



Kansas Register

Ron Thornburgh, Secretary of State

Vol. 25, No. 40 October 5, 2006 Pages 1383-1430

In this issue . . .	Page
Social and Rehabilitation Services	
Request for proposals	1385
Kansas Sex Offender Policy Board	
Notice of meeting	1385
Kansas State Fair Board	
Notice of meeting	1385
Legislative interim committee schedule	1385
Kansas Development Finance Authority	
Notice of hearing on proposed revenue bonds	1386
State Board of Technical Professions	
Notice of hearing on proposed administrative regulations	1386
City of Overland Park	
Notice of informational open house.....	1387
Notice to bidders.....	1387
Secretary of State	
Code mortgage rate for October	1388
Usury rate for October.....	1388
Kansas Water Authority	
Notice of hearings	1388
Kansas Judicial Council	
Notice of meetings.....	1388
Kansas Wireless Enhanced 911 Advisory Board	
Notice of grant award meeting.....	1389
Pooled Money Investment Board	
Notice of investment rates.....	1389
Kansas Department of Transportation	
Notice of public auction.....	1389
Notice to contractors.....	1390
Kansas Child Support Guidelines Advisory Committee	
Notice of meetings.....	1391
State Corporation Commission	
Notice of hearing.....	1391
Kansas Supreme Court	
Docket for October	1392

(continued on next page)

City of Lenexa
 Notice to bidders 1394

Department of Administration—Division of Purchases
 Notice to bidders for state purchases 1394

Kansas Health Policy Authority
 Notice of hearing on proposed administrative regulations 1395

Kansas Courthouse Security Project
 Notice of meetings 1395

Department of Health and Environment
 Request for comments on proposed air quality permit 1396
 Request for bids on the Kansas Childhood Lead Poisoning Prevention Program 1396
 Notice concerning water pollution control permits/applications 1397

Governmental Ethics Commission
 Opinion 2006-16 1399

Notice of Bond Sale
 City of Louisburg 1400

Permanent Administrative Regulations
 Board of Pharmacy 1401
 Department of Health and Environment 1402
 Board of Regents 1403

Temporary Administrative Regulations
 Kansas Lottery 1411

Index to administrative regulations 1423

Annual statement of ownership, management and circulation 1428

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

POSTMASTER: Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

© Kansas Secretary of State 2006. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

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



Register Office:
 1st Floor, Memorial Hall
 (785) 296-3489
 Fax (785) 368-8024
 kansasregister@kssos.org

**State of Kansas
Social and Rehabilitation Services**

Request for Proposals

The Department of Social and Rehabilitation Services announces a request for proposals by the Division of Health Care Policy to seek a vendor who will provide a 24-hours-a-day, structured, safe, residential setting for individuals in the sexual violent predator program (as determined by K.S.A. 59-29a01) requiring assisted living or nursing home level of care. Proposals must include documentation that 2006 Senate Bill 506 zoning and living restrictions have been followed.

Vendors interested in receiving the request for proposal should contact Leslie Huss at SRS-Health Care Policy, 10th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, (785) 296-1809 or lxxh@srs.kansas.org.

Gary J. Daniels
Secretary of Social and
Rehabilitation Services

Doc. No. 033658

**State of Kansas
Sex Offender Policy Board**

Notice of Meeting

The Kansas Sex Offender Policy Board will meet at 12:30 p.m. Monday, October 16, at the Kansas Judicial Center, Fatzer Courtroom, third floor, 301 S.W. 10th Ave., Topeka.

Juliene Maska
Governor's Grants Program Administrator

Doc. No. 033663

**State of Kansas
State Fair Board**

Notice of Meeting

The Kansas State Fair Board will meet via conference call at 9 a.m. Wednesday, October 11, in Hutchinson. For more information, call (620) 669-3600.

John C. Bottenberg
President

Doc. No. 033660

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of October 10-20. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://kslegislature.org/klrd>.

Date	Room	Time	Committee	Agenda
Oct. 10	514-S	10:00 a.m.	Kansas Technical College & Vocational School Commission	Agenda not available.
Oct. 11	514-S	9:00 a.m.		
Oct. 11	313-S	10:00 a.m.	Joint Committee on Economic Development	Workforce development.
Oct. 12	313-S	9:00 a.m.		
<i>Note: Dates and room have changed for this meeting.</i>				
Oct. 12	514-S	10:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Agenda not available.
Oct. 13	514-S	9:00 a.m.		
Oct. 16	514-S	10:00 a.m.	Joint Committee on Health Policy Oversight	Agenda not available.
Oct. 16		Tour	2010 Commission	Tour schools in Galena and Baxter Springs school districts and tour Southeast Kansas Education Service Center.
Oct. 17				
Oct. 18	514-S	10:00 a.m.	Legislative Educational Planning Committee	Agenda not available.
Oct. 19	514-S	9:00 a.m.		
Oct. 19	241-N	10:00 a.m.	Kansas Criminal Justice Recodification, Rehabilitation, and Restoration (3 Rs) Committee	Agenda not available.
Oct. 20	241-N	9:00 a.m.		

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 033674

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, October 19, in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the KDFA to issue its Agricultural Development Revenue Bond for the projects numbered below in the respective maximum principal amount. The bond will be issued to assist the borrower named below (who will be the owner and operator of the project) to finance the cost in the amount of the bond, which is then typically purchased by a lender bank who then, through the KDFA, loans the bond proceeds to the borrower for the purposes of acquiring the project. The projects shall be located as shown:

Project No. 000677—Maximum Principal Amount: \$100,000. Owner/Operator: Tim and Lisa Doty. Description: Acquisition of 160 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Tim and Lisa Doty and is located at the Southeast Quarter of Section 9, Township 34 South, Range 11 East, Chautauqua County, Kansas, approximately 1.75 miles south of Sedan on Highway 99, 1 mile southwest on county road and .5 mile north.

Project No. 000678—Maximum Principal Amount: \$250,000. Owner/Operator: Daylan Wallace. Description: Acquisition of 200 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is being financed by the lender for Daylan Wallace and is located at Sections 18 & 19, Concord Township and Sections 13 & 24 Center Township, Ottawa County, Kansas, approximately 2 miles south of Minneapolis on Highway 106 and 1.5 miles east on Ivy Road.

The bond, 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 it be an indebtedness for which the faith and credit and taxing powers of the state of Kansas are pledged. The bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bond when it becomes due.

All individuals who appear at the hearing will be given an opportunity to express their views, 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.

Stephen R. Weatherford
President

Doc. No. 033677

State of Kansas

Board of Technical Professions

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 11 a.m. Friday, December 8, at the Landon State Office Building, 900 S.W. Jackson, Suite 507, Topeka, to consider the adoption of proposed rules and regulations of the Board of Technical Professions.

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 regulations. All interested parties may submit written comments prior to the hearing to the Board of Technical Professions, Landon State Office Building, 900 S.W. Jackson, Suite 507, Topeka, 66612. 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 each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least 10 working days in advance of the hearing by contacting Betty Rose at (785) 296-3053.

There is no anticipated economic impact on the Board of Technical Professions or other governmental agencies.

The following is a brief summary of the substance of the proposed regulations:

K.A.R. 66-6-4. Professional conduct. This regulation has been modified to include language stating that a licensee shall not violate any conditions set forth in any order of the board.

K.A.R. 66-8-8. Examination requirements for reciprocity applicants. This regulation has been modified to clarify the examination requirements for a reciprocity applicant who was originally licensed in another jurisdiction.

K.A.R. 66-10-9. Engineering experience of a character that is satisfactory to the board. This regulation has been modified to clarify the experience requirements for an engineering applicant who has a master's degree.

K.A.R. 66-10-10a. Surveying experience required of an applicant who is a graduate of an approved land surveying curriculum. This regulation has been modified to match a parallel regulation.

K.A.R. 66-11-2. Admission requirements for fundamentals of engineering examination. This regulation has been modified to match a parallel regulation.

Other various changes that are grammatical, appropriate to format or updated to the most current form of the statute have been made.

Copies of the full text of the regulations and the economic impact statement may be obtained by contacting Betty Rose at the address and phone number above or by e-mail at ksbt5@ink.org.

Betty L. Rose
Executive Director

Doc. No. 033664

(Published in the Kansas Register October 5, 2006.)

City of Overland Park, Kansas

Notice of Informational Open House

The city of Overland Park will be conducting an informational open house from 6 to 7:30 p.m. Tuesday, October 10, at the city of Overland Park Public Works Blue Valley District Office, 6869 W. 153rd St., Overland Park, regarding the roadway improvement plan for 132nd Street at U.S. 69 Highway Overpass. This meeting has been scheduled to review the right-of-way plans and the schedule for this project.

The city of Overland Park wants to ensure that the public is aware of this meeting. Members of the Johnson County and Overland Park communities are encouraged to attend and share their thoughts and ideas about this project.

For more information, contact Larry Blankenship, senior civil engineer, city of Overland Park, at (913) 895-6007.

Nancy Sappington
Contract Specialist
Public Works Department
City of Overland Park, Kansas

Doc. No. 033667

(Published in the Kansas Register October 5, 2006.)

City of Overland Park, Kansas

Notice to Bidders

Sealed bids for **Traffic Control System Upgrade - 119th Street Corridor, OP Project No, TS-0539, KDOT Project No. 46 N-0323-01**, will be received by the city of Overland Park, Kansas, at the office of the city clerk, City Hall, 8500 Santa Fe Drive, Overland Park, KS 66212, until 2 p.m. local time November 7, 2006. At that time all sealed bids will be transferred to the City Council Chamber, City Hall, where they will be publicly opened and read aloud. Any bid received after the designated closing time will be returned unopened.

All bids shall be submitted in sealed envelopes addressed to the city clerk of Overland Park, Kansas, and marked "Bid For: Traffic Control System Upgrade - 119th Street Corridor, OP Project No, TS-0539, KDOT Project No. 46 N-0323-01." Copies of plans, specifications, bid documents and other contract documents are on file at the office of the city traffic engineer located at City Hall. Contractors desiring the contract documents for use in preparing bids may obtain a set of such documents from the city traffic engineer upon payment of \$40, which amount is not refundable.

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

Should a bidder find "defects" as defined in paragraph GC-3 of the general conditions, it shall follow the procedures outlined in paragraph GC-3 to bring same to the

attention of the city. Changes necessitated thereby shall be in the form of addenda issued by the consulting engineer.

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

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

Bids shall be made upon the form provided in ink or typewritten. Numbers shall be stated both in writing and in figures, the signature shall be long hand and the complete form shall be without alteration or erasure. On alternate items for which a bid is not submitted, a written indication of "no bid" on the bid form is required.

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

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

- a. Bid.
- b. 5% bid security—bid bond, cashier's check or certified check (see below).

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

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

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

Nancy Sappington
Contract Specialist
Public Works Department
City of Overland Park, Kansas

Doc. No. 033666

State of Kansas

Secretary of State

Code Mortgage Rate for October

Pursuant to the provisions of K.S.A. 2005 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of October 1, 2006 through October 31, 2006, is 12 percent.

Ron Thornburgh
Secretary of State

Doc. No. 033656

State of Kansas

Secretary of State

Usury Rate for October

Pursuant to the provisions of K.S.A. 2005 Supp. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of October 1, 2006 through October 31, 2006, is 7.58 percent.

Ron Thornburgh
Secretary of State

Doc. No. 033655

State of Kansas

Kansas Water Authority

Notice of Hearings

The Kansas Water Authority will conduct two public hearings on its policy recommendation to create a multi-agency group to work locally with private and public entities in their efforts to encourage development at and adjacent to federal reservoirs. However, there would be no private, exclusive use of public land. The group also would be charged with making sure that the development does not degrade the quality of the water in the reservoirs themselves.

The hearings will be held Tuesday, October 17, at the Kansas Water Office, 901 S. Kansas Ave., Topeka, and Wednesday, October 18, at the El Dorado Civic Center, 201 E. Central, El Dorado. Both hearings will begin at 10 a.m.

It is unnecessary to provide advance notice of your intent to testify. A written copy of your testimony, however, is requested.

Persons unable to attend either hearing may submit written comments or testimony to the Kansas Water Office, Attn: Economic Development Testimony, 901 S. Kansas Ave., Topeka, 66612-1249, until 4 p.m. October 31.

Specific initiatives include:

- Provide information and assistance to prospective developers.
- Work with local governments and others who want to increase the economic value of their local reservoirs.
- Promulgate rules and regulations under the general authority of the Kansas Department of Health and

Environment to require any person wishing to develop land within a designated area adjacent to a reservoir to demonstrate how wastewater and sewage, stormwater runoff, and solid waste produced during and after development will be managed to minimize reservoir water quality impacts.

- Provide developers with access to reservoirs as appropriate through state parks and wildlife areas as part of public-private developments that enhance and increase the use of the federal reservoirs.
- Upgrade state park infrastructure and develop fee structures that support the entire costs of operating the parks and needed enhancements.
- Work cooperatively to reduce sedimentation rates at all reservoirs to preserve their recreational and economic value.
- Pursue initiatives that would enhance the recreational use and economic value of central and western Kansas reservoirs primarily by improving the reliability of their water levels, particularly by negotiating with irrigation districts to sell all or part of their water rights.

The full Kansas Water Authority study, "Economic Development Opportunities at Federal Reservoirs," and the Kansas Department of Commerce study, "Kansas Water Reservoirs-Analysis of Development Potential," may be found on the Kansas Water Office Web site at www.kwo.org.

For further information or to request special accommodations at the hearing locations, contact Ken Grote-wiel, Assistant Director of the Kansas Water Office, at (888) 526-9283 (KAN-WATER) or (785) 296-3185, or e-mail at kgrotewiel@kwo.state.ks.us.

Steve Irsik
Chairman

Doc. No. 033665

State of Kansas

Kansas Judicial Council

Notice of Meetings

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

Date	Committee	Time	Location
Oct. 6	Commission on Judicial Performance	9:30 a.m.	Room 259
Oct. 13	Legal Forms	9:30 a.m.	Room 259
Oct. 20	Probate Law	9:30 a.m.	Room 259
Oct. 20	PIK Criminal	9:30 a.m.	Room 269
Oct. 20	Administrative Procedure	9:30 a.m.	Court of Appeals Courtroom
Oct. 27	Juvenile Offender/Child in Need of Care	9:30 a.m.	Room 259
Nov. 3	End of Life Decisions	9:30 a.m.	Room 259
Nov. 10	Commission on Judicial Performance	9:30 a.m.	TBA
Nov. 17	PIK Criminal	9:30 a.m.	Room 259

Hon. Donald L. Allegrucci
Chair

Doc. No. 033653

**State of Kansas
Wireless Enhanced 911 Advisory Board**

Notice of Grant Award Meeting

Grant funds are available from the Kansas Wireless Enhanced 911 grant program. The purpose of the grant program is to support local Public Safety Answering Points in making the required improvements to establish wireless enhanced 911 services.

The Kansas Wireless Enhanced 911 Advisory Board will meet at 9 a.m. October 19-20 at the League of Kansas Municipalities, conference room, 300 S.W. 8th, Topeka, to determine grant awards for calendar year 2007.

Juliene Maska
Governor's Grants Program Administrator

Doc. No. 033662

**State of Kansas
Pooled Money Investment Board**

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 12-1675(b)(c)(d), 75-4201(l) and 75-4209(a)(1)(B).

Effective 10-2-06 through 10-8-06

Term	Rate
1-89 days	5.31%
3 months	4.94%
6 months	5.01%
1 year	4.88%
18 months	4.77%
2 years	4.67%

Derl S. Treff
Director of Investments

Doc. No. 033659

**State of Kansas
Department of Transportation**

Notice of Public Auction

The Kansas Secretary of Transportation will offer for sale at public auction at 11 a.m. Thursday, November 9, two tracts of land at 21st Street and Rice Road in Topeka that have been declared excess to the state highway system.

An inspection of property will take place from 10 to 11 a.m. Monday, November 6, and from 10 to 11 a.m. on the day of the sale. The sale will be conducted on-site.

The property consists of two tracts of land acquired as right of way for I-70 and the intersection of I-70 with Rice Road, east of Topeka in Shawnee County, Kansas. The two tracts contain a total of approximately 20.31 acres. There is good highway access in all directions in and out of the neighborhood onto I-70, the Kansas Turnpike and Kansas Highway 4.

Tract I, consisting of parcels "a" and "b" as described in the complete legal descriptions, is 12 acres more or less and will be accessible only to an adjacent landowner. Access from Tract I to Tract II would be by a very narrow strip, described as "c" in the following legal descriptions.

Tract I has been appraised at \$72,000. Bidding will begin at \$48,000.

Tract II consisting of parcels "c," "d," "e," "f," "g" and "h" as described in the complete legal descriptions, is 8.31 acres, more or less, adjacent to Rice Road. This tract could be developed with access to 21st Street and Rice Road. Tract II has been appraised at \$133,000. Bidding will begin at \$88,667.

Complete legal descriptions for the parcels are available upon request by calling Kurt Daniels at (785) 296-4426.

The tracts are irregular in shape. They are nearly at grade but slope to the west and off I-70 to the south.

Highway Access: I-70 is a controlled access highway; therefore the tracts would have no direct access to the interstate highway.

Zoning: The property has no zoning designation, since it has been a part of highway right of way. Properties in the area are zoned light industrial, residential and some office.

Utilities: Public sewer is not available.

Terms of Sale:

A cashier's check for \$4,800 for Tract I and \$8,867 for Tract II, representing 10 percent of the minimum acceptable bid for each tract, is due at the time of the sale. The balance of the purchase price must be paid by cashier's check before 5 p.m. Monday, December 11, 2006. The successful bidder will receive a bill of sale on the day of the sale and a quit claim deed after the balance is paid. If the balance of the purchase price is not paid before 5 p.m. Monday, December 11, 2006, the 10 percent down payment will be forfeited to the seller.

The seller reserves the right to reject any and all bids and is not responsible for accidents.

Sold Subject to the Following:

Tracts will be sold subject to the easement for the right of ingress and egress, reconstruction and maintenance of all existing utilities and appurtenances thereto, as well as the following restrictive covenant: Grantees, for their heirs and assigns, do hereby covenant and agree, said covenant to run with the land, that the land conveyed herein shall not be used for billboards, signboards or other outdoor advertising purposes.

The prospective buyer is encouraged to research the chain of title of these tracts.

The Kansas Department of Transportation makes no representations concerning the condition, value or suitability of use for this property or the improvements, attachments, fixtures, apparatuses and appliances thereof, if any. The property and said improvements, etc. will be sold in the present "as is" condition, without warranties or guarantees of any kind.

The Kansas Department of Transportation ensures the acceptance of any bid pursuant to this notice will be without discrimination on the grounds of sex, race, color, religion, physical handicap or national origin.

For additional information, contact the Bureau of Right of Way at (877) 461-6817.

Deb Miller
Secretary of Transportation

Doc. No. 033675

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, 700 S.W. Harrison, fourth floor west wing, Topeka, until 1 p.m. October 18, and then publicly opened:

District One — Northeast

Atchison—3 U-1895-01 — Fourth Street from Main Street to Division Street in Atchison, 0.8 mile, grading and surfacing. (Federal Funds)

District—106 TE-0301-02 — Kansas Flint Hills, signing. (Federal Funds)

Douglas—23 C-4121-01 — County road, 1.7 miles east of Eudora, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Douglas—23 U-2040-01 — Kasold Drive from Peterson Road to the Kansas Turnpike Authority in Lawrence, 0.7 mile, grading, bridge and surfacing. (Federal Funds)

Jefferson—44 C-4048-01 — County road 0.5 mile east and 2.7 miles north of Perry, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Jefferson—44 C-4049-01 — County road 2 miles east and 3.2 miles south of Nortonville, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Jefferson—44 C-4050-01 — County road 0.7 mile south and 0.7 mile west of Williamstown, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

Johnson—46 C-4103-01 — 199th Street from U.S. 169 to Ridgeview Road, 1.5 miles, grading and surfacing. (Federal Funds)

Riley—C-4288-01 — Wildcat Creek Road, 1.4 miles west of Scenic Drive in Manhattan, 0.4 mile, grading, bridge and surfacing. (Federal Funds)

Shawnee—89 U-1881-01 — Southwest 29th Street bridge over Shunganunga Creek in Topeka, grading, bridge and surfacing. (Federal Funds)

Shawnee—89 C-4083-01 — Intersection of S.W. 53rd Street and S.W. Wanamaker Road in Topeka, 0.1 mile, intersection improvement. (Federal Funds)

District Two — Northcentral

Dickinson—43-21 KA-0651-01 — K-43 from the junction of K-4 north to I-70, 19.7 miles, seal. (State Funds)

Ellsworth—27 C-4041-01 — County road 1.4 miles east and 1.5 miles south of Wilson, 0.2 mile, grading and bridge. (Federal Funds)

Saline—4-85 K-7402-02 — K-4, Dry Creek bridge, 0.3 mile east of the north junction of I-135, 0.5 mile, bridge replacement. (Federal Funds)

Saline—140-85 KA-0655-01 — K-140 from the Ellsworth-Saline county line to the I-135/U.S. 81 interchange, 16.8 miles, overlay. (State Funds)

Saline—85 U-2042-01 — Broadway from North to 9th Street and Pacific, and Pacific from 9th Street and Broadway to Santa Fe in Salina, 1 mile, intersection improvement. (Federal Funds)

District Three — Northwest

Cheyenne—12 C-3949-01 — County road 3.5 miles southwest of St. Francis, northeast 3.3 miles, surfacing. (Federal Funds)

Cheyenne—36-12 KA-0574-01 — U.S. 36 from the Kansas-Colorado state line east to the west city limits of St. Francis, 13.2 miles, overlay. (State Funds)

Cheyenne—161-12 KA-0575-01 — K-161 from the junction of U.S. 36 north to the Kansas-Nebraska state line, 17 miles, seal. (State Funds)

Rawlins—77 KA-0600-01 — K-25 from the Rawlins-Thomas county line north to the concrete pavement in Atwood; U.S. 36, 10 miles east of the Cheyenne-Rawlins county line east to the junction of K- 25, 26.5 miles, overlay. (State Funds)

Sheridan—90 C-3733-01 — County road 13.5 miles north and 3.7 miles east of Hoxie, 0.1 mile, grading and bridge. (Federal Funds)

Thomas—70-97 K-9897-01 — I-70 from the Logan-Thomas county line northwest to Mingo, 13 miles, overlay. (State Funds)

Wallace—27-100 KA-0582-01 — K-27 from the east junction of U.S. 40 north to the Shawnee-Wabaunsee county line, 16.2 miles, overlay. (State Funds)

District Four — Southeast

Allen—1 C-4205-01 — County road 1.4 miles south of Humboldt, 0.2 mile, grading and bridge. (Federal Funds)

Cherokee—11 C-4033-01 — County road 1.9 miles north and 1 mile east of Weir, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Miami—61 C-4202-01 — County road 4 miles west and 5 miles north of Paola, 1.4 miles, grading, bridge and surfacing. (Federal Funds)

Neosho—39-67 K-7433-01 — K-39 over the SKO railroad 1.6 miles east of the junction of U.S. 169 at Chanute, bridge replacement. (Federal Funds)

Wilson—103 C-3908-01 — County road 1 mile east of Neodesha, 0.1 mile, grading, bridge and surfacing. (Federal Funds)

District Five — Southcentral

Barber—4 C-4106-01 — County road 1.5 miles north and 2 miles west of Hardtner, 0.3 mile, grading and bridge. (Federal Funds)

Barton—5 C-4197-01 — County road 4.4 miles north and 1.5 miles west of Ellinwood, 0.3 mile, grading and bridge. (Federal Funds)

Barton—96-5 KA-0667-01 — K-96 from the Rush-Barton county line east to the north city limits of Great Bend, 13.6 miles, overlay. (State Funds)

Barton—281-5 KA-0679-01 — U.S. 281 from the west junction of K-4 to the Barton-Russell county line, 11.1 miles, overlay. (State Funds)

Cowley—18 C-4045-01 — County road 5 miles south and 2.3 miles east of Winfield, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

Comanche—1-17 KA-0670-01 — K-1 from the Oklahoma-Kansas state line north to the junction of U.S. 160, 13.4 miles, overlay. (State Funds)

Comanche—160-17 KA-0671-01 — U.S. 160 from the Clark-Comanche county line east to the Comanche-Barber county line, 35.9 miles, seal. (State Funds)

Harper—160-39 KA-0672-01 — U.S. 160 from the Barber-Harper county line east to the south junction of K-2, 17.6 miles, overlay. (State Funds)

Kingman-Reno—17-106 KA-0684-01 — K-17 from the junction of U.S. 54 north to the Kingman-Reno county line; K-17 from the Kingman-Reno county line north to the junction of K-96, 21.5 miles, overlay. (State Funds)

Reno—14-78 KA-0675-01 — K-14 from the east junction of K-61 north to the south junction of K-96, 17.2 miles, seal. (State Funds)

Reno—61-78 KA-0677-01 — K-61 from the east city limits of Arlington to U.S. 50, 8.4 miles, overlay. (State Funds)

Rice—14-80 KA-0678-01 — K-14 from the north city limits of Lyons north to the junction of K-4, 10.8 miles, seal. (State Funds)

Sedgwick—87 N-0345-01 — 167th Street from Wichita Avenue to 57th Street north in Colwich, 0.3 mile, grading and surfacing. (Federal Funds)

Sedgwick—87 TE-0290-01 — 53rd Street West, 0.3 mile west of 151st Street North in Colwich, construct drainage facilities. (Federal Funds)

District Six — Southwest

Finney—156-28 K-9177-01 — K-156 from Campus Drive to the northbound U.S. 50/U.S. 83/U.S. 400 ramp, 0.8 mile, grading and surfacing. (State Funds)

Hamilton—27-38 KA-0586-01 — K-27 from the west U.S. 50 junction north to the Hamilton-Greeley county line, 19.4 miles, overlay. (State Funds)

Kearny—50-47 KA-0588-01 — U.S. 50 from the west city limits of Lakin east to the Kearny-Finney county line, 10.4 miles, overlay. (State Funds)

Stevens—25-95 KA-0763-01 — K-25 from the Oklahoma-Kansas state line north to the west junction of U.S. 56, 10.9 miles, overlay. (State Funds)

Wichita—96-102 KA-0596-01 — K-96 from the Greeley-Wichita county line east to the east city limits of Leoti, 12 miles, overlay. (State Funds)

Wichita—25-102 M-1962-01 — K-25, KDOT mixing strip, 2 miles south of the junction of K-96, stockpile bituminous material. (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. 033650

State of Kansas

Child Support Guidelines Advisory Committee

Notice of Meetings

The Kansas Child Support Guidelines Advisory Committee will meet October 27 and December 1 in Room 269, Kansas Judicial Center, 301 S.W. 10th Ave., Topeka. Both meetings will begin at 9:30 a.m. For more information, contact Mark Gleeson, OJA Family and Children Program Coordinator, at (785) 296-5938 or by e-mail at gleesonm@kscourts.org.

Persons requiring reasonable accommodations should contact Elizabeth Reimer at the Kansas Office of Judicial Administration, 301 S.W. 10th Ave., Topeka, 66612-1507, (785) 296-5938, by e-mail at reimere@kscourts.org or by TTY/TDD via the Kansas Relay Center, (800) 766-3777.

Mark Gleeson
OJA Family and Children
Program Coordinator

Doc. No. 033487

State of Kansas

State Corporation Commission

Notice of Hearing

The State Corporation Commission is considering making substantial changes to its GG-1 and GG-1a gas gathering report forms. Copies of the forms with proposed changes can be obtained from the commission's Web site, www.kcc.state.ks.us/conservation/index.htm, or from the Conservation Division by calling (316) 337-6200.

A hearing will be conducted in accordance with K.A.R. 82-3-801(i) to consider the changes at 10 a.m. Thursday, November 16, at the commission's Wichita office, 130 S. Market, Room 2078, Wichita. Public comments on the changes will be heard at the hearing, and written comments may be filed with the commission prior to the date of the hearing addressed to the executive director, State Corporation Commission, 130 S. Market, Room 2078, Wichita, 67202-3802.

Any person requiring special accommodations under the Americans with Disabilities Act needs to give notice to the commission at least 10 days prior to the scheduled hearing date.

For more information, contact John McCannon, assistant general counsel, at (316) 337-6200.

Susan K. Duffy
Executive Director

Doc. No. 033654

State of Kansas

**Office of Judicial Administration
Supreme Court Docket**

(Note: Dates and times of arguments are subject to change.)

Wednesday, October 25, 2006

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
92,541 State of Kansas, Appellee, v. Mikkel D. Parker, Appellant.	Phillip D. Kline, Atty. Gen. Charles L. Rutter, Asst. District Atty. Ryan M. Peck	Sedgwick Petition for Review
91,659 State of Kansas, Appellee, v. Donald L. Simmons, Appellant.	Phillip D. Kline, Atty. Gen. Boyd K. Isherwood, Asst. District Atty. Korey A. Kaul, Kansas Appellate Defender	Sedgwick Petition for Review
94,123 Barry D. Vorhees, Appellant, v. Francisco J. Baltazar, et al., Appellees.	Patrick R. Miller Zackery E. Reynolds	Linn Petition for Review
92,413 State of Kansas, Appellee, v. Michael J. Brown, Appellant.	Phillip D. Kline, Atty. Gen. Kim Wiechman Cudney, County Atty. Rick A. Kittel, Kansas Appellate Defender	Washington Petition for Review

1:30 p.m.

93,762 Willie McIntosh, Appellant, v. Sedgwick County, Appellee.	Steven R. Wilson Richard J. Liby Robert G. Martin II	Work Comp. Petition for Review
93,984 Alejandro Casco, Appellant, v. Armour Swift-Eckrich, Appellee.	Jeff K. Cooper Mark E. Kolich	Work Comp. Petition for Review
95,396 Floyd S. Bledsoe, Appellant, v. State of Kansas, Appellee.	Richard Ney Kristafer Ailslieger, Asst. Atty. Gen.	Jefferson

Thursday, October 26, 2006

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
92,488 State of Kansas, Appellee, v. Sam Cooperwood II, Appellant.	Phillip D. Kline, Atty. Gen. Jerome A. Gorman, District Atty. Korey A. Kaul, Kansas Appellate Defender	Wyandotte Petition for Review
93,726 Katherine Yount, Appellant, v. Mike Scott Deibert, et al., Appellees.	Patrick C. Smith David S. Brake	Bourbon Petition for Review
94,120 Laura Smith, Appellant, v. Becky Graham, D.O., Appellee.	Zackery E. Reynolds Daniel P. Hanson	Labette Petition for Review
93,622 LSF Franchise REO I, LLC., Appellant, v. Emporia Restaurants, Inc., et al., Appellees.	Thomas A. Krueger Cynthia F. Grimes	Lyon Petition for Review

Case No. / Case Name	1:30 p.m. Attorneys	Jurisdiction
96,579 In the Matter of E. Thomas Pyle III, Respondent.	Alexander M. Walczak, Deputy Discip. Admin. Mark G. Ayesh E. Thomas Pyle III, Pro Se	Original
96,885 In the Matter of Dwight Alan Corrin, Respondent.	Janith A. Davis, Deputy Discip. Admin. G. Craig Robinson Dwight Alan Corrin, Pro Se	Original
96,888 In the Matter of Kent Owen Docking, Respondent.	Alexander M. Walczak, Deputy Discip. Admin. John J. Ambrosio Kent Owen Docking, Pro Se	Original

Friday, October 27, 2006

Case No. / Case Name	9:00 a.m. Attorneys	Jurisdiction
95,154 Tracy Williamson, Appellant, v. Jacob Amrani, M.D., Appellee.	Michael L. Hodges Steven C. Day	Sedgwick
96,887 In the Matter of Steven A. Ediger, Respondent.	Alexander M. Walczak, Deputy Discip. Admin. John J. Ambrosio Steven A. Ediger, Pro Se	Original
96,889 In the Matter of Vincent A. Garcia, Respondent.	Frank D. Diehl, Deputy Discip. Admin. Mark G. Ayesh Vincent J. Garcia, Pro Se	Original
96,884 In the Matter of Daniel Heath Lampson, Respondent.	Frank D. Diehl, Deputy Discip. Admin. Daniel Heath Lampson, Pro Se	Original
96,886 In the Matter of Joseph M. Laskowski, Respondent.	Stanton A. Hazlett, Discip. Admin. Joseph M. Laskowski, Pro Se	Original

**Summary Disposition of Sentencing Appeals — No Oral Argument
Pursuant to Supreme Court Rule 7.041a**

95,719	State v. Mark R. Strickland
95,919	State v. Jerry D. Byrd
95,951	State v. Charles E. Hallum
96,000	State v. Stephen M. Pasley
96,017	State v. Joseph L. Whittaker
96,193/96,209/96,392	State v. Mathew A. Castaneda
96,213	State v. Michael R. Ludes
96,254	State v. Jason L. Strand
96,359	State v. Robert L. Anderson
96,380	State v. Keith L. McCormick
96,509	State v. Kirk D. McGhee
96,649	State v. Matthew Cullison

Carol G. Green
Clerk of the Appellate Courts

(Published in the Kansas Register October 5, 2006.)

City of Lenexa, Kansas

Notice to Bidders

Sealed bids for **87th Street Parkway (Pflumm Road to Renner Blvd.) Fiberoptic Communication Project** will be accepted by the city of Lenexa, Kansas, at the Planning Department, Lenexa City Hall, 12350 W. 87th St. Parkway, Lenexa, KS 66215, until 2 p.m. November 6, 2006, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Planning Department customer service staff (main level) in sealed envelopes addressed to the city of Lenexa, Kansas, attention: city clerk, and marked "Bid for: 87th Street Parkway (Pflumm Road to Renner Blvd.) Fiberoptic Communication Project." Copies of plans, specifications, bidding documents and other contract documents are on file at the Public Works Department, lower level, Lenexa City Hall.

Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above upon payment of \$150, which amount is non-refundable.

In lieu of picking up plans and specifications at Lenexa City Hall, bidders may download plans and specs free of charge from the city of Lenexa's Web site at <http://www.ci.lenexa.ks.us/publicworks/index.html>.

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

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

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

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

- a. Bid form.
- b. 5% bid security—bid bond, cashier's check or certified check (see below).

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

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

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

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

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

A pre-bid conference will be held at 1:30 p.m. October 30 in the Public Works conference room, lower level, Lenexa City Hall.

Mary Sue Fry
City Clerk
City of Lenexa, Kansas

Doc. No. 033676

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) 296-2377:

10/19/2006	09849	Aligning Postsecondary Education and Training
10/19/2006	09851	Advertising, Electronic Tax Filing
10/19/2006	09856	Hot Applied Pavement Crack Sealants — Various Locations
10/19/2006	09859	Asphaltic Concrete Mix, Cold for Cold Weather Use
10/23/2006	09847	Kardex File Folders
10/24/2006	09858	Refuse Collection Services
10/25/2006	09857	Janitorial Services — Junction City
10/26/2006	09860	Gas Chromatograph System
10/30/2006	09842	DB2 Software Tools
11/09/2006	09852	Food Services

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

<http://da.state.ks.us/purch/rfq/>

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

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

Contractors wishing to bid on the projects listed below must be prequalified. For more information about the prequalification process or to obtain the following bid documents, call (785) 296-8899:

- 10/26/2006 A-010224 Wooster Place Window & Exterior Door Replacement — Wooster 1 & 2 — Fort Hays State University
- 11/07/2006 A-010250 Metal Roof Retrofit — Dorm 2 — East — Hutchinson Correctional Facility

Chris Howe
Director of Purchases

Doc. No. 033678

State of Kansas

Kansas Health Policy Authority

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Wednesday, December 6, in Room 900-N, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of amendments to an existing rule and regulation on a permanent basis effective 15 days after publication in the Kansas Register. Telephone conference is not available.

K.S.A. 2005 Supp. 75-7401 through 75-7405 and Section 42 of Chapter 187, 2005 Session Laws of Kansas transferred specific powers, duties and regulatory authority of the Division of Health Policy and Finance (DHPF) within the Department of Administration to the Kansas Health Policy Authority (KHPA), effective July 1, 2006. The statutes provide that KHPA will be the single state agency for Medicaid, Medikan and HealthWave in Kansas.

This 60-day notice of the public hearing shall constitute a public comment period for the proposed regulation as stated in K.S.A. 2005 Supp. 77-421(a)(3). All interested parties may submit written comments before the hearing to Rita Haverkamp, Kansas Health Policy Authority, Room 900-N, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1220, or by e-mail at Rita.Haverkamp@khpas.gov. At the hearing, the Kansas Health Policy Authority will give all interested parties a reasonable opportunity to present their views, but it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days before the hearing by contacting Rita Haverkamp at (785) 296-5107 or by calling the Kansas Relay Center at (800) 766-3777.

Copies of the regulation and the economic impact statement may be obtained by contacting Rita Haverkamp or from the KHPA Web site at www.khpas.gov.

A summary of the regulation and the economic impact follows:

Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REIMBURSEMENT FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM

30-5-88. Scope of physician services. This regulation is being revoked and replaced with the new proposed regulation.

129-5-88. Scope of physician services. The following changes will be made to K.A.R. 129-5-88 regarding scope of physician services:

Kansas Medicaid has opted to allow coverage for pancreas transplants. Pancreas transplants give diabetic persons who also have had a kidney transplant freedom from insulin dependence and prevent the debilitating side effects of diabetes such as cardiovascular, retinal and further renal disease. This is a life-saving procedure and an intervention of last resort.

Federal Mandate: This regulation change is not federally mandated.

Economic Impact: It is anticipated there would be no fiscal impact.

Bearer of Cost: Not applicable.

Affected Parties: Medicaid beneficiaries.

Other Methods: There were no other appropriate methods for the desired outcome.

Marcia Nielson, Ph.D., MPH
Interim Executive Director

Doc. No. 033672

State of Kansas

Kansas Courthouse Security Project

Notice of Meetings

The Kansas Courthouse Security Project will be conducting pre-assessment meetings on the following dates and in the following locations:

- Oct. 10 — 14th Judicial District — 2 to 4 p.m.
Montgomery County Courthouse
300 E. Main St., Suite 201, Independence
- Oct. 11 — 6th Judicial District — 9 to 11 a.m.
Linn County Courthouse
318 Chestnut, Mound City
- Oct. 11 — 11th Judicial District — 9 to 11 a.m.
Crawford County Judicial Center
602 N. Locust, Pittsburg
- Oct. 11 — 31st Judicial District — 2 to 4 p.m.
Neosho County Courthouse
102 S. Lincoln, Chanute
- Oct. 12 — 5th Judicial District — 2 to 4 p.m.
Lyon County Courthouse
430 Commercial, Emporia
- Oct. 13 — 30th Judicial District — 10 a.m. to noon
Kingman County Courthouse
130 N. Spruce, Kingman
- Oct. 30 — 21st Judicial District — 2:30 to 4:30 p.m.
Riley County Courthouse
100 Courthouse Plaza, Manhattan

The meetings will be open to the public. For more information, contact Mark Gleeson, OJA Family and Children Program Coordinator, at (785) 296-5938 or by e-mail at gleesonm@kscourts.org. Persons requiring reasonable accommodations should contact Elizabeth Reimer at the Kansas Office of Judicial Administration, 301 S.W. 10th Ave., Topeka, 66612-1507, (785) 296-5938, by e-mail at reimer@kscourts.org, or by TTY/TDD via the Kansas Relay Center at (800) 766-3777.

Mark Gleeson
OJA Family and Children
Program Coordinator

Doc. No. 033632

State of Kansas

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

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit renewal and amending previously issued construction approval. Acme Brick Company has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et seq. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance. Notice also is given that certain requirements in the construction approval dated January 4, 2006, are being modified by a modification of approval conditions.

Acme Brick Company, Fort Worth, Texas, owns and operates a brick and clay product manufacturing facility located at 1915 Ave. L, Kanopolis.

A copy of the proposed permit, permit application, all supporting documentation, all information relied upon during the permit application review process, and a copy of the modification of approval conditions are available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review either document, contact Terry Tavener, (785) 296-1581, at the KDHE central office; and to review the proposed permit only, contact Stan Marshall, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the documents to Terry Tavener, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating final document decisions, written comments must be received before the close of business November 6.

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 Sherry Walker, Bureau of Air and Radiation, not later than the close of business November 6 in order for the Secretary of Health and Environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Jon Knodel, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, 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. 033668

State of Kansas

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

Sealed bids for lead hazard reduction at the following properties will be received by the Kansas Department of Health and Environment until 2 p.m. on the date indicated. For more information, call (785) 296-1519:

October 20, 2006

264-07-39

Project Lead Safe KCK

Property #1	1509 Quindaro Kansas City, KS 66104
Property #2	815 Quindaro Kansas City, KS 66104
Property #3	3324 Sewell Kansas City, KS 66104
Property #4	726 Everett Kansas City, KS 66101
Property #5	5701 Roswell Kansas City, KS 66104
Property #6	1119 Ella Kansas City, KS 66102
Property #7	3428 N. 29th St. Kansas City, KS 66104

Contractors will be required to attend a walkthrough of each property in order to be eligible to respond to the Invitation for Bid. For times and actual locations, call (913) 262-0796 or go to the following Web site: http://www.unleadedks.com/contractor_info.html.

The above-referenced bid documents may be downloaded at the Web site listed above.

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 033671

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-06-351/359
Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Old Settler Farm Edward A. Koehn 13624 N.W. 24th Halstead, KS 67056	NW/4 of Section 03, T23S, R02W, Harvey County	Little Arkansas River Basin

Kansas Permit No. A-LAHV-F004
This is a renewal permit for an existing facility for 7,000 head (126 animal units) of turkeys.

Name and Address of Applicant	Legal Description	Receiving Water
Circle Bar Cattle Co., Inc. Nathan and/or Vance Kells Route 1, Box 99 Satanta, KS 67870	S/2 of Section 29, T27S, R33W, Haskell County	Cimarron River Basin

Kansas Permit No. A-CIHS-C011 Federal Permit No. KS0096466
This is a renewal permit for an expanding facility for 16,000 head (16,000 animal units) of cattle weighing more than 700 pounds. The proposed expansion will include additional open lot pen areas and associated wastewater control structures to be completed in two phases of construction.

Name and Address of Applicant	Legal Description	Receiving Water
Bar-T, Inc. Richard J. Schilling 4555 Jennie Barker Road Garden City, KS 67846	NE/4 of Section 33, T23S, R32W, Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-T002
This is a renewal permit for an existing cattle truck washing facility.

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

Kansas Permit No. A-CIGY-C001 Federal Permit No. KS0115738
This is a renewal permit for an existing facility for 52,300 head (52,300 animal units) of cattle weighing more than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
O1 Cattle Co., Inc. Owen Unruh 704 Ada Scott City, KS 67871	SE/4 of Section 18, T16S, R33W, Scott County	Smoky Hill River Basin

Kansas Permit No. A-SHSC-C006 Federal Permit No. KS0086410
This is a renewal permit for an existing facility for 1,500 head (1,500 animal units) of cattle weighing more than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Hermann's Dairy Jeannette Hermann 8991 Village Greens Road Meriden, KS 66512	SE/4 of Section 04, T10S, R17E, Jefferson County	Kansas River Basin

Kansas Permit No. A-KSJF-M001
This is a renewal permit for an existing facility for a maximum of 20 head (28 animal units) of dairy cows, 10 head (10 animal units) of dry dairy cows and dairy heifers weighing more than 700 pounds, 5 head (2.5 animal units) of dairy calves weighing 700 pounds or less, and 2 horses (4 animal units), for a total of 44.5 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Joe C. Colson Route 2, Box 97 Mankato, KS 66956	W/2 of Section 22, T04S, R09W, Jewell County	Solomon River Basin

Kansas Permit No. A-SOJW-S021
This is a renewal permit with modification for an existing facility for 225 head (90 animal units) of swine weighing more than 55 pounds, 65 head (32.5 animal units) of cattle weighing less than 700 pounds and 2 head (2.8 animal units) of dairy cows, for a total of 125.3 animal units of livestock. Permit modification is due to the listing of all animals maintained on-site but not included in the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Gigstad Farms, Inc. Craig Gigstad 15272 Hwy. 59 Valley Falls, KS 66088	SW/4 of Section 28 & NW/4 of Section 33, T08S, R19E, Jefferson County	Kansas River Basin

Kansas Permit No. A-KSJF-S019
This is a renewal permit for an existing facility for a maximum capacity of 506 head (202.4 animal units) of swine weighing more than 55 pounds and 320 head (32 animal units) of swine weighing 55 pounds or less, for a total of 234.4 animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Phillips Family Dairy George W. Phillips 21763 W4 Road Holton, KS 66436	SW/4 of Section 15, T07S, R16E, Jackson County	Kansas River Basin

Kansas Permit No. A-KSJA-M003
This is a renewal permit for an existing facility for 98 total animal units. The facility has a maximum of 50 head (70 animal units) of dairy cows, 16 calves (8 animal units) weighing less than 700 pounds, and 20 heifers (20 animal units) weighing more than 700 pounds. The calves and heifers have always been part of the operation but not included in previous permits.

(continued)

Public Notice No. KS-06-150/156

Name and Address of Applicant	Waterway	Type of Discharge
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Clinton Lake & Wakarusa River via Coon Creek	Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-KS31-PO10 Federal Permit No. KS0081213

Legal: E½, NW¼, S3, T13S, R18E, Douglas County

Facility Name: #69 Buchheim Quarry

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with no washing. Outfall 001 consists of pit de-watering and stormwater runoff. Included in the permit is generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement an industrial stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
N.R. Hamm Quarry, Inc. P.O. Box 17 Perry, KS 66073	Perry Lake via Delaware River via Cedar Creek via Unnamed Tributary	Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-KS11-PO02 Federal Permit No. KS0088951

Legal: NW¼, S25, T8S, R16E, Jefferson County

Facility Name: #50 Dix Quarry

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is a limestone quarry and crushing operation with no washing. Outfall 001 consists of pit dewatering and stormwater runoff. Included in the permit is generic water-quality language to protect waters of the state. Contained in the permit is a schedule of compliance requiring the permittee to develop and implement an industrial stormwater pollution prevention plan within one year of the effective date of the permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Hunt Martin Materials, LLC. 11252 Aurora Ave. Des Moines, Iowa	Kansas River via Deer Creek via Unnamed Tributary	Pit De-Watering & Stormwater Runoff

Kansas Permit No. I-KS31-PO17 Federal Permit No. KS0089923

Legal: S22 & S23, T12S, R17E, Shawnee & Douglas Counties

Facility Name: Big Springs Quarry

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This facility is currently inactive but is capable of becoming an active limestone quarrying and crushing operation, with some rock washing. This facility consists of one outfall (001) that discharges treated process water and five additional outfalls that discharge stormwater runoff. Settling ponds are used for wastewater treatment and fresh water supply. The proposed permit contains limits for total suspended solids and pH on effluent from Outfall 001. Also included in the permit is generic water-quality language to protect waters of the state. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Mid-States Materials, LLC P.O. Box 236 Topeka, KS 66601	Pomona Lake via Plummer Creek via Unnamed Tributary	Pit Dewatering and Stormwater Runoff

Kansas Permit No. I-MC44-PO04 Federal Permit No. KS0093106

Legal: NW¼ and NE, S21, T15S, R16E, Osage County

Facility Name: Plummer Creek Quarry

Facility Description: The proposed action is to modify an existing permit for the discharge of wastewater to add provisions for rock washing during quarry operation. This facility is a limestone quarry and crushing operation with some washing. The treated wash water (Outfall 001) is normally recycled on-site, so no discharge of treated wash water occurs, unless there is a significant rain. If wash water is discharged, it is treated by three settling ponds in series. Outfalls 002, 003, 004 and 005 consist of pit dewatering and stormwater runoff only. The proposed permit contains limits for total suspended solids and pH. Also included in the permit is generic water-quality language to protect waters of the state. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Osawatomie, City of 439 Main St. Osawatomie, KS 66064	Marais des Cygnes River	Process Wastewater

Kansas Permit No. I-MC30-PO06 Federal Permit No. KS0097250

Legal: NE¼, S10, T18S, R22E, Miami County

Facility Name: Osawatomie Water Treatment Plant

Facility Description: The proposed action is to reissue an existing permit for a wastewater discharge from an existing water treatment plant. Wastewater from the pre-sedimentation basin, the sedimentation basin and the filter backwash operation is discharged to an existing single-cell wastewater treatment lagoon system. Estimated flow of wastewater to the lagoon system is 0.30 MGD at the maximum water treatment plant capacity. The proposed permit includes limits for total suspended solids and pH as well as monitoring of total residual chlorine. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Public Wholesale Water Supply District #11 P.O. Box 308 Girard, KS 66743	West Fork Dry Wood Creek via Bone Creek	Process Wastewater

Kansas Permit No. I-MC52-PO02 Federal Permit No. KS0097101

Legal: SW¼, NE¼, NW¼, S12, T28S, R24E, Crawford County

Facility Name: Public Wholesale Water Supply District #11 - Bone Creek

Facility Description: The proposed action is to reissue an existing permit for a wastewater discharge from an existing water treatment plant. The raw water is treated routinely with alum, activated carbon and polymers, and periodically with lime for pH control, sodium hydroxide, potassium permanganate, sulfuric acid and fluorides, and settled, filtered and chlorinated prior to introduction into the distribution system. Sludge from the two primary solids contact basins is routed to the two larger cells that are operated in parallel. Chlorinated filter backwash water is routed to the smaller single cell. Discharge from the two larger cells is routed to the discharge end of the smaller cell. All wastewater is discharged from the smaller cell through Outfall 001 to Bone Creek. Domestic wastewater is treated in a septic tank/lateral field system. This NPDES permit is for the lagoon discharge to Bone Creek. The proposed permit includes limits for total suspended solids and pH as well as monitoring of total residual chlorine. Contained in the permit is a schedule of compliance requiring the permittee to either show consistent compliance with the TRC permit limit or to upgrade the facility to meet this requirement. The schedule of compliance also requires the permittee to obtain the services of a laboratory or become KDHE-field certified to field-test for total residual chlorine and pH. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Viola, City of P.O. Box 302 Viola, KS 67149	Ninnescah River via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-AR90-0001 Federal Permit No. KS0027880

Facility Description: SE¼, SW¼, NE¼, S33, T29S, R3W, Sedgwick County

Facility Description: The proposed action is to reissue an existing permit for an existing facility treating primarily domestic wastewater. The proposed permit contains limits for biochemical oxygen demand and total suspended solids. Monitoring of ammonia, fecal coliform, chlorides, pH and pond levels also will be required. Contained in the schedule of compliance requiring the permittee to upgrade the existing facility to allow for growth and provide for consistent compliance with the permit requirements. The schedule of compliance also requires the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator to achieve compliance with this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water-quality based.

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 copy 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.kdhe.state.ks.us/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. 033673

Public Notice No. KS-PT-06-007

Name and Address of Applicant	Receiving Facility	Type of Discharge
Anodizing Inc./Extrusions Inc. 2401 S. Main Fort Scott, KS 66701	Fort Scott MWWTP	Process Wastewater

Kansas Permit No. P-MC11-0001 Federal Permit No. KSP000008

Facility Description: The proposed action is to reissue an existing pretreatment permit for this facility. This facility extrudes aluminum alloy billets into various products. The amount of aluminum extruded varies from month to month but usually averages around 19,000 lbs/day or a maximum of 34,000 lbs/day. Approximately 2,000-12,000 lbs/day of aluminum is then processed in a metal finishing operation, consisting of metal cleaning, coloring, etching and anodizing. Treated wastewater from these processes is routed to Outfall 001. The aluminum parts are then fabricated and/or painted, as needed. Wastes from the aluminum extruding operation (Outfall 002) is not discharged to the sanitary sewer, but hauled off-site for disposal. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH. The monitoring of flow also will be required. The permit limits are pursuant to state and federal pretreatment requirements.

**State of Kansas
Governmental Ethics Commission**

Opinion No. 2006-16

Written September 20, 2006, to Jeff Wicks, Wichita.

This opinion is in response to your letter received by email on September 14, 2006, requesting an opinion from the Kansas Governmental Ethics Commission concerning the Campaign Finance Act (K.S.A. 25-4142 *et seq.*). We note at the outset that the Commission's jurisdiction concerning your questions is limited to the application of K.S.A. 25-4142 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement:

We understand that you are asking for this opinion in your capacity as an attorney with the Board of Indigent Defense Services (BIDS). BIDS attorneys are appointed by the Governor. You want to determine whether, as an executive branch employee, you may be a member of a political action committee (PAC).

Question:

1. May an attorney with the Board of Indigent Defense Services be a member of a political action committee (PAC) with responsibility in all aspects of the PAC, including fundraising, endorsements and other PAC activities?
2. May an attorney with the Board of Indigent Defense Services serve as the president/chair of a PAC?

Opinion:

The Campaign Finance Act defines a PAC, referred to as a "political committee" throughout the Act, as follows:

"Political committee" means any combination of two or more individuals or any person other than an individual, a major purpose of which is to expressly advocate the nomination, election or defeat of a clearly identified candidate for state or local office or make contributions to or expenditures for the nomination, election or defeat of a clearly identified candidate for state or local office. K.S.A. 2005 Supp. 25-4143(k)(1).

(continued)

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

All comments regarding the draft documents or application notices received on or before November 4 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-06-351/359, KS-06-150/156, KS-PT-06-007) 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

The Act is silent regarding who may participate in a political committee (PAC), and does not contain any prohibition or restriction regarding the participation of state employees in a PAC. K.S.A. 25-4169a prohibits the use of public funds, vehicles, machinery, equipment, supplies and employee time for expressly advocating for or against a candidate as follows:

(a) No officer or employee of the state of Kansas . . . shall use or authorize the use of public funds or public vehicles, machinery, equipment or supplies of any such governmental agency or the time of any officer or employee of any such governmental agency, for which the officer or employee is compensated by such governmental agency, to expressly advocate the nomination, election or defeat of a clearly identified candidate to state office or local office. . .

(b) Any person violating the provisions of this section shall be guilty of a class C misdemeanor.

Therefore, under the Campaign Finance Act, as an attorney with BIDS, you may be a member of a PAC with responsibility in all aspects of the PAC, including fundraising, endorsements and other PAC activities, as long as you comply with the restrictions set forth in K.S.A. 25-4169(a). Further, the Act does not prohibit you from serving as the president or chair of a PAC.

Sabrina K. Standifer
Chairwoman

Doc. No. 033643

(Published in the Kansas Register October 5, 2006.)

Summary Notice of Bond Sale
City of Louisburg, Kansas
\$2,990,000*
General Obligation Improvement Bonds
Series 2006-B

Details of the Sale

Subject to the terms and requirements of the official notice of bond sale dated October 2, 2006, of the city of Louisburg, Kansas, bids to purchase the city's General Obligation Improvement Bonds, Series 2006-B, will be received at the office of the city clerk at City Hall, 5 S. Peoria St., Suite 102, Louisburg, KS 66053, by telefacsimile at (913) 837-5374 or electronically through the i-DEAL, LLC BiDCOMP/PARITY electronic bid submission system, until 2 p.m. Monday, October 16, 2006. The bids will be considered by the governing body at its meeting at 6:30 p.m. on the sale date.

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

Good Faith Deposit

Each bidder must submit a good faith deposit in the form of a certified or cashier's check made payable to the order of the city or a financial surety bond in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds are dated November 1, 2006, and will be issued as registered bonds in the denomination of \$5,000, or any integral multiple thereof. Interest on the bonds is

payable semiannually on March 1 and September 1 of each year, beginning March 1, 2008. Principal of the bonds becomes due on September 1 in the years and amounts as shown below:

Maturity Schedule

Principal Amount *	Maturity Date
\$ 80,000	2008
185,000	2009
195,000	2010
205,000	2011
215,000	2012
220,000	2013
230,000	2014
240,000	2015
245,000	2016
260,000	2017
170,000	2018
175,000	2019
185,000	2020
190,000	2021
195,000	2022

Payment of Principal and Interest

The Kansas State Treasurer will serve as the bond registrar and paying agent for the bonds.

Book-Entry Bonds

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

Delivery of the Bonds

The city will prepare the bonds at its expense and will deliver the registered bonds to the successful bidder, on or about November 1, 2006, through the facilities of DTC.

Legal Opinion

The bonds will be sold subject to the legal opinion of Triplett, Woolf & Garretson, LLC, Wichita, Kansas, bond counsel, whose fees will be paid by the city.

Financial Matters

The city's current assessed valuation for purposes of calculating statutory debt limitations is \$42,408,117. As of November 1, 2006, the city's total outstanding general obligation debt (including the bonds) is \$13,460,000, which excludes temporary notes outstanding in the amount of \$1,200,000 that will be retired out of the proceeds of the bonds herein offered for sale. The city's total indebtedness that is subject to statutory debt limitation is estimated to be \$5,668,343, which is 13.37 percent of the assessed valuation of the city.

Additional Information

For additional information, contact the city clerk at the address and telephone number shown below or the city's financial advisor, David Arteberry, George K. Baum & Company, 435 Nichols Road, Suite 200, Kansas City, MO 64112, (816) 283-5137.

City of Louisburg, Kansas
By Sue Seufferling
City Clerk
City Hall, 5 S. Peoria St., Suite 102
Louisburg, KS 66053
(913) 837-5371
Fax (913) 837-5374

* Principal amount subject to change.

Doc. No. 033670

State of Kansas

Board of Pharmacy

Permanent Administrative
RegulationsArticle 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 recognized 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 continuing education program shall be submitted to the board at least 120 days in advance for consideration for approval. Except for continuing education programs recognized by the ACPE and approved by the board, 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) Continuing education credit received from any provider not recognized by the ACPE may be approved by the board after review and consideration of the following documentation submitted to the board by each licensee:

(A) A copy of the certification of attendance of completion for the program, which shall include the program title, type of course or program, name of provider, and the number of continuing education units completed; and

(B) a brief summary of the program stating the program's objectives and describing the relevance of the program to the practice of pharmacy.

(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) 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.)

68-1-1d. Approved schools. The following may be recognized and approved by the board: (a) Any school or college of pharmacy or department of a university accredited by the accreditation council for pharmacy education; and

(b) any other school or college of pharmacy or department of a university that, as determined by the board, has a standard of education not below that of the university of Kansas school of pharmacy. (Authorized by and implementing K.S.A. 65-1631; effective May 1, 1983; amended May 1, 1987; amended Oct. 20, 2006.)

68-1-1f. Foreign graduates. (a) Each applicant who has graduated from a school or college of pharmacy or a pharmacy department of a university located outside of the United States or who is not a citizen of the United States shall provide proof that the applicant has reasonable ability to communicate verbally and in writing with the general public in English as specified in this regulation.

(b) Each foreign applicant shall be required to meet one of the following English language requirements for licensure under the pharmacy act of the state of Kansas:

(1) Pass the test of English as a foreign language (TOEFL) with a score of at least 570 and the test of spoken English (TSE) with a score of at least 50; or

(2) pass the internet-based TOEFL (iBT) as specified in K.A.R. 68-1-1g. (Authorized by and implementing K.S.A. 65-1631; effective May 1, 1983; amended June 6, 1994; amended March 20, 1995; amended Aug. 1, 1997; amended Oct. 20, 2006.)

68-1-1g. Internet-based TOEFL Except as specified in K.A.R. 68-1-1f, each foreign applicant shall be required to meet the English language requirement for licensure under the pharmacy act of the state of Kansas by passing the internet-based TOEFL (iBT) with at least the following minimum scores:

(a) 24 in writing;

(b) 26 in speaking;

(c) 18 in listening; and

(d) 21 in reading. (Authorized by and implementing K.S.A. 65-1631; effective Oct. 20, 2006.)

Article 11.—FEES

68-11-1. Fees for examination and licensure as a pharmacist. The following fees shall be paid to the board by each applicant for examination and licensure as a pharmacist:

(a) Each applicant for examination shall pay a fee of \$50.00 to the Kansas board of pharmacy.

(b) Each applicant for reciprocal licensure shall pay a fee of \$80.00 to the Kansas board of pharmacy.

(c) An additional fee of \$250.00 to evaluate the education and training shall be paid by each applicant for re-

(continued)

reciprocal licensure or examination who graduated from a school or college of pharmacy or department of a university not approved by the board.

(d) Each licensed pharmacist shall pay a renewal fee of \$150.00.

(e) The penalty fee for a late renewal of a pharmacist license shall be \$200.00.

(f) The fee for a new or renewed pharmacist license shall be prorated to the nearest whole month for any period of time consisting of fewer than two years. (Authorized by K.S.A. 65-1630; implementing K.S.A. 65-1645; effective May 1, 1983; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended May 1, 1991; amended Nov. 30, 1992; amended June 6, 1994; amended July 31, 1998; amended Feb. 5, 1999; amended Feb. 7, 2003; amended Oct. 20, 2006.)

Debra Billingsley
Executive Secretary

Doc. No. 033657

State of Kansas

Department of Health and Environment

Permanent Administrative Regulations

Article 4.—MATERNAL AND CHILD HEALTH

28-4-501. Definitions. (a) "Applicable income" means the total monies received by all adult members of the family based on any of the following, with the addition of nontaxable benefits from any private, state, and federal funding sources:

(1) The total amount of adjusted gross income reported on one of the federal income tax forms 1040, 1040A, or 1040EZ, including a copy of all W-2 forms filed by each adult member of the family;

(2) the six most recent pay stubs; or

(3) a letter of anticipated earnings from the employer of each adult member of the family if the most recent federal income tax form does not reflect current income.

(b) "Birth attendant" means the person assisting with an out-of-institution delivery of the infant, in the absence of a physician.

(c) "Borderline hypothyroid" means an abnormally low level of thyroxine and a higher than normal level of thyroid-stimulating hormone in the blood, the combination of which is not usually indicative of hypothyroidism.

(d) "Cash assets" means accessible money, including savings accounts, certificates of deposit, checking accounts, stocks, and bonds. This term shall not include individual retirement accounts and retirement plans.

(e) "Department" means the Kansas department of health and environment.

(f) "Eligible person" means an individual who qualifies for any necessary treatment products or medically necessary food treatment products, or both.

(g) "Family," for the purposes of these regulations, means an eligible person who meets one of the following conditions and all other persons who reside in the home with the eligible person;

(1) Resides with and is considered to be a dependent of the person's parents, stepparents, or legal guardian for income tax purposes; or

(2) establishes a separate residence and is no longer considered a dependent of the person's parents, stepparents, or legal guardian for income tax purposes.

The term "family" shall not include any person who leases or rents a portion of the residence or who lives with the other persons who are not responsible for the financial support of the eligible person.

(h) "Galactosemia" means the disease of genetic origin due to galactose uridyl transferase enzyme deficiency in which the individual is completely or partially incapable of normal metabolism of galactose, which results in an abnormal increase in the concentration of galactose in the blood.

(i) "Hemoglobin disease" means the presence of abnormal hemoglobin and the absence of adult hemoglobin, the combination of which is indicative of disease and requires ongoing medical treatment.

(j) "Hemoglobin trait" means the presence of abnormal hemoglobin, which is not indicative of disease and does not usually require ongoing medical treatment.

(k) "Hypothyroidism" means a congenital disease in which the individual is unable to produce thyroxine normally, which may be detected by an abnormally low serum level of thyroxine and an abnormally high serum level of thyroid-stimulating hormone in the blood. For purposes of these newborn screening regulations, this term shall exclude diseases referred to as secondary hypothyroidism.

(l) "Institution" means a hospital or other organized agency providing obstetrical services.

(m) "Kit" means the multiple-page laboratory requisition with the attached filter paper to be used for blood collection and with a place for identifying the infant, physician, and sending agency data. The kits shall be provided by the department.

(n) "Laboratory" means the division of health and environmental laboratories, Kansas department of health and environment.

(o) "Maple syrup urine disease" and "MSUD" mean an inherited disease of amino acid metabolism that causes acidosis, central nervous system symptoms, and urine that can smell sweet like maple syrup.

(p) "Medical specialist" means a medical doctor who has training in the treatment of a specific disease entity and who has a contract with the department to serve as a consultant and to provide or direct diagnosis and treatment services.

(q) "Medically necessary food treatment product" means a specifically formulated product that has less than one gram of protein per serving and is intended to be used under the direction of a physician for the dietary treatment of any inherited metabolic disease. This term shall not include any foods that are naturally low in protein.

(r) "Necessary treatment product" means a medical protein source used under the direction of a physician to treat specific metabolic diseases in order to prevent, delay, or reduce medical complications.

(s) "Newborn screening coordinator" means the designee in the department providing the follow-up program activities.

(t) "Other genetic disease" means any condition inherited in a recognized pattern that can be detected in a filter paper blood specimen and that the secretary has designated as part of the newborn screening battery of tests.

(u) "Phenylketonuria" and "PKU" mean any disease, usually due to a single enzyme deficiency of genetic origin, in which the individual is completely or partially incapable of normal metabolism of phenylalanine, which results in an abnormal increase in the concentration of phenylalanine in the blood.

(v) "Presumptive positive" means a screening test result that indicates the possible presence of a disease, requiring further testing to confirm or not confirm the diagnosis.

(w) "Secretary" means the secretary of the Kansas department of health and environment.

(x) "Sending agency" means the agency or person identified on the kit to be the recipient of the report.

(y) "Specimen" means the saturated blood spots on the filter paper and the laboratory requisition with complete identifying data on the infant, physician, and sending agency. (Authorized by K.S.A. 65-101 and 65-180, as amended by 2006 SB 579, Sec. 1; implementing K.S.A. 65-180, as amended by 2006 SB 579, Sec. 1, and 65-181; effective, T-87-48, Dec. 19, 1986; effective May 1, 1987; amended April 14, 2000; amended, T-28-7-5-06, July 5, 2006; amended Oct. 20, 2006.)

28-4-510. Diagnosis and monitoring. (a) Each person with a confirmed diagnosis of any of the diseases specified in K.S.A. 65-180, and amendments thereto shall be eligible to receive medical specialist monitoring upon the department's annual receipt of the person's current address, insurance data, and documentation of continued medical need from a medical specialist.

(b) Each medical specialist shall meet the following requirements:

(1) Provide consultation and diagnosis; and

(2) provide and coordinate ongoing monitoring. (Authorized by K.S.A. 65-101; implementing K.S.A. 65-180, as amended by 2006 SB 579, Sec. 1; effective, T-87-48, Dec. 19, 1986; effective May 1, 1987; amended, T-28-7-5-06, July 5, 2006; amended Oct. 20, 2006.)

28-4-514. MSUD and PKU; financial assistance availability for certain related expenses. (a)(1) The following factors shall be used to determine each family's eligibility for financial assistance for necessary treatment products or medically necessary food treatment products, or both:

(A) Applicable income; and

(B) cash assets in excess of 25 percent of the applicable income.

(2) If a family seeking financial assistance under this regulation has more than one family member with MSUD or PKU, the family shall be considered eligible for financial assistance at a level that is 100 percent less than the eligibility level for a family with one family member.

(b) Each individual who applies for or who receives financial assistance under this regulation shall also meet the requirements in K.A.R. 28-4-401.

(c) The following eligibility requirements shall apply to each family:

(1) Each family with applicable income and cash assets totaling less than 300 percent of the federal poverty level shall be eligible to receive 100 percent of the cost of necessary treatment products. This family shall be eligible each year for up to \$1,500 of medically necessary food treatment products for family members who are 18 years of age and younger.

(2) Each family with applicable income and cash assets totaling between 301 percent and 500 percent of the federal poverty level shall be eligible to receive 50 percent of the cost of necessary treatment products.

(3) Each family with applicable income and cash assets totaling between 501 percent and 700 percent of the federal poverty level shall be eligible to receive 25 percent of the cost of necessary treatment products.

(4) No family with applicable income and cash assets totaling over 701 percent of federal poverty level shall be eligible to receive any of the cost of necessary treatment products.

(d) If a family's health insurance covers a portion of the cost of necessary treatment product, the family's financial responsibility for this cost shall be determined pursuant to subsection (c).

(e) If the department orders any necessary treatment products for a family that is responsible for part of the cost, that family shall receive a statement indicating the amount to be reimbursed to the department. If reimbursement is not received from the family within 60 days of the statement date, the placement of any future orders for necessary treatment products for that family shall no longer be processed by the department. (Authorized by K.S.A. 65-101 and 65-180, as amended by 2006 SB 579, Sec. 1; implementing K.S.A. 65-180, as amended by 2006 SB 579, Sec. 1; effective, T-28-7-5-06, July 5, 2006; effective Oct. 20, 2006.)

Roderick L. Bremby
Secretary of Health
and Environment

Doc. No. 033661

State of Kansas

Board of Regents

Permanent Administrative
Regulations

Article 15.—REGISTRATION OF COURSES OR
PROGRAMS OFFERED IN KANSAS BY FOREIGN
INSTITUTIONS OF POSTSECONDARY
EDUCATION

88-15-1, 88-15-2. (Authorized by K.S.A. 74-3252, as amended by L. 1988, Ch. 298, Sec. 4; implementing K.S.A. 74-3251, as amended by L. 1988, Ch. 298, Sec. 3; effective, E-79-15, July 1, 1978; effective May 1, 1979; amended Dec. 19, 1988; revoked Oct. 20, 2006.)

(continued)

Article 16.—AUTHORIZATION OF INSTITUTIONS OF POSTSECONDARY EDUCATION TO CONFER DEGREES

88-16-1. (Authorized by K.S.A. 74-3252, as amended by L. 1988, Ch. 298, Sec. 4; implementing K.S.A. 74-3250 as amended by L. 1988, Ch. 298, Sec. 2; effective May 1, 1979; amended May 1, 1980; amended Dec. 19, 1988; revoked Oct. 20, 2006.)

88-16-1b. (Authorized by K.S.A. 74-3252; implementing K.S.A. 74-3249, 74-3250, 74-3251, 74-3252; effective, T-88-4-1-02, April 1, 2002; effective July 30, 2002; revoked Oct. 20, 2006.)

88-16-2. (Authorized by K.S.A. 74-3252, as amended by L. 1988, Ch. 298, Sec. 4; implementing K.S.A. 74-3250, as amended by L. 1988, Ch. 298, Sec. 2; effective May 1, 1979; amended May 1, 1980; amended Dec. 19, 1988; revoked Oct. 20, 2006.)

88-16-5. (Authorized by K.S.A. 74-3252, as amended by L. 1988, Ch. 298, Sec. 4; implementing K.S.A. 74-3250, as amended by L. 1988, Ch. 298, Sec. 2; effective May 1, 1979; amended May 1, 1980; amended Dec. 19, 1988; revoked Oct. 20, 2006.)

88-16-5b. (Authorized by and implementing 2004 HB 2795, §§ 5 and 21; effective Dec. 3, 2004; revoked Oct. 20, 2006.)

88-16-6. (Authorized by K.S.A. 1979 Supp. 74-3252; effective May 1, 1979; amended May 1, 1980; revoked Oct. 20, 2006.)

88-16-8. (Authorized by K.S.A. 1979 Supp. 74-3252; effective May 1, 1980; revoked Oct. 20, 2006.)

Article 23.—PROPRIETARY SCHOOLS

88-23-1. (Authorized by and implementing K.S.A. 1998 Supp. 72-4921; effective Jan. 28, 2000; revoked Oct. 20, 2006.)

88-23-2. (Authorized by K.S.A. 72-4921; implementing K.S.A. 72-4925, 72-4926; effective Jan. 28, 2000; amended March 19, 2004; revoked Oct. 20, 2006.)

88-23-2a. (Authorized by K.S.A. 72-4921; implementing K.S.A. 72-4925, 72-4926; effective March 19, 2004; revoked Oct. 20, 2006.)

88-23-3a. (Authorized by K.S.A. 72-4921; implementing K.S.A. 72-4925, 72-4926, 72-4929, and 72-4932; effective March 19, 2004; revoked Oct. 20, 2006.)

88-23-4. (Authorized by K.S.A. 1998 Supp. 72-4921; implementing K.S.A. 1998 Supp. 72-4931; effective Jan. 28, 2000; revoked Oct. 20, 2006.)

88-23-5. (Authorized by K.S.A. 1998 Supp. 72-4921; implementing K.S.A. 1998 Supp. 72-4920; effective Jan. 28, 2000; revoked Oct. 20, 2006.)

88-23-6. (Authorized by K.S.A. 1998 Supp. 72-4921; implementing K.S.A. 1998 Supp. 72-4932; effective Jan. 28, 2000; revoked Oct. 20, 2006.)

88-23-7. (Authorized by and implementing K.S.A. 72-4938, as amended by 2003 HB 2009, § 2; effective Oct. 17, 2003; revoked Oct. 20, 2006.)

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

88-28-1. Definitions. The following terms, whenever used in this article, shall have the meanings specified in this regulation: (a) "Academic year" means instruction consisting of at least 24 semester credit hours over a period of two semesters or the equivalent.

(b) "Associate's degree" means a postsecondary degree consisting of at least 60 semester credit hours or the equivalent of college-level coursework. This term shall include the following types of associate's degree:

(1) "Associate in applied science degree" means a technical-oriented or occupational-oriented associate's degree that meets the following conditions:

(A) Is granted to each student who successfully completes a program that emphasizes preparation in the applied arts and sciences for careers, typically at the technical or occupational level; and

(B) requires at least 15 semester credit hours in general education and at least 30 semester credit hours or the equivalent in the technical content area.

(2) "Associate in arts degree" means an associate's degree that meets the following conditions:

(A) Is granted to each student who successfully completes a program that emphasizes the liberal arts; and

(B) requires at least 30 semester credit hours or the equivalent in general education, including English, mathematics, humanities, communications, physical sciences, and social and behavioral sciences, or any combination of these subjects.

(3) "Associate in general studies degree" means an associate's degree that meets the following conditions:

(A) Is granted to each student who successfully completes a program that emphasizes a broad range of knowledge; and

(B) requires at least 24 semester credit hours or the equivalent in general education.

(4) "Associate in science degree" means an associate's degree that meets the following conditions:

(A) Is granted to each student who successfully completes a program that emphasizes either mathematics or the biological or physical sciences, or both; and

(B) requires at least 30 semester credit hours or the equivalent in general education.

(c) "Bachelor's degree" and "baccalaureate" mean a degree that meets the following conditions:

(1) Requires the equivalent of at least four academic years of college-level coursework in the liberal arts, sciences, or professional fields meeting the following conditions:

(A) Requires at least 124 semester credit hours or the equivalent;

(B) includes at least 45 semester credit hours or the equivalent in upper-division courses; and

(C) requires at least 60 semester credit hours or the equivalent from institutions that confer a majority of degrees at or above the baccalaureate level; and

(2) requires a distinct specialization, which is known as a "major," that requires either of the following:

(A) At least one academic year, or the equivalent in part-time study, of work in the major subject and at least

one academic year, or the equivalent in part-time study, in related subjects; or

(B) at least two academic years, or the equivalent in part-time study, in closely related subjects within a liberal arts interdisciplinary program.

(d) "Catalog" means a document delivered in print or on-line containing the elements specified in K.A.R. 88-28-2.

(e) "Closure of an institution" or "closure" means the practice of no longer allowing students access to the institution to receive instruction. Closure of an institution occurs on the calendar day immediately following the last day on which students are allowed access to the institution to receive instruction.

(f) "Degree program" means a course of study that meets the following conditions:

(1) Leads to an associate's degree, a bachelor's degree, a master's degree, an intermediate (specialist) degree, a first professional degree, or a doctor's degree; and

(2) consists of at least 30 semester credit hours or the equivalent of coursework in a designated academic discipline area.

(g) "Doctor's degree" means a degree that may include study for a closely related master's degree and that meets the following conditions:

(1) Is granted to each student who successfully completes an intensive, scholarly program requiring the equivalent of at least three academic years beyond the bachelor's degree;

(2) requires a demonstration of mastery of a significant body of knowledge through successful completion of either of the following:

(A) A comprehensive examination; or

(B) a professional examination, the successful completion of which may be required in order to be admitted to professional practice in Kansas; and

(3) requires evidence, in the form of a doctoral dissertation, of competence in independent basic or applied research that involves the highest levels of knowledge and expertise.

(h) "Enrollment agreement" means a written contract between an institution and a student in which the institution agrees to provide instruction to the student for a fee. Each valid enrollment agreement shall meet the requirements of K.A.R. 88-28-7.

(i) "Enrollment period" means the period of time specified in an enrollment agreement during which instruction, including any examinations given, is to be provided to a student.

(j) "Entering an institution" means commencing class attendance by a student at an on-site institution or first submitting a lesson by a student for evaluation in a distance education program.

(k) "First professional degree" means a degree that meets the following conditions:

(1) Is granted to each student who successfully completes study beyond the fulfillment of undergraduate requirements, as approved by the state board;

(2) requires the equivalent of at least five academic years of study, including work towards a bachelor's degree; and

(3) includes a specialization in a professional field.

(l) "Honorary degree" means a special degree awarded as an honor that is bestowed upon a person without completion of the usual requirements.

(m) "Intermediate (specialist) degree" means a degree, including an educational specialist degree, granted to each student who successfully completes a program requiring the equivalent of at least one academic year beyond the master's degree in a professional field.

(n) "Master's degree" means a degree that meets the following conditions:

(1) Is granted to each student who successfully completes a program in the liberal arts and sciences or in a professional field beyond a bachelor's degree;

(2) requires the equivalent of at least one academic year in a curriculum specializing in a single discipline or single occupational or professional area; and

(3) culminates in a demonstration of mastery, which may include one or more of the following:

(A) A research thesis;

(B) a work of art; or

(C) the solution of an applied professional problem.

(o) "Program" means either of the following:

(1) A course or series of courses leading to a certificate, diploma, or degree; or

(2) training that prepares a person for a field of endeavor in a business, trade, technical, or industrial occupation.

(p) "Upper-division course" means any course with content and teaching appropriate for students in their third and fourth academic years or for other students with an adequate background in the subject. (Authorized by and implementing K.S.A. 2005 Supp. 74-32,165; effective Oct. 20, 2006.)

88-28-2. Minimum requirements. (a) Except as provided in subsection (c), in order to qualify for a certificate of approval, each applicant institution shall be required to meet the criteria listed in K.S.A. 74-32,169 and amendments thereto. An owner of each applicant institution or the owner's designee shall submit evidence that the institution meets the following minimum requirements:

(1) The physical space shall meet the following requirements:

(A) Be free from hazards and be properly maintained;

(B) provide learning environments appropriate for each curriculum in size, seating, lighting, equipment, and resources;

(C) be either owned by the institution or accessed through a long-term lease or other means of access that indicates institutional stability; and

(D) if the physical space includes student housing owned, maintained, or approved by the institution, meet all local standards for public health and safety.

(2) All reports from the local fire department and other agencies responsible for ensuring public health and safety for the current year and the previous year shall be maintained on-site, and one copy shall be sent to the state board annually.

(3) The administrative personnel shall meet the following requirements:

(continued)

(A) Be adequate in number to support the programs offered; and

(B) be adequately prepared for operating an institution through training, experience, credentialing, or any combination of these.

(4) The executive and academic leadership of the institution shall have qualifications that reasonably ensure that the purpose and policies of the institution are effectively maintained. The administrative responsibilities and concomitant authority of the executive and academic leadership shall be clearly specified in the institution's files.

(5) All permanent educational records and financial records of the students shall be securely maintained and protected from theft, fire, and other possible loss.

(6) All records describing the personnel related to and the development of the following operations shall be maintained for at least three years:

- (A) The administration;
- (B) the curricula;
- (C) student guidance;
- (D) instructional supplies and equipment;
- (E) the library;
- (F) the institution's physical plant;
- (G) the staff; and
- (H) student activities.

(7) The owner of the institution or the owner's designee shall submit to the state board the most recent financial statements for the institution operating in Kansas and for any parent or holding companies related to that institution. The financial statements provided to the state board shall meet at least one of the following requirements for the most recent fiscal or calendar year or for the two most recent fiscal or calendar years combined:

(A) Demonstrate a minimum ratio of current assets to current liabilities of at least 1:1. This asset ratio shall be calculated by adding the cash and cash equivalents to the current accounts receivable and dividing the sum by the total current liabilities;

(B) exhibit a positive net worth in which the total assets exceed the total liabilities; or

(C) demonstrate a profit earned.

(8) If the institution receives any loans on behalf of a student from a private lender, the institution shall meet all of the following provisions and requirements:

(A) The loan funds may be applied to tuition, fees, or living expenses, or any combination, for a student.

(B) The institution shall not accept all loan funds up front. The funds received shall arrive in multiple disbursements, with the first arriving after the first day of classes and the second arriving at least halfway through the enrollment period. The disbursements shall be at least 90 days apart.

(C) All refunds shall be made to the bank rather than to the borrower.

(D) Upon receipt of loan funds for items to be provided by the institution to the student, the institution shall provide these items to the student, with the exception of test vouchers.

(E) The institution shall not receive any loan funds for a student before the student first attends any course or accepts any on-line materials.

(F) If providing a test voucher for a student, the institution shall not receive any loan funds for the test voucher more than 30 days before the student is scheduled to take the test.

(9) Each institution shall have a tuition refund policy and a student enrollment cancellation policy, called the "refund policy" in these regulations, that meets the following requirements:

(A) Is published in the institution's catalog;

(B) complies with K.S.A. 74-32,169 and amendments thereto;

(C) establishes that each student will be reimbursed for any items for which the student was charged but did not receive, including textbooks and software;

(D) has no more stringent requirements than the following:

(i) All advance monies, other than an initial, nonrefundable registration fee, paid by the student before attending class shall be refunded if the student requests a refund, in writing, within three days after signing an enrollment agreement and making an initial payment; and

(ii) for institutions collecting a nonrefundable initial application or registration fee, the student shall be required to sign a written statement acknowledging that the initial application or registration fee is nonrefundable. This statement may be a part of the enrollment agreement, as described in K.A.R. 88-28-7; and

(E) for institutions not participating in federal student aid under title IV of the higher education act of 1965, as amended, meets the following additional requirements:

(i) If a student withdraws during the first week after entering an institution, the institution shall refund at least 90 percent of the tuition;

(ii) if a student withdraws during the first 25 percent of the enrollment period but following the first week after the student's entering an institution, the institution shall refund at least 55 percent of the tuition;

(iii) if a student withdraws during the second 25 percent of the enrollment period, the institution shall refund at least 30 percent of the tuition;

(iv) if a student withdraws during the last 50 percent of the enrollment period, the institution may deny a refund to the student;

(v) any monies due to a student shall be refunded within 60 days from the last day of attendance or within 60 days from the receipt of payment if the date of receipt of payment is after the student's last date of attendance;

(vi) for institutions with programs consisting of fewer than 100 clock-hours, refunds may be calculated on an hourly, pro rata basis; and

(vii) in determining the official termination date and percentage of each course completed, the institution may consider the week during which the student last attended to be an entire week of attendance completed.

(10) All correspondence from the institution regarding the enrollment cancellation of a student, and any refund owed to the student, shall reference the refund policy of the institution.

(11) The required catalog of the institution's operation and services published electronically or in print, or both, shall include the following items:

- (A) A table of contents;

- (B) a date of publication;
 - (C) a list of any approvals, including contact information for the state board, and accreditations, including contact information, affiliations, and memberships that the institution has obtained;
 - (D) any requirements that students must meet to be admitted;
 - (E) an academic calendar or a reference to a published calendar used by the institution;
 - (F) the name and nature of each occupation for which training is given;
 - (G) the curricula offered, including the number of clock-hours or credit hours for each course in each curriculum;
 - (H) a description of the physical space and the educational equipment available;
 - (I) the tuition and fees charged;
 - (J) a description of the system used to measure student progress;
 - (K) the graduation or completion requirements, or both;
 - (L) the institutional mission;
 - (M) identification of the owner of the institution;
 - (N) a list of the instructors teaching in Kansas, including their degrees held and the institutions from which their degrees were received;
 - (O) the institutional rules;
 - (P) the institution's policies for tuition refund and student enrollment cancellation, as described in paragraph (a)(9);
 - (Q) the extent to which career services are available; and
 - (R) the institution's policies for transfers of clock-hours or credit hours and for advanced-standing examinations.
- (12) The enrollment agreement shall meet the requirements of K.A.R. 88-28-7.
- (13) All advertising and promotional materials shall meet the following requirements:
- (A) Include the correct name of the institution that is approved by the state board;
 - (B) be truthful and not misleading by actual statement or omission;
 - (C) not be located in the employment or "help wanted" classified ads;
 - (D) not quote salaries for an occupation in the institution's advertising or promotional literature without including the documented median starting wage of a majority of the institution's graduates who graduated within the most recent calendar year;
 - (E) make no offers of institutional scholarships or partial institutional scholarships, unless the scholarships are bona fide reductions in tuition and are issued under specific, published criteria;
 - (F) use the word "accredited" only if the accrediting agency is one recognized by the United States department of education;
 - (G) not make any overt or implied claim of guaranteed employment during training or upon completion of training, in any manner; and
 - (H) not use letters of endorsement, recommendation, or commendation in the institution's advertising and pro-

motional materials, unless the letters meet the following requirements:

- (i) The institution received the prior, written consent of the authors;
 - (ii) the institution did not provide remuneration in any manner for the endorsements; and
 - (iii) the institution keeps all letters of endorsement, recommendation, or commendation on file, subject to inspection, for at least three years after the last use of the contents in advertising or promotional materials.
- (14) Each curriculum shall meet the following requirements:
- (A) Be directly related to the institution's published mission;
 - (B) evidence a well-organized sequence of appropriate subjects leading to occupational or professional competence;
 - (C) reasonably and adequately ensure achievement of the stated objectives for which the curriculum is offered;
 - (D) if the curriculum prepares students for licensure, be consistent with the educational requirements for licensure; and
 - (E) if courses are delivered by distance education, meet the same standards as those for courses conducted on-site.
- (15) The published policies for measuring student progress shall be followed.
- (16) All instructional materials shall meet the following requirements:
- (A) Reflect current occupational knowledge and practice applicable to the field of study and meet national standards if the standards exist;
 - (B) be sufficiently comprehensive to meet the learning objectives stated in the institution's published catalog;
 - (C) include suitable teaching devices and supplemental instructional aids appropriate to the subject matter; and
 - (D) be applicable to the curricula and the students.
- (17) All instructional equipment shall meet the following requirements:
- (A) Be current and maintained in good repair; and
 - (B) be used by students according to written policies for safe usage.
- (18) Each faculty member shall be qualified to teach in the field or fields to which the member is assigned. Faculty responsibilities may be defined in terms of the number of hours taught, course development and research required, level of instruction, and administrative, committee, and counseling assignments.
- (19) Each faculty member's minimum academic credential shall be at least one degree-level above the degree being taught, unless other credentials are typically used in lieu of the academic degree in a particular field of study. In those cases, qualifications may be measured by technical certifications, relevant professional experience, professional certifications, creative activity, training, or licensure, or any combination of these. The institution shall provide documentation that all faculty appointments meet these standards.
- (20) The instructors in all programs shall maintain continuous professional experience through one or more of the following activities:

(continued)

(A) Maintain membership in and participate in educational, business, technical, or professional organizations;

(B) continue their education in their professional fields; or

(C) have concurrent, related work experience.

(21) In-service training that is consistent with the institution's mission shall be provided for the improvement of both the instructors and the curricula.

(22) All students shall be given the appropriate educational credentials upon completion of the program that indicate satisfactory completion.

(23) Each certificate, diploma, or degree shall include the following information, at a minimum:

(A) The name of the graduate;

(B) the name of the program completed;

(C) the name of the institution issuing the credential; and

(D) the date on which the graduate completed the program.

(b) In addition to meeting the requirements of subsection (a), an owner of the applicant institution for which degree-granting authority is sought, or the owner's designee, shall also submit evidence that the institution meets the following minimum requirements:

(1) Each degree program for which degree-granting authority is sought shall meet the criteria specified in the definition of that degree in K.A.R. 88-28-1.

(2) The library holdings maintained in a physical library or on-line, or in a combination of a physical library and on-line, shall be appropriate to each degree awarded. All of the following requirements shall be met:

(A) A professionally trained librarian shall maintain the holdings.

(B) An annual budget shall be established to maintain and improve the holdings, including the appropriate classification and inventory of the holdings.

(C) Physical holdings, on-line holdings, or a combination of these holdings shall be made available at times when students are not in class, including weekend and evening hours.

(D) The library holdings shall be up-to-date and shall include full-text titles appropriate to the degrees offered.

(E) The faculty shall be given an opportunity to participate in the acquisition of library holdings, whether physical or on-line.

(F) If the institution uses interlibrary agreements, the agreements shall be well documented, and access to other libraries' collections shall be practical for students.

(3) Each institution's governing structure shall clearly delineate the responsibility for all legal aspects of operations, the formulation of policy, the selection of the chief executive officer, and the method of succession. If the institution is governed by a board or group of officers, the following aspects of the board or group shall be clearly defined:

(A) The membership;

(B) the manner of appointment;

(C) the terms of office; and

(D) all matters related to the duties, responsibilities, and procedures of that body.

(4) The financial statements for the institution shall be audited by a CPA.

(c) If an institution has accreditation issued by a regional or national accrediting agency recognized by the United States department of education, that accreditation may be accepted by the state board as presumptive evidence that the institution meets the minimum requirements specified in this regulation. However, each degree program for which degree-granting authority is sought shall meet the criteria specified in the definition of that degree in K.A.R. 88-28-1. (Authorized by K.S.A. 2005 Supp. 74-32,165; implementing K.S.A. 2005 Supp. 74-32,165 and 74-32,169; effective Oct. 20, 2006.)

88-28-3. Certificates of approval. (a) A certificate of approval may be issued with degree-granting authority or without degree-granting authority.

(b) An owner of each institution for which a certificate of approval to operate in Kansas is sought, or the owner's designee, shall submit an application on a form provided by the state board. An owner of each institution for which degree-granting authority is sought, or the owner's designee, shall indicate on the application that degree-granting authority is requested and shall specify the degree programs proposed to be offered by the institution.

(c) An owner of each institution or the owner's designee shall submit the following information with the application:

(1) An outline or syllabus of each course offered in Kansas;

(2) a description of the institution's facilities, equipment, and instructional materials;

(3) a certification by an owner of the applicant institution or the owner's designee that the building that is to house the institution meets the requirements of all local, state, and federal regulations;

(4) a resume of each administrator and instructor that includes the individual's education, previous work experience, professional activities, and, if applicable, licensure;

(5) evidence of the institution's professional development and in-service activities;

(6) a copy of the proposed catalog or, if existing, a copy of each of the institution's most recent catalogs, bulletins, and brochures, with any supplements;

(7) a copy of the enrollment agreement;

(8) a copy of the credential to be given to each student upon completion of a program;

(9) a description of how the student and administrative records are maintained as required by K.A.R. 88-28-2;

(10) a copy of any advertising used;

(11) a financial statement showing income and expenditures for the most recent, complete fiscal year. These documents shall be prepared and acknowledged by a certified public accountant and, in the case of an institution requesting degree-granting authority, shall be audited by a certified public accountant;

(12) a ledger sheet for each student showing the receipt of money for tuition, fees, books, supplies, and any other items charged to the student; and

(13) a copy of any certificate of accreditation issued to the institution by a regional or national accrediting

agency recognized by the United States department of education.

(d)(1) If an application for a certificate of approval without degree-granting authority submitted in accordance with this article is found to be complete and the applicant institution meets the requirements in K.S.A. 74-32,169 and amendments thereto, the instructional facilities of the applicant institution applying for a certificate of approval may be inspected and evaluated by the state board or by professional consultants appointed by the state board before a certificate of approval may be issued.

(2) If an application for a certificate of approval with degree-granting authority submitted in accordance with this article is found to be complete, the applicant institution meets the requirements in K.S.A. 74-32,169 and amendments thereto, and the applicant institution's degree programs meet the criteria specified in the definitions of those degrees in K.A.R. 88-28-1, the institution shall be subject to the requirements of K.A.R. 88-28-4. A certificate of approval with degree-granting authority may be issued based on the following evidence:

(A) The application material submitted by the institution;

(B) the evaluation arising from the on-site visit, if any;

(C) the examining team's report as described in K.A.R. 88-28-4, if any; and

(D) any information or documentation that the institution provides at the meeting with the state board's executive officer or designee as described in K.A.R. 88-28-4.

(e) If an institution is found to be eligible for a certificate of approval, an owner of the applicant institution or the owner's designee shall be notified of the conditional approval of the institution. Following notification, an owner of the applicant institution or the owner's designee shall furnish a surety bond or other equivalent security acceptable to the state board in the amount of \$20,000, as required by K.S.A. 74-32,175 and amendments thereto. A certificate of approval shall not be issued until the surety bond or other security is filed with the state board.

(f) On the state board's own motion or upon a written complaint filed by any person doing business with the institution, an investigation of the institution may be conducted by the state board. Based upon the results of the investigation, the institution may be ordered by the state board to take corrective action, or proceedings may be initiated by the state board to revoke the institution's certificate of approval under the provisions of K.S.A. 74-32,172 and amendments thereto. The approval to grant degrees may be revoked in whole or for specific degree programs if an institution is not in compliance with the minimum standards specified in K.A.R. 88-28-2.

(g) An owner of each institution with degree-granting authority that seeks to begin a new degree program, or the owner's designee, shall file for an amendment to its certificate of approval on a form provided by the state board. Each new degree program shall meet the criteria specified in the definition of that degree in K.A.R. 88-28-1. The institution shall be subject to the requirements of K.A.R. 88-28-4. The owner of the institution or the owner's designee shall submit the following items with the application to amend its certificate of approval:

(1) An outline of the curriculum to be offered for the new degree;

(2) the qualifications of the faculty to be involved in the program of study;

(3) the relationship of the new degree program to the mission of the institution; and

(4) any other information requested by the board. (Authorized by K.S.A. 2005 Supp. 74-32,165; implementing K.S.A. 2005 Supp. 74-32,167, 74-32,168, 74-32,172, and 74-32,175; effective Oct. 20, 2006.)

88-28-4. On-site visits to degree-granting institutions. (a) Each applicant institution without accreditation from an agency recognized by the federal department of education for which degree-granting authority is sought shall be required to submit to an on-site visit to the institution by state board representatives, including curriculum specialists, subsequently called an examining team, as described in this regulation, if the institution has not had this type of on-site visit within the last five years. Any applicant institution with accreditation from an agency recognized by the federal department of education and any institution with a certificate of approval with degree-granting authority may be required to submit to an on-site visit to the institution by an examining team, as described in this regulation.

(b) When the executive officer of the state board or designee has determined that an institution is ready for an on-site visit, the executive officer or designee shall arrange with the owner of the institution or the owner's designee for a visit to the campus or instructional sites, or both, to confirm the documentation furnished by the institution and to ascertain that the institution meets the minimum requirements specified in K.A.R. 88-28-2.

(c) Each examining team conducting an on-site visit shall be comprised of representatives of the public and private sectors of higher education with appropriate levels and fields of education. This team may include other qualified representatives of the public at large who are appointed by the executive officer of the state board or designee.

(d) At least one member of the staff of the state board shall accompany the examining team and serve as liaison between the institution, team members, and the state board office.

(e) One member of the examining team shall be designated as chairperson and shall assume responsibility for leadership in conducting the on-site visit and in preparing the examining team's report. No staff member shall serve as chairperson.

(f) The applicant institution shall be responsible for any costs connected with the on-site visit and, if necessary, any subsequent visits, including travel, meals, lodging, and honoraria.

(g) The examining team shall prepare and submit a report, which shall include its study of the institution's proposal, its visit to the campus or instructional sites, and its statement of recommendation regarding the institution's application, to the executive officer of the state board or designee within 30 days after completion of the on-site visit.

(continued)

(h) The statement of recommendation included in the examining team’s report shall be one of the following:

(1) Approval. This statement recommends that the institution be given approval in specified programs, subject to annual renewal and periodic reporting of information as requested by the state board.

(2) Nonapproval. This statement recommends that the institution not be approved for specified programs, with the recommendation that the institution pursue its plan of improvement and reapply.

(i) All statements of recommendation shall be advisory to the state board.

(j) After the examining team’s report on the disposition of an application has been transmitted from the examining team to the executive officer of the state board or designee, the executive officer or designee may, at that individual’s discretion or at the request of the institution, invite the owner of the applicant institution or the owner’s designee to meet to discuss the report and present any further information pertinent to the application.

(k) Except as needed for applications from institutions seeking to offer new degree programs or for any investigation of violations of laws and regulations, on-site visits shall occur no more frequently than every five years. (Authorized by K.S.A. 2005 Supp. 74-32,165; implementing K.S.A. 2005 Supp. 74-32,165, 74-32,169, 74-32,170, 74-32,171, and 74-32,181; effective Oct. 20, 2006.)

88-28-5. Registration of representatives. (a) Each individual who wants to serve as a representative of any institution shall complete and submit a representative’s application on a form provided by the state board. A separate application shall be submitted for each institution that an individual seeks to represent, unless the institutions that an individual seeks to represent have common ownership. The applicant and either an owner of the institution that the applicant seeks to represent or the owner’s designee shall sign the application and shall attest that if the registration is issued, the applicant will be employed by the institution.

(b) If the state board, upon review and consideration of an application, determines that the application is denied, the applicant shall be notified by the state board of the denial and each reason for the denial. The notice shall also advise the applicant of the right to request a hearing under K.S.A. 74-32,172 and amendments thereto.

(c) A certificate of registration for each institution with separate ownership shall be issued by the state board to the individual upon approval of the application. The certificate shall state the name of the registrant, the name of the institution that the registrant may represent, the date of issuance, and the date of expiration. The representative shall make available proof of the representative’s registration to each prospective student or enrollee, if asked, before engaging in any personal solicitation.

(d) On the state board’s own motion or upon a written complaint filed by any person doing business with the representative, an investigation of the representative may be conducted by the state board. Based upon the results of the investigation, the representative or the institution may be ordered by the state board to take corrective action, or proceedings may be initiated by the state board

to revoke the representative’s certificate of registration under the provisions of K.S.A. 74-32,172 and amendments thereto. (Authorized by K.S.A. 2005 Supp. 74-32,165; implementing K.S.A. 2005 Supp. 74-32,174; effective Oct. 20, 2006.)

88-28-6. Certification and registration fees. Fees for certificates of approval and registration of representatives shall be collected by the state board in accordance with this regulation. (a) For institutions domiciled or having their principal place of business within the state of Kansas, the following fees shall apply:

- (1)(A) Initial issuance of certificate of approval without degree-granting authority\$850.00
- (B) Renewal of certificate of approval without degree-granting authority\$600.00
- (2)(A) Initial issuance of certificate of approval with degree-granting authority \$1,000.00
- (B) Renewal of certificate of approval with degree-granting authority\$800.00
- (3) (A) Initial registration of representative \$75.00
- (B) Renewal of registration of representative \$50.00

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

- (1)(A) Initial issuance of certificate of approval without degree-granting authority \$1,700.00
- (B) Renewal of certificate of approval without degree-granting authority \$1,200.00
- (2)(A) Initial issuance of certificate of approval with degree-granting authority \$1,900.00
- (B) Renewal of certificate of approval with degree-granting authority \$1,400.00
- (3) (A) Initial registration of representative\$150.00
- (B) Renewal of registration of representative ...\$100.00

(Authorized by and implementing K.S.A. 2005 Supp. 74-32,181; effective Oct. 20, 2006.)

88-28-7. Enrollment agreement. (a) (1) Before any institution may accept payment from a student, an official of the institution shall provide that student with an enrollment agreement that explicitly outlines the obligations of the institution and the student and the enrollment period for which this agreement applies. When the official of the institution provides any student with the institution’s enrollment agreement, the official shall also physically or electronically provide the student with a copy of the institution’s catalog and any other supporting documents that detail the services to be provided by the institution that are outlined in the enrollment agreement.

(2) The enrollment agreement shall be written so that it can be understood by the prospective student, parents, or anyone acting on behalf of the prospective student, regardless of the educational background of the individual.

(b) Each enrollment agreement shall contain the following elements:

- (1) A title that identifies the enrollment agreement as a contract or legal agreement;
- (2) the name and address of the institution;
- (3) the title of the program or each course in which the student is enrolling, as identified in the course catalog;

(4) the number of clock-hours or credit hours and the number of weeks or months required for completion of the program or each course in which the student is enrolling;

(5) identification of the type of certificate, diploma, or degree to be received by the student upon successful completion of the program or each course;

(6) the total amount of tuition required for the program or each course in which the student is currently enrolling. If the total number of clock-hours or credit hours required for completion of the program will span more than one enrollment period, the enrollment agreement shall include a statement that tuition is subject to change;

(7) the cost of any required books and supplies, which may be estimated if necessary;

(8) any other costs and charges to be paid by the student;

(9) the scheduled start and end dates of the program or each course and a description of the class schedule;

(10) the grounds for termination of the enrollment agreement by the institution before the student's completion of the program or each course. These grounds may include the student's insufficient progress, nonpayment, and failure to comply with the institution's published rules;

(11) the method by which the student can cancel or voluntarily terminate the enrollment agreement;

(12) the institution's refund policy for cancellations and terminations, as described in K.S.A. 74-32,169 and amendments thereto. Reference may be given to the page where the refund policy is listed in the institution's catalog in effect at the time of enrollment;

(13) a statement disclaiming any guarantee of employment for the student after the program or each course is completed;

(14) the reasons why the institution could postpone the scheduled starting date or the class schedule, the maximum period of any possible delay, and any effect that the postponement could have on the institution's refund policy;

(15) a description of the nature and extent of any possible major or unusual change in any course content, program content, or materials and the amount of any extra expenses that could be charged to the student;

(16) the date on which the enrollment agreement becomes effective;

(17) an acknowledgment that the student who signs the enrollment agreement has read and received a copy of the agreement;

(18) the signature of the student or the student's legal representative, if the student is a minor, and the date of this signature;

(19) the signature of an official at the institution who is authorized to sign for the institution and the date of this signature;

(20) if any extra charges are assessed, a description of what each charge is for and, if payment of these charges is collected in advance, a reasonable refund policy; and

(21) a description of any items or services required to be purchased from sources other than the institution, if any. (Authorized by K.S.A. 2005 Supp. 74-32,165; imple-

menting K.S.A. 2005 Supp. 74-32,165, 74-32,169, and 74-32,176; effective Oct. 20, 2006.)

88-28-8. Student records upon closure of an institution. (a) Upon closure of an institution, an owner of the institution or the owner's designee shall deliver or make available to the state board all records of the students who are or have been in attendance at the institution. These records shall be delivered or made available no more than 15 calendar days following the closure.

(b) If the student records are not delivered or made available to the state board as required by subsection (a), any action deemed necessary may be commenced by the state board to obtain possession of the records.

(c) Each student requesting a copy of a transcript after the closure of an institution shall pay a fee of \$7.00. (Authorized by K.S.A. 2005 Supp. 74-32,165; implementing K.S.A. 2005 Supp. 74-32,175 and 74-32,181; effective Oct. 20, 2006.)

Reginald L. Robinson
President and CEO

Doc. No. 033669

State of Kansas

Kansas Lottery

Permanent Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-189. Convenience Plus "Ask for the sale" promotion. (a) During the period beginning October 1, 2006, and ending October 31, 2006, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers all Convenience Plus stores located in Kansas an opportunity to participate in a bonus retailer "ask for the sale" incentive promotion of lottery tickets.

(b) Every Wednesday beginning October 1, 2006, through October 31, 2006, Convenience Plus store personnel selling Kansas lottery tickets will ask every adult customer making a purchase if the customer would like to purchase a lottery ticket. If the employee fails to ask adult customers for the purchase of a lottery ticket and the customer brings it to the clerk's attention before leaving the premises, the retailer shall give the adult customer one \$1.00 instant lottery ticket at no charge.

(c) All retailer employees at each location shall display special point-of-sale materials provided by the lottery each day during the promotion announcing the promotion to its customers. These promotional materials consist of:

(1) A tent card to be displayed at the point where tickets are sold.

(2) A window/monitor banner to be displayed at the front entrance of the business and/or below the lottery information display system monitor.

These materials must be on display during all hours of the promotion at the times and dates established in subsections (b) and (c) for a store to be eligible for a prize.

(d) Any tickets given away above the \$35 allowance representing 35 tickets per location will be the responsibility of Convenience Plus.

(continued)

(e) Each retail location shall maintain a ticket log form to be completed every time a lottery ticket is given away. The log will be picked up by the Kansas lottery district manager servicing the retailer location at the end of the promotion. If all terms of the promotion have been complied with by the retail location, \$35 will be credited to the retailer's lottery account. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8708; effective, T-111-9-18-06, Aug. 16, 2006.)

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-2455. "Veterans Cash" instant ticket lottery game number 641. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Veterans Cash" commencing on or after September 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2455.

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

Play Symbols	Play Symbol Captions
\$1 ⁰⁰	ONE\$
\$2 ⁰⁰	TWO\$
\$5 ⁰⁰	FIV\$
\$10 ⁰⁰	TEN\$
\$15 ⁰⁰	FIFTN\$
\$30 ⁰⁰	THIRTY
\$100	ONEHUND
\$250	2HUN50
\$2000	TWOTHOU

(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:

ONE	=	\$1.00
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TRY	=	\$30.00
HUN	=	\$100.00
THY	=	\$250.00

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

(g) "Veterans Cash" is a match three of six prize amounts game. A 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 960,000 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 240,000 tickets, and the same odds as were contained in the initial ticket order.

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1.00's	\$1	124,800	\$124,800
3 - \$2.00's	\$2	83,200	166,400
3 - \$5.00's	\$5	19,200	96,000
3 - \$10.00's	\$10	4,800	48,000
3 - \$15.00's	\$15	3,200	48,000
3 - \$30.00's	\$30	750	22,500
3 - \$100.00's	\$100	225	22,500
3 - \$250.00's	\$250	35	8,750
3 - \$2,000.00's	\$2,000	6	12,000
TOTAL		<u>236,216</u>	<u>\$548,950</u>

(k) The odds of winning a prize in this game are approximately one in 4.06. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-18-06, Aug. 16, 2006.)

111-4-2456. "Super Red Hot Crossword" instant ticket lottery game number 607. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Super Red Hot Crossword" commencing on or after September 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2456.

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

Play Symbols	Play Symbol Captions
\$5 ⁰⁰	FIVE\$
10 ⁰⁰	TEN\$
15 ⁰⁰	FIFTEEN
20 ⁰⁰	TWENTY
25 ⁰⁰	TWEN-FIV
50 ⁰⁰	FIFTY
75 ⁰⁰	SVTYFIV
\$100\$	ONE-HUN
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, in one spot within the "BONUS" play area, and a variable number of times within each of the two (2) the crossword puzzle grids.

(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
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" features four separate play areas, a "YOUR LETTERS" area, two crossword puzzle grids, and a bonus area. The letters in the top puzzle will be imaged in black. The letters in the bottom puzzle will be imaged in red. A player will scratch the "YOUR LETTERS" to reveal 20 letters. Each "YOUR LETTER" may be used in both crossword puzzles. A player matches the corresponding letters in both crossword puzzles by removing the translucent scratch-off material covering the matching letter. If four or more completed words appear 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. The prize legend on the front of the ticket indicates prizes won for number of words revealed, as is also set forth in subsection (k) hereinafter.

If a player reveals any prize amount in the bonus area, 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 "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 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

Game 1	Game 2	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket		Free Ticket	100,000	\$0
\$5		\$5	12,000	60,000
\$10		\$10	11,400	114,000
	\$10	\$10	2,000	20,000
\$5	\$5	\$10	4,000	40,000
\$20		\$20	5,800	116,000
	\$20	\$20	1,200	24,000
\$10	\$10	\$20	2,600	52,000
\$25		\$25	3,200	80,000
	\$25	\$25	1,200	30,000
\$10	\$15	\$25	2,000	50,000
\$50		\$50	2,800	140,000
	\$50	\$50	1,000	50,000
\$25	\$25	\$50	1,800	90,000
	\$75	\$75	200	15,000
\$50	\$25	\$75	400	30,000
\$100		\$100	1,600	160,000
	\$100	\$100	400	40,000
\$50	\$50	\$100	900	90,000
\$200		\$200	100	20,000
\$1,000		\$1,000	65	65,000
\$5,000		\$5,000	20	100,000
\$50,000		\$50,000	4	200,000
TOTAL			<u>154,689</u>	<u>\$1,586,000</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-111-9-18-06, Aug. 16, 2006.)

111-4-2457. "Stocking Stuffer" instant ticket lottery game number 608. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Stocking Stuffer" commencing on or after September 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2457.

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

Play Symbols	Play Symbol Captions
Free	TICKET
\$2 ⁰⁰	TWO\$
\$3 ⁰⁰	THR\$
\$5 ⁰⁰	FIVE\$
10 ⁰⁰	TEN\$
20 ⁰⁰	TWENTY
25 ⁰⁰	TWEN-FIV
50 ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$1000	ONETHOU
\$10000	10-THOU
Symbol of a bell	BELL
Symbol of a candle	CANDLE
Symbol of a reindeer	RNDEER
Symbol of a drum	DRUM
Symbol of a gift	GIFT

(continued)

Symbol of a gingerbread	GNGRBD	\$5	\$5	6,000	30,000
Symbol of a holly leaf	HOLLY	\$3	\$2	\$5	8,400
Symbol of an ornament	ORNMNT	\$2	\$3	\$5	8,400
Symbol of a Christmas tree	TREE	\$10	\$10	\$10	1,600
Symbol of a snowflake	SNOFLK	\$5	\$5	\$10	1,600
Symbol of a star	STAR	(\$2x4)	\$2	\$10	2,000
Symbol of a wreath	WREATH	(\$2x5)		\$10	2,000
Symbol of a stocking	STKING	(\$5x2)		\$10	2,000
Symbol of a candy cane	WINALL	\$20	\$20	\$20	1,000
MAYBE NEXT TIME		\$10	\$10	\$20	1,000
GOOD LUCK		(\$2x10) Win All		\$20	1,400
		\$25	\$25	\$25	400
			\$25	\$25	400
		(\$10x2)	\$5	\$25	400
		(\$5x5)		\$25	500
		(\$2x5) + (\$3x5)			12,500
		Win All		\$25	600
		(\$2x10)	\$5	\$25	600
		\$50		\$50	140
		\$25	\$25	\$50	140
		(\$10x5)		\$50	170
		(\$5x10) Win All		\$50	300
		(\$3x10)	\$20	\$50	300
		\$50	\$25	\$75	30
		(\$5x5) + (\$10x5)			
		Win All		\$75	40
		(\$5x10)	\$25	\$75	50
		\$100		\$100	20
		(\$10x10) Win All		\$100	24
		(\$5x5) + (\$10x5)	\$25	\$100	24
		\$1,000		\$1,000	4
		(\$100x10) Win All		\$1,000	6
		\$10,000		\$10,000	6
		TOTAL			<u>148,154</u>
					<u>\$694,800</u>

(c) For this game, a play symbol shall appear in each of 23 play spots within the play area or areas.

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

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

FRE	=	Free Ticket
TWO	=	\$2.00
THR	=	\$3.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
TWF	=	\$25.00
FTY	=	\$50.00
STF	=	\$75.00
HUN	=	\$100.00

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

(g) "Stocking Stuffer" is a number match game consisting of two play areas. Game 1 is a key symbol match game. A player will remove the scratch-off material to reveal two "WINNING SYMBOLS" and 10 "YOUR SYMBOLS." If any of the "WINNING SYMBOLS" match the "YOUR SYMBOLS," the player wins the prize shown. If a player reveals a "CANDY CANE" symbol, the player wins all 10 prizes. A player can win up to 10 times in this play area.

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

(h) Each ticket in this game may win up to 11 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:

Game 1	Game 2	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	Free Ticket	20,000	\$0
	Free Ticket	Free Ticket	20,000	0
\$2		\$2	18,000	36,000
	\$2	\$2	18,000	36,000
\$3		\$3	12,000	36,000
	\$3	\$3	12,000	36,000
\$5		\$5	6,000	30,000

(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-111-9-18-06, Aug. 16, 2006.)

111-4-2458. "Jingle Bell Bingo" instant ticket lottery game number 609. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Jingle Bell Bingo" commencing on or after September 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2458.

(b) The "play symbols" for the four bingo "CARD" play areas for this game are as follows:

01	02	03	04	05	06	07	08	09	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	FREE				

In the "CALLER'S CARD" play area, a letter/number combination game symbol appears in each of the 24 play spots. In the "BONUS NUMBERS" play area, a letter/combination game symbol appears in each of the six play spots. "Play symbols" for the "CALLER'S CARD," and the "BONUS NUMBERS" play areas for this instant game are the following:

B01	I16	N31	G46	O61
B02	I17	N32	G47	O62
B03	I18	N33	G48	O63

B04	I19	N34	G49	O64
B05	I20	N35	G50	G65
B06	I21	N36	G51	O66
B07	I22	N37	G52	O67
B08	I23	N38	G53	O68
B09	I24	N39	G54	O69
B10	I25	N40	G55	O70
B11	I26	N41	G56	O71
B12	I27	N42	G57	O72
B13	I28	N43	G58	O73
B14	I29	N44	G59	O74
B15	I30	N45	G60	O75

(c) There are no "play symbol captions" for this game.

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

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

TWO	=	\$2.00
FOR	=	\$4.00
FIV	=	\$5.00
SEV	=	\$7.00
NIN	=	\$9.00
TEN	=	\$10.00
FTN	=	\$15.00
NTN	=	\$19.00
TWY	=	\$20.00
TWF	=	\$25.00
FTY	=	\$50.00
HUN	=	\$100.00
HFY	=	\$150.00
THN	=	\$200.00
THY	=	\$250.00
FHN	=	\$500.00

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

(g) "Jingle Bell Bingo" is a two-part vertically oriented game. The first part consists of the "CALLER'S CARD" and the "BONUS NUMBERS." The "CALLER'S CARD" contains 24 draw numbers covered by opaque latex. The "BONUS NUMBERS" consist of six draw numbers covered by opaque latex.

The second part consists of six "GAME CARDS" each containing 24 squares, plus a "FREE" space in the center of each "GAME CARD," for a total of 25 squares. Each square (excluding the FREE space in the center of each "GAME CARD") contains one number. The "GAME CARDS" are each covered by translucent blue scratch-off.

A player removes the scratch-off material from the areas on the ticket indicated by the words "CALLER'S CARD" and "BONUS NUMBERS" to reveal a total of 30 "Bingo" letter/number combinations. A player wins by matching the "CALLER'S CARD" and "BONUS NUMBERS" to the numbers on the six "GAME CARDS." If the player finds a diagonal, vertical, or horizontal straight line, or four corners of the grid, or an "X" pattern, the player wins a prize according to the prize legend beside the respective "GAME CARD."

(h) Each ticket in this game may win up to four times. Only the highest prize won on each card will be awarded.

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

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

	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Line - Card 1	\$2	42,000	\$84,000
Line - Card 2	\$2	42,000	84,000
Line - Card 1 & Card 2	\$4	20,000	80,000
Line - Card 3	\$5	16,000	80,000
Line - Card 2 & 3	\$7	11,000	77,000
Line - Card 1 & 2 & 3	\$9	7,000	63,000
Line - Card 4	\$10	4,800	48,000
Line - Card 3 & 4	\$15	2,200	33,000
Line - Card 1 & 2 & 3 & 4	\$19	1,400	26,600
4 Corners - Card 1	\$20	900	18,000
4 Corners - Card 1 & Line - Card 3	\$25	500	12,500
4 Corners - Card 2	\$50	250	12,500
X - Card 1	\$100	60	6,000
4 Corners - Card 3	\$100	60	6,000
4 Corners - Card 4	\$100	60	6,000
4 Corners - Card 2 & 3	\$150	40	6,000
4 Corners - Card 2 & 4	\$150	40	6,000
4 Corners - Card 3 & 4	\$200	28	5,600
4 Corners - Card 2 & 3 & 4	\$250	20	5,000
X - Card 2	\$500	14	7,000
X - Card 3	\$1,000	10	10,000
X - Card 4	\$10,000	5	50,000
TOTAL		<u>148,387</u>	<u>\$726,200</u>

(k) The odds of winning a prize in this game are approximately one in 4.04. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-18-06, Aug. 16, 2006.)

111-4-2459. "Holiday Crossword" instant ticket lottery game number 610. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Holiday Crossword" commencing on or after September 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2459.

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

Play Symbols

- A
- B
- C
- D
- E
- F
- G
- H
- I
- J
- K
- L

(continued)

M
N
O
P
Q
R
S
T
U
V
W
X
Y
Z

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

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

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

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

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

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

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

- (1) must contain at least three letters;
- (2) cannot be formed diagonally, run right to left or from bottom to top;

(3) must appear in an unbroken horizontal or vertical string of letters in the "crossword" puzzle;

(4) an unbroken string of letters cannot be interrupted by a black space and must contain every single letter square between two black spaces;

(5) every single letter in the unbroken string must be revealed in "YOUR LETTERS," or "BONUS" areas and be included to form a word; and

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

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

(j) Approximately 1,200,000 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:

	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	200,000	\$0
\$5	\$5	52,000	260,000
\$10	\$10	27,600	276,000
\$20	\$20	9,200	184,000
\$100	\$100	1,200	120,000
\$500	\$500	184	92,000
\$2,000	\$2,000	44	88,000
\$20,000	\$20,000	8	160,000
TOTAL		<u>290,236</u>	<u>\$1,180,000</u>

(l) The odds of winning a prize in this game are approximately one in 4.13. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-18-06, Aug. 16, 2006.)

111-4-2460. "Holiday Grab Bag" instant ticket lottery game number 611. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Holiday Grab Bag" commencing on or after September 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 et seq. and 111-4-2460.

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

Play Symbols	Play Symbol Captions
\$2 ⁰⁰	TWO\$
\$5 ⁰⁰	FIVE\$
10 ⁰⁰	TEN\$
15 ⁰⁰	FIFTEEN
20 ⁰⁰	TWENTY
25 ⁰⁰	TWEN-FIV
50 ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$500\$	FIV-HUN
\$1000	ONETHOU
\$5000	FIV-THOU
\$25000	25-THOU
01	ONE
02	TWO
03	THR
04	FOR

05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	TRTN
14	FRTN
15	FFTN
16	SXTN
Symbol of bells	BELLS
Symbol of a tree	TREE
Symbol of a snowflake	SNOFLK
Symbol of a holly leaf	HOLLY
Symbol of a snowman	SNOMAN
Symbol of a star	STAR
2X	DOUBLE
Symbol of a gift	DOUBLE

(c) For this game, a play symbol shall appear in each of 37 play spots within the play area or areas.

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

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

FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWY	=	\$20.00
TWF	=	\$25.00
FTY	=	\$50.00
HUN	=	\$100.00
HFY	=	\$150.00
FHN	=	\$500.00

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

(g) "Holiday Grab Bag" features three separate play areas. Game 1 is a tic-tac-toe game. A player will remove the scratch-off material to reveal nine play symbols and one prize amount. If a player matches three like symbols in any one row, column, or diagonal, the player wins the prize shown. If the player gets 2 like symbols and a "2X" symbol in any one row, column, or diagonal, the player wins double the prize shown. A player can win once in this play area.

Game 2 is a match three of nine game. A player will remove the scratch-off material to reveal nine play/prize symbols. If a player reveals three like amounts, the player wins that amount. If the player reveals two like amounts and a "GIFT" symbol, the player wins double the amount. A player can win once in game 2.

Game 3 is a key number match game. A player will remove the scratch-off material to reveal two "WINNING NUMBERS," eight "YOUR NUMBERS," and eight prize amounts. If a player matches any of the "YOUR NUMBERS" to either of the "WINNING NUMBERS," the

player wins the prize shown below the matched number. A player can win up to eight times in this game.

(h) Each ticket in this game may win up to 10 times.

(i) Approximately 450,000 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	\$5	45,000	\$225,000
\$10	\$10	10,500	105,000
\$5 DBL	\$10	10,500	105,000
(\$2x5)	\$10	10,500	105,000
\$15	\$15	4,500	67,500
(\$5x3)	\$15	4,500	67,500
\$5 + \$5 DBL	\$15	5,250	78,750
(\$2x5) + \$5	\$15	6,000	90,000
\$20	\$20	2,250	45,000
(\$5x4)	\$20	2,250	45,000
\$10 DBL	\$20	3,000	60,000
(\$2x10)	\$20	3,000	60,000
\$25	\$25	1,050	26,250
\$20 + \$5	\$25	1,050	26,250
\$10 DBL + \$5	\$25	1,200	30,000
(\$5x5)	\$25	1,200	30,000
\$50	\$50	300	15,000
\$25 DBL	\$50	300	15,000
(\$10x5)	\$50	450	22,500
(\$5x10)	\$50	600	30,000
\$100	\$100	60	6,000
\$50 DBL	\$100	60	6,000
(\$10x10)	\$100	75	7,500
(\$15x10)	\$150	30	4,500
\$500	\$500	15	7,500
\$100 DBL + \$100	\$500	15	7,500
DBL + \$100	\$500	18	9,000
(\$50x10)	\$500	18	9,000
\$1,000	\$1,000	6	6,000
\$500 DBL	\$1,000	6	6,000
\$5,000	\$5,000	3	15,000
(\$500x10)	\$5,000	3	15,000
\$25,000	\$25,000	5	125,000
TOTAL		<u>113,696</u>	<u>\$1,463,750</u>

(k) The odds of winning a prize in this game are approximately one in 3.96. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-18-06, Aug. 16, 2006.)

111-4-2461. "Cool Cars" instant ticket lottery game number 613. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Cool Cars" commencing on or after September 1, 2006. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2461.

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

Play Symbols	Play Symbol Captions
Free	TICKET
\$2 ⁰⁰	TWO\$
\$3 ⁰⁰	THR\$

(continued)

		Prize	Free Ticket	Free Ticket	Expected Number of Prizes in Game	Expected Value in Game
\$4.00	FOUR\$		Free Ticket	Free Ticket	40,000	\$0
\$5.00	FIVE\$		\$2	\$2	20,000	40,000
\$6.00	SIX\$			\$2	20,000	40,000
10.00	TEN\$			\$4	9,000	36,000
20.00	TWENTY			\$4	9,000	36,000
30.00	THIRTY		\$4	\$4	9,000	36,000
50.00	FIFTY		\$2	\$4	9,000	36,000
\$100\$	ONE-HUN		\$2 + \$3	\$5	5,000	25,000
\$500\$	FIV-HUN		\$2	\$5	5,000	25,000
\$1000	ONETHOU		\$5	\$5	5,000	25,000
\$10000	10-THOU			\$5	5,000	25,000
1	ONE		\$10	\$10	3,000	30,000
2	TWO		(\$2x5)	\$10	3,000	30,000
3	THR		(\$2x4)	\$2	3,000	30,000
4	FOR		\$20	\$10	3,000	30,000
5	FIV			\$20	1,000	20,000
6	SIX		\$5 + \$10	\$20	1,000	20,000
7	SEV		(\$2x9)	\$5	1,000	20,000
3	PTHR		\$30	\$2	1,100	22,000
4	PFOR		(\$5x6)	\$30	300	9,000
5	PFIV		(\$3x9)	\$30	300	9,000
MAYBE NEXT TIME			(\$5x4) + (\$6x5)	\$3	360	10,800
GOOD LUCK			(\$5x9)	\$5	100	5,000
			\$100	\$50	100	5,000
			(\$20x5)	\$50	100	5,000
			(\$10x9)	\$100	30	3,000
			\$1,000	\$100	40	4,000
			(\$500x2)	\$1,000	6	6,000
			\$10,000	\$1,000	6	6,000
			Subtotal	\$10,000	6	60,000
			Prize packages	\$19,292.50	144,508	\$617,300
			TOTAL		4	77,170
					144,512	\$694,470

(c) For this game, a play symbol shall appear in each of 28 play spots within the play area or areas.

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

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

FRE	=	Free Ticket
TWO	=	\$2.00
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
TRY	=	\$30.00
FTY	=	\$50.00
HUN	=	\$100.00

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

(g) "Cool Cars" features two games. Game 1 is a lower than par game. A player will remove the scratch-off material to reveal nine holes. Each hole includes "YOUR SCORE," "PAR," and a prize. For each hole, if "YOUR SCORE" is lower than "PAR," the player wins the prize shown for that hole. A player can win up to nine times in this play area.

The "MULLIGAN GAME" is an instant win game. If a player reveals any prize amount, the player wins that amount instantly. A player can win once in this play area.

(h) Each ticket in this game may win up to 10 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:

(k) The odds of winning a prize in this game are approximately one in 4.15. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-18-06, Aug. 16, 2006.)

KANSAS MADE DRAWING

111-4-2462. Name of drawing. The Kansas lottery shall conduct a drawing entitled "Kansas Made Drawing," and will accept entries on and after the day Kansas lottery "Kansas Made" instant tickets are first offered for sale to the general public and ending on the date specified in K.A.R. 111-4-2465. The drawing will be held on February 2, 2007. Rules applicable to the "Kansas Made Drawing" are contained in K.A.R. 111-4-2462 through 111-4-2467 and K.A.R. 111-3-1, *et seq.* (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-4-2463. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Kansas Made Drawing" means the act of drawing a prize conducted by the Kansas Lottery on the date described in K.A.R. 111-4-2465, in which one participant is selected to win the prize as described in K.A.R. 111-4-2464.

(c) "Non-winning ticket" means any valid Kansas "Kansas Made" instant game lottery ticket not eligible to win a prize under the rules of the "Kansas Made" instant game.

(d) "Receptacle" or "drum" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the "Kansas Made Drawing" entries are drawn. Receptacles or drums may be sealable and shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(e) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-4-2464. Prize. (a) The winner drawn in the "Kansas Made Drawing," shall receive a 2007 Saturn Aura automobile, together with mandatory federal and state income withholding taxes, property taxes, registration fee, title fee, and cash.

(b) The prize is subject to lottery validation, set-offs and deductions authorized by law.

(c) The winner of the prize shall return to the lottery a completed claim form as provided by the lottery no later than 5:00 p.m. on the thirtieth day following the day of the drawing or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn for that prize pursuant to subsection (e) of K.A.R. 111-4-2466 shall be declared the winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-4-2465. Method of entry. (a) Entry into the "Kansas Made Drawing" shall be accomplished as follows:

(1) Obtain a valid "Kansas Made" Kansas instant lottery ticket;

(2) Determine if the ticket is a winning ticket in accordance with "Kansas Made" game rules. If the ticket is a winning ticket, it is not eligible for the "Kansas Made Drawing" and shall be redeemed in accordance with the instant game rules.

(3) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may use it to enter the "Kansas Made Drawing."

(4) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner. Only one name shall appear on a non-winning ticket entered.

(5) Players may deposit entries for the "Kansas Made Drawing" at any Kansas lottery event at which the lottery has specifically designated a receptacle for deposit of said entries.

(6) Entries other than those entered pursuant to subsection (a)(5) herein shall be mailed with proper postage to "Kansas Made Drawing," c/o Kansas lottery, P. O. Box 19226, Topeka, Kansas 66619-0226. Mailed entries must be received by morning mail pickup on Tuesday, January 30, 2007. More than one entry may be mailed in one envelope.

(7) The holder of the ticket is not required to personally attend the "Kansas Made Drawing" or be present at the time of the drawing to be determined a winner.

(8) The drawing will be conducted by the lottery on February 2, 2007.

(b) There is no limit on the number of entries a person may make.

(c) Only valid non-winning "Kansas Made" tickets which are mailed to the "Kansas Made Drawing," c/o Kansas lottery, P. O. Box 19226, Topeka, Kansas 66619-0226 with proper postage and received by the morning mail pickup in Topeka, Kansas, on Tuesday, January 30, 2007, and non-winning "Kansas Made" tickets entered into any other receptacle designated by the lottery as provided in the rules herein shall be eligible for the drawing. All tickets so mailed or deposited shall be secured by the lottery until the drawing is conducted.

(d) Eligible entrants in the "Kansas Made Drawing" must be 18 years of age or older.

(e) Completing the information form on the non-winning ticket and entering the ticket into the drawing constitutes authorization to identify publicly the person whose entry is drawn. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-4-2466. Selection of winners. The following process shall be used for the selection of winners in the "Kansas Made Drawing:"

(a) Kansas lottery personnel shall pick up all mail containing "Kansas Made Drawing" tickets at the United States Post Office in Topeka, Kansas, with the final pick up at the Topeka post office in the morning mail pickup on Tuesday, January 30, 2007. Following the final mail pickup, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. All mailed entries shall then be placed in the drawing receptacle or drum with all entries deposited at any other receptacle designated by the lottery.

(b) The drawing shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

(c) At the drawing, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be thoroughly mixed with a shovel or by other means.

(d) At the drawing, the designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove a single entry from the receptacle or drum. The person whose name appears on the entry shall be the winner of the grand prize identified in K.A.R. 111-4-2464, subject to validation by the lottery as set forth in these rules.

(e) After an entry has been drawn and verified as valid, two more valid entries will be drawn, one at a time to serve as alternate entries for the prize. The alternate entries will be marked in order drawn, 1A and 2A. The winner shall have until 5:00 p.m. on the thirtieth day following the drawing to present the fully-executed claim form to lottery headquarters. If the grand prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters,

(continued)

the grand prize will be awarded to the first alternate entry drawn. The alternates will be used, if necessary, in the order drawn.

(f) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "Kansas Made Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner and the prize won. The prize winner shall be given or sent a prize claim form to be completed and returned as set forth in subsection (e) herein.

(g) If any entry drawn is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until the required number of apparently eligible selections is obtained.

(h) Only non-winning "Kansas Made" instant tickets are eligible for the drawing.

(i) All "Kansas Made" tickets remaining in the drum or receptacle after the winners and alternatives have been selected in the drawing, and all entries not received in compliance with these rules, shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-4-2467. Certification of drawing. (a) The "Kansas Made Drawing" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery.

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of the prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winners. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

Article 7.—ONLINE GAMES

KANSAS HOLD 'EM REGULATIONS

111-7-195. Name of the game; rules and regulations. The Kansas lottery shall conduct an online game entitled "Kansas Hold 'Em," starting on or after September 23, 2006. The specific rules for the "Kansas Hold 'Em" game are contained in K.A.R. 111-6-1 *et seq.* and 111-7-195 through 111-7-207. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-7-196. Definitions. (a) The following definitions apply to the Kansas lottery Kansas Hold 'Em game, along with all applicable definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and amendments thereto, and in lottery regulations adopted pursuant to the Kansas lottery act, which are hereby incorporated by reference, unless by the clear context of the word(s) another meaning is intended.

(b) "Kansas Hold 'Em" or "game" means a Kansas lottery online game or games in which players purchase one or more tickets from a lottery retailer, which tickets con-

tain one or more predetermined plays simulating the poker card game commonly known as "Texas Hold 'Em" pursuant to specific rules adopted by the lottery for the Kansas Hold 'Em game.

(c) "Kansas Hold 'Em retailer" or "retailer" means a person or business authorized by the lottery to conduct Kansas Hold 'Em games.

(d) Prize tiers:

(1) "low-tier prize" means a Kansas Hold 'Em game prize less than \$600;

(2) "high-tier prize" means a Kansas Hold 'Em game prize of \$600 or more.

(e) "Executive director" means the executive director of the Kansas lottery or the person designated by the executive director.

(f) "Virtual dealer" means the electronic representation of a card dealer in the Kansas lottery's Kansas Hold 'Em game as shown on electronic television monitors located at participating Kansas lottery retailer locations.

(g) "Player" means the purchaser or holder of a Kansas lottery "Kansas Hold 'Em" ticket or tickets.

(h) "Virtual player" means the electronic representation of a card player in the Kansas lottery's Kansas Hold 'Em game as shown on electronic television monitors located at participating Kansas lottery retailer locations.

(i) "Standard 52-card deck of playing cards" or "deck" means the electronic representation of 13 card symbols in each of four suits. The 13 card symbols are: 2, 3, 4, 5, 6, 7, 8, 9, 10, J ("jack"), Q ("queen"), K ("king"), and A ("ace"). The four "suits" and symbols representing each suit are hearts ("♥"), clubs ("♣"), diamonds ("♦"), and spades ("♠"). There are no "jokers" or other "wild" cards utilized in the Kansas Hold 'Em game.

(j) The ranking of the individual cards, from highest to lowest, is as follows: ace ("A"), king ("K"), queen ("Q"), jack ("J"), 10, 9, 8, 7, 6, 5, 4, 3, 2, except that the "ace" ("A") card may also be used as the equivalent of a "1" card.

(k) The ranking of hands from highest to lowest in Kansas Hold 'Em is as follows:

(1) "royal flush" - an ace-high straight consisting of five cards of consecutive ranks, all of the same suit (10, J, Q, K, and A all in the same suit);

(2) "straight flush" - five consecutive cards of the same suit that is not a royal flush;

(3) "four of a kind" - four cards of the same ranking;

(4) "full house" - three cards of one ranking, plus two cards of another ranking;

(5) "flush" - five non-consecutive cards all in the same suit;

(6) "straight" - five sequential cards of at least two different suits. If an ace ("A") is utilized to complete a straight, it may be used as the high card, or may be used as the equivalent of a "1" card;

(7) "three of a kind" - three cards of the same ranking;

(8) "two pair" - two cards of one ranking plus two cards of another ranking;

(9) "one pair" - two cards of one ranking; and

(10) "high card" - each hand that does not qualify as one of the better hands above is ranked according to the highest ranking card in the hand, if two or more hands

have a high card of the same ranking, then the second highest, and so on.

(l) "Burn card" means a card that is randomly selected by the online system for removal from the deck as provided by rules of the Kansas Hold 'Em game.

(m) "Community cards" are the five (5) cards randomly selected by the online system that are made available for play by the player and all virtual players. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-7-197. Description of game. (a) "Kansas Hold 'Em" is an online lottery game that pays players varying prize amounts, depending upon the ranking of the player's composite hand of five cards as compared to the ranking of the composite hand of five cards held by three (3) virtual players.

(b) Each Kansas Hold 'Em game shall utilize symbols in a standard 52-card deck of playing cards.

(c) Prior to the sale of tickets to players in each Kansas Hold 'Em game, the lottery's online computer system shall randomly select a total of 14 cards from the deck for that game. None of said 14 cards shall appear as either of the two cards on a player's ticket. From said 14 cards, the online system shall randomly select cards in the following order to be used for the following purposes: one card to each of the three virtual players; a second card to each of the three virtual players; one burn card; the first three community cards; one burn card; the fourth community card; one burn card; and the fifth community card. The identity of burn cards shall not be revealed to players during the game, but a record of said cards and all other cards "dealt" during each game shall be maintained by the lottery computer system.

(d) A player purchases one or more Kansas Hold 'Em tickets from a Kansas lottery retailer, each of which shall contain two symbols representing two different randomly selected cards in a standard 52-card deck of playing cards, but not including any of the 14 cards previously removed as set forth in subsection (c) above. All tickets shall be quick pick tickets.

(e) During the draw for each game, the three virtual players shall each receive two cards and the community cards shall be displayed in the order set forth in subsection (c) above. After all virtual players' cards and the community cards have been displayed in each game, the player's cards are combined with the community cards to make the highest ranking standard poker hand of five cards and each virtual player's cards are combined with the community cards to make the highest ranking hand of five cards. At least one of the two cards in the player's hand each of the virtual player's hands shall be used to create that player's highest ranking hand. The highest ranking five-card poker hand among the player and the three virtual players wins that game. If the player's hand ranks higher than the hands of all virtual players' hands, the player wins the prize amount set forth in the prize structure based upon the ranking of that hand, as set forth hereinafter. If one or more of the virtual players' hands ranks higher than the player's hand, the player's hand is non-winning. In the event the ranking of the player's hand and the highest ranking hand among the three vir-

tual players is identical (a tie), the player's hand shall be considered non-winning and the player shall not be entitled to any prize. The suit of a card or cards is irrelevant to the ranking of any hand.

(f) The lowest possible ranking card in any straight or straight flush shall be an "A" when used as a "1" card, and the lowest possible ranking card in any straight, straight flush, or royal flush shall not be greater than a "10." So-called "wrap-around" straights and straight flushes shall not be allowed (for example, "J," "Q," "K," "A," and "2").

(g) A validated ticket shall be the only proof of a game play or plays. The only method of claiming a prize or prizes shall be the submission of the winning ticket to and receipt of the ticket by the lottery or its authorized agent.

(h) A Kansas Hold 'Em game ticket shall sell for two dollars. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-7-198. Expected number and value of prizes, and odds of winning. (a) The expected number and value of prizes for each winning hand in the Kansas Hold 'Em game and the approximate odds of winning are as follows:

Get	Approximate Odds 1:	Prize (on \$2 play)
Royal flush	32,258.06	\$2,000
Straight flush	3,831.42	\$200
Four of a kind	672.95	\$25
Full house	51.63	\$10
Flush	47.25	\$8
Straight	34.65	\$7
Three of a kind	36.90	\$5
Two pairs	12.54	\$3
One pair	17.32	\$2
High card	726.74	\$2

The overall odds of obtaining any prize, including break-even prizes, are approximately 1:4.22.

(b) Players may place wagers in increments of \$2, \$4, \$6, \$8, or \$10. The value of prizes for winning hands set forth in subsection (a) hereinabove applies to \$2 wagers. For wagers in the amount of \$4, each of the prizes available shall be multiplied by a factor of two; for wagers in the amount of \$6, each of the prizes available shall be multiplied by a factor of three; for wagers in the amount of \$8, each of the prizes available shall be multiplied by a factor of four; and for wagers in the amount of \$10, each of the prizes available shall be multiplied by a factor of five. The odds of winning remain the same for all wager increments.

(c) In each game, the top prize shall become pari-mutuel if the total liability for top prizes in that game exceeds \$500,000. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-7-199. Selection of retailers. (a) Kansas Hold 'Em games shall be operated by a retailer or retailers selected by the executive director.

(b) The executive director is authorized to arrange for the distribution to authorized retailers of necessary equipment, materials, and supplies needed to operate said games. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

(continued)

111-7-200. Conduct of games. (a) No person other than a retailer under a contract with the lottery for the conduct of Kansas Hold 'Em games may conduct said games.

(b) A Kansas Hold 'Em retailer must have a current retailer certificate and must be actively engaged in the sale of other Kansas lottery products, unless otherwise allowed by contract.

(c) Kansas Hold 'Em games may not be conducted at a location other than the address approved by the lottery and listed on the retailer's certificate with the lottery.

(d) Nothing in this section shall be construed to prohibit the lottery from designating certain of its agents and employees to conduct or assist in the operation of Kansas Hold 'Em games. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-7-201. Payment of prizes. (a) Prior to the payment of any high-tier prize of \$600 or more, the claimant shall complete a claim form provided to claimant by the lottery.

(b) To claim a high-tier Kansas Hold 'Em prize, the claimant shall obtain and complete a claim form and submit it either by mail to the Kansas lottery's headquarters in Topeka, Kansas, or in person. Upon determination that the claimant is entitled to a prize, the lottery shall process for payment the amount due, less any withholding required by state and federal laws. If the claim is denied, the claimant shall be promptly notified of the reason(s) for said denial.

(c) All prizes must be claimed within 365 days of the date of the drawing for that prize, including the day of the drawing. In the event the final day of the 365-day period falls on a day lottery headquarters is not open for business between 8:00 a.m. and 5:00 p.m. or a federal holiday, the claim period will be extended to 5:00 p.m. on the next business day. To claim a prize at lottery headquarters, the claimant must present or mail the claim form to the Kansas lottery, and the lottery must actually receive it within the above time period. Any prizes not claimed within the specified period shall be added to the prize pools of subsequent Kansas lottery games. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-7-202. Validation requirements. (a) All claims for Kansas Hold 'Em prizes shall pass all confidential security checks of the lottery.

(b) Any claim failing any requirements of the lottery is invalid and ineligible for a prize. The executive director will make the final decision on whether a prize is paid.

(c) In the event of a dispute between the executive director and a claimant as to whether a claim is valid, and if the executive director determines that the claim is not valid and a prize is not paid, the executive director may, in his or her sole discretion, refund to the claimant any ticket purchase price. These shall be the sole and exclusive remedies of the claimant. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-7-203. Participation by persons under 18 years of age. All players in any Kansas Hold 'Em game

shall be at least 18 years of age. Any prize won by a person less than 18 years of age shall be void. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-7-204. Prizes payable after death or disability of owner. (a) All prizes or a portion thereof which remain unpaid at the time of the prize winner's death may be paid to the duly appointed representative of the estate of the deceased designated pursuant to K.S.A. 74-8720(b), and amendments thereto.

(b) Prize moneys will be paid according to the law of descent and distribution, chapter 59 of Kansas statutes.

(c) The executive director may rely wholly on the presentment of certified copies of a court's appointment of an administrator or executor, guardian, conservator, or any other evidence of a person entitled to the payment of any prize winnings then due.

(d) The payment to the estate of the deceased owner of any prize winnings by the lottery shall absolve the lottery and its representatives of any further liability for payment of said prize winnings. The lottery need not look to the payment of the prize winning beyond the payee thereof. The executive director reserves the right to petition any court of competent jurisdiction to request a determination for the payments of any prize winnings which are or may become due the estate of a deceased owner or an owner under a disability because of, but not limited to, under age, mental deficiency, physical or mental incapacity. If the legatee(s) or heir(s) of a deceased owner entitled to prize winnings obtains an order from a court of competent jurisdiction directing payments due and to become due from the lottery to be paid directly to said legatee(s) or heir(s) or otherwise directs the lottery to make payments to another in the event of an owner's disability or otherwise, the lottery shall pay the prize winnings accordingly. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-7-205. Discharge of state lottery upon payment. The state of Kansas, its agents, officers, employees and representatives, and the lottery, its executive director, agents, officers, employees and representatives, shall be discharged of all liability upon payment of a prize to the claimant or in accordance with the information set forth on the claim form supplied by the executive director. If there is a conflict between the information on an entry form and the information on the claim form, the lottery may rely on the claim form, and, in so doing, it will be relieved of all responsibility and liability in the payment of a prize in accordance with the information set forth therein. The lottery's decisions and judgments in respect to the determination of a claim or of any other dispute arising from payment or awarding of prizes shall be final and binding upon all participants in the lottery, unless otherwise provided by law or these rules. In the event a question arises relative to the claim, a claim form, the payment, or the awarding of any prize, the lottery may deposit the prize winnings into an escrow fund until it determines the controversy and reaches a decision, or it may petition a court of competent jurisdiction for instructions and a resolution of the controversy. (Author-

ized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-7-206. Disclosure and public identity of players. The Kansas lottery may use and disclose the name, city of residence, photographs, and video and audio representations of any Kansas Hold 'Em player if the player consents to and authorizes such in writing. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

111-7-207. Applicable law. In playing a Kansas Hold 'Em game, each player agrees to comply with and abide by all applicable Kansas laws, including all rules and regulations adopted by the Kansas lottery commission. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-18-06, Aug. 16, 2006.)

Ed Van Petten
Executive Director

Doc. No. 033646

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 2003 Volumes and 2005 Supplement of the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-1-1	Amended	V. 24, p. 848
1-2-9	Amended	V. 24, p. 849
1-2-25	Amended	V. 24, p. 849
1-2-25a	New	V. 24, p. 849
1-2-30	Revoked	V. 24, p. 849
1-2-31	Amended	V. 24, p. 849
1-2-43a	New	V. 24, p. 849
1-2-44	Amended	V. 24, p. 849
1-2-46	Amended	V. 24, p. 849
1-2-74	Amended	V. 24, p. 850
1-2-84a	Revoked	V. 24, p. 850
1-2-84b	Revoked	V. 24, p. 850
1-2-97	Amended	V. 24, p. 850
1-3-2	Revoked	V. 24, p. 850
1-4-2	Amended	V. 24, p. 850
1-4-3	Amended	V. 24, p. 850
1-4-5	Amended	V. 24, p. 850
1-4-7	Amended	V. 24, p. 850
1-4-8	Amended	V. 24, p. 851
1-5-8	Amended	V. 25, p. 1305
1-5-9	Amended	V. 24, p. 852
1-5-14	Amended	V. 24, p. 852
1-5-15	Amended	V. 24, p. 852
1-5-19c	Amended	V. 24, p. 853
1-5-20	Amended	V. 24, p. 853
1-5-24	Amended	V. 24, p. 853
1-5-30	Amended	V. 24, p. 855
1-6-2	Amended	V. 25, p. 1306
1-6-8	Amended	V. 24, p. 855
1-6-22a	Amended	V. 25, p. 1306
1-6-27	Amended	V. 24, p. 856
1-6-29	Amended	V. 24, p. 856
1-6-32	Amended	V. 24, p. 857
1-7-3	Amended	V. 24, p. 858
1-7-10	Amended	V. 24, p. 858
1-7-11	Amended	V. 24, p. 858
1-7-12	Amended	V. 24, p. 859
1-8-2	Amended	V. 24, p. 859
1-8-3	Amended	V. 24, p. 859
1-8-4	Amended	V. 24, p. 859
1-8-5	Revoked	V. 24, p. 860
1-8-6	Amended	V. 24, p. 860
1-9-1	Amended	V. 24, p. 860
1-9-2	Amended	V. 24, p. 860
1-9-7b	Amended	V. 25, p. 1307
1-9-13	Amended	V. 24, p. 861
1-9-14	Amended	V. 24, p. 861
1-9-19	Amended	V. 24, p. 861
1-9-19a	Amended	V. 24, p. 862
1-9-20	Amended	V. 24, p. 863

1-9-23	Amended	V. 24, p. 863
1-9-27	Revoked	V. 24, p. 865
1-10-6	Revoked	V. 24, p. 865
1-10-7	Revoked	V. 24, p. 865
1-10-10	Revoked	V. 24, p. 865
1-10-11	Revoked	V. 24, p. 865
1-11-1	Amended	V. 24, p. 865
1-11-3	Revoked	V. 24, p. 865
1-12-1	Amended	V. 24, p. 865
1-12-2	Amended	V. 24, p. 865
1-13-1a	Amended	V. 24, p. 866
1-13-1b	New	V. 24, p. 866
1-14-8	Amended	V. 24, p. 866
1-14-11	Amended	V. 24, p. 868

AGENCY 3: KANSAS STATE TREASURER

Reg. No.	Action	Register
3-4-1		
through		
3-4-7	New (T)	V. 25, p. 984, 985

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-7-213	Amended	V. 25, p. 1142
4-7-216	Revoked	V. 25, p. 1142
4-7-510	Amended	V. 25, p. 1142
4-7-530	Amended	V. 25, p. 1142
4-7-716	Amended	V. 25, p. 1142
4-7-717	Amended	V. 25, p. 1142
4-8-14a	Amended (T)	V. 25, p. 379
4-8-27	Amended (T)	V. 25, p. 380
4-8-33	Amended (T)	V. 25, p. 380
4-8-34	Amended (T)	V. 25, p. 380
4-8-42	Amended (T)	V. 25, p. 380
4-15-7	Amended	V. 24, p. 550
4-15-8	Amended	V. 24, p. 550
4-16-1a	Amended	V. 25, p. 1143
4-16-1c	Amended	V. 25, p. 1143
4-16-3a	Amended	V. 25, p. 1143
4-16-250	Revoked	V. 25, p. 1145
4-16-251	Revoked	V. 25, p. 1145
4-16-252	Revoked	V. 25, p. 1145
4-16-260	Revoked	V. 25, p. 1145
4-17-1a	Amended	V. 25, p. 1145
4-17-1c	Amended	V. 25, p. 1145
4-17-5a	Revoked	V. 25, p. 1145
4-28-1		
through		
4-28-7	New	V. 24, p. 145, 146

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-16-1	Amended	V. 24, p. 1850
5-16-5	Amended	V. 24, p. 1850

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-17-22	Amended (T)	V. 25, p. 1305
7-34-2	New (T)	V. 24, p. 42
7-34-2	New	V. 24, p. 332
7-41-1	Amended	V. 24, p. 1244
7-41-14		
through		
7-41-33	New	V. 24, p. 1245-1249
7-42-1		
through		
7-42-5	New	V. 24, p. 1469, 1470

7-43-1		
through		
7-43-6	New	V. 24, p. 1829, 1830

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-2-32	Amended (T)	V. 24, p. 272
9-2-32	Amended	V. 24, p. 919
9-11-10	Amended (T)	V. 24, p. 272
9-11-10	Amended	V. 24, p. 919
9-18-1	Amended (T)	V. 24, p. 1144
9-18-1	Amended	V. 24, p. 1372
9-32-1		
through		
9-32-8	New (T)	V. 25, p. 46-48
9-32-1		
through		
9-32-8	New	V. 25, p. 375-378

AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Reg. No.	Action	Register
10-22-1	Amended	V. 24, p. 962

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-3-1		
through		
11-3-10	Amended	V. 25, p. 250, 251
11-3-11	New	V. 25, p. 252
11-3-12	New	V. 25, p. 252
11-4-1		
through		
11-4-4	Amended	V. 25, p. 1268, 1269
11-4-6		
through		
11-4-14	Amended	V. 25, p. 1269, 1270
11-4-15	New	V. 25, p. 1270
11-4-16	New	V. 25, p. 1270
11-11-1		
through		
11-11-7	Revoked	V. 24, p. 1798

AGENCY 14: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
14-14-12	Revoked	V. 24, p. 798

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-1-7	Amended	V. 24, p. 95
16-4-2	New	V. 24, p. 95
16-4-3	New	V. 24, p. 95
16-4-4	New	V. 24, p. 96
16-6-1	Amended	V. 24, p. 96
16-10-1	New (T)	V. 24, p. 1176
16-10-2	New (T)	V. 24, p. 1176
16-10-3	New (T)	V. 24, p. 1176
16-10-1	New	V. 24, p. 1690
16-10-2	New	V. 24, p. 1690
16-10-3	New	V. 24, p. 1691
16-11-1		
through		
16-11-6	New (T)	V. 25, p. 980-982, 1019

(continued)

123-12-321 through
 123-12-325 New V. 24, p. 306
 123-12-327 New V. 24, p. 306
 123-12-328 New V. 24, p. 307
 123-12-401 New V. 24, p. 307
 123-12-501 through
 123-12-505 New V. 24, p. 307, 308
 123-12-505b New V. 24, p. 308
 123-12-506 New V. 24, p. 308
 123-12-601 New V. 24, p. 308
 123-12-602 New V. 24, p. 310
 123-12-702 New V. 24, p. 310
 123-12-801 New V. 24, p. 310
 123-12-901 New V. 24, p. 310
 123-12-902 New V. 24, p. 310
 123-12-1001 New V. 24, p. 311
 123-12-1002 New V. 24, p. 311
 123-12-1101 New V. 24, p. 311
 123-12-1201 New V. 24, p. 312
 123-12-1202 New V. 24, p. 312
 123-12-1301 New V. 24, p. 312
 123-12-1302 New V. 24, p. 312
 123-12-1303 New V. 24, p. 312
 123-12-1306 New V. 24, p. 312
 123-12-1308 New V. 24, p. 313
 123-13-101 New V. 24, p. 342
 123-13-101a New V. 24, p. 343
 123-13-103 New V. 24, p. 343
 123-13-105 New V. 24, p. 343

123-13-106 New V. 24, p. 343
 123-13-201 New V. 24, p. 343
 123-13-201b New V. 24, p. 344
 123-13-202 New V. 24, p. 345
 123-13-203 New V. 24, p. 345
 123-13-306 New V. 24, p. 345
 123-13-307 New V. 24, p. 346
 123-13-401 through
 123-13-404 New V. 24, p. 346-348
 123-13-405a New V. 24, p. 349
 123-13-406 New V. 24, p. 349
 123-13-408 New V. 24, p. 350
 123-13-409 New V. 24, p. 350
 123-13-501 New V. 24, p. 350
 123-13-502a New V. 24, p. 350
 123-13-505 through
 123-13-509 New V. 24, p. 350, 351
 123-13-601 New V. 24, p. 351
 123-13-602 New V. 24, p. 351
 123-13-603 New V. 24, p. 351
 123-13-610 New V. 24, p. 351
 123-13-701 through
 123-13-704 New V. 24, p. 352, 353
 123-13-706 New V. 24, p. 353
 123-13-707 New V. 24, p. 353
 123-15-101 New V. 24, p. 353
 123-15-101a New V. 24, p. 354
 123-15-101b New V. 24, p. 354

123-15-102 New V. 24, p. 354
 123-15-104 New V. 24, p. 355
 123-15-105 New V. 24, p. 355
 123-15-105a New V. 24, p. 356
 123-15-106 New V. 24, p. 356
 123-15-201 New V. 24, p. 356
 123-16-102 New V. 24, p. 356
 123-16-105 New V. 24, p. 357

AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION

Reg. No.	Action	Register
127-1-1	New	V. 24, p. 848

AGENCY 129: KANSAS HEALTH POLICY AUTHORITY

Reg. No.	Action	Register
129-5-1	Amended	V. 25, p. 1028
129-5-118	New	V. 25, p. 665
129-5-118b	New	V. 25, p. 665
129-6-38	New	V. 25, p. 1030
129-6-77	New	V. 25, p. 847
129-6-151	New	V. 25, p. 848
129-6-152	New	V. 25, p. 848
129-7-65	New	V. 25, p. 848
129-14-22	New	V. 25, p. 1030
129-14-27	New	V. 25, p. 849
129-14-51	New	V. 25, p. 849
129-14-52	New	V. 25, p. 849



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

1. Publication Title: Kansas Register; 2. Publication Number: 0662-1900; 3. Filing Date: Sept. 28, 2006

4. Issue Frequency: Weekly; 5. Number of Issues Published Annually: 52 plus annual index; 6. Annual Subscription Price: \$80.00

7. Complete Mailing Address of Known Office of Publication: Kansas Secretary of State, 1st Floor, Memorial Hall, 120 SW 10th Ave., Topeka, Shawnee County, KS 66612-1594; Contact Person: Nancy Reddy; Telephone: (Include area code)

8. Complete Mailing Address of Headquarters or General Business Office of Publisher: same as above

9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor: Publisher: Ron Thornburgh, Kansas Secretary of State, 1st Floor, Memorial Hall, 120 SW 10th Ave., Topeka, KS 66612-1594

Editor: Nancy R. Reddy, Secretary of State's Office, 1st Floor, Memorial Hall, 120 SW 10th Ave., Topeka, KS 66612-1594

Managing Editor: same as above

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

Table with 2 columns: Full Name, Complete Mailing Address. Row 1: Kansas Secretary of State, 1st Floor, Memorial Hall, 120 SW 10th Ave., Topeka, KS 66612-1594

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

Table with 2 columns: Full Name, Complete Mailing Address. (Empty rows)

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

13. Publication Title Kansas Register		14. Issue Date for Circulation Data Sept. 28, 2006	
15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Total Number of Copies (<i>Net press run</i>)		750	750
b. Paid Circulation (<i>By Mail and Outside the Mail</i>)	(1) Mailed Outside-County Paid Subscriptions Stated on PS Form 3541 (<i>Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies</i>)	351	344
	(2) Mailed In-County Paid Subscriptions Stated on PS Form 3541 (<i>Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies</i>)	79	80
	(3) Paid Distribution Outside the Mails Including Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Paid Distribution Outside USPS®	12	12
	(4) Paid Distribution by Other Classes of Mail Through the USPS (e.g. First-Class Mail®)		
c. Total Paid Distribution (<i>Sum of 15b (1), (2), (3), and (4)</i>)		442	436
d. Free or Nominal Rate Distribution (<i>By Mail and Outside the Mail</i>)	(1) Free or Nominal Rate Outside-County Copies Included on PS Form 3541	168	166
	(2) Free or Nominal Rate In-County Copies Included on PS Form 3541	2	2
	(3) Free or Nominal Rate Copies Mailed at Other Classes Through the USPS (e.g. First-Class Mail)		
	(4) Free or Nominal Rate Distribution Outside the Mail (<i>Carriers or other means</i>)	44	44
e. Total Free or Nominal Rate Distribution (<i>Sum of 15d (1), (2), (3) and (4)</i>)		214	212
f. Total Distribution (<i>Sum of 15c and 15e</i>)		656	648
g. Copies not Distributed (<i>See Instructions to Publishers #4 (page #3)</i>)		94	102
h. Total (<i>Sum of 15f and g</i>)		750	750
i. Percent Paid (<i>15c divided by 15f times 100</i>)		67%	67%

16. Publication of Statement of Ownership
 If the publication is a general publication, publication of this statement is required. Will be printed in the Oct. 5, 2006 issue of this publication. Publication not required.

17. Signature and Title of Editor, Publisher, Business Manager, or Owner
Nancy R. Reddy Nancy R. Reddy, Editor Date
 Sept. 28, 2006

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

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

Use this form or a copy of it to enter a subscription:

_____ **One-year subscription @ \$80 ea.**
**(Kansas residents must include
applicable state and local sales tax.)**

Total Enclosed
(Make check payable to the Kansas Register)

Send to: _____

(Please, no
more than
4 address
lines.)

Zip code must be included

Rec. No. _____ Exp. _____ Code _____

This space for Register office use only.

Use this form or a copy of it to enter a name or address change:

Remove your mailing label (above) and affix it here:



Indicate change of name or address
here:

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