

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 27, No. 40 October 2, 2008 Pages 1473-1504

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# **Kansas Sentencing Commission**

### **Notice of Committee Meeting**

The Kansas Sentencing Commission's Level of Service Inventory-Revised (LSI-R) Committee will meet from 9:30 a.m. to noon Thursday, October 23, in the Senate Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka. Requests for accommodation should be made at least five working days in advance of the meeting by contacting Brenda Harmon at (785) 296-0923.

Helen Pedigo Executive Director

Doc. No. 036253

#### 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. 2007 Supp. 12-1675(b)(c)(d) and K.S.A. 2007 Supp. 12-1675a(g).

#### Effective 9-29-08 through 10-5-08

	U	
Term		Rate
1-89 days		1.23%
3 months		1.00%
6 months		1.54%
1 year		1.87%
18 months		1.85%
2 years		2.11%

Daniel J. Nackley Director of Investments

Doc. No. 036244

#### State of Kansas

### Department of Revenue Division of Motor Vehicles

#### Notice of Intent to Establish a New Motor Vehicle Dealer License

Notice has been received from NMOTION-YAMAHA, 11414 E. Central, Wichita, Kansas 67206, Dealer 1344, of its intent to re-establish a new Yamaha dealership at 12012 E. Kellogg, Wichita, Kansas 67207. The vehicle dealer operator and the principal investor is Kevin Helt, Mike Carney, Bob Rasberry, Bill McAdoo and Ryan Vickers. The proposed date of completion is September 19, 2008

Pursuant to K.S.A. 8-2430(a)(5), any existing new motor vehicle dealer may protest the proposed establishment of the new Yamaha dealership NMOTION at 12012 E. Kellogg, Wichita, Kansas 67207 , if that existing new motor vehicle dealer has a franchise agreement for the same line-make vehicle as that which is to be sold or offered for sale NMOTION-YAMAHA at 12012 E. Kellogg, Wichita, Kansas 67207, and provided that the existing new motor vehicle dealer is physically located such that its relevant market area, as defined in K.S.A. 8-2430(e), includes the location where the new Yamaha dealership will be located.

Pursuant to K.S.A. 8-2430(a), any petition or complaint by any dealer with standing to protest must be filed with the Director of Vehicles within 30 days of this notice. Such petitions or complaints must be directed to the Kansas Department of Revenue, Director of Motor Vehicles, 1st Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612.

Michael J. McLin Bureau Manager/Dealer Licensing

Doc. No. 036248

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

State of	Kansas			Oct. 24	Juvenile Offender/	9:30 a.m.	Suite 140
	Kansas Judicial Co	ouncil		0 . 44	Child in Need of Care	0.00	0 1: 110
	•			Oct. 24	Guardian & Conservatorship	9:30 a.m.	Suite 140
	Notice of Meetin	ıgs		Nov. 7	Civil Code	9:00 a.m.	Room 269
That	Camana Indiaial Council ita	driesmi C	ammillana	Nov. 7	Family Law	9:30 a.m.	Suite 140
	Kansas Judicial Council, its A			Nov.10	False Claims Act	9:30 a.m.	Suite 140
	Commission on Judicial Pe			Nov. 14	Commission on	9:30 a.m.	Suite 140
	ng to the following schedule				Judicial Performance		
Center,	301 S.W. 10th Ave., Topeka,	unless othe	rwise des-	Nov. 14	Administrative Procedure	9:30 a.m.	Suite 140
ignated	:			Nov. 21	PIK-Criminal	9:30 a.m.	Room 269
Date	Committee	Time	Location	Nov. 21	Guardian & Conservatorship		Suite 140
Oct. 3	Civil Code	9:00 a.m.	Room 269		]	Hon. Rober	t E. Davis
Oct. 17	PIK-Criminal	9:30 a.m.	Room 269				Chair

#### State of Kansas

# Legislature

Doc. No. 036252

Suite 140

9:30 a.m.

#### **Interim Committee Schedule**

The following committee meetings have been scheduled during the period of October 6-15. 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. Interim committee memberships can be found on the Legislative Research Department's Web site at http://skyways.lib.ks.us/ksleg/KLRD/Committees.htm.

Date	Room	Time	Committee	Agenda
Oct. 6	535-N	10:00 a.m.	Joint Committee on	Review of agency information technology projects.
Oct. 7	535-N	9:00 a.m.	Information Technology	
Oct. 6	143-N	10:00 a.m.	Special Committee on	<ul><li>6th: Benefits for law enforcement officers killed or injured in the line of duty; identity theft; and Kansas Open Records Act.</li><li>7th: Review of foster care system.</li></ul>
Oct. 7	143-N	9:00 a.m.	Judiciary	
Oct. 9	535-N	1:30 p.m.	Electronic Motor Vehicle Financial Security Verification System Task Force	Agenda not available.
Oct. 9	545-N	10:00 a.m.	Legislative Budget	9th: a.m.—Study proposed changes in funding of state tourism services. p.m.—Update on aviation in Kansas. 10th: Study the existing nonjudicial employee pay plan of the Judicial Branch.
Oct. 10	545-N	9:00 a.m.	Committee	
Oct. 9	783 Docking	10:00 a.m.	Legislative Educational	9th: a.m.—Board of Regents preliminary legislative initiatives; Autism Task Force legislative initiatives. p.m.—Joint meeting with 2010 Commission; virtual education review. 10th: Joint meeting with 2010 Commission; presentation by Blue Ribbon schools.
Oct. 10	783 Docking	9:00 a.m.	Planning Committee	
Oct. 9 Oct. 10	784 Docking 783 Docking	10:00 a.m. 9:00 a.m.	2010 Commission	9th: a.m.—School finance recommendations. p.m.—Virtual education review. 10th: Joint meeting with Legislative Educational Planning Committee; presentation by Blue Ribbon schools.
Oct. 13	143-N	11:00 a.m.	Legislative Coordinating Council	Legislative matters.
Oct. 13	535-N	10:00 a.m.	Joint Committee on	Agenda not available.
Oct. 14	535-N	9:00 a.m.	Children's Issues	
Oct. 14 Oct. 15	545-N 545-N	10:00 a.m. 9:00 a.m.	Joint Committee on Pensions, Investments, and Benefits	Agenda not available.

Jeffrey M. Russell Director of Legislative Administrative Services

# **Department of Transportation**

#### **Notice to Contractors**

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Eisenhower State Office Building, fourth floor west wing, 700 S.W. Harrison, Topeka, until 1 p.m. October 15 and then publicly opened.

#### District One — Northeast

**Brown**—7 C-4212-01 — County road 2.5 miles south and 1.8 miles west of Hiawatha, 0.3 mile, grading, bridge and surfacing. (Federal Funds)

**District**—KA-1517-01 — Various locations throughout District One, mud jacking of bridge approach slabs and pavement panels. (State Funds)

**Johnson**—46 C-4246-01 — 199th Street over Big Bull Creek, 0.2 mile, grading, bridge and surfacing. (Federal Funds)

**Johnson**—7-46 K-7925-04 — K-7, Hedge Lane Terrace south to Clear Creek Parkway, grading and surfacing. (State Funds)

**Wyandotte**—32-105 C-3841-01 — K-32 from South Park Avenue to 138th at Bonner Springs, 0.5 mile, grading and surfacing. (Federal Funds)

**Wyandotte**—105 N-0143-01 — K-32 from Nettleton to South Park Avenue in Bonner Springs, 0.3 mile, grading and surfacing. (Federal Funds)

#### District Two — Northcentral

**Ellsworth**—27 C-4230-01 — County road 0.5 mile south of Blackwolf, 0.1 mile, grading and bridge. (Federal Funds)

Ellsworth-Rice—14-106 KA-1376-01 — K-14 from the Rice-Ellsworth county line north to the Ellsworth-Lincoln county line; K-14 from the K-4 junction north to the Rice-Ellsworth county line, 15.4 miles, seal. (State Funds)

**Jewell-Republic**—106 KA-1389-01 — K-28 from the east city limits of Jewell east to the junction of K-148; K-148 from the junction of K-28 east to the Jewell-Republic county line; K-148 from the Jewell-Republic county line east to the junction of U.S. 81, 15.5 miles, seal. (State Funds)

**Marion**—50-57 KA-1515-01 — Junction of U.S. 77 and U.S. 50 at Florence, 0.8 mile, pavement reconstruction. (State Funds)

McPherson-Saline—106 KA-1398-01 — I-135/U.S. 81B interchange north to the McPherson-Saline county line; K-81 from the McPherson-Saline county line northeast to the I-135/U.S. 81 junction, 7.5 miles, overlay. (State Funds)

Ottawa—81-72 KA-0757-01 — U.S. 81 and K-18 in Ottawa County, lighting. (Federal Funds)

Ottawa—18-72 KA-1385-01 — K-18 from the Lincoln-Ottawa county line east to old U.S. 81, 17 miles, seal. (State Funds)

**Washington**—101 C-4376-01 — County road 0.8 mile south and 1.5 miles west of Haddam, 0.1 mile, grading and bridge. (Federal Funds)

#### District Three — Northwest

Cheyenne—36-12 M-1971-01 — U.S. 36, KDOT mixing strip at St. Francis, stockpile bituminous material. (State Funds)

Cheyenne—12 KA-1434-01 — K-27 from the west junction of U.S. 36 north to the Nebraska-Kansas state line; U.S. 36 from bridge 12 east to the east junction of K-27, 27.8 miles, overlay. (State Funds)

**Decatur**—83-20 KA-1441-01 — U.S. 83 from the junction of U.S. 36 north to the Nebraska-Kansas state line, 12.4 miles, overlay. (State Funds)

**Gove**—70-32 — K-9898-01 — I-70, 1 mile east of the junction of K-23 east to the Gove-Trego county line, 18.2 miles, overlay. (State Funds)

**Logan**—40-55 KA-1440-01 — U.S. 40 from the Wallace-Logan county line east to the west junction of U.S. 83-U.S. 40, 35.8 miles, seal. (State Funds)

**Osborne**—71 C-4274-01 — County road 1.2 miles north and 5 miles west of Downs, 0.2 mile, grading and bridge. (Federal Funds)

**Rawlins**—77 C-4284-01 — Beginning at the railroad in Beardsley then south 2.5 miles, surfacing. (Federal Funds)

**Sherman**—24 KA-0144-01 — Intersection of U.S. 24B and Cherry Street, 0.2 mile, grading and surfacing. (State Funds)

Sheridan—23-90 KA-1429-01 — K-23 from the Gove-Sheridan county line north to the south city limits of Hoxie, 14.7 miles, overlay. (State Funds)

**Trego**—283-98 KA-0473-01 — U.S. 283/U.S. 40B from First Street east to 13th Street in WaKeeney, 1 mile, grading and surfacing. (State Funds)

**Wallace**—27-100 KA-1437-01 — K-27 from the Greeley-Wallace county line north to the west junction of U.S. 40, 14.5 miles, seal. (State Funds)

#### **District Four — Southeast**

Miami—61 K-9468-01 — Burlington Northern Santa Fe Railroad crossing at 223rd Street in Miami County, grading, bridge and surfacing. (Federal Funds)

**Montgomery**—169-63 K-8241-01 — U.S. 169, from the Verdigris River bridge northeast to county road 3000 northeast of Coffeyville, 5.5 miles, grading, bridge and surfacing. (Federal Funds)

Montgomery—169-63 K-8241-02 — U.S. 69 between milepost 9.99 and 11.85, 1.9 miles, surfacing. (State Funds)

#### District Five — Southcentral

**Barber**—281-4 KA-1459-01 — Junction of U.S. 281-U.S. 160 north to the Barber-Pratt county line, 16.2 miles, overlay. (State Funds)

**Barton-Rice**—56-106 KA-1452-01 — U.S. 56 from Ellinwood east to the Barton-Rice county line; U.S. 56 from the Barton-Rice county line east to the west city limits of Lyons, 18.8 miles, overlay. (State Funds)

Edwards-Pawnee—19-106 KA-1464-01 — K-19 from the junction of U.S. 50 north to the Edwards-Pawnee county line; K-19 from the Edwards-Pawnee county line north to the K-19 spur junction; K-19 junction north to the south city limits of Larned, 15.6 miles, 1.5 overlay. (State Funds)

**Kingman**—54-48 KA-1455-01 — U.S. 54, 5.8 miles east of the Pratt-Kingman county line east to the west city limits of Kingman, 12.7 miles, overlay. (State Funds)

**Rush**—183-83 KA-1458-01 — U.S. 183 from the south city limits of LaCrosse north to the Rush-Ellsworth county line, 12.1 miles, overlay. (State Funds)

#### District Six — Southwest

**Grant-Haskell**—160-106 KA-1476-01 — U.S. 160 from the east city limits of Ulysses east to the Grant-Haskell county line; U.S. 160 from the Grant-Haskell county line east to the junction of U.S.83/U.S.160/K-144, 15.6 miles, overlay. (State Funds)

Gray—35 C-4203-01 — County road 5 miles north of Ingalls, then north 4 miles, surfacing. (Federal Funds)

**Gray-Haskell**—144-106 KA-1483-01 — K-144 from the Haskell-Gray county line east to the junction of U.S. 56-K-144; K-144 from the junction of U.S. 83-U.S. 160 east to the Haskell-Gray county line, 16.8 miles, overlay. (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

> > **Jurisdiction**

Sedgwick

Petition for Review

Sedgwick

Sedgwick

Sedgwick

Doc. No. 036239

#### State of Kansas

# Office of Judicial Administration **Supreme Court Docket**

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

Tuesday, October 14, 2008

#### 9:00 a.m.

Case No. / Case Name 95.682 State of Kansas, Appellee Jason D. Overstreet, Appellant

98.976

State of Kansas, Appellee

Carl E. Howard, Appellant

96,754/97,548

State of Kansas, Appellee

Robert G. Phillips, et al., Appellants

99,280

State of Kansas, Appellee

David Woodward, Appellant

98,260

State of Kansas, Appellee

Gregory Leonard Walls, Appellant

Roger Zimmerman, et al., Appellants/Cross-Appellees

Bd. of Wabaunsee County Comm., Appellee/Cross-**Appellant** 

Attorneys

Stephen N. Six, Attorney General Matt J. Maloney, Asst. Dist. Atty.

Michelle Davis, Kansas Appellate Defender

Stephen N. Six, Attorney General Matt J. Maloney, Asst. Dist. Atty.

Carl Maughan

Stephen N. Six, Attorney General

Petition for Review Karen S. Smart, Asst. Reno County Dist. Atty.

Matt J. Maloney, Asst. Sedgwick County Dist. Atty.

Carl Folsom III, Kansas Appellate Defender

Stephen N. Six, Attorney General Julie A. Koon, Asst. Dist. Atty.

Carl Maughan

1:30 p.m.

Stephen N. Six, Attorney General

Robert D. Hecht, District Atty.

Jonathan B. Phelps

Scott A. Grosskreutz Bryan W. Smith Charles C. Steincamp

William L. Frost

Wabaunsee

Shawnee

(continued)

Kansas Register — 97.992 Lyon State of Kansas, Appellee Stephen N. Six, Attorney General Petition for Review Amy L. Aranda, Asst. County Atty. Robert Jones, Jr., Appellant Heather Cessna, Kansas Appellate Defender Labette Stephen N. Six, Attorney General State of Kansas, Appellee Petition for Review John R. Bullard, County Attorney Rachel Pickering, Kansas Appellate Defender Larry Gervease Bee, Jr., Appellant Wednesday, October 15, 2008 9:00 a.m. Case No. / Case Name Attorneys Jurisdiction 99,908 Johnson John Polson, et al., Appellant Douglas K. Dezube Jeffrey S. Southard Farmers Insurance Co., Inc., Appellee Douglas Stephen N. Six, Attorney General State of Kansas, Appellee Brenda J. Clary, Asst. Dist. Atty. Jay D. Decker, Appellant Kari Nelson Harvey State of Kansas, Appellee Stephen N. Six, Attorney General Petition for Review Michael X. Llamas, Asst. County Atty. Galen D. Youngblood, Appellant Michelle Davis, Kansas Appellate Defender 1:30 p.m. Saline Merle and Melissa Hodges, Appellants/Cross-Appellees Robert A. Martin Petition for Review Larry G. Michel Jim Johnson, d/b/a Johnson and Assoc., Appellee/Cross-Appellant 99,238 Shawnee Mary Beth Mudrick City of Topeka, Kansas, Appellee Shelly Starr Alvin I. Simon, Parcel No. 5, Appellant Craig E. Collins 98,727 Shawnee Stephen N. Six, Attorney General State of Kansas, Appellant Petition for Review Robert D. Hecht, District Atty. Ryan Michael Schultz, Appellee Thomas G. Lemon 97.649 Workers Comp. John W. Higgins, Appellant Robert R. Lee Petition for Review Ryan D. Weltz Abilene Machine, Inc., and Continental Natl. D. Steven Marsh American Group, Appellees Thursday, October 16, 2008 9:00 a.m. Case No. / Case Name Jurisdiction Attorneys 97,420 Wyandotte Stephen N. Six, Attorney General State of Kansas, Appellee Sheryl L. Lidtke, Deputy Dist. Atty. Walter L. Anderson, Appellant Michael J. Bartee

98,840 Wyandotte State of Kansas, Appellant Jared S. Maag, Deputy Solicitor General Edward C. Gillette

Merle Steve Vaughn, Appellee

Wyandotte Christopher M. Trotter, Appellant Rebecca E. Woodman, Capital Appellate Defender Stephen N. Six, Attorney General

State of Kansas, Appellee

Wyandotte State of Kansas, Appellee Stephen N. Six, Attorney General Michael A. Russell, Asst. Dist. Atty.

Carl Cofield, Appellant Rachel Pickering, Kansas Appellate Defender

Original

Original

Original

Original

Original

1:30 p.m.

98,845 Wyandotte

De Andre Harris, Appellant Christopher Cuevas

Stephen N. Six, Attorney General

Christopher L. Schneider, Asst. Dist. Atty. State of Kansas, Appellee

100,519 In the Matter of Kent O. Docking, Respondent Alexander M. Walczak, Deputy Discip. Admin.

Steven R. McConnell

Kent O. Docking, Pro Se

100,822 In the Matter of Russell B. Cranmer, Respondent Stanton A. Hazlett, Discip. Admin.

D. Lee McMaster

Russell B. Cranmer, Pro Se

100,821 Original

In the Matter of Joe Ellis Lee, Respondent Alexander M. Walczak, Deputy Discip. Admin.

Joe Ellis Lee, Pro Se

100,863 Original

Alexander M. Walczak, Deputy Discip. Admin. In the Matter of Douglas W. Dowell, Respondent

Douglas W. Dowell, Pro Se

Friday, October 17, 2008

9:00 a.m.

Case No. / Case Name Attorneys Iurisdiction

99,369 Workers Comp.

Carolyn Bergstrom, Appellant William L. Phalen Larry Shoaf

Spears Manufacturing Co., and Zurich U.S. Ins. Co., Appellees

Shawnee 96,734 William K. Rork Petition for Review

Brandon C. Moser, Appellant Brian Cox

State of Kansas, Dept. of Revenue, Appellee

Stanton A. Hazlett, Discip. Admin. In the Matter of J. Gregory Swanson, Respondent

J. Gregory Swanson, Pro Se

In the Matter of Joseph C. Minneman, Respondent Stanton A. Hazlett, Discip. Admin.

Joseph C. Minneman, Pro Se

100,108 In the Matter of Boyd R. McPherson, Respondent Stanton A. Hazlett, Discip. Admin.

Stephen M. Joseph

Boyd R. McPherson, Pro Se

Summary Calendar — No Oral Argument Pursuant to Supreme Court Rule 7.01 (a)

97,204 Calvin Strong v. Lewis Bruce

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

98,887 State v. Robert R. Silhan 99,637 State v. Joshua Todd Dirks 99,924 State v. Christopher Ross 99,440 State v. Gerald Jay Grogg, Jr. 99,747 State v. Kenneth E. Hopkins III 100,105 State v. Brandon Anderson 100,164 State v. Javelle Lloyd Jackson

99,444 State v. Earl Saling 99,855 State v. James R. Downtain 99,530 State v. Joshua Hull

> Carol G. Green Clerk of the Appellate Courts

Doc. No. 036246

100,187

(Published in the Kansas Register October 2, 2008.)

# Unified School District No. 417 Morris County, Kansas (Council Grove)

### Notice of Intent to Seek Private Placement General Obligation Bonds, Series 2008-A

Notice is hereby given that Unified School District No. 417, Morris County, Kansas (Council Grove) (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$550,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds and the adoption of a resolution by the governing body of the issuer authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated September 8, 2008.

Jan Troxell Clerk

Doc. No. 036256

(Published in the Kansas Register October 2, 2008.)

Summary Notice of Bond Sale City of Lincoln Center, Kansas \$360,000 General Obligation Bonds Series 2008

#### Details of the Sale

Subject to the terms and requirements of the official notice of bond sale dated September 8, 2008, of the city of Lincoln Center, Kansas, bids to purchase the city's General Obligation Bonds, Series 2008, will be received at the office of the city clerk at City Hall, 153 W. Lincoln, Lincoln Center, KS 67455, or by telefacsimile at (785) 524-3408, until 2 p.m. Monday, October 13, 2008. The bids will be considered by the governing body at its meeting at 7:30 p.m. on the sale date.

No oral or auction bids for the bonds shall be considered, and no bids for less than 99 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, if available, in an amount equal to 2 percent of the principal amount of the bonds.

#### **Details of the Bonds**

The bonds are dated November 1, 2008, 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 May 1 and November 1 of each year, beginning May 1, 2009. Principal of the bonds becomes due on November 1 in the years and amounts as shown below:

#### **Maturity Schedule**

Principal	Maturity
Amount	Date
\$15,000	2010
20,000	2011
20,000	2012
20,000	2013
20,000	2014
20,000	2015
20,000	2016
25,000	2017
25,000	2018
25,000	2019
25,000	2020
30,000	2021
30,000	2022
30,000	2023
35,000	2024

### 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 bookentry-only system administered by the Depository Trust Company, New York, New York (DTC).

#### **Delivery of the Bonds**

The city will prepare the bonds at its expense and will deliver the registered bonds to DTC on or about November 6, 2008.

#### **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 \$5,813,903. As of November 1, 2008, the city's total outstanding general obligation debt (including the bonds) is \$360,000, which excludes temporary notes outstanding in the amount of \$350,000 that will be retired out of the proceeds of the bonds herein offered for sale. The city's total indebtedness that is subject to debt limitation, as of November 1, 2008, is estimated to be \$338,067.58, which is 5.81 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 financial advisor, Pat Hinjos, Stifel Nicolaus & Company, Incorporated, 301 N. Main, Suite 800, Wichita, KS 67202, (316) 337-8498.

City of Lincoln Center, Kansas Rose M. Gourley, City Clerk City Hall, 153 W. Lincoln Lincoln Center, KS 67455 (785) 524-4280 Fax (785) 524-3408

# University of Kansas

#### **Notice to Bidders**

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

Barry K. Swanson Associate Comptroller/ Director of Purchasing Services

Doc. No. 036245

(Published in the Kansas Register October 2, 2008.)

Summary Notice of Bond Sale City of Fairway, Kansas \$1,600,000

General Obligation Bonds, Series 2008-B

(General obligation bonds payable from unlimited ad valorem taxes)

#### **Bids**

Subject to the notice of bond sale dated September 8, 2008, written and electronic bids will be received on behalf of the clerk of the city of Fairway, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 11 a.m. October 14, 2008, for the purchase of the above-referenced bonds. No bid of less than 99.25 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

#### **Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated October 15, 2008, and will become due on September 1 in the years as follows:

	Principal
Year	Amount
2009	\$115,000
2010	110,000
2011	115,000
2012	120,000
2013	125,000
2014	130,000
2015	130,000
2016	140,000
2017	145,000
2018	150,000
2019	155,000
2020	165,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2009.

#### **Book-Entry-Only System**

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

#### Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

### **Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$32,000 (2 percent of the principal amount of the bonds).

#### Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about October 30, 2008, to DTC for the account of the successful bidder.

#### Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2007 is \$82,587,199. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$9,720,000.

### Approval of Bonds

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

#### Additional Information

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

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

Kate Smith, City Clerk City of Fairway, Kansas 4210 Shawnee Mission Parkway, Suite 100 Fairway, KS 66205 (913) 262-0350 Fax (913)262-4607

#### Financial Advisor:

George K. Baum & Co. 4801 Main St. Kansas City, MO 64112 Attn: David Arteberry (816) 474-1100 Fax (816) 283-5326

Dated September 8, 2008.

City of Fairway, Kansas

# **Kansas State University**

#### **Notice to Bidders**

Sealed bids for the items listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 532-6214 or fax (785) 532-5577 for additional information:

#### Wednesday, October 15, 2008 #9045

Reactive Ion Etching System

Wednesday, November 12, 2008 #9043

Audio and Visual Technology Enhancement Project for Biosecurity Research Institute

> Carla K. Bishop Director of Purchasing

Doc. No. 036251

(Published in the Kansas Register October 2, 2008.)

Summary Notice of Bond Sale City of Osawatomie, Kansas \$2,435,000 General Obligation Bonds Series 2008B

(General obligation bonds payable from unlimited ad valorem taxes)

#### **Bids**

Subject to the official notice of bond sale and preliminary official statement dated September 11, 2008, sealed, facsimile and electronic bids will be received by the city clerk of the city of Osawatomie, Kansas (the issuer), on behalf of the governing body of the city in the case of sealed bids, at City Hall, 439 Main St., Osawatomie, KS 66064, via facsimile at (913) 755-4164, and in the case of electronic bids, through BIDCOMP/PARITY electronic bid submission system, until 11 a.m. Thursday, October 9, 2008, for the purchase of \$2,435,000 principal amount of General Obligation Bonds, Series 2008B. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

### **Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated October 15, 2008, and will become due on September 1 in the years as follows:

	Principal
Year	Amount
2009	\$ 60,000
2010	35,000

2028 205,000

The bonds will be subject to optional redemption prior to maturity as provided in the official notice of bond sale.

70,000

75,000

75,000

80,000

75,000

80,000

85,000

90,000

140,000

145,000

150,000

160,000

165,000 175,000

180,000

190,000

200,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2009.

#### Paying Agent and Bond Registrar

2011

2012

2013

2014

2015

2016 2017

2018

2019

2020

2021

2022

2023

2024

2025

2026

2027

The paying agent and bond registrar will be the Kansas State Treasurer, Topeka, Kansas.

### **Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$48,700 (2 percent of the principal amount of the bonds).

#### Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered to the facilities of the Depository Trust Company, New York, New York, without cost to the successful bidder within 45 days after the date of sale.

#### **Assessed Valuation and Indebtedness**

The total assessed valuation of taxable tangible property in the city for the year 2008 is \$28,038,074. The total general obligation indebtedness of the issuer, following the issuance of the bonds and the issuer's General Obligation Bonds, Series 2008A, in the aggregate principal amount of \$3,550,000, which the city reasonably expects to issue on or about October 28, 2008, is \$9,556,512 (which excludes temporary notes outstanding in the principal amount of \$5,550,000 that will be retired out of the proceeds of the bonds and the Series 2008A Bonds).

#### Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer and delivered to the successful bidder when the bonds are delivered.

#### **Additional Information**

Additional information regarding the bonds may be obtained from the city clerk, (913) 755-2146, or from the

city's financial advisor, George K. Baum & Company, 4801 Main St., Suite 500, Kansas City, MO 64112, (800) 821-7195.

Dated September 11, 2008.

City of Osawatomie, Kansas Ann Elmquist, City Clerk City Hall 439 Main St. Osawatomie, KS 66064 (913) 755-2146

Doc. No. 036258

(Published in the Kansas Register October 2, 2008.)

Summary Notice of Bond Sale Unified School District No. 498 Marshall County, Kansas (Valley Heights) \$2,135,000

General Obligation Bonds, Series 2008

(General obligation bonds payable from unlimited ad valorem taxes)

#### **Bids**

Subject to the notice of bond sale dated September 8, 2008, written and electronic bids will be received on behalf of the clerk of Unified School District No. 498, Marshall County, Kansas (Valley Heights) (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 11 a.m. October 14, 2008, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

#### **Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated October 15, 2008, and will become due on September 1 in the years as follows:

Year	Principal Amount
2010	\$ 35,000
2011	45,000
2012	55,000
2013	55,000
2014	65,000
2015	75,000
2016	80,000
2017	90,000
2018	100,000
2019	270,000
2020	285,000
2021	305,000
2022	325,000
2023	350,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2009.

#### **Book-Entry-Only System**

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

#### Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

#### **Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$42,700 (2 percent of the principal amount of the bonds).

#### **Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about October 29, 2008, to DTC for the account of the successful bidder.

#### Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2008 is \$18,326,593. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$3,480,000.

#### Approval of Bonds

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

#### **Additional Information**

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

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

Kerry Potter, Clerk Unified School District No. 498 121 E. Commercial St. P.O. Box 89 Waterville, KS 66548 (785) 363-2398 Fax (785) 363-2269 E-mail: kpotter@valleyheights.org

#### Financial Advisor:

Piper Jaffray & Co. One Hallbrook Place 11150 Overbrook, Suite 310 Leawood, KS 66211 Attn: Dustin Avey (913) 345-3375 Fax (913) 345-3393

E-mail: dustin.j.avey@pjc.com

Dated September 8, 2008.

Unified School District No. 498 Marshall County, Kansas (Valley Heights)

# Fort Hays State University

#### **Notice to Bidders**

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

Kathy Herrman Purchasing Director

Doc. No. 036249

#### State of Kansas

# Kansas Health Policy Authority Department on Aging

Notice of Proposed Nursing Facility Disaster Relief Provision, Methodology for Calculating Rates for Disaster Relief, and Rate Justifications; Notice of Intent to Amend the Medicaid State Plan and Request for Written Comments

Under the Medicaid program, 42 U.S.C. 1396 et seq., the state of Kansas pays nursing facilities, nursing facilities for mental health and hospital long-term care units (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Kansas Secretary of Aging administers the nursing facility program, which includes hospital long-term care units. The secretary acts on behalf of the Kansas Health Policy Authority (KHPA), the single state Medicaid agency. As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of Aging (KDOA) is publishing the proposed methodology underlying the establishment of the nursing facility rates and the justifications for the proposed rates for disaster relief. The KDOA also is providing notice of the state's intent to submit proposed amendments to the Medicaid State Plan to the U. S. Department of Health and Human Services' Centers for Medicare and Medicaid Services (CMS) on or before December 31, 2008.

# I. Methodology Used to Calculate Medicaid Per Diem Rate for Disaster Relief.

As provided for in L. 2008, ch. 184, sec. 40, to recognize the high cost of cleanup and renovations made necessary by the 2007 natural disaster that occurred in Southeast Kansas, per diem rates for providers forced to close and subsequently reopen as new providers within the affected area will be determined from a projected cost report.

### **Qualifying Providers**

Only providers located within a county designated by major disaster declaration FEMA-1711-DR, which also remained closed for a period of nine months or more as a result of such 2007 disaster caused by the flooding and

other severe weather in Southeast Kansas, and which subsequently reopened as new providers (unrelated to the previous operator or owner), will be eligible for this provision. These providers will be considered in disaster relief status.

#### Rate Determination

The per diem rate for each qualifying provider shall be determined on an interim basis from a projected cost report. Once the qualifying provider has completed its first 12 months of operation, the provider will be required to file an historical cost report covering the same period as the projected cost report. The historical cost report will be used to recalculate all rates set from the projected cost report and a direct cash settlement will be required to cover the cost of any overpayment or underpayment.

All cost data used to set rates for qualifying providers shall be adjusted to the midpoint of the rate payment period. This adjustment will be based on the Data Resources, Inc., National Skilled Nursing Facility Market Basket Without Capital Index (DRI Index). The DRI indices listed in the latest available quarterly publication will be used to adjust the reported cost data from the midpoint of the cost report period to the midpoint of the rate payment period. The provider shall remain in disaster relief status until they have completed one full calendar year in the Medicaid program and the base data is reestablished. During this time, the adjusted cost data from the projected and subsequent historical cost reports shall be used to determine all rates for the provider. Any additional factor for inflation that is applied to cost data for established providers shall be applied to the adjusted cost data for each provider in disaster relief status.

Once the provider exits disaster relief status, the per diem rates will be determined from its historical calendar year cost reports that fall within the base period.

# II. Proposed Medicaid Per Diem Rate for Kansas Nursing Facilities.

One provider meets the qualifying provider criteria established for the disaster relief provision. The estimated rate for Windsor Place of Independence is \$135.00.

#### III. Justifications for the Proposed Rates.

- 1. The proposed rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan and pending amendments thereto.
- 2. The proposed rates are calculated according to a methodology which satisfies the requirements of L. 2008, ch. 184 sec. 40, K.S.A 39-708c(x) and K.A.R. Article 30-10 implementing that statute, and applicable federal
- Estimated impact of the rate change due to the implementation of the per diem rate for disaster relief provision:
  - a. Estimated average rate October 3, 2008 \$136.36 Average payment rate July 1, 2008 \$136.30 Amount of change \$0.06 Percent of change 0.04%
- 4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase by approximately \$190,793.

5. The state estimates that the proposed rates will continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population in the geographic area. The state's analyses indicate:

Notices

- a. Service providers operating a total of 294 nursing facilities (representing 97% of all the licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 40 hospital-based long-term care units are also certified to participate in the Medicaid program;
- b. There is at least one Medicaid-certified nursing facility and/or nursing facility for mental health, or Medicaid-certified hospital-based long-term care unit in each of the 105 counties in Kansas;
- c. The statewide average occupancy rate for nursing facilities participating in Medicaid is 84.1%;
- d. The statewide average Medicaid occupancy rate for participating facilities is 55.8%; and
- e. The proposed rates would enhance the coverage that is already at 96.84% of the estimated Medicaid health care costs incurred by participating nursing facilities statewide.
- 6. Federal Medicaid regulations at 42 C.F.R. 447.272 impose an aggregate upper payment limit that states may pay for Medicaid nursing facility services. The state's analysis indicates that the proposed methodology would result in compliance with the federal regulation.

# IV. Request for Comments; Request for Copies.

The state requests providers, beneficiaries and their representatives, and other concerned Kansas residents to review and comment on the proposed disaster relief provision, the methodology used to calculate the proposed rates, the justifications for the proposed rates and the intent to amend the Medicaid State Plan. Persons and organizations wishing to submit comments must mail, deliver or fax their signed, written comments before the close of business November 7 to:

Dave Halferty NF/PACE Division Director New England Building 503 S. Kansas Ave. Topeka, KS 66603-3403 Fax (785) 296-0256

#### V. Notice of Intent to Publish Final Rate.

The state intends to publish the final methodology used to calculate the disaster relief rates, the final rates, and the justifications for the final rates in the Kansas Register after any timely submitted public comments have been reviewed.

#### Notice of Intent to Amend the Medicaid State Plan

The state intends to submit the proposed Medicaid State Plan amendment to CMS on or before December 31, 2008.

Kathy Greenlee Secretary of Aging Marcia J. Nielsen, Ph.D., MPH KHPA Executive Director State of Kansas

# Department of Health and Environment

#### **Notice of Hearing**

A public hearing will be conducted at 10 a.m. Wednesday, November 5, in the Azure Room, fourth floor, Curtis State Office Building, 1000 S.W. Jackson, Topeka, to discuss the Draft FY 2009 Priority System and Project Priority List and the Draft FY 2009 Intended Use Plan for the Kansas Water Pollution Control Revolving Loan Fund.

The Kansas Department of Health and Environment, Bureau of Water, has proposed these draft documents for the state fiscal year 2009. The draft documents are available on the KDHE Web site at http://www.kdheks.gov/muni/index.htm. Comments on the Priority List and the Intended Use Plan are welcome and requested. Any questions should be directed by e-mail to rgeisler@kdhe. state.ks.us or by regular mail to Rodney R. Geisler, P.E., Chief, Municipal Programs Section, KDHE, Bureau of Water, Suite 420, Curtis State Office Building, 1000 S.W. Jackson, Topeka, 66612-1367.

Roderick L. Bremby Secretary of Health and Environment

1485

Doc. No. 036255

(Published in the Kansas Register October 2, 2008.)

# City of Wichita, Kansas

#### Notice to Bidders

The city of Wichita will receive bids at the Purchasing Office, 455 N. Main, 12th Floor, Wichita, 67202, until 10 a.m. Friday, October 31, for the following project:

#### (KDOT Project No. 87TE-0231-01/472-84194/205387) (OCA Code 706921) Bike Path

Bike Path along I-135, Gypsum Creek and George Washington Blvd., from north of Pawnee to the Kansas Turnpike

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

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

The successful bidder may contact Kim Pelton at (316) 268-4499 for extra sets of plans and specifications.

Marty Strayer Administrative Aide City of Wichita—Engineering

Doc. No. 036247

# Department of Administration Division of Purchases

#### **Notice to Bidders**

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

10/14/2008	11662	Leased Space — Chanute
10/14/2008	11712	Fabric Covered Pipe Truss Shelter
10/14/2008		Windows and Doors
10/14/2008	11715	Furnish and Install Pre-Engineered
		Building
10/15/2008	11708	Procedure Review Fire Fighters Relief
		Program
10/17/2008	11711	Consulting Services, eDirectory
		ě ,

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

### http://www.da.ks.gov/purch/

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

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

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

10/16/2008 A-010866 Reroof Area Materials Lab — Kansas City — Dept. of Transportation, Topeka

Chris Howe Director of Purchases

Doc. No. 036263

### 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-08-324/327 Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Cottonwood Feeders	SE/4 of Section 11 &	Lower Arkansas
Gregory A. Bergkamp	NE/4 of SW/4 of	River Basin
7690 N.E. 50th St.	Section 11, T27S,	
Pretty Prairie, KS 67570	R10W, Kingman	
*	County	

Kansas Permit No. A-ARKM-C001 Federal Permit No. KS0099686

This is a new permit for a new facility for 7,500 head (7,500 animal units) of beef cattle weighing 700 pounds or more. The facility will consist of 92.3 acres of pens, 40.4 acres of extraneous area, collection channels, two sediment basins, one retention control structure and one commodities barn.

Name and Address of Applicant	Legal Description	Receiving Water
Lee Springer -	SW/4 of Section 23	Verdigris River
Elevator Facility	& SE/4 of Section	Basin
3321 CR 5800	22, T31S, R15E,	
Independence, KS 67301	Montgomery	
1	County	

Kansas Permit No. A-VEMG-H002 Federal Permit No. KS0087114
This permit is being reissued. The permit contains proposed modifications to the wastewater control system to relocate wastewater transfer pipes, construct a new compost building and new swine nursery building. The confined animal feeding operation is for 5,700 head (2,280 animal units) of swine weighing more than 55 pounds and 3,000 head (300 animal units) of swine weighing 55 pounds or less. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Ranger Feeders II, LLC Shelby G. Jones - Manager P.O. Box 880 Dighton, KS 67839	E/2 of Section 22 & W/2 of Section 23, T18S, R28W, Lane County	Upper Arkansas River Basin

Kansas Permit No. A-UALE-C002 Federal Permit No. KS0115096 This is a reissuance of a permit for an existing facility for 12,000 head (12,000 animal units) of cattle weighing greater than 700 pounds.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Proffitt Farms	SE/4 of Section 01,	Lower Arkansas
Jeff Proffitt	T22S, R09W, Reno	River Basin
10002 N. Sterling Road	County	
Sterling, KS 67579	-	

Kansas Permit No. A-ARRN-S018

This permit is being reissued for an existing facility with a maximum capacity for 3,430 head (343 animal units) of swine 55 pounds or less. There is no change in the permitted animal units from the previous permit.

#### Public Notice No. KS-Q-08-172/173

Name and Address of Applicant	Receiving Stream	Type of Discharge
Jayhawk Fine Chemicals Corporation 8545 S.E. Jayhawk Drive Galena, KS 66739	Spring River via Lake Oxbow via Storm Sewer	Process Wastewater

Kansas Permit No. I-NE28-PO07 Federal Permit No. KS0092568 Legal: NE¼, S4, T34S, R25E, Cherokee County

Facility Description: The proposed action is to reissue an existing permit for the discharge of process wastewater. This facility produces specialty carboxylic acids and anhydrides that are used as epoxy curing agents and as intermediates in the production of high-temperature

polymers. Fine chemical products and intermediates are manufactured for pharmaceutical and agricultural industries. Laboratory rinse, boiler blowdown, cooling tower blowdown, steam condensate, sandvik cooling water commingled with contaminated groundwater and stormwater runoff (001AG) are directed to a constructed wetland treatment system for treatment prior to discharge (Outfall 001A1) to the Lake Oxbow and intermittently to the Spring River (Outfall 002). The average combined discharge from this facility is about 0.072 million gallons per day. The proposed permit requires monitoring of nitrate + nitrite, ammonia, volatile organic chemicals and effluent flow. 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 Stream Type of Discharge
Country Club Acres, LLC Smoky Hill River Groundwater
P.O. Box 1460 via East Dry Creek Remediation
Salina. KS 67401

Kansas Permit No. I-SH33-PO11 Federal Permit No. KS0098809

Legal Description:

Outfall 001 SW<sup>1</sup>/<sub>4</sub>, S9, T14S, R2W, Saline County Outfall 002 SE<sup>1</sup>/<sub>4</sub>, S9, T14S, R2W, Saline County

Facility Name: Scoular Elevator -NE Groundwater Remediation Project Facility Location: 3339 E. Country Club Road, Salina, KS 67401

Facility Description: The proposed action is to reissue an existing permit for a discharge during a groundwater remediation project. Groundwater contaminated with grain fumigants is pumped out of four recovery wells, treated in one of two shallow tray air strippers and two 1,000-pound activated carbon filters operating in series, prior to discharge from either Outfall 001X or 002X. An anti-scalant chemical is fed to each air stripper. Average daily discharge from Outfall 001X is 36,000 gallons per day and from Outfall 002X is 43,200 gallons per day. The proposed permit contains limits for tetrachloromethane, ethylene dibromide and pH, as well as monitoring of volatile organic chemicals and effluent flow. 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.

#### Public Notice No. KS-PT-08-012/013

Name and Address of Applicant	Receiving Facility	Type of Discharge
Global Industries Inc.	Clay Center	Process
P.O. Box 2105	MWWTP	Wastewater

Grand Island, NE 68802

Kansas Permit No. P-LR05-IO02 Federal Tracking No. KSP000052
Facility Name: Hutchinson/Mayrath — Division of Global Industries Inc.

Facility Location: 514 W. Crawford, Clay Center, KS 67432

Facility Description: The proposed action is to reissue an existing pretreatment permit for this facility. This facility manufactures grain handling equipment including portable augers, elevators and conveyors. It cleans steel metal parts in a five-stage phosphating operation. Parts are then painted in a powder coat operation. Contents of the process tanks are batch discharged to the city sanitary sewer system on a intermittent basis. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

Name and Address of Applicant Receiving Facility Discharge
Landoll Corporation Marysville Process
1900 North St. MWWTP Wastewater
Marysville, KS 66508

Kansas Permit No. P-BB13-OO01 Federal Tracking No. KSP000014

Facility Name: Landoll Corp., Plant #1 (Shop 10 & 20) Facility Location: 20th St. Ext., Marysville, KS 66508

Facility Description: The proposed action is to reissue an existing pretreatment permit for this facility. This facility manufactures centerfold trucks, fork lift trucks, agricultural tillage implements and low-boy trailers. Outfall 001 consists of two conversion-coating (phosphating) operations used to prepare fabricated steel for paint and a water fall paint booth and plasma arc operation. The two phosphating operations include a three-stage washer and a hand-held spray operation for larger items. Outfall 002 consists of a five-stage washer followed by a powder coating operation. Outfall 003 consists of a chemical etching operation used to wash large equipment made of aluminum using an acid. The proposed permit includes limits do total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of effluent flow. The permit limits are pursuant to state and federal pretreatment requirements.

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 1 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-08-324/327, KS-Q-08-170/171, KS-PT-08-012/013) and name of the applicant/permittee when preparing comments.

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

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

Roderick L. Bremby Secretary of Health and Environment

# Department of Health and Environment

# Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment will conduct a public hearing at 10 a.m. Monday, December 8, in the Azure Conference Room on the fourth floor of the Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider the adoption of amended environmental use control regulation K.A.R. 28-73-1. The proposed amendment to the regulation will allow hazardous waste facilities in Kansas to be eligible to participate in the Environmental Use Controls Program.

The proposed change to **K.A.R. 28-73-1** will modify the definition of "eligible property" in K.A.R. 28-73-1(c). This modification will eliminate the sentence that prevents dozens of Kansas hazardous waste facilities from participating in the Environmental Use Controls Program.

The amendment to the regulation will have no adverse economic impact to the agency, other government agencies or the regulated community.

The time period between publication of this notice and the scheduled hearing serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed amended regulation. All interested parties may submit written comments prior to the hearing to Scott Nightingale, Kansas Department of Health and Environment, Bureau of Environmental Remediation, 1000 S.W. Jackson, Suite 410, Topeka, 66612-1367, or by email to snightin@kdhe. state.ks.us. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulation during the public hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Complete copies of the proposed regulation and corresponding regulatory impact statement may be obtained on the Bureau of Environmental Remediation Web site at www.kdheks.gov/ber or by contacting Marcia Morgan at (785) 296-1673 or mmorgan@kdhe.state.ks.us. Questions pertaining to the proposed regulation should be directed to Scott Nightingale at (785) 296-1666 or snightin@kdhe. state.ks.us.

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

Roderick L. Bremby Secretary of Health and Environment

Doc. No. 036261

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. Anadarko Gathering 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.

Anadarko Gathering Company, Houston, Texas, owns and operates Breech compressor station located at Section 23, T34S, R38W, Stevens County, Kansas.

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

Direct written comments or questions regarding the proposed permit to Michael J. Parhomek, KDHE, Bureau of Air and Radiation, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business November 3.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Christy Thurman, Bureau of Air and Radiation, not later than the close of business November 3 in order for the Secretary of Health and Environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Patricia Scott, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7312, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Roderick L. Bremby Secretary of Health and Environment

**Captions** THIRTY

**THRFIV** 

**FORTY** 

**NINFIV** 

Doc. No. 036250

#### State of Kansas

Your Speed Play Symbols

35

40

95

# **Kansas Lottery**

# Temporary Administrative Regulations

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

- **111-4-2663.** "Kansas Lottery 300" instant ticket lottery game number 756. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Kansas Lottery 300" commencing on or after March 1, 2008. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2663.
- (b) The "play symbols" and "play symbol captions" for this game are as follows:

45	FRTFIV
50	FIFTY
55	FTYFIV
60	SIXTY
65	SXTFIV
70	SEVNTY
75	SVNFIV
80	EIGHTY
85	EGTFIV
90	NINETY
95	NINFIV
100	HUNDRD
Speed to Beat Play Symbols	Captions
Speed to Deat I lay Symbols	- T 110110
25	TWNFIV
25	TWNFIV
25 30	TWNFIV THIRTY
25 30 35	TWNFIV THIRTY THRFIV
25 30 35 40	TWNFIV THIRTY THRFIV FORTY
25 30 35 40 45	TWNFIV THIRTY THRFIV FORTY FRTFIV
25 30 35 40 45 50	TWNFIV THIRTY THRFIV FORTY FRTFIV FIFTY
25 30 35 40 45 50 55	TWNFIV THIRTY THRFIV FORTY FRTFIV FIFTY FTYFIV
25 30 35 40 45 50 55 60	TWNFIV THIRTY THRFIV FORTY FRTFIV FIFTY FTYFIV SIXTY
25 30 35 40 45 50 55 60 65	TWNFIV THIRTY THRFIV FORTY FRTFIV FIFTY FTYFIV SIXTY SXTFIV
25 30 35 40 45 50 55 60 65 70	TWNFIV THIRTY THRFIV FORTY FRTFIV FIFTY FTYFIV SIXTY SXTFIV SEVNTY
25 30 35 40 45 50 55 60 65 70 75	TWNFIV THIRTY THRFIV FORTY FRTFIV FIFTY FIYFIV SIXTY SXTFIV SEVNTY SVNFIV

Play Symbols	Captions
Symbol of a pair of gloves	GLOVES
Symbol of a gas can	GASCAN
Symbol of a helmet	HELMET
Symbol of a race car	CAR
Symbol of a trophy	TROPHY
Symbol of a gear stick	GEARS
Symbol of a tire	TIRE
Symbol of a checkered flag	FLAG
MAYBE NEXT TIME	
GOOD LUCK	

Prize Symbols	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
\$500\$	FIV-HUN
\$1000	ONETHOU
\$5000	FIV-THOU
\$25000	25-THOU

<b>Bonus Prize Symbols</b>	Captions
\$5.00	FIVE\$
$10^{.00}$	TEN\$
15.00	FIFTEEN
20.00	TWENTY
25.00	TWEN-FIV
50.00	FIFTY
75 <sup>.00</sup>	SVTYFIV
\$100\$	ONE-HUN
\$500\$	FIV-HUN

- (c) For this game, a play symbol shall appear in each of 31 play spots within the play area or areas.
- (d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.
- (e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

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

- (f) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.
- (g) "Kansas Lottery 300" features three separate play areas. Game 1 is a "Speed to Beat" game. A player will remove the scratch-off material over the game play area to reveal seven "RACES." Each "RACE" includes one

(continued)

"YOUR SPEED" value, one "SPEED TO BEAT" value, and one prize amount. If the "YOUR SPEED" is greater than the "SPEED TO BEAT" in the same "RACE," the player wins the prize for that "RACE." A player can win up to seven times in this play area.

Game 2 is a key symbol match game. A player will remove the scratch-off material to reveal one "LUCKY SYMBOL," four "YOUR SYMBOLS," and four prize amounts. If the player matches any of the "YOUR SYMBOLS" to the "LUCKY SYMBOL," the player wins the prize shown below that symbol. A player can win up to four times in this play area.

The bonus 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 12 times.
- (i) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.
- (j) The expected number and value of instant prizes in this game shall be as follows:

		<b>Expected Number of</b>	Expected
Get	Prize	Prizes in Game	Value in Game
\$5	\$5	45,000	\$225,000
\$10	\$10	8,000	80,000
(\$5 x 2)	\$10	9,000	90,000
\$15	\$15	1,000	15,000
(\$5 x 3)	\$15	1,500	22,500
\$10 + \$5	\$15	2,000	30,000
\$25	\$25	700	17,500
\$10 + \$15	\$25	800	20,000
(\$5 x 5)	\$25	900	22,500
\$50	\$50	300	15,000
(\$25 x 2)	\$50	400	20,000
(\$2 x 10) + \$10 + \$20	\$50	500	25,000
\$75	\$75	200	15,0000
\$50 + \$25	\$75	300	22,500
(\$5 x 11) + \$20	\$75	400	30,000
\$100	\$100	150	15,000
(\$25 x 4)	\$100	180	18,000
$(\$5 \times 6) + (\$10 \times 5) + \$20$	\$100	200	20,000
\$500	\$500	40	20,000
$(\$25 \times 6) + (\$50 \times 2) + (\$75 \times 2)$	\$500	50	25,000
\$1,000	\$1,000	2	2,000
(\$500 x 2)	\$1,000	3	3,000
\$5,000 (Game 1)	\$5,000	2	10,000
\$5,000 (Game 2)	\$5,000	1	5,000
\$25,000 (Game 1)	\$25,000	2	50,000
\$25,000 (Game 2)	\$25,000	1	25,000
Sub-total		71,631	\$843,000
Second-chance drawing prize p	ackages	40	132,633
TOTAL		71,671	\$975,633

(k) The odds of winning a prize in this game are approximately one in 4.19. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-9-23-08, Feb. 13, 2008.)

#### Article 5.—MULTI-STATE ON-LINE GAMES

**111-5-81.** Game description; retail sale of tickets. (a) The "2by2" game is a two out of 26 "red" numbers plus two out of 26 "white" numbers online lottery game which pays each grand prize in a cash lump sum payment of \$22,000, except that said grand prize may be doubled and may become pari-mutuel as set forth in these rules. Except as provided in these rules, all other prizes are paid on a set cash basis. To play "2by2," a player shall select

two different "red" numbers between one through 26, and two additional "white" numbers between one through 26 for input into a terminal. Each set of numbers is from one through 26. One or both numbers chosen from one set may be the same as the other set.

- (b) A "2by2" game ticket shall sell for one dollar.
- (c) Tickets shall not be sold to any person under the age of 18 years. Each retailer may require a person purchasing tickets to produce proof of age.
- (d) Each ticket shall be purchased from a terminal operated by a retailer. The player may select four numbers by:
  - (1) communicating the four numbers to the retailer;
- (2) marking four numbered squares on any one game board on a play slip and submitting the play slip to the retailer; or
- (3) requesting a "quick pick" from the retailer. The retailer shall then issue a ticket from the terminal containing the selected sets of numbers, each of which constitutes a game play.
- (e) A validated ticket shall be the only proof of a game play or plays. The only method of claiming a prize or prizes shall be the submission of the winning ticket to and receipt of the ticket by the lottery or its authorized agent. A play slip shall have no pecuniary or prize value and shall not be used as evidence of a ticket purchase or of numbers selected.
- (f) A ticket shall not be voided or cancelled by returning the ticket to the selling retailer, including tickets that are printed in error.
- (g) Ticket sales will end at approximately 8:59 p.m. central time daily and will resume at approximately 9:05 p.m.
- (h) Drawings will be conducted daily at approximately 9:30 p.m. central time (CT), after the game is closed at approximately 8:59 p.m. central time (CT) and the external auditor has verified that the game is closed, under conditions and procedures promulgated by the executive director of the lottery.
- (i) A multi-draw ticket with one or more plays for only seven consecutive draws or only multiples of seven consecutive draws shall qualify for double prizes won on the included Tuesday draw, as limited by K.A.R. 111-5-83. Plays purchased for any number of draws other than in multiples of seven draws shall not qualify for double prizes won on any Tuesday.
- (j) Each player shall be responsible for verifying the accuracy of the game play or plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the online retailer who is deemed to be acting on behalf of the player in entering the play or plays.
- (k) These amendments shall take effect on or after February 22, 2008. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and 74-8718; effective, T-111-7-15-02, May 15, 2002; amended, T-111-9-18-03, Sept. 10, 2003; amended, T-111-9-23-08, Feb. 13, 2008.)
- **111-5-83.** Expected prize payout. (a) Each grand prize shall be paid on a lump-sum basis of \$22,000, except that if a total of more than 10 plays sold by the party lotteries are entitled to a grand prize, all grand prize winners shall be paid the total prize money to be paid on 10

eligible tickets (taking into account eligible double prizes) and divided equally per prize type (standard prize and double Tuesday prize winners each receiving their proportionate share) on a pari-mutuel basis on the number of winning game play areas. Except as provided in these rules, all other prizes awarded shall be paid as set cash prizes with the following expected prize payout percentages (these percentages assume the prize reserve account or accounts established by K.A.R. 111-5-82(b) have been fully funded):

Number of Matches Per Play	Prize Payment	Prize Pool Percentage Allocated to Prize
Two (2) of first set plus two (2) of	\$22,000 Grand Prize	41.5584%
second set	. ,	
Two (2) of first set plus any one (1)	\$100	8,9292%
of second set		
Any one (1) of first set plus two (2)	\$100	8.9292%
of second set		
Two (2) of first set plus none of	\$3	1.5403%
second set		
None of first set plus two (2) of second set	\$3	1.5403%
Any one (1) of first set plus any	\$3	12.8580%
one (1) of second set		
Any one (1) of first set plus none	Free Ticket	12.3222%
of second set		
None of first set plus any one (1)	Free Ticket	12.3222%
of second set		
None of first set plus none of	\$0	0.0000%
second set		

- (b) The prize pool percentage allocated to the prizes shall be carried forward to subsequent draws if all or a portion of it is not needed to pay the prizes awarded in the current draw. If the total of the prizes awarded to party lotteries in a drawing exceeds the percentage of the prize pool allocated to the prizes, then the amount needed to fund the prizes awarded shall be obtained from the following sources, in the following order: (1) the amount allocated to the prizes and carried forward from previous draws, if any; (2) an amount from the prize reserve account, if available, not to exceed the balance of the account; (3) an amount from the lottery's unreserved account held by MUSL based upon the percent of sales by lottery for that drawing as compared to the sales of all other party lotteries; or, (4) from the lottery's general funds based on the percent of sales by lottery for that drawing as compared to the sales of all other party lot-
- (c) These amendments shall take effect on or after February 22, 2008. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-7-15-02, May 15, 2002; amended, T-111-8-20-02, Aug. 14, 2002; amended, T-111-9-23-08, Feb. 13, 2008.)
- **111-5-84. Probability of winning.** (a) The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category based upon the total number of possible combinations in "2by2":

Number of Matches Per Ticket*	Distribution Probability		Set Prize Amount
Two (2) of first set plus two (2) of second set	1:105,625	1:105,625	\$22,000

Two (2) of first set plus any one (1) of second set	1:2,200.5	1:1,100	\$100
Any one (1) of first set plus two (2) of second set	1:2,200.5	(3 matches)	\$100
Two (2) of first set plus none of second set	1:382.7	1:37	\$3
None of first set plus two (2) of second set	1:382.7	(2 matches)	\$3
Any one (1) of first set plus any one (1) of second set	1:45.8		\$3
Any one (1) of first set plus none of second set	1:8.0	1:4	Free Ticket
None of first set plus any one (1) of second set	1:8.0	(1 match)	Free Ticket
Overall odds	1:3.59		

<sup>\*</sup>The first set of numbers is the "red" set of numbers; the second set of numbers is the "white" set of numbers.

- (b) These amendments shall take effect on or after February 22, 2008. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-7-15-02, May 15, 2002; amended T-111-9-23-08, Feb. 13, 2008.)
- **111-5-90. Multi-Draw.** (a) In addition to a single play for each \$1.00, a player may also have his or her selections entered in multiple drawings. Multi-draw tickets must be purchased for consecutive drawings beginning with the next drawing. This is done by marking one of the multi-draw boxes designated by 2, 3, 4, 5, 6, 7, 14, 21, or 28 on the play slip. The additional draw period(s) for which the ticket is valid will then appear on the computer generated ticket given to the player by the retailer.
- (b) A player must pay an additional \$1.00 per play for each additional drawing in which he or she wishes to play.
- (c) Unless one of the multi-draw boxes is marked and the additional amount paid, the play will only be eligible for the current drawing up to 8:59 p.m. the day of the drawing.
- (d) A player may purchase only the same numbers on the same boards for multiple drawings.
- (e) These amendments shall take effect on or after February 22, 2008. (Authorized by and implementing K.S.A. 2001 Supp. 74-8710; effective, T-111-7-15-02, May 15, 2002; amended, T-111-9-23-08, Feb. 13, 2008.)
- **111-5-165.** Name of drawing. The Kansas lottery shall conduct a drawing entitled "Sizzlin' Sierra Giveaway," and will accept entries starting January 13, 2008, for the drawing to be conducted at approximately 4:00 p.m. on May 9, 2008. Rules applicable to this drawing are contained in 111-5-165 through 111-5-169 and 111-6-1 *et seq.* (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, Feb. 13, 2008.)
- **111-5-166. Prize.** (a) One prize winner selected in the "Sizzlin' Sierra Giveaway" on the date specified in 111-5-165 shall receive a 2008 GMC Sierra crew cab E85 truck chosen by the Kansas lottery, all applicable sales and property taxes, registration fees, license tag fees, cash, and mandatory state and federal income withholding taxes.
- (b) All prizes are subject to lottery validation, set-offs and deductions authorized by law.
- (c) The winner of a prize as the result of the said drawing shall return to the lottery a completed claim form as provided by the lottery within 30 days of the date his or her entry was drawn or the person named on the entry drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn pursuant to subsection (e) of 111-5-168 shall be declared the winner.

(continued,

(Authorized by and implementing K.S.A. 74-8710; effective, 111-9-23-08, Feb. 13, 2008.)

- **111-5-167. Method of entry.** (a) Entry into the "Sizzlin' Sierra Giveaway" shall be accomplished as follows:
- (1) Beginning at 5:00 a.m. on January 13, 2008, and ending at the close of business as defined in subsection (p) of 111-6-1, on May 3, 2008, for every single \$2.00 or more Kansas Hot Lotto with Sizzler ticket purchase, the purchaser shall receive free of charge an entry blank for the drawing, which entry blank shall be automatically dispensed from the terminal upon qualifying purchase. In addition, from the time the Kansas lottery begins selling Hot Lotto tickets using lottery terminal(s) at the 3i Show in Great Bend, Kansas, on May 7, 2008, through and including 4:00 p.m. on May 9, 2008, for every single \$2.00 or more Kansas Hot Lotto with Sizzler ticket purchased from said terminal(s), the purchaser shall receive free of charge an entry blank for the drawing, which entry blank shall be automatically dispensed from the terminal(s) upon the qualifying purchase.
- (2) The executive director may suspend or terminate this promotion at any time or modify the qualifying purchase necessary to receive an entry, whether during periods of high sales of Hot Lotto with Sizzler tickets, thereby rendering the generation of entries impractical, or otherwise.
- (3) The holder of an entry blank must fill in the entry blank in a legible manner. Only one name shall appear on an entry blank.
- (4) Place one or more completed entry blank(s) for said drawing into an envelope with proper postage and mail it to: "Sizzlin Sierra Giveaway, P. O. Box 1494, Great Bend, Kansas 67530-1494," or deposit completed entry blank(s) into the lottery receptacle designated for such purpose at the 3i Show from May 7, 2008, until 4:00 p.m. on May 9, 2008. Mailed entries must be received by morning mail pickup on Tuesday, May 6, 2008. A receptacle or drum may also be available for deposit of entries at locations specifically designated by the lottery. All entries so deposited shall be transported to the lottery office in Great Bend, Kansas, and secured until the time of the drawing.
- (5) The holder of the entry is not required to personally attend said drawing or be present at the time of the drawing to be determined a winner.
- (6) The drawing will be conducted at the approximate time listed in 111-5-165.
- (b) There is no limit on the number of entries a person may make, but a person may only win one time.
- (c) All eligible entries which are mailed and received by the morning mail pickup in Great Bend, Kansas, on Tuesday, May 6, 2008, those deposited at the 3i Show, and those deposited at locations specifically designated by the lottery pursuant to subsection (a) herein, shall be entered into said drawing.
- (d) Eligible entrants in the drawing must be 18 years of age or older.
- (e) Completing the information form on the entry blank and entering it into the drawing constitutes authorization to publicly identify the person whose entry is drawn.
- (f) The executive director of the Kansas lottery may, in his sole discretion, cancel this promotion at any time.

(Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, Feb. 13, 2008.)

- **111-5-168.** Selection of winners. The following process shall be used for the selection of winners in the "Sizzlin' Sierra Giveaway":
- (a) Kansas lottery personnel shall pick up all mail containing entries mailed to P. O. Box 1494 for the drawing at the United States Post Office in Great Bend, Kansas, with final pick up on Tuesday, May 6, 2008.
- (b) Lottery personnel shall transport the mail to the Great Bend regional office where the envelopes will be opened and the entries contained therein stored in a secure location until immediately prior to the drawing, at which time all entries will be placed into the drawing receptacle or drum, along with all entries deposited at the 3i Show pursuant to the rules herein, and all entries retained from any other locations as specifically designated by the lottery.
- (c) The drawing shall be held at the 3i Show in Great Bend, Kansas, in a place accessible to the public and open for public attendance with lottery security personnel present. The drawing shall be audio and video taped.
- (d) At the start of the drawing, lottery security personnel shall present the receptacle or drum to the person designated by the executive director to perform the drawing. The receptacle or drum for the said drawing shall contain all eligible entries. The entries shall be thoroughly mixed prior to the entries actually being drawn. The designated individual shall then unseal the receptacle or drum, and using the bare-arm technique, while looking away, remove one entry from the receptacle or drum and mark it in such a way as to identify it as the winning entry. The person whose name appears on the entry shall be the winner of the prize identified in 111-5-166, subject to validation by the lottery as set forth in these rules.
- (e) After one entry has been drawn and verified as valid by lottery security, two more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A and 2A. The alternate entries will be used only if the original winner cannot be located or is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the thirtieth day following the drawing. The alternates will be used, if necessary, in the order drawn.
- (f) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the said drawing in accordance with these regulations. If it is a valid entry and the information is legible, the event manager and the security person present shall record the name of the winner and each alternate. Each winner shall be given or sent a prize claim form to be completed and received by the lottery within 30 days of the drawing.
- (g) If any entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until valid selections are obtained.
- (h) Entries remaining in the drum or receptacle after the drawing has been completed and all entries not received in compliance with these rules shall be destroyed

pursuant to 111-3-34. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, Feb. 13, 2008.)

- **111-5-169.** Certification of drawing. (a) The "Sizzlin' Sierra Giveaway" 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 ("event manager").
- (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 each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, Feb. 13, 2008.)

#### **Article 7.—ON-LINE GAMES**

#### KANSAS LOTTERY RACE WEEKEND DRAWING

- **111-7-223.** Name of drawing. The Kansas lottery shall conduct a drawing entitled "Kansas Lottery Race Weekend Drawing" and will accept entries starting November 11, 2007, for the drawing to be conducted on Friday, March 21, 2008. Rules applicable to the "Kansas Lottery Race Weekend Drawing" are contained in K.A.R. 111-7-223 through 111-7-227 and K.A.R. 111-6-1 *et seq.* (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, Feb. 13, 2008.)
- **111-7-224.** Prize. The 45 prize winners selected in the "Kansas Lottery Race Weekend Drawing" on the date specified in K.A.R. 111-7-223 shall receive two tickets for each day of the 2008 races conducted at the Kansas Speedway in Kansas City, Kansas, on April 26 and 27, 2008, one double occupancy hotel room and room taxes at Great Wolf Lodge in Kansas City, Kansas, for the evenings of April 25, 2008, and April 26, 2008, round-trip transportation between the Kansas Speedway and the hotel, food and other amenities at the Kansas lottery hospitality chalet during said races at the Kansas Speedway, \$300 cash, mandatory income withholding taxes, and automatic entry into the "Kansas Speedway \$150 Grand Second Chance Drawing" conducted by the Kansas lottery on April 26, 2008, pursuant to the rules of the said drawing. The following restrictions shall apply to the "Kansas Lottery Race Weekend Drawing" prize packages:
- (a) The Kansas lottery is not responsible for any losses caused by delay or cancellation of any of said automobile races
- (b) Prize packages, except cash, are transferable one time, but cannot be redeemed for cash.
  - (c) The lottery shall choose and reserve all hotel rooms.
- (d) The lottery shall provide transportation to and from the Kansas Speedway on a scheduled basis. All other transportation is the responsibility of the prize winners.
- (e) Prize winners will receive notification of their prize, but the actual prize will be delivered at a time and place to be announced by the lottery.
- (f) Any meals, drinks, gratuities, taxes, and other expenses that are not specifically mentioned are not included.

- (g) The hotel may require winners to produce a major credit card at the time of check-in. Winners are responsible for all hotel charges incurred in excess of the room charge, and parking.
- (h) All prizes are subject to lottery validation, set-offs and deductions authorized by law.
- (i) No later than 5:00 p.m. on the fourteenth calendar day following the drawing, the winner of a prize as the result of the "Kansas Lottery Race Weekend Drawing" shall return to the lottery a completed claim form as provided by the lottery or the person named on the entry drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn pursuant to subsection (e) of K.A.R. 111-7-226 shall be declared the winner. All alternate winners shall then be subject to the same rules of eligibility as original winners.
- (j) A total of 45 prize packages shall be awarded. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, Feb. 13, 2008.)
- **111-7-225. Method of entry.** (a) Entry into the "Kansas Lottery Race Weekend Drawing" shall be accomplished as follows:
- (1) Beginning at 5:00 a.m. on November 11, 2007, and ending at the close of business as defined in subsection (p) of K.A.R. 111-6-1, on March 15, 2008, for every single Super Kansas Cash ticket purchase of \$3.00 or more, the purchaser shall receive free of charge an entry blank for the drawing, which entry blank shall be automatically dispensed from the terminal upon the qualifying purchase.
- (2) The executive director may suspend or terminate this promotion at any time or modify the qualifying purchase necessary to receive an entry during periods of high sales of Super Kansas Cash tickets, which renders the generation of entries impractical.
- (3) The holder of the entry form must complete the information requested thereon in a legible manner. Only one name shall appear on an entry form entered.
- (4) Place one or more entry form(s) into an envelope with proper postage and mail it to: "Kansas Lottery Race Weekend Drawing," c/o Kansas lottery, P. O. Box 4568, Topeka, KS 66604-0568. Mailed entries must be received by morning mail pickup on Tuesday, March 18, 2008.
- (5) Players may also deposit entries for this drawing at any Kansas lottery event at which the lottery has specifically designated a receptacle for deposit of said entries.
- (6) The holder of the entry is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner.
- (7) Forty-five entries and 10 alternate entries will be drawn.
- (8) Entry forms obtained during the stated period of time may be entered in the drawing.K.A.R. 111-7-225 Page 2
- (b) There is no limit on the number of entries a person may make, but a person may only win one prize package.
- (c) All eligible entry forms which are mailed and received by the morning mail pickup in Topeka, Kansas, on Tuesday, March 18, 2008, along with entries forms deposited by 5:00 p.m. on Tuesday, March 18, 2008, per sub-

- section (a) (5) hereinabove, shall be entered into the drawing to be conducted on Friday, March 21, 2008.
- (d) Eligible entrants in this drawing must be 18 years of age or older.
- (e) Completing the information form on the entry form and entering the ticket into any drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, Feb. 13, 2008.)
- **111-7-226.** Selection of winners. The following process shall be used for the selection of winners in the "Kansas Lottery Race Weekend Drawing":
- (a) Kansas lottery personnel shall pick up all mail containing "Kansas Lottery Race Weekend Drawing" entries at the United States Post Office in Topeka, Kansas, with final pick up for the drawing after the morning mail delivery on Tuesday, March 18, 2008.
- (b) Lottery personnel shall transport the mail to the Kansas lottery mail room where the envelopes will be opened and emptied into the drawing receptacle or drum, along with entries deposited at events specifically designated by the lottery, if any.
- (c) The drawing shall be held at the lottery headquarters in a place accessible to the public and open for public attendance with lottery security personnel present. The drawing shall be audio and video taped.
- (d) At the start of the drawing, lottery security personnel shall present the receptacle or drum to the person(s) designated by the executive director to perform the drawing. The receptacle or drum for the drawing shall contain all entries eligible for the drawing. The drum shall be rotated 10 times or receptacle mixed thoroughly as may be applicable. The designated individual shall then unseal the receptacle or drum, and using the bare-arm technique, while looking away, remove 45 valid entries, one at a time, from the receptacle or drum and mark them in order drawn from one through and including 45. The person whose name appears on each of the entries shall be the winner of the prize identified in K.A.R. 111-7-224, subject to validation by the lottery as set forth in these rules.
- (e) After 45 entries have been drawn and verified as valid by lottery security, 10 more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, 5A, 6A, 7A, 8A, 9A, and 10A. The alternate ticket entries will be used only if one or more of the original winners cannot be located or are declared ineligible, or fail to present a fully-executed claim form to lottery headquarters as required by K.A.R. 111-7-224(i). The alternates will be used, if necessary, in the order drawn.
- (f) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the "Kansas Lottery Race Weekend 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. Each winner shall be given or sent a prize claim form to be completed and returned to the lottery within 14 calendar days of the drawing.
- (g) If the entry is determined to be ineligible, it shall be discarded by the security person present and another en-

- try drawn. This procedure will be repeated until valid selections are obtained.
- (h) All entries remaining in the drum or receptacle after the winners have been selected and certified 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, 111-9-23-08, Feb. 13, 2008.)
- **111-7-227.** Certification of drawing. (a) The "Kansas Lottery Race Weekend 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 (hereinafter "event manager").
- (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 each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting each prize winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, Feb. 13, 2008.)

# KANSAS SPEEDWAY \$150 GRAND SECOND CHANCE DRAWING

- **111-7-228.** Name, time, and place of drawing. (a) The Kansas lottery shall conduct a drawing entitled "Kansas Speedway \$150 Grand Second Chance Drawing."
- (b) The drawing shall take place at the Kansas Speedway in Kansas City, Kansas, on April 26, 2008.
- (c) Rules applicable to this drawing are contained in K.A.R. 111-3-1 *et seq.* and 111-7-228 through 111-7-232. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, Feb. 13, 2008.)
- **111-7-229. Definitions.** (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*,) and amendments thereto and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.
- (b) "Kansas Speedway \$150 Grand Second Chance Drawing" means the act of drawing for prizes conducted by the Kansas lottery at the Great Wolf Lodge in Kansas City, Kansas, in which participants are selected to win prizes as described in K.A.R. 111-7-216.
- (c) "Entry" means the forty-five (45) valid entries previously selected during the drawing entitled "Kansas Lottery Race Weekend Drawing" as set forth in K.A.R. 111-7- 223 through 111-7-227, and amendments thereto, or the name of each entrant named thereon.
- (d) "Receptacle" or "drum" means a container in which entry tickets are placed and from which the "Kansas Speedway \$150 Grand Second Chance Drawing" is made. 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 non-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-111-9-23-08, Feb. 13, 2008.)

**111-7-230.** Entry into drawing. (a) Entry into the "Kansas Speedway \$150 Grand Second Chance Drawing" ("drawing") is accomplished automatically by the forty-five (45) winners selected in the "Kansas Lottery Race Weekend Drawing," as set forth in K.A.R. 111-7-223 through 111-7-227, and amendments thereto, or if applicable the person to whom an entry has been transferred pursuant to said drawing rules.

(b) At a time and place designated by the lottery, all entries or the names of all persons named on said entries shall be placed into the drawing receptacle.

(c) Entrants are required to be present at the time of the drawing to be determined a winner.

(d) All eligible entrants must be at least 18 years of age.

- (e) Employees, agents, successors, and assignees of Kansas Speedway, its advertising agencies, and promotional companies involved in this drawing and contest, as well as immediate family and household members of the same, shall be ineligible to participate in the drawing or contest and shall be ineligible for any prize awarded therein. Names and likenesses of the drawing and contest winner(s) may be used by Kansas Speedway and Kansas Speedway's designee(s) for promotional purposes without further compensation to Kansas Speedway or the drawing and contest winner(s). (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, Feb. 13, 2008.)
- **111-7-231.** Determination of "Kansas Speedway \$150 Grand Second Chance Drawing" winners and prizes. (a) At least five minutes before the drawing, a lottery drawing official designated by the executive director shall announce to the audience that the winner selection process will begin.
- (b) The drawing receptacle or drum containing the names or entries (hereinafter "entries") shall be rotated a minimum of 10 times to ensure random selection.
- (c) The drawing official shall designate one individual of his or her choice to participate in the selection process.
- (d) The selection of two winners shall be accomplished by the individual designated by the drawing official, using a bare arm technique, removing two entries from the drawing receptacle or drum, one at a time. Each entry drawn shall be marked in the order drawn, 1 and 2.
- (e) Immediately after the winning entries have been selected, a lottery official or person designated by the lottery official shall announce to the audience the names on the two entries drawn, and the time and location at the racetrack the persons are to appear on the day of the race to make their predictions of the outcome of the race. If any winner fails to appear at the designated location by the announced time, that person shall no longer be eligible to participate in the contest. The lottery official shall satisfy himself or herself that the persons who present themselves are the persons named on each entry.
- (f) The lottery official shall determine and give each contestant an equal amount of time to predict in correct order the official first, second, and third place finishers of that day's ARCA RE/MAX race or as said race may be

postponed or continued from time to time. The contestants may not select the same racers in the same finishing order. In the event both contestants have selected the same racers in the same finishing order, the first of the two contestants whose name was selected shall have the opportunity to retain his or her predictions, or change one or more of the predictions. If that contestant chooses to retain the first selections made, the other contestant must change one or more of his or her predictions. Each person's predictions shall be reduced to writing and signed by the persons making the predictions and delivered to the lottery official. All predictions must be made, reduced to writing, delivered to the lottery official, and signed no less than 20 minutes before the official start of the race.

(g) The official final results of the race shall be compared to the predictions made by each contestant. In the event a contestant correctly predicted the exact correct official finishing order of the first, second, and third place finishers in the race, that contestant shall receive a prize from the lottery of one hundred fifty thousand dollars (\$150,000), subject to withholding and offsets as provided

by law.

(h) Each of the two contestants competing in the contest shall also receive a race weekend prize package for two consisting of reserved admission to races conducted at the Kansas Speedway on September 27 and 28, 2008, double-occupancy hotel accommodations on September 26 and 27, 2008, food and beverages in the lottery's hospitality chalet located at the racetrack, and \$1,500 cash, together with payment by the lottery of all mandatory income withholding taxes on the prize, except that a contestant winning the \$150,000 prize shall not receive an additional \$1,500 cash or payment of mandatory income withholding taxes on the \$150,000 prize.

(i) Each winner of a prize as a result of the drawing shall return to lottery headquarters a completed claim form as provided by the lottery, which claim form must be actually received by lottery no later than 5:00 p.m. on the fourteenth day following the drawing or the person

will no longer be eligible for the prize.

(j) In the event there are fewer than 20 drivers actually participating in the ARCA RE/MAX race on April 26, 2008, or as postponed, this contest shall not be conducted and shall be declared null and void. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-23-08, Feb. 13, 2008.)

- **111-7-232.** Certification of drawing. (a) The "Kansas Speedway \$150 Grand Second Chance 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 ("event manager").
- (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 each 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-111-9-23-08, Feb. 13, 2008.)

Ed Van Petten Executive Director

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5-40-1	Amended	V. 26, p. 642
5-40-2	Amended	
		V. 26, p. 644
5-40-2a	New	V. 26, p. 646
5-40-2b	New	V. 26, p. 647
5-40-3	Amended	V. 26, p. 647
5-40-4	Amended	V. 26, p. 647
5-40-5	Amended	V. 26, p. 648
5-40-5a	New	
		V. 26, p. 648
5-40-8	Amended	V. 26, p. 648
5-40-9	Revoked	V. 26, p. 648
5-40-10	Revoked	V. 26, p. 648
5-40-11	Revoked	V. 26, p. 648
5-40-12	Amended	V. 26, p. 648
5-40-13	Revoked	V. 26, p. 649
	New	
5-40-20		V. 26, p. 649
5-40-21	New	V. 26, p. 649
5-40-22	New	V. 26, p. 649
5-40-23	New	V. 26, p. 650
5-40-24	Amended	V. 27, p. 1438
5-40-26	New	V. 26, p. 651
5-40-30	New	
		V. 26, p. 651
5-40-31	New	V. 26, p. 652
5-40-32	New	V. 26, p. 653
5-40-33	New	V. 26, p. 653
5-40-40	New	V. 26, p. 653
5-40-41	New	V. 26, p. 654
5-40-42	New	V. 26, p. 654
5-40-43		
	New	V. 26, p. 655
5-40-44	New	V. 26, p. 655
5-40-45	New	V. 26, p. 655
5-40-46	New	V. 26, p. 655
5-40-50	New	V. 26, p. 656
5-40-51	New	V. 26, p. 656
5-40-52	New	
		V. 26, p. 657
5-40-53	New	V. 26, p. 657
5-40-54	New	V. 26, p. 657
5-40-55	New	V. 26, p. 658
5-40-56	New	V. 26, p. 658
5-40-57	New	V. 26, p. 658
5-40-70	New	V. 26, p. 659
5-40-71	New	
		V. 26, p. 659
5-40-72	New	V. 26, p. 659
5-40-73	New	V. 26, p. 659
5-40-73a	New	V. 26, p. 660
5-40-74	New	V. 26, p. 661
5-40-75	New	V. 26, p. 661
5-40-76	New	V. 26, p. 662
5-40-77	New	
		V. 26, p. 662
5-40-90	New	V. 26, p. 662
5-40-91	New	V. 26, p. 663
5-40-92	New	V. 26, p. 663
5-40-93	New	V. 26, p. 663
5-40-94	New	V. 26, p. 663
5-40-100	New	V. 26, p. 663
5-40-100	New	
		V. 26, p. 663
5-40-102	New	V. 26, p. 664
5-40-103	New	V. 26, p. 664
5-40-104	New	V. 26, p. 664
5-40-105	New	V. 26, p. 664
5-40-106	New	V. 26, p. 664
5-42-1	Amended	V. 26, p. 664
5-42-5	New	
		V. 26, p. 665
5-44-7	New	V. 26, p. 666
5-45-1	Amended	V. 27, p. 1439

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5-45-23	New	V. 27, p. 1441, 1442	
AGENCY 7: SECRETARY OF STATE			
Reg. No.	Action	Register	
7-17-1	Amended	V. 27, p. 965	
7-17-4	Amended	V. 27, p. 966	
7-17-11	Amended	V. 27, p. 966	
7-17-19	Amended	V. 27, p. 966	
7-17-21	Amended	V. 27, p. 966	
7-17-22	Amended	V. 27, p. 966	
7-17-24	Amended	V. 27, p. 967	
7-21-1	Amended	V. 27, p. 967	
7-21-2	Amended	V. 27, p. 967	
7-21-3	Revoked	V. 27, p. 967	
7-21-4	New	V. 27, p. 967	
7-23-13	Revoked	V. 27, p. 968	
7-37-2	Revoked	V. 27, p. 968	
7-38-2	Revoked	V. 27, p. 968	
7 44 1			

Amended

New

New

New

5-45-4

5-45-19

7-44-1 through 7-44-7

7-45-1

7-45-2

#### AGENCY 10: KANSAS BUREAU OF INVESTIGATION

Action	Register
Amended	V. 26, p. 507
	Amended Amended Amended

#### AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-8-3	Amended	V. 26, p. 1543
11-8-4	Amended	V. 26, p. 1543
11-12-1		_
through		
11-12-7	New	V. 26, p. 1184-1187
11-12-1	Amended	V. 27, p. 1374
11-12-2	Amended	V. 27, p. 1375
11-12-3	Amended	V. 27, p. 1376
11-12-4	Amended	V. 27, p. 1377
11-12-6	Amended	V. 27, p. 1377

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

Reg. No.	Action	Register
14-8-2	Amended	V. 26, p. 1906
14-8-3	Amended	V. 26, p. 1906
14-8-6	Revoked	V. 27, p. 1214
14-8-7	Amended	V. 27, p. 1214
14-8-8	Revoked	V. 27, p. 1214
14-8-12	Revoked	V. 27, p. 1214
14-16-23	Revoked	V. 26, p. 1906
14-16-24	Revoked	V. 26, p. 1906
14-17-7	New	V. 27, p. 1214
14-24-1		•
through		
14-24-6	New	V. 26, p. 1907

#### **AGENCY 17: OFFICE OF THE** STATE BANK COMMISSIONER

Action

Reg. No.

17-25-1	New	V. 27, p. 356
AGENCY	( 19: GOVERNMENTA COMMISSION	L ETHICS

Register

Keg. No.	Action	Kegister
19-20-4	Amended	V. 27, p. 1020
19-20-5	New	V. 27, p. 1021
19-27-2	Amended	V. 27, p. 1021

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

28-1-5 Amended V. 26, p.	J.	g. No. Action	Register
		1-5 Amended	V. 26, p. 1115
28-1-6 Amended V. 26, p.		1-6 Amended	V. 26, p. 1115
28-1-20 Amended V. 27, p		1-20 Amended	V. 27, p. 989

Revoked

V. 27, p. 1025

4-16-301

28-4-117	Amended	V. 27. p. 990	28-35-178a	Amended	V. 26, p. 1149	40-7-20a	Amended	V. 26, p. 103
28-4-120	Amended	V. 27, p. 990	28-35-178b	Amended	V. 26, p. 1150	40-7-25	Amended	V. 26, p. 488
28-4-121	New	V. 27, p. 990	28-35-180a	Amended	V. 26, p. 1151			-
28-4-122	Amended	V. 27, p. 317	28-35-181d	Amended	V. 26, p. 1152	AG	ENCY 44: DEPA	
28-4-311	Amended	V. 27, p. 317	28-35-181m		V. 26, p. 1153		CORRECT	TIONS
28-4-312	2 Hilleriaea	v. 2/, p. 01/	28-35-181n	Amended	V. 26, p. 1154	Reg. No.	Action	Register
through			28-35-181o	Amended	V. 26, p. 1154 V. 26, p. 1155	•		•
28-4-317	Revoked	V. 27, p. 317, 318	28-35-181c		V. 26, p. 1155 V. 26, p. 1155	44-6-101	Amended	V. 27, p. 1126
				Amended		44-6-114e	Amended	V. 27, p. 1128
28-4-430	Amended	V. 27, p. 991	28-35-184a	Amended	V. 26, p. 1156	44-6-115a	Amended	V. 27, p. 1134
28-4-800			28-35-201	Amended	V. 26, p. 1156	44-6-125	Amended	V. 27, p. 1135
through			28-35-202	Revoked	V. 26, p. 1158	44-6-127		
28-4-825	New	V. 27, p. 318-334	28-35-203	Amended	V. 26, p. 1158	through		
28-15-35	Amended	V. 26, p. 825	28-35-216a	Amended	V. 26, p. 1159	44-6-132	New	V. 27, p. 1135-1138
28-15-36	Amended	V. 26, p. 829	28-35-230g	New	V. 26, p. 1159	44-6-136	Amended	V. 26, p. 819
28-15-36a	Amended	V. 26, p. 829	28-35-289	Amended	V. 26, p. 1160	44-11-111	Amended	V. 26, p. 819
28-15-37	Amended	V. 26, p. 830	28-35-292	Amended	V. 26, p. 1162	44-11-113	Amended	V. 26, p. 820
28-16-28g	Amended	V. 27, p. 779	28-35-308	Amended	V. 26, p. 1162	44-11-123	Amended	V. 26, p. 820
28-16-56c	Amended	V. 26, p. 283	28-35-349	Amended				
28-16-56d	Amended				V. 26, p. 1162	44-12-103	Amended	V. 26, p. 1074
		V. 26, p. 284	28-35-450	Amended	V. 26, p. 1162	44-12-105	Amended	V. 26, p. 1075
28-18-1	Amended	V. 26, p. 284	28-36-33			44-12-106	Amended	V. 26, p. 1075
28-18-2	Amended	V. 26, p. 288	through			44-12-107	Amended	V. 26, p. 1075
28-18-4	Amended	V. 26, p. 289	28-36-49	Revoked (T)	V. 26, p. 1682	44-12-208	Amended	V. 26, p. 1075
28-18-8	Amended	V. 26, p. 289	28-36-33			44-12-210	Amended	V. 26, p. 1075
28-18-9	Amended	V. 26, p. 290	through			44-12-211	New	V. 26, p. 1075
28-18-11	Amended	V. 26, p. 1929	28-36-49	Revoked	V. 27, p. 73	44-12-212	New	V. 26, p. 1075
28-18-12	Amended	V. 26, p. 290	28-36-70		•	44-12-304	Amended	V. 26, p. 1075
28-18-13	Amended	V. 26, p. 291	through			44-12-306	Amended	V. 26, p. 1076
28-18-14	Amended	V. 26, p. 292	28-36-89	New (T)	V. 26, p. 1682-1696	44-12-308	Amended	V. 26, p. 1076
28-18-16	New	V. 26, p. 292	28-36-70	11011 (1)	20, p. 1002 1070	44-12-312	Amended	V. 26, p. 1076
28-18-17	New	V. 26, p. 293						
28-18a-1			through	N.T.	V 25 52 65	44-12-315	Amended	V. 26, p. 1076
	Amended	V. 26, p. 294	28-36-89	New	V. 27, p. 73-87	44-12-320a	New	V. 26, p. 1076
28-18a-2	Amended	V. 26, p. 298	28-36-101			44-12-325	Amended	V. 26, p. 1076
28-18a-4	Amended	V. 26, p. 299	through			44-12-601	Amended	V. 26, p. 1077
28-18a-8	Amended	V. 26, p. 299	28-36-108	Amended	V. 26, p. 1776-1779	44-12-901	Amended	V. 26, p. 1079
28-18a-9	Amended	V. 26, p. 300	28-36-109	New	V. 26, p. 1780	44-12-902	Amended	V. 26, p. 1079
28-18a-11	Amended	V. 26, p. 1929	28-46-2	Revoked	V. 26, p. 214	44-12-903	New	V. 26, p. 1079
28-18a-12	Amended	V. 26, p. 300	28-46-2a	New	V. 26, p. 215	44-12-1101	Amended	V. 26, p. 1080
28-18a-19	Amended	V. 26, p. 301	28-46-25	Amended	V. 26, p. 215	44-12-1201	Amended	V. 26, p. 1080
28-18a-21	Amended	V. 26, p. 302	28-46-26	Revoked	V. 26, p. 215	44-12-1301	Amended	V. 26, p. 1080
28-18a-22	Amended	V. 26, p. 302	28-46-26a	New		44-12-1302	Amended	
28-18a-26	Amended	V. 26, p. 303			V. 26, p. 215			V. 26, p. 1081
28-18a-32	Revoked	V. 26, p. 303	28-46-34a	New	V. 26, p. 215	44-12-1303	Amended	V. 26, p. 1081
28-18a-33			28-46-38	Amended	V. 26, p. 216	44-12-1306	Amended	V. 26, p. 1081
	New	V. 26, p. 303	28-54-1			44-12-1308	Amended	V. 26, p. 1081
28-19-720	Amended	V. 26, p. 951	through			44-13-101a	Amended	V. 26, p. 1082
28-19-728	New	V. 26, p. 951	28-54-7	New	V. 26, p. 1640-1642	44-13-106	Amended	V. 26, p. 1082
28-19-728a			28-59-5	Amended	V. 27, p. 462	44-13-201	Amended	V. 26, p. 1082
through			28-61-11	Amended	V. 27, p. 464	44-13-201a	New	V. 26, p. 1083
28-19-728f	New	V. 26, p. 951, 952			•	44-13-201b	Amended	V. 26, p. 1084
28-19-735	Amended	V. 26, p. 953		GENCY 30: SO		44-13-202	Amended	V. 26, p. 1084
28-19-750	Amended	V. 26, p. 953	RE	HABILITATION	N SERVICES			
28-23-16	Revoked	V. 27, p. 191	Reg. No.	Action	Register	44-13-307	Amended	V. 26, p. 1085
28-24-1		, 1	_		· ·	44-13-402	Amended	V. 26, p. 1085
through			30-4-98	Amended	V. 26, p. 1905	44-13-403	Amended	V. 26, p. 1085
28-24-14	Amended	V. 26, p. 1510-1514	30-5-65	Revoked	V. 26, p. 1091	44-13-404	Amended	V. 26, p. 1087
		* *	30-5-78	Revoked	V. 27, p. 1022	44-13-405a	Amended	V. 26, p. 1088
28-24-15	Revoked	V. 26, p. 1514	30-10-15a	Revoked	V. 27, p. 1345	44-13-406	Amended	V. 26, p. 1089
28-24-16	Revoked	V. 26, p. 1514	30-10-15b	Revoked	V. 27, p. 1345	44-13-408	Amended	V. 26, p. 1089
28-24a-1	New	V. 26, p. 1514	30-10-17	Revoked	V. 27, p. 1345	44-13-603	Amended	V. 26, p. 1089
28-24a-2	New	V. 26, p. 1514	30-10-18	Revoked	V. 27, p. 1345	44-13-610	Amended	V. 26, p. 1089
28-24a-3	New	V. 26, p. 1515	30-10-23a	Revoked	V. 27, p. 1346 V. 27, p. 1346	44-13-701	Amended	V. 26, p. 1090
28-29-28	Amended	V. 26, p. 1610				44-13-703	Amended	V. 26, p. 1090
28-29-29	Amended	V. 26, p. 1611	30-10-23b	Revoked	V. 27, p. 1346	44-13-704		
28-29-29a	Amended	V. 26, p. 1611	30-10-25	Revoked	V. 27, p. 1346		Amended	V. 26, p. 1090
28-29-29b	New	V. 26, p. 1612	30-10-26	Revoked	V. 27, p. 1346	44-15-101a	Amended	V. 26, p. 820
28-29-30	Amended	V. 26, p. 1612	30-10-27	Revoked	V. 27, p. 1346	44-15-102	Amended	V. 26, p. 821
28-29-31	Amended	V. 26, p. 1613	30-10-200	Revoked	V. 27, p. 1346	44-15-104	Amended	V. 26, p. 822
28-29-31a	New	V. 26, p. 1614	30-10-210	Revoked	V. 27, p. 1346	44-16-104a	New	V. 26, p. 822
28-29-32	Amended	V. 26, p. 1614	30-63-32	New	V. 27, p. 664	AGENC	Y 49. DEPART	MENT OF LABOR
28-29-33	Amended	V. 26, p. 1614 V. 26, p. 1615	30-64-24	Revoked	V. 27, p. 665			
					•	Reg. No.	Action	Register
28-29-2011	New	V. 26, p. 1615	AGEN	ICY 40: KANSA		49-45-1	Amended	V. 27, p. 1466
28-29-2101	Amended	V. 26, p. 1615		DEPARTM	ENT	49-45-2	Amended	V. 27, p. 1466
28-32-1	Revoked	V. 27, p. 247	Reg. No.	Action	Register			
28-32-2	Revoked	V. 27, p. 247	_		· ·	49-45-3	Amended	V. 27, p. 1466
28-32-4	Revoked	V. 27, p. 247	40-1-37	Amended	V. 26, p. 1393	49-45-4	Amended	V. 27, p. 1466
28-32-5	Revoked	V. 27, p. 247	40-1-51	Revoked	V. 26, p. 1364	49-45-4a	Amended	V. 27, p. 1466
28-32-6	Revoked	V. 27, p. 247	40-2-20	Amended	V. 26, p. 101	49-45-5	Amended	V. 27, p. 1466
28-32-7	Revoked	V. 27, p. 247	40-2-29	New	V. 27, p. 15	49-45-6	Amended	V. 27, p. 1466
28-32-8			40-2-30	New	V. 26, p. 1545	49-45-7	Amended	V. 27, p. 1467
through			40-3-25	Amended	V. 27, p. 15	49-45-8	Amended	V. 27, p. 1467
28-32-14	New	V. 27, p. 247-249	40-3-34	Revoked	V. 26, p. 1423	49-45-9	Amended	V. 27, p. 1467
28-35-135a	Amended	V. 26, p. 1142	40-3-52	New	V. 27, p. 133	49-45-20	Amended	V. 27, p. 1467
						49-45-28	Amended	V. 27, p. 1467
28-35-135d	Amended	V. 26, p. 1144	40-4-41	Amended	V. 27, p. 434	49-45-29	Amended	
28-35-135n	Amended	V. 26, p. 1145	40-4-41a					V. 27, p. 1467
28-35-135p	Amended	V. 26, p. 1145	through			49-45-29b	New	V. 27, p. 1467
20.25 - 25		17.04						T/ 07 14/7
28-35-135r 28-35-177a	Amended Amended	V. 26, p. 1147 V. 26, p. 1148	40-4-41j 40-7-19	Revoked Amended	V. 27, p. 434, 435 V. 26, p. 881	49-45-31	Amended	V. 27, p. 1467 (continued)

49-45-34	Amended	V. 27, p. 1467	74-4-1a	Amended	V. 26, p. 126	88-29-1		
49-45-35	Amended	V. 27, p. 1467	74-4-7	Amended	V. 27, p. 626	through		
49-45-36	New	V. 26, p. 1647	74-4-8	Amended	V. 27, p. 626	88-29-19	New	V. 26, p. 216-229
49-45-47	Amended	V. 27, p. 1467	74-4-9	Amended	V. 27, p. 627	88-30-1	New	V. 26, p. 1544
49-50-6	Amended	V. 26, p. 1647	74-4-10	Amended	V. 27, p. 627	88-30-2	New	V. 26, p. 1544
49-50-20	Amended	V. 26, p. 1647	74-5-2	Amended	V. 26, p. 1956	88-30-3	New	V. 26, p. 1544
AGENC	CY 50: DEPARTME	NT OF LABOR—	74-5-101	Amended	V. 26, p. 1957	AG	ENCY 91: DEPAI	RTMENT OF
	IVISION OF EMP		74-5-105	Revoked	V. 26, p. 127		EDUCATION	
			74-5-201	Amended	V. 26, p. 1957	Pag No	Action	
Reg. No.	Action	Register	74-5-202	Amended	V. 26, p. 1957	Reg. No.		Register
50-3-2	Amended	V. 26, p. 1642	74-5-204	Revoked	V. 26, p. 1957	91-1-200	Amended	V. 27, p. 1027
AGENC	Y 51: DEPARTME	NT OF LABOR—	74-5-403	Amended	V. 26, p. 128	91-1-201	Amended	V. 27, p. 1028
		COMPENSATION	74-5-405a	New	V. 26, p. 1957	91-1-202	Amended	V. 26, p. 1218
			74-5-406	Amended	V. 26, p. 1958	91-1-203	Amended	V. 27, p. 1030
Reg. No.	Action	Register	74-5-408	New	V. 26, p. 128	91-1-204	Amended	V. 27, p. 1034
51-9-7	Amended	V. 26, p. 1639	74-6-1	Amended	V. 26, p. 1958	91-1-205	Amended	V. 27, p. 1036
ACE	ENCY 60: BOARD	•	74-7-2	Amended	V. 26, p. 1958	91-1-207	Amended	V. 27, p. 1037
			74-11-6	Amended	V. 26, p. 128	91-1-209 91-1-210	Amended Amended	V. 27, p. 1037
Reg. No.	Action	Register	Δ	GENCY 81: OFFIC	F OF THE	91-1-210	Amended	V. 27, p. 1038 V. 27, p. 1038
60-4-101	Amended	V. 26, p. 446		CURITIES COMM		91-1-221	Amended	V. 27, p. 1038 V. 27, p. 1040
60-7-106	Amended	V. 26, p. 447				91-1-234	New	V. 26, p. 1226
60-8-101	Amended	V. 26, p. 448	Reg. No.	Action	Register	91-19-1	Amended	V. 27, p. 1041
60-9-106	Amended	V. 26, p. 1112	81-5-7	Amended	V. 27, p. 1156	91-19-6	Amended	V. 27, p. 1041
60-11-119	Amended	V. 26, p. 448	81-7-2	Amended	V. 27, p. 1156	91-40-1	Amended	V. 27, p. 274
60-17-102	Amended	V. 26, p. 448	81-14-1	Amended	V. 27, p. 1157	91-40-2	Amended	V. 27, p. 279
60-17-103	Amended	V. 26, p. 449	81-14-5	Amended	V. 27, p. 1159	91-40-3	Amended	V. 27, p, 279
60-17-104	Amended	V. 26, p. 449	81-14-9	Amended	V. 27, p. 1163	91-40-5	Amended	V. 27, p. 280
60-17-105	Amended	V. 26, p. 450	ACEN	NCY 82: STATE CO		91-40-7		• •
60-17-107	Amended	V. 26, p. 450	AGE	COMMISSIC		through		
60-17-108	Amended	V. 26, p. 451		COMMISSIC	) N	91-40-12	Amended	V. 27, p. 281-284
60-17-110	Amended	V. 26, p. 451	Reg. No.	Action	Register	91-40-16	Amended	V. 27, p. 285
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