



# Kansas Register

Chris Biggs, Secretary of State

Vol. 29, No. 14

April 8, 2010

Pages 445-488

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## State of Kansas

## Historic Sites Board of Review

## Notice of Meeting

The Kansas Historic Sites Board of Review will meet at 9 a.m. Saturday, May 8, in the classrooms in the Kansas Museum of History, 6425 S.W. 6th Ave., Topeka. The board will consider the following items concerning the National Register of Historic Places and the Register of Historic Kansas Places:

**Nominations to the National Register of Historic Places****Council Grove Downtown Historic District —**

Council Grove, Morris County

**Gates Funeral Home —** 1901 Olathe Blvd., Kansas City, Wyandotte County

**North Market Street Apartments Historic District —**

718, 722 and 730 N. Market St., Wichita, Sedgwick County (Nominated as part of the "Residential Resources of Wichita — 1870-1957" MPS)

**Strasser House —** 326 Laramie St., Manhattan, Riley County (Nominated as part of the "Late 19th Century Vernacular Stone Houses in Manhattan" MPS)

**Gordon Building —** 900 and 904 S. Kansas Ave., Topeka, Shawnee County

**Hjerpe Grocery —** 110 and 112 N. Main, Lindsborg, McPherson County

**Wherrett-Mize Drug Company Building —** 201 Main St., Atchison, Atchison County

**Wilson House —** 205 N. Pershing, Wichita, Sedgwick County (Nominated as part of the "Residential Resources of Wichita — 1870-1957" MPS)

**Krehbiel & Co. Carriage Factory —** 128-130 E. 6th St., Newton, Harvey County

**St. Paul's Episcopal Church —** 200 N. 7th St., Leavenworth, Leavenworth County

**Christ Cathedral —** 138 S. 8th St., Salina, Saline County

**Hollinger Farm —** 2250 2100 Ave., Chapman vicinity, Dickinson County

**Shaft House —** 1682 FP Road, Cedar Point, Chase County

**Bierer House —** 410 N. 7th St., Hiawatha, Brown County

**Stevenson House —** 2012 N St., Belleville, Republic County

**Beamer Barn —** 2931 CR 18, Oakley vicinity, Gove County (Nominated as part of the "Historic Agriculture-Related Resources of Kansas" MPS)

Anyone requiring special accommodations to attend the meeting should contact the Cultural Resources Division of the Kansas State Historical Society, 6425 S.W. 6th Ave., Topeka, 66615-1099, (785) 272-8681, ext. 240, at least two weeks prior to the meeting to discuss how the board can ensure participation.

Jennie Chinn  
Executive Director

Doc. No. 038196

## State of Kansas

## Legislature

## Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced March 25-31 by the 2010 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 58-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at [www.kslegislature.org](http://www.kslegislature.org).

## House Bills

**HB 2747**, An act concerning taxation; relating to amnesty from assessment or payment of penalties and interest with respect to certain taxes; requirements and procedures, by Committee on Taxation.

## House Resolutions

**HR 6036**, A resolution requiring the Attorney General of the State of Kansas to bring an action challenging the constitutionality of the Federal health care reform package.

**HR 6037**, A resolution designating April 5-11, 2010, as National Public Health Week in Kansas.

## Senate Bills

**SB 585**, An act concerning state officers; relating to salaries and compensation; amending K.S.A. 46-1102, 75-3120f, 75-3212 and 75-3223 and K.S.A. 2009 Supp. 40-102, 46-137a, 46-137b, 75-3101, 75-3103, 75-3104, 75-3108, 75-3110, 75-3120g, 75-3120h, 75-3120k and 75-7427 and repealing the existing sections, by Ways and Means.

## Senate Concurrent Resolutions

**SCR 1630**, A concurrent resolution supporting participation with the State of Colorado in the Pierre Auger Observatory project proposed to be built in Colorado; providing for formation of a task force to lead the Kansas effort in collaboration with Colorado.

## Senate Resolutions

**SR 1856**, A resolution recognizing Geary County and Junction City in their observance of Vietnam Veterans Day and the 40th anniversary of the 1st Infantry Division's return to Kansas.

**SR 1857**, A resolution congratulating and commending the Norton Community High School wrestling team and Coach Bill Johnson for winning the 2010 Class 3-2-1A state wrestling championship.

**SR 1858**, A resolution congratulating and commending the Greeley County High School boys Cross Country team for winning the 2009 1A State Championship.

**SR 1859**, A resolution congratulating and commending the Greeley County High School girls Cross Country team for winning the 2009 1A State Championship.

**SR 1860**, A resolution congratulating and commending Smith Center football coach Roger Barta for the 300th win of his career.

**SR 1861**, A resolution congratulating and commending the Thomas More Prep-Marian girls' basketball team for winning their first Class 3A State Basketball Championship and for breaking a school record by winning 24 games in a row.

**SR 1862**, A resolution designating April 5-11, 2010 as National Public Health Week in Kansas.

**SR 1863**, A resolution congratulating and commending Bill McCarter upon his retirement from the City of Topeka public works department.

**SR 1864**, A resolution congratulating and commending Ray Woods of Independence, Kansas, for being the most-traveled citizen in Montgomery County.

**SR 1865**, A resolution memorializing the 75th Anniversary of "Black Sunday," April 14, 1935, during the Dust Bowl in Kansas.

Doc. No. 038170

## State of Kansas

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

The Kansas Children's Cabinet and Trust Fund will conduct a board meeting from 9 a.m. to 1 p.m. Thursday, April 15, in room Marvin 101A at the Topeka-Shawnee County Public Library, 1515 S.W. 10th Ave., Topeka. For more information, contact Dyogga Adegbore, Program Consultant, at (785) 368-7044.

Jim Redmon  
Executive Director

Doc. No. 038182

## State of Kansas

**State Corporation Commission****Notice of Hearing on Proposed  
Administrative Regulations**

The State Corporation Commission will conduct a public hearing at 8:30 a.m. Thursday, June 10, in the first floor hearing room at the office of the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, to consider proposed rules and regulations of the commission on a permanent basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Matthew A. Spurgin, Litigation Counsel, State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, 66604, or at m.spurgin@kcc.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit the time of any oral presentation. More information may be available on the commission's Web site, www.kcc.ks.gov. A copy of the proposed regulations also is available on the Web site.

Any individual with a disability may request accommodations in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Ruth Moses at (785) 271-3165 or the Kansas Relay Center at (800) 776-3777. Accessible parking and entrance are available at the commission offices.

A summary of the proposed regulations and economic impact follows:

**Article 17.—NET METERING**

**K.A.R. 82-17-1, Definitions; K.A.R. 82-17-2, Utility requirements pursuant to the act; K.A.R. 82-17-3, Tariff requirements; K.A.R. 82-17-4, Reporting requirements; K.A.R. 82-17-5, Renewable energy credit program.** These regulations are new provisions required by the 2009 Net Metering and Easy Connection Act, K.S.A. 2009 Supp. 66-1263 et seq. The proposed regulations provide guidance

for the implementation of net metering and the interconnection of investor-owned utilities customers who have generation facilities operating in parallel with the utility distribution system allowing those customer-generators to exchange energy with the utility company.

Susan K. Duffy  
Executive Director

Doc. No. 038184

## State of Kansas

**Board of Regents****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted from 2 to 4 p.m. Wednesday, June 9, in the Board of Regents' board room, 1000 S.W. Jackson, Suite 520, Topeka, to consider the proposed amendments to the regulation dealing with the residency of persons who may take the general equivalency diploma (GED) test in Kansas.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comment on the proposed regulation. All interested parties may submit written comments prior to the hearing to Crystal Puderbaugh, Kansas Board of Regents, 1000 S.W. Jackson, Suite 520, Topeka, 66612-1368. All interested parties will be given a reasonable opportunity to present their views orally on the amendments of the regulation during the hearing.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Crystal Puderbaugh at (785) 291-3038.

Copies of the amendments and the economic impact statements may be found at <http://www.kansasregents.org/institutions/career/index.html> or obtained by contacting Crystal Puderbaugh at the above listed contact information. A summary of the proposed regulation and the economic impact follows:

**K.A.R. 88-24-1** establishes residency for persons allowed to take the GED test in the state of Kansas. The proposed amendment will allow persons who do not live in Kansas to take the GED test. This will allow testing in Kansas of those persons who may live in border states or who may be taking their GED training classes in Kansas.

There is no anticipated economic impact on the board, as its duties will not expand with the promulgation of the amendment to this regulation. There is no anticipated economic impact upon other governmental agencies or entities, or Kansas citizens. Individuals who take the GED test pay a fee to the testing center giving the test. Thus, there will be a neutral economic impact upon those entities that provide the testing.

Reginald L. Robinson  
President and CEO

Doc. No. 038180

**State of Kansas  
Pooled Money Investment Board**

**Notice of Investment Rates**

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 2009 Supp. 12-1675(b)(c)(d) and K.S.A. 2009 Supp. 12-1675a(g).

**Effective 4-5-10 through 4-11-10**

Term	Rate
1-89 days	0.17%
3 months	0.14%
6 months	0.25%
1 year	0.51%
18 months	0.84%
2 years	1.10%

Elizabeth B.A. Miller  
Director of Investments

Doc. No. 038175

**State of Kansas  
Department of Agriculture**

**Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 10 a.m. Thursday, June 10, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of proposed regulations.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Agriculture, 109 S.W. 9th, 4th Floor, Topeka, 66612, or by e-mail at [leslie.garner@kda.ks.gov](mailto:leslie.garner@kda.ks.gov). Comments also may be made through the department’s Web site at <http://www.ksda.gov>, under the proposed regulation. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

These regulations are proposed for adoption on a permanent basis. A summary of the proposed regulations and their economic impact follows:

**K.A.R. 4-13-25** adds a definition for “static pressure”; clarifies the definitions of “bulk pesticide” “discharge” “owner or operator” and “secondary containment”; and removes the definitions for “inspection port” “primary containment” and “reportable event.”

**K.A.R. 4-13-25b** adds criteria quantities for dry and liquid bulk pesticides stored, held, or maintained at a facility at any time.

**K.A.R. 4-13-25c** clarifies construction of a bulk pesticide storage facility to protect appurtenances and containers from damage and protection of dry bulk pesticide from precipitation.

**K.A.R. 4-13-25d** clarifies construction of secondary containment, procedures to empty sump or other specific point of recovery, and prohibition of penetrations through floor or walls.

**K.A.R. 4-13-25e** clarifies procedures to empty sump or other specific point of recovery in mixing and loading pads and adds a requirement restricting specific activities to mixing and loading pads.

**K.A.R. 4-13-25f** clarifies securing of valves and on-site operator attending transfers.

**K.A.R. 4-13-25g** removes the requirement to notify the secretary within 48 hours when any container, appurtenance, or secondary containment is taken out of service due to a discovered defect.

**K.A.R. 4-13-25h** clarifies the requirement for secondary containment plan submission.

**K.A.R. 4-13-25i** is revoked because the secondary containment step-wise implementation compliance dates have long passed.

**K.A.R. 4-13-25j** changes bulk pesticide storage and secondary containment inspection frequency from six months to monthly and clarifies response options to discovery of defects.

**K.A.R. 4-13-25k** changes “Kansas department of agriculture” to “secretary” for clarification and consistency.

**K.A.R. 4-13-25l** adds civil penalty enforcement option for pesticide business licensees and pesticide dealers who don’t comply with containment requirements.

**K.A.R. 4-13-25m** is a new regulation addressing the change in owner or operator of a bulk pesticide storage facility.

**Economic Impact Statement:** The simplified procedure for changing the owner or operator of a bulk pesticide facility is expected to consume fewer resources and result in faster processing times. The overall impact on the regulated community is anticipated to be a cost savings. Establishing a procedure for transfer of secondary containment facilities will save the costs and efforts associated with current requirement — which is for new owners of facilities to start the application process from the beginning. The increased inspection frequency may increase operational costs if less frequent inspections are currently being performed, but the early identification of defects should reduce repair/maintenance costs.

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

Copies of the regulations and their economic impact statements may be obtained by contacting Leslie Garner or by accessing the department’s Web site at <http://www.ksda.gov>.

Joshua Svaty  
Acting Secretary of Agriculture

Doc. No. 038179

## State of Kansas

## Department of Agriculture

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted at 9 a.m. Thursday, June 10, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of proposed regulations.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Agriculture, 109 S.W. 9th, 4th Floor, Topeka, 66612, or by e-mail at [leslie.garner@kda.ks.gov](mailto:leslie.garner@kda.ks.gov). Comments also may be made through the department's Web site at <http://www.ksda.gov>, under the proposed regulation. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

These regulations are proposed for adoption on a permanent basis. A summary of the proposed regulations and their economic impact follows:

**K.A.R. 4-7-213.** The proposal updates references to the current United States Department of Agriculture recommended requirements titled "Milk for Manufacturing Purposes and its Production and Processing."

**K.A.R. 4-7-716.** The proposal updates the references to the current Grade A Pasteurized Milk Ordinance, the current Methods of Making Sanitation Ratings of Milk Shippers, the current Procedures governing the Cooperative State-Public Health Service/Food and Drug Administration Program of the National Conference on Interstate Milk Shipments, and the current Evaluation of Milk Laboratories document. All of these documents are the standards used by the United States dairy regulatory agencies in enforcing milk and dairy sanitation. The updates to these adoptions by reference do not change the scope or intent of the regulation.

Economic Impact Statement: There is no direct or indirect costs anticipated.

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

Copies of the regulations and their economic impact statements may be obtained by contacting Leslie Garner or by accessing the department's Web site at <http://www.ksda.gov>.

Joshua Svaty  
Acting Secretary of Agriculture

Doc. No. 038178

## State of Kansas

## Department of Administration

## Public Notice

Under requirements of K.S.A. 2009 Supp. 65-34,117(c), records of the Division of Accounts and Reports show the unobligated balances are \$4,434,892.01 in the underground petroleum storage tank release trust fund and \$1,807,922.18 in the aboveground petroleum storage tank release trust fund at March 31, 2010.

Duane Goossen  
Secretary of Administration

Doc. No. 038191

## State of Kansas

## Wichita State University

## Notice to Bidders

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

Steve White  
Director of Purchasing

Doc. No. 037745

## State of Kansas

## University of Kansas

## Notice to Bidders

The University of Kansas encourages interested vendors to visit the University of Kansas Purchasing Services Web site at <http://www.purchasing.ku.edu/> for a complete listing of all transactions for which KU Purchasing Services, or one of the consortia commonly utilized by KU, is issuing requests for proposals, solicitations, bids or information. **This includes requests for proposals, solicitations and bids for University of Kansas construction projects, including requests relating to consulting and design services.** Paper postings of KU Purchasing Services bid transactions may be viewed at the Purchasing Services office located at 1246 W. Campus Road, Room 5, Lawrence, 66045, or persons may contact Purchasing Services at (785) 864-3790, by fax at (785) 864-3454, or by e-mail at [purchasing@ku.edu](mailto:purchasing@ku.edu) to request a copy of a current bid.

Barry K. Swanson  
Director of Purchasing and  
Strategic Sourcing

Doc. No. 037757

State of Kansas

**Kansas State University**

**Notice to Bidders**

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

Carla Bishop  
Director of Purchasing

Doc. No. 037624

State of Kansas

**Governmental Ethics Commission**

**Opinion No. 2010-04**

Written March 24, 2010, to Pam Tennison Rindt, Topeka.

This opinion is in response to your letter of February 6, 2010, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the state governmental ethics laws, K.S.A. 46-215 et seq. We note at the outset that the Commission's jurisdiction concerning your question is limited to the application of K.S.A. 46-215 et seq., and whether some other statute, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

**Factual Statement:**

You are currently employed as an Environmental Scientist II for the Kansas Department of Transportation (KDOT). You plan to start an environmental consulting business (Habitat Analysis) to provide wetland delineations, stream and other habitat assessments, and threatened and endangered species habitat reviews. Your business will also provide guidance regarding mitigation site selection and design for wetlands, streams and endangered or threatened species. You may also obtain Corps of Engineers 404 permits, Kansas Department of Wildlife and Parks (KDWP) wildlife permits and provide consultation with other agencies that regulate wetlands, streams and threatened or endangered species in the business. You plan to provide these services to engineering firms, contractors, landowners, individuals and other entities who are interested in your services. Your proposed and current job description involves KDOT projects only.

**Question:**

You ask whether it is permissible for you to start an environmental consulting business while still employed with the State of Kansas.

**Opinion:**

Three statutes apply to the questions you have raised: K.S.A. 2009 Supp. 46-233, which concerns state agencies contracting with employee's businesses; K.S.A. 46-235,

which governs restrictions on compensation of state officers and employees; and K.S.A. 46-241, which involves the use of confidential information gained in employment with the State. Each will be addressed in turn.

K.S.A. 2009 Supp. 46-233, states in pertinent part:

(a)(1) No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed...

(e) (2) "Substantially involved in the preparation or participate in the making of a contract" means having approved or disapproved a contract or having provided significant factual or specific information or advice or recommendations in relation to the negotiated terms of the contract.

In order to comply with this statute, you may not, in your capacity with KDOT, be substantially involved in preparing any negotiated contract or participate in the making of any negotiated contract between the State and Habitat Analysis. Should the occasion arise that KDOT would contract with Habitat Analysis, you must abstain from any participation on behalf of KDOT in the making of that contract.

K.S.A. 46-235 provides:

No state officer or employee shall accept compensation for performance of official duties, other than that to which such person is entitled for such performance. No person shall pay or offer to pay any state officer or employee any compensation for performance of official duties, except a state officer or employee performing official duties in making payments to state officers and employees.

Pursuant to this statute, a state employee may not receive compensation for providing services which include duties that he or she is obligated to perform as part of his or her official duties as a state employee.

K.S.A. 46-241 states:

No state officer or employee shall disclose or use confidential information acquired in the course of his or her official duties in order to further his or her own economic interest or those of any other person.

This section is self-explanatory. Confidential information obtained during your official duties with the State may not be used for your financial gain or the financial gain of another.

In conclusion, you may not be substantially involved in the making of a contract between your employer, KDOT, and your business. Pursuant to K.S.A. 46-235, so long as your work is not duplicative of your current State duties, you would not be prohibited from establishing your own environmental consulting business. Finally, confidential information obtained during your official duties with the State may not be used for your financial gain or the financial gain of another.

Sabrina K. Standifer  
Chairwoman

Doc. No. 038171

## State of Kansas

## Department of Wildlife and Parks

## Public Notice

The Kansas Department of Wildlife and Parks is proposing to purchase a tract of land in Labette County. The parcel consists approximately 537.18 acres described as Sections 33 and 34, Township 31 South, Range 20 East, Labette County, Kansas and Sections 3 and 4, Township 32 South, Range 20 East, Labette County, Kansas. The appraised value is approximately \$711,000. The purchase price shall be \$600,000. Purchase would be funded in part

from Federal Aid in Wildlife Restoration funds from the Fish and Wildlife Service, Department of Interior (CFDA #15.611). This tract shall be known as Parsons Wildlife Area and payment shall be made in lieu of taxes.

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

J. Michael Hayden  
Secretary of Wildlife and Parks

Doc. No. 038189

## State of Kansas

Office of Judicial Administration  
Court of Appeals Docket

Kansas Court of Appeals  
Court of Appeals Courtroom  
2nd Floor, Kansas Judicial Center  
301 S.W. 10th Ave.  
Topeka, Kansas

Before Rulon, C.J., Greene, J., and Larson, S.J.

Monday, April 19, 2010

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<b>101,766</b> Donald R. Rucker and Barbara L. Rucker, Appellees v. Earl R. Delay and Leah Griffith Delay, et al., Appellants	Alan C. Goering Richard N. Raleigh	Barber
<b>101,268</b> Michael S. O'Shields, Appellant v. State of Kansas, Appellee	Ryan Eddinger, A.D. Steve Six, A.G. Tiana McElroy, Asst. C.A.	Montgomery
<b>100,911</b> Advance Insurance Company of Kansas, Plaintiff v. The Topeka Rescue Mission, et al., Defendant, Appellee, Appellant v. Kalen M. Ireland, et al., Appellees	James E. Kunce James A. Thompson	Shawnee
<b>101,451</b> State of Kansas, Appellee v. Ernest Lee Taylor, Appellant	Steve Six, A.G. Chadwick J. Taylor, D.A. Natalie Chalmers, Asst. D.A. Rachel L. Pickering, A.D.	Shawnee
<b>101,767</b> In the Matter of the Estate of Bernice E. Boucek, Deceased	Larry G. Michel Karen Q. Couch David R. Klaassen Robert A. Martin	Ottawa
<b>101,769</b> State of Kansas, Appellee v. Ramona I. Morgan, Appellant	Steve Six, A.G. Charles E. Branson, D.A. Nicole Romine, Asst. D.A. Ryan Eddinger, A.D.	Douglas

1:30 p.m.



**Kansas Court of Appeals  
Supreme Court Courtroom  
3rd Floor, Kansas Judicial Center  
301 S.W. 10th Ave.  
Topeka, Kansas**

**Before Hill, P.J., Green and Standridge, JJ.**

**Monday, April 19, 2010**

**9:00 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
<b>102,579</b> Westar Energy, Inc., Appellant v. David C. Wittig, Appellee	Charles W. German Kirt T. May Jason M. Hans Jeffrey D. Morris Jeremy S. Weis Nick J. Kurt Kirk A. Peterson	Shawnee
<b>102,746</b> David C. Wittig, Appellant v. Westar Energy, Inc., Appellee	Nick J. Kurt Jeffrey D. Morris Kirk A. Peterson Jeremy S. Weis Charles W. German Jason M. Hans Kirk T. May	Shawnee
<b>102,619</b> John Kotnour, Appellee v. City of Overland Park, Appellant	James E. Martin Kip A. Kubin	Work. Comp.
<b>1:30 p.m.</b>		
<b>101,647</b> Iron Mound, LLC, Appellant v. Nueterra Healthcare Management, LLC, Successor-In- Interest of ASC Group, LLC, Appellee	Jeffery L. Carmichael Scott C. Nehrbass	Riley
<b>102,402</b> Steven R. Wilson and Beverly A. Wilson, Appellants v. Farmers Insurance Exchange, et al., Appellees	L. J. Leatherman Dustin L. Van Dyk Michael A. Childs Michael D. Townsend	Shawnee
<b>101,434</b> Damian L. Vontress, Appellant v. State of Kansas, Appellee	Lydia Krebs, A.D. Steve Six, A.G. Ellen Mitchell, C.A.	Saline

**Kansas Court of Appeals  
Court of Appeals Courtroom  
2nd Floor, Kansas Judicial Center  
301 S.W. 10th Ave.  
Topeka, Kansas**

**Before Caplinger, P.J., Pierron, J., and Brazil, S.J.**

**Tuesday, April 20, 2010**

**9:00 a.m.**

<b>101,273</b> State of Kansas, Appellee v. Gary N. Milligan, Appellant	Steve Six, A.G. Nola Foulston, D.A. Matt J. Maloney, Asst. D.A. Matthew J. Edge, A.D.	Sedgwick
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*(continued)*

<p><b>100,902</b> Raton Shaha, Appellant v. State of Kansas, Appellee</p>	<p>Michael P. Whalen Steve Six, A.G. Nola Foulston, D.A. Lesley A. Isherwood, Asst. D.A.</p>	<p>Sedgwick</p>
<p><b>101,668</b> State of Kansas, Appellee v. Christy M. Shaffer, Appellant</p>	<p>Steve Six, A.G. Nola Foulston, D.A. Matt J. Maloney, Asst. D.A. Randall L. Hodgkinson, A.D.</p>	<p>Sedgwick</p>
<b>1:30 p.m.</b>		
<p><b>102,103</b> State of Kansas, Appellee v. Lynn Wolverton, Appellant</p>	<p>Steve Six, A.G. Jill E. Chard, C.A. Patrick H. Dunn, A.D.</p>	<p>Wilson</p>
<p><b>101,835</b> State of Kansas, Appellee v. Brady Colter, Appellant</p>	<p>Steve Six, A.G. James H. Herd, C.A. Sarah Bootes Shattuck Linda L. Eckelman</p>	<p>Comanche</p>
<p><b>100,681</b> State of Kansas, Appellee v. Michael Bates, Appellant</p>	<p>Steve Six, A.G. Nola Foulston, D.A. Lesley A. Isherwood, Asst. D.A. Michelle Davis, A.D.</p>	<p>Sedgwick</p>

**Kansas Court of Appeals  
Johnson County Community College  
12345 College Blvd., GEB Room 233  
Overland Park, Kansas  
Before McAnany, P.J., Buser and Leben, JJ.  
Tuesday, April 20, 2010**

**9:00 a.m.**

Case No. / Case Name	Attorneys	Jurisdiction
<p><b>101,600</b> State of Kansas, Appellee v. Dwight Preston Woolridge, Sr., Appellant</p>	<p>Steve Six, A.G. Stephen M. Howe, D.A. Steven J. Obermeier, Asst. D.A. Michelle Davis, A.D.</p>	<p>Johnson</p>
<p><b>101,444</b> Garry Raskin, et al., Appellants v. Altamira, L.L.C. , et al., Appellees</p>	<p>Kent T. Perry Gregory M. Dennis Eric T. Swanson Angela D. Lucas John J. Gates Lee M. Baty Theresa A. Otto Bradley C. Nielsen Jerome V. Bales Ryan D. O'Dell R. Scott Beeler Jennifer M. Hannah Michael K. Corbin</p>	<p>Johnson</p>
<p><b>100,643</b> State of Kansas, Appellee v. Cesar Lopez-Martinez, Appellant</p>	<p>Steve Six, A.G. Stephen M. Howe, D.A. Steven J. Obermeier, Asst. D.A. Christina M. Waugh, A.D.</p>	<p>Johnson</p>

<p><b>99,479</b> State of Kansas, Appellee v. Kameron King, Appellant</p>	<p><b>1:00 p.m.</b></p> <p>Steve Six, A.G. Jerome A. Gorman, D.A. Jennifer S. Tatum, Asst. D.A. Carl Folsom III, A.D.</p>	<p>Wyandotte</p>
<p><b>102,271</b> State of Kansas, Appellant v. Jerrie P. Mosely, Appellee</p>	<p>Steve Six, A.G. Stephen M. Howe, D.A. Steven J. Obermeier, Asst. D.A. Stacey L. Schlimmer, Asst. D.A. Stephen B. Chapman, Asst. Dist. Defender Mark V. Bostwick, Asst. Dist. Defender</p>	<p>Johnson</p>
<p><b>101,894</b> State of Kansas, Appellee v. Crystal Ann Burns, Appellant</p>	<p>Steve Six, A.G. Jerome A. Gorman, D.A. Robbin L. Wasson, Asst. D.A. Christina M. Waugh, A.D.</p>	<p>Wyandotte</p>

**Kansas Court of Appeals  
Court of Appeals Courtroom  
2nd Floor, Kansas Judicial Center  
301 S.W. 10th Ave.  
Topeka, Kansas**

**Before Malone, P.J., Elliott and Marquardt, JJ.**

**Wednesday, April 21, 2010**

Case No. / Case Name	Attorneys	Jurisdiction
<p><b>99,353/99,470</b> State of Kansas, Appellee v. John D. Baker, Appellant</p>	<p>Steve Six, A.G. Keith E. Schroeder, D.A. Thomas R. Stanton, Asst. D.A. Patrick H. Dunn, A.D.</p>	<p>Reno</p>
<p><b>101,803</b> GE Commercial Finance Business Property Corporation, Appellee v. Liberal Partners, L.L.C., et al., Appellants v. Lexington Insurance Co., Third Party Defendant</p>	<p>Christine L. Schломann John M. Lindner</p>	<p>Seward</p>
<p><b>101,307</b> In the Matter of the Estate of Jewel F. Harvey, Deceased</p>	<p>William P. Tretbar Ryan Hodge</p>	<p>Sedgwick</p>
<b>1:30 p.m.</b>		
<p><b>101,200</b> State of Kansas, Appellee v. Michael Lambdin, Appellant</p>	<p>Steve Six, A.G. Don L. Scott, C.A. Carl Folsom III, A.D.</p>	<p>Seward</p>
<p><b>101,621</b> State of Kansas, Appellee v. Myron Coleman, Appellant</p>	<p>Steve Six, A.G. Keith E. Schroeder, D.A. Thomas R. Stanton, Deputy D.A. Randall L. Hodgkinson, A.D.</p>	<p>Reno</p>
<p><b>102,687</b> Andres Rangel, Appellant v. Cargill Meat Solutions Corporation Formerly Excel Corporation</p>	<p>Conn Felix Sanchez D. Shane Bangerter Aaron L. Kite</p>	<p>Work. Comp.</p>

Carol G. Green  
Clerk of the Appellate Courts

## State of Kansas

**Secretary of State****Code Mortgage Rate for April**

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of April 1, 2010 through April 30, 2010, is 12 percent.

Chris Biggs  
Secretary of State

Doc. No. 038173

## State of Kansas

**Secretary of State****Usury Rate for April**

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 April 1, 2010 through April 30, 2010, is 6.37 percent.

Chris Biggs  
Secretary of State

Doc. No. 038172

## State of Kansas

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

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

**Secretary of Commerce**

**William R. Thornton**, 3852 Rooks Road, Atchison, 66002. Serves at the pleasure of the Governor. Succeeds David Kerr.

**State Corporation Commission**

**Ward Loyd**, 2203 Center St., Garden City, 67846. Term expires March 15, 2012. Succeeds Michael C. Moffet.

**Thomas E. Wright**, 3107 Shadow Lane, Topeka, 66604. Term expires March 15, 2014. Reappointed.

**Kansas Development Finance Authority**

**Audrey H. Langworthy**, 6324 Ash St., Prairie Village, 66208. Term expires Jan. 15, 2013. Reappointed.

**Kansas Council on Developmental Disabilities**

**Joseph James Bart**, 1451 Legends Circle, Lawrence, 66049. Term expires Dec. 1, 2012. Succeeds Maria Martinez.

**Kathleen D. Brennon**, 314 N. Butler, Erie, 66733. Term expires Dec. 1, 2012. Reappointed.

**Patricia L. Morgan**, 212 S. Cypress, Stockton, 67669. Term expires Dec. 1, 2012. Succeeds Scott Shepherd.

**Leon M. Ostrander**, 1444 16th St., Great Bend, 67530. Term expires Dec. 1, 2012. Reappointed.

**Joseph J. Steffy**, 7524 263rd St., Louisburg, 66053. Term expires Dec. 1, 2012. Succeeds Kimberly Dietrich (term limited).

**Commission on Emergency Planning and Response**

**Timothy F. East**, 1430 Walnut St., Emporia, 66801. Term expires Nov. 30, 2011. Succeeds Stephen Hedges.

**Governor's Mental Health Planning Council**

**Isiah Andre Brown**, 1715 Rural St., Emporia, 66801. Succeeds Victoria Virder as a youth representative.

**State Board of Indigents' Defense Services**

**Lawrence P. Daniels**, 1501 Ave. A, Dodge City, 67801. Term expires Jan. 15, 2012. Reappointed.

**Information Network of Kansas**

**David L. King**, 2320 S.E. Libra Ave., Topeka, 66605. Term expires Sept. 30, 2012. Reappointed.

**Dan C. Yunk**, 1121 Wyndham Heights, Manhattan, 66503. Term expires Sept. 30, 2012. Reappointed.

**Kansas Parole Board**

**Patricia A. Biggs**, 1302 N.W. 52nd Terrace, Topeka, 66618. Term expires Jan. 15, 2014. Reappointed.

**Public Employees Retirement System Board of Trustees**

**Keith A. Lawing**, 2060 N. Westridge Court, Wichita, 67203. Term expires March 15, 2013. Reappointed.

**Solid Waste Grants Advisory Committee**

**Michael H. Clagett**, 8319 Reeds Lane, Overland Park, 66207. Term expires Dec. 12, 2011. Succeeds Chiquita Y. Cornelius.

**Lucinda S. Kemper**, 8325 High Drive, Leawood, 66206. Term expires Dec. 12, 2011. Reappointed.

**Joseph T. Pajor**, 11725 Alderny Court, No. 31, Wichita, 67212. Term expires Dec. 12, 2011. Reappointed.

**Kansas Technology Enterprise Corporation**

**Dr. Steven Warren**, 4633 Muirfield Drive, Lawrence, 66047. Term expires Jan. 15, 2014. Succeeds Dr. Richard Lariviere.

**University of Kansas Hospital Authority**

**Mark R. Jorgenson**, 10607 W. 50th Terrace, Shawnee, 66203. Term expires March 15, 2012. Succeeds Thomas Murphy.

**Deryl Wynn**, 11110 Parkview Ave., Kansas City, KS 66109. Term expires March 15, 2013. Succeeds Edward J. Chapman, Jr.

Chris Biggs  
Secretary of State

Doc. No. 038174

**State of Kansas  
Department of Administration  
Division of Purchases**

**Notice to Bidders**

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

04/20/2010	12945	Elevator Maintenance
04/20/2010	12951	Aggregate AS-1
04/21/2010	12942	Aggregate
04/22/2010	12948	Salt for Snow and Ice Removal
05/06/2010	12946	Actuarial Services
05/13/2010	12961	Arthroscope System
05/18/2010	12958	Softdrink Beverage Pouring Rights/ Vending Services

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

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

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

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

Chris Howe  
Director of Purchases

Doc. No. 038195

**State of Kansas  
Department of Health  
and Environment**

**Requests for Proposals**

In an effort to provide every young Kansan (ages 5 to 18) access to a quality mentoring relationship, statewide financial support is needed for communities to recruit and retain quality mentors. Kansas Mentors (KM) defines mentoring as a consistent, structured, stable relationship between youth and a caring role model(s) that: (1) involves regular, ongoing and ideally face-to-face meetings, and (2) is focused on developing the character, capabilities and confidence of the young person(s). Applicants whose programs fit this definition, who are registered as a KM Affiliate Program, and who complete criminal background checks on all mentors are eligible to apply.

KM's mission is to provide all young Kansans access to a caring and quality mentor. Eligible applicants must submit proposals that address how their program will help KM pursue this mission through effective mentor recruitment or retention strategies. This may include, but is not limited to, developing media campaigns for recruitment, hosting mentor recruitment or volunteer recognition events, or providing ongoing training activities for mentors. Grant applications and requirements can be found at <http://kansasmentors.kansas.gov/Pages/news.aspx>.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 038190

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

The Kansas Department of Health and Environment is proposing to issue a five-year permit to the Winfield Municipal Power Plant #2 pursuant to Title IV (Acid Deposition Control) of the Federal Clean Air Act and implementing regulations found in 40 CFR Parts 72 through 78. The effective date of the permit is from January 1, 2010 through December 31, 2014.

One (1) combustion engineering type VU-60 boiler is affected by this permit action, identified as Unit No. 4, located at 2801 E. 12th St., Winfield, and operated by the city of Winfield, and would receive 8, 8, 8 and 8 allowances, respectively, for each year from 2010 through 2014. The city of Winfield proposes to comply with the Acid Rain Program emission requirements by holding enough allowances to cover all sulfur dioxide emissions. Issuance of this permit would not affect the responsibility of the city of Winfield to meet all other existing local, state and federal sulfur dioxide emission requirements.

The designated representative for the city of Winfield is Warren Porter.

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 during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka; and at the KDHE South Central District Office, 130 S. Market, sixth floor, Wichita. To obtain or review the proposed permit and supporting documentation, contact Jessica Webb, (785) 296-1578, at the KDHE central office; and to review the proposed permit only, contact David Butler, (316) 337-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Jessica Webb, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. Written comments must be received before the close of business May 10 in order to be considered in formulating a final permit decision.

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 May 10 in order for the Secretary of Health and Environment to consider the request.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 038183

## State of Kansas

**Department of Health  
and Environment**

**Request for Comments**

The Kansas Department of Health and Environment is soliciting comments regarding a proposed significant permit modification of an air quality operating permit. AGC Flat Glass North America-Spring Hill Plant has applied for a significant permit modification of the facility's Class I operating permit in accordance with the provisions of K.A.R. 28-19-513 et seq.

AGC Flat Glass North America, 20400 N. Webster St., Spring Hill, owns and operates a flat glass manufacturing plant located at the same address.

A copy of the proposed significant permit modification, significant permit modification application, all supporting documentation, all information relied upon during the significant permit modification application review process, and a copy of the proposed revision of a previously issued construction permit are 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 at the Johnson County Environmental Department, 11811 S. Sunset, Suite 2700, Olathe. To obtain or review the proposed significant permit modification, proposed revision of a previously issued construction permit and supporting documentation, contact James Stewart, (785) 296-1556, at the KDHE central office; and to review the proposed permit only, contact Mike Boothe, (913) 715-6939, at the Johnson County Environmental Department. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the documents to James Stewart, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final decision, written comments must be received before the close of business May 10.

A person may request a public hearing be held on the proposed documents. 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 May 10 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 operating permit. If the EPA has not objected in writing to the issuance of the operating permit within the 45-day review period, any person may petition the administrator of the EPA to review the operating 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 the objections to the significant permit modification that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner

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

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 038181

## 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-10-050**

**Application(s) for New or Expansion of  
Existing Swine Facilities**

**Name and Address  
of Applicant**

Kent Condray  
451 3rd Road  
Clifton, KS 66937

**Legal Description**

W/2 of NW/4 of Section 08,  
T05S, R01E,  
Washington County

Kansas Permit No. A-LRWS-S036

This is an application for a permit for a new swine facility for 2,400 head (960 animal units) of swine weighing more than 55 pounds. The proposed swine complex will consist of two new enclosed swine buildings with wastewater collected and stored in concrete pits under the barns and a dead animal concrete compost area. A new permit will not be issued without additional public notice.

**Owner of Property Where  
Facility Will Be Located**

KC Pork, Inc. - Arrowhead West  
451 3rd Road  
Clifton, KS 66937

**Receiving Water**

Lower Republican River Basin

**Public Notice No. KS-Q-10-037/038**

The requirements of the draft permits public noticed

below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria:

Name and Address of Applicant	Receiving Stream	Type of Discharge
Jefferson County Commission c/o Jefferson County Health Department 1212 Walnut U.S. 59 Highway Oskaloosa, KS 66070	Perry Lake via Unnamed Tributary	Treated Domestic Wastewater
Kansas Permit No. M-KS56-OO04 Federal Permit No. KS0093807		
Legal Description: NE¼, SE¼, S23, T10S, R17E, Jefferson County		
Facility Name: Jefferson County S.D. #7 (Lake Ridge Estates) & Jefferson County S.D. #8 (Wind n Wave) Combined		
Facility Location: 6766 Lake Ridge Parkway, Ozawkie, KS 66070		

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring of ammonia and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Oldham's LLC 619 E. 4th St. Holton, KS 66436	Delaware River via Elk Creek via Banner Creek	Process Wastewater
Kansas Permit No. I-KS23-PO01 Federal Permit No. KS0003271		

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility. This facility is engaged in a hog slaughtering operation that processes the carcasses into various prepared meat products. The wastewater is pretreated with a rotary drum screen and a grease basin. The treatment system consists of an anaerobic lagoon, a synthetic-lined lagoon that is divided into an activated sludge aeration basin and an uncovered aerated biosolids storage basin, a final clarifier, and a tank for CO2 feed for pH adjustment and four aerobic lagoons. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, oil and grease, ammonia, E. coli, total nitrogen, whole effluent toxicity and pH, as well as monitoring of nitrate, nitrite, total Kjeldahl nitrogen, total phosphorus, chlorides, and effluent land application and flow. Contained in the permit is a schedule of compliance requiring the permittee to install and initiate operation of the rotary drum screen currently under construction by September 1, 2010.

**Public Notice No. KS-EG-10-011**

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**

North American Salt Company  
1625 Ave. N  
Lyons, KS 67554  
Facility Location: Lyons, Kansas

**Well and**

Permit Number	Location
H-110 - KS-03-159-243	2124 feet from south line and 617 feet from east line of Section 15-20-8W, Rice County, Kansas (NE NE SE)
H-111 KS-03-159-244	2134 feet from south line and 893 feet from east line of Section 15-20-8W, Rice County, Kansas (NW NE SE)
H-112 KS-03-159-245	2119 feet from south line and 1217 feet from east line of Section 15-20-8W, Rice County, Kansas (NE NE SE)

H-113 KS-03-159-246	2126 feet from south line and 1517 feet from east line of Section 15-20-8W, Rice County, Kansas (NE NW SE)
H-114 KS-03-159-247	2123 feet from south line and 1817 feet from east line of Section 15-20-8W, Rice County, Kansas (NE NW SE)
H-115 KS-03-159-248	2121 feet from south line and 2117 feet from east line of Section 15-20-8W, Rice County, Kansas (NW NW SE)

Facility Description: The proposed action is to reissue six Class III injection well permits. The injection fluids consist of a mixture of saturated brine and some solids. Injection is to be made into Hutchinson Salt member of the Wellington formation. Mining shall not extend into the upper 40 feet of the salt member. The maximum operation injection pressure is not to exceed 250 pounds per square inch at the well head. All construction, monitoring and operation of these wells will meet the requirements that apply to Class III injection wells under the Kansas Underground Injection Control Regulations, K.A.R. 28-43-1 through 28-43-11, and Kansas Underground Injection Control Regulations, K.A.R. 28-46-1 through 28-46-44.

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 May 8 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-10-050, KS-Q-10-037/038, KS-EG-10-011) and name of the applicant/permittee when preparing comments.

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

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

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 038185

## State of Kansas

**Kansas Development Finance Authority****Notice of Hearing**

A public hearing will be conducted at 9 a.m. Thursday, April 22, in the office of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue approximately \$15.5 million principal amount of Educational Facilities Revenue Bonds. The project is being financed on behalf of the Kansas Board of Regents and Emporia State University (jointly, the borrower). The bonds will be issued, pursuant to K.S.A. 74-8901 et seq., and other statutory authority, to provide funds to finance the costs of redevelopment, renovation and equipping the Memorial Student Union located on the campus of Emporia State University at 1331 Market St., Emporia, Kansas (the project).

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

All individuals who appear at the hearing will be given an opportunity to express their views, and all written comments previously filed with the KDFA 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 KDFA.

Steven R. Weatherford  
President

Doc. No. 038186

## State of Kansas

**Kansas Development Finance Authority****Notice of Hearing**

The Kansas Development Finance Authority will conduct a public hearing at 9 a.m. Thursday, April 22, at its offices at 555 S. Kansas Ave., Suite 202, Topeka, with respect to a plan by the KDFA and/or the Colorado Health Facilities Authority (the Colorado Authority) to issue revenue bonds (Sisters of Charity of Leavenworth Health System) in an aggregate principal amount not to exceed \$875,000,000, in one or more series pursuant to the plan of finance described below. The proceeds of the bonds will be loaned to Sisters of Charity of Leavenworth Health System, Inc., a Kansas not-for-profit corporation (the corporation). As part of a plan of finance to provide the corporation and its affiliated corporations with moneys for financing and refinancing projects located in the states of Kansas and Colorado, the bonds will be issued pursuant to K.S.A. 74-8901 et seq. Public approval by the state of Colorado has been or will be obtained following a public hearing and public notice in the state of Colorado regarding the bonds and the projects financed in that state. Pursuant to the plan of finance, projects located in

the state of Montana will be financed by one or more series of bonds issued in the state of Montana (the Montana bonds), proceeds of which will be loaned to the corporation, after public approval by the state of Montana following a public hearing and public notice regarding the Montana bonds and the projects to be financed in that state.

Up to \$190,000,000 of the bonds will be used in the state of Kansas, together with certain other moneys, to (i) refund the outstanding principal amount of the KDFA's Revenue Bonds, Series 1998C (Sisters of Charity of Leavenworth Health Services Corporation) (the Kansas Series 1998 Bonds); (ii) refund the outstanding principal amount of the KDFA's Health Facilities Revenue Bonds, Series 2000J (Sisters of Charity of Leavenworth Health Services Corporation) (the Kansas Series 2000J Bonds); (iii) refund the outstanding principal amount of the KDFA's Health Facilities Revenue Bonds, Series 2000K (Sisters of Charity of Leavenworth Health Services Corporation) (the Kansas Series 2000K Bonds and, together with the Kansas Series 2000J Bonds, the Kansas Series 2000 Bonds); (iv) refinance a taxable loan used for, or pay or reimburse the corporation for the payment of the costs of, acquiring, constructing, renovating, remodeling and equipping certain of the health care facilities of the corporation, St. Francis Health Center, Inc. (St. Francis), Providence Medical Center, Inc. (Providence), and Saint John Hospital, Inc. (Saint John and, together with St. Francis and Providence, the Kansas institutions) and all necessary and attendant facilities, equipment, site work and utilities; (v) finance, refinance or reimburse the cost of additions and improvements to and equipment for hospitals or other health care facilities owned and operated by the corporation or the Kansas institutions; (vi) fund a debt service reserve fund, if deemed necessary or advisable by the corporation; (vii) pay a portion of the interest on the bonds, if deemed necessary or advisable by the corporation; (viii) provide working capital, if deemed necessary or advisable by the corporation; and (ix) pay certain expenses incurred in connection with the issuance of the bonds and the refunding of the Kansas Series 1998 Bonds and the Kansas Series 2000 Bonds.

All of the improvements to be financed or refinanced with the proceeds of the bonds in Kansas are or will be initially owned, operated or managed by the corporation, St. Francis, Providence or Saint John and located on land owned or leased by the corporation at the following locations:

(a) in Lenexa, Kansas, at 9801 and 9900 Renner Boulevard; the southwest corner of 87th Street and Renner Boulevard; 79th Street and Quivira Road; College Boulevard and Renner Boulevard; College Boulevard and Lackman Road; 107th Street and Renner Boulevard; 95th Street and Renner Boulevard; 10730 W. 8th Terrace; 8455 Lenexa Drive; 15405 College Boulevard; and 15200 Santa Fe Trail Drive;

(b) in Topeka, Kansas, at 634, 700, 701 and 707 S.W. Mulvane Street (including parking garage and parking lot); 708-710, 1501, 1505, 1507, 1511, 1513, 1515, 1516, 1517, 1523, 1701, 1925, 2001, 3500, 5800, 5820 and 6001 S.W. 6th Avenue; S.W. 6th Avenue and S.W. Corporate View; 600, 612, 635, 710, 714, 718, 722, 724, 732, and 736 S.W. College



Avenue; 1700 (including parking garage and parking lot) and 1811 S.W. 7th Street; 610, 630, 631 and 700 S.W. Horne Street; 611 S.W. Jewell Avenue; 711 S.W. Garfield Avenue; 2835 S.W. Mission Woods Drive (including parking lot); 6730 S.W. Mission View Drive; 6730 S.W. 29th Street; 4646 N.W. Fielding Road; 3164 S.E. 6th Street; and 801 S.W. Fairlawn Road;

(c) in Overbrook, Kansas, at 223 Maple Street;

(d) in Meriden, Kansas, at 7210 K-4 Highway, Suite D;

(e) in Valley Falls, Kansas at 403 Sycamore Street;

(f) in Winchester, Kansas, at 4th Street and Winchester Street and 306 Winchester Street;

(g) in Nortonville, Kansas, at 306 Lafayette Street;

(h) in Kansas City, Kansas, at 5830-5834, 8909, 8919 and 8929 Parallel Parkway; 1350 N. 98th Street; Highway 7 and State Avenue; 155 S. 18th Street; 726 and 728-30 Minnesota Avenue; 825 N. Seventh Street; and 516 N. Sixth Street;

(i) in Leavenworth, Kansas, at 3500, 3550 and 4505 South Fourth Street Trafficway;

(j) in Shawnee, Kansas, at 7255 Renner Road and 15144 W. 65th Street;

(k) in Edwardsville, Kansas, at 2000-2026 Orchard Street;

(l) in Eudora, Kansas, at K-10 and Eudora Exit;

(m) in Olathe, Kansas, at 111th Street and Greenwood Street; the southwest corner of College Boulevard and K-7; K-10 and Cedar Creek Parkway;

(n) in Overland Park, Kansas, at 143rd Street and Metcalf Avenue; the southeast corner of Interstate 35 and College Boulevard; the southeast corner of 107th Street and Nall Avenue; 130th Street and Metcalf Avenue; 119th Street and Indian Creek Parkway; 7500 and 11225 College Boulevard; 10881 Lowell Avenue; 10740 Nall Avenue; 7450 W. 130th Street; 7200 132nd Street; 13220 Metcalf Avenue; and 12960 Foster Street;

(o) in Leawood, Kansas, at Town Center and Nall Avenue; Interstate 435 and State Line Road; 8700 State Line Road; the southwest quadrant of Interstate 435 and State Line Road on Overbrook Road; and 11400 Tomahawk Creek Parkway;

(p) in Fairway, Kansas, at 42104220 Shawnee Mission Parkway; and

(q) in Oskaloosa, Kansas, at 313 Jefferson Street.

The proceeds of the Kansas Series 1998 Bonds were used to (i) pay or reimburse the corporation and the Kansas institutions for the payment of the costs of acquiring, equipping, renovating, remodeling and constructing certain health care facilities owned by the corporation and the Kansas institutions; and (ii) pay certain expenses incurred in connection with the issuance of the Kansas Series 1998 Bonds, including the premium for a bond insurance policy.

The proceeds of the Kansas Series 2000 Bonds were used to (i) pay or reimburse the corporation for the payment of the costs of acquiring, constructing, renovating, remodeling and equipping a facility operated by Bethany Medical Center, a Kansas not-for-profit corporation (Bethany); (ii) pay or reimburse the corporation, Bethany, and the Kansas institutions for the payment of the costs of acquiring, constructing, renovating, remodeling and equipping certain hospital and other health care facilities

owned by the corporation, Bethany and the Kansas institutions; (iii) pay or reimburse the corporation, Bethany or the Kansas institutions for the costs of acquiring, constructing, renovating, remodeling and equipping an information system center for use by the corporation, Bethany, the Kansas institutions and certain other affiliated corporations in their hospital and health care activities; and (iv) pay certain expenses incurred in connection with the issuance of the Kansas Series 2000 Bonds.

Up to \$685,000,000 of the bonds will be used in the state of Colorado, together with certain other moneys, to (i) refund the outstanding principal amount of the Colorado Health Facilities Authority's Revenue Bonds, Series 1998 (Sisters of Charity of Leavenworth Health Services Corporation) (the Colorado Series 1998 Bonds), the Colorado Authority's Revenue Bonds, Series 2002A (Exempla Northwest Medical Center) (the Exempla Northwest Series 2002A Bonds) and the Colorado Authority's Revenue Bonds, Series 2002A (Exempla, Inc.) (Exempla Series 2002A Bonds and, together with the Exempla Northwest Series 2002A Bonds, the Exempla Bonds); (ii) refinance a taxable loan used for, or pay or reimburse the corporation for the payment of the costs of, acquiring, constructing, renovating, remodeling and equipping certain of the health care facilities of the corporation, Exempla, Inc., Exempla Northwest, Saint Joseph Hospital, Inc. (Saint Joseph) and St. Mary's Hospital and Medical Center, Inc. (St. Mary's and, together with Saint Joseph, the Colorado institutions) and all necessary and attendant facilities, equipment, site work and utilities; (iii) finance, refinance or reimburse the cost of additions and improvements to and equipment for hospitals or other health care facilities owned and operated by the corporation, the Colorado institutions, Exempla Inc. or Exempla Northwest; (iv) fund a debt service reserve fund, if deemed necessary or advisable by the corporation; (v) pay a portion of the interest on the bonds, if deemed necessary or advisable by the corporation; (vi) provide working capital, if deemed necessary or advisable by the corporation; and (vii) pay certain expenses incurred in connection with the issuance of the bonds and the refunding of the Colorado Series 1998 Bonds and the Exempla Bonds.

All of the improvements to be financed or refinanced with the proceeds of the bonds in Colorado are or will be owned, operated or managed by the corporation, the Colorado institutions, Exempla, Inc. or Exempla Northwest, and are or will be located on land owned or leased by the Corporation or Exempla, Inc.:

(a) in Grand Junction, Colorado, at 710 Wellington Avenue; 2333 North 6th Street; 2339, 2356, 2425 and 2635 North 7th Street; 2525 North 8th Street, Suite 106; 2530 North 8th Street; and 1100 Patterson Road;

(b) in Palisade, Colorado, at 707 Alberta Avenue;

(c) in Aurora, Colorado, at 15101 E. Iliff Avenue;

(d) in Littleton, Colorado, at 8080 E. Park Meadows Drive; and 13402 West Coal Mine Avenue;

(e) in Denver, Colorado, at 1830, 1831, 1835, 1845 and 2005 Franklin Street; 101 University Boulevard, Suite 200; 999 18th Street, Suite 247; 1825 Marion Street; 1780 Lafayette Street; 1314 East 18th Avenue; 1056 East 19th Avenue; East 18th Avenue to East 20th Avenue and Downing

(continued)

Street (including parking garage and Tammen Hall); and 1729 Humboldt Street;

(f) in Arvada, Colorado, at 7981 A and B, 7991 and 8001 (including rear) West 71st Avenue;

(g) in Lafayette, Colorado, at 200 and 300 Exempla Circle; and

(h) in Wheat Ridge, Colorado, at 3210, 3400, 3455 (including Suites 210 and 270), 3550, 3555 and 3655 Lutheran Parkway; 8098, 8136, 8298 and 8300 West 38th Avenue; and 9830 I-70 Frontage Road South.

The proceeds of the Colorado Series 1998 Bonds were used to (i) pay or reimburse the corporation and the Colorado institutions for the payment of the costs of acquiring, equipping, renovating, remodeling and constructing certain health care facilities owned by the corporation and the Colorado institutions; (ii) provide working capital; and (iii) pay certain expenses incurred in connection with the issuance of the Colorado Series 1998 Bonds, including the premium for a bond insurance policy.

The proceeds of the Exempla Bonds were use to (i) finance certain capital expenditures previously made by Exempla, Inc.; (ii) finance the costs of the acquisition, renovation and improvement of certain hospital facilities of Exempla, Inc. and the acquisition and installation of certain equipment; (iii) refund on a current basis the Colorado Authority's Hospital Revenue Bonds Series 1989 (Lutheran Medical Center Project) (Exempla 1989 Bonds); (iv) fund a reserve account; (v) pay certain costs associated with the issuance of the Exempla 1989 Bonds; and (vi) finance the costs of the construction of a new acute care hospital and related facilities located in Lafayette, Colorado.

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

The public hearing is required by Section 147(f) of the Internal Revenue Code of 1986, as amended. All individuals who appear at the hearing will be given an opportunity to express their views, 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.

In accordance with the Americans with Disabilities Act, any person with a disability as defined by the ADA needing special accommodations to participate in the public hearing should contact Rebecca Floyd at (785) 357-4445 not later than two business days prior to the public hearing.

Steven R. Weatherford  
President

Doc. No. 038187

(Published in the Kansas Register April 8, 2010.)

**Summary Notice of Bond Sale  
City of Salina, Kansas**

**\$2,630,000\***

**General Obligation Internal Improvement  
and Refunding Bonds  
Series 2010-A**

**\$4,290,000\***

**Taxable General Obligation Internal  
Improvement Bonds  
Series 2010-B**

**(Build America Bonds – Direct Pay)**

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

**Bids**

Subject to the notice of bond sale dated March 22, 2010, written and electronic bids will be received on behalf of the clerk of the city of Salina, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 1 p.m. April 19, 2010, for the purchase of the above-referenced bonds. No bid of less than 100.0 percent of the principal amount of the Series 2010-A Bonds and accrued interest thereon to the date of delivery will be considered. No bid of less than 99.0 percent of the principal amount of the Series 2010-B Bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

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

**Series 2010-A Bonds**

Year	Principal Amount*
2011	\$610,000
2012	635,000
2013	640,000
2014	435,000
2015	25,000
2016	25,000
2017	25,000
2018	30,000
2019	30,000
2020	30,000
2021	30,000
2022	30,000
2023	30,000
2024	25,000
2025	30,000

**Series 2010-B Bonds**

Year	Principal Amount*
2011	\$185,000
2012	250,000
2013	255,000
2014	255,000
2015	260,000

2016	265,000
2017	275,000
2018	280,000
2019	290,000
2020	300,000
2021	310,000
2022	320,000
2023	335,000
2024	350,000
2025	360,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2011.

#### Book-Entry-Only System

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

#### Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

#### Good Faith Deposit

Each bid for a series of the bonds shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of 2 percent of the principal amount of the applicable series of bonds.

#### Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 5, 2010, to DTC for the account of the successful bidder.

#### Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2009 is \$2,893,359,541. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$59,925,000.

#### Approval of Bonds

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

#### Additional Information

If the city determines that the sale of Build America Bonds is not in its best interests, the Series 2010-B Bonds may be combined with the Series 2010-A Bonds. Information regarding the city's election to issue Build America Bonds and any other additional information regarding the bonds may be obtained from the undersigned, or from the financial advisor, at the addresses set forth below.

#### Written and Facsimile Bid and Good Faith Deposit

##### Delivery Address:

300 W. Ash  
Salina, KS 67402

Attn: Rod Franz, Finance Director  
(785) 309-5735  
Fax (785) 309-5738  
E-mail: rfranz@salina.org

#### Financial Advisor:

George K. Baum & Co.  
4801 Main St., Suite 500  
Kansas City, MO 64112  
Attn: David Arterberry  
(816) 474-1100  
Fax (816) 283-5326  
E-mail: arteberry@gkbaum.com

Dated March 22, 2010.

City of Salina, Kansas  
By: Lieu Ann Elsey, City Clerk

\*Preliminary; subject to change.

Doc. No. 038194

#### State of Kansas

### Department of Revenue

#### Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Final Written Determinations, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&A's, Information Guides and Notices published by the Department of Revenue for March 2010. Copies can be obtained by accessing the Policy Information Library located on the Internet at [www.ksrevenue.org](http://www.ksrevenue.org) or by calling the Office of Policy and Research at (785) 296-3081.

#### Private Letter Rulings

P-2010-001 Pet related services

#### Opinion Letters

O-2009-015 Difference between private letter rulings and opinion letters.  
O-2010-001 Rock picked up at a Kansas quarry and delivered to a jobsite in Oklahoma.

#### Final Written Determinations

No new publications

#### Revenue Rulings

No new publications

#### Notices

No new publications

#### Memorandums

No new publications

#### Property Valuation Division Directives

No new publications

#### Q&A's

No new publications

#### Information Guides

No new publications

Joan Wagon  
Secretary of Revenue

Doc. No. 038188

## 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 161 (Corridor/Feasibility Studies), for the project listed below. Eight signed copies of the response can be mailed to David Nagy, P.E., Assistant to the Bureau Chief of Design/Contracts Engineer, KDOT, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754. Interest responses shall be limited to four pages and must be received by noon April 22 for the consulting engineering firm to be considered. Categories may be viewed at [www.ksdot.org/divengdes/prequal](http://www.ksdot.org/divengdes/prequal).

**106 KA-1867-01**  
**Statewide**

Develop the next-generation KDOT Corridor Management Policy manual. The manual will incorporate an innovative and multi-disciplinary approach that advocates principles set forth in sustainability, access management, design engineering, traffic engineering, transportation planning, and land-use planning.

The manual shall, at a minimum, include a Corridor Management mission statement, define KDOT's Corridor Management policies and procedures, update and set forth applicable engineering and design standards, provide recommended access spacing criteria, update and incorporate therein the KDOT Design Access Control Map, and update each District Corridor Management Plan.

The development process will include coordination with multiple KDOT departments to ensure consistency with applicable agency guidelines and manuals. The consultant will conduct multiple training sessions for applicable KDOT staff once the manual is complete.

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

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

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

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

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

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

Deb Miller  
 Secretary of Transportation

Doc. No. 038168

## State of Kansas

## Department of Transportation

## Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 1 p.m. April 21 and then publicly opened:

**District One — Northeast**

**Johnson-Wyandotte**—635-106 KA-1543-01 — I-635 from Merriam Lane to Georgia Avenue, pavement marking, 6.7 miles. (Federal Funds)

**Shawnee**—89 C-4550-01 — Croco Road bridge over Shunganunga Creek in Topeka, grading and bridge, 0.2 mile. (Federal Funds)

**District Two — Northcentral**

**Dickinson**—21 C-4476-01 — County road 3.8 miles east of Highway 15 on Old Highway 40, grading, bridge and surfacing, 0.1 mile. (Federal Funds)

**Mitchell**—14-62 KA-0835-01 — K-14 from south of Ninth Street north 0.2 mile in Beloit, grading and surfacing. (State Funds)

**District Three — Northwest**

**Gove**—23-32 K-9188-01 — K-23 from Sixth Street to Third Street in Gove, overlay, 0.2 mile. (State Funds)

**District Five — Southcentral**

**Barber**—4 U-2251-01 — Main Street from Railroad Avenue to 9th Street in Kiowa, grading and surfacing, 0.2 mile. (Federal Funds)

**Kingman**—54-48 K-8244-04 — U.S. 54 from the Pratt-Kingman county line east 5.8 miles, grading, bridge and surfacing. (Federal Funds)

**Reno**—78 C-4287-01 — 82nd Avenue from the junction with Kent Road east 2 miles to Buhler, grading and surfacing. (Federal Funds)

**Sumner**—160-96 KA-1255-01 — U.S. 160 from 600 feet west to 1200 feet east of Boundary Road in Wellington, grading and surfacing, 0.3 mile. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against

anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid.

This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Deb Miller  
Secretary of Transportation

Doc. No. 038159

## State of Kansas

### Board of Pharmacy

#### Permanent Administrative Regulations

#### Article 1.—REGISTRATION AND EXAMINATION OF PHARMACISTS

**68-1-1b. Continuing educational unit.** (a) Ten clock-hours of continuing education approved by the board shall constitute one continuing educational unit (C.E.U.). "Continuing education" shall mean an organized and systematic education experience beyond basic preparation that is designed to achieve the following:

(1)(A) Increase knowledge, improve skills, or enhance the practice of pharmacy; or

(B) improve protection of the public health and welfare; and

(2) ensure continued competence.

(b) Three C.E.U.s shall be required for renewal during each licensure period. Continuing education hours may be prorated for licensure periods that are less than biennial at a rate of .125 C.E.U.s per month.

(c)(1) Each continuing education program administered by a provider approved by the accreditation council for pharmacy education (ACPE) shall be approved by the board.

(2) Each continuing education program shall be a program of continuing education that has been approved by the board. Each provider not approved by the ACPE shall submit the continuing education program to the board at least 120 days in advance for consideration for approval. Except for continuing education programs provided by an ACPE-approved provider, continuing education programs shall not include in-service programs, on-the-job training, orientation for a job, an education program open

to the general public, a cardiopulmonary resuscitation (CPR) course, a basic cardiac life support (BCLS) course, emergency or disaster training or direct experience at a healthcare facility under a code blue, testing out of a course, medical school courses, and continuing medical education (CME) category 1 programs.

(3) The criteria for continuing education specified in paragraphs (a)(1) and (2) shall be considered by the board when deciding whether to approve a continuing education program submitted by a provider not approved by the ACPE.

(d) Attendance at a scheduled board meeting shall be accepted by the board for C.E.U. credit according to this schedule:

(1) 0.1 C.E.U. for each two hours of attendance at a scheduled board meeting; and

(2) a maximum of 0.8 C.E.U. for a biennial licensing period.

(e) In each biennial licensing period, the total number of combined C.E.U. credits from attendance at programs of a provider not approved by the ACPE and from attendance at a scheduled board meeting shall not exceed 0.8 C.E.U., for purposes of meeting the continuing education requirement for license renewal.

(f) A licensee shall not be allowed to carry forward excess hours earned in one licensure period into the next licensure period. (Authorized by and implementing K.S.A. 65-1632; effective, E-76-31, Aug. 11, 1975; effective May 1, 1976; amended May 1, 1978; amended May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended July 1, 1990; amended July 31, 1998; amended Oct. 20, 2006; amended April 23, 2010.)

#### Article 7.—MISCELLANEOUS PROVISIONS

**68-7-21. Institutional drug rooms.** (a) All prescription-only drugs dispensed or administered from an institutional drug room shall be in prepackaged units, the original manufacturer's bulk packaging, or patient-specific pharmacy labeled packaging. All prepackaging shall meet the requirements of K.A.R. 68-7-15.

(b) Each pharmacist or practitioner, as that term is defined in K.S.A. 65-1637a and amendments thereto, who is responsible for supervising an institutional drug room shall perform the following:

(1) Develop or approve programs for the training and supervision of all personnel in the providing and control of drugs;

(2) develop or approve a written manual of policies and procedures governing the storage, control, and provision of drugs when a pharmacist or practitioner is not on duty;

(3) maintain documentation of at least quarterly reviews of drug records, drug storage conditions, and the drugs stored in all locations within the institutional drug room;

(4) develop or approve written procedures for maintaining records of the provision and prepackaging of drugs; and

(5) develop or approve written procedures for documenting all reportable incidents, as defined in K.A.R. 68-7-12b, and documenting the steps taken to avoid a repeat of each reportable incident.

(continued)

(c) The policies and procedures governing the storage, control, and provision of drugs in an institutional drug room when a pharmacist or practitioner is not on duty shall include the following requirements:

(1) A record of all drugs provided to each patient from the institutional drug room shall be maintained in the patient's file and shall include the practitioner's order or written protocol.

(2) If the practitioner's order was given orally, electronically, or by telephone, the order shall be recorded, either manually or electronically. The recorded copy of the order shall include the name of the person who created the recorded copy and shall be maintained as part of the permanent patient file.

(3) The records maintained in each patient's file shall include the following information:

- (A) The full name of the patient;
- (B) the date on which the drug was provided;
- (C) the name of the drug, the quantity provided, and strength of the drug provided;
- (D) the directions for use of the drug; and
- (E) the prescriber's name and, if the prescriber is a physician's assistant or advanced registered nurse practitioner, the name of that person's supervising practitioner.

(d) All drugs dispensed from an institutional drug room for use outside the institution shall be in a container or package that contains a label bearing the following information:

- (1) The patient's name;
- (2) the identification number assigned to the drug provided;
- (3) the brand name or corresponding generic name of the drug, the strength of the drug, and either the name of the manufacturer or an easily identified abbreviation of the manufacturer's name;
- (4) any necessary auxiliary labels and storage instructions;
- (5) the beyond-use date of the drug provided;
- (6) the instructions for use; and
- (7) the name of the institutional drug room.

(e) Each label for any prepackaged or repackaged drug shall meet the requirements of K.A.R. 68-7-16. (Authorized by K.S.A. 65-1630 and K.S.A. 65-1637a; implementing K.S.A. 2008 Supp. 65-1626, K.S.A. 2008 Supp. 65-1626d, and K.S.A. 65-1637a; effective April 23, 2010.)

#### Article 20.—CONTROLLED SUBSTANCES

**68-20-10a. Electronic prescription transmission of controlled substances.** (a) A prescription drug order transmitted electronically shall be issued for a legitimate medical purpose by a prescriber acting within the course of legitimate professional practice.

(b) All prescription drug orders communicated by way of electronic transmission shall fulfill all the requirements of K.A.R. 68-2-22.

(c) If communicated by electronic transmission, the prescription drug order shall be maintained in hard copy for the time required by existing federal and state laws and regulations.

(d) A prescription drug order, including that for any controlled substance listed in schedules III, IV, and V, and

in certain situations, that for any controlled substance listed in schedule II, may be communicated by electronic transmission.

(e) The electronic transmission of a prescription drug order for any schedule II controlled substance shall conform to these requirements:

(1) A prescription drug order for any schedule II controlled substance may be communicated by the prescriber or that prescriber's designated agent by way of electronic transmission, if the original, written, signed prescription drug order is presented to the pharmacist for review before the actual dispensing of the controlled substance, except as noted in this subsection.

(2) A prescription drug order for any schedule II narcotic substance to be compounded for the direct administration to a patient by parenteral, intravenous, intramuscular, subcutaneous, or intraspinal infusion may be communicated by the prescriber or that prescriber's designated agent to the pharmacy by way of electronic transmission. The hard copy of this electronic transmission shall serve as the original, written prescription drug order for purposes of this subsection, and the hard copy shall be maintained as such.

(3) A prescription drug order for any schedule II controlled substance for a resident of a nursing facility, a nursing facility for mental health, or an assisted living facility may be communicated by the prescriber or that prescriber's designated agent by way of electronic transmission. The hard copy of this electronic transmission shall serve as the original, written prescription drug order for purposes of this subsection, and the hard copy shall be maintained as such.

(4) A prescription drug order for any schedule II controlled substance for a patient released by a registered institution to a home hospice setting that continues to provide daily skilled nursing care to the home hospice setting may be transmitted by the prescriber or that prescriber's designated agent by way of electronic transmission to the dispensing pharmacy. The hard copy of this electronic transmission shall serve as the original, written prescription drug order for purposes of this subsection, and the hard copy shall be maintained as such.

(5) In the case of an emergency situation, a prescription drug order for any schedule II controlled substance may be communicated by the prescriber by way of electronic transmission, if the following requirements are met:

(A) The quantity prescribed and dispensed shall be limited to the amount adequate to treat the patient during the emergency period. Dispensing beyond the emergency period shall be pursuant to a written prescription drug order signed by the prescriber.

(B) After the pharmacist views the prescription drug order, this order shall be immediately reduced to a hard copy and shall contain all information required by federal and state laws and regulations.

(C) The pharmacist shall exercise professional judgment regarding the accuracy, validity, and authenticity of the prescription drug order communicated by way of electronic transmission, consistent with existing federal and state laws and regulations.

(D) (i) Within seven days after authorizing an emergency prescription drug order, the prescriber shall cause

a written prescription drug order for the emergency quantity prescribed to be delivered to the dispensing pharmacist. In addition to conforming to all other federal and state laws and regulations, the prescription drug order shall have written on its face "authorization for emergency dispensing" and the date of the transmitted prescription drug order.

(ii) The written prescription drug order shall be delivered to the pharmacist in person within seven days of authorization, or if delivered by mail, the order shall be postmarked within the seven-day period.

(iii) Upon receipt, the dispensing pharmacist shall attach this written prescription drug order to the hard copy of the electronically transmitted prescription drug order. The pharmacist shall notify the nearest office of the U.S. drug enforcement administration (DEA) if the prescriber fails to deliver a written prescription drug order. (Authorized by and implementing K.S.A. 65-1630, K.S.A. 2008 Supp. 65-1642, K.S.A. 65-4102, as amended by L. 2009, Ch. 32, Sec. 54, and K.S.A. 65-4123; effective Feb. 5, 1999; amended Dec. 27, 1999; amended April 23, 2010.)

Debra Billingsley  
Executive Secretary

Doc. No. 038166

State of Kansas

**Kansas Lottery**

**Temporary Administrative Regulations**

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

**111-4-2931. "World Class LaCrosse" instant ticket lottery game number 255.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "World Class LaCrosse" commencing on or after March 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2931.

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

	Play Symbols	Captions
Game 1	2	TWO
	3	THR
	4	FOR
	5	FIV
	6	SIX
	7	SEV
	8	EGH
	9	NIN
	10	TEN
	J	JAK
	Q	QUE
Game 2	K	KNG
	A	ACE
	Symbol of a bar sign	BAR
	Symbol of a 7 (outlined)	SEVEN
	Symbol of the moon	MOON
	Symbol of a star	STAR
	Symbol of a bell	BELL
	Symbol of a lemon	LEMON
	Symbol of an orange	ORANGE
	Symbol of a bunch of cherries	CHERRY

Symbol of a diamond	DIAMND
Symbol of a slice of watermelon	MELON
Symbol of a wild sign	WILD
Symbol of a horseshoe	SHOE

Game 3	1	ONE
	2	TWO
	3	THREE
	4	FOUR
	5	FIVE
	6	SIX
	7	SEVEN
	8	EIGHT
	9	NINE
	10	TEN

Prize Symbols	Captions
\$5.00	FIVE\$
\$10.00	TEN\$
\$15.00	FIFTN\$
\$25.00	TWEN-FIV
\$40.00	FORTY
\$100	HUNDRED
\$500	FIV-HUN
\$1,000	ONE-THO
\$75,000	SVNTFVTH

(c) For this game, a play symbol shall appear in each of 52 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 029.

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

TEN	=	\$10.00
FTN	=	\$15.00
TWF	=	\$25.00
FRY	=	\$40.00
HUN	=	\$100.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$10.00 each.

(g) "World Class LaCrosse" features three separate games. In game 1, the player will scratch the game play area to reveal six "DEALS," each consisting of a "YOUR HAND" and a "DEALER'S HAND." Each "DEAL" is placed independently. If the total of "YOUR HAND" is higher than the total of the "DEALER'S HAND" within the same "DEAL," the player wins the prize shown for that "DEAL." If the player reveals a blackjack (21) as "YOUR HAND" in any "DEAL," the player wins double the prize shown for that "DEAL."

In game 2, the player will scratch the game play area to reveal four "PULLS." Each "PULL" is played independently. If three like symbols are revealed in any one "PULL," the player wins the prize shown for that "PULL." If three "WILD" symbols are revealed in any one "PULL," the player wins double the prize shown for that "PULL."

In game 3, the player will scratch the game play area to reveal five "YOUR NUMBERS" and two "WHEEL NUMBERS." If any of the "YOUR NUMBERS" match

(continued)

any of the "WHEEL NUMBERS," the player wins the prize shown below the matching number(s).

(h) Each ticket in this game may win 15 times.

(i) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 150,000 tickets, and the same odds as were contained in the initial ticket order.

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

Game 1	Game 2	Game 3	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$10 or \$5	\$10 or \$5	\$10 or \$5	\$10	5,000	\$50,000
\$5	\$5	\$5	\$10	5,000	50,000
\$5	\$5	\$5	\$10	15,000	150,000
\$15 or \$5 (dbl)	\$5	\$5	\$10	10,000	100,000
\$15 or \$5 (dbl)	\$15 or \$5	\$15 or \$5	\$15	2,500	37,500
\$5	\$5	\$10	\$15	7,500	112,500
\$25 or (\$5 x 3)	\$5	\$5	\$15	2,500	37,500
\$25 or (\$5 x 3)	\$25 or \$5	\$25 or \$5	\$25	2,500	62,500
\$10 (dbl)	\$10 (dbl)	\$5	\$25	5,000	125,000
\$10 (dbl)	\$5	\$5	\$25	5,000	125,000
\$40 or \$5 (dbl)	\$40 or \$10 (dbl)	\$10	\$40	1,000	40,000
\$10	\$15	\$10 + \$5	\$40	1,500	60,000
\$15 (dbl)	(\$5 x 2)	\$40	\$40	1,500	60,000
(\$10 x 3)	\$25	(\$5 x 3)	\$40	1,500	60,000
\$100 or (\$10 x 4) + (\$5 x 2)	\$5	\$5	\$40	3,000	120,000
\$100 or (\$10 x 4) + (\$5 x 2)	\$100 or (\$5 x 4)	\$100 or (\$5 x 4)	\$100	100	10,000
\$5 + (\$10 x 5)	\$10 (dbl)	(\$5 x 5)	\$100	1,000	100,000
\$25 + \$10 + \$5	\$10 + \$25	(\$5 x 3) + \$10	\$100	200	20,000
\$10	(\$5 x 4)	(\$15 x 4) + \$10	\$100	100	10,000
\$500 or (\$40 x 4) + \$100 + \$15	(\$10 x 2) + (\$10 x 2) + (\$15 x 2)	(\$10 x 2) + (\$15 x 2)	\$100	200	20,000
\$500 or (\$40 x 4) + \$100 + \$15	\$500 or (\$25 x 3)	\$500 or (\$25 x 3)	\$500	150	15,000
\$100 (dbl) + \$40	\$25 (dbl) + (\$25 x 4)	\$25 (dbl) + (\$25 x 4)	\$500	15	7,500
\$1,000 or (\$100 x 6)	(\$25 x 4)	(\$40 x 4)	\$500	15	7,500
\$1,000 or (\$100 x 6)	(\$100 x 4)	(\$25 x 4)	\$500	10	5,000
\$75,000 or (\$100 x 4)	\$1,000 or (\$100 x 4)	\$1,000 or (\$100 x 4)	\$1,000	5	5,000
\$75,000 or (\$100 x 4)	\$500	\$500	\$1,000	5	5,000
\$75,000 or (\$100 x 4)	\$75,000 or (\$100 x 4)	\$75,000 or (\$100 x 4)	\$1,000	15	15,000
TOTAL				3	225,000
Second Chance Prizes			\$42,857	2	\$ 85,714
TOTAL				91,828	\$2,160,714

(k) The odds of winning a prize in this game are approximately one in 3.27. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-10, Feb. 17, 2010.)

**111-4-2932. "Blazin' Sevens" instant ticket lottery game number 267.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Blazin' Sevens" commencing on or after March 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2932.

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

	Play Symbols	Captions
Game 1	7	SEVEN
	X	XXXX
	O	OOOO
Game 2	Symbol of a sheriff badge	BADGE
	Symbol of a horse	HORSE
	Symbol of a cow	COW

Symbol of a cactus	CACTUS
Symbol of a cattle brand	BRAND
Symbol of a saddle	SADDLE
Symbol of a stalk of wheat	WHEAT
Symbol of a wheelbarrow	WBARRW
Symbol of a pistol	PISTOL
Symbol of a saloon door	SALOON
Symbol of barbed wire	WIRE
Symbol of a cowboy boot	BOOT
Symbol of a cowboy hat	HAT
Symbol of a guitar	GUITAR
Symbol of a horseshoe	SHOE
Symbol of long horns	HORNS
Symbol of a tractor	TRACTOR
Symbol of a wagon	WAGON
Symbol of a water trough	TROUGH
Symbol of a wanted poster	WANTED
Symbol of a wagon wheel	WHEEL
Symbol of a 7 (outlined)	DOUBLE

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

(c) For this game, a play symbol shall appear in each of 38 play spots within the play area or areas.

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

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

FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWF	=	\$25.00
FTY	=	\$50.00
STF	=	\$75.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) "Blazin' Sevens" features three separate play areas. Game 1 is a tic-tac-toe game. The player will remove the scratch-off material to reveal nine play symbols and one prize symbol. If a player reveals three "7" symbols in any one row, column, or diagonal, the player wins the prize amount shown in the prize box. A player can win one time in this play area.

Game 2 is a match three of six game. The player will remove the scratch-off material to reveal six prize amounts. If a player reveals three identical prize amounts, the player wins that prize. A player can win one time in this play area.



Game 3 is a key symbol match game. The player will remove the scratch-off material to reveal two "WINNING SYMBOLS," 10 "YOUR SYMBOLS," and 10 prize amounts. If a player matches either "WINNING SYMBOL" to any of "YOUR SYMBOLS," the player wins the prize shown below that symbol. If the player reveals a "7" symbol, the player wins double the prize shown instantly. A player can win up to 10 times in this play area.

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

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

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

	Prize	Expected Number of Prizes in Game	Expected Value in Game
	\$5	72,000	\$360,000
	\$10	16,000	160,000
	\$5 + \$5	16,000	160,000
	\$5 DBL	20,000	200,000
	\$15	8,000	120,000
	\$5 + \$10	8,000	120,000
	(\$5 x 3)	8,000	120,000
	\$5 + (\$5 DBL)	12,000	180,000
	\$25	1,200	30,000
	\$10 + \$15	1,200	30,000
	\$5 + (\$10 DBL)	1,200	30,000
	(\$5 x 5)	1,200	30,000
	\$50	300	15,000
	\$25 DBL	600	30,000
	(\$10 x 5)	400	20,000
	(\$5 x 10)	400	20,000
	\$75	160	12,000
	\$25 DBL + \$25	160	12,000
	(\$25 x 3)	200	15,000
	(\$5 x 10) + \$10 + \$15	240	18,000
	\$100	40	4,000
	\$50 DBL	50	5,000
	(\$25 x 4)	50	5,000
	(\$10 x 10)	60	6,000
	(\$5 x 10) + \$50	60	6,000
	\$500	16	8,000
	(\$100 x 5)	16	8,000
	(\$25 x 8) + (\$50 x 2) + (\$100 x 2)	24	12,000
	\$1,000	6	6,000
	\$500 DBL	6	6,000
	(\$100 x 5) + \$500	6	6,000
	(\$100 x 8) + (\$50 x 4)	6	6,000
	\$5,000	4	20,000
	(\$1,000 x 5)	4	20,000
	\$25,000	6	150,000
	<b>TOTAL</b>	<u>167,614</u>	<u>\$1,950,000</u>

DBL - denotes doubler prize

(k) The odds of winning a prize in this game are approximately one in 3.58. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710, and K.S.A. 74-8720; effective, T-111-3-23-10, Feb. 17, 2010.)

**111-4-2933. "Super Red Hot Crossword" instant ticket lottery game number 268.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Su-

per Red Hot Crossword" commencing on or after March 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2933.

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

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

Play Symbols	Captions
A	
B	
C	
D	
E	
F	
G	
H	
I	
J	
K	
L	
M	
N	
O	
P	
Q	
R	
S	
T	
U	
V	
W	
X	
Y	
Z	

GOOD LUCK  
MAYBE NEXT TIME

(c) For this game, a play symbol shall appear in each of 20 play spots within the "YOUR LETTERS" play area, a variable number of times within the two crossword puzzle grids, and one time in the "BONUS" play area.

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

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

FRE	=	Free ticket
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
TWF	=	\$25.00

(continued)

FTY	=	\$50.00
STF	=	\$75.00
HUN	=	\$100.00
THN	=	\$200.00

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

(g) "Super Red Hot Crossword" will feature four separate play areas, "YOUR LETTERS" area, two "CROSSWORD" puzzles, and a "BONUS" area. The top puzzle grid will be imaged in black. The bottom puzzle grid will be imaged in red.

In the "CROSSWORD" play area, a player will scratch the "YOUR LETTERS" play area to reveal 20 letters. Each of the "YOUR LETTERS" may be used in both crossword puzzles. A player will match the corresponding letters in both crossword puzzles by removing the scratch-off material covering the matching letter. If a player scratches four or more completed words across both puzzles, the player wins the corresponding prize in the prize legend. The entire word must be uncovered to win the corresponding prize. Only the highest corresponding prize can be won. Words revealed in the puzzle grid at the top of the ticket are the "black" words, and words revealed in the puzzle grid at the bottom of the ticket are the "red" words.

In the "BONUS" play area, if a player reveals any amount, the player wins that amount instantly. A player can win once in this game play area.

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

- (1) must contain at least three letters;
- (2) cannot be formed diagonally, run right to left or from bottom to top;
- (3) must appear in an unbroken horizontal or vertical string of letters in the "crossword" puzzle;
- (4) an unbroken string of letters cannot be interrupted by a black space and must contain every single letter square between two black spaces;
- (5) every single letter in the unbroken string must be revealed in the "YOUR LETTERS" area and be included to form a word; and
- (6) the three small letters outside the squares in the "YOUR LETTERS" area are for validation purposes and cannot be used to play "Super Red Hot Crossword."

(i) Each ticket in this game may win up to two times.

(j) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Game 1	Bonus	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket		Free Ticket	150,000	\$0
\$5		\$5	18,000	90,000
\$10		\$10	17,100	171,000
	\$10	\$10	3,000	30,000
\$5	\$5	\$10	6,000	60,000
\$20		\$20	8,700	174,000

\$20	\$20	1,800	36,000
\$10	\$20	3,900	78,000
\$25	\$25	4,800	120,000
	\$25	1,800	45,000
\$10	\$25	3,000	75,000
\$50	\$50	4,200	210,000
	\$50	1,500	75,000
\$25	\$50	2,700	135,000
	\$75	300	22,500
\$50	\$75	600	45,000
\$100	\$100	2,400	240,000
	\$100	600	60,000
\$50	\$100	1,350	135,000
\$200	\$200	150	30,000
\$1,000	\$1,000	99	99,000
\$5,000	\$5,000	30	150,000
\$50,000	\$50,000	6	300,000
TOTAL		<u>232,035</u>	<u>\$2,380,500</u>

(l) The odds of winning a prize in this game are approximately one in 3.88. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-10, Feb. 17, 2010.)

**111-4-2934. "Crazy Coins" instant ticket lottery game number 272.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Crazy Coins" commencing on or after March 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2934.

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

Prize Symbols	Play Symbol Captions
FREE	TICKET
\$2 <sup>00</sup>	TWO\$
\$5 <sup>00</sup>	FIVE\$
10 <sup>00</sup>	TEN\$
25 <sup>00</sup>	TWEN-FIV
50 <sup>00</sup>	FIFTY
\$500\$	FIVE-HUN
\$5,000	FIVTHOU
Play Symbols	Play Symbol Captions
01¢	PENNY
05¢	NICKEL
10¢	DIME
25¢	QRTER
50¢	HALF

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

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

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

FRE	=	Free Ticket
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
TWF	=	\$25.00
FTY	=	\$50.00

FHN = \$500.00

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

(g) "Crazy Coins" is an add-up game. A player will remove the scratch-off material to reveal five play symbols (coins) and one prize symbol. If the five coins add up to \$1.00 or more, the player wins the prize in the prize box.

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

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Game 1	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	90,000	\$0
\$2	\$2	57,000	114,000
\$5	\$5	28,500	142,500
\$10	\$10	9,000	90,000
\$25	\$25	1,860	46,500
\$50	\$50	540	27,000
\$500	\$500	18	9,000
\$5,000	\$5,000	9	45,000
<b>TOTAL</b>		<b><u>186,927</u></b>	<b><u>\$474,000</u></b>

(k) The odds of winning a prize in this game are approximately one in 4.81. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-10, Feb. 17, 2010.)

**111-4-2935. "8s Are Great" instant ticket lottery game number 273.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "8s Are Great" commencing on or after March 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2935.

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

Play Symbols	Captions
8	EIGHT
X	XXXX
Symbol of a money bag	DBLR
Prize Symbols	Captions
FREE	TICKET
\$1. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$3. <sup>00</sup>	THR\$
\$4. <sup>00</sup>	FOUR\$
\$5. <sup>00</sup>	FIVE\$
\$6. <sup>00</sup>	SIX\$
10. <sup>00</sup>	TEN\$
20. <sup>00</sup>	TWENTY
40. <sup>00</sup>	FORTY
50. <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$400\$	FORHUN
\$4000	FORTHOU

(c) For this game, a play/prize symbol shall appear in each of 10 play spots within the play area or areas.

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

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

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
FOR	=	\$4.00
SIX	=	\$6.00
TEN	=	\$10.00
TWY	=	\$20.00
FRY	=	\$40.00
HUN	=	\$100.00
FRH	=	\$400.00

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

(g) The "8s Are Great" game is a tic-tac-toe game. A player will remove the scratch-off material to reveal nine play symbols and one prize symbol. If a player finds three "8" symbols in any one row, column, or diagonal, the player wins the prize amount shown in the prize box. If a player finds two "8" symbols plus a "MONEY BAG" symbol in any one row, column, or diagonal, the player wins double the prize shown.

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

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	60,000	\$0
\$1	\$1	75,000	75,000
\$2	\$2	24,000	48,000
\$1 DBL	\$2	24,000	48,000
\$4	\$4	10,500	42,000
\$2 DBL	\$4	10,500	42,000
\$6	\$6	6,000	36,000
\$3 DBL	\$6	6,000	36,000
\$10	\$10	1,800	18,000
\$5 DBL	\$10	1,800	18,000
\$20	\$20	750	15,000
\$10 DBL	\$20	750	15,000
\$40	\$40	375	15,000
\$20 DBL	\$40	375	15,000
\$100	\$100	54	5,400
\$50 DBL	\$100	54	5,400
\$400	\$400	30	12,000
\$4,000	\$4,000	12	48,000
<b>TOTAL</b>		<b><u>222,000</u></b>	<b><u>\$493,800</u></b>

DBL - denotes doubled prize

(k) The odds of winning a prize in this game are approximately one in 4.05. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-10, Feb. 17, 2010.)

(continued)

**111-4-2936.** “Firefly \$50s” instant ticket lottery game number 274. (a) The Kansas lottery shall conduct an instant winner lottery game entitled “Firefly \$50s” commencing on or after March 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2936.

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

Prize Symbols	Captions
FREE	TICKET
\$2. <sup>00</sup>	TWO\$
\$5. <sup>00</sup>	FIVE\$
\$10. <sup>00</sup>	TEN\$
\$15. <sup>00</sup>	FIFTEEN
\$50. <sup>00</sup>	FIFTY
\$500\$	FIVE-HUN

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

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

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

FRE	=	Free Ticket
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
FTY	=	\$50.00
FHN	=	\$500.00

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

(g) “Firefly \$50s” features a match three of six game. A player will remove the scratch-off material over the game play area to reveal six prize amounts. If three of the six prize amounts match, the player wins that prize amount.

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

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - Free’s	Free Ticket	108,000 \$0
3 - \$2.00’s	\$2	42,000 84,000
3 - \$5.00’s	\$5	20,400 102,000
3 - \$10.00’s	\$10	5,550 55,500
3 - \$15.00’s	\$15	3,276 49,140
3 - \$50.00’s	\$50	3,300 165,000
3 - \$500.00’s	\$500	15 7,500
<b>TOTAL</b>		<u>182,541</u> <u>\$463,140</u>

(k) The odds of winning a prize in this game are approximately one in 4.93. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-10, Feb. 17, 2010.)

**111-4-2937.** “Helicopter \$100s” instant ticket lottery game number 275. (a) The Kansas lottery shall conduct an instant winner lottery game entitled “Helicopter \$100s” commencing on or after March 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2937.

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

Prize Symbols	Captions
FREE	TICKET
\$2. <sup>00</sup>	TWO\$
\$5. <sup>00</sup>	FIVE\$
\$25. <sup>00</sup>	TWEN-FIV
\$50. <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$1000	ONETHOU

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

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

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

FRE	=	Free Ticket
TWO	=	\$2.00
FIV	=	\$5.00
TWF	=	\$25.00
FTY	=	\$50.00
HUN	=	\$100.00

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

(g) “Helicopter \$100s” is a match three of six prize amounts game. The player will remove the latex covering the play area to reveal six prize amounts. If the player matches three like prize amounts, the player wins that amount.

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

(i) Approximately 900,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - Free’s	Free Ticket	108,000 \$0
3 - \$2.00’s	\$2	42,000 84,000
3 - \$5.00’s	\$5	18,300 91,500
3 - \$25.00’s	\$2	51,800 45,000
3 - \$50.00’s	\$50	1,110 55,500
3 - \$100.00’s	\$100	1,800 180,000
3 - \$1,000.00’s	\$1,000	9 9,000
<b>TOTAL</b>		<u>173,019</u> <u>\$465,000</u>

(k) The odds of winning a prize in this game are approximately one in 5.20. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-10, Feb. 17, 2010.)

**111-4-2938. "Lucky Diamonds" instant ticket lottery game number 287.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Lucky Diamonds" commencing on or after March 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2938.

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

Play Symbols	Captions
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELV
12	TWV
13	TRN
14	FRN
15	FTN
16	SXTN
17	SVTN
18	EGTN
19	NTN
20	TWTY
21	TWYONE
22	TWYTWO
23	TWYTHR
24	TWYFOR
25	TWYFIV
26	TWYSIX
27	TWYSEV
28	TWYEGT
29	TWYNIN
30	THRTY
31	THRONE
32	THRTWO
33	THRTHR
34	THRFOR
35	THRIV
Symbol of double diamonds	DOUBLE
Prize Symbols	Captions
20 <sup>00</sup>	TWENTY
40 <sup>00</sup>	FORTY
50 <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$200\$	TWO-HUN
\$500\$	FIVE-HUN
\$1000	ONETHOU
\$10000	10-THOU
\$100000	100-THOU

(c) For this game, a play symbol shall appear in each of 55 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 014.

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

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

TWY	=	\$20.00
FRY	=	\$40.00
FTY	=	\$50.00
HUN	=	\$100.00
THN	=	\$200.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$20.00 each.

(g) "Lucky Diamonds" is a ticket with two different games across six play areas. In the key number match game, a player will remove the scratch-off material covering the play area to reveal five "WINNING NUMBERS," 20 "YOUR NUMBERS," and 20 prize amounts in each play area. If a player matches any of the "YOUR NUMBERS" to any of the "WINNING NUMBERS," the player wins the prize below that number. If a player reveals a "DOUBLE DIAMOND" symbol, the player wins double the prize shown. A player can win up to 20 times in this play area.

In the prize match play area, the player will remove the scratch-off material to reveal two prize amounts. In each play area, if the player gets two like prize amounts, the player wins that amount. A player can win up to five times in this play area.

(h) Each ticket in this game may win up to 25 times.

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

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

Prize	Expected Number of Prizes in Game	Expected Value in Game
\$20	35,000	\$700,000
\$40	45,000	1,800,000
\$20 DBL	10,000	400,000
\$50	7,500	375,000
\$50 DBL	300	30,000
\$100	300	30,000
(\$20 x 5)	300	30,000
\$200	150	30,000
\$100 DBL	150	30,000
(\$20 x 10)	150	30,000
\$500	100	50,000
(\$20 x 25)	100	50,000
\$200 DBL + (\$50 x 2)	100	50,000
\$1,000	25	25,000
\$500 DBL	50	50,000
(\$20 x 5) + (\$40 x 10) + (\$50 x 10)	50	50,000
\$10,000	5	50,000
(\$50 x 2) + (\$100 x 9) + (\$500 x 10) + (\$1,000 x 4)	5	50,000
(\$500 x 20)	3	30,000
\$100,000	4	400,000
TOTAL	<u>99,292</u>	<u>\$4,260,000</u>

(continued)

(k) The odds of winning a prize in this game are approximately one in 3.02. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-3-23-10, Feb. 17, 2010.)

**Article 305.—SPECIFIC LOTTERY FACILITY GAMES AT LOTTERY GAMING FACILITIES; THREE CARD POKER**

**111-305-1. Name of the game; rules and regulations.** The Kansas lottery shall conduct a lottery facility game at the Boot Hill Casino & Resort in Dodge City, Kansas, entitled "Three Card Poker" beginning on or after February 24, 2010.

The rules and regulations for the game of "Three Card Poker" are contained in K.A.R. 111-305-1 through 111-305-6, and applicable generic rules are contained in K.A.R. 111-201-1 *et seq.* (Authorized by K.S.A. 2009 Supp. 74-8710 and 74-8748; implementing K.S.A. 2009 Supp. 74-8710; effective, T-111-3-23-10, Feb. 17, 2010.)

**111-305-2. Object of game.** Three Card Poker is a game between the dealer and player. The dealer and player each receive three cards. The best hand wins. (Authorized by K.S.A. 2009 Supp. 74-8710 and 74-8748; implementing K.S.A. 2009 Supp. 74-8710; effective, T-111-3-23-10, Feb. 17, 2010.)

**111-305-3. Definitions.** The following definitions, when used in the Southwest Kansas Lottery Gaming Zone, when pertaining to the game of "Three Card Poker," shall have the following meanings unless the context clearly indicates otherwise.

(a) "Ante wager" means the wager that a player is required to make prior to any cards being dealt in order to compete against the dealer's hand in a round of play. This is not a required wager to play the game.

(b) "Hand" means the three card poker hand that is held by each player and the dealer after the cards are dealt.

(c) "Pair plus wager" means the wager that a player is required to make prior to any cards being dealt in order to compete against a posted scale of payouts, regardless of the outcome of the player's hand against the dealer. This is not a required wager to play the game.

(d) "Play wager" means an additional wager, equal in value to his or her ante wager, that a player must make if the player opts to remain in competition against the dealer after the player reviews his or her hand.

(e) "Round of play" means one complete cycle of play during which all wagers have been placed, all cards have been dealt and all remaining wagers have been paid off or collected in accordance with the rules of this game.

(f) "Suit" means one of the four categories of cards: club, diamond, heart or spade. (Authorized by K.S.A. 2009 Supp. 74-8710 and 74-8748; implementing K.S.A. 2009 Supp. 74-8710; effective, T-111-3-23-10, Feb. 17, 2010.)

**111-305-4. Poker rankings.** (a) The rank of the cards used in three card poker, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3, and 2. All suits shall be considered equal in rank. Notwithstanding the foregoing, an ace may be used to com-

plete a "straight flush" or a "straight" with a two and three.

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

(1) "Straight flush" is a hand consisting of three cards of the same suit in consecutive ranking, with ace, king, and queen being the highest ranking straight flush and three, two and ace being the lowest ranking straight flush.

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

(3) "Straight" is a hand consisting of three cards of consecutive rank, regardless of suit, with ace, king and queen being the highest ranking straight and three, two and ace being the lowest ranking straight.

(4) "Flush" is a hand consisting of three cards of the same suit, regardless of rank.

(5) "Pair" is a hand consisting of two cards of the same rank, regardless of suit, with two aces being the highest ranking pair and two twos being the lowest ranking pair.

(c) When comparing two hands that are of identical poker hand rank pursuant to the provisions of (b) above, or that contain none of the hands authorized in (b) above, the hand that contains the highest ranking card as provided in (a) above that is not contained in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this subsection, the hands shall be considered a "draw," the player does not win or lose the ante wager and play wager and the ante wager and play wager are returned to the player. (Authorized by K.S.A. 2009 Supp. 74-8710 and 74-8748; implementing K.S.A. 2009 Supp. 74-8710; effective, T-111-3-23-10, Feb. 17, 2010.)

**111-305-5. Wagers.** (a) The following wagers may be placed in the game of three card poker:

(1) A player may compete solely against the dealer by placing an ante wager in an amount within the posted minimum and maximum wagers and then placing a play wager in an equal amount; or

(2) A player may compete solely against a posted payout ledger by placing a pair plus wager, which wager may be in any amount within the posted minimum and maximum wagers; or

(3) A player may compete against both the dealer and the posted scale of payouts by placing wagers in accordance with the requirements of (a)(1) and (2) above.

(b) All wagers at three card poker shall be made by placing gaming chips or other authorized bet on the appropriate betting areas of the table layout. A verbal wager accompanied by cash is not permitted.

(c) Only players who are seated at a three card poker table may wager at the game. Once a player has placed a wager and received cards, that player must remain seated until the completion of the round of play or they may forfeit their wager.

(d) All ante wagers and pair plus wagers shall be placed prior to the dealer announcing "No more bets." No wager shall be made, increased, or withdrawn after the dealer has announced "No more bets." (Authorized by K.S.A. 2009 Supp. 74-8710 and 74-8748; implementing

K.S.A. 2009 Supp. 74-8710; effective, T-111-3-23-10, Feb. 17, 2010.)

**111-305-6. Play.** (a) All play wagers shall be placed as provided below:

(1) Play-dealing. The dealer shall announce "No more bets" prior to dealing any cards.

(2) Each player and the dealer are dealt three cards face down.

(b) After the dealing above has been completed, each player shall examine his or her cards. Each player who wagers at three card poker shall be responsible for his or her own hand and no person other than the dealer and the player to whom the cards were dealt may touch the cards of that player.

(c) After examination of his or her cards, each player who has placed an ante wager shall have the option to either make a play wager in an amount equal to the player's ante wager or forfeit the ante wager and end his or her participation in the round of play. The dealer shall offer this option to each player, starting with the player farthest to the left of the dealer and moving clockwise around the table in order. If a player has placed an ante wager and a pair plus wager but does not make a play wager, the player shall forfeit both the ante wager and the pair plus wager. After each player has either placed a wager on the table in the play wager area or forfeited his or her wager and hand, the dealer shall collect all forfeited wagers and associated cards, placing them in the discard rack. The dealer shall then reveal the dealer's cards and place the cards so as to form the highest possible ranking hand.

(d) The dealer shall then settle the wagers remaining on the table by performing the procedure in (e) immediately below. The dealer's cards shall be placed in the discard rack after all players' cards have been collected.

(e) The dealer shall, for each of the following procedures, start with the player farthest to the dealer's right and continue counterclockwise around the table until the procedure has been completed as to all players:

(1) Reveal the three card hand of each remaining player;

(2) Collect all losing wagers;

(3) Pay each winning wager in accordance with the payout odds listed below; and

(4) Collect all player hands and place them in the discard rack.

(f) All cards collected by the dealer shall be picked up in order and placed in the discard rack in such a way that they can be readily arranged to reconstruct each hand in the event of a question or dispute.

(g) There are three payout types, as follows:

(1) A player in competition against the dealer shall be paid 1 to 1 on both the ante wager and the play wager if the player's hand is ranked higher than the dealer's hand; however, a player's hand must beat the dealer's qualifying hand of a queen or higher ranking card to win both wagers. If the dealer does not hold a hand with a "queen high or better" rank, the ante wager shall automatically be paid 1 to 1 and the play wager shall be returned to the player as a "draw."

(2) A player placing a pair plus wager, shall be paid in accordance with a posted pay table at no less than the following odds:

Pair	1 to 1
Flush	3 to 1
Straight	5 to 1
Three-of-a-kind	25 to 1
Straight flush	35 to 1

(3) A player placing an ante wager and a play wager shall be paid an ante bonus if the player's hand consists of one of the following:

Straight	pays	1 to 1
Three-of-a-kind	pays	4 to 1
Straight flush	pays	5 to 1

If the dealer's hand beats the player's hand, the player loses the ante and the play bets, but the player receives the ante bonus as specified above. The ante bonus is paid even if the player does not wager the pair plus wager. (Authorized by K.S.A. 2009 Supp. 74-8710 and 74-8748; implementing K.S.A. 2009 Supp. 74-8710; effective, T-111-3-23-10, Feb. 17, 2010.)

Ed Van Petten  
Executive Director

Doc. No. 038165

## State of Kansas

### Secretary of State

#### Certification of New State Laws

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

Chris Biggs  
Secretary of State

(Published in the Kansas Register April 8, 2010.)

#### SENATE BILL No. 326

AN ACT concerning crime victims; relating to the crime victims compensation fund and the crime victims assistance fund; amending K.S.A. 2009 Supp. 75-752 and repealing the existing section.

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

Section 1. K.S.A. 2009 Supp. 75-752 is hereby amended to read as follows: 75-752. During the fiscal year ending June 30, ~~2005~~ 2010, and during each ensuing fiscal year thereafter, the director of accounts and reports is hereby authorized to transfer an amount certified by the attorney general of not to exceed ~~\$100,000~~ \$300,000 from the crime victims compensation fund to the crime victims assistance fund.

Sec. 2. K.S.A. 2009 Supp. 75-752 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 8, 2010.)

### SENATE BILL No. 497

AN ACT concerning crimes and punishments; relating to the criminal use of weapons; amending K.S.A. 2009 Supp. 21-4201 and repealing the existing section.

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

Section 1. K.S.A. 2009 Supp. 21-4201 is hereby amended to read as follows: 21-4201. (a) Criminal use of weapons is knowingly:

(1) Selling, manufacturing, purchasing, possessing or carrying any bludgeon, sandclub, metal knuckles or throwing star, or any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement. *This subsection shall not prohibit an ordinary pocket knife which has a spring, detent or other device which creates a bias towards closure of the blade and which requires hand pressure applied to such spring, detent or device through the blade of the knife to overcome the bias towards closure to assist in the opening of the knife;*

(2) carrying concealed on one's person, or possessing with intent to use the same unlawfully against another, a dagger, dirk, billy, blackjack, slungshot, dangerous knife, straight-edged razor, stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife with no blade more than four inches in length shall not be construed to be a dangerous knife, or a dangerous or deadly weapon or instrument;

(3) carrying on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;

(4) carrying any pistol, revolver or other firearm concealed on one's person except when on the person's land or in the person's abode or fixed place of business;

(5) setting a spring gun;

(6) possessing any device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm;

(7) selling, manufacturing, purchasing, possessing or carrying a shotgun with a barrel less than 18 inches in length or any other firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger; or

(8) possessing, manufacturing, causing to be manufactured, selling, offering for sale, lending, purchasing or giving away any cartridge which can be fired by a handgun and which has a plastic-coated bullet that has a core of less than 60% lead by weight.

(b) Subsections (a)(1), (2), (3), (4) and (7) shall not apply to or affect any of the following:

(1) Law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) manufacture of, transportation to, or sale of weapons to a person authorized under subsections (b)(1), (2) and (3) to possess such weapons.

(c) Subsection (a)(4) shall not apply to or affect the following:

(1) Watchmen, while actually engaged in the performance of the duties of their employment;

(2) licensed hunters or fishermen, while engaged in hunting or fishing;

(3) private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;

(4) detectives or special agents regularly employed by railroad companies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment;

(5) the state fire marshal, the state fire marshal's deputies or any member of a fire department authorized to carry a firearm pursuant to K.S.A. 31-157 and amendments thereto, while engaged in an investigation in which such fire marshal, deputy or member is authorized to carry a firearm pursuant to K.S.A. 31-157 and amendments thereto;

(6) special deputy sheriffs described in K.S.A. 19-827, and amendments thereto, who have satisfactorily completed the basic course of instruction required for permanent appointment as a part-time law enforcement officer under K.S.A. 74-5607a and amendments thereto; or

(7) the United States attorney for the district of Kansas, the attorney general, any district attorney or county attorney, any assistant United States attorney if authorized by the United States attorney for the district of Kansas, any assistant attorney general if authorized by the attorney general, or any assistant district attorney or assistant county attorney if authorized by the district attorney or county attorney by whom such assistant is employed. The provisions of this paragraph shall not apply to any person not in compliance with K.S.A. 2009 Supp. 75-7c19, and amendments thereto.

(d) Subsections (a)(1), (6) and (7) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.

(e) Subsection (a)(8) shall not apply to a governmental laboratory or solid plastic bullets.

(f) Subsection (a)(6) shall not apply to a law enforcement officer who is:

(1) Assigned by the head of such officer's law enforcement agency to a tactical unit which receives specialized, regular training;

(2) designated by the head of such officer's law enforcement agency to possess devices described in subsection (a)(6); and

(3) in possession of commercially manufactured devices which are: (A) Owned by the law enforcement agency; (B) in such officer's possession only during specific operations; and (C) approved by the bureau of alcohol, tobacco, firearms and explosives of the United States department of justice.

(g) Subsections (a)(6), (7) and (8) shall not apply to any person employed by a laboratory which is certified by the United States department of justice, national institute of justice, while actually engaged in the duties of their employment and on the premises of such certified laboratory. Subsections (a)(6), (7) and (8) shall not affect the manufacture of, transportation to or sale of weapons to such certified laboratory.

(h) Subsection (a)(4) shall not apply to any person carrying a concealed weapon as authorized by K.S.A. 2009 Supp. 75-7c01 through 75-7c17, and amendments thereto.

(i) Subsections (a)(6) and (7) shall not apply to or affect any person or entity in compliance with the national firearms act, 26 U.S.C. 5801 et seq.

(j) It shall be a defense that the defendant is within an exemption.

(k) Violation of subsections (a)(1) through (a)(5) is a class A nonperson misdemeanor. Violation of subsection (a)(6), (a)(7) or (a)(8) is a severity level 9, nonperson felony.

(l) As used in this section, "throwing star" means any instrument, without handles, consisting of a metal plate having three or more radiating points with one or more sharp edges and designed in the shape of a polygon, trefoil, cross, star, diamond or other geometric shape, manufactured for use as a weapon for throwing.

Sec. 2. K.S.A. 2009 Supp. 21-4201 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.



(Published in the Kansas Register April 8, 2010.)

### HOUSE BILL No. 2469

AN ACT concerning crimes and punishment; relating to sentencing; amending K.S.A. 21-4710 and repealing the existing section.

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

Section 1. K.S.A. 21-4710 is hereby amended to read as follows: 21-4710. (a) Criminal history categories contained in the sentencing guidelines grid for nondrug crimes and the sentencing guidelines grid for drug crimes are based on the following types of prior convictions: Person felony adult convictions, nonperson felony adult convictions, person felony juvenile adjudications, nonperson felony juvenile adjudications, person misdemeanor adult convictions, nonperson class A misdemeanor adult convictions, person misdemeanor juvenile adjudications, nonperson class A misdemeanor juvenile adjudications, select class B nonperson misdemeanor adult convictions, select class B nonperson misdemeanor juvenile adjudications and convictions and adjudications for violations of municipal ordinances or county resolutions which are comparable to any crime classified under the state law of Kansas as a person misdemeanor, select nonperson class B misdemeanor or nonperson class A misdemeanor. A prior conviction is any conviction, other than another count in the current case which was brought in the same information or complaint or which was joined for trial with other counts in the current case pursuant to K.S.A. 22-3203 and amendments thereto, which occurred prior to sentencing in the current case regardless of whether the offense that led to the prior conviction occurred before or after the current offense or the conviction in the current case.

(b) A class B nonperson select misdemeanor is a special classification established for weapons violations. Such classification shall be considered and scored in determining an offender's criminal history classification.

(c) Except as otherwise provided, all convictions, whether sentenced consecutively or concurrently, shall be counted separately in the offender's criminal history.

(d) Except as provided in K.S.A. 21-4716, and amendments thereto, the following are applicable to determining an offender's criminal history classification:

- (1) Only verified convictions will be considered and scored.
- (2) All prior adult felony convictions, including expungements, will be considered and scored.
- (3) There will be no decay factor applicable for adult convictions.
- (4) Except as otherwise provided, a juvenile adjudication, which would have been a nonperson class D or E felony if committed before July 1, 1993, or a nondrug level 6, 7, 8, 9 or 10, or drug level 4, nonperson felony if committed on or after July 1, 1993, or a misdemeanor if committed by an adult, will decay if the current crime of conviction is committed after the offender reaches the age of 25.
- (5) For convictions of crimes committed before July 1, 1993, a juvenile adjudication which would constitute a class A, B or C felony, if committed by an adult, will not decay. For convictions of crimes committed on or after July 1, 1993, a juvenile adjudication which would constitute an off-grid felony, a nondrug severity level 1, 2, 3, 4 or 5 felony, or a drug severity level 1, 2 or 3 felony, if committed by an adult, will not decay.
- (6) All juvenile adjudications which would constitute a person felony will not decay or be forgiven.
- (7) All person misdemeanors, class A nonperson misdemeanors and class B select nonperson misdemeanors, and all municipal ordinance and county resolution violations comparable to such misdemeanors, shall be considered and scored.
- (8) Unless otherwise provided by law, unclassified felonies and misdemeanors, shall be considered and scored as nonperson crimes for the purpose of determining criminal history.
- (9) Prior convictions of a crime defined by a statute which has since been repealed shall be scored using the classification assigned at the time of such conviction.
- (10) Prior convictions of a crime defined by a statute which has since been determined unconstitutional by an appellate court shall not be used for criminal history scoring purposes.

(11) Prior convictions of any crime shall not be counted in determining the criminal history category if they enhance the severity level ~~or applicable penalties~~, elevate the classification from misdemeanor to felony, or are elements of the present crime of conviction. Except as otherwise provided, all other prior convictions will be considered and scored.

Sec. 2. K.S.A. 21-4710 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 8, 2010.)

### SENATE BILL No. 414

AN ACT concerning the health care stabilization fund; amending K.S.A. 2009 Supp. 40-3403 and 40-3404 and repealing the existing sections.

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

Section 1. K.S.A. 2009 Supp. 40-3403 is hereby amended to read as follows: 40-3403. (a) For the purpose of paying damages for personal injury or death arising out of the rendering of or the failure to render professional services by a health care provider, self-insurer or inactive health care provider subsequent to the time that such health care provider or self-insurer has qualified for coverage under the provisions of this act, there is hereby established the health care stabilization fund. The fund shall be held in trust in the state treasury and accounted for separately from other state funds. The board of governors shall administer the fund or contract for the administration of the fund with an insurance company authorized to do business in this state.

(b) (1) There is hereby created a board of governors which shall be composed of such members and shall have such powers, duties and functions as are prescribed by this act. The board of governors shall:

(A) Administer the fund and exercise and perform other powers, duties and functions required of the board under the health care provider insurance availability act;

(B) provide advice, information and testimony to the appropriate licensing or disciplinary authority regarding the qualifications of a health care provider;

(C) prepare and publish, on or before October 1 of each year, a summary of the fund's activity during the preceding fiscal year, including but not limited to the amount collected from surcharges, the highest and lowest surcharges assessed, the amount paid from the fund, the number of judgments paid from the fund, the number of settlements paid from the fund and the amount in the fund at the end of the fiscal year; and

(D) have the authority to grant exemptions from the provisions of subsection (m) of this section when a health care provider temporarily leaves the state for the purpose of obtaining additional education or training or to participate in religious, humanitarian or government service programs. Whenever a health care provider has previously left the state for one of the reasons specified in this paragraph and returns to the state and recommences practice, the board of governors may refund any amount paid by the health care provider pursuant to subsection (m) of this section if no claims have been filed against such health care provider during the provider's temporary absence from the state.

(2) The board shall consist of 10 persons appointed by the commissioner of insurance, as provided by this subsection (b) and as follows:

(A) Three members who are licensed to practice medicine and surgery in Kansas who are doctors of medicine and who are on a list of nominees submitted to the commissioner by the Kansas medical society;

(B) three members who are representatives of Kansas hospitals and who are on a list of nominees submitted to the commissioner by the Kansas hospital association;

(C) two members who are licensed to practice medicine and surgery in Kansas who are doctors of osteopathic medicine and who are on a list of nominees submitted to the commissioner by the Kansas association of osteopathic medicine;

*(continued)*

(D) one member who is licensed to practice chiropractic in Kansas and who is on a list of nominees submitted to the commissioner by the Kansas chiropractic association;

(E) one member who is a licensed professional nurse authorized to practice as a registered nurse anesthetist who is on a list of nominees submitted to the commissioner by the Kansas association of nurse anesthetists.

(3) When a vacancy occurs in the membership of the board of governors created by this act, the commissioner shall appoint a successor of like qualifications from a list of three nominees submitted to the commissioner by the professional society or association prescribed by this section for the category of health care provider required for the vacant position on the board of governors. All appointments made shall be for a term of office of four years, but no member shall be appointed for more than two successive four-year terms. Each member shall serve until a successor is appointed and qualified. Whenever a vacancy occurs in the membership of the board of governors created by this act for any reason other than the expiration of a member's term of office, the commissioner shall appoint a successor of like qualifications to fill the unexpired term. In each case of a vacancy occurring in the membership of the board of governors, the commissioner shall notify the professional society or association which represents the category of health care provider required for the vacant position and request a list of three nominations of health care providers from which to make the appointment.

(4) The board of governors shall organize on July 1 of each year and shall elect a chairperson and vice-chairperson from among its membership. Meetings shall be called by the chairperson or by a written notice signed by three members of the board.

(5) The board of governors, in addition to other duties imposed by this act, shall study and evaluate the operation of the fund and make such recommendations to the legislature as may be appropriate to ensure the viability of the fund.

(6) (A) The board shall appoint an executive director who shall be in the unclassified service under the Kansas civil service act and may appoint such attorneys, legal assistants, claims managers and compliance auditors who shall also be in the unclassified service under the Kansas civil service act. Such executive director, attorneys, legal assistants, claims managers and compliance auditors shall receive compensation fixed by the board, in accordance with appropriation acts of the legislature, not subject to approval of the governor.

(B) The board may appoint such additional employees, and provide all office space, services, equipment, materials and supplies, and all budgeting, personnel, purchasing and related management functions required by the board in the exercise of the powers, duties and functions imposed or authorized by the health care provider insurance availability act or may enter into a contract with the commissioner of insurance for the provision, by the commissioner, of all or any part thereof.

(7) The commissioner shall:

(A) Provide technical and administrative assistance to the board of governors with respect to administration of the fund upon request of the board;

(B) provide such expertise as the board may reasonably request with respect to evaluation of claims or potential claims.

(c) Subject to subsections (d), (e), (f), (i), (k), (m), (n), (o), (p) and (q), the fund shall be liable to pay: (1) Any amount due from a judgment or settlement which is in excess of the basic coverage liability of all liable resident health care providers or resident self-insurers for any personal injury or death arising out of the rendering of or the failure to render professional services within or without this state;

(2) subject to the provisions of subsection (m), any amount due from a judgment or settlement which is in excess of the basic coverage liability of all liable nonresident health care providers or nonresident self-insurers for any such injury or death arising out of the rendering or the failure to render professional services within this state but in no event shall the fund be obligated for claims against nonresident health care providers or nonresident self-insurers who have not complied with this act or for claims against nonresident health care providers or nonresident self-insurers that arose outside of this state;

(3) subject to the provisions of subsection (m), any amount due from a judgment or settlement against a resident inactive health care provider, an optometrist or pharmacist who purchased coverage pursuant to subsection (n) or a physical therapist who purchased coverage pursuant to subsection (o), for any such injury or death arising out of the rendering of or failure to render professional services;

(4) subject to the provisions of subsection (m), any amount due from a judgment or settlement against a nonresident inactive health care provider, an optometrist or pharmacist who purchased coverage pursuant to subsection (n) or a physical therapist who purchased coverage pursuant to subsection (o), for any injury or death arising out of the rendering or failure to render professional services within this state, but in no event shall the fund be obligated for claims against: (A) Nonresident inactive health care providers who have not complied with this act; or (B) nonresident inactive health care providers for claims that arose outside of this state, unless such health care provider was a resident health care provider or resident self-insurer at the time such act occurred;

(5) subject to subsection (b) of K.S.A. 40-3411, and amendments thereto, reasonable and necessary expenses for attorney fees incurred in defending the fund against claims;

(6) any amounts expended for reinsurance obtained to protect the best interests of the fund purchased by the board of governors, which purchase shall be subject to the provisions of K.S.A. 75-3738 through 75-3744, and amendments thereto, but shall not be subject to the provisions of K.S.A. 75-4101 and amendments thereto;

(7) reasonable and necessary actuarial expenses incurred in administering the act, including expenses for any actuarial studies contracted for by the legislative coordinating council, which expenditures shall not be subject to the provisions of K.S.A. 75-3738 through 75-3744, and amendments thereto;

(8) periodically to the plan or plans, any amount due pursuant to subsection (a)(3) of K.S.A. 40-3413 and amendments thereto;

(9) reasonable and necessary expenses incurred by the board of governors in the administration of the fund or in the performance of other powers, duties or functions of the board under the health care provider insurance availability act;

(10) return of any unearned surcharge;

(11) subject to subsection (b) of K.S.A. 40-3411, and amendments thereto, reasonable and necessary expenses for attorney fees and other costs incurred in defending a person engaged or who was engaged in residency training or the private practice corporations or foundations and their full-time physician faculty employed by the university of Kansas medical center or any nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine from claims for personal injury or death arising out of the rendering of or the failure to render professional services by such health care provider;

(12) notwithstanding the provisions of subsection (m), any amount due from a judgment or settlement for an injury or death arising out of the rendering of or failure to render professional services by a person engaged or who was engaged in residency training or the private practice corporations or foundations and their full-time physician faculty employed by the university of Kansas medical center or any nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine;

(13) subject to the provisions of K.S.A. 65-429 and amendments thereto, reasonable and necessary expenses for the development and promotion of risk management education programs and for the medical care facility licensure and risk management survey functions carried out under K.S.A. 65-429 and amendments thereto;

(14) notwithstanding the provisions of subsection (m), any amount, but not less than the required basic coverage limits, owed pursuant to a judgment or settlement for any injury or death arising out of the rendering of or failure to render professional services by a person, other than a person described in clause (12) of this subsection (c), who was engaged in a postgraduate program of residency training approved by the state board of healing arts but who, at the time the claim was made, was no longer engaged in such residency program;

(15) subject to subsection (b) of K.S.A. 40-3411, and amendments thereto, reasonable and necessary expenses for attorney fees and other costs incurred in defending a person described in clause (14) of this subsection (c);

(16) expenses incurred by the commissioner in the performance of duties and functions imposed upon the commissioner by the health care provider insurance availability act, and expenses incurred by the commissioner in the performance of duties and functions under contracts entered into between the board and the commissioner as authorized by this section; and

(17) periodically to the state general fund reimbursements of amounts paid to members of the health care stabilization fund oversight committee for compensation, travel expenses and subsistence expenses pursuant to subsection (e) of K.S.A. 40-3403b, and amendments thereto.

(d) All amounts for which the fund is liable pursuant to subsection (c) shall be paid promptly and in full except that, if the amount for which the fund is liable is \$300,000 or more, it shall be paid, by installment payments of \$300,000 or 10% of the amount of the judgment including interest thereon, whichever is greater, per fiscal year, the first installment to be paid within 60 days after the fund becomes liable and each subsequent installment to be paid annually on the same date of the year the first installment was paid, until the claim has been paid in full. Any attorney fees payable from such installment shall be similarly prorated.

(e) In no event shall the fund be liable to pay in excess of \$3,000,000 pursuant to any one judgment or settlement against any one health care provider relating to any injury or death arising out of the rendering of or the failure to render professional services on and after July 1, 1984, and before July 1, 1989, subject to an aggregate limitation for all judgments or settlements arising from all claims made in any one fiscal year in the amount of \$6,000,000 for each health care provider.

(f) The fund shall not be liable to pay in excess of the amounts specified in the option selected by the health care provider pursuant to subsection (l) for judgments or settlements relating to injury or death arising out of the rendering of or failure to render professional services by such health care provider on or after July 1, 1989.

(g) A health care provider shall be deemed to have qualified for coverage under the fund:

(1) On and after July 1, 1976, if basic coverage is then in effect;

(2) subsequent to July 1, 1976, at such time as basic coverage becomes effective; or

(3) upon qualifying as a self-insurer pursuant to K.S.A. 40-3414 and amendments thereto.

(h) A health care provider who is qualified for coverage under the fund shall have no vicarious liability or responsibility for any injury or death arising out of the rendering of or the failure to render professional services inside or outside this state by any other health care provider who is also qualified for coverage under the fund. The provisions of this subsection shall apply to all claims filed on or after July 1, 1986.

(i) Notwithstanding the provisions of K.S.A. 40-3402 and amendments thereto, if the board of governors determines due to the number of claims filed against a health care provider or the outcome of those claims that an individual health care provider presents a material risk of significant future liability to the fund, the board of governors is authorized by a vote of a majority of the members thereof, after notice and an opportunity for hearing in accordance with the provisions of the Kansas administrative procedure act, to terminate the liability of the fund for all claims against the health care provider for damages for death or personal injury arising out of the rendering of or the failure to render professional services after the date of termination. The date of termination shall be 30 days after the date of the determination by the board of governors. The board of governors, upon termination of the liability of the fund under this subsection, shall notify the licensing or other disciplinary board having jurisdiction over the health care provider involved of the name of the health care provider and the reasons for the termination.

(j) (1) *Subject to the provisions of paragraph (7) of this subsection (j)*, upon the payment of moneys from the health care stabilization fund pursuant to subsection (c)(11), the board of governors shall certify to the director of accounts and reports the amount of such

payment, and the director of accounts and reports shall transfer an amount equal to the amount certified, reduced by any amount transferred pursuant to paragraph (3) or (4) of this subsection (j), from the state general fund to the health care stabilization fund.

(2) *Subject to the provisions of paragraph (7) of this subsection (j)*, upon the payment of moneys from the health care stabilization fund pursuant to subsection (c)(12), the board of governors shall certify to the director of accounts and reports the amount of such payment which is equal to the basic coverage liability of self-insurers, and the director of accounts and reports shall transfer an amount equal to the amount certified, reduced by any amount transferred pursuant to paragraph (3) or (4) of this subsection (j), from the state general fund to the health care stabilization fund.

(3) The university of Kansas medical center private practice foundation reserve fund is hereby established in the state treasury. If the balance in such reserve fund is less than \$500,000 on July 1 of any year, the private practice corporations or foundations referred to in subsection (c) of K.S.A. 40-3402, and amendments thereto, shall remit the amount necessary to increase such balance to \$500,000 to the state treasurer for credit to such reserve fund as soon after such July 1 date as is practicable. Upon receipt of each such remittance, the state treasurer shall credit the same to such reserve fund. When compliance with the foregoing provisions of this paragraph have been achieved on or after July 1 of any year in which the same are applicable, the state treasurer shall certify to the board of governors that such reserve fund has been funded for the year in the manner required by law. Moneys in such reserve fund may be invested or reinvested in accordance with the provisions of K.S.A. 40-3406, and amendments thereto, and any income or interest earned by such investments shall be credited to such reserve fund. Upon payment of moneys from the health care stabilization fund pursuant to subsection (c)(11) or (c)(12) with respect to any private practice corporation or foundation or any of its full-time physician faculty employed by the university of Kansas, the director of accounts and reports shall transfer an amount equal to the amount paid from the university of Kansas medical center private practice foundation reserve fund to the health care stabilization fund or, if the balance in such reserve fund is less than the amount so paid, an amount equal to the balance in such reserve fund.

(4) The graduate medical education administration reserve fund is hereby established in the state treasury. If the balance in such reserve fund is less than \$40,000 on July 1 of any year, the nonprofit corporations organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall remit the amount necessary to increase such balance to \$40,000 to the state treasurer for credit to such reserve fund as soon after such July 1 date as is practicable. Upon receipt of each such remittance, the state treasurer shall credit the same to such reserve fund. When compliance with the foregoing provisions of this paragraph have been achieved on or after July 1 of any year in which the same are applicable, the state treasurer shall certify to the board of governors that such reserve fund has been funded for the year in the manner required by law. Moneys in such reserve fund may be invested or reinvested in accordance with the provisions of K.S.A. 40-3406, and amendments thereto, and any income or interest earned by such investments shall be credited to such reserve fund. Upon payment of moneys from the health care stabilization fund pursuant to subsection (c)(11) or (c)(12) with respect to any nonprofit corporations organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine the director of accounts and reports shall transfer an amount equal to the amount paid from the graduate medical education administration reserve fund to the health care stabilization fund or, if the balance in such reserve fund is less than the amount so paid, an amount equal to the balance in such reserve fund.

(5) Upon payment of moneys from the health care stabilization fund pursuant to subsection (c)(14) or (c)(15), the board of governors shall certify to the director of accounts and reports the amount of such payment, and the director of accounts and reports shall transfer an amount equal to the amount certified from the state general fund to the health care stabilization fund.

(continued)

(6) Transfers from the state general fund to the health care stabilization fund pursuant to subsection (j) shall not be subject to the provisions of K.S.A. 75-3722 and amendments thereto.

(7) The funds required to be transferred from the state general fund to the health care stabilization fund pursuant to paragraphs (1) and (2) of this subsection (j) for the fiscal years ending June 30, 2010, June 30, 2011, June 30, 2012, and June 30, 2013, shall not be transferred prior to July 1, 2013. The director of accounts and reports shall maintain a record of the amounts certified by the board of governors pursuant to paragraphs (1) and (2) of this subsection (j) for the fiscal years ending June 30, 2010, June 30, 2011, June 30, 2012, and June 30, 2013. Beginning July 1, 2013, in addition to any other transfers required pursuant to subsection (j), the state general fund transfers which are deferred pursuant to this paragraph shall be transferred from the state general fund to the health care stabilization fund in the following manner: On July 1, 2013, and annually thereafter through July 1, 2017, an amount equal to 20% of the total amount of state general fund transfers deferred pursuant to this paragraph for the fiscal years ending June 30, 2010, June 30, 2011, June 30, 2012, and June 30, 2013. The amounts deferred pursuant to this paragraph shall not accrue interest thereon.

(k) Notwithstanding any other provision of the health care provider insurance availability act, no psychiatric hospital licensed under K.S.A. 75-3307b and amendments thereto shall be assessed a premium surcharge or be entitled to coverage under the fund if such hospital has not paid any premium surcharge pursuant to K.S.A. 40-3404 and amendments thereto prior to January 1, 1988.

(l) On or after July 1, 1989, every health care provider shall make an election to be covered by one of the following options provided in this subsection (l) which shall limit the liability of the fund with respect to judgments or settlements relating to injury or death arising out of the rendering of or failure to render professional services on or after July 1, 1989. Such election shall be made at the time the health care provider renews the basic coverage in effect on July 1, 1989, or, if basic coverage is not in effect, such election shall be made at the time such coverage is acquired pursuant to K.S.A. 40-3402, and amendments thereto. Notice of the election shall be provided by the insurer providing the basic coverage in the manner and form prescribed by the board of governors and shall continue to be effective from year to year unless modified by a subsequent election made prior to the anniversary date of the policy. The health care provider may at any subsequent election reduce the dollar amount of the coverage for the next and subsequent fiscal years, but may not increase the same, unless specifically authorized by the board of governors. Any election of fund coverage limits, whenever made, shall be with respect to judgments or settlements relating to injury or death arising out of the rendering of or failure to render professional services on or after the effective date of such election of fund coverage limits. Such election shall be made for persons engaged in residency training and persons engaged in other postgraduate training programs approved by the state board of healing arts at medical care facilities or mental health centers in this state by the agency or institution paying the surcharge levied under K.S.A. 40-3404, and amendments thereto, for such persons. The election of fund coverage limits for a nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be deemed to be effective at the highest option. Such options shall be as follows:

(1) **OPTION 1.** The fund shall not be liable to pay in excess of \$100,000 pursuant to any one judgment or settlement for any party against such health care provider, subject to an aggregate limitation for all judgments or settlements arising from all claims made in the fiscal year in an amount of \$300,000 for such provider.

(2) **OPTION 2.** The fund shall not be liable to pay in excess of \$300,000 pursuant to any one judgment or settlement for any party against such health care provider, subject to an aggregate limitation for all judgments or settlements arising from all claims made in the fiscal year in an amount of \$900,000 for such provider.

(3) **OPTION 3.** The fund shall not be liable to pay in excess of \$800,000 pursuant to any one judgment or settlement for any party against such health care provider, subject to an aggregate limitation for all judgments or settlements arising from all claims made in the fiscal year in an amount of \$2,400,000 for such health care provider.

(m) The fund shall not be liable for any amounts due from a judgment or settlement against resident or nonresident inactive

health care providers who first qualify as an inactive health care provider on or after July 1, 1989, unless such health care provider has been in compliance with K.S.A. 40-3402, and amendments thereto, for a period of not less than five years. If a health care provider has not been in compliance for five years, such health care provider may make application and payment for the coverage for the period while they are nonresident health care providers, nonresident self-insurers or resident or nonresident inactive health care providers to the fund. Such payment shall be made within 30 days after the health care provider ceases being an active health care provider and shall be made in an amount determined by the board of governors to be sufficient to fund anticipated claims based upon reasonably prudent actuarial principles. The provisions of this subsection shall not be applicable to any health care provider which becomes inactive through death or retirement, or through disability or circumstances beyond such health care provider's control, if such health care provider notifies the board of governors and receives approval for an exemption from the provisions of this subsection. Any period spent in a postgraduate program of residency training approved by the state board of healing arts shall not be included in computation of time spent in compliance with the provisions of K.S.A. 40-3402, and amendments thereto.

(n) Notwithstanding the provisions of subsection (m) or any other provision in article 34 of chapter 40 of the Kansas Statutes Annotated to the contrary, the fund shall not be liable for any claim made on or after July 1, 1991, against a licensed optometrist or pharmacist relating to any injury or death arising out of the rendering of or failure to render professional services by such optometrist or pharmacist prior to July 1, 1991, unless such optometrist or pharmacist qualified as an inactive health care provider prior to July 1, 1991.

(o) Notwithstanding the provisions of subsection (m) or any other provision in article 34 of chapter 40 of the Kansas Statutes Annotated to the contrary, the fund shall not be liable for any claim made on or after July 1, 1995, against a physical therapist registered by the state board of healing arts relating to any injury or death arising out of the rendering of or failure to render professional services by such physical therapist prior to July 1, 1995, unless such physical therapist qualified as an inactive health care provider prior to July 1, 1995.

(p) Notwithstanding the provisions of subsection (m) or any other provision in article 34 of chapter 40 of the Kansas Statutes Annotated to the contrary, the fund shall not be liable for any claim made on or after July 1, 1997, against a health maintenance organization relating to any injury or death arising out of the rendering of or failure to render professional services by such health maintenance organization prior to July 1, 1997, unless such health maintenance organization qualified as an inactive health care provider prior to July 1, 1997, and obtained coverage pursuant to subsection (m). Health maintenance organizations not qualified as inactive health care providers prior to July 1, 1997, may purchase coverage from the fund for periods of prior compliance by making application prior to August 1, 1997, and payment within 30 days from notice of the calculated amount as determined by the board of governors to be sufficient to fund anticipated claims based on reasonably prudent actuarial principles.

(q) Notwithstanding anything in article 34 of chapter 40 of the Kansas Statutes Annotated to the contrary, the fund shall in no event be liable for any claims against any health care provider based upon or relating to the health care provider's sexual acts or activity, but in such cases the fund may pay reasonable and necessary expenses for attorney fees incurred in defending the fund against such claim. The fund may recover all or a portion of such expenses for attorney fees if an adverse judgment is returned against the health care provider for damages resulting from the health care provider's sexual acts or activity.

Sec. 2. K.S.A. 2009 Supp. 40-3404 is hereby amended to read as follows: 40-3404. (a) Except for any health care provider whose participation in the fund has been terminated pursuant to subsection (i) of K.S.A. 40-3403 and amendments thereto, the board of governors shall levy an annual premium surcharge on each health care provider who has obtained basic coverage and upon each self-insurer for each fiscal year. This provision shall not apply to optometrists and pharmacists on or after July 1, 1991 nor to physical therapists on or after July 1, 1995, nor to health maintenance or-

ganizations on and after July 1, 1997. Such premium surcharge shall be an amount based upon a rating classification system established by the board of governors which is reasonable, adequate and not unfairly discriminating. The annual premium surcharge upon the university of Kansas medical center for persons engaged in residency training, as described in paragraph (1) of subsection (r) of K.S.A. 40-3401, and amendments thereto, shall be based on an assumed aggregate premium of \$600,000. The annual premium surcharge upon the employers of persons engaged in residency training, as described in paragraph (2) of subsection (r) of K.S.A. 40-3401, and amendments thereto, shall be based on an assumed aggregate premium of \$400,000. The surcharge on such \$400,000 amount shall be apportioned among the employers of persons engaged in residency training, as described in paragraph (2) of subsection (r) of K.S.A. 40-3401, and amendments thereto, based on the number of residents employed as of July 1 of each year. The annual premium surcharge upon any nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine shall be based upon an assumed aggregate premium of \$10,000. The surcharge on such assumed aggregate premium shall be apportioned among all such nonprofit corporations.

(b) In the case of a resident health care provider who is not a self-insurer, the premium surcharge shall be collected in addition to the annual premium for the basic coverage by the insurer and shall not be subject to the provisions of K.S.A. 40-252, 40-955 and

40-2801 et seq., and amendments thereto. The amount of the premium surcharge shall be shown separately on the policy or an endorsement thereto and shall be specifically identified as such. Such premium surcharge shall be due and payable by the insurer to the board of governors within 30 days after the annual premium for the basic coverage is received by the insurer, but in the event basic coverage is in effect at the time this act becomes effective, such surcharge shall be based upon the unearned premium until policy expiration and annually thereafter. Within 15 days immediately following the effective date of this act, the board of governors shall send to each insurer information necessary for their compliance with this subsection. The certificate of authority of any insurer who fails to comply with the provisions of this subsection shall be suspended pursuant to K.S.A. 40-222, and amendments thereto, until such insurer shall pay the annual premium surcharge due and payable to the board of governors. In the case of a nonresident health care provider or a self-insurer, the premium surcharge shall be collected in the manner prescribed in K.S.A. 40-3402, and amendments thereto.

(c) In setting the amount of such surcharge, the board of governors may require any health care provider who has paid a surcharge for less than 24 months to pay a higher surcharge than other health care providers.

Sec. 3. K.S.A. 2009 Supp. 40-3403 and 40-3404 are hereby repealed.

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

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2006 Volumes and the 2008 Supplement of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

Reg. No.	Action	Register
1-2-64	New	V. 28, p. 1338
1-2-65	New	V. 28, p. 1338
1-7-3	Amended	V. 28, p. 1338
1-7-4	Amended	V. 28, p. 1338
1-7-6	Amended	V. 28, p. 1339
1-7-7	Amended	V. 28, p. 1339
1-7-10	Amended	V. 28, p. 1339
1-7-11	Amended	V. 28, p. 1340
1-7-12	Amended	V. 28, p. 1340
1-14-8	Amended	V. 28, p. 1341

**AGENCY 3: KANSAS STATE TREASURER**

Reg. No.	Action	Register
3-3-1	Amended (T)	V. 27, p. 1091
3-3-1	Amended	V. 27, p. 1517
3-3-2	New (T)	V. 27, p. 1091
3-3-2	New	V. 27, p. 1517
3-4-1	Amended	V. 28, p. 1716
3-4-2	Amended	V. 28, p. 1716
3-4-4	Amended	V. 28, p. 1716
3-4-5	Amended	V. 28, p. 1717
3-4-6	Revoked	V. 28, p. 1717
3-4-7	Amended	V. 28, p. 1717

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

Reg. No.	Action	Register
4-6-1	Amended	V. 28, p. 1594
4-6-2	Amended	V. 28, p. 1594
4-6-3	New	V. 27, p. 1741
4-7-900	Amended	V. 27, p. 1022
4-7-901	Revoked	V. 27, p. 1022

4-7-902	Amended	V. 27, p. 1022
4-7-903	Amended	V. 27, p. 1023
4-7-904	Amended	V. 27, p. 1023
4-10-1	Amended	V. 29, p. 254
4-10-1a	New	V. 29, p. 255
4-10-1b	New	V. 29, p. 255
4-10-2a		
through		
4-10-2d	Revoked	V. 29, p. 255
4-10-2e	Amended	V. 29, p. 255
4-10-2f		
through		
4-10-2k	Revoked	V. 29, p. 256
4-10-4	Revoked	V. 29, p. 256
4-10-4a		
through		
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
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
4-13-1	Amended	V. 27, p. 186
4-13-2	Amended	V. 29, p. 69
4-13-3	Amended	V. 29, p. 69
4-13-9	Amended	V. 29, p. 71
4-13-11	Revoked	V. 27, p. 188
4-13-13	Amended	V. 27, p. 188
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
4-13-30	Amended	V. 29, p. 72
4-13-33	Amended	V. 29, p. 73
4-13-40	Amended	V. 27, p. 1023
4-13-41	Revoked	V. 27, p. 1023
4-13-42	Revoked	V. 27, p. 1023
4-13-60	Amended	V. 27, p. 1023
4-13-61	Revoked	V. 27, p. 1023
4-13-62	Amended	V. 29, p. 73
4-13-64	Amended	V. 27, p. 1023
4-13-65	Amended	V. 27, p. 1024
4-15-5	Amended	V. 28, p. 690

4-15-11	Amended	V. 27, p. 1024
4-15-12	Revoked	V. 27, p. 1024
4-15-13	Amended	V. 27, p. 1024
4-15-14	Amended	V. 27, p. 1024
4-16-1a	Amended	V. 27, p. 1741
4-16-1c	Amended	V. 27, p. 1742
4-16-7a	Amended	V. 27, p. 1024
4-16-300	Amended	V. 27, p. 1025
4-16-301	Revoked	V. 27, p. 1025
4-16-302	Amended	V. 27, p. 1025
4-16-303	Amended	V. 27, p. 1025
4-16-304	Amended	V. 27, p. 1025
4-16-305	Amended	V. 27, p. 1025
4-17-300	Amended	V. 27, p. 1026
4-17-301	Revoked	V. 27, p. 1026
4-17-302	Amended	V. 27, p. 1026
4-17-303	Amended	V. 27, p. 1026
4-17-304	Amended	V. 27, p. 1026
4-17-305	Amended	V. 27, p. 1027
4-20-11	Amended	V. 27, p. 1027
4-28-5	Amended	V. 27, p. 1742
4-28-8		
through		
4-28-16	New	V. 27, p. 191-195

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

Reg. No.	Action	Register
5-1-1	Amended	V. 27, p. 1549
5-1-2	Amended	V. 27, p. 1553
5-1-7	Amended	V. 27, p. 1553
5-2-4	New	V. 27, p. 1554
5-3-3	Amended	V. 27, p. 1554
5-3-4	Amended	V. 27, p. 1555
5-3-4a	Amended	V. 28, p. 241
5-3-5d	Amended	V. 27, p. 1555
5-3-16	Amended	V. 27, p. 1555
5-4-2	New	V. 27, p. 1556
5-5-6c	New	V. 27, p. 1556
5-5-13	Amended	V. 27, p. 1556
5-5-14	Amended	V. 27, p. 1557
5-6-2	Amended	V. 27, p. 1557
5-6-5	Amended	V. 27, p. 1557
5-7-4	Amended	V. 28, p. 1715
5-9-1a		
through		
5-9-1d	New	V. 27, p. 1557, 1558
5-14-3	Amended	V. 28, p. 241
5-14-3a	New	V. 28, p. 242
5-14-10	Amended	V. 27, p. 1558

(continued)

5-20-1 New V. 28, p. 1317  
 5-20-2 New V. 28, p. 1318  
 5-40-24 Amended V. 27, p. 1438  
 5-45-1 Amended V. 27, p. 1439  
 5-45-4 Amended V. 27, p. 1440  
 5-45-19 through  
 5-45-23 New V. 27, p. 1441, 1442

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-16-1	Amended	V. 27, p. 1548
7-16-2	Amended	V. 27, p. 1548
7-17-1	Amended	V. 27, p. 965
7-17-4	Amended	V. 27, p. 966
7-17-11	Amended	V. 27, p. 966
7-17-19	Amended	V. 27, p. 966
7-17-21	Amended	V. 27, p. 966
7-17-22	Amended	V. 27, p. 966
7-17-24	Amended	V. 27, p. 967
7-21-1	Amended	V. 27, p. 967
7-21-2	Amended	V. 27, p. 967
7-21-3	Revoked	V. 27, p. 967
7-21-4	New	V. 27, p. 967
7-23-13	Revoked	V. 27, p. 968
7-37-2	Revoked	V. 27, p. 968
7-38-2	Revoked	V. 27, p. 968
7-41-1 through 7-41-7	Amended	V. 28, p. 193-195
7-41-8	Revoked	V. 28, p. 195
7-41-9	Revoked	V. 28, p. 195
7-41-10 through 7-41-17	Amended	V. 28, p. 195, 196
7-41-18 through 7-41-29	Revoked	V. 28, p. 196
7-41-30	Amended	V. 28, p. 196
7-41-31	Revoked	V. 28, p. 196
7-41-32	Amended	V. 28, p. 196
7-41-33	Amended	V. 28, p. 197
7-41-34	New	V. 28, p. 197
7-41-35	New	V. 28, p. 197
7-45-1	New	V. 27, p. 968
7-45-2	New	V. 27, p. 968

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-6-1 through 11-6-6	New	V. 27, p. 1633, 1634
11-12-1	Amended	V. 27, p. 1374
11-12-2	Amended	V. 27, p. 1375
11-12-3	Amended	V. 27, p. 1376
11-12-4	Amended	V. 27, p. 1377
11-12-6	Amended	V. 27, p. 1377

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

Reg. No.	Action	Register
14-8-6	Revoked	V. 27, p. 1214
14-8-7	Amended	V. 27, p. 1214
14-8-8	Revoked	V. 27, p. 1214
14-8-12	Revoked	V. 27, p. 1214
14-17-7	New	V. 27, p. 1214

AGENCY 17: OFFICE OF THE STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-24-2	Amended	V. 28, p. 1371
17-24-3	Amended	V. 28, p. 1371
17-24-4	Amended	V. 28, p. 1371
17-24-5	New	V. 28, p. 1373
17-24-6	New	V. 28, p. 1373
17-25-1	New	V. 27, p. 356

AGENCY 19: GOVERNMENTAL ETHICS COMMISSION

Reg. No.	Action	Register
19-6-1	Amended	V. 29, p. 112
19-20-4	Amended	V. 27, p. 1020

19-20-5 New V. 27, p. 1021  
 19-27-2 Amended V. 27, p. 1021

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-6-1	Amended	V. 27, p. 1834
22-6-2	Revoked	V. 27, p. 1834
22-6-3	Revoked	V. 27, p. 1834
22-6-4	Revoked	V. 27, p. 1834
22-6-5	Amended	V. 27, p. 1834
22-6-6	Revoked	V. 27, p. 1834
22-6-7	Revoked	V. 27, p. 1835
22-6-8	Revoked	V. 27, p. 1835
22-6-9	Amended	V. 27, p. 1835
22-6-12	Amended	V. 27, p. 1835
22-6-13	Revoked	V. 27, p. 1835
22-6-14	Revoked	V. 27, p. 1835
22-6-18 through 22-6-27	New	V. 27, p. 1835-1837
22-24-3	Amended	V. 28, p. 1367

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-39-100 through 26-39-105	New	V. 28, p. 615-623
26-39-144	Revoked	V. 28, p. 623
26-39-243	Revoked	V. 28, p. 649
26-39-278	Revoked	V. 28, p. 649
28-39-427	Revoked	V. 28, p. 649
26-41-101 through 26-41-106	New	V. 28, p. 649-651
26-41-200 through 26-41-207	New	V. 28, p. 652-657
26-42-101	New	V. 28, p. 657
26-42-102	New	V. 28, p. 658
26-42-104	New	V. 28, p. 659
26-42-105	New	V. 28, p. 659
26-42-200 through 26-42-207	New	V. 28, p. 659-664
26-44-101 through 26-44-106	New	V. 28, p. 664-667
26-43-200 through 26-43-207	New	V. 28, p. 667-671

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-20	Amended	V. 27, p. 989
28-4-117	Amended	V. 27, p. 990
28-4-120	Amended	V. 27, p. 990
28-4-121	New	V. 27, p. 990
28-4-122	Amended	V. 27, p. 317
28-4-311	Amended	V. 27, p. 317
28-4-312 through 28-4-317	Revoked	V. 27, p. 317, 318
28-4-430	Amended	V. 27, p. 991
28-4-800 through 28-4-825	New	V. 27, p. 318-334
28-4-1200 through 28-4-1218	New	V. 28, p. 1426-1437
28-16-28g	Amended	V. 29, p. 181
28-17-6	Amended	V. 28, p. 1809
28-17-12	Amended	V. 28, p. 1809
28-19-350	Amended	V. 28, p. 1490
28-23-16	Revoked	V. 27, p. 191
28-29-501	New	V. 28, p. 1809
28-32-1	Revoked	V. 27, p. 247
28-32-2	Revoked	V. 27, p. 247
28-32-4	Revoked	V. 27, p. 247
28-32-5	Revoked	V. 27, p. 247
28-32-6	Revoked	V. 27, p. 247
28-32-7	Revoked	V. 27, p. 247
28-32-8 through 28-32-14	New	V. 27, p. 247-249

28-36-33 through  
28-36-49 Revoked V. 27, p. 73  
 28-36-70 through  
28-36-89 New V. 27, p. 73-87  
 28-38-18 Amended V. 27, p. 1742  
 28-38-19 Amended V. 27, p. 1743  
 28-38-21 Amended V. 27, p. 1743  
 28-38-22 Amended V. 27, p. 1744  
 28-38-23 Amended V. 27, p. 1744  
 28-38-29 Amended V. 27, p. 1745  
 28-39-145a Revoked V. 28, p. 623  
 28-39-146 Revoked V. 28, p. 623  
 28-39-147 Revoked V. 28, p. 623  
 28-39-148 Revoked V. 28, p. 623  
 28-39-164 through  
28-39-168 Amended V. 28, p. 798-800  
 28-39-240 through  
28-39-253 Revoked V. 28, p. 672  
 28-39-275 through  
28-39-288 Revoked V. 28, p. 672  
 28-39-425 through  
28-39-436 Revoked V. 28, p. 672  
 28-45b-1 through  
28-45b-28 New V. 28, p. 973-988  
 28-53-1 through  
28-53-5 Amended V. 28, p. 240, 241  
 28-59-5 Amended V. 27, p. 462  
 28-61-1 Amended V. 29, p. 419  
 28-61-2 Amended V. 29, p. 419  
 28-61-5 Amended V. 29, p. 420  
 28-61-8 Amended V. 29, p. 422  
 28-61-11 Amended V. 27, p. 464  
 28-70-4 New V. 28, p. 800  
 28-72-1 Revoked V. 29, p. 357  
 28-72-1a New V. 29, p. 357  
 28-72-1c New V. 29, p. 357  
 28-72-1d New V. 29, p. 358  
 28-72-1e New V. 29, p. 358  
 28-72-1g New V. 29, p. 358  
 28-72-1h New V. 29, p. 358  
 28-72-1i New V. 29, p. 359  
 28-72-1k New V. 29, p. 359  
 28-72-1l New V. 29, p. 359  
 28-72-1m New V. 29, p. 360  
 28-72-1n New V. 29, p. 360  
 28-72-1o New V. 29, p. 360  
 28-72-1p New V. 29, p. 360  
 28-72-1r New V. 29, p. 361  
 28-72-1s New V. 29, p. 361  
 28-72-1t New V. 29, p. 361  
 28-72-1v New V. 29, p. 361  
 28-72-1x New V. 29, p. 361  
 28-72-2 Amended V. 29, p. 361  
 28-72-3 Amended V. 29, p. 362  
 28-72-4 Amended V. 29, p. 362  
 28-72-4a Amended V. 29, p. 366  
 28-72-4b Revoked V. 29, p. 368  
 28-72-4c Amended V. 29, p. 368  
 28-72-5 Amended V. 29, p. 369  
 28-72-6 Amended V. 29, p. 370  
 28-72-6a New V. 29, p. 371  
 28-72-7 Amended V. 29, p. 373  
 28-72-7a New V. 29, p. 373  
 28-72-8 Amended V. 29, p. 374  
 28-72-9 Amended V. 29, p. 375  
 28-72-10 Amended V. 29, p. 376  
 28-72-10a New V. 29, p. 377  
 28-72-11 Amended V. 29, p. 378  
 28-72-12 Amended V. 29, p. 378  
 28-72-13 Amended V. 29, p. 379  
 28-72-14 Amended V. 29, p. 379  
 28-72-15 Amended V. 29, p. 380  
 28-72-16 Amended V. 29, p. 380  
 28-72-17 Amended V. 29, p. 381  
 28-72-18 Amended V. 29, p. 382  
 28-72-18a Amended V. 29, p. 383  
 28-72-18b Amended V. 29, p. 384

28-72-18c Amended V. 29, p. 384  
 28-72-18d Amended V. 29, p. 385  
 28-72-18e Amended V. 29, p. 386  
 28-72-19 Amended V. 29, p. 387  
 28-72-20 Amended V. 29, p. 387  
 28-72-21 Amended V. 29, p. 387  
 28-72-22 Amended V. 29, p. 388  
 28-72-51 Amended V. 29, p. 388  
 28-72-52 Amended V. 29, p. 389  
 28-72-53 Amended V. 29, p. 389  
 28-73-1 Amended V. 28, p. 74

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-90	Amended	V. 28, p. 916
30-5-78	Revoked	V. 27, p. 1022
30-5-118a	Revoked	V. 29, p. 293
30-10-15a	Revoked	V. 27, p. 1345
30-10-15b	Revoked	V. 27, p. 1345
30-10-17	Revoked	V. 27, p. 1345
30-10-18	Revoked	V. 27, p. 1345
30-10-23a	Revoked	V. 27, p. 1346
30-10-23b	Revoked	V. 27, p. 1346
30-10-25	Revoked	V. 27, p. 1346
30-10-26	Revoked	V. 27, p. 1346
30-10-27	Revoked	V. 27, p. 1346
30-10-200	Revoked	V. 27, p. 1346
30-10-210	Revoked	V. 27, p. 1346
30-45-20	New	V. 28, p. 966
30-46-10	Amended	V. 28, p. 966
30-46-17	Amended	V. 28, p. 967
30-63-10	Amended	V. 28, p. 1806
30-63-11	Amended	V. 28, p. 1807
30-63-12	Amended	V. 28, p. 1807
30-63-32	New	V. 27, p. 664
30-64-24	Revoked	V. 27, p. 665

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-37	Amended	V. 28, p. 966
40-1-38	Amended	V. 28, p. 1593
40-1-48	Amended	V. 27, p. 1709
40-2-28	New	V. 28, p. 273
40-3-30	Amended	V. 28, p. 112
40-3-52	New	V. 27, p. 133
40-3-56	New	V. 28, p. 1518
40-3-57	New	V. 28, p. 1518
40-3-58	New	V. 28, p. 1518
40-4-35	Amended	V. 28, p. 915
40-4-36	Amended	V. 28, p. 1252
40-4-37v	New	V. 28, p. 643
40-4-41	Amended	V. 27, p. 434
40-4-41a		
through		
40-4-41j	Revoked	V. 27, p. 434, 435
40-7-20a	Amended	V. 28, p. 604

**AGENCY 44: DEPARTMENT OF CORRECTIONS**

Reg. No.	Action	Register
44-6-101	Amended	V. 27, p. 1126
44-6-114e	Amended	V. 27, p. 1128
44-6-115a	Amended	V. 27, p. 1134
44-6-125	Amended	V. 27, p. 1135
44-6-127		
through		
44-6-132	New	V. 27, p. 1135-1138

**AGENCY 48: DEPARTMENT OF LABOR—EMPLOYMENT SECURITY BOARD OF REVIEW**

Reg. No.	Action	Register
48-1-1		
through		
48-1-6	Amended	V. 29, p. 15-17
48-2-1		
through		
48-2-5	Amended	V. 29, p. 17
48-3-1	Amended	V. 29, p. 18
48-3-2	Amended	V. 29, p. 18
48-3-4	Amended	V. 29, p. 18
48-3-5	Amended	V. 29, p. 18

48-4-1 Amended V. 29, p. 18  
 48-4-2 Amended V. 29, p. 18

**AGENCY 49: DEPARTMENT OF LABOR**

Reg. No.	Action	Register
49-45-1	Amended	V. 27, p. 1466
49-45-2	Amended	V. 27, p. 1466
49-45-3	Amended	V. 27, p. 1466
49-45-4	Amended	V. 27, p. 1466
49-45-4a	Amended	V. 27, p. 1466
49-45-5	Amended	V. 27, p. 1466
49-45-6	Amended	V. 27, p. 1466
49-45-7	Amended	V. 27, p. 1467
49-45-8	Amended	V. 27, p. 1467
49-45-9	Amended	V. 27, p. 1467
49-45-20	Amended	V. 27, p. 1467
49-45-28	Amended	V. 27, p. 1467
49-45-29	Amended	V. 27, p. 1467
49-45-29b	New	V. 27, p. 1467
49-45-31	Amended	V. 27, p. 1467
49-45-34	Amended	V. 27, p. 1467
49-45-35	Amended	V. 27, p. 1467
49-45-37	Amended	V. 27, p. 1467

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

Reg. No.	Action	Register
51-9-7	Amended	V. 28, p. 1536

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-1-103	Amended	V. 27, p. 1603
60-1-104	Amended	V. 27, p. 1603
60-2-101	Amended	V. 27, p. 1604
60-2-102	Amended	V. 27, p. 1605, 1670
60-2-104	Amended	V. 27, p. 1606
60-2-105	Amended	V. 28, p. 197
60-2-106	Amended	V. 28, p. 197
60-2-107	Amended	V. 27, p. 1606
60-2-108	Amended	V. 27, p. 1607
60-3-106	Amended	V. 27, p. 1607
60-3-106a	Amended	V. 27, p. 1608
60-3-113	New	V. 27, p. 1608
60-3-114	New	V. 27, p. 1608
60-7-111	New	V. 27, p. 1609
60-9-105	Amended	V. 28, p. 197
60-9-107	Amended	V. 28, p. 198
60-11-101		
through		
60-11-105	Amended	V. 28, p. 1252-1254
60-11-107	Amended	V. 28, p. 1254
60-13-103	Amended	V. 28, p. 200
60-13-104	Amended	V. 28, p. 200
60-15-101	Amended	V. 28, p. 200
60-15-102	Amended	V. 28, p. 201
60-15-104	Amended	V. 28, p. 202

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-2-26	New	V. 27, p. 108
63-4-1	Amended	V. 27, p. 108

**AGENCY 66: BOARD OF TECHNICAL PROFESSIONS**

Reg. No.	Action	Register
66-6-1	Amended	V. 27, p. 315
66-6-4	Amended	V. 27, p. 316
66-6-6	Amended	V. 28, p. 1536
66-6-8	Revoked	V. 28, p. 1537
66-6-9	Revoked	V. 28, p. 1537
66-7-2	Amended	V. 28, p. 1537
66-8-1	Revoked	V. 28, p. 1537
66-8-3	Amended	V. 28, p. 1537
66-8-4	Amended	V. 28, p. 1537
66-8-7	Amended	V. 28, p. 1537
66-9-4	Amended	V. 28, p. 1538
66-10-1	Amended	V. 28, p. 1538
66-10-9	Amended	V. 28, p. 1538
66-10-14	Amended	V. 28, p. 1538
66-11-1	Amended	V. 28, p. 1539
66-11-1a	Amended	V. 28, p. 1539
66-11-1b	Amended	V. 28, p. 1539
66-11-4	Amended	V. 28, p. 1539
66-11-5	Amended	V. 28, p. 44

66-12-1 Amended V. 28, p. 44  
 66-14-1 Amended V. 28, p. 44  
 66-14-2 Amended V. 28, p. 45  
 66-14-3 Amended V. 28, p. 45  
 66-14-4 Revoked V. 28, p. 45  
 66-14-5 Amended V. 28, p. 45  
 66-14-7 Amended V. 28, p. 45

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

Reg. No.	Action	Register
67-3-5	New	V. 28, p. 1187

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-1-1h	New	V. 28, p. 1491
68-1-3a	Amended	V. 28, p. 1491
68-2-20	Amended	V. 28, p. 1765
68-2-22	Amended	V. 28, p. 1491
68-7-12b	Amended	V. 27, p. 1518
68-7-20	Amended	V. 27, p. 435
68-11-2	Amended	V. 27, p. 1518
68-16-3	Amended	V. 28, p. 342
68-18-1	New	V. 27, p. 1857
68-18-2	New	V. 27, p. 1857
68-18-3	New	V. 27, p. 1858
68-19-1	New	V. 28, p. 342
68-20-16	Amended	V. 28, p. 1561
68-20-23	New (T)	V. 27, p. 1709
68-20-23	New	V. 28, p. 192

**AGENCY 69: BOARD OF COSMETOLOGY**

Reg. No.	Action	Register
69-3-8	Amended (T)	V. 28, p. 923
69-11-1	Amended	V. 28, p. 298

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-9-1		
through		
71-9-4	New	V. 27, p. 1878
71-10-1		
through		
71-10-4	New	V. 27, p. 1879
71-11-1	New	V. 28, p. 1187

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-4-7	Amended	V. 28, p. 643
74-4-8	Amended	V. 28, p. 644
74-4-9	Amended	V. 27, p. 627
74-4-10	Amended	V. 27, p. 627
74-5-2	Amended	V. 28, p. 645
74-5-2a	New	V. 28, p. 646
74-5-101	Amended	V. 28, p. 646
74-5-102	Amended	V. 28, p. 646
74-5-103	Amended	V. 28, p. 646
74-5-201	Amended	V. 28, p. 646
74-5-202	Amended	V. 28, p. 646
74-5-301	Amended	V. 28, p. 647
74-5-302	Amended	V. 28, p. 647
74-5-401	Amended	V. 28, p. 647
74-5-403	Amended	V. 28, p. 647
74-5-405a	Amended	V. 28, p. 647
74-5-406	Amended	V. 28, p. 647
74-7-4	Amended	V. 28, p. 648
74-11-6	Amended	V. 28, p. 648

**AGENCY 75: OFFICE OF THE STATE BANK COMMISSIONER—CONSUMER AND MORTGAGE LENDING DIVISION**

Reg. No.	Action	Register
75-6-1	Amended	V. 28, p. 1367
75-6-9	Amended	V. 28, p. 1367
75-6-31	Amended	V. 28, p. 1367
75-6-33	Revoked	V. 28, p. 1368
75-6-34	Revoked	V. 28, p. 1368
75-6-36	New	V. 28, p. 1368
75-6-37	New	V. 28, p. 1368
75-6-38	New	V. 28, p. 1368

(continued)

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Table with 3 columns: Reg. No., Action, Register. Rows include 81-3-2, 81-3-6, 81-5-7, etc.

AGENCY 82: STATE CORPORATION COMMISSION

Table with 3 columns: Reg. No., Action, Register. Rows include 82-3-107, 82-3-108, 82-3-111, etc.

AGENCY 84: PUBLIC EMPLOYEE RELATIONS BOARD

Table with 3 columns: Reg. No., Action, Register. Row includes 84-2-1.

AGENCY 86: REAL ESTATE COMMISSION

Table with 3 columns: Reg. No., Action, Register. Rows include 86-3-19, 86-3-19, 86-3-30, etc.

AGENCY 88: BOARD OF REGENTS

Table with 3 columns: Reg. No., Action, Register. Rows include 88-28-6, 88-29-1, 88-29-1, etc.

AGENCY 91: DEPARTMENT OF EDUCATION

Table with 3 columns: Reg. No., Action, Register. Rows include 91-1-200, 91-1-201, 91-1-202, etc.

AGENCY 92: DEPARTMENT OF REVENUE

Table with 3 columns: Reg. No., Action, Register. Rows include 92-12-114, 92-12-140, 92-12-145, etc.

AGENCY 94: COURT OF TAX APPEALS

Table with 3 columns: Reg. No., Action, Register. Rows include 94-2-1, 94-2-1, 94-2-5, etc.

Table with 3 columns: Reg. No., Action, Register. Rows include 94-2-21, 94-3-1, 94-3-1, etc.

Agency 97: COMMISSION ON VETERANS' AFFAIRS

Table with 3 columns: Reg. No., Action, Register. Rows include 97-1-1, 97-1-1a, 97-1-2, etc.

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

Table with 3 columns: Reg. No., Action, Register. Rows include 99-25-1, 99-25-1, 99-25-9, etc.

AGENCY 100: BOARD OF HEALING ARTS

Table with 3 columns: Reg. No., Action, Register. Rows include 100-11-1, 100-11-1, 100-22-8, etc.



100-72-7	Amended	V. 28, p. 273
100-73-1	Amended (T)	V. 28, p. 923
100-73-1	Amended	V. 28, p. 1282
100-73-9	Amended	V. 27, p. 315

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-1-8a	New	V. 28, p. 114
102-1-12	Amended	V. 27, p. 407
102-1-13	Amended (T)	V. 28, p. 1101
102-1-13	Amended	V. 28, p. 1426
102-2-3	Amended	V. 29, p. 340
102-2-7	Amended	V. 27, p. 1801
102-2-8	Amended	V. 28, p. 114
102-2-11a	New	V. 28, p. 116
102-2-12	Amended	V. 28, p. 116
102-3-9b	New	V. 28, p. 117
102-3-12a	Amended	V. 27, p. 1117
102-4-1a	Amended	V. 27, p. 1803
102-4-6a	Amended	V. 27, p. 1805
102-4-6b	New	V. 27, p. 1806
102-4-9b	New	V. 28, p. 117
102-4-10a	Amended	V. 27, p. 1806
102-4-12	Amended	V. 27, p. 1120
102-5-9a	New	V. 28, p. 118
102-5-12	Amended	V. 27, p. 1122
102-6-9a	New	V. 28, p. 118
102-6-12	Amended	V. 27, p. 1124

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

Reg. No.	Action	Register
105-11-1	Amended (T)	V. 28, p. 1079
105-11-1	Amended	V. 28, p. 1457

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

Reg. No.	Action	Register
108-1-4	Amended	V. 28, p. 1062

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

Reg. No.	Action	Register
109-2-9	Amended	V. 28, p. 1030
109-3-1	Amended	V. 28, p. 1030
109-5-2	Amended	V. 28, p. 574
109-5-3	Amended	V. 28, p. 574
109-5-4	Revoked	V. 29, p. 113
109-5-5	New	V. 27, p. 1548
109-5-6	New	V. 28, p. 575
109-6-1	Amended	V. 29, p. 113
109-6-2	Amended	V. 29, p. 113
109-6-3	Revoked	V. 28, p. 575
109-10-7	New	V. 29, p. 113
109-15-1	New	V. 28, p. 575
109-15-2	New	V. 28, p. 576

**AGENCY 110: DEPARTMENT OF COMMERCE**

Reg. No.	Action	Register
110-13a-1	New	V. 27, p. 1063
110-13a-2	New	V. 27, p. 1063
110-13a-3	New	V. 27, p. 1064
110-19-1		
through		
110-19-4	New	V. 27, p. 1064, 1065
110-20-1		
through		
110-20-4	New	V. 27, p. 1065, 1066

**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
111-2-232	Amended	V. 29, p. 215

111-2-233	Amended	V. 29, p. 215
111-4-2899		
through		
111-4-2907	New	V. 29, p. 9-14
111-4-2908		
through		
111-4-2911	New	V. 29, p. 149-152
111-4-2911a	New	V. 29, p. 152
111-4-2912		
through		
111-4-2923	New	V. 29, p. 153-157
111-4-2924		
through		
111-4-2930	New	V. 29, p. 216-222
111-5-175		
through		
111-5-179	New	V. 29, p. 157-159
111-5-180		
through		
111-5-194	New	V. 29, p. 222-228
111-9-162	New	V. 29, p. 229
111-9-163	New	V. 29, p. 229
111-9-164	New	V. 29, p. 230
111-201-1		
through		
111-201-17	New	V. 29, p. 73-79
111-301-1		
through		
111-301-6	New	V. 29, p. 79, 80
111-302-1		
through		
111-302-6	New	V. 29, p. 82-86
111-303-1		
through		
111-303-5	New	V. 29, p. 87-89
111-304-1		
through		
111-304-6	New	V. 29, p. 89-91

**AGENCY 112: RACING AND GAMING COMMISSION**

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

112-110-1		
through		
112-110-13	New	V. 28, p. 464-470
112-111-1		
through		
112-111-5	New	V. 28, 470-472
112-112-1		
through		
112-112-9	New	V. 27, p. 1411-1413
112-113-1	New	V. 28, p. 382
112-114-1		
through		
112-114-6	New	V. 28, p. 472
112-114-8		
through		
112-114-12	New	V. 28, p. 472, 473
112-114-14	New	V. 28, p. 473

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

Reg. No.	Action	Register
115-2-1	Amended	V. 28, p. 1595
115-2-3	Amended	V. 27, p. 1264
115-2-3a	Amended	V. 28, p. 1596
115-2-5	Amended	V. 27, p. 1265
115-4-1	Amended	V. 28, p. 569
115-4-2	Amended	V. 29, p. 408
115-4-4	Amended	V. 27, p. 403
115-4-4a	Amended	V. 27, p. 403
115-4-6	Amended	V. 29, p. 409
115-4-6a	Revoked	V. 27, p. 112
115-4-11	Amended	V. 29, p. 67
115-4-13	Amended	V. 27, p. 404
115-4-14	Revoked	V. 27, p. 112
115-5-1	Amended	V. 28, p. 1250
115-5-2	Amended	V. 28, p. 1251
115-6-1	Amended	V. 28, p. 1251
115-7-1	Amended	V. 29, p. 411
115-7-2	Amended	V. 27, p. 1708
115-7-3	Amended	V. 28, p. 1599
115-7-8	Amended	V. 27, p. 405
115-7-9	Amended	V. 27, p. 406
115-7-10	New	V. 28, p. 1600
115-8-1	Amended	V. 28, p. 571
115-8-6	Amended	V. 28, p. 1600
115-8-9	Amended	V. 27, p. 1265
115-8-10	Amended	V. 27, p. 1265
115-8-13	Amended	V. 27, p. 112
115-15-1	Amended	V. 28, p. 1079
115-15-2	Amended	V. 28, p. 1080
115-18-7	Amended	V. 27, p. 406
115-18-21	New	V. 27, p. 1708
115-20-7	New	V. 28, p. 1600

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-1-1	Amended	V. 28, p. 373
117-2-1	Amended	V. 29, p. 412
117-2-2	Amended	V. 29, p. 413
117-2-2a	Amended	V. 28, p. 373
117-3-1	Amended	V. 29, p. 414
117-3-2	Amended	V. 29, p. 415
117-3-2a	Amended	V. 28, p. 373
117-4-1	Amended	V. 29, p. 416
117-4-2	Amended	V. 29, p. 417
117-4-2a	Amended	V. 28, p. 374
117-5-2	Amended	V. 28, p. 374
117-5-2a	Amended	V. 28, p. 375
117-6-1	Amended	V. 28, p. 1029
117-7-1	Amended	V. 28, p. 375
117-8-1	Amended	V. 29, p. 418
117-10-1	New	V. 28, p. 375

**AGENCY 121: DEPARTMENT OF CREDIT UNIONS**

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

(continued)

**AGENCY 127: KANSAS HOUSING  
RESOURCES CORPORATION**

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

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

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

128-4a-1	New	V. 27, p. 367
128-5-1	New	V. 27, p. 367
128-5-2	New	V. 27, p. 368
128-6-1	New	V. 27, p. 368
128-6-2	New	V. 27, p. 371
128-6-4	New	V. 27, p. 374

**AGENCY 129: KANSAS HEALTH  
POLICY AUTHORITY**

Reg. No.	Action	Register
129-5-1	Amended	V. 27, p. 628
129-5-78	Amended	V. 28, p. 1464
129-5-108	Amended	V. 27, p. 1346
129-5-118	Amended	V. 29, p. 293
129-5-118a	New	V. 29, p. 294
129-5-118b	Amended	V. 29, p. 296
129-10-15a	New	V. 27, p. 1346
129-10-15b	New	V. 27, p. 1348
129-10-17	New	V. 27, p. 1348
129-10-18	New	V. 27, p. 1350

129-10-23a	New	V. 27, p. 1353
129-10-23b	New	V. 27, p. 1353
129-10-25	New	V. 27, p. 1354
129-10-26	New	V. 27, p. 1355
129-10-27	New	V. 27, p. 1356
129-10-200	New	V. 27, p. 1356
129-10-210	New	V. 27, p. 1358

**AGENCY 130: HOME INSPECTORS  
REGISTRATION BOARD**

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

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