kansas

Doc. No. 039851

(Published in the Kansas Register October 6, 2011.)

**Summary Notice of Sale  
City of Hutchinson, Kansas  
\$1,170,000\***

**General Obligation Refunding Bonds  
Series 2011-B**

**(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Bids**

Subject to the Notice of Sale dated September 20, 2011, bids will be received by the finance director of the city of Hutchinson, Kansas, on behalf of the governing body at City Hall, 125 E. Ave. B, Hutchinson, KS 67501, or, in the case of electronic proposals, via PARITY electronic bid submission system, until 10 a.m. October 18, 2011, for the purchase of \$1,170,000\* principal amount of General Obligation Refunding Bonds, Series 2011-B. No bid of less than 99.0 percent of the par value of the bonds, plus accrued interest 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 November 15, 2011 (the dated

*(continued)*

date), and will become due on October 1 in the years as follows:

Year	Principal Amount*
2012	\$110,000
2013	110,000
2014	115,000
2015	115,000
2016	110,000
2017	115,000
2018	120,000
2019	120,000
2020	125,000
2021	130,000

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as provided in the Notice of Sale, which interest will be payable semi-annually on April 1 and October 1 in each year, beginning April 1, 2012. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the Notice of Sale.

#### **Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

#### **Good Faith Deposit**

The bidder for the bonds shall provide the city with a cashier's or certified check drawn on a bank located in the United States, a financial surety bond in a form that complies with the requirements set forth in the Notice of Sale, or the wire transfer of same-day funds in accordance with the requirements set forth in the Notice of Sale in the amount of \$23,400 (2 percent of the principal amount of the bonds).

#### **Delivery**

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about November 15, 2011, at the offices of the Depository Trust Company, New York, New York.

#### **Approval of Bonds**

The bonds will be sold subject to the legal opinion of Kutak Rock LLP, Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city and delivered to the successful bidder when the bonds are delivered.

#### **Additional Information**

Additional information regarding the bonds may be obtained from the financial advisor, Ranson Financial Consultants, L.L.C., Sutton Place, 209 E. William, Suite 401, Wichita, KS 67202, Attention: John Haas, (316) 264-3400; from the finance director; or from bond counsel, Kutak Rock LLP, 1010 Grand Blvd., Suite 500, Kansas City, MO 64106-2220, (816) 960-0090, Attention: Dorothea Riley.

Dated September 28, 2011.

City of Hutchinson, Kansas  
By Dennis Bockenstedt, Finance Director  
Hutchinson City Hall  
125 E. Ave. B  
Hutchinson, KS 67501  
(620) 694-2613

\* Subject to change.

Doc. No. 039868

#### **State of Kansas**

#### **Commission on Veterans' Affairs**

#### **Notice of Meeting**

The Kansas Commission on Veterans' Affairs will meet at 10 a.m. Wednesday, October 19, at the Kansas Veterans' Home in the Timmerman Administration Building, 1220 WW II Memorial Drive, Winfield. The public is invited to attend. For more information, call (785) 296-3976.

Gregg Burden  
Executive Director

Doc. No. 039862

#### **State of Kansas**

#### **Kansas Development Finance Authority**

#### **Notice of Hearing**

A public hearing will be conducted at 9 a.m. Thursday, October 20, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the K DFA to issue its Agricultural Development Revenue Bond for the project numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the K DFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The project shall be located as shown:

**Project No. 000822—Maximum Principal Amount: \$106,100.** Owner/Operator: Shayla Lowry. 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 is being financed by the lender for Shayla Lowry and is located at Section 6, Township 13 East, Range 8 South, Geary County, Kansas, east of Junction City on I-70 to Exit 307, follow McDowell Creek Road approximately 9 miles then south on Pepperhill Road approximately 2 miles then right on Welcome Road approximately .75 mile.

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

All individuals who appear at the hearing will be given an opportunity to express their views concerning the proposal to issue the bond to finance the project, and all written comments previously filed with the K DFA at its offices at 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the K DFA.

Tim Shallenburger  
President

Doc. No. 039874



## State of Kansas

## Department of Transportation

## Notice to Consulting Engineers

The Kansas Department of Transportation is seeking a qualified consulting engineering firm prequalified in Category 162—Long Range Planning, for a managed lane study of I-35 in the Kansas City metro area as listed below. An electronic letter of interest (PDF format preferred and 1MB maximum size) must be emailed to David J. Nagy, P.E., Assistant to the Bureau Chief of Design/Contracts Engineer, at DavidN@ksdot.org. Letters of interest are limited to four pages, the subject line of the email and the PDF file name must contain the project number and firm's name: "Project # - Firm Name," and must be received by noon October 20 for the consulting engineering firm to be considered.

Concept study for managed lanes through Johnson and Wyandotte counties. Includes investigation of HOV (high occupancy vehicle) lanes, HOT (high occupancy toll) lanes, ramp metering, variable speed limits, truck-only lanes and contraflow lanes. Park and ride facilities, bus on shoulder, express transit routes and other public transportation solutions also will be investigated.

The Consultant Shortlist Committee will select three to five of the most highly qualified firms expressing interest and schedule an individual interview. The consulting firms can more thoroughly discuss their experience related to the project at the interview and will be expected to discuss their approach to this project in detail and the personnel to be assigned to this project. Firms not selected to be short-listed will be notified. Categories may be viewed at [www.ksdot.org/divengdes/prequal](http://www.ksdot.org/divengdes/prequal).

The Consultant Selection Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select one firm to perform the professional services required for completing the advertised project. After the selection, the firms not selected will be notified of the outcome.

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

1. Size and professional qualifications.
2. Experience of staff.
3. Location of firm with respect to project(s).
4. Work load of firm.
5. Firm's performance record.

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

- Valid, reliable and current costs must be available within the system to support cost and pricing data.
- Capability to provide a means of measuring the reasonableness of incurred costs.
- Capability to identify and accumulate allowable costs by contract or project records that will reconcile with the general ledger.
- Ability to provide supporting documentation of actual expenditures for each billing, based on costs.

For more information, contact David Nagy at DavidN@ksdot.org.

Deb Miller  
Secretary of Transportation

Doc. No. 039840

## State of Kansas

Department of Health  
and Environment

## Notice of Hearing

The Kansas Department of Health and Environment has prepared three draft Kansas Underground Injection Control Permits for proposed new Class I hazardous waste disposal wells for Occidental Chemical Corporation at its facility located at 6200 S. Ridge Road, Wichita, Kansas. The public was informed of the availability of these proposed permits for Occidental Chemical Corporation through Public Notice No. KS-EG-017, dated October 6, 2011.

In conformance with K.A.R. 28-16-61, a public hearing on the proposed permits has been scheduled at 6 p.m. November 9 at the Haysville Public Library, 210 S. Hays Ave., Haysville. The hearing will continue until all speakers have had an opportunity to speak or 8 p.m., whichever occurs first.

Copies of the permit applications, the proposed KDHE permits and other pertinent documents may be viewed at the following address or may be requested by contacting the Kansas Department of Health and Environment, Bureau of Water, Geology Section, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367, (785) 296-5524 or fax (785) 296-5509. Appropriate copying charges will be assessed for each request.

Persons wishing to comment on the proposed permits may do so at the public hearing or may submit written statements to the address above by November 9. It is recommended that persons wishing to speak at the public hearing supply the hearing officer with a written copy of the testimony the day of the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing process and may request the proposed permits in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting KDHE at the address above.

The Secretary of Health and Environment will make a final permit decision after consideration of applicable requirements of state statutes and regulations and of comments received during the public notice and public hearing processes.

Robert Moser, M.D.  
Secretary of Health  
and Environment

Doc. No. 039870

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

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

Public Notice No. KS-AG-11-196/206

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Don & Kris Haverkamp 1827 U.S. 75 Hwy. Fairview, KS 66425	SW/4 of Section 22, T03S, R15E, Brown County	Kansas River Basin

Kansas Permit No. A-KSBR-M002

This is a new permit for an existing facility for 46 head (46 animal units) of beef cattle weighing more than 700 pounds, 30 head (15 animal units) of beef cattle weighing less than 700 pounds and 170 head (238 animal units) of mature dairy cattle, for a total of 299 animal units. A new freestall building and wastewater control system is proposed at this dairy facility. The system will include two drainage channels, a solid manure storage structure, sedimentation basin and an earthen wastewater retention structure.

Name and Address of Applicant	Legal Description	Receiving Water
Daryl & Craig Deters Dairy 433 State Hwy. 9 Centralia, KS 66415	SW/4 of Section 03, T04S, R11E, Nemaha County	Big Blue River Basin

Kansas Permit No. A-BBNM-M013

This is a new permit for a previously certified facility. The proposed permitted facility will have a capacity of 150 head (210 animal units) of mature dairy cattle, 30 head (30 animal units) of cattle weighing greater than 700 pounds and 40 head (20 animal units) of cattle weighing less than 700 pounds. Proposed modifications to the facility will be the abandonment of existing pen areas, construction of two new concrete pits for waste storage, new diversions to control drainage, four new grass buffer areas and construction of new pen areas.

Name and Address of Applicant	Legal Description	Receiving Water
Pawnee River Farms, Inc. Roger Ewy 31634 N.E. 231 Road Hanston, KS 67849	SE/4 of Section 17, T22S, R22W, Hodgeman County	Upper Arkansas River Basin

Kansas Permit No. A-UAHG-C012 Federal Permit No. KS0100188

This is a permit reissuance and modification for an expanding livestock facility with a proposed maximum capacity of 1,899 head (949.5 animal units) of cattle weighing 700 pounds or less. This represents an increase in the permitted animal units from the previous permit. Proposed modifications to the facility include the construction of approximately 6.14 acres of open lot pens and miscellaneous feedlot area, a diversion, a sediment basin and an earthen retention structure. Approximately 0.9 acres of existing pen area will be abandoned and re-established to vegetation. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Hy-Plains Feed Yard, LLC Tom Jones P.O. Box 356 Montezuma, KS 67867	W/2 & NE/4 of Section 31, T28S, R29W & S/2 of Section 36, T28S, R30W, Gray County	Cimarron River Basin

Kansas Permit No. A-CIGY-C001 Federal Permit No. KS0115738

This permit is being reissued with modifications for an existing confined animal feeding operation with the capacity for 52,300 head (52,300 animal units) of dairy cattle. Modifications to the permit consist of the expansion of two existing earthen retention structures to provide additional storage capacity for the facility. There is no change in the permitted animal unit capacity for the facility. There is no change in the permitted animal unit capacity from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Reeve Cattle Company, Inc. Lee Reeve 5665 S. Old Hwy. 83 Garden City, KS 67846	E/2 & NW/4 of Section 13 & SW/4 of Section 12, T25S, R33W, Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-C018 Federal Permit No. KS0091731

This is a permit modification and reissuance for an expanding livestock facility with the proposed maximum capacity of 40,000 head (40,000 animal units) of cattle weighing greater than 700 pounds. This represents an increase in the permitted animal units from the previous permit. Proposed modifications to the facility include the construction of approximately 22.0 acres of open lot pens and feed roads, and an additional earthen retention structure. Surface runoff will be collected by seven earthen retention structures. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Roth Farms - Richter Unit Ron Roth 10975 Lasita Road Leonardville, KS 66449	SE/4 of Section 11, T08S, R04E, Riley County	Lower Republican River Basin

Kansas Permit No. A-LRRL-S001

This is a permit modification and reissuance for an existing swine facility with the maximum capacity of 676 head (270.4 animal units) of swine weighing greater than 55 pounds and 1,000 head (100 animal units) of swine weighing 55 pounds or less, for a total of 370.4 animal units of swine. Wastewater is collected by two earthen retention control structures. Modifications to the permit include the addition of a composting area.

Name and Address of Applicant	Legal Description	Receiving Water
F. Morgan Feedyard & J & N Ranch Sale Barn Joe & Norma Hoagland 25332 Wolcott Road Leavenworth, KS 66048	NW/4 of Section 33, T09S, R23E, Leavenworth County	Missouri River Basin

Kansas Permit No. A-MOLV-B001

The permit is being modified. There will be no changes to the number of cattle at the facility. The permittee is proposing the construction

of a hoop barn at the south edge of the existing facility. The approximate dimensions are 57 feed by 192 feet.

Name and Address of Applicant	Legal Description	Receiving Water
Max L. Menefee 33670 Quivira Road Paola, KS 66071	NW/4 of Section 11, T18S, R24E, Miami	Marais des Cygnes River Basin

Kansas Permit No. A-MCMI-S032

This permit is being reissued for an existing facility with a maximum capacity of 300 head (120 animal units) of swine more than 55 pounds. There is no change in the permitted animal units from the previous permit cycle.

Name and Address of Applicant	Legal Description	Receiving Water
Burkhart Farms Norbert L. Burkhart 41020 S.E. Q Road Hanston, KS 67849	SW/4 of Section 08, T22S, R21W, Hodgeman County	Upper Arkansas River Basin

Kansas Permit No. A-UAHG-B010

This permit is being reissued for an existing facility with a maximum capacity of 600 head (300 animal units) of cattle 700 pounds or less. There is no change in the permitted animal units from the previous permit cycle.

Name and Address of Applicant	Legal Description	Receiving Water
Rockers Farms Roger Rockers 29645 N.W. Marshall Road Garnett, KS 66032	SE/4 of Section 10 & SW/4 of Section 11, T20S, R19E, Anderson County	Marais des Cygnes River Basin

Kansas Permit No. A-MCAN-B001

This is a permit renewal for an existing livestock facility with the maximum capacity of 990 head (990 animal units) of cattle weighing greater than 700 pounds. The facility consists of approximately 13.3 acres of open lot pens and 4.6 acres of miscellaneous feedlot area. Surface runoff is collected by three sediment basins, an earthen retention structure and two vegetated buffer areas.

Name and Address of Applicant	Legal Description	Receiving Water
CB Showalter Hog LLC 8803 E. Arlington Road Haven, KS 67543	SW/4 of Section 31, T24S, R07W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-S015

A permit is being reissued to an existing facility with a maximum capacity for 1,000 head (400 animal units) of swine weighing more than 55 pounds and 1,200 head (120 animal units) of swine weighing 55 pounds or less. The animal unit capacity has not changed since the previous permit.

tion for exemption from the prohibition for injection of hazardous waste is granted by the U.S. Environmental Protection Agency. Occidental Chemical Corporation is a chloroalkali and chlorosolvent manufacturing facility. Stormwater runoff, contaminated groundwater and process wastewater originating from this facility are injected. The wastewater consists primarily of sodium, calcium and magnesium chloride brines, acidic wastes and basic wastes. Trace organic compounds and chlorinated phenol compounds, soluble brine, also are present. Injection by gravity flow is to be made to the Arbuckle and Simpson formations from a bottom depth of approximately 4,820 feet to a top depth of approximately 3,840 feet below ground surface. The maximum daily injection volume authorized by the permits is 864,000 gallons per day per well. All construction, monitoring and operation of these wells will meet the requirements that apply to Class I Hazardous Waste Disposal Wells under the Kansas UIC Regulations, K.A.R. 28-46-1 through 28-46-44.

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

All comments regarding the draft documents or application notices received on or before November 5 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-11-196/206, KS-EG-11-017) and name of the applicant/permittee when preparing comments.

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

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

Robert Moser, M.D.  
Secretary of Health  
and Environment

Doc. No. 039869

**Public Notice No. KS-EG-11-017**

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

**Name and Address of Applicant**

Occidental Chemical Corporation  
P.O. Box 12283  
Wichita, KS 67277

Facility Location: Sedgwick County

**Well and Permit Number Location**

#11 / KS-01-173-011	Latitude: 37.586766	Longitude: -97.421047
#12 / KS-01-173-012	Latitude: 37.586044	Longitude: -97.425150
#14 / KS-01-173-014	Latitude: 37.588842	Longitude: -97.423673

Facility Description: The proposed action is to issue a new Class I Hazardous Waste Injection Well permit. The wells will be authorized to inject only nonhazardous liquid wastes from this facility until a pe-

## State of Kansas

**Department of Health  
and Environment**

**Request for Comments**

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

DCP Midstream, 370 17th St., Suite 2500, Denver, Colorado, owns and operates a national helium gas plant complex located at Section 23, T33S, R32W, Seward County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Terry Tavener, (785) 296-1581, at the KDHE central office; and to review the proposed permit only, contact Ethyl Evans, (620) 356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Terry Tavener, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business November 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air, not later than the close of business November 7 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was im-

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

Robert Moser, M.D.  
Secretary of Health  
and Environment

Doc. No. 039854

## State of Kansas

**Department of Health  
and Environment**

**Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. KBK Industries, LLC has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300. HAPs (Styrene and Methyl Methacrylate) and VOCs were evaluated during the permit review process.

KBK Industries, LLC, Route 2, Box 3, East Highway 96, Rush Center, owns and operates a fiberglass manufacturing facility located at 1980 Highway 183, Rush Center, at which it has proposed to install a new building to house two new fiberglass chop spray systems and fiberglass hand lay-up activities.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Northwest District Office, 2301 E. 13th St., Hays. To obtain or review the proposed permit and supporting documentation, contact Ashley Eichman, (785) 296-1713, at the KDHE central office; and to review the proposed permit only, contact Shelly Briley, (785) 625-5663, at the KDHE Northwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Ashley Eichman, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received not later than the close of business November 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air, not later than the close of business November 7 in order for the Secretary of Health and Environment to consider the request.

Robert Moser, M.D.  
Secretary of Health  
and Environment

Doc. No. 039848

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

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

Oneok Field Services, P.O. Box 871, Tulsa, OK 74102-0871, owns and operates Bradshaw compressor station located at Section 31, T21S, R40W, Hamilton County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation, contact Terry Tavener, (785) 296-1581, at the KDHE central office; and to review the proposed permit only, contact Ethyl Evans, (620) 356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Terry Tavener, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business November 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air, not later than the close of business November 7 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was im-

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

Robert Moser, M.D.  
Secretary of Health  
and Environment

Doc. No. 039858

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding the amendment of a previously issued air quality construction permit. Frontier El Dorado Refining Company owns and operates the stationary source located at 1401 Douglas Road, El Dorado. Certain requirements were found to no longer be appropriate in the construction permit dated October 24, 1994, and revised July 22, 2005. The carbon monoxide (CO) BACT limit is being modified.

A copy of the modification is available for public inspection for a period of 30 days from the date of publication, during normal business hours, at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the modification, contact Ashley Eichman, (785) 296-1713, at the KDHE central office; and to review the proposed permit only, contact Stan Marshall, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed modification to Ashley Eichman, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business November 7.

A person may request a public hearing be held on the proposed modification. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air, not later than the close of business November 7 in order for the Secretary of Health and Environment to consider the request.

Robert Moser, M.D.  
Secretary of Health  
and Environment

Doc. No. 039859

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

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

Frontier El Dorado Refining Company, P.O. Box 1121, El Dorado, 67042, owns and operates a petroleum refinery located at 1401 S. Douglas Road, El Dorado.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review the proposed permit and supporting documentation, contact Ashley Eichman, (785) 296-1713, at the KDHE central office; and to review the proposed permit only, contact Stan Marshall, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Ashley Eichman, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business November 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air, not later than the close of business November 7 in order for the Secretary of Health and Environment to consider the request.

The U.S. Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA's 45-day review period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or

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

Robert Moser, M.D.  
Secretary of Health  
and Environment

Doc. No. 039861

## State of Kansas

**Department of Health  
and Environment****Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Hess Services, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300. Emissions of particulate matter (PM), PM10, volatile organic compounds (VOC) and hazardous air pollutants (HAPs) were evaluated during the permit review process.

Hess Services, Inc., P.O. Box 843, Hays, 67601, will construct a fiberglass and steel tank manufacturing facility at 1789 230th Ave., Hays.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE Northwest District Office, 2301 E. 13th St., Hays. To obtain or review the proposed permit and supporting documentation, contact Rasha Allen, (785) 296-1693, at the KDHE central office; and to review the proposed permit only, contact Shelly Briley, (785) 625-5663, at the KDHE Northwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rasha Allen, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business November 7.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air, not later than the close of business November 7 in order for the Secretary of Health and Environment to consider the request.

Robert Moser, M.D.  
Secretary of Health  
and Environment

Doc. No. 039863

## State of Kansas

**Children's Cabinet and Trust Fund****Notice of Meeting**

The Kansas Children's Cabinet and Trust Fund will conduct a meeting from 9:30 a.m. to noon Thursday, October 20, in Marvin Auditorium 101-A at the Topeka-Shawnee County Public Library, 1515 S.W. 10th Ave., Topeka. More information may be obtained from the Cabinet's website at [www.kschildrenscabinet.org](http://www.kschildrenscabinet.org) or by calling Dyogga Adegbore at (785) 368-7044.

Jim Redmon  
Executive Director

Doc. No. 039850

## State of Kansas

**Governmental Ethics Commission****Opinion No. 2011-06**

Written September 28, 2011, to all interested persons:

Synopsis: An incumbent sheriff who is running for re-election for the office of sheriff, or a deputy sheriff who is running for election for the office of sheriff: (1) may use a sheriff's department vehicle to attend election activities, but (2) may not use a photograph or other electronic image of a sheriff's department vehicle in campaign literature or advertisements.

Cited herein: K.S.A. 2010 Supp. 25-4169a.

Pursuant to K.S.A. 25-4159, the Kansas Governmental Ethics Commission takes the opportunity to issue its opinion regarding the propriety of a sheriff or sheriff's deputy using sheriff department vehicles to attend campaign activities and in campaign literature or advertisements.

**Factual Statement**

From time to time a sheriff may run for re-election for the office of sheriff, or a deputy sheriff may run for election for the office of sheriff. Such sheriff or deputy sheriff clearly would campaign for that office by various methods. Such methods may include speaking at events, distributing campaign literature or placing campaign advertisements. Some sheriffs and/or deputy sheriffs are essentially on duty 24 hours a day, 7 days a week, with the attendant need to have a sheriff's department vehicle available for official use at all times in order to respond if called to an incident, even when going to and from a speaking event in relation to a political campaign. Additionally, such sheriff or deputy sheriff may want to use a photograph or electronic image of a sheriff's department vehicle in campaign literature or campaign advertisements.

**Question**

A question has arisen as to whether an incumbent sheriff who is running for re-election for the office of sheriff, or a deputy sheriff who is running for election for the office of sheriff, may use a sheriff's department vehicle to attend election activities, or use a photograph or electronic image of a sheriff's department vehicle in campaign literature or advertisements.

**Analysis and Opinion**

K.S.A. 2010 Supp. 25-4169a addresses this issue and states in pertinent part:

(a) No officer or employee of the state of Kansas, [or] any county . . . shall use . . . public vehicles . . . of any such public agency . . . for which the officer or employee is compensated by such governmental agency, to expressly advocate the nomination, election or defeat of a clearly identified candidate to . . . local office.<sup>1</sup>

Use of sheriff's vehicle to attend election activities: The statute prohibits the "use" of a sheriff's department vehicle "to expressly advocate" the election of oneself or the defeat of one's opponent. However, using a sheriff's department vehicle to drive to an election event, when a sheriff or deputy sheriff is required to be constantly available for official duties, would not involve or implicate the sheriff's department vehicle in express advocacy of the election or defeat of a clearly identified candidate to the office of sheriff. Therefore, an incumbent sheriff who is running for re-election for the office of sheriff, or a deputy sheriff who is running for election for the office of sheriff, may use a sheriff's department vehicle to attend election activities.

Use of sheriff's vehicle in election advertisements: Again, the statute prohibits the "use" of a sheriff's department vehicle "to expressly advocate" the election of oneself or the defeat of one's opponent. A photograph or electronic image of a sheriff's department vehicle, with or without a photograph or electronic image of the candidate sheriff or deputy sheriff, in campaign literature or advertisements would contribute to the express advocacy for the election of that person and/or for the defeat of that person's opponent. Therefore, an incumbent sheriff who is running for re-election for the office of sheriff, or a deputy sheriff who is running for election for the office of sheriff, may not use a photograph or other electronic image of a sheriff's department vehicle in campaign literature or advertisements.

<sup>1</sup> Emphasis added.

**Opinion No. 2011-07**

Written September 28, 2011, to Senator Dick Kelsey, 26th District, Goddard.

Synopsis: Legislators may expend approximately \$65 each from their respective campaign funds to provide drinking water in the state capitol legislative offices for visitors and staff.

Cited herein: K.S.A. 2010 Supp. 25-4157a.

This opinion is in response to your letter dated September 8, 2011, wherein you request an opinion from the Kansas Governmental Ethics Commission, concerning application of the State Governmental Campaign Finance Laws, K.S.A. 25-4119a *et seq.* We note at the outset that the Commission's jurisdiction is limited to the applicability of K.S.A. 25-4119a *et seq.*, and the Commission's opinion does not address whether some other statutory system, common law theory, or agency rule or regulation applies to your inquiry.

(continued)

### Factual Statement

As State Senator you advise that funds from the Legislature's budget are no longer available for the purchase of drinking water coolers. You believe that legislators should be able to use campaign funds to provide drinking water in legislators' office. You also believe that this expenditure should be considered a legitimate use of campaign funds because it would enable legislators to provide people who come to legislative offices in the state capitol with a drink of water.

### Question

Within this context, you ask whether legislators may expend approximately \$65 each from campaign funds to provide drinking water in the state capitol's legislative offices.

### Analysis and Opinion

According to Conference Committee Report on the 2011 Omnibus Appropriations Bill, the Legislature's budget included a provision to "remove funding to capture reductions in state agency bottled water expenditures for FY 2012. For this agency [the Legislature], that amount totals \$16,350, all from the State General Fund." The purpose of eliminating funds for the purchase of drinking water was explained by Speaker of the House, Representative Mike O'Neil in a May 13, 2011 press release:

This year the House and Senate worked to produce a fiscally responsible budget" said Speaker O'Neal. "While the nearly twenty rounds of negotiation required hours of work for the conferees, the legislative process produced creative solutions that save taxpayer dollars such as the over \$2 million captured by eliminating the purchase of bottled water and reducing office supplies and cell phone contracts.<sup>1</sup>

The pertinent portion of the applicable statute, K.S.A. 2010 Supp. 25-4157a, states:

No moneys received by any candidate or candidate committee of any candidate as a contribution under this act shall be used or be made available for the personal use of the candidate and no such moneys shall be used by such candidate or the candidate committee of such candidate except for: (3) expenses of holding political office.

A reasonable and customary practice for any professional place of work, including legislative offices, is to have drinking water available for visiting persons, as well as for staff who work there. Thus, a legitimate expense of holding the political office of legislator would be the purchase of drinking water for the availability of visitors and staff. Thus, the Commission concludes that legislators may expend approximately \$65 each from their respective campaign funds to provide drinking water in the state capitol legislative offices for visitors and staff.

<sup>1</sup> Emphasis added.

### Opinion No. 2011-08

Written September 28, 2011, to Tim Madden, Senior Counsel to Secretary Roberts, Kansas Department of Corrections, Topeka.

Synopsis: In state governmental ethics issues that pertain to the solicitation of any gift, economic opportunity,

loan, gratuity, special discount or service provided because of such person's official position in the executive branch of state government, K.S.A. 2010 Supp. 46-237a is considered the applicable statute.

Under K.S.A. 2010 Supp. 46-237a, Kansas Department of Corrections Secretary Roberts, and other Department employees (as executive branch employees), may assist in the solicitation of donations for a nonprofit corporation recognized under § 501(c)(3) as a charitable nonprofit organization whose purpose is to fund and/or provide faith-based rehabilitation programs for inmates.

Cited herein: K.S.A. 46-236; K.S.A. 2010 Supp. 46-237a.

This opinion is in response to your letter dated July 7, 2011, wherein you request an opinion from the Kansas Governmental Ethics Commission concerning the application of the State Governmental Ethics Laws, K.S.A. 46-215 *et seq.* We note at the outset that the Commission's jurisdiction is limited to the applicability of K.S.A. 46-215 *et seq.*, and the Commission's opinion does not address whether some other statutory system, common law theory, or agency rule or regulation applies to your inquiry.

### Factual Statement

We understand that you request this opinion in your capacity as Senior Legal Counsel to the Kansas Department of Corrections (KDOC). As background information, you advise that until recently KDOC received, at no cost to the State, faith-based rehabilitation programs for inmates from InnerFaith Initiatives (IFI). However, IFI can no longer provide the funding for these faith-based rehabilitation programs.

KDOC is interested in assisting in fund raising for faith-based rehabilitation programs that would be provided by and through a charitable nonprofit organization. An entity outside of KDOC proposes to establish a § 501(c)(3) charitable nonprofit organization to direct the fundraising and oversee disbursement of the funds to IFI or other qualified contractors providing faith-based rehabilitative programming. Involvement by Secretary Roberts, and possibly other KDOC employees, would be limited to explaining to potential donors the benefits to inmates and the public provided by such faith-based rehabilitation programs and the role played by the nonprofit organization. In effect, Secretary Roberts, and possibly other KDOC employees, would be soliciting donations in support of the nonprofit organization.

Neither Secretary Roberts nor any other KDOC employee would be involved in the establishment of the nonprofit organization, sit on the board of directors of the nonprofit organization or receive any compensation from the nonprofit organization.

### Question

It is within this context that you ask whether it is permissible under the state level conflict of interest laws for Secretary Roberts, and possibly other KDOC employees, to assist in fundraising for a nonprofit corporation recognized under § 501(c)(3) as a charitable nonprofit organization.

### Analysis and Opinion

Two statutes, which unfortunately are not consistent with each other, are implicated in resolving this issue. The pertinent parts of those statutes are:



**K.S.A. 46-236:** No state officer or employee . . . shall solicit any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality or service from any person known to have a special interest, under circumstances where such officer, [or] employee . . . knows or should know that a major purpose of the donor in granting the same could be to influence the performance of the official duties or prospective official duties of such officer [or] employee. . .

Except when a particular course of official action is to be followed as a condition thereon, this section shall not apply to: . . . (3) any solicitation for the benefit of any charitable organization . . .

**K.S.A. 2010 Supp. 46-237a:** (a) The provisions of this section shall apply to: . . . (4) all officers and employees of the executive branch of state government: . . .

(b) No person subject to the provisions of this section shall solicit . . . any gift, economic opportunity, loan, gratuity, special discount or service provided because of such person's official position, except: . . . (4) contributions solicited on behalf of a nonprofit organization which is exempt from taxation under [§ 501(c)(3)] of the internal revenue code of 1996, as amended.

Under K.S.A. 46-236, a state officer or employee may not solicit funds for a nonprofit organization if the nonprofit organization has a "special interest" in influencing the performance of the state officer's or employee's official duties or prospective official duties. "State officer or employee" includes any appointed state officer, as well as any classified or unclassified employee. "Special interest" refers to "an interest of any person [which includes a nonprofit corporation<sup>1</sup>] . . . in the action or non-action of any state agency or state officer or employee upon any matter affecting such person as distinct from affect upon the people of the state as a whole." Additionally, even if a nonprofit organization does not have a "special interest," if a "particular course of official action is to be followed" as a condition of solicitation of funds by a state officer or employee on behalf of the nonprofit organization, such solicitation is prohibited.

Under K.S.A. 46-236, the ability of Secretary Roberts and other KDOC employees to solicit funds for a nonprofit organization is circumscribed by these identified limitations, *i.e.*, "special interest" and "particular course of action."

In contrast, K.S.A. 2010 Supp. 46-237a(b) permits persons within the executive branch of Kansas government, which includes Secretary Roberts and other KDOC employees, to solicit "contributions solicited on behalf of a nonprofit organization which is exempt from taxation under" § 501(c)(3).

Under this exception, Secretary Roberts and other KDOC employees may assist in fundraising for a nonprofit corporation recognized under § 501(c)(3) as a charitable nonprofit organization whose purpose is to fund and/or provide faith-based rehabilitation programs for inmates without the limitations specified by K.S.A. 46-236.

Consequently, the issue becomes which statute applies to the situation at hand: K.S.A. 46-236, which refers to "state officer or employee," or K.S.A. 2010 Supp. 46-237a, which refers to "officers and employees of the executive branch of state government"? To resolve this question,

the Commission turns to accepted rules of statutory construction.

**Statutory construction: newer statute/older statute.** The first applicable rule of statutory construction is that an older statute must be read in the light of a later legislative enactment; an older statute must be harmonized with a newer one; if a conflict exists, the older statute must be subordinated to the new one.<sup>2</sup> In other words, "where an irreconcilable conflict exists between statutes, the latest enactment will be held to supersede, repeal or supplant the earlier by implication; the later enactment must prevail."<sup>3</sup>

K.S.A. 46-236 was enacted in 1974<sup>4</sup> and has remained essentially the same since then.<sup>5</sup> However, K.S.A. 2010 Supp. 46-237a was enacted in 1997.<sup>6</sup> Under this rule of statutory construction, K.S.A. 46-236 must be considered subordinate to K.S.A. 2010 Supp. 46-237a, with the latter superseding, repealing or supplanting the former by implication.

**Statutory construction: general statute/specific statute.** A second possibly applicable rule of statutory construction is that "[w]hen there is a conflict between a statute dealing generally with a subject and another statute dealing specifically with a certain phase of it, the specific statute controls unless it appears that the legislature intended to make the general act controlling."<sup>7</sup>

K.S.A. 46-236 pertains to any "state officer or employee." This term is defined in K.S.A. 46-221 to mean the following:

- (1) any individual who is an elected or appointed state officer,
- (2) any individual who is in the classified service or unclassified service of the Kansas civil service act,
- (3) all officers and employees of the legislative branch and of the governor's office, irrespective of how compensated or period of employment, and
- (4) any individual who receives monthly or semi-monthly compensation for services from the state or any state agency.

Additionally, under K.S.A. 46-221, generally "state office or employee" does not include any person within the judicial branch, or any appointed member of an advisory council, commission or board who serves without compensation except for statutorily specified expenses.

In contrast, K.S.A. 2010 Supp. 46-237a pertains to the following:

- (1) the governor;
- (2) the lieutenant governor;
- (3) the governor's spouse;
- (4) all officers and employees of the executive branch of state government; and
- (5) all members of boards, commissions and authorities of the executive branch of state government.

It is somewhat problematic to determine which statute is the more general one and which one is more specific or deals specifically with a certain phase of the general statute. It appears that the governor and lieutenant governor (K.S.A. 2010 Supp. 46-237a) represent a specific phase of the more general term "any individual who is an elected state officer" (K.S.A. 46-236). The governor's

(continued)

spouse is specifically included in K.S.A. 2010 Supp. 46-237a, but is not mentioned in K.S.A. 46-236.

Also, it appears that "all officers and employees of the executive branch of state government" (K.S.A. 2010 Supp. 46-237a) is a specific phase, or subclass, of the category "any individual who is in the classified service or unclassified service of the Kansas civil service act (K.S.A. 46-236); but "all officers and employees of the governor's office" (K.S.A. 46-236) is a specific phase, or subclass, of "all officers and employees of the executive branch of state government" (K.S.A. 46-237a).

However, "all officers and employees of the legislative branch" (K.S.A. 46-236) is not addressed at all in K.S.A. 2010 Supp. 46-237a. (Neither statute pertains to employees of the judicial branch.)

Further, while "all members of boards, commissions and authorities of the executive branch of state government" are specifically included in K.S.A. 2010 Supp. 46-237a, they are excluded from K.S.A. 46-236.

Finally, K.S.A. 2010 Supp. 46-237a does not specifically cover "any individual who receives monthly or semi-monthly compensation for services from any state agency;" K.S.A. 46-236 does.

The most that can be said is that K.S.A. 2010 Supp. 46-237a is more specific in some respects than K.S.A. 46-236, and vice versa. Thus, an argument can be made that each statute could be considered the "special" or "specific" statute. Consequently, the rule that a specific statute prevails over a general statute does not resolve the issue.

**Statutory construction: other rules.** Under other rules of statutory construction, when statutes are ambiguous due to conflicting provisions, the historical backgrounds of each may be looked to, as well as the circumstances attending passage, the purposes to be accomplished, and the effects the statutes may have under various constructions. In addition, under another rule of statutory construction, it is presumed that the legislature intends to change the law when it enacts an amendment.<sup>8</sup>

Looking first to the historical backgrounds of each statute, the circumstances attending passage, and the purposes to be accomplished, the following is gleaned.

K.S.A. 46-236 and the definition of "state officer or employee" in K.S.A. 46-221 were two of sixty-four sections within Kansas' first governmental ethics act, effective in 1974.<sup>9</sup> After introduction, the bill was referred to the Senate Judiciary Committee, where Senator Bennett explained that the "bill was drafted because of concern over conflict of interest and what should be done about it," and that it "was not being proposed because if was felt that wrongdoing is rampant but because they feel there is public pressure or support for this."<sup>10</sup> The bill was the result of a 1973 interim committee study.<sup>11</sup>

In 1975, K.S.A. 46-236 was amended, adding the exception for any solicitation made for the benefit of a § 501(c)(3) charitable organization, but retaining the limiting phrases "special interest" and "except when a particular course of official action is to be followed as a condition thereon."<sup>12</sup> No committee hearings were held in either the House or the Senate on the bill creating this amendment;<sup>13</sup> the bill was passed directly by both the full House and the full Senate.

As mentioned, the comprehensive ethics bill, of which K.S.A. 46-236 was a part, when enacted<sup>14</sup> included the definition of "state officer or employee." With an amendment in 1975 to exclude various employees in the judicial branch and members of advisory councils, commissions and boards, this definition has remained essentially the same since then, and is now found at K.S.A. 46-221. At no time was any special legislative attention paid to the list of persons covered by the act.

When enacted in 1997<sup>15</sup>, the prohibitions against solicitation or acceptance of gifts of various sorts contained K.S.A. 2010 Supp. 46-237a applied to:

- (1) the governor;
- (2) the lieutenant governor;
- (3) the governor's spouse;
- (4) all classified employees in the civil service of the state of Kansas;
- (5) all unclassified employees in the executive branch of state government whose compensation is subject to approval by the governor; and
- (6) all members of boards, commissions and authorities of the executive branch of state government.

This statute, listing persons subject to the solicitation and gift ban, began initially as a 1996 Executive Order, which covered the Governor, the Governor's spouse, the Governor's office staff, cabinet officers, unclassified employees whose salaries were approved by the Governor, and members of executive branch boards, commissions and authorities.<sup>16</sup> In 1997, a bill was sponsored by the Governor to "codify the year-old executive order into statute and extend it to cover not just the Governor's appointees, but also most classified and unclassified employees in the executive branch of state government."<sup>17</sup>

In 2000, House Bill (HB) 2627, amending K.S.A. 46-237a, was sponsored by the Governor's office to accomplish the following purpose:

[t]o extend the existing executive branch gift and hospitality ban to all employees of the executive branch. The only ones that are currently covered are classified employees and unclassified employees who are under the Governor's direct control.<sup>18</sup>

During testimony in the House of Representative and the Senate committees, the bill, which would bring in all unclassified executive branch employees in all state agencies, was supported by the Secretary of State:

It is important to pass the bill to codify the policy [of the Secretary of State] and perhaps enhance the public perception of the ethics laws governing gifts.<sup>19</sup>

The Insurance Commissioner, whose internal policy had mirrored the Governor's Executive Order, also supported the bill:

Commissioner Sebelius is delighted that Governor Graves gave ethics reform a high profile in his State of the State speech, and agrees whole heartedly that "the people of Kansas deserve government that avoids even the appearance of improper conduct."<sup>20</sup>

Additionally, Carol Williams, Executive Director of the Governmental Ethics Commission, testified that unclassified employees in the executive branch whose salaries are not subject to the Governor's approval fall under K.S.A. 46-237 regarding gifts, and other persons in state

government fall under K.S.A. 46-237a. Ms. Williams further testified that:

Having but one law concerning the receipt of gifts, meals and recreation for all executive branch employees, would reduce confusion concerning this provision.<sup>21</sup>

Following a conference committee, HB 2627 was passed, amending K.S.A. 46-237a and making the solicitation and gift ban applicable to the following:

- (1) the governor;
- (2) the lieutenant governor;
- (3) the governor's spouse;
- (4) all officers and employees of the executive branch of state government; and
- (6) all members of boards, commissions and authorities of the executive branch of state government.

Thus, the Governor's purpose was accomplished by "extending" the scope of K.S.A. 46-237a to cover all executive branch employees and officers. No further statutory changes have been enacted since 2000.

K.S.A. 46-237a was initially enacted in order to cover classified employees, and unclassified employees in the executive branch whose compensation was subject to the Governor's approval. It was then amended in 2000<sup>22</sup> with the purpose of extending that statute's ban on solicitation (and acceptance) of various benefits to all executive branch employees, classified and unclassified. The focus was always on executive branch employees. Further, it was hoped that the amended statute would enhance public perception of ethics laws, avoid the appearance of improper conduct and reduce confusion between K.S.A. 46-237a and 46-237.

In contrast, K.S.A. 46-236 and the accompanying definition of "state officer or employee" were passed as two parts of a comprehensive governmental ethics bill, and as such, did not receive any specific legislative comment or testimony regarding covered persons.

Turning now to the effects that K.S.A. 46-236 and K.S.A. 2010 Supp. 46-237a may have under various constructions in relation to executive branch officers and employees, confusion is the initial result of attempting to apply both statutes literally. However, if only K.S.A. 2010 Supp. 46-237a is construed as applicable to executive branch officers and employees, it becomes possible to reach a meaningful and reasonable result, i.e., such employees come within the prohibitions and the exceptions of that statute.

Finally, again, it is presumed that the legislature intends to change the law when it enacts an amendment. Consequently, the 2000 amendment to K.S.A. 2010 Supp. 46-237a must be considered to have been made deliberately and with the stated intention of covering all executive branch employees.

### Conclusion

Considering the statutory construction rule that a newer statute prevails over an older statute, the presumption that the legislature intended a change when it enacted the 2000 amendment to K.S.A. 46-237a, the legislative history of K.S.A. 2010 Supp. 46-237a and K.S.A. 46-236 (background, circumstances and purposes to be accomplished) and the difficulty or ease of construing K.S.A. 46-236 and/or K.S.A. 2010 Supp. 46-237a as appli-

cable to executive branch officers and employees, the Commission reaches the following conclusion:

In state governmental ethics issues that pertain to the solicitation of any gift, economic opportunity, loan, gratuity, special discount or service provided because of such person's official position in the executive branch of state government, K.S.A. 2010 Supp. 46-237a is considered the applicable statute.

This conclusion enables the Commission to respond to the question posed: Under K.S.A. 2010 Supp. 46-237a, Kansas Department of Corrections Secretary Roberts, and other Department employees (as executive branch employees), may assist in the solicitation of donations for a nonprofit corporation recognized under § 501(c)(3) as a charitable nonprofit organization whose purpose is to fund and/or provide faith-based rehabilitation programs for inmates.

<sup>1</sup> K.S.A. 46-223.

<sup>2</sup> *State v. Keeley*, 236 Kan. 555, 559, 604 P.2d 422, 427 (1995), citing *Thomas v. Board of Trustees of Salem Township*, 224 Kan. 539, 582 P.2d 271 (1978).

<sup>3</sup> *State v. Casey*, 42 Kan.App.2d 309, 320, 211 P.3d 847 (2009).

<sup>4</sup> L. 1974, ch. 353, § 22.

<sup>5</sup> Some minor amendments, not pertinent to this opinion, were made in 1975 and 1995.

<sup>6</sup> L. 1997, ch. 155, § 4.

<sup>7</sup> *Redd v. Kansas Truck Center*, 291 Kan. 176, 195-96, 239 P.3d 66, 80 (2010).

<sup>8</sup> *State v. Valladarex*, 288 Kan. 671, 680, 206 P.3d 879, 886 (2009).

<sup>9</sup> 1974 SB 689.

<sup>10</sup> Minutes, Senate Judiciary Committee, January 29, 1978.

<sup>11</sup> Minutes, House Federal and State Affairs Committee, February 18, 1974.

<sup>12</sup> L. 1975, ch. 272, § 7.

<sup>13</sup> 1975 HB 2625.

<sup>14</sup> L. 1974, ch. 353, § 1 *et seq.*

<sup>15</sup> L. 1997, ch. 155, § 4.

<sup>16</sup> Executive Order No. 96-1.

<sup>17</sup> Minutes, House Committee on Governmental Organization and Elections, February 7, 1997; testimony of Brent Anderson, Counselor to the Governor.

<sup>18</sup> Minutes, House Governmental Organization and Elections, January 26, 2000, testimony of Dan Hermes, director of Governmental Affairs for the Governor's office; Minutes of the Senate Elections and Local Government, March 20, 2000. (HB 2627 also contained some provisions regarding lobbyists that are not pertinent to this opinion.)

<sup>19</sup> Minutes, House Governmental Organization and Elections, January 26, 2000, testimony of Brad Bryant, Assistant Secretary of State for Elections and Legislative Matters.

<sup>20</sup> Minutes, House Governmental Organization and Elections, January 26, 2000, testimony of Linda DeCoursey, Director of Government Affairs, Insurance Department. Minutes of the Senate Elections and Local Government, March 20, 2000, testimony of Linda DeCoursey, Director of Government Affairs, Insurance Department.

<sup>21</sup> Testimony of Carol Williams before the House Committee on Governmental Organization and Elections in Support of HB 2627, January 26, 2000.

<sup>22</sup> L. 2000, ch. 155, § 4.

Sabrina K. Standifer  
Chairwoman

Doc. No. 039866

## State of Kansas

## Office of the Governor

## Executive Directive No. 11-424

Authorizing Expenditure of Federal Funds  
and Authorizing Personnel Transactions

By virtue of the authority vested in the Governor as the head of the Executive Branch of the State of Kansas, the following transactions are hereby authorized:

Pursuant to the authority of the Secretary of the Department of Corrections to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 199 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Department of Corrections for expenditure in FY 2012 of monies in the federal fund entitled "USMS Reimbursement—Federal Fund."

Pursuant to the authority of the Secretary of the Department of Corrections to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 199 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Department of Corrections for expenditure in FY 2012 of monies in the federal fund entitled "VOCA—ARRA—Federal Fund."

Pursuant to the authority of the Secretary of the Department of Health and Environment to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 107 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Department of Health and Environment for expenditure in FY 2012 monies in the federal fund entitled "Healthy Homes and Lead Poisoning Prevention—Federal Fund."

Pursuant to the authority of the Commissioner of Juvenile Justice to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 199 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Kansas Juvenile Correctional Complex for expenditure in FY 2012 of monies in the federal fund entitled "Dev/Test/Demo New Prgs—Kansas Juvenile Correctional Complex—Federal Fund."

Pursuant to the authority of the Commissioner of Juvenile Justice to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 199 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Larned Juvenile Correctional Facility for expenditure in FY 2012 of monies in the federal fund entitled "Dev/Test/Demo New Prgs—Larned Juvenile Correctional Facility—Federal Fund."

Pursuant to the authority of the President and CEO of the Board of Regents to receive and expend federal funds, and pursuant to the authority granted by the Governor by Section 199 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Board of Regents for the expenditure in FY 2012 of monies in the federal fund entitled "Health Profession Opportunity Grant Project—Kansas Health Professional Opportunity Project (KHPOP)."

Pursuant to the authority of the Adjutant General to receive and expend federal funds, and pursuant to the

authority granted the Governor by Section 199 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Adjutant General for expenditure in FY 2012 of monies in the federal fund entitled "Safe and Drug-Free Schools and Communities National Programs."

Pursuant to the authority of the Adjutant General to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 199 of Chapter 118 of *The 2011 Session Laws of Kansas*, approval is hereby granted to the Adjutant General for expenditure in FY 2012 of monies in the federal fund entitled "Emergency System for Advanced Registration of Volunteer Health Professionals."

I have conferred with the Secretary of Administration, the Director of the Budget, the Director of Personnel Services, and members of my staff, and I have determined that the guidelines set forth in KSA 75-3711 and 75-3711c have been applied and that none of the foregoing actions exceeds the limitations contained therein.

The request of Kraig Knowlton, Director of the Division of Personnel Services, to establish the job classification of Appeals Referee at pay grade 33 is hereby approved, effective September 18, 2011.

I have conferred with the Secretary of Administration, the Director of the Budget, the Director of Personnel Services, and members of my staff, and I have determined that the requested action is appropriate.

Dated September 26, 2011.

Sam Brownback  
Governor

Doc. No. 039852

## State of Kansas

## Wildlife, Parks, and Tourism Commission

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted by the Wildlife, Parks, and Tourism Commission at 7 p.m. Tuesday, December 6, at the KDWP Region 2 Office, 300 S.W. Wanamaker, Topeka, to consider the approval and adoption of proposed regulations of the Kansas Department of Wildlife, Parks, and Tourism.

A regulatory hearing on business of the Wildlife, Parks, and Tourism Commission will begin at 7 p.m. December 6 at the location listed above. There will be public comment periods at the beginning of the evening meeting for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete business matters, the commission will reconvene at 9 a.m. December 7 at the same location.

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

Kansas Commission for the Deaf and Hard of Hearing at 1-800-432-0698 to request special accommodations.

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

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

**K.A.R. 115-2-2.** This permanent regulation establishes motor vehicle permit fees. The proposed amendments negate the option of a second vehicle permit at a reduced price.

Economic Impact Summary: The proposed amendments may generate an additional \$50,000 in FY 2012, all of which would accrue to the park fee fund and would be borne by user fees. Otherwise, the proposed amendments are not anticipated to have any other economic impact on the department, other agencies, small businesses or the public.

**K.A.R. 115-7-3.** This permanent regulation establishes provisions related to the taking of bait fish. The proposed amendments require that wild-caught bait fish be used on the body of water where taken in conjunction with a regulation package designed to prevent the introduction and spread of invasive species.

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

**K.A.R. 115-7-6.** This permanent regulation establishes bait restrictions for fishing. The proposed amendments merely update the regulation in conjunction with a regulation package designed to prevent the introduction and spread of invasive species.

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

**K.A.R. 115-7-10.** This permanent regulation establishes special provisions for fishing. The proposed amendments would not allow the transport of live fish from a designated ANS water in conjunction with a regulation package designed to prevent the introduction and spread of invasive species.

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

**K.A.R. 115-8-6.** This permanent regulation establishes provisions and restrictions for fishing, fish bait and sein-

ing on department lands and waters. The proposed amendments would clarify that bait fish taken on department lands and waters must be used where taken in conjunction with a regulation package designed to prevent the introduction and spread of invasive species.

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

**K.A.R. 115-8-12.** This permanent regulation establishes provisions related to stocking or releasing wildlife. The proposed amendments would prohibit stocking or releasing wildlife on navigable publicly owned waters and federal reservoirs in conjunction with a regulation package designed to prevent the introduction and spread of invasive species.

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

**K.A.R. 115-30-13.** This new permanent regulation establishes removal of vessels from waters of the state. The proposed regulation would require draining of livewells and bilges and drain plugs to be removed from all vessels prior to transport on a public highway.

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

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

Gerald Lauber  
Chairman

Doc. No. 039864

State of Kansas

Board of Regents

Permanent Administrative  
Regulations

Article 28.—PRIVATE AND OUT-OF-STATE  
POSTSECONDARY EDUCATION INSTITUTIONS

**88-28-6. Fees.** Fees for certificates of approval, registration of representatives, and certain transcripts shall be collected by the state board in accordance with this regulation.

(a) For institutions domiciled or having their principal place of business within the state of Kansas, the following fees shall apply:

- (1) Initial application fees:
  - (A) Non-degree-granting institution ..... \$2,000
  - (B) Degree-granting institution ..... \$3,000
- (2) Initial evaluation fee, in addition to initial application fees:
  - (A) Non-degree level ..... \$750
  - (B) Associate degree level ..... \$1,000

(continued)

- (C) Baccalaureate degree level ..... \$2,000
- (D) Master’s degree level ..... \$3,000
- (E) Professional and doctoral degree levels .... \$4,000
- (3) Renewal application fees:
  - (A) Non-degree-granting institution ..... 2% of gross tuition but not less than \$800 and not more than \$15,000
  - (B) Degree-granting institution .....2% of gross tuition, but not less than \$1,600 and not more than \$15,000
- (4) New program submission fees, for each new program:
  - (A) Non-degree program ..... \$250
  - (B) Associate degree program ..... \$500
  - (C) Baccalaureate degree program ..... \$750
  - (D) Master’s degree program ..... \$1,000
  - (E) Professional and doctoral degree programs \$2,000
  - (5) Program modification fee, for each program \$100
  - (6) Branch campus site fees, for each branch campus site:
    - (A) Initial non-degree-granting institution ..... \$1,500
    - (B) Initial degree-granting institution ..... \$2,500
    - (7) Renewal branch campus site fees, for each branch campus site:
      - (A) Non-degree-granting institution ..... 2% of gross tuition, but not less than \$800 and not more than \$15,000
      - (B) Degree-granting institution .....2% of gross tuition, but not less than \$1,600 and not more than \$15,000
    - (8) On-site branch campus review fee, for each branch campus site ..... \$250
    - (9) Representative fees:
      - (A) Initial registration ..... \$200
      - (B) Renewal of registration ..... \$150
    - (10) Late submission of renewal of application fee ..... \$125
    - (11) Student transcript copy fee ..... \$10
    - (12) Returned check fee ..... \$50
    - (13) Changes in institution profile fees:
      - (A) Change of institution name ..... \$100
      - (B) Change of institution location ..... \$100
      - (C) Change of ownership only ..... \$100
  - (b) For institutions domiciled or having their principal place of business outside the state of Kansas, the following fees shall apply:
    - (1) Initial application fees:
      - (A) Non-degree-granting institution ..... \$4,000
      - (B) Degree-granting institution ..... \$5,500
    - (2) Initial evaluation fee, in addition to initial application fees:
      - (A) Non-degree level ..... \$1,500
      - (B) Associate degree level ..... \$2,000
      - (C) Baccalaureate degree level ..... \$3,000
      - (D) Master’s degree level ..... \$4,000
      - (E) Professional and doctoral degree levels .... \$5,000
    - (3) Renewal application fees:
      - (A) Non-degree-granting institution ..... 3% of gross tuition received or derived from Kansas students, but not less than \$2,400 and not more than \$15,000
      - (B) Degree-granting institution ..... 3% of gross tuition received or derived from Kansas students, but not less than \$3,000 and not more than \$15,000
    - (4) On-site branch campus review, fee for each branch campus site ..... \$500
    - (9) Representative fees:
      - (A) Initial registration ..... \$350
      - (B) Renewal of registration ..... \$250
    - (10) Late submission of renewal of application fee ..... \$125
    - (11) Student transcript copy fee ..... \$10
    - (12) Returned check fee ..... \$50
    - (13) Changes in institution profile fees:
      - (A) Change of institution name ..... \$100
      - (B) Change of institution location ..... \$100
      - (C) Change of ownership only ..... \$100

- tuition received or derived from Kansas students, but not less than \$3,000 and not more than \$15,000
  - (4) New program submission fees, for each new program:
    - (A) Non-degree program ..... \$500
    - (B) Associate degree program ..... \$750
    - (C) Baccalaureate degree program ..... \$1,000
    - (D) Master’s degree program ..... \$1,500
    - (E) Professional and doctoral degree programs \$2,500
    - (5) Program modification fee, for each program \$100
    - (6) Branch campus site fees, for each branch campus site:
      - (A) Initial non-degree-granting institution ..... \$4,000
      - (B) Initial degree-granting institution ..... \$5,500
      - (7) Renewal branch campus site fees, for each branch campus site:
        - (A) Non-degree-granting institution ..... 3% of gross tuition received or derived from Kansas students, but not less than \$2,400 and not more than \$15,000
        - (B) Degree-granting institution ..... 3% of gross tuition received or derived from Kansas students, but not less than \$3,000 and not more than \$15,000
      - (8) On-site branch campus review, fee for each branch campus site ..... \$500
      - (9) Representative fees:
        - (A) Initial registration ..... \$350
        - (B) Renewal of registration ..... \$250
      - (10) Late submission of renewal of application fee ..... \$125
      - (11) Student transcript copy fee ..... \$10
      - (12) Returned check fee ..... \$50
      - (13) Changes in institution profile fees:
        - (A) Change of institution name ..... \$100
        - (B) Change of institution location ..... \$100
        - (C) Change of ownership only ..... \$100
- (Authorized by and implementing K.S.A. 2010 Supp. 74-32,181, as amended by 2011 HB 2020, sec. 3; effective Oct. 20, 2006; amended April 16, 2010; amended, T-88-7-20-11, July 20, 2011; amended Oct. 21, 2011.)

Andy Tompkins  
President and CEO

Doc. No. 039853

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 16.—GENERIC ONLINE DRAWING RULES

**111-16-1. Definitions.** Unless otherwise provided in these regulations, all definitions contained in the Kansas lottery act shall apply to all regulations in this section.

(a) “Online entry” or “online entries” means the method of entering or registering for an “online event” via the internet.

(b) “Online event” or “online events” means the method of entering a contest, game, drawing, promotion

or other event sponsored by the Kansas Lottery via the internet.

(c) "Online drawing" means the act of drawing or selecting winners by means of an electronic drawing method from among the entries that were entered for prizes which are identified in specific online game rules.

(d) "Non-winning ticket(s)" means any Kansas lottery ticket, either instant or online, which is not a winner of any prize for the game in which it was eligible.

(e) "Random number generator" or "RNG" means the online drawing machine or equipment used to select the drawing winners.

(f) "Players Club" refers to the Kansas lottery's online players club where a player can enter the online drawing promotion.

(g) "www.kslottery.com" refers to the Kansas lottery's website where a player can join the Kansas lottery's players club. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-16-2. Method of entry.** (a) In August 2011, the Kansas lottery shall begin accepting registration for "online events."

(b) The Kansas lottery shall designate which "online events" are eligible for "online entry."

(c) "Online events" that are designated by the Kansas lottery for "online entry" shall not be eligible for any other form of entry.

(d) "Online entry" requires the player to legally acquire a specified, non-winning, Kansas lottery game ticket.

(e) A player can visit the Kansas Lottery website at [www.kslottery.com](http://www.kslottery.com) or any other website designated by the Lottery to enter the specified "online event."

(f) A player must join or be a member of the Kansas lottery players club to be eligible to enter "online events."

(g) A player must enter specified information online to be eligible to win. Failure to provide all specified information shall cause an online entry to be disqualified.

(h) Online entries not entered into the appropriate "online event" or appropriate prize category shall be disqualified.

(i) A player must keep all Kansas lottery tickets he or she uses to enter "online events." The player must present the original ticket to claim any prize won.

(j) A player may use each non-winning ticket only once as an eligible online entry.

(k) All online entries into an "online event" are final.

(l) Any entries mailed or hand delivered to the Kansas lottery will not qualify for any prize in an "online event" and will be discarded.

(m) There is no limit to the number of online entries a player can make, unless indicated otherwise in the specific rules for a promotion, but players may only use one non-winning ticket per online entry.

(n) Fraudulent online entries for a single draw will void all entries for that entrant.

(o) An entrant must be a natural person, at least 18 years of age to play the lottery in the state of Kansas, with a street mailing address in the United States or a United States territory. Post office box addresses are not acceptable.

(p) By entering an "online event," an entrant grants permission to the Kansas lottery to publicly disclose entrants' name and city or state of residence. Other information, such as phone number, street address, email address, etc., will not be disclosed. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-16-3. Selection of winners.** (a) Following the close of online entries, the Kansas lottery staff will use a random number generator to select winners of the prizes for an "online event" drawing.

(b) The drawing will be held under the supervision of Kansas lottery security staff members and a drawing official designated by the executive director of the Kansas lottery.

(c) All drawings will be video and audio recorded per K.S.A. 74-8710(2).

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

(e) A selected entry in the online event will be reviewed by Kansas lottery security staff to determine whether the entry meets qualifications for the drawing. If the entrant is declared to be an eligible entry, the entrant will be contacted and must present acceptable matching identification of his or her registration information including verification of age eligibility prior to being awarded a prize. The selected entrant must complete, sign, and submit a furnished prize claim form within the time set forth in the specific rules for the "online event."

(f) If selected entrants do not qualify for the drawing, cannot provide acceptable matching identification, or fail to submit a completed claim form within the time line specified for the "online event," that entrant will not be awarded a prize and a replacement winner will be selected by Kansas lottery security staff in a like manner as the original entrant was selected from the entries for that online event.

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

(h) All entries into an "online event" are final. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-16-4. Prizes and odds of winning.** (a) Prizes will be shipped by the Kansas lottery unless otherwise specified in the rules for an online event.

(b) Odds of winning a prize in an "online event" drawing, unless otherwise provided for in a specific regulation, shall vary depending on the number of valid entries received.

(continued)

(c) Except as provided in subsection (d) or any other law, prizes will not require payment by the winner of any delivery or other charges.

(d) Winning prizes may be subject to income taxation. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-16-5. Liability and exclusions.** The Kansas lottery is not responsible for and shall not be liable for: (a) Any damage to a player's computer system that is directly or indirectly caused by accessing or downloading content from <http://www.kslottery.com> or any other website designated by the Kansas lottery; or

(b) For any computer system, phone line, hardware, software or program malfunctions; or

(c) Other errors, failures, dropped or delayed computer transmissions or network connections of any kind.

(d) Any liability incurred by the Kansas lottery as a result of any malfunction shall be limited to the purchase price of any eligible entering ticket.

(e) Without limiting the generality of the foregoing, the Kansas lottery is not responsible for incomplete, illegible, misdirected, late, lost, damaged or stolen entries; or for lost, interrupted, inaccessible or unavailable networks, satellites, Internet Service Providers (ISP), website or other connections; or for miscommunications; failed, jumbled, scrambled, delayed, or misdirected computer, telephone or cable transmission; or for any technical malfunctions, failures, or difficulties; printing errors; clerical, typographical or other error in the offering or announcement of any prize or in any prize notification documents, or other errors of any kind or nature; or for the incorrect or inaccurate capture of information or the failure to capture information.

(f) The Kansas lottery shall have the option to substitute any prize(s) with a prize of approximate equal value at its sole discretion.

(g) The Kansas lottery may discontinue an online event at any time.

(h) Kansas lottery employees and commission members and their immediate families living in the same household, and any other person or entity otherwise prohibited from participation by the statutes, rules and/or regulations are not eligible to win a prize in any online event. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

#### Article 17.—SPECIFIC ONLINE DRAWING RULES

**111-17-1. Atari Centipede/Asteroids second-chance online event drawing.** (a) The Kansas lottery shall conduct a second-chance online event drawing entitled "Atari Centipede/Asteroids Second-Chance Online Event Drawing." The Kansas lottery will accept online entries into the drawing no earlier than August 19, 2011, and no later than September 30, 2011. Specific dates of this second-chance online drawing shall be announced on the Kansas lottery's website at [www.kslottery.com](http://www.kslottery.com) as part of the online event drawing. A specific date of the drawing of such prizes shall likewise be announced.

(b) The Kansas lottery will award 100 "Atari Flashback 2+" gaming consoles, and other items of nominal value as prizes.

(c) There will be 200 online entries drawn and selected as winners of the prizes to be awarded in this online event drawing.

(d) There will be approximately, but not more than, 100 online entries drawn as alternate winners.

(e) A winner of a prize will be notified via email that he or she has won a prize. The winner will be instructed how to verify his or her personal identification.

(f) A winner will be sent a claim form via email at the time the winner is notified he or she has won a prize.

(g) A player must return his or her completed claim form, and original non-winning ticket entered into the online event drawing within 30 days following the date of the online event drawing.

(h) Completed claim forms and winning ticket(s) can be mailed by the winner via U.S. Mail to: Kansas lottery, 128 North Kansas Avenue, Topeka, Kansas 66603, or the winner can deliver personally the completed claim form and non-winning ticket to the Kansas lottery claims center in Topeka, Kansas.

(i) If a player fails to answer any email, respond to any request for information, or fill out any forms required by the Kansas lottery within the time allotted in the winner's notification of winning a prize, said win shall be forfeited and the prize awarded to an alternate winner.

(j) Definitions applicable to this online event drawing are contained in K.A.R. 111-16-1, *et seq.* (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

#### Article 501.—SOUTH CENTRAL GAMING ZONE

**111-501-1. Name of the game; rules and regulations.** The Kansas lottery shall conduct a lottery facility game at the Kansas Star Casino in Mulvane, Kansas, entitled "Blackjack" beginning on or after September 14, 2011.

The rules and regulations for the game of "Blackjack" are contained in K.A.R. 111-501-1 through 111-501-13, and applicable generic rules are contained in K.A.R. 111-201-1 *et seq.* (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-501-2. Definitions.** The following definitions shall apply to the blackjack game:

(a) "Blackjack" means an ace and any 10, jack, queen, or king dealt as the initial two cards to a player or a dealer, not including an ace and a ten point value card dealt to a player who has split pairs.

(b) "Burn card" means a playing card that is dealt from the top of a deck and it is discarded ("burned").

(c) "Cut card" means the non-playing card used to divide one or more decks of playing cards into two portions.

(d) "Dealer" means a person responsible for dealing cards at a blackjack table.

(e) "Dealer's shoe" or "dealing shoe" means a device that is used to hold multiple decks of playing cards.



(f) "Double down" means when a player increases the player's original wager by an amount up to 100 percent in exchange for committing to stand (take no more cards) after receiving only one more card for that hand. A player may double down on any of the player's first two cards unless the player's first two cards constitute a blackjack. In the event a player splits the player's first two cards, the player may double down after receiving the player's second card for each split hand.

(g) "Hard total" means the total point count of a hand which contains no aces or which contains aces that are each counted as one in value.

(h) "Hard 17" means a deal hand adding up to a total of 17 points, which hand does not include an ace.

(i) "Hole card" means the first card dealt face down to the dealer.

(j) "Insurance line" means the line on the table layout for the game of blackjack on which line a player places an insurance bet.

(k) "Mid-shoe entry" means entry into a game by a new player at any time after the initial hand has been dealt after a shuffle of the cards.

(l) "Soft total" means the total point count of a hand containing an ace when the ace is counted as 11 in value.

(m) "Soft 17" means a dealer hand adding up to a total of 17 points, which hand includes an ace.

(n) "Split pairs" means two cards of identical rank dealt as the initial two cards to a player that the player has elected to divide into two separate hands.

(o) "Toke" means a gratuity or tip.

(p) "Toke bet" means a separate bet made by a player for the dealer, which bet is paid to the dealer as a gratuity if the player's hand wins.

(q) "Wash shuffle" means randomly mixing the cards through a circular washing motion while the cards are spread on the layout. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-501-3. Table characteristics.** (a) Blackjack shall be played at a table having on one side seven places for the players and on the opposite side a place for the dealer.

(b) Each blackjack table shall utilize an approved layout. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-501-4. Cards, number of decks, and value of cards.** (a) Blackjack shall be played with one to six decks of standard playing cards with no jokers.

(b) The value of the cards contained in each deck shall be as follows:

(1) Any card from 2 to 10 shall have its face value.

(2) Any jack, queen or king shall have a value of 10.

(3) An ace shall have a value of 11 unless that would give a player or the dealer a total in excess of 21, in which case, it shall have a value of one. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-501-5. Wagers.** (a) Prior to the first card being dealt for each round of play, each player at the game of

blackjack shall make a wager against the dealer who shall win if:

(1) The value of the player's cards totals 21 or less and the dealer's cards total in excess of 21.

(2) The value of the player's cards total more than the dealer's cards without exceeding 21.

(3) The value of the player's initial two cards totals 21 and the value of the dealer's three or more cards totals 21.

(b) Except as otherwise provided, a wager will be pushed (declared a tie) when the value of the player's cards is equal to the value of the dealer's cards.

(c) A player's wager shall be lost when:

(1) The value of the dealer's cards totals 21 or less and the value of the player's cards totals 22 or more.

(2) The value of the dealer's cards total more than the value of the player's cards without exceeding 21.

(3) The dealer has a total value of 21 in his/her initial two cards and the player has a total of 21 in more than two cards.

(d) Except as otherwise provided, no wager shall be made, increased or withdrawn from the table after the first card of the respective round has been dealt.

(e) All wagers on blackjack will be made by placing gaming chips on the betting areas of the blackjack layout. Money or chips outside or between betting areas do not constitute a valid bet. Verbal and cash wagers will not be accepted.

(f) All winning wagers will be paid at odds of one to one, with the exception of blackjack, which will be paid at odds of three to two and insurance which shall be paid at odds of two to one.

(g) Once the first card of any hand has been removed from the dealer's shoe or dealt by the dealer, no player may handle, remove or alter any wagers that have been made until the dealer renders and implements a decision with respect to that wager.

(h) Once a wager has been placed on the insurance line, or a wager to double down or a wager to split pairs has been made and confirmed by the dealer, then no player shall handle, remove or alter such wagers until the dealer renders and implements a decision with respect to that wager.

(i) At all tables where the wager and entry restrictions are in effect, a sign will be posted notifying the players of the restrictions. The sign(s) shall indicate as the following:

(1) Mid-shoe entry prohibited until shuffle.

(2) Minimum and maximum table limits will be posted. Any wager made by a player that is less than the stated table minimum that is not rejected by either the dealer or table games supervisor or higher ranking casino official prior to the commencement of play shall be treated as a valid wager in the amount actually wagered by the player. Any wager made by a player that is above the stated table maximum that is not rejected by either the dealer or table games supervisor or higher ranking casino official shall play up to the posted maximum and the balance shall be returned to the player and not considered as part of the valid wager. (Authorized by K.S.A. 2010

(continued)

Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-501-6. Rules of the game.** (a) The cards shall be shuffled under the following circumstances:

(1) A new set of decks are put into play.  
(2) When the cut card appears during the course of the play (the shuffle will take place prior to the next round of play).

(3) Whenever the cards have been dropped or otherwise mishandled.

(4) Whenever instructed to do so by the table game supervisor or higher ranking casino official.

(5) At no time will the dealer shuffle at the request of a player unless authorized to do so by a table games supervisor or higher ranking casino official.

(b) The dealer is to maintain physical and visual contact with the deck at all times while the deck is out of the shoe; however, the cards shall be placed back in the dealer's shoe for commencement of play.

(c) A card shall be burned for the following reasons:

(1) After a shuffle of the cards.

(2) A card has been exposed or dealt by mistake.

(3) When a dealer is relieved, the new dealer shall burn a card.

(4) If a table is dead (no players), upon the arrival of new players, the dealer shall burn a card.

(d) All cards shall be dealt from a dealing shoe secured to and located on the extreme left-hand side of the table.

(e) All players' cards should be delivered face up, starting on the dealer's left and continuing clockwise around the table.

(f) After each player has received one card, the dealer shall take one card face down. A second card should be dealt to each player face up and the dealer's final card will be dealt face up. The card should be placed underneath the first card which is now turned face up and should cover the hole card in such a way that no part of that card is visible.

(g) A player may elect to double down with any initial two (2) cards, and bet up to the amount of his original bet on the condition that only one (1) additional card shall be dealt to the player.

(h) The additional chips for the double-down bet should be placed next to the original wager before the double down card is dealt.

(i) The double down card will be exposed and placed across the two (2) cards involved, in such a manner as to keep the number exposed on the player's second card.

(j) When paying double down bets, the bet is not combined into one stack and the stack is not sized into the other stack. The dealer is not permitted to move the player's bet with chips in the dealer's hand.

(k) Whenever the initial two cards to a player are of the same face value, the player may elect to split the cards into two separate hands, provided that the player makes a bet equal to the original bet. The following rules apply to splitting cards:

(1) After splitting, the first hand will receive a card. This hand will be completed by either hitting again or staying before the next hand is dealt to.

(2) The second hand will receive a card. This hand will be completed by either hitting again or staying before moving on to the next hand.

(3) A player may split up to three times excluding aces which may only be split once. When aces are split, the player will only receive one card per ace.

(l) The dealer will ask if any player wishes to place an insurance bet when the dealer's "up" card is an ace.

(m) Insurance is a separate bet. The player is betting that the dealer has blackjack. If the dealer does not have blackjack, then the player loses the player's insurance bet.

(n) The player can take insurance for any amount up to one-half of the original bet.

(o) The proper (one-half or under) insurance bet shall be placed on the insurance line on the table layout.

(p) The dealer will then verbally close the time for accepting insurance bets.

(q) If the dealer's hand is a blackjack and the player has taken insurance, the dealer will take the losing bet and pay off the winning insurance bet with it in an amount not to exceed the player's original bet. Insurance will be paid at a rate of 2 to 1.

(r) If the player's hand is a blackjack and the dealer's "up" card is an ace, the player can announce even money and be paid the amount of the player's bet.

(s) Players may insure a toke bet and the bet is handled by the same procedure as any other insurance bet.

(t) A player may place more than one-half of their original bet on the insurance line but only one-half of their original bet is in action. Any overage will be returned to the player after it is determined that the dealer does or does not have blackjack.

(u) All blackjacks will be paid at odds of 3 to 2. The dealer shall pay the player having a blackjack during the normal course of the dealer's take and pay procedures.

(v) If the dealer and a player have blackjack, the player's bet will be a push (tie).

(w) If the dealer looks at the dealer's hole card and fails to recognize the fact the dealer has a blackjack, the dealer's hand will be played as a total of 21 only, and not as a blackjack. A player that doubles down or splits will receive back any additional wagers made after their initial wager.

(w) Any player's hand that exceeds a total of 21 has broke or "busted" and their hand loses.

(x) If the dealer has an up card with the value of ten, the dealer will use the peeking device built into the gaming table to check to see if the dealer has a blackjack.

(y) If the dealer has a blackjack all losing bets will be collected and all blackjacks will push.

(z) If the dealer does not have blackjack the hand will continue as normal.

(aa) A card found turned upwards in the shoe shall not be used in that game and shall be placed in the discard rack (burned).

(bb) A card drawn in error without its face being exposed shall be used as though it were the next card from the shoe.

(cc) After the initial two cards have been dealt to each player and a card is drawn in error and exposed to the players, such card shall be burned or placed in the discard rack and will not be offered to any player or to the dealer.

(dd) If the dealer has a point total of a hard seventeen or more and accidentally draws a card for the dealer, such card shall be burned.

(ee) If the dealer misses dealing his first or second card to the dealer, the dealer shall continue dealing the first two cards to each player, and then deal the appropriate number of cards to the dealer.

(ff) If there are insufficient cards remaining to complete a round of play, all of the cards in the discard rack shall be shuffled and cut, the first card shall be drawn face down and burned, and the dealer shall complete the round of play.

(gg) If no cards or only one card is dealt to a player's hand, the hand is dead and the player shall be included in the next deal.

(hh) If any card is dealt and an error occurs, at no time will any card be backed up as a result of the error.

(ii) If a dispute occurs because of a mistake during a hand, the table games supervisor or higher ranking casino official shall be authorized to declare that all or part of the hand is dead (void) and can return any disputed money. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-501-7. Dealing the hand.** (a) Before each hand is dealt, the dealer shall inform the players that no more bets will be allowed for that hand.

(b) Cards shall be dealt from a shoe located on the extreme left-hand side of the table.

(c) The dealer shall remove cards one at a time.

(d) All player cards shall be delivered face up.

(e) The dealer shall deal one card at a time from left to right.

(f) The dealer's first card shall be dealt face down.

(g) The dealer shall then deal each player a second card face up and the dealer a second card face up.

(h) Cards shall not touch a player's bet and shall be placed in a manner which allows the center spot of each card to be visible.

(i) Players shall not handle any of the cards.

(j) After two cards have been dealt to each player, the dealer shall start with the player to the left and continue to the right until all players have acted upon the hand.

(k) Players shall indicate hit or stand by using visible hand signals.

(l) All hit cards are dealt face-up, utilizing the left hand for positions one (1) and two (2), and the right hand for positions three (3) through seven (7).

(m) After all players' hands have stood or broken, the dealer shall turn his hole card face-up and announce the point total.

(n) If there are players' hands still in action, the dealer must take a hit if the value of the dealer's cards totals 16 or less or a soft 17, but stand, on a hard 17 or more.

(o) The dealer shall announce "over", "too many" or "busted" when the dealer's hand exceeds 21.

(p) The dealer shall then take or pay according to the hands dealt.

(q) A dealer accidentally hitting his hand while having a hard seventeen or more shall contact the table games supervisor or higher ranking casino official who shall

handle the situation accordingly. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-501-8. Collecting and paying.** (a) All insurance bets shall be taken or paid from right to left when applicable.

(b) After the dealer has busted or stood on a hard 17 or more, the player's hand must be paid, taken or pushed based on the outcome of both the player and dealer hand totals.

(c) Card pickup and payout shall be done from right to left.

(d) All bets to be paid shall be paid from the chip tray and never with another bet.

(e) The dealer's hand shall be picked up first so as to be on the top of the discarded stack. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-501-9. Payment of blackjack.** The following procedures will be adhered to for paying for a blackjack:

(a) If the first face up card dealt to the dealer is a 2, 3, 4, 5, 6, 7, 8, or 9 and a player has a blackjack, the dealer shall announce and pay the blackjack at odds of 3 to 2 and shall remove the player's cards before any player receives a third card.

(b) If the first card dealt to the dealer is a king, queen, jack, or ten the dealer will "peek" at the hole card (down card) utilizing the device on the table used for said purpose. If the dealer's hole card does not create a blackjack, the player having blackjack shall be paid in proper order at odds of 3 to 2. If the dealer's "hole card" creates a blackjack, the wager of a player having blackjack shall be void and constitute a push. All other player wagers will lose. If the dealer does not have blackjack, the dealer will act on all hands as necessary and then pay, take or push the player's hands in the proper order.

(c) If the first card dealt to the dealer is an ace and the player has blackjack, the player may elect to be paid even money. This option must be exercised by the player with the blackjack prior to any other cards being dealt to other hands. If exercised, the dealer shall pay the player even money, remove the cards from the layout and place them in the discard rack before peeking or acting on any other player's hands. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-501-10. Insurance wagers.** (a) When the first card dealt to the dealer is an ace, each player shall have the right to purchase insurance which shall win if the dealer's second card is a king, queen, jack, or ten, and shall lose if the dealer's second card is an ace, 2, 3, 4, 5, 6, 7, 8, or 9.

(b) An insurance bet may be made by placing an amount not more than one-half the amount of the player's initial wager on the insurance line on the layout. This is done immediately after the second card is dealt to each player and the dealer, and must be done prior to any additional cards being dealt.

(continued)

(c) All winning insurance wagers shall be paid at odds of 2 to 1.

(d) All losing insurance wagers shall be collected by the dealer immediately after peeking at the hole card and before drawing any additional cards. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-501-11. Double down.** Except for blackjack or a point count of 21 in two cards, a player may elect to double down (i.e., make an additional wager up to the amount of original wager) on the first two cards dealt or the first two cards of any split pair. Only one additional card shall be dealt to the hand on which the player has elected to double down. The additional card will be dealt face up and placed sideways on the layout. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-501-12. Splitting pairs.** (a) When the initial two cards dealt to a player are identical in value, the player may split the hand into two separate hands. The wager on the second hand must be equal to the original wager.

(b) When a player splits pairs, the dealer shall deal a second card to the first of the split hands and complete the player's decisions with respect to that hand before proceeding to deal any cards to the second hand.

(c) After a second card is dealt to a split pair, the dealer shall announce the point total of such hand and the player

shall indicate a decision to stand, draw or double down with respect thereto, except that:

(1) A player may split pairs again if the second card dealt is identical in value to a card of the split pair. A player may split a total of three times to create a total of four hands.

(2) A player splitting aces shall only have one card dealt to each ace and cannot elect to receive additional cards. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

**111-501-13. Drawing of additional cards by players and dealers.** (a) A player may elect to draw additional cards if the point count total is less than 21, except when:

(1) A player has blackjack or a hard or soft total of 21.

(2) A player doubles down, in which case the player shall draw only one additional card.

(3) A player split aces, in which case the player shall have only one card dealt to each ace.

(b) A dealer shall draw additional cards until reaching a hard total of 17 or more, at which point no additional cards shall be drawn. If all players' hands have been broken, and the point total of the dealer's hand has no effect on the outcome of the round of play, the dealer shall draw no additional cards, regardless of the point count. (Authorized by K.S.A. 2010 Supp. 74-8710 and 74-8748; implementing K.S.A. 2010 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011.)

Dennis Wilson  
Executive Director

Doc. No. 039856

INDEX TO ADMINISTRATIVE REGULATIONS			AGENCY 4: DEPARTMENT OF AGRICULTURE		
Reg. No.	Action	Register	Reg. No.	Action	Register
This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the <i>Kansas Register</i> 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 <i>Kansas Administrative Regulations</i> and the 2010 Supplement of the <i>Kansas Administrative Regulations</i> .			4-10-10	New	V. 29, p. 260
			4-10-15	Revoked	V. 29, p. 260
			4-10-16	Amended	V. 29, p. 260
			4-10-17	Revoked	V. 29, p. 261
			4-13-2	Amended	V. 29, p. 69
			4-13-3	Amended	V. 29, p. 69
			4-13-9	Amended	V. 29, p. 71
			4-13-14	Amended	V. 29, p. 71
			4-13-16	Amended	V. 29, p. 71
			4-13-17	Amended	V. 29, p. 72
			4-13-18	Amended	V. 29, p. 72
			4-13-20	Amended	V. 29, p. 72
			4-13-21	Amended	V. 29, p. 72
			4-13-22	Revoked	V. 29, p. 72
			4-13-23	Amended	V. 29, p. 72
			4-13-24	Amended	V. 29, p. 72
			4-13-25	Amended	V. 29, p. 1242
			4-13-25b through		
			4-13-25h	Amended	V. 29, p. 1243-1245
			4-13-25i	Revoked	V. 29, p. 1246
			4-13-25j	Amended	V. 29, p. 1246
			4-13-25k	Amended	V. 29, p. 1246
			4-13-25l	Amended	V. 29, p. 1247
			4-13-25m	New	V. 29, p. 1247
			4-13-30	Amended	V. 29, p. 72
			4-13-33	Amended	V. 29, p. 73
			4-13-62	Amended	V. 29, p. 73
			4-27-1 through		
			4-27-22	New	V. 29, p. 706-720
			4-27-1	Amended (T)	V. 30, p. 985
			4-28-1	Amended	V. 29, p. 720
			4-28-2	Amended	V. 29, p. 720
			4-28-7	Amended (T)	V. 30, p. 985
			4-28-8	Amended	V. 29, p. 721
			4-28-11	Amended	V. 29, p. 722
			4-28-12	Amended	V. 29, p. 722
			4-28-18 through		
			4-28-30	New	V. 29, p. 723-725
AGENCY 1: DEPARTMENT OF ADMINISTRATION			AGENCY 3: KANSAS STATE TREASURER		
Reg. No.	Action	Register	Reg. No.	Action	Register
1-9-5a	New (T)	V. 30, p. 983	3-3-2	Amended (T)	V. 29, p. 702
1-16-8	Amended	V. 29, p. 676	3-3-2	Amended	V. 30, p. 9
1-16-15	Amended	V. 29, p. 677			
1-16-18	Amended	V. 29, p. 677			
1-16-18a	Amended	V. 29, p. 678			
1-16-20	Amended	V. 29, p. 680			
1-65-1	New	V. 30, p. 44			
1-66-1	New	V. 30, p. 44			
1-66-2	New	V. 30, p. 45			
1-66-3	New	V. 30, p. 45			
1-67-1	New	V. 30, p. 45			
1-67-2	New	V. 30, p. 45			
1-67-3	New	V. 30, p. 45			
1-68-1	New	V. 30, p. 45			
1-68-2	New	V. 30, p. 46			
			4-10-4f	New	V. 29, p. 256-258
			4-10-5a	Amended	V. 29, p. 258
			4-10-6	Revoked	V. 29, p. 259
			4-10-6a	New	V. 29, p. 259
			4-10-6b	New	V. 29, p. 259
			4-10-7	Amended	V. 29, p. 259

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

Reg. No.	Action	Register
5-1-4	Amended	V. 29, p. 652
5-1-9	Amended	V. 29, p. 653
5-3-23	Amended (T)	V. 29, p. 1338
5-3-23	Amended	V. 29, p. 1598
5-4-1	Amended	V. 29, p. 1476
5-4-1a	New	V. 29, p. 1477
5-7-1	Amended	V. 29, p. 653
5-16-1	Amended (T)	V. 30, p. 1237
5-16-3	Amended (T)	V. 30, p. 1237
5-16-5	Amended (T)	V. 30, p. 1238
5-17-2	Amended	V. 29, p. 654
5-21-4	Amended	V. 30, p. 369
5-22-4a	Amended	V. 30, p. 1025
5-22-4d	Amended	V. 30, p. 1025
5-22-7	Amended	V. 29, p. 596
5-25-5	Amended	V. 29, p. 1598
5-25-15	Amended	V. 29, p. 654

**AGENCY 7: SECRETARY OF STATE**

Reg. No.	Action	Register
7-16-1	Amended (T)	V. 29, p. 1115
7-16-1	Amended	V. 29, p. 1281

**AGENCY 9: ANIMAL HEALTH DEPARTMENT**

Reg. No.	Action	Register
9-7-4	Amended (T)	V. 29, p. 703
9-7-4	Amended	V. 29, p. 1336
9-27-1	Amended	V. 29, p. 1337

**AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

Reg. No.	Action	Register
14-6-2a	Revoked	V. 29, p. 1306
14-6-3	Revoked	V. 29, p. 1306
14-6-4	Amended	V. 29, p. 1306
14-11-1	New	V. 29, p. 1307
14-11-4	New	V. 29, p. 1307
14-11-5	Amended	V. 29, p. 1307
14-11-6	Amended	V. 29, p. 1307
14-11-7	Amended	V. 29, p. 1307
14-11-9	Amended	V. 29, p. 1307
14-11-10a	Revoked	V. 29, p. 1307
14-11-10b	Revoked	V. 29, p. 1308
14-11-10d	Revoked	V. 29, p. 1308
14-11-11	Revoked	V. 29, p. 1633
14-11-14	Revoked	V. 29, p. 1308
14-11-15	Amended	V. 29, p. 1308
14-11-16	Amended	V. 29, p. 1308
14-11-22	New	V. 29, p. 1633
14-11-23	through	
14-11-29	New	V. 29, P. 1308-1310
14-11-27	Revoked	V. 29, p. 1730
14-13-12	Amended	V. 30, p. 1023
14-16-25	New	V. 29, p. 1310
14-19-27	Amended	V. 29, p. 1310
14-19-38	New	V. 29, p. 1311
14-19-39	New	V. 29, p. 1311
14-20-29	Amended	V. 29, p. 1311
14-20-40	New	V. 29, p. 1312
14-20-41	New	V. 29, p. 1312
14-21-12	Amended	V. 29, p. 1313
14-21-21	New	V. 29, p. 1313
14-21-22	New	V. 29, p. 1313
14-23-2	Amended	V. 29, p. 1314
14-23-5	Amended	V. 29, p. 1314
14-23-8	Amended	V. 29, p. 1314
14-23-10	Amended	V. 29, p. 1315
14-24-1	through	
14-24-6	Revoked	V. 29, p. 1315

**AGENCY 16: KANSAS ATTORNEY GENERAL**

Reg. No.	Action	Register
16-11-1	through	
16-11-5	Amended	V. 29, p. 1813-1815
16-11-6	Revoked	V. 29, p. 1816
16-11-7	Amended	V. 29, p. 1816
16-11-8	Amended	V. 29, p. 1816

**AGENCY 19: GOVERNMENTAL ETHICS COMMISSION**

Reg. No.	Action	Register
19-6-1	Amended	V. 29, p. 112
19-22-1	Amended	V. 30, p. 92
19-23-1	Amended	V. 30, p. 92
19-30-4	Revoked	V. 30, p. 92

**AGENCY 22: STATE FIRE MARSHAL**

Reg. No.	Action	Register
22-1-1	Amended	V. 30, p. 46
22-1-2	Amended	V. 30, p. 46
22-1-3	Amended	V. 30, p. 46
22-8-13	Amended	V. 30, p. 47
22-10-3	Amended	V. 30, p. 47
22-11-6	Revoked	V. 30, p. 48
22-11-8	Amended	V. 30, p. 48
22-15-7	Revoked	V. 30, p. 49
22-18-3	Amended	V. 30, p. 49
22-19-2	Amended	V. 30, p. 1024
22-19-3	Revoked	V. 30, p. 1025
22-19-5	Amended	V. 30, p. 1025

**AGENCY 26: DEPARTMENT ON AGING**

Reg. No.	Action	Register
26-1-1	Amended	V. 30, p. 915
26-1-5	Amended	V. 30, p. 916
26-1-6	Amended	V. 30, p. 916
26-1-7	Revoked	V. 30, p. 917
26-1-8	New	V. 30, p. 917
26-2-3	Amended	V. 30, p. 917
26-2-9	Revoked	V. 30, p. 918
26-2-10	New	V. 30, p. 919
26-3-1	Amended	V. 30, p. 920
26-3-4	Revoked	V. 30, p. 921
26-4-1	Amended	V. 30, p. 921
26-4-6	through	
26-4-15	Revoked	V. 30, p. 921
26-4a-1	Revoked	V. 30, p. 921
26-4a-2	New	V. 30, p. 921
26-5-2	through	
26-5-10	Revoked	V. 30, p. 922
26-8-2	Amended	V. 30, p. 922
26-8-5	Amended	V. 30, p. 922
26-8-8	Amended	V. 30, p. 922
26-9-1	Amended	V. 30, p. 922
26-11-1	through	
26-11-3	Revoked	V. 30, p. 923
26-39-100	Amended	V. 29, p. 1772
26-39-101	Amended	V. 29, p. 1775
26-39-105	Amended	V. 29, p. 1777
26-40-301	through	
26-40-305	New	V. 29, p. 1777-1793
26-42-103	New	V. 30, p. 1349

**AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT**

Reg. No.	Action	Register
28-1-27	New	V. 30, p. 111
28-1-30	New	V. 30, p. 369
28-1-31	New	V. 30, p. 370
28-1-32	New	V. 30, p. 370
28-4-92	Amended (T)	V. 29, p. 1348
28-4-92	Amended	V. 29, p. 1705
28-4-370	through	
28-4-379	Revoked	V. 29, p. 1024
28-4-503	Amended	V. 29, p. 1662
28-4-505	Amended	V. 29, p. 1662
28-4-514	Amended	V. 29, p. 1663
28-4-520	New	V. 29, p. 1663
28-4-521	New	V. 29, p. 1663
28-4-1300	through	
28-4-1318	New	V. 29, p. 1024-1032
28-16-28g	Amended	V. 30, p. 1023
28-19-200a	New	V. 29, p. 1634
28-19-202	Amended	V. 29, p. 1509
28-19-325	New	V. 29, p. 1634
28-19-350	Amended	V. 29, p. 1635
28-19-517	Amended	V. 29, p. 1510
28-19-645a	New (T)	V. 30, p. 232
28-19-645a	New	V. 30, p. 1181
28-19-712	New	V. 29, p. 866

28-19-712a	through	
28-19-712d	New	V. 29, p. 867
28-19-713	New	V. 29, p. 867
28-19-713a	through	
28-19-713d	New	V. 29, p. 867, 868
28-19-720	Amended	V. 29, p. 1510
28-19-728	Revoked	V. 29, p. 1511
28-19-728a	through	
28-19-728f	Revoked	V. 29, p. 1511
28-19-735	Amended	V. 29, p. 1511
28-19-750	Amended	V. 29, p. 1511
28-19-750a	Amended	V. 29, p. 1511
28-21-1	Revoked	V. 29, p. 725
28-21-6	Revoked	V. 29, p. 725
28-21-7	Revoked	V. 29, p. 725
28-21-8	Revoked	V. 29, p. 725
28-21-9	Revoked	V. 29, p. 725
28-21-10	Revoked	V. 29, p. 726
28-21-11	Revoked	V. 29, p. 726
28-21-20a	Revoked	V. 29, p. 726
28-21-21a	Revoked	V. 29, p. 726
28-21-22a	Revoked	V. 29, p. 726
28-21-23a	Revoked	V. 29, p. 726
28-21-24a	Revoked	V. 29, p. 726
28-21-25a	Revoked	V. 29, p. 726
28-21-26a	Revoked	V. 29, p. 726
28-21-27a	Revoked	V. 29, p. 726
28-21-28a	Revoked	V. 29, p. 726
28-21-29a	Revoked	V. 29, p. 726
28-21-30a	Revoked	V. 29, p. 726
28-21-31a	Revoked	V. 29, p. 726
28-21-32a	Revoked	V. 29, p. 726
28-21-33a	Revoked	V. 29, p. 726
28-21-34a	Revoked	V. 29, p. 726
28-21-35a	Revoked	V. 29, p. 726
28-21-40a	Revoked	V. 29, p. 726
28-21-41a	Revoked	V. 29, p. 726
28-21-42a	Revoked	V. 29, p. 726
28-21-43a	Revoked	V. 29, p. 726
28-21-44a	Revoked	V. 29, p. 726
28-21-50a	Revoked	V. 29, p. 726
28-21-51a	Revoked	V. 29, p. 726
28-21-52a	Revoked	V. 29, p. 726
28-21-53a	Revoked	V. 29, p. 726
28-21-54a	Revoked	V. 29, p. 726
28-21-55a	Revoked	V. 29, p. 726
28-21-56a	Revoked	V. 29, p. 726
28-21-57a	Revoked	V. 29, p. 726
28-21-58a	Revoked	V. 29, p. 726
28-21-59a	Revoked	V. 29, p. 726
28-21-60a	Revoked	V. 29, p. 726
28-21-61a	Revoked	V. 29, p. 726
28-21-62a	Revoked	V. 29, p. 726
28-21-63	Revoked	V. 29, p. 726
28-21-64	Revoked	V. 29, p. 726
28-21-70a	Revoked	V. 29, p. 726
28-21-71a	Revoked	V. 29, p. 726
28-21-72a	Revoked	V. 29, p. 726
28-21-82	through	
28-21-85	Revoked	V. 29, p. 726
28-23-4	Revoked	V. 29, p. 726
28-23-9	Revoked	V. 29, p. 726
28-23-10	Revoked	V. 29, p. 726
28-23-20	through	
28-23-24	Revoked	V. 29, p. 726
28-23-26	through	
28-23-32	Revoked	V. 29, p. 726
28-23-34	through	
28-23-36	Revoked	V. 29, p. 727
28-23-41	through	
28-23-55	Revoked	V. 29, p. 727
28-23-70	Revoked	V. 29, p. 727
28-23-71	Revoked	V. 29, p. 727
28-23-73	Revoked	V. 29, p. 727
28-23-75	Revoked	V. 29, p. 727
28-23-78	through	
28-23-80	Revoked	V. 29, p. 727
28-31-1	Revoked	V. 30, p. 414
28-31-2	Revoked	V. 30, p. 414

(continued)

28-31-3	Revoked	V. 30, p. 414	28-36-101			28-72-18e	Amended	V. 29, p. 386
28-31-4	Amended	V. 30, p. 414	through			28-72-19	Amended	V. 29, p. 387
28-31-5	Revoked	V. 30, p. 415	28-36-109	Revoked	V. 29, p. 727	28-72-20	Amended	V. 29, p. 387
28-31-6	Amended	V. 30, p. 415	28-38-18	Amended	V. 30, p. 1346	28-72-21	Amended	V. 29, p. 387
28-31-7	Revoked	V. 30, p. 415	28-39-162	Revoked	V. 29, p. 1777	28-72-22	Amended	V. 29, p. 388
28-31-8	Revoked	V. 30, p. 415	28-39-162a	Revoked	V. 29, p. 1777	28-72-51	Amended	V. 29, p. 388
28-31-8b	Revoked	V. 30, p. 415	28-39-162b	Revoked	V. 29, p. 1777	28-72-52	Amended	V. 29, p. 389
28-31-9	Revoked	V. 30, p. 415	28-39-162c	Revoked	V. 29, p. 1777	28-72-53	Amended	V. 29, p. 389
28-31-10	Amended	V. 30, p. 415	28-39-169a	Amended	V. 30, p. 1346	<b>AGENCY 30: SOCIAL AND REHABILITATION SERVICES</b>		
28-31-12	Amended	V. 30, p. 416	28-39-169b	Amended	V. 30, p. 1347	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-31-13	Amended	V. 30, p. 417	28-39-169c	Amended	V. 30, p. 1348	30-5-118a	Revoked	V. 29, p. 293
28-31-14	Revoked	V. 30, p. 417	28-43-1			<b>AGENCY 36: DEPARTMENT OF TRANSPORTATION</b>		
28-31-15	Revoked	V. 30, p. 417	through			<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-31-16	Revoked	V. 30, p. 417	28-43-11	Revoked	V. 29, p. 1137	36-39-2	Amended (T)	V. 29, p. 1090
28-31-100	New	V. 30, p. 417	28-46-1	Amended	V. 29, p. 1138	36-39-2	Amended	V. 29, p. 1416
28-31-100a	New	V. 30, p. 418	28-46-2a	Amended	V. 29, p. 1138	36-39-4	Amended (T)	V. 29, p. 1091
28-31-100d	New	V. 30, p. 418	28-46-3			36-39-4	Amended	V. 29, p. 1416
28-31-100e	New	V. 30, p. 419	through			36-39-6	Amended (T)	V. 29, p. 1091
28-31-100f	New	V. 30, p. 420	28-46-22	Amended	V. 29, p. 1139-1141	36-39-6	Amended	V. 29, p. 1416
28-31-100p	New	V. 30, p. 420	28-46-27	Amended	V. 29, p. 1141	36-42-1		
28-31-100q	New	V. 30, p. 420	28-46-28	Amended	V. 29, p. 1141	through		
28-31-100r	New	V. 30, p. 420	28-46-29	Amended	V. 29, p. 1141	36-42-9	New	V. 29, p. 502-504
28-31-100s	New	V. 30, p. 421	28-46-29a	New	V. 29, p. 1142	<b>AGENCY 40: KANSAS INSURANCE DEPARTMENT</b>		
28-31-124	New	V. 30, p. 422	28-46-30	Amended	V. 29, p. 1142	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-31-124a	New	V. 30, p. 423	28-46-30a	New	V. 29, p. 1142	40-1-22	Amended	V. 30, p. 722
28-31-124b	New	V. 30, p. 423	28-46-30b	New	V. 29, p. 1144	40-1-37	Amended	V. 30, p. 193
28-31-124c	New	V. 30, p. 423	28-46-31	Amended	V. 29, p. 1144	40-1-48	Amended	V. 29, p. 1752
28-31-124d	New	V. 30, p. 424	28-46-33	Amended	V. 29, p. 1145	40-3-33	Revoked	V. 30, p. 232
28-31-124e	New	V. 30, p. 424	28-46-34	Amended	V. 29, p. 1145	40-3-43	Amended	V. 29, p. 1337
28-31-260	New	V. 30, p. 425	28-46-35	Amended	V. 29, p. 1145	40-4-43	New	V. 29, p. 703
28-31-260a	New	V. 30, p. 426	28-46-40	Amended	V. 29, p. 1145	40-7-26	New	V. 29, p. 1752
28-31-261	New	V. 30, p. 426	28-46-41	Amended	V. 29, p. 1145	40-7-27	New	V. 29, p. 1753
28-31-261a	New	V. 30, p. 427	28-46-44	Amended	V. 29, p. 1145	40-9-23	New	V. 29, p. 1813
28-31-262	New	V. 30, p. 427	28-46-45	New	V. 29, p. 1145	40-10-16	New	V. 30, p. 556
28-31-262a	New	V. 30, p. 427	28-53-1	Amended	V. 30, p. 463	<b>AGENCY 48: DEPARTMENT OF LABOR— EMPLOYMENT SECURITY BOARD OF REVIEW</b>		
28-31-263	New	V. 30, p. 428	28-53-2	Amended	V. 30, p. 463	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-31-263a	New	V. 30, p. 429	28-53-4	Amended	V. 30, p. 463	48-1-1		
28-31-264	New	V. 30, p. 429	28-61-1	Amended	V. 29, p. 419	through		
28-31-264a	New	V. 30, p. 431	28-61-2	Amended	V. 30, p. 336	48-1-6	Amended	V. 29, p. 15-17
28-31-265	New	V. 30, p. 432	28-61-3	Amended	V. 30, p. 337	48-2-1		
28-31-265a	New	V. 30, p. 433	28-61-4	Amended	V. 30, p. 337	through		
28-31-266	New	V. 30, p. 433	28-61-5	Amended	V. 29, p. 420	48-2-5	Amended	V. 29, p. 17
28-31-267	New	V. 30, p. 434	28-61-8	Amended	V. 29, p. 422	48-3-1	Amended	V. 29, p. 18
28-31-267a	New	V. 30, p. 434	28-72-1	Revoked	V. 29, p. 357	48-3-2	Amended	V. 29, p. 18
28-31-268	New	V. 30, p. 434	28-72-1a	New	V. 29, p. 357	48-3-4	Amended	V. 29, p. 18
28-31-270	New	V. 30, p. 434	28-72-1c	New	V. 29, p. 357	48-3-5	Amended	V. 29, p. 18
28-31-270a	New	V. 30, p. 435	28-72-1d	New	V. 29, p. 358	48-4-1	Amended	V. 29, p. 18
28-31-273	New	V. 30, p. 436	28-72-1e	New	V. 29, p. 358	48-4-2	Amended	V. 29, p. 18
28-31-279	New	V. 30, p. 436	28-72-1g	New	V. 29, p. 358	<b>AGENCY 49: DEPARTMENT OF LABOR</b>		
28-31-279a	New	V. 30, p. 437	28-72-1h	New	V. 29, p. 358	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-34-126	New (T)	V. 30, p. 1000	28-72-1i	New	V. 29, p. 359	49-55-1		
28-34-127	New (T)	V. 30, p. 1000	28-72-1k	New	V. 29, p. 359	through		
28-34-129			28-72-1l	New	V. 29, p. 359	49-55-12	New	V. 29, p. 675, 676
through			28-72-1m	New	V. 29, p. 360	<b>AGENCY 50: DEPARTMENT OF LABOR— DIVISION OF EMPLOYMENT</b>		
28-34-144	New (T)	V. 30, p. 1000-1006	28-72-1n	New	V. 29, p. 360	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-35-135l	Amended	V. 30, p. 195	28-72-1o	New	V. 29, p. 360	50-2-21a	New (T)	V. 29, p. 701
28-35-135t	Amended	V. 30, p. 196	28-72-1p	New	V. 29, p. 361	50-2-21a	New	V. 29, p. 1214
28-35-135w	Amended	V. 30, p. 197	28-72-1r	New	V. 29, p. 361	<b>AGENCY 51: DEPARTMENT OF LABOR— DIVISION OF WORKERS COMPENSATION</b>		
28-35-175a	Amended	V. 30, p. 198	28-72-1s	New	V. 29, p. 361	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-35-178b	Amended	V. 30, p. 198	28-72-1t	New	V. 29, p. 361	51-9-7	Amended	V. 29, p. 1508
28-35-178e	Amended	V. 30, p. 200	28-72-1v	New	V. 29, p. 361	<b>AGENCY 60: BOARD OF NURSING</b>		
28-35-178j	Amended	V. 30, p. 201	28-72-1x	New	V. 29, p. 361	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-35-180b	Amended	V. 30, p. 201	28-72-2	Amended	V. 29, p. 361	60-16-105	Revoked	V. 29, p. 1115
28-35-181a	Amended	V. 30, p. 203	28-72-3	Amended	V. 29, p. 362	<b>AGENCY 63: BOARD OF MORTUARY ARTS</b>		
28-35-181e	Revoked	V. 30, p. 203	28-72-4	Amended	V. 29, p. 362	<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
28-35-181j	Amended	V. 30, p. 203	28-72-4a	Amended	V. 29, p. 366	63-1-6	Amended	V. 30, p. 1215
28-35-181m	Amended	V. 30, p. 204	28-72-4b	Revoked	V. 29, p. 368	63-4-1	Amended	V. 30, p. 1215
28-35-181o	Amended	V. 30, p. 205	28-72-4c	Amended	V. 29, p. 368	63-6-2	Amended	V. 30, p. 1215
28-35-192b	Amended	V. 30, p. 206	28-72-5	Amended	V. 29, p. 369	63-6-3	Amended	V. 30, p. 1216
28-35-192c	Amended	V. 30, p. 206	28-72-6	Amended	V. 29, p. 370	63-7-1	Amended	V. 30, p. 1216
28-35-192d	Revoked	V. 30, p. 207	28-72-6a	New	V. 29, p. 371	63-7-2	Amended	V. 30, p. 1217
28-35-192e	Amended	V. 30, p. 207	28-72-7	Amended	V. 29, p. 373			
28-35-192g	Amended	V. 30, p. 207	28-72-7a	New	V. 29, p. 373			
28-35-194a	Amended	V. 30, p. 207	28-72-8	Amended	V. 29, p. 374			
28-35-212a	Amended	V. 30, p. 208	28-72-9	Amended	V. 29, p. 375			
28-35-216a	Amended	V. 30, p. 209	28-72-10	Amended	V. 29, p. 376			
28-35-225b	New	V. 30, p. 210	28-72-10a	New	V. 29, p. 377			
28-35-231c	Amended	V. 30, p. 210	28-72-11	Amended	V. 29, p. 378			
28-35-242	Amended	V. 30, p. 210	28-72-12	Amended	V. 29, p. 378			
28-35-264	Amended	V. 30, p. 210	28-72-13	Amended	V. 29, p. 379			
28-35-334	Amended	V. 30, p. 211	28-72-14	Amended	V. 29, p. 379			
28-35-346	Amended	V. 30, p. 212	28-72-15	Amended	V. 29, p. 380			
28-35-411	Amended	V. 30, p. 212	28-72-16	Amended	V. 29, p. 380			
28-36-30	Revoked	V. 29, p. 727	28-72-17	Amended	V. 29, p. 381			
28-36-31	Revoked	V. 29, p. 727	28-72-18	Amended	V. 29, p. 382			
28-36-70			28-72-18a	Amended	V. 29, p. 383			
through			28-72-18b	Amended	V. 29, p. 384			
28-36-89	Revoked	V. 29, p. 727	28-72-18c	Amended	V. 29, p. 384			
			28-72-18d	Amended	V. 29, p. 385			

63-7-6 Amended V. 30, p. 1217  
 63-7-7 Amended V. 30, p. 1217  
 63-7-9 New V. 30, p. 1218  
 63-7-10 New V. 30, p. 1218  
 63-7-11 New V. 30, p. 1218

**AGENCY 65: BOARD OF EXAMINERS  
 IN OPTOMETRY**

Reg. No.	Action	Register
65-4-3	Amended	V. 29, p. 990

**AGENCY 66: BOARD OF TECHNICAL  
 PROFESSIONS**

Reg. No.	Action	Register
66-8-6	Amended	V. 29, p. 794
66-10-1	Amended	V. 29, p. 794
66-12-1	Amended	V. 29, p. 794
66-14-10	Amended	V. 29, p. 794

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-1-1b	Amended	V. 29, p. 465
68-2-22	Amended	V. 30, p. 537
68-7-11	Amended	V. 29, p. 1053
68-7-21	New	V. 29, p. 465
68-20-10a	Amended	V. 30, p. 538
68-20-24	New (T)	V. 30, p. 357
68-20-25	New (T)	V. 30, p. 357
68-20-26	New (T)	V. 30, p. 357
68-20-27	New (T)	V. 30, p. 357
68-20-28	New (T)	V. 30, p. 635
68-20-29	New (T)	V. 30, p. 635
68-21-1 through 68-21-7	New	V. 29, p. 1417-1420
68-21-2	Amended	V. 30, p. 370

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-5-1 through 71-5-6	Revoked	V. 29, p. 1593
71-5-7 through 71-5-13	New	V. 29, p. 1593-1597

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-4-8	Amended	V. 29, p. 1636
74-4-9	Amended	V. 29, p. 1638
74-5-2	Amended	V. 29, p. 1638
74-5-101	Amended	V. 29, p. 1639
74-5-202	Amended	V. 29, p. 1639
74-5-203	Amended	V. 29, p. 1639
74-6-2	Amended	V. 29, p. 1640
74-11-6	Amended	V. 29, p. 1640
74-11-7	Amended	V. 29, p. 1640
74-12-1	Amended	V. 29, p. 1641
74-15-2	Revoked	V. 29, p. 1641

**AGENCY 81: OFFICE OF THE  
 SECURITIES COMMISSIONER**

Reg. No.	Action	Register
81-2-1	Amended	V. 30, p. 1048
81-5-21	New	V. 30, p. 1049
81-20-1	Revoked	V. 30, p. 866
81-20-2	Revoked	V. 30, p. 866
81-22-1	Amended	V. 30, p. 866
81-22-2	Revoked	V. 30, p. 866
81-23-1	Revoked	V. 30, p. 867
81-23-2	Revoked	V. 30, p. 867
81-24-1	Revoked	V. 30, p. 867
81-25-1	Revoked	V. 30, p. 867
81-25-2	Revoked	V. 30, p. 867
81-25-3	Revoked	V. 30, p. 867
81-26-3	Revoked	V. 30, p. 867
81-28-1	Revoked	V. 30, p. 867
81-28-2	Revoked	V. 30, p. 867
81-30-1	Revoked	V. 30, p. 867

**AGENCY 82: STATE CORPORATION  
 COMMISSION**

Reg. No.	Action	Register
82-1-219	Amended	V. 29, p. 1099
82-3-101a	New	V. 29, p. 1508
82-3-120	Amended	V. 29, p. 1508
82-3-311a	New	V. 29, p. 181

82-3-1100 through 82-3-1120	New	V. 29, p. 182-190
82-4-2	Amended	V. 29, p. 1443
82-4-3a	Amended	V. 29, p. 1443
82-4-3d	Amended	V. 29, p. 1444
82-4-3f	Amended	V. 29, p. 1390
82-4-3n	New	V. 29, p. 1444
82-4-3o	New	V. 29, p. 1445
82-4-6a	Amended	V. 29, p. 1446
82-4-8h	Amended	V. 29, p. 1446
82-4-21	Amended	V. 29, p. 1446
82-4-22	Amended	V. 29, p. 1446
82-4-23	Amended	V. 29, p. 1447
82-4-24a	Amended	V. 29, p. 1447
82-4-26	Amended	V. 29, p. 1447
82-4-26a	Amended	V. 29, p. 1447
82-4-27	Amended	V. 29, p. 1447
82-4-27a	Amended	V. 29, p. 1448
82-4-27c	Amended	V. 29, p. 1448
82-4-27e	Amended	V. 29, p. 1449
82-4-28	Revoked	V. 29, p. 1449
82-4-28a	Revoked	V. 29, p. 1449
82-4-28b	Revoked	V. 29, p. 1449
82-4-30a	Amended (T)	V. 29, p. 702
82-4-30a	Amended	V. 29, p. 1392
82-4-31	Revoked	V. 29, p. 1450
82-4-32	Amended	V. 29, p. 1450
82-4-33	Amended	V. 29, p. 1450
82-4-35	Amended	V. 29, p. 1450
82-4-35a	Amended	V. 29, p. 1450
82-4-37	Revoked	V. 29, p. 1450
82-4-40	Amended	V. 29, p. 1450
82-4-42	Amended	V. 29, p. 1450
82-4-48	Amended	V. 29, p. 1451
82-4-48a	Amended	V. 29, p. 1451
82-4-53	Amended	V. 29, p. 1451
82-4-54	Amended	V. 29, p. 1452
82-4-55	Amended	V. 29, p. 1452
82-4-56a	Amended	V. 29, p. 1452
82-4-57	Amended	V. 29, p. 1453
82-4-58	Amended	V. 29, p. 1453
82-4-62	Revoked	V. 29, p. 1453
82-4-63	Amended	V. 29, p. 1453
82-4-65	Amended	V. 29, p. 1453
82-4-77	Amended	V. 29, p. 1454
82-11-4	Amended	V. 30, p. 1026
82-11-10	Amended	V. 30, p. 1030
82-12-7	Amended	V. 30, p. 1085
82-16-1 through 82-16-6	New	V. 29, p. 1598-1601
82-17-1 through 82-17-5	New	V. 29, p. 1136, 1137

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-24-1	Amended	V. 29, p. 1415
88-28-1	Amended	V. 30, p. 193
88-28-6	Amended	V. 29, p. 408
88-28-6	Amended (T)	V. 30, p. 1047
88-29-1	Amended	V. 30, p. 946
88-29-3 through 88-29-7		
88-29-7	Amended	V. 30, p. 947, 948
88-29-7a	New	V. 30, p. 949
88-29-8	Amended	V. 30, p. 949
88-29-8c	New	V. 30, p. 949
88-29-9 through 88-29-12		
88-29-12	Amended	V. 30, p. 949-952
88-29-18	Amended	V. 30, p. 953
88-29-19	Amended	V. 30, p. 953
88-29a-5	New	V. 30, p. 954
88-29a-6	New	V. 30, p. 955
88-29a-7	New	V. 30, p. 955
88-29a-7a	New	V. 30, p. 956
88-29a-8	New	V. 30, p. 956
88-29a-8c	New	V. 30, p. 956
88-29a-9	New	V. 30, p. 956
88-29a-10	New	V. 30, p. 957
88-29a-11	New	V. 30, p. 958
88-29a-18	New	V. 30, p. 959
88-29a-19	New	V. 30, p. 960
88-30-1	Amended	V. 30, p. 194

**AGENCY 91: DEPARTMENT OF  
 EDUCATION**

Reg. No.	Action	Register
91-1-200 through 91-1-204		
91-1-204	Amended	V. 30, p. 1050-1057
91-1-230	Amended	V. 30, p. 1060
91-1-231	Amended	V. 30, p. 1060
91-1-232	Amended	V. 30, p. 1061
91-1-235	Amended	V. 30, p. 1062
91-1-236	Amended	V. 30, p. 1063
91-40-1	Amended	V. 29, p. 1093
91-40-27	Amended	V. 29, p. 1098

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-19-3	Revoked	V. 30, p. 280
92-19-3a	New	V. 30, p. 280
92-19-3b	New	V. 30, p. 283
92-19-3c	New	V. 30, p. 285
92-19-10	Revoked	V. 30, p. 285
92-19-16a	Amended	V. 30, p. 285
92-19-16b	Revoked	V. 30, p. 286
92-19-40	Revoked	V. 30, p. 286
92-19-42	Revoked	V. 30, p. 286
92-19-49b	Amended	V. 30, p. 286
92-19-55b	New	V. 30, p. 287
92-19-59	Amended	V. 30, p. 289
92-19-73	Amended	V. 30, p. 289
92-24-23	Amended	V. 29, p. 1633
92-51-25a	New	V. 29, p. 1281

**AGENCY 94: COURT OF TAX APPEALS**

Reg. No.	Action	Register
94-2-1 through 94-2-21		
94-2-21	Revoked	V. 29, p. 1478, 1479
94-3-2	Amended	V. 30, p. 1213
94-5-1 through 94-5-25		
94-5-25	New	V. 29, p. 1479-1485
94-5-8	Amended	V. 30, p. 1213

**Agency 97: COMMISSION ON  
 VETERANS' AFFAIRS**

Reg. No.	Action	Register
97-7-1 through 97-7-6		
97-7-6	New	V. 29, p. 252-254

**AGENCY 99: DEPARTMENT OF  
 AGRICULTURE—DIVISION OF  
 WEIGHTS AND MEASURES**

Reg. No.	Action	Register
99-25-1	Amended	V. 29, p. 1242
99-25-9	Amended	V. 29, p. 1242
99-25-12	New	V. 29, p. 1242

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-11-1	Amended	V. 29, p. 650
100-29-1	Amended	V. 29, p. 598
100-49-4	Amended	V. 29, p. 651
100-55-1	Amended	V. 29, p. 704
100-55-7	Amended	V. 29, p. 651
100-69-12	New	V. 29, p. 704
100-72-2	Amended	V. 29, p. 705
100-73-2	Amended	V. 29, p. 598

**AGENCY 102: BEHAVIORAL SCIENCES  
 REGULATORY BOARD**

Reg. No.	Action	Register
102-2-3	Amended	V. 29, p. 340
102-5-3	Amended	V. 30, p. 371
102-7-1	New (T)	V. 30, p. 986
102-7-2	New (T)	V. 30, p. 987
102-7-3	New (T)	V. 30, p. 987
102-7-4	New (T)	V. 30, p. 990
102-7-4a	New (T)	V. 30, p. 991
102-7-4b	New (T)	V. 30, p. 992
102-7-5	New (T)	V. 30, p. 993
102-7-6	New (T)	V. 30, p. 993
102-7-7	New (T)	V. 30, p. 995
102-7-7a	New (T)	V. 30, p. 995
102-7-8	New (T)	V. 30, p. 996
102-7-9	New (T)	V. 30, p. 996

(continued)

102-7-10	New (T)	V. 30, p. 997
102-2-11	New (T)	V. 30, p. 997
102-7-11a	New (T)	V. 30, p. 999
102-7-12	New (T)	V. 30, p. 999

**AGENCY 105: BOARD OF  
INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-4-1	Amended (T)	V. 29, p. 1338
105-4-1	Amended	V. 29, p. 1506
105-4-2	Amended (T)	V. 30, p. 1086
105-4-3	Amended (T)	V. 30, p. 1086
105-5-2	Amended (T)	V. 29, p. 1339
105-5-2	Amended	V. 29, p. 1506
105-5-3	Amended (T)	V. 29, p. 1339
105-5-3	Amended	V. 29, p. 1506
105-5-6	Amended (T)	V. 29, p. 1339
105-5-6	Amended	V. 29, p. 1506
105-5-7	Amended (T)	V. 29, p. 1339
105-5-7	Amended	V. 29, p. 1507
105-5-8	Amended (T)	V. 29, p. 1340
105-5-8	Amended	V. 29, p. 1507
105-11-1	Amended	V. 29, p. 1507
105-11-1	Amended (T)	V. 30, p. 1086

**AGENCY 108: STATE EMPLOYEES  
HEALTH CARE COMMISSION**

Reg. No.	Action	Register
108-1-1	Amended (T)	V. 29, p. 1340
108-1-1	Amended	V. 30, p. 166
108-1-3	Amended (T)	V. 29, p. 1342
108-1-3	Amended	V. 30, p. 168
108-1-4	Amended (T)	V. 29, p. 1344
108-1-4	Amended	V. 30, p. 170

**AGENCY 109: BOARD OF  
EMERGENCY MEDICAL SERVICES**

Reg. No.	Action	Register
109-1-1a	New (T)	V. 30, p. 138
109-1-1a	New	V. 30, p. 573
109-5-1	Amended (T)	V. 30, p. 138
109-5-1	Amended	V. 30, p. 573
109-5-1a	New (T)	V. 30, p. 139
109-5-1a	New	V. 30, p. 574
109-5-1b	New (T)	V. 30, p. 139
109-5-1b	New	V. 30, p. 574
109-5-1d	New (T)	V. 30, p. 139
109-5-1d	New	V. 30, p. 574
109-5-1e	New (T)	V. 30, p. 139
109-5-1e	New	V. 30, p. 574
109-5-1f	New (T)	V. 30, p. 139
109-5-1f	New	V. 30, p. 574
109-5-3	Amended	V. 29, p. 1282
109-5-4	Revoked	V. 29, p. 113
109-5-5	Amended	V. 30, p. 1154
109-5-7a	New (T)	V. 30, p. 139
109-5-7a	New	V. 30, p. 574
109-5-7b	New (T)	V. 30, p. 140
109-5-7b	New	V. 30, p. 575
109-5-7d	New (T)	V. 30, p. 141
109-5-7d	New	V. 30, p. 576
109-6-1	Amended	V. 29, p. 113
109-6-2	Amended	V. 29, p. 113
109-8-1	Amended (T)	V. 30, p. 141
109-8-1	Amended	V. 30, p. 576
109-9-1	Amended	V. 30, p. 1154
109-9-4	Amended	V. 30, p. 1154
109-10-1a	New (T)	V. 30, p. 141
109-10-1a	New	V. 30, p. 577
109-10-1b	New (T)	V. 30, p. 142
109-10-1b	New	V. 30, p. 577
109-10-1d	New (T)	V. 30, p. 142
109-10-1d	New	V. 30, p. 577
109-10-1e	New (T)	V. 30, p. 142
109-10-1e	New	V. 30, p. 577
109-10-1f	New (T)	V. 30, p. 142
109-10-1f	New	V. 30, p. 577
109-10-1g	New (T)	V. 30, p. 142
109-10-1g	New	V. 30, p. 578
109-10-3	Amended	V. 30, p. 1155
109-10-5	Revoked	V. 30, p. 1155
109-10-6	Amended (T)	V. 30, p. 143
109-10-6	Amended	V. 30, p. 578
109-10-7	New	V. 29, p. 113
109-11-1	Amended	V. 29, p. 1283
109-11-1a	New (T)	V. 30, p. 143
109-11-1a	New	V. 30, p. 578
109-11-3	Amended	V. 29, p. 1284

109-11-3a	New (T)	V. 30, p. 144
109-11-3a	New	V. 30, p. 579
109-11-4	Amended	V. 29, p. 1284
109-11-6	Amended	V. 29, p. 1285
109-11-6a	New (T)	V. 30, p. 144
109-11-6a	New	V. 30, p. 579
109-15-1	Amended	V. 30, p. 1155
109-15-2	Amended	V. 30, p. 1156

**AGENCY 110: DEPARTMENT OF COMMERCE**

Reg. No.	Action	Register
110-4-1		
110-4-1	through	
110-4-5	Amended	V. 30, p. 25-27
110-21-1		
110-21-1	through	
110-21-5	New	V. 30, p. 411-413
110-22-1		
110-22-1	through	
110-22-5	New (T)	V. 30, p. 984, 985

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 Kansas Register. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 Kansas Register. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 Kansas Register. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 Kansas Register. The following regulations were filed after December 1, 2009:

Reg. No.	Action	Register
111-2-30	Amended	V. 29, p. 215
111-2-230	Amended	V. 30, p. 232
111-2-231	Amended	V. 30, p. 233
111-2-232	Amended	V. 29, p. 215
111-2-233	Amended	V. 29, p. 215
111-2-234	New	V. 29, p. 746
111-2-235		
111-2-235	through	
111-2-240	New	V. 29, p. 1214, 1215
111-2-241	New	V. 29, p. 1247
111-2-242	New	V. 29, p. 1247
111-2-243		
111-2-243	through	
111-2-248	New	V. 29, p. 1512, 1513
111-2-247	Amended	V. 30, p. 233
111-2-248	Amended	V. 30, p. 233
111-2-249		
111-2-249	through	
111-2-252	New	V. 30, p. 233, 234
111-2-249	Amended	V. 30, p. 357
111-2-253	New	V. 30, p. 241
111-2-254	New	V. 30, p. 241
111-2-255	Amended	V. 30, p. 358
111-2-256	New	V. 30, p. 1119
111-2-257	New	V. 30, p. 1119
111-2-258	New	V. 30, p. 1182
111-2-259	New	V. 30, p. 1182
111-2-260		
111-2-260	through	
111-2-263	New	V. 30, p. 1238, 1239
111-2-264		
111-2-264	through	
111-2-269	New	V. 30, p. 1271, 1272
111-4-2899		
111-4-2899	through	
111-4-2907	New	V. 29, p. 9-14
111-4-2908		
111-4-2908	through	
111-4-2911	New	V. 29, p. 149-152
111-4-2911a	New	V. 29, p. 152
111-4-2912		
111-4-2912	through	
111-4-2923	New	V. 29, p. 153-157
111-4-2924		
111-4-2924	through	
111-4-2930	New	V. 29, p. 216-222
111-4-2931		
111-4-2931	through	
111-4-2938	New	V. 29, p. 467-473

111-4-2939		
111-4-2939	through	
111-4-2948	New	V. 29, p. 569-575
111-4-2949		
111-4-2949	through	
111-4-2984	New	V. 29, p. 746-769
111-4-2949		
111-4-2949	through	
111-4-2984	New	V. 29, p. 746-769
111-4-2985		
111-4-2985	through	
111-4-2988	New	V. 29, p. 1180-1183
111-4-2989	New	V. 29, p. 1216
111-4-2990	New	V. 29, p. 1217
111-4-2991	New	V. 29, p. 1218
111-4-2992		
111-4-2992	through	
111-4-3011	New	V. 29, p. 1248-1259
111-4-3012		
111-4-3012	through	
111-4-3022	New	V. 29, p. 1513-1522
111-4-3023		
111-4-3023	through	
111-4-3027	New	V. 30, p. 234-237
111-4-3028		
111-4-3028	through	
111-4-3031	New	V. 30, p. 241-243
111-4-3032		
111-4-3032	through	
111-4-3045	New	V. 30, p. 249-258
111-4-3046		
111-4-3046	through	
111-4-3054	New	V. 30, p. 358-364
111-4-3055		
111-4-3055	through	
111-4-3072	New	V. 30, p. 1086-1092
111-4-3073		
111-4-3073	through	
111-4-3081	New	V. 30, p. 1119-1126
111-4-3082		
111-4-3082	through	
111-4-3087	New	V. 30, p. 1147-1152
111-4-3088		
111-4-3088	through	
111-4-3096	New	V. 30, p. 1182-1187
111-4-3097	New	V. 30, p. 1239
111-4-3098	New	V. 30, p. 1240
111-4-3099	New	V. 30, p. 1241
111-4-3100		
111-4-3100	through	
111-4-3116	New	V. 30, p. 1272-1287
111-4-3117		
111-4-3117	through	
111-4-3130	New	V. 30, p. 1308-1319
111-5-175		
111-5-175	through	
111-5-179	New	V. 29, p. 157-159
111-5-180		
111-5-180	through	
111-5-194	New	V. 29, p. 222-228
111-5-181	Amended	V. 29, p. 1522
111-5-184	Amended	V. 29, p. 1523
111-5-186	Amended	V. 29, p. 1524
111-5-194	Amended	V. 29, p. 1525
111-5-195		
111-5-195	through	
111-5-199	New	V. 30, p. 1093, 1094
111-5-200		
111-5-200	through	
111-5-205	New	V. 30, p. 1127-1130
111-7-75	Amended	V. 30, p. 1287
111-7-243		
111-7-243	through	
111-7-248	New	V. 30, p. 259, 260
111-9-162	New	V. 29, p. 229
111-9-163	New	V. 29, p. 229
111-9-164	New	V. 29, p. 230
111-9-165	New	V. 29, p. 769
111-9-166	New	V. 29, p. 1184
111-9-167	New	V. 29, p. 1526
111-9-168	New	V. 29, p. 1526
111-9-169	New	V. 29, p. 1527
111-9-170	New	V. 30, p. 261
111-9-171	New	V. 30, p. 1095
111-9-172	New	V. 30, p. 1095
111-9-173	New	V. 30, p. 1153
111-15-1	Amended	V. 30, p. 238
111-15-3	Amended	V. 30, p. 365



111-201-1 through		
111-201-17	New	V. 29, p. 73-79
111-301-1 through		
111-301-6	New	V. 29, p. 79, 80
111-301-6	Amended	V. 30, p. 1243
111-301-7 through		
111-301-12	New	V. 30, p. 244-248
111-301-11	Amended	V. 30, p. 1189
111-301-13 through		
111-301-20	New	V. 30, p. 366-368
111-301-21 through		
111-301-31	New	V. 30, p. 1288, 1289
111-302-1 through		
111-302-6	New	V. 29, p. 82-86
111-302-4	Amended	V. 30, p. 249
111-303-1 through		
111-303-5	New	V. 29, p. 87-89
111-303-3	Amended	V. 30, p. 1244
111-303-4	Amended	V. 30, p. 1244
111-303-5	Amended	V. 30, p. 1245
111-304-1 through		
111-304-6	New	V. 29, p. 89-91
111-305-1 through		
111-305-6	New	V. 29, p. 474, 475
111-305-2	Amended	V. 30, p. 1289
111-305-5	Amended	V. 30, p. 1290
111-305-6	Amended	V. 30, p. 1290
111-306-1 through		
111-306-6	New	V. 29, p. 1185-1187
111-306-4	Amended	V. 29, p. 1260
111-306-6	Amended	V. 29, p. 1219
111-307-1 through		
111-307-7	New	V. 29, p. 1189-1191
111-307-4	Amended	V. 30, p. 1246
111-307-6	Amended	V. 30, p. 1246
111-307-7	Amended	V. 30, p. 1247
111-308-1 through		
111-308-7	New	V. 29, p. 1261-1263
111-309-1 through		
111-309-6	New	V. 29, p. 1528-1530
111-310-1 through		
111-310-6	New	V. 29, p. 1530-1532
111-311-1 through		
111-311-7	New	V. 29, p. 1532-1535
111-312-1 through		
111-312-8	New	V. 30, p. 239, 240
111-312-3	Amended	V. 30, p. 1248
111-312-5	Amended	V. 30, p. 1248
111-312-6	Amended	V. 30, p. 1248

111-312-7	Amended	V. 30, p. 1096
111-312-8	Amended	V. 30, p. 1249

**AGENCY 112: RACING AND GAMING COMMISSION**

Reg. No.	Action	Register
112-101-6	Amended	V. 30, p. 290
112-102-8	Amended	V. 30, p. 290
112-103-2	Amended	V. 30, p. 291
112-103-4	Amended	V. 30, p. 292
112-103-5	Amended	V. 30, p. 292
112-103-8	Amended	V. 30, p. 292
112-103-15	Amended	V. 30, p. 292
112-104-1	Amended	V. 30, p. 293
112-104-8	Amended	V. 30, p. 294
112-104-13	Amended	V. 30, p. 295
112-104-14	Amended	V. 30, p. 297
112-104-15	Amended	V. 30, p. 297
112-104-16	Amended	V. 30, p. 298
112-104-32	Amended	V. 30, p. 300
112-105-1	Amended	V. 30, p. 301
112-105-2	Amended	V. 30, p. 301
112-105-3	Amended	V. 30, p. 301
112-106-1	Amended	V. 30, p. 301
112-106-2	Amended	V. 30, p. 303
112-106-5	Amended	V. 30, p. 303
112-106-6	Amended	V. 30, p. 304
112-107-3	Amended	V. 30, p. 304
112-107-5	Amended	V. 30, p. 307
112-107-10	Amended	V. 30, p. 308
112-107-21	Amended	V. 30, p. 309
112-107-22	Amended	V. 30, p. 310
112-108-18	Amended	V. 30, p. 311
112-108-36	Amended	V. 30, p. 312
112-108-55	Amended	V. 30, p. 313
112-110-3	Amended	V. 30, p. 313
112-112-1	Amended	V. 30, p. 314
112-112-3	Amended	V. 30, p. 314
112-112-4	Amended	V. 30, p. 314
112-112-7	Amended	V. 30, p. 315
112-112-9	Amended	V. 30, p. 315

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

Reg. No.	Action	Register
115-1-1	Amended	V. 30, p. 943
115-2-1	Amended	V. 29, p. 1602
115-2-2	Amended	V. 30, p. 331
115-2-3	Amended	V. 30, p. 331
115-2-3a	Revoked	V. 30, p. 1180
115-4-2	Amended	V. 29, p. 408
115-4-4	Amended	V. 29, p. 658
115-4-4a	Amended	V. 29, p. 659
115-4-6	Amended	V. 29, p. 409
115-4-6b	New	V. 30, p. 332
115-4-11	Amended	V. 30, p. 332
115-5-1	Amended	V. 30, p. 944
115-5-2	Amended	V. 30, p. 945
115-7-1	Amended	V. 29, p. 1606
115-7-8	Revoked	V. 29, p. 1607
115-7-9	Amended	V. 30, p. 536
115-8-1	Amended	V. 29, p. 1092
115-8-13	Amended	V. 30, p. 1180
115-16-3	Amended	V. 30, p. 1180

115-16-5	Amended	V. 30, p. 334
115-18-7	Amended	V. 29, p. 659
115-18-20	Amended	V. 29, p. 1608
115-20-7	New	V. 29, p. 659

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-2-1	Amended	V. 29, p. 412
117-2-2	Amended	V. 29, p. 413
117-3-1	Amended	V. 29, p. 414
117-3-2	Amended	V. 29, p. 415
117-4-1	Amended	V. 29, p. 416
117-4-2	Amended	V. 29, p. 417
117-6-1	Amended	V. 29, p. 656
117-6-3	Amended	V. 29, p. 656
117-7-1	Amended	V. 30, p. 92
117-8-1	Amended	V. 29, p. 418

**AGENCY 120: KANSAS HEALTH POLICY AUTHORITY (FORMERLY HEALTH CARE DATA GOVERNING BOARD)**

Reg. No.	Action	Register
120-1-2	Revoked	V. 30, p. 1024

**AGENCY 121: DEPARTMENT OF CREDIT UNIONS**

Reg. No.	Action	Register
121-10-1	Amended	V. 29, p. 675

**AGENCY 123: JUVENILE JUSTICE AUTHORITY**

Reg. No.	Action	Register
123-2-111	New (T)	V. 29, p. 1115
123-2-111	New	V. 29, p. 1415

**AGENCY 129: KANSAS HEALTH POLICY AUTHORITY**

Reg. No.	Action	Register
129-5-118	Amended	V. 29, p. 293
129-5-118a	New	V. 29, p. 294
129-5-118b	Amended	V. 29, p. 296
129-10-31	New	V. 30, p. 92

**AGENCY 130: HOME INSPECTORS REGISTRATION BOARD**

Reg. No.	Action	Register
130-1-2	New (T)	V. 29, p. 38
130-1-2	New	V. 29, p. 567
130-1-3	New (T)	V. 29, p. 38
130-1-3	New	V. 29, p. 567
130-1-4	Amended	V. 29, p. 567
130-3-1	New (T)	V. 29, p. 38
130-3-1	New	V. 29, p. 568
130-4-1	New (T)	V. 29, p. 39
130-4-1	New	V. 29, p. 794
130-4-2	New (T)	V. 29, p. 39
130-4-2	New	V. 29, p. 794
130-5-2	New	V. 29, p. 569

**AGENCY 131: COMMITTEE ON SURETY BONDS AND INSURANCE**

Reg. No.	Action	Register
131-1-1	New	V. 30, p. 195



**UNITED STATES  
POSTAL SERVICE®**

**Statement of Ownership, Management, and Circulation  
(All Periodicals Publications Except Requester Publications)**

1. Publication Title Kansas Register		2. Publication Number 0 6 6 2 - 1 9 0		3. Filing Date Sept. 29, 2011
4. Issue Frequency Weekly		5. Number of Issues Published Annually 52 plus annual index		6. Annual Subscription Price \$80.00
7. Complete Mailing Address of Known Office of Publication (Not printer) (Street, city, county, state, and ZIP+4®) Kansas Secretary of State, 1st Floor, Memorial Hall, 120 SW 10th Ave., Topeka, Shawnee County, Kansas 66612-1594				Contact Person Nancy Reddy Telephone (Include area code) 785-296-3489

8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer)  
same as above

9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank)  
 Publisher (Name and complete mailing address)  
 Kris W. Kobach, Kansas Secretary of State, 1st Floor, Memorial Hall,  
 120 SW 10th Ave., Topeka, KS 66612-1594

Editor (Name and complete mailing address)  
 Nancy R. Reddy, Legal Publications Division, 1st Floor, Memorial Hall,  
 120 SW 10th Ave., Topeka, KS 66612-1594

Managing Editor (Name and complete mailing address)  
 same as above

10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.)

Full Name	Complete Mailing Address
Kansas Secretary of State	1st Floor, Memorial Hall 120 SW 10th Ave., Topeka, KS 66612-1594

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box  None

Full Name	Complete Mailing Address

12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates) (Check one)  
 The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes:  
 Has Not Changed During Preceding 12 Months  
 Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)

13. Publication Title <p style="text-align: center;">Kansas Register</p>		14. Issue Date for Circulation Data Below <p style="text-align: center;">Sept. 29, 2011</p>		
15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date	
a. Total Number of Copies ( <i>Net press run</i> )				
b. Paid Circulation ( <i>By Mail and Outside the Mail</i> )	(1)	Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	250	250
	(2)	Mailed In-County Paid Subscriptions Stated on PS Form 3541 ( <i>Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies</i> )	110	102
	(3)	Paid Distribution Outside the Mails Including Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Paid Distribution Outside USPS®	35	35
	(4)	Paid Distribution by Other Classes of Mail Through the USPS (e.g. First-Class Mail®)	5	4
c. Total Paid Distribution ( <i>Sum of 15b (1), (2), (3), and (4)</i> )		150	141	
d. Free or Nominal Rate Distribution ( <i>By Mail and Outside the Mail</i> )	(1)	Free or Nominal Rate Outside-County Copies included on PS Form 3541	13	13
	(2)	Free or Nominal Rate In-County Copies Included on PS Form 3541		
	(3)	Free or Nominal Rate Copies Mailed at Other Classes Through the USPS (e.g. First-Class Mail)		
	(4)	Free or Nominal Rate Distribution Outside the Mail ( <i>Carriers or other means</i> )	10	10
e. Total Free or Nominal Rate Distribution ( <i>Sum of 15d (1), (2), (3) and (4)</i> )		23	23	
f. Total Distribution ( <i>Sum of 15c and 15e</i> )		173	164	
g. Copies not Distributed ( <i>See Instructions to Publishers #4 (page #3)</i> )		77	86	
h. Total ( <i>Sum of 15f and g</i> )		250	250	
i. Percent Paid ( <i>15c divided by 15f times 100</i> )		87%	86%	

16. Publication of Statement of Ownership

If the publication is a general publication, publication of this statement is required. Will be printed in the Oct. 6, 2011 issue of this publication.  Publication not required.

17. Signature and Title of Editor, Publisher, Business Manager, or Owner <p style="text-align: center;">Nancy R. Reddy, Kansas Register Director</p>	Date <p style="text-align: center;">Sept. 29, 2011</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

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

---