

# Kansas Register

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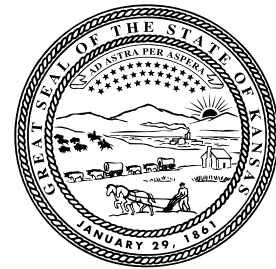
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## State of Kansas

## Legislative Administrative Services

## Interim Committee Schedule

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

Date	Room	Time	Committee	Agenda
Oct. 9	112-N	TBD	Special Committee on Education	
Oct. 9	548-S	TBD	Special Committee on Taxation	<a href="http://www.kslegislature.org/li/b2023_24/committees/ctte_spc_2023_special_committee_on_taxation_1/documents/agenda/weeklyinterim/20231009.pdf">http://www.kslegislature.org/li/b2023_24/committees/ctte_spc_2023_special_committee_on_taxation_1/documents/agenda/weeklyinterim/20231009.pdf</a>
Oct. 10	112-N	TBD	Special Committee on Education	
Oct. 10	346-S	TBD	Special Committee on Restricted Driving	
Oct. 10	546-S	12:00 p.m.	Legislative Post Audit	
Oct. 10	582-N	10:00 p.m.	Joint Committee on Administrative Rules and Regulations	<a href="http://www.kslegislature.org/li/b2023_24/committees/ctte_jt_rules_regs_1/documents/agenda/weeklyinterim/20231010.pdf">http://www.kslegislature.org/li/b2023_24/committees/ctte_jt_rules_regs_1/documents/agenda/weeklyinterim/20231010.pdf</a>
Oct. 11	112-N	9:00 a.m.	Joint Robert G Bethell Home Committee Based Services/ KANCARE Oversight	<a href="http://kslegislature.org/li/b2023_24/committees/ctte_jt_robert_g_bob_bethell_joint_committee_1/documents/agenda/weeklyinterim/20231011.pdf">http://kslegislature.org/li/b2023_24/committees/ctte_jt_robert_g_bob_bethell_joint_committee_1/documents/agenda/weeklyinterim/20231011.pdf</a>
Oct. 11	346-S	9:00 a.m.	House Commerce, Labor and Economic Development Committee	
Oct. 12	112-N	9:00 a.m.	Joint Robert G Bethell Home Committee Based Services/ KANCARE Oversight	<a href="http://kslegislature.org/li/b2023_24/committees/ctte_jt_robert_g_bob_bethell_joint_committee_1/documents/agenda/weeklyinterim/20231011.pdf">http://kslegislature.org/li/b2023_24/committees/ctte_jt_robert_g_bob_bethell_joint_committee_1/documents/agenda/weeklyinterim/20231011.pdf</a>
Oct. 12	Burlington	3:15 p.m.	Joint Committee on Kansas Security	<a href="http://www.kslegislature.org/li/b2023_24/committees/ctte_jt_ks_security_1/documents/agenda/weeklyinterim/20231012.pdf">http://www.kslegislature.org/li/b2023_24/committees/ctte_jt_ks_security_1/documents/agenda/weeklyinterim/20231012.pdf</a>
Oct. 13	582-N	9:00 a.m.	Joint Committee on Kansas Security	<a href="http://www.kslegislature.org/li/b2023_24/committees/ctte_jt_ks_security_1/documents/agenda/weeklyinterim/20231012.pdf">http://www.kslegislature.org/li/b2023_24/committees/ctte_jt_ks_security_1/documents/agenda/weeklyinterim/20231012.pdf</a>
Oct. 16	582-N	9:00 a.m.	Special Committee on Energy and Utilities	<a href="http://www.kslegislature.org/li/b2023_24/committees/ctte_spc_2023_special_committee_on_energy_and_ut_1/documents/agenda/weeklyinterim/20231016.pdf">http://www.kslegislature.org/li/b2023_24/committees/ctte_spc_2023_special_committee_on_energy_and_ut_1/documents/agenda/weeklyinterim/20231016.pdf</a>
Oct. 17	582-N	9:00 a.m.	Special Committee on Energy and Utilities	<a href="http://www.kslegislature.org/li/b2023_24/committees/ctte_spc_2023_special_committee_on_energy_and_ut_1/documents/agenda/weeklyinterim/20231016.pdf">http://www.kslegislature.org/li/b2023_24/committees/ctte_spc_2023_special_committee_on_energy_and_ut_1/documents/agenda/weeklyinterim/20231016.pdf</a>
Oct. 18	582-N	9:00 a.m.	Joint Committee on Information Technology	
Oct. 19	548-S	9:00 a.m.	Legislative Compensation Commission	
Oct. 24	112-N	TBD	Unemployment Compensation Modernization Improvement Council	

(continued)

Date	Room	Time	Committee	Agenda
Oct. 24	582-N	TBD	Joint Committee on Special Claims Against the State	
Oct. 24	548-S	9:00 a.m.	Capitol Preservation Committee	
Oct. 25	582-N	TBD	Joint Committee on Special Claims Against the State	
Oct. 26	582-N	TBD	Joint Committee on Special Claims Against the State	

Tom Day  
 Director  
 Legislative Administrative Services

Doc. No. 051552

**State of Kansas**  
**Pooled Money Investment Board**

**Notice of Investment Rates**

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

Effective 10-9-23 through 10-15-23	
Term	Rate
1-89 days	5.33%
3 months	5.48%
6 months	5.52%
12 months	5.46%
18 months	5.27%
2 years	5.09%

Joel Oliver  
 Executive Director  
 Chief Investment Officer  
 Pooled Money Investment Board

Doc. No. 051541

**State of Kansas**  
**Statewide Independent Living Council of Kansas**

**Notice of Meeting**

The Statewide Independent Living Council of Kansas will meet at 10:00 a.m. November 2, 2023, via Zoom. Please contact [kathy.cooper@silck.org](mailto:kathy.cooper@silck.org) for questions, the Zoom link, and accommodations. Accommodations need to be requested no later than October 19, 2023.

Kathy Cooper  
 Executive Director  
 Statewide Independent Living Council of Kansas

Doc. No. 051543

**State of Kansas**  
**Kansas Council for Interstate Adult Offender Supervision Committee**

**Notice of Meeting**

The Kansas Council for Interstate Adult Offender Supervision Committee will be meeting at 1:00 p.m. Tues-

day, October 17, 2023, via Zoom. This is a public meeting. If you would like to attend the meeting, please send a request to Fareeda Washington at [fareeda.washington@ks.gov](mailto:fareeda.washington@ks.gov).

Fareeda Washington  
 Director  
 Interstate Community Services  
 Department of Corrections

Doc. No. 051565

**State of Kansas**  
**Department of Administration**  
**Office of Accounts and Reports**

**Public Notice**

Under requirements of K.S.A. 65-34,117(c), as amended, records of the Office of Accounts and Reports show the unobligated balances are \$8,813,348.42 in the Underground Petroleum Storage Tank Release Trust Fund and \$6,520,847.22 in the Aboveground Petroleum Storage Tank Release Trust Fund at September 30, 2023.

Jocelyn Gunter  
 Director  
 Office of Accounts and Reports  
 Department of Administration

Doc. No. 051544

**State of Kansas**  
**Wichita State University**

**Notice of Intent to Lease Real Property**

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to four acres of real property located on the Wichita State University's campus designated as the "Innovation Campus," for the private development and operation of a partnership building or buildings. The university is interested in leasing such ground to any individual, organization, or entity whose presence on campus would advance the university's applied learning vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. The university intends to

lease such space for a mutually agreeable period of time up to sixty years, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with the university’s educational mission and identify anticipated benefits to the university, its students, and the WSU community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU, design concepts, financial stability, and proposed use. Interested tenants will be required to construct adjacent and adequate surface parking that will not be included in the leased ground. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of building improvement, and benefit to the university. The university will consider serious offers and inquiries with detailed proposal terms from any financially qualified individual, group, organization. If interested, please contact Senior Vice President for Industry and Defense Programs, Dr. John Tomblin at [john.tomblin@wichita.edu](mailto:john.tomblin@wichita.edu) or Property Manager Crystal Stegeman at [crystal.stegeman@wichita.edu](mailto:crystal.stegeman@wichita.edu). This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

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

Doc. No. 051423

**State of Kansas**

**Wichita State University**

**Notice of Intent to Lease Real Property**

Public notice is hereby given that Wichita State University (WSU), directly or through its affiliate corporation Wichita State Innovation Alliance, Inc., intends to lease, subject to all required state approvals, up to 1.22 acres of real property located on the northwest corner of the intersection of Fountain Avenue and 21st Street North, directly adjacent to the Wichita State University campus. This location would be designated for private development committed to supporting broadband infrastructure and Internet exchanges. The university is interested in leasing such ground to any individual, organization, or entity whose presence would advance WSU’s vision or its mission as an educational, cultural, and economic driver for Kansas and the greater public good. WSU intends to lease such space for a mutually agreeable period of time, but extended terms and renewal options would be considered. Interested tenants must be willing to be a good fit with WSU’s educational mission and identify anticipated benefits to the university, its students, and the surrounding community (i.e. applied learning, joint research, faculty start-up, WSU curriculum or program support, community benefit commitments, etc.), and must agree to the essential ground lease terms and restrictive covenants. Interested tenants will be evaluated on: proposal terms, demonstrated benefit to WSU and the surrounding com-

munity, design concepts, financial stability, and proposed use. Interested tenants will be responsible for all costs associated with the development and ongoing maintenance costs of any improvements. Rental rate shall be based on fair market value and negotiable based on term of lease, purpose/use of the improvement, and benefit to WSU. WSU will consider serious offers and inquiries from any financially qualified individual, group, organization. If interested, please contact Property Manager Crystal Stegeman at [crystal.stegeman@wichita.edu](mailto:crystal.stegeman@wichita.edu). This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

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

Doc. No. 051455

**State of Kansas**

**Board of Regents Universities**

**Notice to Bidders**

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

**Emporia State University** – Bid postings: <https://www.emporia.edu/about-emporia-state-university/business-office/purchasing>. Additional contact info: phone: 620-341-5137, email: [purchaseorders@emporia.edu](mailto:purchaseorders@emporia.edu). Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Cir., Emporia, KS 66801.

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

**Kansas State University** – Bid postings: <https://bidportal.ksu.edu>. Effective August 1, 2023, all bids, quotes, or proposals must be submitted via the Kansas State University Bid Portal at <https://bidportal.ksu.edu>. Division of Financial Services/Purchasing, 2323 Anderson Ave., Kansas State University, Manhattan, KS 66506. Additional contact information, phone: 785-532- 6214, email: [kspurch@k-state.edu](mailto:kspurch@k-state.edu).

**Pittsburg State University** – Bid postings: <https://www.pittstate.edu/office/purchasing>. Additional contact info: phone: 620-235-4167, email: [swburke@pittstate.edu](mailto:swburke@pittstate.edu). Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762.

**University of Kansas** – Electronic bid postings: <http://www.procurement.ku.edu/>. The University of Kansas  
*(continued)*



exclusively uses the online eBid tool and will no longer accept paper responses unless otherwise specified in a solicitation. Additional contact information, email: [purchasing@ku.edu](mailto:purchasing@ku.edu). Mailing address: University of Kansas, Procurement Department, 1246 W. Campus Road Room 20, Lawrence, KS 66045.

**University of Kansas Medical Center** – Electronic bid postings: <https://www.kumc.edu/finance/supply-chain/bid-opportunities.html>. Additional contact information, phone: 913-588-1117, email: [hunkemoore@kumc.edu](mailto:hunkemoore@kumc.edu). The University of Kansas Medical Center accepts only electronic bids.

**Wichita State University** – Bid postings: [https://www.wichita.edu/services/purchasing/Bid\\_Documents/Bid\\_Documents.php](https://www.wichita.edu/services/purchasing/Bid_Documents/Bid_Documents.php). Additional contact information, phone: 316-978-3080, fax: 316-978-3738, email: [purchasing.office@wichita.edu](mailto:purchasing.office@wichita.edu). Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 38, Wichita, KS 67260-0038.

Chris Robinson  
Director  
Purchasing and Contract Services  
Kansas State University

Doc. No. 051386

**State of Kansas**

**Department of Administration  
Office of Procurement and Contracts**

**Notice to Bidders**

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

All bids are to be submitted via email only to [procurement@ks.gov](mailto:procurement@ks.gov). For more information, please visit [https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP\\_PUBLIC\\_MENU\\_FL.SCP\\_PUB\\_BID\\_CMP\\_FL.GBL](https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL).

10/20/2023	EVT0009400	Education Verification System – Kansas Racing and Gaming Commission
11/01/2023	EVT0009399	Concrete Replacement; Homewood Rest Area–Franklin County I-35 – KDOT
11/01/2023	EVT0009417	Streambank Stabilization Projects – Kansas Department of Agriculture
11/07/2023	EVT0009412	Aviation Fuel Trailer – Kansas Highway Patrol
11/07/2023	EVT0009413	Work Release Debit Card – Topeka Correctional Facility

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

[https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP\\_PUBLIC\\_MENU\\_FL.SCP\\_PUB\\_BID\\_CMP\\_FL.GBL](https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL)

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

<https://admin.ks.gov/offices/procurement-contracts/bidding--contracts/additional-bid-opportunities>

11/01/2023      A-014867      Gas Line East Unit Service Modification – Lansing Correctional Facility

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

Todd Herman  
Director  
Office of Procurement and Contracts  
Department of Administration

Doc. No. 051563

**State of Kansas**

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

**Public Notice**

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan. Dental rates are being increased.

The proposed effective date for the State Plan Amendment (SPA) is January 1, 2024.

<b>Fee-For-Service Only</b>	<b>Estimated Federal Financial Participation</b>
FFY 2024	\$1,829
FFY 2025	\$2,438

To request a copy of the proposed SPA, to submit a comment, or to review comments, please contact William C. Stelzner by email at [william.stelzner@ks.gov](mailto:william.stelzner@ks.gov), or by mail at:

William C. Stelzner  
Kansas Department of Health and Environment  
Division of Health Care Finance  
900 SW Jackson, Room 900N  
Topeka, KS 66612

The last day for public comment is November 13, 2023. Draft copies of the proposed SPA may also be found at a Local Health Department (LHD).

Christine Osterlund  
Interim Medicaid Director  
Deputy Secretary of Agency Integration and Medicaid  
Division of Health Care Finance  
Department of Health and Environment

Doc. No. 051564

**State of Kansas**

**Department of Health and Environment**

**Notice of Solicitation for Water Quality Data**

In developing the 2024 Section 303(d) List of Impaired Waters in Kansas, the Kansas Department of Health and Environment (KDHE) is soliciting “all existing and readily available water quality-related data and information” in accordance with 40 CFR 130.7(b)(5). Section 303(d) of the Clean Water Act requires states to biennially prepare a list of waters failing to meet state water quality standards, based on data and information from local, state,

and federal agencies; members of the public; and academic institutions conducting research. Submitted data and information will be evaluated by KDHE for listing decisions for the 2024 Kansas 303(d) List of Impaired Waters, to be submitted to the U.S. Environmental Protection Agency by April 1, 2024.

This notice requests any data or information on the water quality condition of waters of the state over the period January 1, 2000 through September 30, 2023. Data associated with waters for which water quality problems have been reported are of particular interest. Submitted data may include chemical, physical, or biological measurements and should be accompanied by information to identify the waterbody with as much geographic specificity as possible. Data submitted to KDHE for consideration should have adequate quality control and quality assurance for accuracy, representation, and precision in describing the water quality of streams, lakes, and wetlands.

KDHE will be accepting data submissions through December 17, 2023. Data submission or questions may be sent to Dane Boring, KDHE Bureau of Water, Watershed Planning Unit, 1000 SW Jackson St., Suite 420, Topeka, KS 66612-1367, phone 785-296-5508, fax 785-296-0086, or email at [Dane.Boring@ks.gov](mailto:Dane.Boring@ks.gov).

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 051556

**State of Kansas**

**Department of Health and Environment**

**Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications**

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

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

Las acciones propuestas con respecto a los documentos preliminares se basan en la revisión del personal, aplicando los estándares, regulaciones y limitaciones de efluentes apropiados del estado de Kansas y de la Agencia de Protección Ambiental de Estados Unidos. La acción final resultará en la emisión de una Autorización Federal del Sistema Nacional de Eliminación de Descargas de Contaminantes y un permiso de Control de Contami-

nación del Agua de Kansas, sujeto a ciertas condiciones, revocación y reemisión del permiso designado o terminación del permiso designado. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación al 785-296-5156 o en [KDHE.NonDiscrimination@ks.gov](mailto:KDHE.NonDiscrimination@ks.gov).

**Public Notice No. KS-AG-23-291/298**

**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Dale Springer - Main Farm 5816 CR 3300 Independence, KS 67301	N/2 of Section 23 T31S, R15E Montgomery County	Verdigris River Basin

Kansas Permit No. A-VEMG-H009  
Federal Permit No. KS0085448

The proposed action is to reissue an existing NPDES permit for an existing facility for 6,070 head (2,428 animal units) of swine weighing more than 55 pounds and 3,252 head (325.2 animal units) of swine weighing 55 pounds or less; for a total of 2,753.2 animal units of swine. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Hays Feed Yard, LLC Perry Thompson 1174 Feedlot Rd. Hays, KS 67601	N/2 of Section 11 & NW/4 of Section 12 T13S, R19W Ellis County	Smoky Hill River Basin

Kansas Permit No. A-SHEL-C002  
Federal Permit No. KS0037630

The proposed action is to reissue an existing NPDES permit for an existing facility for 30,000 head (30,000 animal units) of cattle weighing more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Wilson Cattle Company, LLC Bobby Wilson 1136 Dobbin Rd. Burlington, KS 66839	SE/4 of Section 30 T21S, R14E Coffey County	Neosho River Basin

Kansas Permit No. A-NECF-C001  
Federal Permit No. KS0099899

The proposed action is to reissue an existing NPDES permit for an existing facility for 3,000 head (3,000 animal units) of cattle weighing greater than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Scoby Farm, Inc. James Scoby 2825 Bittersweet Rd. Morrill, KS 66515	S/2 of Section 32 & SW/4 of Section 33 T01S, R15E & NW/4 of Section 04 T02S, R15E Brown County	Missouri River Basin

Kansas Permit No. A-MOBR-S008

The proposed action is to reissue an existing state permit for an existing facility for 1,500 head (600 head) of swine more than 55 pounds and 200 head (200 animal units) of cattle more than 700 pounds, for a total of 800 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

(continued)

Name and Address of Applicant	Legal Description	Receiving Water
Hirt Farms, Inc. 12640 NW Turkey Lane Rd. Sawyer, KS 67134	NW/4 of Section 15 T29S, R11W Pratt County	Lower Arkansas River Basin

Kansas Permit No. A-ARPR-B007

The proposed action is to reissue an existing state permit for an existing facility for 999 head (999 animal units) of cattle weighing more than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Whitehill Farm David Whitehill 2089 279th Dr. Latham, KS 67072	NE/4 of Section 10 T30S, R07E Cowley County	Lower Arkansas River Basin

Kansas Permit No. A-ARCL-B003

The proposed action is to reissue an existing state permit for an existing facility for 400 head (400 animal units) of beef cattle weighing greater than 700 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Max and Marvin Niehues 1070 O Rd. Goff, KS 66428	NW/4 of Section 16 T04S, R13E Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-M025

The proposed action is to reissue an existing state permit for an existing facility for 150 head (150 animal units) of cattle more than 700 pounds and 60 head (30 animal units) of cattle less than 700 pounds, for a total of 180 animal units of cattle. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Feldkamp Farms South Gerald Feldkamp 791 92nd Rd. Centralia, KS 66415	NE/4 of Section 06 T04S, R12E Nemaha County	Big Blue River Basin

Kansas Permit No. A-BBNM-S045

The proposed action is to reissue an existing state permit for an existing facility for 1,700 head (680 animal units) of swine more than 55 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

**Public Notice No. KS-AG-R-23-025**

Per Kansas Statutes Annotated 65-171d, the following registration has been received for a proposed facility:

Name and Address of Registrant	Legal Description	County
Austin Stroup 15810 CR 1077 Parker, KS 66072	NE/4 of Section 04 T21S, R22E	Linn

**Public Notice No. KS-Q-23-177/178**

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
City of Horton 205 E. 8th St. Horton, KS 66439	Grasshopper River via Little Lake Municipal Reservoir	Processed Wastewater

Kansas Permit No. I-KS24-CO01  
Federal Permit No. KS0092185

Legal Description: SW¼, Section 28, Township 4S, Range 17E of Brown County, Kansas

Facility Location: Latitude: 39.66776, Longitude: -95.51967

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a standby electrical generating station used for emergency power. Untreated lake water is circulated through the single-phase heat exchangers for cooling of a diesel electric generator (the ALCO #3 engine). The average daily discharge is about 281,000 gallons during a 12-hour day operation. Currently the facility is only being operated once per month for about 1.5 hours during scheduled maintenance checks. The proposed permit contains generic language to protect the waters of the state.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Ottawa, City of 101 S. Hickory Ottawa, KS 66067	Marias Des Cygnes River	Treated Domestic Wastewater

Kansas Permit No. M-MC31-OO03  
Federal Permit No. KS0097535

Legal Description: NE¼, SE¼, NW¼, Section 36, Township 16S, Range 19E of Franklin County, Kansas

Facility Location: Latitude: 38.61816, Longitude: -95.25958

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of: Headworks, two (2) extended aeration basins, two (2) final clarifiers, two (2) aerobic digesters, Belt Press, UV disinfection, and cascade reaeration. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, Ammonia, and E. coli; as well as monitoring for Dissolved Oxygen, Total Phosphorus, Nitrates + Nitrites, Total Kjeldahl Nitrogen, and Total Nitrogen.

**Public Notice No. KS-PT-23-014**

The requirements of the draft permit public noticed below are pursuant to the Kansas Administrative Regulations 28-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403.

Name and Address of Applicant	POTW Receiving Wastes	Type of Discharge
Elanco US, Inc. 2500 Innovation Way Greenfield, IN 46140	Elwood MWWTP	Processed Wastewater

Kansas Permit No. P-MO05-OO04  
Federal Permit No. KSP000120

Facility Address: 1411 Oak St., Elwood, KS 66090

Facility Location: Latitude: 39.75271, Longitude: -94.88816



The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility manufactures animal health therapeutics consisting of monoclonal antibodies and proteins and has a primary Standard Industrial Classification (SIC) code of 2834. Process wastewater is generated during production and from washdown. Approximately 14,000-20,000 gallons of regulated process wastes can be discharged during a given day. The proposed permit contains limits for pH, Acetone, n-Amyl acetate, Ethyl acetate, Isopropyl acetate, and Methylene chloride.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before November 11, 2023 will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-23-291/298, KS-AG-R-23-025, KS-Q-23-177/178, KS-PT-23-014) and name of the applicant/committee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues 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). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

Comments or objections for agricultural related draft documents, permit applications, registrations or actions should be submitted to the attention of Casey Guccione, Section Chief, Livestock Waste Management Section at the KDHE Bureau of Environmental Field Services (BEFS), 1000 SW Jackson, Suite 430, Topeka, KS 66612. Comments or objections for all other proposed permits or actions should be sent to Andrew Bowman at the KDHE Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612.

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at [kdhe.feedlots@ks.gov](mailto:kdhe.feedlots@ks.gov). Las preguntas o comentarios por escrito deben dirigirse a Erich Glave, Director, Bureau of Environmental Field Services en KDHE: 1000 SW Jackson St., Suite 430, Topeka, Kansas 66612-1367; por correo electrónico: [kdhe.feedlots@ks.gov](mailto:kdhe.feedlots@ks.gov); por teléfono: 785-296-6432. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Neal Niceswanger, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone 785-296-6804 or email at [Neal.Niceswanger@ks.gov](mailto:Neal.Niceswanger@ks.gov). 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 at <http://www.kdhe.ks.gov/livestock>.

[kdhe.ks.gov/livestock](http://www.kdhe.ks.gov/livestock). Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 051555

## State of Kansas

### Department of Health and Environment

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

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Wellington Municipal Power Plant #1 has applied for a Class I operating permit renewal in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance.

Wellington Municipal Power Plant #1, 520 S. Olive St., Wellington, KS 67152, owns and operates an electric services facility located at 520 S. Olive St., Wellington, Sumner County, KS 67152.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the South Central District Office, 300 W. Douglas, Suite 700, Wichita, KS 67202. To obtain or review the proposed permit and supporting documentation, contact Cathy Richardson, 785-296-1947, at the central office of the KDHE or Josh Webb, 316-337-6042, at the South Central District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Cathy Richardson, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, November 13, 2023.

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 Cathy Richardson, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, November 13, 2023, in order for the Secretary of Health and Environment to consider the request.

(continued)

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

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

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 051545

## State of Kansas

### Department of Health and Environment

#### Notice Concerning Proposed Kansas Air Quality Class I Operating Permit and Amended Construction Permit

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. National Bio and Agro-Defense Facility has applied for an initial Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 et al. The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards, and requirements applicable to each source; and the monitoring, record keeping, and reporting requirements applicable to each source as of the effective date of permit issuance. Emissions of oxides of nitrogen (NO<sub>x</sub>), carbon monoxide equivalent (CO<sub>2e</sub>), particulate matter (PM), particulate matter equal to or less than 10 micrometers in diameter (PM<sub>10</sub>), particulate matter equal to or less than 2.5 micrometers in diameter (PM<sub>2.5</sub>), volatile organic compounds (VOC), sulfur dioxide (SO<sub>2</sub>), and hazardous air pollutants (HAPs) were evaluated during the permit review process. Certain requirements were found to no longer be appropriate in the construction permit dated July 12, 2016 (C-13286/CSP01469v1.0). These requirements are being amended.

National Bio and Agro-Defense Facility, PO Box 1807, Manhattan, KS 66505, owns and operates a Biosafety Level-3 (BSL-3) and BSL-4 research facility located at 1980 Denison Ave., Manhattan, Riley County, KS 66502.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business

hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the North Central District Office, 3040 Enterprise Dr., Salina, KS 67401. To obtain or review the proposed permit and supporting documentation, contact Matthew Reynolds, 785-296-1719, at the central office of the KDHE or Jessica Fair, 785-827-9639, at the North Central District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Matthew Reynolds, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, November 13, 2023.

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 Matthew Reynolds, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, November 13, 2023, in order for the Secretary of Health and Environment to consider the request.

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

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

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 051554

## State of Kansas

### Department of Health and Environment

#### Notice Concerning Proposed Kansas Air Quality Construction Permit

Notice is hereby given that the Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality construction permit. deElliott Company, Inc. has applied for an air quality

construction permit in accordance with the provisions of K.A.R. 28-19-300. Emissions of volatile organic compounds (VOC), particulate matter (PM), particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM<sub>10</sub>), particulate matter with an aerodynamic diameter less than or equal to 2.5 microns (PM<sub>2.5</sub>), carbon monoxide (CO), oxides of nitrogen (NO<sub>x</sub>), oxides of sulfur (SO<sub>x</sub>), and hazardous air pollutants (HAPs) were evaluated during the permit review process.

deElliotte Company, Inc., 201 Prairie Village Dr., New Century, KS 66031, owns and operates a printed plastic bag manufacturing facility located at 201 Prairie Village Dr., New Century, Johnson County, KS 66031, at which a new flexographic printing press is to be installed.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review from the date of publication during normal business hours at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Johnson County Department of Health and Environment Office, 11811 S. Sunset, Suite 2700, Olathe, KS 66061. To obtain or review the proposed permit and supporting documentation, contact Matthew Reynolds, 785-296-1719, at the central office of the KDHE or Rollin Sachs, 913-715-6939, at the Johnson County Department of Health and Environment Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Matthew Reynolds, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, November 13, 2023.

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 Matthew Reynolds, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, November 13, 2023, in order for the Secretary of Health and Environment to consider the request.

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 051553

**State of Kansas**

**Department of Health and Environment**

**Notice of Hearing**

The Kansas Department of Health and Environment (KDHE), Division of Environment, Bureau of Air, will conduct a public information session and public hearing Monday, December 4, 2023, at the Wyandotte County Public Health Department, Auditorium Room 336, 619 Ann Ave., Kansas City, KS 66101, to consider the pro-

posed air quality construction permit for Harcos Chemicals Inc., 5200 Speaker Rd., Kansas City, KS 66106. The public information session will take place at 5:30 p.m. followed by the public hearing at 6:00 p.m.

All interested parties will be given a reasonable opportunity to present their views orally during the hearing. In order to give all parties an opportunity to speak, it may be necessary to limit any oral presentation to five minutes.

A copy of the proposed permit may be obtained by contacting Jennifer Stewart at 913-573-6705 or [jstewart@wycokck.org](mailto:jstewart@wycokck.org). A copy may also be viewed online and at the following district office:

- <https://keims.kdhe.ks.gov/nsuite/ncore/external/publicnotice/search>
- Wyandotte County Division of Air Quality, 619 Ann Ave., Kansas City, KS 66101

Questions about this proposed hearing should be directed to Jennifer Stewart at 913-573-6705 or [jstewart@wycokck.org](mailto:jstewart@wycokck.org). Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed permit in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Jennifer Stewart at 913-573-6705 or [jstewart@wycokck.org](mailto:jstewart@wycokck.org).

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 051557

**State of Kansas**

**Department of Transportation**

**Notice of Intent to Conduct Environmental Assessment**

Public notice is hereby given that the Kansas Department of Transportation (KDOT), in cooperation with the Federal Highway Administration (FHWA), will prepare an Environmental Assessment (EA) for a proposal to modernize and expand the K-10 Corridor located in Johnson County, Kansas. The City of Olathe, the City of Lenexa, the City of De Soto, and Johnson County are serving as partners on the study.

The overall study limits on K-10 extend from west of the interchange at Evening Star Road to the I-435/I-35/K-10 interchange. The overall length is approximately 16.5 centerline miles along K-10. Major cross streets with service interchange access to K-10 included within the study area are Evening Star Road, Edgerton Road, Lexington Avenue, Kill Creek Road, Cedar Creek Parkway/Canyon Creek Boulevard, S. Woodland Road, S. Ridgeview Road, and Renner Boulevard. System interchanges within the study area include K-7 (from College Boulevard to Prairie Star Parkway) and I-435 (from 95th Street to Pflumm Road). Additionally, I-35 at the interchange with I-435/K-10 is included.

Within the EA, FHWA, and KDOT will evaluate a “No Action” alternative as well as expansion alternatives (tolled and non-tolled) for the K-10 study area as the proposed action. Roadway and interchange configurations

*(continued)*



will be evaluated throughout the corridor. The toll alternative will evaluate the potential benefits of express toll lanes for eastbound and westbound traffic to improve safety and improve congestion in the corridor. Roadway and interchange configurations will be evaluated throughout the corridor.

The FHWA and KDOT plan to prepare an EA for the project. The EA will analyze the potential social, economic, and environmental impacts resulting from the proposed project. The following issues will be specifically analyzed as part of the EA: impacts to the aquatic ecosystem, impacts to cultural resources; impacts to threatened and endangered species; impacts to floodplains; impacts to transportation; impacts to parks/recreation; environmental justice; and socioeconomics. This includes direct, indirect, and cumulative impacts. Other Federal approvals or permits that may be required; a Section 404 Permit from the U.S. Army Corps of Engineers (USACE), a floodplain development permit from the City of De Soto, the City of Lenexa, the City of Olathe, and Johnson County as well as water resource and floodplain permits from the Kansas Division of Water Resources.

A scoping and coordination process will be initiated that involves appropriate federal, state, and local agencies, as well as stakeholders and the public. This will continue throughout the study to engage the local and regional community, to obtain public input and to keep the public informed. Coordination meetings will be held as needed with affected/concerned local, state, tribal, and federal governmental entities. Public meetings will be held to gather input and share findings on the EA. The EA will be made available for public and agency review and comment prior to the final public meeting.

To ensure that the full range of issues related to the proposed action are addressed and all significant issues defined, comments and suggestions are invited from all interested parties. Comments or questions concerning the proposed action and the EA should be directed to FHWA or KDOT at the addresses provided below.

For further information, contact:

Federal Highway Administration, Kansas Division  
Richard Backlund, Division Administrator  
6111 SW 29th Street, Suite 100,  
Topeka, KS 66614-4271  
785-273-2600  
[hdaks@dot.gov](mailto:hdaks@dot.gov)

Kansas Department of Transportation  
Steven Cross, P.E., Road Design Leader/Project Manager

Dwight D. Eisenhower State Office Building  
700 SW Harrison St.,  
Topeka, KS 66603-3745  
785-221-6441  
[Steven.Cross@ks.gov](mailto:Steven.Cross@ks.gov)

Calvin Reed  
Secretary  
Department of Transportation

Doc. No. 051551

## State of Kansas

### Department of Transportation

#### Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking three to four qualified consulting firms or teams of firms to perform professional services as described below. Interested consultants must submit a proposal to the appropriate bid form on Bid Express by 12:00 p.m. (Central Time) November 1, 2023, to be considered for selection.

#### Consultant Prequalification

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in the following categories:

- 333 Geotechnical Specialty Services

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

#### Background and Scope of Project

Periodically for a given project, KDOT personnel may be unable to perform Pile Drive Analysis (PDA) within the timeframe required so it may be necessary to engage a consultant firm on short notice. This process begins with KDOT issuing an on-call service request to firms that have executed an on-call PDA agreement specifically for this type of support. To expedite commencement of work, resulting work order(s) are executed under the terms and conditions of that agreement. KDOT anticipates entering into such an agreement with up to three to four qualified consulting firms. Below is a list needed to complete PDA testing:

- Pile Driving Analyzer (PDA), a dynamic load testing and pile monitoring device and CAPWAP, a signal matching software program that uses pile top force and velocity measurements obtained by PDA to determine deep foundation resistances. These should meet ASTM Standard D4945-17. Periodically, KDOT's own in-house equipment may be unable to perform the testing within the time frame required. In those instances, it may be necessary to engage a consultant (with appropriately accredited personnel and equipment) on short notice for testing under an on-call agreement. See Exhibit 1 to this Request for Proposals, Short Term On-Call Services Summary.

Therefore, KDOT is seeking to execute on-call agreements with three to four highly qualified firms, one of which may be selected on a project-by-project basis for specific assignment to be detailed in a task order/work order issued under a four-year term on-call agreement.

**Anticipated Consultant Scope**

KDOT anticipates the following to be included in the selected consultants’ scope: PDA Testing and Analysis as described below:

- Most often, the scope of services will generally consist of performing PDA testing, analysis, and field recommendations, then reporting the test results to KDOT. All tests shall be performed in accordance with either the appropriate KT, KDOT, AASHTO, and/or ASTM standard(s), as directed by KDOT. The equipment used shall be calibrated and function appropriately for the tests to be performed.
- In addition, requests for PDA testing may occur on accelerated schedules. For this reason, approved consultants will need the ability to respond within 24 hours to KDOT requests for PDA on-call services. Responses to KDOT requests for PDA on-call services should include an Exhibit B with all costs and fees detailed.

**Anticipated Schedule and Key Dates**

1. Proposals are due by or before 12:00 p.m. (Central Time) November 1, 2023.
2. On-call agreements negotiated with the selected firms will take effect by November 22, 2023.

**Instructions for Proposal**

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be count as two or more pages depending on size.
3. Fill out and return Exhibit 1 to this RFP, Short Term On-Call Services Summary. This page does not count against the page limit listed above. If you are reading this in the Kansas Register, please go to the Bid Express bid form to receive a copy.
4. A single PDF (10MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
5. The proposal PDF file name must read:
  - a. “On-Call PDA 2023\_FIRM NAME”
6. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). If you need a Tax Clearance Certificate, you can request one here at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing.
7. The outline in Table 1 below describes the expected proposed organization and content sections.
8. Table 2 lists the evaluation criteria and associated weights which will be used to make a selection.
9. Contact information for one consultant individual who is capable of answering any questions that may arise from the proposal shall be included in the proposal.
10. Depending on the number of responses received, KDOT may elect to shortlist (based on proposals)

and hold in-person interviews prior to final selection (which may be based on both proposal and interview content). If KDOT deems them necessary, interview evaluation criteria will be distributed to shortlisted consultant teams in advance.

**Table 1: Proposal Content**

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate adequate capabilities to provide the services efficiently and to a high standard. Include cost-effective and optimized solutions. Include unique qualifications or experience related to the services required.	
Approach to Schedule	Describe the ability to accomplish the scope of services within schedule requirements. Include anticipated timelines for mobilization and lab analysis.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services, reports and other deliverables with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project, provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and their ability to dedicate what percent of their time to the project when providing the subject services. If there are changes in key personnel, KDOT should be notified immediately, and the above information should be provided for the new personnel.	
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	
Familiarity with KDOT and Project Areas	Describe team’s familiarity with KDOT’s processes and standards. Describe familiarity with geotechnical engineering and geology in Kansas and any special site conditions you might anticipate finding.	

**Table 2: Evaluation Factors**

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	10%
Approach and commitment to meet advertised schedule	10%
Past performance history for similar projects/services for KDOT	15%
Understanding of the project area	10%
Innovation/Creativity in solutions	10%
Availability to respond to the work	15%
Unique qualifications	10%

(continued)

Evaluation Factor	Weight
Approach to quality control	10%
Demonstrated understanding of nature and scope of project	10%

**Contract Terms and Conditions**

The full list of consultants holding a “Pile Drive Analysis On-Call Agreements” resulting from this Request for Proposals is intended to replace the existing list of “Pile Drive Analyst On-Call Agreement” holders based on the contracts executed in 2019. Each 2019 contract will remain in effect until either the contract expiration date (without extension) or when KDOT has determined the consultant has reached the contract maximum cumulative aggregate maximum cost. After the first of these occurs, each 2019 contract will be considered expired.

Upon such expiration, firms currently holding a “Pile Drive Analysis On-Call Agreement” that are not short-listed or are otherwise unable to successfully negotiate a new on-call agreement for this purpose will no longer receive on-call service requests associated with this Request for Proposals.

A KDOT Pile Drive Analysis on-call agreement for engineering and technical services will be used. KDOT may request this service via on-call service requests over a period of four years (with an option to extend by one year at KDOT’s sole discretion), which will result in work orders subject to a maximum cumulative aggregate amount payable to each on-call agreement holder under the agreement. This maximum amount payable will be the same for all on-call agreement holders, will be stated in each agreement, and is anticipated to be a cost not to exceed \$3,000,000.

The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)

**Special Contract Conditions**

On-call agreements negotiated with the selected firms will take effect by November 15, 2023, have a maximum cost of services of three million dollars (\$3,000,000) over the life of the agreement, per consultant, and remain effective until such amount is spent associated with the agreement.

Finally, each firm shortlisted must affirm it utilizes accounting systems capable of the following before the firm may be awarded a contract:

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

**Questions**

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until October 19, 2023; answers will be provided to all prequalified consultants on October 26, 2023.

Calvin Reed  
Secretary

Department of Transportation

Doc. No. 051546

**State of Kansas**

**Department of Transportation**

**Notice to Consulting Firms**

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the project(s) described in Table 1 below. Interested consultants must submit a proposal as laid out herein by 12:00 p.m. (Central Time) November 10, 2023, to be considered for selection.

**Consultant Prequalification**

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category:

- 161 Corridor/Project Feasibility Studies.

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

Table 1: Background and Scope of Project

Project Number	Background and Scope of Project
KA-7212-01	KDOT is seeking consultant services to develop a new corridor study, evaluate the current highway and identify current and future needs of US-69 in Crawford County.

Table 2: Project Summary

Project Number	Route and Scope	Length (mi)	Project Termini
KA-7212-01	069-019 Traffic/Safety and Conceptual Study	20	US-69 Corridor beginning at the intersection of US-69 and US-400 in Crawford County, extending a total distance of 20 miles and ending approximately 3 miles north of Arma in Crawford County.

**Anticipated Consultant Scope**

KDOT completed an Environmental Assessment (EA) for the US-69 Corridor beginning at the intersection of US-69 and US-400 in Crawford County, extending a total distance of 20 miles and ending approximately 3 miles



north of Arma in Crawford County. KDOT identified a preferred alternative that would reconstruct US-69 as a full access-controlled freeway west of the existing facility. The preferred alternative, locally known as the “Pittsburg Bypass”, extends for approximately 18.5 miles. The Federal Highway Administration (FHWA) issued a Finding of No Significant Impact (FONSI) on July 25, 2012.

During recent outreach efforts, KDOT heard from communities and residents along the corridor and understands support for the selected preferred alternative has changed since the environmental study was completed. KDOT is committed to beginning a new study which will include an evaluation of the current highway and identification of viable options to improve US-69 in Crawford County. KDOT intends to select the most highly qualified firm to perform professional services associated with the scope items listed below.

KDOT is seeking consultant services to develop a new corridor study, evaluate the current highway and identify the current and future needs of US-69 in Crawford County. The project scope will include the following items:

1. The consultant will prepare a traffic and safety analysis for the US-69 Corridor in Crawford County.
2. The consultant will be expected to perform detailed traffic projection and traffic modeling analysis to supplement data utilized in the EA.
3. The consultant shall develop a range of viable improvement alternatives.
4. The consultant shall provide necessary traffic modeling and analysis as needed to compare viable improvement options.
5. The consultant will be expected to perform a detailed safety analysis and generate predicted crash data for comparing viable improvement options.
6. The consultant will be expected to prepare cost estimates for comparing viable improvement options.
7. The consultant will be expected to screen all viable improvement options and assess environmental effects.
8. The consultant will deliver a robust public outreach and stakeholder engagement effort that will include multiple opportunities for public input.
9. The consultant, in coordination with KDOT, will prepare an evaluation tool to assess viable improvement options and make recommendations of improvements to implement in future construction or operation plans.
10. The consultant will prepare a report detailing the traffic and safety analysis, viable improvement options, environmental effects, cost estimates, and public outreach information. The consultant will include a list of recommended improvements to be implemented in future construction or operation plans.

KDOT has made various study reports and other information (including the US-69 Corridor Crawford County Kansas Environmental Assessment, issued 2012) is available at <https://www.ksdot.gov/us69crawfordcountycorridor.asp>.

**Anticipated Schedule and Key Dates**

1. Proposals are due by or before 12:00 p.m. (Central Time) November 10, 2023.

2. Ranking of proposals is expected to occur on or around November 17, 2023. Negotiations with the most highly ranked firm are expected to begin on or around November 27, 2023. Negotiations will proceed quickly through scoping, manhour/fee negotiation, and NTP. In the event KDOT cannot reach agreement with the selected firm, it will terminate negotiations and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives. An executed agreement is anticipated around January 1, 2024.
3. The corridor study shall be completed by April 30, 2025. The program fiscal year for this project has yet to be determined.

**Instructions for Proposal**

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 9 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A single PDF (10 MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The proposal PDF file name must read:
  - a. “KA-7212-01-US-69 Crawford County Traffic-Safety Study\_FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). If you need a Tax Clearance Certificate, you can request one here at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.

**Table 3: Proposal Content**

Section	Description of Intent	Page Limit
Cover Letter		1 Page

(continued)

<b>Project Approach</b>	Demonstrate a unique approach to accomplish the scope efficiently and to a high standard. Specifically address your team’s approach to investigating and recommending viable options, including option assessment. In addition, describe your approach to public outreach and stakeholder engagement including specific tools and techniques the proposed team would recommend. Also include unique qualifications or experience that may inform the selection of firms. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach. Highlight traffic modeling, traffic analysis and safety analysis methods to be used for the project.	4 Pages
<b>Approach to Schedule</b>	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.	
<b>Approach to Quality Control</b>	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
<b>Qualifications and Experience</b>	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	4 Pages
<b>Past Performance</b>	Describe project manager’s, public outreach managers, and team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	
<b>Familiarity with KDOT and Project Area</b>	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with the project area and any identified special site conditions.	

**Table 4: Evaluation Factors**

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Demonstrated understanding of special conditions to be considered for the project public outreach and involvement	20%
Project approach	20%
Innovation/Creativity in solutions	15%
Understanding of the project area	10%
Past performance history for similar projects/services for KDOT	10%
Approach and commitment to meet advertised schedule	5%

**Contract Terms and Conditions**

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)

**Special Contract Conditions**

**PMC:** This project is being managed by a Project Manager Consultant (PMC) on behalf of KDOT. The Project Manager Consultant will be the primary contact for the selected firm. The PMC will not be on the KDOT Consultant Selection Committee.

**Quality Control:** Consultants will be required to provide a Quality Control (QC) plan at project kick-off. QC audits will be conducted by the PMC throughout the project. The audits will check compliance with the consultant’s plan.

**Bentley CONNECT Edition Software:** Consultants will be required to prepare plans and digital deliverables using Bentley CONNECT Edition Software products with KDOT’s CONNECT Edition workspace environment.

**Questions**

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express. Questions can be submitted until October 25, 2023; answers will be provided to all prequalified consultants on or around November 1, 2023.

Calvin Reed  
Secretary  
Department of Transportation

Doc. No. 051547

**State of Kansas**

**Department of Transportation**

**Notice to Consulting Firms**

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm, or team of firms, to perform construction inspection services on multiple projects in various counties. Summary information for each project is provided below in Table 1.

Interested consultants must submit a proposal as laid out herein by 12:00 p.m. (Central Time) November 1, 2023, to be considered for selection.

**Consultant Prequalification**

Consulting firms interested in providing service on project listed below must be prequalified by KDOT in category:

- Category 241–Construction Inspection and Testing

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT

prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

**Background and Scope of Projects**

KDOT is requesting consulting services for construction inspections on the project listed in Table 1. This table provides summary information for the project. One consultant will be selected to perform services associated with this group listed. Firms can express interest in the group by submitting a response as indicated below. There is no guarantee that a firm which has expressed interest will be selected for the project.

**Table 1: Summary of Project Information**

Group	RT-CO	Project #	Scope, County	Anticipated Start	Working Days or CCD	Office	Comments
147	U036-066	KA-3880-01	Bridge Replacement, Nemaha	January 8, 2024	210	Horton	

Additional project information including construction scope to be inspected, a detailed description of the project location, and resources and inspection scope specifically requested from consultants in this request can be viewed in an online table at <https://ike.ksdot.gov/about/construction-inspection-rfps>. Upon publication of this Request for Proposals, KDOT anticipates each of these inspection efforts will require full teams (project manager and inspectors, as opposed to single role staff augmentation as is occasionally request) for various types of construction inspection except as noted in the table. Watch the website linked above for updated information. Tabulated information (both in this Request for Proposals and on the website) shall not be relied upon during inspections. It is provided for the convenience of consultants, specifically to aid in making decisions if interested in performing this project.

Specific project needs are subject to modification and/or cancellation at KDOT's discretion.

**Anticipated Consultant Scope**

The scope of construction inspection services and certifications required for this project are listed in the table available on the website noted above. Inspection efforts will be managed out of the office listed. Also included for the convenience of consultants are indications of which group the project is currently slated to be performed by the same contractors.

**Anticipated Schedule and Key Dates**

- Proposals are due by or before 12:00 p.m. (Central Time) November 1, 2023.
- Ranking of proposals is expected to occur on or around November 8, 2023. Negotiations with the most highly ranked firm are expected to begin on or around November 15, 2023. An executed agreement is anticipated shortly thereafter.
- Anticipated scope start dates and working days or anticipated calendar completion dates are shown in the table. All dates are subject to change.

**Instructions for Proposal**

- No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
- The consultant's proposal must not exceed the page limit laid out in Table 2 below (including any cover

letter, index, etc.). All pages shall be standard letter size (8.5" x 11"). Any page larger than standard letter size will be counted as two or more pages depending on size.

- A single PDF (10MB maximum size) of the proposal including all attachments must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
- The proposal PDF file name must read:
  - "KA-3880-01 ConstInsp Brdg. Replcmnt in Nemaha Co. FIRM NAME"
- The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate") and No. 10 ("Policy Regarding Sexual Harassment"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
- The outline in Table 2 below describes the expected proposal organization, content sections, and limits on number of pages.
  - Each team is limited to a single, one-page cover letter.
  - Thereafter, each team is limited to two pages for the project. In these pages, consultants shall:
    - Describe the approach they plan to execute to deliver success on the project.
    - Present the relevant qualifications and experience of the people they are proposing will provide the services.
    - Provide the firm's familiarity with KDOT and the project area.
  - Finally, consultants are limited to a single, on-page descriptions of general qualifications ("Past Performance" selection plus "Approach to Quality Control" section) regardless of the number of projects in which they are expressing interest.
- Table 3 lists the evaluation criteria and associated weights which will be used to make a selection.
- Although not anticipated at this time, KDOT reserves the right to interview for the requested services associated with any of the listed projects prior to making final selections.

*(continued)*



Table 2: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Describe how your firm will meet the fluctuating inspection needs of the project.	2 Pages per project in which team is interested
Qualifications and Experience	For key personnel to be assigned to the project provide names, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	
Familiarity with KDOT and Project Area	Describe team’s familiarity with KDOT’s inspection processes and standards. Describe familiarity with the project area and any identified special site conditions.	
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	1 Page total
Approach to Quality Control	Describe methods or procedures your firm will use to provide all services with professional quality and technical accuracy.	

Table 3: Evaluation Factors

Evaluation Factor	Weight
The quality and completeness of the response	10%
Availability to respond to the work	20%
Qualifications and experience of project manager and other key project team members proposed for services	20%
Past performance history for similar projects/services for KDOT	20%
Understanding of the project area	10%
Understanding of KDOT contract administration and closeout procedures	20%

**Contract Terms and Conditions**

A standard KDOT agreement for engineering and technical services will be used for professional services projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)

**Questions**

All questions regarding this Request for Proposals shall be submitted via Q&A section of bid form in Bid Express.

Questions can be submitted until October 19, 2023; answers will be provided to all prequalified consultants on October 26, 2023.

Calvin Reed  
Secretary  
Department of Transportation

State of Kansas

Department of Transportation

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the project(s) described in Table 1 below. Interested consultants must submit a proposal as laid out herein by 12:00 p.m. (Central Time) November 1, 2023, to be considered for selection.

**Consultant Prequalification**

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category(s):

- 211 Highway Design–Major Facility
- 231 Traffic Control Analysis and Design
- 401 Landscape Seeding and Erosion Control

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

KDOT will select one firm for both projects.

Table 1: Background and Scope of Project

Project Number	Background and Scope of Project
KA-6105-03	This project involves construction of passing lanes along US-83 in Scott County. The scope also includes intersection improvements. KDOT performed a high-level study to determine approximate locations of passing lanes and has identified the intersections that need improved. The project is scheduled for letting in fiscal year 2027 (July 2026 to June 2027). Services associated with this Request for Proposals include preliminary design and final design. No discovery services will be required.
KA-6105-02	This project involves construction of passing lanes along US-83 in Finney County. The scope also includes intersection improvements. KDOT performed a high-level study to determine approximate locations of passing lanes and has identified the intersections that need improved. The project is scheduled for letting in fiscal year 2027 (July 2026 to June 2027). Services associated with this Request for Proposals include preliminary design and final design. No discovery services will be required.

Table 2: Project Summary

Project Number	Route and Scope	Length (mi)	Project Termini
KA-6105-03	083-086 Passing Lanes and Intersection Improvements	4	Scott City
KA-6105-02	083-028 Passing Lanes and Intersection Improvements	8	Finney/Scott County line

**Anticipated Consultant Scope**

KDOT anticipates the following to be included in the consultant's scope:

- Preliminary Design Services.
- Final Design Services.
- Public Involvement Services.
- Letting and Construction Phase Services.
- 3D Electronic Deliverables Preparation.
- Environmental Documentation Preparation (Permitting).

Current expectations for consultant scope are detailed below for both projects. The scope included herein may not be all-inclusive. A scoping meeting will take place after consultant selection is made.

**Project Management**

- Develop and communicate Project Management Plan and Quality Assurance Plan.
- Perform Quality Control Checks according to Quality Assurance Plan.
- Provide electronic plan files compliant with KDOT Graphic Standards Manual, including CAD conformance checks and ControlCAD indexed DGN files with ProjectWise attributes.
- Provide bi-annual construction cost estimates and at major project milestones.

**Road Design**

- Develop Preliminary Plans to Field Check.
- Develop Final Plans for Construction.
- Perform roadway geometric design, drainage design, intersection analysis.
- Visit the project site location.

**Traffic Engineering**

- Traffic Control Plans: This project will require traffic to be carried through construction.
- Develop permanent signing and pavement marking plans.
- Develop temporary traffic control plans.

**Public Involvement**

- Plan for at least one public open house.

**Activities to be performed by KDOT are likely to include:**

- Survey (project is currently being surveyed; anticipated completion date is October 27, 2023).
- Development of existing Right of Way.
- Environmental Services:
  - Permit application.
  - Technical data to support these activities will be required from the Consultant immediately after field check.
  - Permits will include NPDES – Storm Water Run-off Permit in which KDOT will require information from consultant:
    - Total project site area in acres.
    - Total disturbed area in acres (from Seeding Plans).
    - Impervious area in square feet (existing and proposed).
    - The above information needs to be provided by the consultant (90) days prior to letting.

- Utility Coordination, if required.
- Geotechnical Services including soil investigations, pavement field investigation and design, and surfacing recommendations.

**Anticipated Schedule and Key Dates**

1. Proposals are due by or before 12:00 p.m. (Central Time) November 1, 2023.
2. Ranking of proposals is expected to occur on or around November 3, 2023. Negotiations with the most highly ranked firm are expected to begin on or around November 8, 2023. Negotiations will proceed quickly through scoping, manhour/fee negotiation, and NTP. In the event KDOT cannot reach agreement with the selected firm, it will terminate negotiations and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives. An executed agreement is anticipated around November 13, 2023.
3. The program fiscal year for this project is FY2027 (July 2026–June 2027).
  - PLNMR: November 13, 2023
  - FDCHK: August 13, 2024
  - PLROW: September 25, 2024
  - PLNTE: December 15, 2025
  - UTILP: March 11, 2025
  - PLCOM: August 17, 2026

**Instructions for Proposal**

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant's proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5" x 11"). Any page larger than standard letter size will be counted as two or more pages depending on size.
3. A single PDF (10MB maximum size) of the proposal including all attachments must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The PDF file name must read:
  - a. "KA-6105-03 & KA-6105-02\_Passing Lane & Intersection Improvements FIRM NAME"
5. The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate") and No. 10 ("Policy Regarding Sexual Harassment"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection.
8. Depending on the number of responses received, KDOT may elect to shortlist (based on proposals)

(continued)

to no more than 3-5 firms and hold in-person interviews prior to final selection (which may be based on both proposal and interview content). If KDOT deems them necessary, interview evaluation criteria will be distributed to shortlisted consultant teams in advance.

**Table 3: Proposal Content**

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.	
Approach to Schedule	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	
Familiarity with KDOT and Project Area	Describe team’s familiarity with KDOT’s design process and standards. Describe familiarity with the project area and any identified special site conditions.	

**Table 4: Evaluation Factors**

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Project approach	10%
Approach and commitment to meet advertised schedule	20%
Past performance history for similar projects/services for KDOT	25%
Availability to respond to the work	10%
The quality and completeness of the response	15%

**Contract Terms and Conditions**

A standard KDOT agreement for engineering and technical services will be used for professional services

projects. KDOT will select one firm for both projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 (“Tax Clearance Certificate”)
- Special Attachment No. 10 (“Policy Regarding Sexual Harassment”)

**Special Contract Conditions**

This project will be managed by KDOT Road Design.

**Questions**

All questions regarding this Request for Proposals shall be emailed to [KDOT.DesignContracts@ks.gov](mailto:KDOT.DesignContracts@ks.gov).

Questions can be submitted until October 19, 2023; answers will be provided to all prequalified consultants on October 26, 2023.

Calvin Reed  
Secretary

Department of Transportation

Doc. No. 051549

**State of Kansas**

**Department of Transportation**

**Notice to Consulting Firms**

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or team of firms to perform professional services for the project(s) described in Table 1 below. Interested consultants must submit a proposal as laid out herein by 12:00 p.m. (Central Time) November 1, 2023, to be considered for selection.

**Consultant Prequalification**

Interested consulting firms must be prequalified by KDOT or otherwise demonstrate qualification in category(s):

- For both Projects:
  - 231 Traffic Control Analysis and Design
  - 162 Long Range Planning
  - 212 Highway Design – Minor Facility
- Additionally for Project # KA-6481-01:
  - 212 Highway Design – Minor Facility

If a firm is not currently prequalified by KDOT, a proposal may still be submitted. Firms not prequalified must also provide documentation that demonstrates the firm is qualified for each specified category listed in this notice for the project. Firms must use the KDOT prequalification form to provide this documentation. KDOT 1050 Prequalification Category Definitions (Blue Book) can be found at <http://www.ksdot.org/descons.asp>. Consultants may create a team to meet the prequalification requirements. All firms doing business with KDOT must be registered and in good standing under the laws of the State of Kansas at the time of contracting and must comply with applicable state and federal laws, rules, and regulations.

KDOT will select one firm for both projects.



**Table 1: Background and Scope of Project**

Project Number	Background and Scope of Project
KA-6480-01	KA-6480-01: US-24: bridge #104 (over US-24 highway) located at the east US-24/Old US-75 highway junction (southbound) and bridge #105 (over US-24 highway) located at the east US-24/Old US-75 highway junction (northbound).
KA-6481-01	KA-6481-01: Replacement of US-24: bridge #076 westbound (over Goodyear Plant entrance) located 1.67 miles east of the US-24/US-75 junction and bridge #077 eastbound (over Goodyear Plant entrance) located 1.25 miles east of the US-24/US-75 junction.

**Table 2: Project Summary**

Project Number	Route and Scope	Length (mi)	Project Termini
KA-6480-01	024-089 Bridge Replacement Project	0.25 mile	Over US-24 highway.
KA-6481-01	024-089 Bridge Replacement Project	0.25 mile	Goodyear Road.

**Anticipated Consultant Scope**

KDOT anticipates the following to be included in the consultant’s scope for both projects:

- Public Involvement Services
- Final Design Services
- Additionally for KA-6480-01:
  - Preliminary Design Services

Current expectations for consultant scope are detailed below. The scope included herein may not be all-inclusive. A scoping meeting will take place after consultant selection is made.

**KA-6480-01**

The scope for KA-6480-01 is to be completed by the consultant and consultant will coordinate with concurrent project 24-89 KA-6481-01 (replacement of bridges #076 and #077 on US-24).

- Traffic Engineering:
  - Traffic Analysis:
    - Perform traffic analysis for phases of construction (closing of Stover Road), detour options, single lane US-24, etc.)
  - Produce TMP.
  - Traffic Modeling.
  - Develop Traffic Control Plans.
  - Develop Signing and Pavement Marking Plans.
- Public Involvement:
  - Meetings with stakeholders, production of hand-outs, public meetings (1 or 2 meetings).

On 24-89 KA-6480-01 KDOT Road and KDOT Bridge Design will design this project in-house; therefore, coordination will be needed with them.

**KA-6481-01**

The scope for KA-6481-01 is to be completed by the consultant and consultant will coordinate with concurrent project 24-89 KA-6480-01 (reconstruction of twin bridges 104 and 105 (Stover Road) over US-24).

- Traffic Engineering:

- Traffic Analysis:
  - Perform traffic analysis for phases of construction (closing of Goodyear Road, detour options, single lane US-24, etc.)
- Produce TMP.
- Traffic Modeling.
- Develop Traffic Control Plans.
- Develop Signing and Pavement Marking Plans.
- Final Roadway Design including Verification of Preliminary Roadway Design.
- Public Involvement:
  - Meetings with stakeholders, production of hand-outs, public meetings (2-3 meetings).

On 24-89 KA-6481-01 KDOT Bridge Design will design this project in-house; therefore, coordination will be needed with them.

**Anticipated Schedule and Key Dates**

1. Proposals are due by or before 12:00 p.m. (Central Time) November 1, 2023.
2. Ranking of proposals is expected to occur on or around November 10, 2023. Negotiations with the most highly ranked firm are expected to begin on or around November 17, 2023. Negotiations will proceed quickly through scoping, manhour/fee negotiation, and NTP. In the event KDOT cannot reach agreement with the selected firm, it will terminate negotiations and commence negotiations with the next highest ranked firm, and so on, until either agreement is reached for a satisfactory scope of services for a fair and reasonable price, or KDOT decides to pursue other alternatives. An executed agreement is anticipated around December 1, 2023.
3. The program fiscal year for this project is FY2026-2028 (July 2025-2027–June 2026-2028).

**KA-6480-01 Schedule:**

- Currently under construction with letting in FY2028.

**KA-6481-01 Schedule:**

- Traffic analysis and TMP completed by date of January 31, 2023.
- Traffic Control, Signing and Pavement Marking plans submitted for review by Plans to Traffic Engineering date of July 15, 2024.
- Final Traffic Control, Signing and Pavement Marking plans submitted by Final Plans to Design date of January 15, 2025.
- Public Meeting or stakeholders’ meetings around Spring 2024.
- Public Meeting around letting or beginning of construction in Fall 2025.

**Instructions for Proposal**

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be counted as two or more pages depending on size.

*(continued)*

3. A single PDF (10MB maximum size) of the proposal including all attachments must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The proposal PDF file name must read:
  - a. "KA-6480-01 & KA-6481-01\_Traffic and Public involvement FIRM NAME"
5. The proposal must be accompanied by Special Attachments No. 8 ("Tax Clearance Certificate") and No. 10 ("Policy Regarding Sexual Harassment"). If you need a Tax Clearance Certificate, you can request one at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing. Both attachments are required for every firm involved in a multi-consultant team. Upload these files as instructed in Bid Express.
6. The outline in Table 3 below describes the expected proposal organization and content sections.
7. Table 4 lists the evaluation criteria and associated weights which will be used to make a selection. Depending on the number of responses received, KDOT may elect to shortlist (based on proposals) to no more than 3-5 firms and hold in-person interviews prior to final selection (which may be based on both proposal and interview content). If KDOT deems them necessary, interview evaluation criteria will be distributed to shortlisted consultant teams in advance.

**Table 3: Proposal Content**

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate a unique approach to accomplish the design efficiently and to a high standard. Include cost-effective and optimized solutions to address the anticipated improvements in the design. Include unique qualifications or experience related to the project approach.	
Approach to Schedule	Describe the approach to accomplish the scope of services within the schedule requirements. Include anticipated key milestone dates and availability of staff.	
Approach to Quality Control	Describe methods or procedures your firm will use to provide all drawings, reports and other services with professional quality and technical accuracy.	
Qualifications and Experience	For key personnel to be assigned to the project provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and percent of their time dedicated to the project. List work for which you do not have in-house capability and name the firm you propose to subcontract with.	
Past Performance	Describe team's past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.	

<b>Familiarity with KDOT and Project Area</b>	Describe team's familiarity with KDOT's design process and standards. Describe familiarity with the project area and any identified special site conditions.	
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**Table 4: Evaluation Factors**

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	30%
Project approach	15%
Approach and commitment to meet advertised schedule	10%
Past performance history for similar projects/services for KDOT	10%
Availability to respond to the work	15%
Approach to quality control	5%
Understanding of KDOT Technical Policies	15%

**Contract Terms and Conditions**

A standard KDOT agreement for engineering and technical services will be used for professional services projects. KDOT will select one firm for both projects. The following special attachments will need to be provided by the selected consultant and all subconsultants with the signed work order following negotiations and will become attachments to the contract.

- Special Attachment No. 8 ("Tax Clearance Certificate")
- Special Attachment No. 10 ("Policy Regarding Sexual Harassment")

**Questions**

All questions regarding this Request for Proposals shall be emailed to [KDOT.DesignContracts@ks.gov](mailto:KDOT.DesignContracts@ks.gov).

Questions can be submitted until October 19, 2023; answers will be provided to all prequalified consultants on October 26, 2023.

Calvin Reed  
Secretary  
Department of Transportation

Doc. No. 051550

(Published in the Kansas Register October 12, 2023.)

**City of Arkansas City, Kansas**

**Notice of Intent to Seek Private Placement Taxable General Obligation Bonds, Series 2023**

Notice is hereby given that the City of Arkansas City, Kansas (the "Issuer") proposes to seek a private placement of the above-referenced bonds (the "Bonds"). The maximum aggregate principal amount of the Bonds shall not exceed \$525,000. 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 passage of an ordinance and adoption of a resolution by the governing body authorizing the issuance of the Bonds and the execution of various documents necessary to deliver the Bonds.

Dated October 3, 2023.

Jennifer Waggoner  
Finance Director  
City of Arkansas City, Kansas

Doc. No. 051558

## State of Kansas

## Department of Revenue

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted by the Department of Revenue at 9:00 a.m. Wednesday, December 13, 2023, in the Secretary's Conference Room 4th Floor, Mills Building, 109 SW 9th St., Topeka, KS 66612, regarding the proposed amendment of K.A.R. 92-22-17 and the proposed revocation of K.A.R. 92-22-14, 92-22-23, and 92-22-32. These are regulations supporting the Kansas Homestead Property Tax Refund program.

**K.A.R. 92-22-17. Exercise of right to file claim on behalf of claimant.** The Department proposes amending this regulation, simplifying it to match current statutory requirements and Department practice for accepting Homestead refund claims filed under a power of attorney.

**K.A.R. 92-22-14. Rent constituting property taxes accrued; services. | 92-22-23. Computation of amount of claim; rental and ownership of a homestead during the same calendar year. | 92-22-32. Homestead; charges for services, furniture, personal property, etc.** When these regulations were adopted, both homeowners and renters were eligible to receive Homestead refunds. These regulations address issues specific to renters. Because renters are no longer eligible for Homestead refunds, the Department proposes revoking these regulations.

The Department of Revenue does not anticipate any significant economic or environmental impact on governmental agencies or units or the general public because of the changes to these regulations. Copies of the proposed regulations and the Economic Impact Statements may be found online at <https://www.ksrevenue.gov/prproposedregulations.html>, or by contacting Taylor Murray at [taylor.murray@ks.gov](mailto:taylor.murray@ks.gov).

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulations. All interested parties may submit written public comments prior to the hearing to Taylor Murray, Office of Policy and Research, Mills Building, 109 SW 9th St., Topeka, KS 66601-3506, or via email at [taylor.murray@ks.gov](mailto:taylor.murray@ks.gov). Additionally, interested parties wanting to participate remotely may contact Taylor Murray at [taylor.murray@ks.gov](mailto:taylor.murray@ks.gov) to obtain remote access information.

All interested parties will be given a reasonable opportunity to present their views, either orally or in writing or both, concerning the proposed regulations. 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.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Taylor Murray at 785-296-6093 or via email at [taylor.murray@ks.gov](mailto:taylor.murray@ks.gov). Individuals with hearing

and/or speech disabilities may contact the Kansas Relay Center at 1-800-766-3777 for communication accommodations. Disabled parking is located on the north side of the Mills Building on either side of 9th Street. The north entrance to the Mills Building is accessible.

Mark A. Burghart  
Secretary  
Department of Revenue

Doc. No. 051542

## State of Kansas

## Board of Pharmacy

## Permanent Administrative Regulations

## Article 2.—DRUGSTORES

**68-2-24. Pharmacy owner responsibilities.** (a) Each pharmacy owner shall ensure that the pharmacy is operated in compliance with the Kansas pharmacy act, the state and federal uniform controlled substances act, the state and federal food, drug, and cosmetic act, the state prescription monitoring program act, and all applicable regulations.

(b) Each pharmacy owner shall ensure that all policies and procedures of the pharmacy are in compliance with the Kansas pharmacy act, the state and federal uniform controlled substances act, the state and federal food, drug, and cosmetic act, the state prescription monitoring program act, and all applicable regulations.

(c) Each pharmacy owner shall not prohibit or prevent a pharmacist, pharmacist intern, or pharmacy technician from complying with the Kansas pharmacy act, the state and federal uniform controlled substances act, the state and federal food, drug, and cosmetic act, the state prescription monitoring program act, and all applicable regulations.

(d) Each pharmacy owner shall not penalize, prohibit, or prevent a pharmacist from conducting an in-person inspection of a prescription, drug or device, or product verification.

(e) Each pharmacy owner shall not permit an individual to be in the pharmacy that has had a license or registration denied, revoked, or suspended by the board, unless the licensee or registrant has subsequently been issued an active license or registration by the board. (Authorized by K.S.A. 65-1630 and K.S.A. 2022 Supp. 65-1643; implementing K.S.A. 2022 Supp. 65-1626, K.S.A. 2022 Supp. 65-1627, K.S.A. 65-1642, K.S.A. 2022 Supp. 65-1643, K.S.A. 65-1648, K.S.A. 65-1663, and K.S.A. 65-1676; effective Oct. 27, 2023.)

## Article 20.—CONTROLLED SUBSTANCES

**68-20-23.** (Authorized by and implementing K.S.A. 65-4102; effective, T-68-11-6-08, Nov. 6, 2008; effective March 6, 2009; revoked Oct. 27, 2023.)

**68-20-31.** (Authorized by and implementing K.S.A. 2014 Supp. 65-4102; effective, T-68-1-23-15, Jan. 23, 2015; effective June 5, 2015; revoked Oct. 27, 2023.)

(continued)



**68-20-32. 8-bromo-6-(2-fluorophenyl)-1-methyl-4H-benzo[f][1,2,4]triazolo[4,3-a][1,4]diazepine included in schedule I.** (a) 8-bromo-6-(2-fluorophenyl)-1-methyl-4H-benzo[f][1,2,4]triazolo[4,3-a][1,4]diazepine (other name: flubromazolam), including its salts, isomers, and salts of isomers, shall be classified as a schedule I controlled substance.

(b) This regulation shall expire on July 1, 2024. (Authorized by and implementing K.S.A. 65-4102; effective, T-68-7-17-23, July 17, 2023; effective Oct. 27, 2023.)

Alexandra Blasi  
Executive Administrator  
Board of Pharmacy

Doc. No. 051559

## State of Kansas

### Department of Health and Environment

#### Permanent Administrative Regulations

#### Article 35.—RADIATION

**28-35-603. Requirements for radon measurement technician.** (a) Each applicant for initial certification as a radon measurement technician shall meet the requirements of K.S.A. 48-16a05, and amendments thereto, and the following additional requirements:

- (1) Be at least 18 years of age;
- (2) complete and show proof of completion to the department of a radon measurement training course with at least 16 hours of classroom instruction approved by the department pursuant to K.S.A. 48-16a05, and amendments thereto;
- (3) attain a passing score of at least 70 percent on a closed-book examination on radon measurement approved by the department pursuant to K.S.A. 48-16a05, and amendments thereto; and
- (4) provide any additional relevant information requested by the department.

(b) Each radon measurement technician shall meet the following requirements:

- (1) Conduct radon measurement activities in accordance with the requirements of the following:
  - (A) K.S.A. 48-16a05, and amendments thereto;
  - (B) “protocol for conducting measurements of radon and radon decay products in homes,” ANSI/AARST MAH 2019, published by the American national standards institute and the American association of radon scientists and technologists, dated 2019, which is hereby adopted by reference, except for the introduction, table of contents, and exhibits;
  - (C) “performance specifications for instrumentation systems designed to measure radon gas in air,” ANSI/AARST MS-PC 2022, published by the American national standards institute and the American association of radon scientists and technologists, dated 2022, which is hereby adopted by reference, except for the introduction, table of contents, references, bibliography, and acknowledgments;
  - (D) “protocol for conducting measurements of radon and radon decay products in multifamily buildings,” MAMF 2017 with 1/21 revisions, published by the Amer-

ican national standards institute and the American association of radon scientists and technologists, dated 2021, which is hereby adopted by reference, except for the introduction, table of contents, exhibits, acknowledgments, and companion guidance;

(E) “protocol for conducting measurements of radon and radon decay products in schools and large buildings,” MALB 2014 with 1/21 revisions, published by the American national standards institute and the American association of radon scientists and technologists, dated 2021, which is hereby adopted by reference, except for the introduction, indices, acknowledgments, exhibits, and companion guidance; and

(F) all applicable municipal, county, state, and federal laws and regulations;

(2) upon request from the department, provide documentation of proficiency, including continuing education requirements specified in K.A.R. 28-35-605;

(3) notify the department of any name or address changes within 30 days; and

(4) maintain and adhere to a quality assurance and quality control plan. (Authorized by K.S.A. 2022 Supp. 48-16a03; implementing K.S.A. 2022 Supp. 48-16a03 and 48-16a05; effective Feb. 3, 2012; amended Oct. 27, 2023.)

**28-35-604. Requirements for radon mitigation technician.** (a) Each applicant for initial certification as a radon mitigation technician shall meet the requirements of K.S.A. 48-16a06, and amendments thereto, and the following additional requirements:

- (1) Be at least 18 years of age;
- (2) complete and submit proof of completion to the department of a radon mitigation training course with at least 24 hours of classroom instruction that includes active participation in radon mitigation techniques approved by the department pursuant to K.S.A. 48-16a06, and amendments thereto;
- (3) attain a passing score of at least 70 percent on a closed-book examination on radon mitigation approved by the department pursuant to K.S.A. 48-16a06, and amendments thereto; and
- (4) provide any additional relevant information requested by the department.

(b) Each radon mitigation technician shall meet the following requirements:

- (1) Conduct radon mitigation activities in accordance with the requirements of the following:
  - (A) K.S.A. 48-16a06, and amendments thereto;
  - (B) “protocol for conducting measurements of radon and radon decay products in homes,” which is adopted by reference in K.A.R. 28-35-603;
  - (C) “performance specifications for instrumentation systems designed to measure radon gas in air,” which is adopted by reference in K.A.R. 28-35-603;
  - (D) “protocol for conducting measurements of radon and radon decay products in multifamily buildings,” which is adopted by reference in K.A.R. 28-35-603;
  - (E) “protocol for conducting measurements of radon and radon decay products in schools and large buildings,” which is adopted by reference in K.A.R. 28-35-603;
  - (F) “soil gas mitigation standards for existing homes,” SGM-SF 2017 with 12/2020 revisions, published by the

American national standards institute and the American association of radon scientists and technologists, dated 2020, which is hereby adopted by reference, except for the introduction, table of contents, exhibits, appendices, and companion guidance;

(G) “radon mitigation standards for multifamily buildings,” ANSI/AARST RMS-MF 2018 with 12/2020 revisions, published by the American national standards institute and the American association of radon scientists and technologists, dated 2020, which is hereby adopted by reference, except for the introduction, table of contents, exhibits, appendices, and companion guidance;

(H) “radon mitigation standards for schools and large buildings,” ANSI/AARST RMS-LB 2018 with 12/2020 revisions, published by the American national standards institute and the American association of radon scientists and technologists, dated 2020, which is hereby adopted by reference, except for the introduction, table of contents, exhibits, appendices, and companion guidance; and

(I) all applicable municipal, county, state, and federal laws and regulations;

(2) upon request from the department, provide documentation of proficiency including continuing education requirements specified in K.A.R. 28-35-605; and

(3) notify the department of any name or address changes within 30 days. (Authorized by K.S.A. 2022 Supp. 48-16a03; implementing K.S.A. 2022 Supp. 48-16a03 and 48-16a06; effective Feb. 3, 2012; amended Oct. 27, 2023.)

**28-35-605. Continuing education.** (a) Before certification renewal, each radon measurement technician shall meet the following continuing education requirements:

(1) Complete and submit proof of completion to the department of at least 16 hours of department-approved continuing education; and

(2) maintain documentation, pursuant to K.A.R. 28-35-601(h), that the continuing education was successfully completed within the prior 24-month certification period.

(b) Before certification renewal, each radon mitigation technician shall meet the following continuing education requirements:

(1) Complete and submit proof of completion to the department of at least 16 hours of department-approved continuing education;

(2) maintain documentation, pursuant to K.A.R. 28-35-601(h), that the continuing education was successfully completed within the prior 24-month certification period.

(c) If a person is certified as both a radon measurement technician and a radon mitigation technician, continuing education credit shall be granted for both certifications if the person completes at least 24 hours of department-approved continuing education credits for radon services during the 24-month period that the certificates are valid.

(d) Continuing education credit shall be accepted only for the completion of each different continuing education training course during a current certification period. Training courses for continuing education credit that are repeated shall be accepted only for the initial successful completion of the course during a current certification period. (Authorized by K.S.A. 2022 Supp.

48-16a03; implementing K.S.A. 2022 Supp. 48-16a03, 48-16a05, and 48-16a06; effective Feb. 3, 2012; amended Oct. 27, 2023.)

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 051560

## State of Kansas

### Department of Health and Environment

#### Temporary Administrative Regulations

#### Article 34.—HOSPITALS

**28-34-145. Definitions.** As used in K.A.R. 28-34-145 through 28-34-152, each of the following terms shall have the meaning specified in this regulation:

(a) “Accrediting survey” means an inspection conducted by an accrediting organization approved by the centers for medicare and medicaid services.

(b) “Administrator” means an individual who is appointed by the governing body to act on behalf of a rural emergency hospital in the overall management of a rural emergency hospital.

(c) “Applicant” means a person who has applied for a license but who has not yet been granted a license to operate a rural emergency hospital.

(d) “Change of ownership” means any transaction that results in a change of control over the capital assets of a rural emergency hospital.

(e) “Critical access hospital” has the meaning specified for “critical access hospital” in K.S.A. 2022 Supp. 65-468, and amendments thereto.

(f) “General hospital” has the meaning specified for “general hospital” in K.S.A. 65-425, and amendments thereto.

(g) “Governing body” means the individual or individuals who comprise the legal administrative structure of a rural emergency hospital and direct how business shall be conducted.

(h) “Licensee” means a person that has been granted a license to operate a rural emergency hospital.

(i) “Licensing agency” means Kansas department of health and environment.

(j) “Licensure survey” means an inspection conducted by surveyors of the licensing agency of any licensee to verify each rural emergency hospital’s compliance with state statutes and the requirements specified in K.A.R. 28-34-146 through 28-34-152.

(k) “Person” means any individual, firm, partnership, corporation, company, association, or joint-stock association, and the legal successor of the individual, firm, partnership, corporation, company, association, or joint-stock association.

(l) “Rural emergency hospital” and “REH” have the meaning specified for “rural emergency hospital” in K.S.A. 2022 Supp. 65-483, and amendments thereto.

(m) “Rural emergency hospital services” has the meaning specified for “rural emergency hospital services” in K.S.A. 2022 Supp. 65-483, and amendments thereto.

(continued)

(n) "Secretary" has the meaning specified for "secretary" in K.S.A. 65-483, and amendments thereto. (Authorized by and implementing K.S.A. 2022 Supp. 65-487; effective, T-28-9-29-23, Sept. 29, 2023.)

**28-34-146. Application process.** (a) Any person wanting to operate a rural emergency hospital shall meet the eligibility requirements pursuant to K.S.A. 2022 Supp. 65-484, and amendments thereto, and shall file an application on a form provided by the licensing agency at least 90 days before the admission of patients.

(b) Each applicant for a license to operate a rural emergency hospital shall submit all of the following information to the licensing agency:

(1) An action plan for initiating rural emergency hospital services, including a transition plan that lists the specific services that the rural emergency hospital transitioning from a critical access hospital shall retain, modify, add, or discontinue;

(2) a description of services the rural emergency hospital may provide on an outpatient basis;

(3) a description of how the rural emergency hospital will use payments provided to the rural emergency hospital by the centers for medicare and medicaid services;

(4) a written verification from county and municipal authorities showing that the rural emergency hospital complies with all local codes and ordinances, including all building, fire, and zoning requirements;

(5) a written verification from the Kansas office of the state fire marshal showing that the rural emergency hospital building complies with all applicable fire codes and regulations;

(6) a plan for the removal of biomedical waste and human tissue from the rural emergency hospital; and

(7) a transfer agreement with a medicare certified level I or level II trauma center.

(c) The granting of a license to any applicant may be denied by the secretary if the applicant is not in compliance with all applicable laws and regulations. (Authorized by and implementing K.S.A. 2022 Supp. 65-487; effective, T-28-9-29-23, Sept. 29, 2023.)

**28-34-147. Licensing procedure; renewals.** (a)(1) No earlier than 90 days before but not later than 30 days before the renewal date, each licensee wishing to renew a license shall submit an application to renew the license to the licensing agency on a form provided by the licensing agency.

(2) The licensing agency shall approve the application for renewal after the licensing agency has verified that the licensee is in compliance with the requirements specified in K.A.R. 28-34-146 through 28-34-152.

(3) A license previously issued shall be renewed after the licensee has filed an annual report. The annual report shall be filed not later than 60 days after the beginning of each calendar year. The annual report shall include information regarding the following:

(A) Administration and ownership;

(B) classification;

(C) special care services;

(D) outpatient and emergency room services; and

(E) staff personnel.

(b) New construction, alterations, or renovations that

provide space for patient services or patient room shall not be used until authorization has been received from the licensing agency. The licensing agency may give authorization orally or by telephone and shall provide the rural emergency hospital with written confirmation of the authorization.

(c) If the rural emergency hospital is found to be non-compliant with the requirements specified in K.A.R. 28-34-146 through 28-34-152, the licensing agency shall notify the licensee, in writing, of each violation and require that a plan of correction be submitted before a license is issued or renewed. The plan of correction shall state specifically what corrective action shall be taken and the date on which the plan of correction shall be accomplished.

(d) If during the term of the current license the rural emergency hospital is surveyed by an accrediting organization approved by the centers for medicare and medicaid services, the licensee shall submit the survey report to the licensing agency. As a result of the accrediting survey, any licensee may be subject to an additional licensing survey at the secretary's discretion.

(e) The licensing agency shall verify compliance of the rural emergency hospital with the requirements specified in K.A.R. 28-34-146 through 28-34-152 in at least one of the following ways:

(1) A statement of the administrator or an authorized staff member; or

(2) on-site observations by licensing agency surveyors.

(f) If a licensed general hospital or critical access hospital applies for and receives licensure as a rural emergency hospital and elects to operate as a rural emergency hospital, the rural emergency hospital shall retain its original state license as a general hospital or critical access hospital. The original state license of the rural emergency hospital shall remain inactive and the reporting requirements of the general hospital or critical access hospital shall be waived while the rural emergency hospital license is in effect. (Authorized by and implementing K.S.A. 2022 Supp. 65-487; effective, T-28-9-29-23, Sept. 29, 2023.)

**28-34-148. Terms of a license; amendments.** (a) Each rural emergency hospital license shall be effective for one year following the date of issuance.

(b) Each license shall be valid for the licensee and the address specified on the license. When an initial, renewed, or amended license becomes effective, all previous rural emergency hospital licenses granted to licensee at the same address shall become invalid.

(c) Only one physical location shall be described in each license.

(d) Any applicant may withdraw the application for a license.

(e) Any licensee may submit, at any time, a request to close the rural emergency hospital permanently and to surrender the license. Unless notified by the licensee in writing, if a licensee closes a rural emergency hospital and surrenders the license, any state general hospital license or state critical access hospital license that the licensee also holds shall be surrendered to the licensing agency.

(f) If a rural emergency hospital is closed, any license granted for that rural emergency hospital shall become void.



(g) Each licensee shall submit a request for an amended license to the licensing agency within 30 days after either of the following:

- (1) A change of ownership by purchase or by lease; or
- (2) a change in the name or address.

(h) If a licensee that also holds a state-issued license as a general hospital or a critical access hospital submits a request for an amended license for a rural emergency hospital, the licensee shall ensure that the amendment to the license does not affect the status of the state-issued license for a general hospital or a critical access hospital. (Authorized by and implementing K.S.A. 2022 Supp. 65-487; effective, T-28-9-29-23, Sept. 29, 2023.)

**28-34-149. Rural emergency hospital services.** Each rural emergency hospital shall provide only services pursuant to K.S.A. 65-483, and amendments thereto. (Authorized by and implementing K.S.A. 2022 Supp. 65-487; effective, T-28-9-29-23, Sept. 29, 2023.)

**28-34-150. Conditions of participation.** (a) The following sections of 42 C.F.R., part 485, subpart E, as in effect on January 1, 2023, are hereby adopted by reference:

- (1) 485.508;
- (2) 485.510;
- (3) 485.512;
- (4) 485.514;
- (5) 485.516;
- (6) 485.520;
- (7) 485.522;
- (8) 485.524;
- (9) 485.526;
- (10) 485.528;
- (11) 485.530;
- (12) 485.532;
- (13) 485.534;
- (14) 485.536;
- (15) 485.538; and
- (16) 485.540.

(b) The following changes shall be made to the sections specified:

- (1) 485.516(c) shall be deleted.

(2) In 485.524(d)(1)(i), the text “including an osteopathic practitioner recognized under section 1101(a)(7) of the Act” shall be deleted.

(3) In 485.524(d)(3)(i)(B), the text “including an osteopathic practitioner recognized under section 1101(a)(7) of the Act” shall be deleted.

(4) In 485.524(d)(3)(i)(E), the text “as defined in § 410.69(b) of this chapter” shall be deleted.

(5) In 485.524(d)(3)(i)(F), the text “as defined in § 410.69(b) of this chapter” shall be deleted.

(6) In 485.524(d)(3)(i)(G), the text “as described in § 413.85 or §§ 413.76 through 413.83 of this chapter” shall be deleted.

- (7) 485.524(d)(3)(ii) shall be deleted.
- (8) 485.524(d)(4) shall be deleted.
- (9) 485.524(d)(5) shall be deleted.
- (10) 485.526(e) shall be deleted.
- (11) 485.526(f) shall be deleted.
- (12) 485.526(g) shall be deleted.
- (13) In 485.534(b)(3), the text “in accordance with §§

489.100, 489.102, and 489.104 of this chapter” shall be deleted.

(14) In 485.534(g), the term “CMS” shall be replaced with “CMS and the licensing agency.”

(15) In 485.536, the term “CMS” shall be replaced with “CMS and the licensing agency.”

(16) 485.540(d) shall be replaced with the following text: “If the REH utilizes an electronic medical records system or other electronic administrative system, the REH shall submit an attestation of the REH’s conformance with 45 C.F.R. 170.205(d)(2) to the licensing agency. Then the REH shall demonstrate that:”

(c) All outside references contained in the adoptions in (a)(2), (3), (4) and (5) of this regulation shall refer to those versions adopted in this regulation. (Authorized by and implementing K.S.A. 2022 Supp. 65-487; effective, T-28-9-29-23, Sept. 29, 2023.)

**28-34-151. Construction standards.** Each rural emergency hospital construction, including new buildings and additions or alterations to existing buildings, shall be in accordance with the requirements specified in K.A.R. 28-34-32b. (Authorized by and implementing K.S.A. 2022 Supp. 65-487; effective, T-28-9-29-23, Sept. 29, 2023.)

**28-34-152. Laboratory services.** Each rural emergency hospital shall provide laboratory services in accordance with the requirements specified in K.A.R. 28-34-11. (Authorized by and implementing K.S.A. 2022 Supp. 65-487; effective, T-28-9-29-23, Sept. 29, 2023.)

Janet Stanek  
Secretary

Department of Health and Environment

Doc. No. 051561

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 4.—INSTANT GAMES AND DRAWINGS

**111-4-3761. “Lucky Lines Doubler” instant ticket lottery game number 239.** (a) The Kansas Lottery may conduct an instant winner lottery game entitled “Lucky Lines Doubler.” The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3761.

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

Play Symbols	Captions
Symbol of an apple	APPLE
Symbol of a bell	BELL
Symbol of a bracelet	BRCLET
Symbol of a cherry	CHERRY
Symbol of a coin	COIN
Symbol of a crown	CROWN
Symbol of a daisy	DAISY
Symbol of a diamond	DIAMND
Symbol of a pair of dice	DICE

(continued)

Symbol of an emerald	EMERALD
Symbol of a gift	GIFT
Symbol of a gold bar	BAR
Symbol of grapes	GRAPES
Symbol of a heart	HEART
Symbol of a horn of plenty	HORN
Symbol of a boat	BOAT
Symbol of a key	KEY
Symbol of a lemon	LEMON
Symbol of a padlock	LOCK
Symbol of a moneybag	MNYBAG
Symbol of a moon	MOON
Symbol of a necklace	NCKLCE
Symbol of a pearl	PEARL
Symbol of a pineapple	PNAPLE
Symbol of a pot of gold	POT
Symbol of a rainbow	RAINBW
Symbol of a ring	RING
Symbol of a safe	SAFE
Symbol of a sapphire	SAPHIR
Symbol of a number seven	SEVEN
Symbol of a star	STAR
Symbol of a strawberry	STRWBY
Symbol of a sun	SUN

<b>Doubler Play Symbols</b>	<b>Captions</b>
Symbol of a stack of money	DOUBLER
Symbol of a map	MAP
Symbol of a stereo	STEREO
Symbol of a mirror	MIRROR
Symbol of a license plate	LICENSE

**Prize Symbols**

- \$5
- \$10
- \$15
- \$20
- \$25
- \$50
- \$75
- \$100
- \$500
- \$1,000
- \$25,000

(c) For this game, a play/prize symbol shall appear in 82 play spots within the play areas.

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

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

(f) "Lucky Lines Doubler" is a six-part symbol match game with a doubler area. The first five parts consist of separate grids with 25 play symbols in game one and nine play symbols each in games two, three, four and five each covered with translucent material. The sixth part consists of "YOUR SYMBOLS" with 20 play symbols. The player will remove the scratch-off material to reveal 20 "YOUR SYM-

BOLS." For each symbol in "YOUR SYMBOLS," the player will find the corresponding grid symbol and scratch only that square. If in game one the player uncovers five contiguous play symbols in a straight horizontal line, straight vertical line or straight diagonal line in the grid, the player wins the prize amount shown for that line in the grid. If in games two, three, four or five the player uncovers three contiguous play symbols in a straight horizontal line, straight vertical line or straight diagonal line in the grid, the player wins the prize amount shown for that line in the grid. Each game plays separately. The player will scratch the "DOUBLER" area. If the player reveals a stack of money, any prize amount won in any game is doubled.

(g) Each ticket in this game may win up to four times.

(h) Approximately 750,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 150,000 tickets, and the same odds as were contained in the initial ticket order.

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

	Doubler	Prize	Winners Per 750,000	Prize Cost
\$5		\$5	110,000	\$550,000
\$10		\$10	19,450	\$194,500
	\$5	\$10	25,000	\$250,000
\$15		\$15	9,000	\$135,000
\$5 + \$10		\$15	9,000	\$135,000
\$5 x 3		\$15	10,000	\$150,000
\$20		\$20	3,000	\$60,000
	\$5 + \$5	\$20	4,600	\$92,000
	\$10	\$20	4,600	\$92,000
\$25		\$25	2,000	\$50,000
(\$10 x 2) + \$5		\$25	2,000	\$50,000
\$15 + \$10		\$25	2,000	\$50,000
	\$15	\$30	4,500	\$135,000
\$50		\$50	750	\$37,500
	\$25	\$50	750	\$37,500
	\$15 + \$10	\$50	1,000	\$50,000
\$25 + \$25		\$50	750	\$37,500
\$75		\$75	500	\$37,500
(\$25 x 2) + \$10 + \$15		\$75	750	\$56,250
\$50 + \$20 + \$5		\$75	600	\$45,000
\$100		\$100	150	\$15,000
	\$25 + \$25	\$100	175	\$17,500
	\$50	\$100	175	\$17,500
\$500		\$500	75	\$37,500
\$1,000		\$1,000	15	\$15,000
\$500 x 2		\$1,000	15	\$15,000
\$25,000		\$25,000	5	\$125,000
		SUB TOTAL	210,860	\$2,487,250
Players Loyalty Program				\$25,126
		TOTAL	210,860	\$2,512,376

(j) The odds of winning a prize in this game are approximately one in 3.56. (Authorized by K.S.A. 2022 Supp. 74-8710; implementing K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-9-25-23, Aug. 16, 2023.)

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

**111-19-161. Maui Jim Maui Invitational Chaminade Experience Drawing.** (a) The Kansas lottery may

conduct a drawing entitled "Maui Jim Maui Invitational Chaminade Experience" awarding a trip prize package to the player selected as the winner. The Kansas lottery will accept entries into the drawing beginning at 12:01 a.m. on September 4, 2023, and ending at 11:59 p.m. on October 1, 2023. The drawing will be conducted sometime after entry into the drawing has closed but before noon on October 5, 2023, at which time the winner will be announced.

(b) Only registered Kansas Lottery PlayOn members may enter the drawing. PlayOn members must enter themselves into the drawing according to the terms and conditions of PlayOn. Entries shall not be accepted that are submitted by any method other than through PlayOn.

(c) A total of 1,480 player loyalty club points are required for a PlayOn member to enter once in the drawing. A player may enter the drawing as many times as his or her points allow.

(d) The procedures set forth in K.A.R. 111-18-5 for selecting the winner and alternate winners shall be followed.

(e) One drawing will be conducted to select a winner of a trip prize package for two persons to the Maui Jim Maui Invitational collegiate basketball tournament at the Lahaina Civic Center in Maui, Hawaii, conducted during the 2023-2024 Kansas University men's basketball season, or such other venue as may be announced by the Maui Invitational and approved by the Kansas lottery. The trip prize package shall include:

(1) Round trip coach airfare from an airport and on an airline approved by the Kansas lottery;

(2) Five nights' hotel accommodations (double occupancy, room and tax only);

(3) Two tickets to one VIP event;

(4) Two tickets to three Kansas University men's basketball games at the Maui Jim Maui Invitational;

(5) \$250 Uber gift card;

(6) \$1,000 VISA gift card;

(7) Two jerseys; and

(8) State and federal mandatory income withholding taxes paid by the Kansas lottery.

(f) The prize package is valued at approximately \$13,802.82.

(g) The procedures set forth in K.A.R. 111-18-5 for contacting the winner and the claiming of the prize shall be followed, except that in this promotion the 10-day deadline for the winner to return their claim forms shall commence with the date of the announcement of the winner.

(h) The winner must travel by air on November 19, 2023, and November 24, 2023, unless the Maui Jim Maui Invitational is rescheduled pursuant to paragraph (e), in which case the Kansas lottery may announce new travel dates by posting the same on the Kansas lottery website and contacting the winner, if any, by telephone. Each winner or guest who fails to meet the requirements of this paragraph shall provide his or her own transportation to and/or from the tournament location.

(i) All winners and guests must comply with all applicable laws, and any terms, conditions, or restrictions applicable to any prize or portion of any prize, including but not limited to: airlines, hotels, concert or event venues, and all vouchers, certificates, or pre-paid gift cards.

Lost, mutilated, or stolen tickets, vouchers, certificates, or pre-paid gift cards will not be replaced.

(j) Prizes are not exchangeable for cash. The Kansas lottery retains the right to substitute an alternate prize of approximate equal value.

(k) In the event the trip prize package awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions shall be provided.

(l) All winners and guests shall release the Kansas lottery from any liability for injuries sustained while redeeming any portion of the prize.

(m) A player must have a smart phone to accept game tickets.

(n) By entering the drawing, entrant agrees to PlayOn terms and conditions.

(o) Rules applicable to this promotion are contained in K.A.R. 111-19-161 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2022 Supp. 74-8710 and 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-8-1-23, July 12, 2023; amended, T-111-9-25-23, Aug. 16, 2023.)

**111-19-162. Kansas City Chiefs in Germany Experience Drawing.** (a) The Kansas lottery may conduct a drawing entitled "Kansas City Chiefs in Germany Experience" awarding a trip prize package to the two players selected as the winners. The Kansas lottery will accept entries into the drawing beginning at 12:01 a.m. on September 4, 2023, and ending at 11:59 p.m. on October 1, 2023. The drawing will be conducted sometime after entry into the drawing has closed but before noon on October 5, 2023, at which time the winners will be announced.

(b) Only registered Kansas Lottery PlayOn members may enter the drawing. PlayOn members must enter themselves into the drawing according to the terms and conditions of PlayOn. Entries shall not be accepted that are submitted by any method other than through PlayOn.

(c) A total of 1,861 player loyalty points are required for a PlayOn member to enter once in the drawing. A player may enter the drawing as many times as his or her points allow, but may win only one prize package.

(d) The procedures set forth in K.A.R. 111-18-5 for selecting the winner and alternate winners shall be followed, except in this promotion 10 alternates will be drawn.

(e) One drawing will be conducted to select two winners of a trip prize package for two persons to the Miami Dolphins versus Kansas City Chiefs football game at Frankfurt Stadium in Frankfurt, Germany, on Sunday, November 5, 2023. The trip prize package shall include:

(1) Two travel vouchers, not to exceed \$3,000 each, to purchase airfare, hotel and other travel needs;

(2) Two tickets to the Kansas City Chiefs football game on November 5, 2023;

(3) \$2,500 cash; and

(4) State and federal mandatory income withholding taxes paid by the Kansas lottery.

(f) The prize package is valued at approximately \$17,605.63.

(g) The procedures set forth in K.A.R. 111-18-5 for contacting the winner and the claiming of the prize shall be followed, except in this promotion the winner shall have five days following the date the winner is announced to

(continued)



return their claim form. The Kansas lottery is not responsible for electronic malfunction or player error.

(h) All winners and guests must comply with all applicable laws, and any terms, conditions, or restrictions applicable to any prize or portion of any prize, including but not limited to: airlines, hotels, concert or event venues, and all vouchers, certificates, or pre-paid gift cards. Lost, mutilated, or stolen tickets, vouchers, certificates, or pre-paid gift cards will not be replaced.

(i) Prizes are not exchangeable for cash. The Kansas lottery retains the right to substitute an alternate prize of approximate equal value.

(j) In the event the trip prize package awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions shall be provided.

(k) All winners and guests shall release the Kansas lottery from any liability for injuries sustained while redeeming any portion of the prize.

(l) A winner must have a smart phone to accept game tickets.

(m) By entering the drawing, entrant agrees to PlayOn terms and conditions.

(n) Rules applicable to this promotion are contained in K.A.R. 111-19-162 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2022 Supp. 74-8710 and 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-9-25-23, Aug. 16, 2023.)

**111-19-163. KU vs WSU Basketball Experience drawing.** (a) The Kansas lottery may conduct a drawing entitled “KU vs WSU Basketball Experience” awarding a prize package to the two players selected as the winners. The Kansas lottery will accept entries into the drawing beginning at 12:01 a.m. on October 16, 2023, and ending at 11:59 p.m. on November 26, 2023. The drawing will be conducted sometime after entry into the drawing has closed but before noon on November 30, 2023, at which time the winners will be announced.

(b) Only registered Kansas lottery PlayOn members may enter the drawing. PlayOn members must enter themselves into the drawing according to the terms and conditions of PlayOn. Entries shall not be accepted that are submitted by any method other than through PlayOn.

(c) A total of 227 player loyalty points are required for a PlayOn member to enter once in the drawing. A player may enter the drawing as many times as his or her points allow, but may win only one prize package.

(d) The procedures set forth in K.A.R. 111-18-5 for selecting winners and alternate winners shall be followed.

(e) In the drawing, the two winners drawn will each receive: A pair of tickets to the December 30, 2023, Kansas University versus Wichita State University men’s basketball game at T-Mobile Center in Kansas City, Missouri; a parking pass in the Magenta Reserved lot; \$400 cash; and state and federal mandatory income withholding taxes paid by the Kansas Lottery. Each prize is valued at approximately \$1,267.61.

(f) The procedures set forth in K.A.R. 111-18-5 for contacting the winners and the claiming of prizes shall be followed. The Kansas lottery is not responsible for electronic malfunction or player error.

(g) All winners and guests shall release the Kansas lottery from any liability for injuries sustained while re-

deeming any portion of the prize. Winners shall comply with the terms and conditions associated with each portion of any prize, including all venue policies, and shall follow the directions of lottery staff and event security.

(h) In the event any prize awarded for this drawing is postponed, changed, or canceled in whole or in part, no cash prize substitutions shall be provided.

(i) Prizes are not exchangeable for cash. The Kansas lottery retains the right to substitute an alternate prize of approximate equal value.

(j) By entering the drawings, entrant agrees to PlayOn terms and conditions.

(k) A player must have a smart phone to accept tickets and parking pass.

(l) Rules applicable to this online event drawing are contained in K.A.R. 111-19-163 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2022 Supp. 74-8710; implementing K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-9-25-23, Aug. 16, 2023.)

**111-19-164. Ultimate Upgrade\$.** (a) The Kansas lottery may conduct a drawing entitled “Ultimate Upgrade\$” awarding eight winners a cash prize of \$2,500 each. Entries into the drawing will be accepted beginning at 12:01 a.m. on October 11, 2023, and ending at 11:59 p.m. on December 3, 2023. The drawing will be conducted sometime after entry into the drawing has closed but before noon on December 7, 2023, at which time the winners will be announced.

(b) Only registered Kansas lottery PlayOn members may enter the drawing. PlayOn members must enter themselves into the drawing according to the terms and conditions of PlayOn. Entries shall not be accepted that are submitted by any method other than through PlayOn.

(c) A total of 350 player loyalty points are required for a PlayOn member to enter once. A player may enter the drawing as many times as his or her points allow, but may win only one cash prize.

(d) The procedures set forth in K.A.R. 111-18-5 for selecting winners and alternate winners shall be followed.

(e) The procedures set forth in K.A.R. 111-18-5 for contacting winners and the claiming of prizes shall be followed. The Kansas lottery is not responsible for electronic malfunction or player error.

(f) By entering the drawing, entrant agrees to PlayOn terms and conditions.

(g) Winners are responsible for state and federal income taxes.

(h) Rules applicable to this online event drawing are contained in K.A.R. 111-19-164 and K.A.R. 111-18-1 *et seq.* (Authorized by K.S.A. 2022 Supp. 74-8710; implementing K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-9-25-23, Aug. 16, 2023.)

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

**111-501-69. Side bets.** (a) The dragon bonus bet is an optional side bet with a separate pay table. The pay table shall be posted on the Mini-Baccarat table.

(b) Rules for the optional dragon bonus bet are as follows:

(1) Players must make a standard mini-baccarat wager in order to make a dragon bonus bet.

(2) Dragon bonus bet limits will be posted at the table and must be made in \$5 increments.

(3) Dragon bonus bets must be placed within the designated betting area on the game table.

(4) Players may hedge their dragon bonus bets by making a traditional wager on the player hand and a dragon bonus bet on the banker hand or on the player and banker hands.

(c) Payouts on the dragon bonus for natural hands shall be as follows:

(1) Natural winners pay 1 to 1;

(2) Natural pushes neither win nor lose.

(d) Payouts on the dragon bonus for non-natural winning hands shall be as follows:

(1) A hand winning by a total point count of 9 pays odds of 30 to 1;

(2) A hand winning by a total point count of 8 pays odds of 10 to 1;

(3) A hand winning by a total point count of 6 or 7 pays odds of 4 to 1;

(4) A hand winning by a total point count of 4 or 5 pays odds of 2 to 1.

(e) Dealing procedures for the dragon bonus shall be as follows:

(1) Players must make the standard mini-baccarat wager and, if desired, the optional dragon bonus bet before the dealer reveals any of the cards.

(2) The dealer will collect and pay standard wagers first, and then the optional dragon bonus bet of each player before moving to the next player position.

(f) A commission shall not be charged on winning dragon bonus bets.

(g) If offered at the mini-baccarat gaming table, players may also place a golden talons bet. The golden talons bet is an optional side bet with a separate pay table. The pay table shall be posted on the mini-baccarat table.

(h) Rules for the optional golden talons bet are as follows:

(1) Players must make a standard mini-baccarat wager in order to make a golden talons bet.

(2) Golden talons bet limits will be posted at the table and must be made in \$5 increments.

(3) Golden talons bets must be placed within the designated betting area on the game table.

(4) Players may hedge their golden talons bets by making a traditional wager on the player hand and a golden talons bet on the banker hand or on the player and banker hands.

(i) Payouts on the golden talons for natural hands shall be as follows:

(1) Natural winners pay 1 to 1;

(2) Natural pushes or ties neither win nor lose.

(j) Payouts on the golden talons for non-natural winning hands shall be as follows:

(1) A hand winning by a total point count of 9 pays odds of 30 to 1;

(2) A hand winning by a total point count of 8 pays odds of 10 to 1;

(3) A hand winning by a total point count of 6 or 7 pays odds of 4 to 1;

(4) A hand winning by a total point count of 4 or 5 pays odds of 2 to 1.

(k) Dealing procedures for the golden talons shall be as follows:

(1) Players must make the standard mini-baccarat wager and, if desired, the optional golden talons bet before the dealer reveals any of the cards.

(2) The dealer will collect and pay standard wagers first, and then the optional golden talons bet of each player before moving to the next player position.

(l) A commission shall not be charged on winning golden talons bets.

(m) If offered at the mini-baccarat gaming table, players may also participate in the optional harmony progressive by placing a \$5 wager in the designated area. The harmony progressive wager is considered a side wager based on the player's and banker's hands. The player must place an original mini-baccarat wager to make a harmony progressive wager.

(n) The harmony progressive will be comprised of a beginning base amount of \$10,000. Nineteen percent of each harmony progressive wager shall be added to the harmony progressive amount. Each time the harmony progressive is awarded, it will be replenished to the base amount of \$10,000.

(o) The current amount of the harmony progressive will be displayed in a manner visible to all players at the gaming table.

(p) Winning harmony progressive wagers will be paid as follows:

Hand	Win
Four 8's	100% of progressive
Four-of-a-kind	\$5,000
Six 0's	\$1,000
Tie same color	\$100
Any tie	\$10

For a four 8's or four-of-a-kind hand to win a harmony progressive wager, there must be exactly four cards dealt in total. Tie same color means all cards are in the suits of diamonds and/or hearts or all cards are in the suits of clubs and/or spades. All other ties constitute an any tie. All set dollar amount payouts are based on a \$5 wager amount. When a winning harmony progressive hand is dealt, all players that made a harmony progressive wager during that round of play will win the posted prize, except that if the prize is the 100% progressive pool, the pool shall be split evenly among all eligible players. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-12-22-11, Oct. 12, 2011; amended, T-111-9-25-23, Aug. 16, 2023.)

**111-501-106. Mississippi Stud Poker hand rankings.** The rank of the cards used in Mississippi Stud Poker for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3, and 2. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with a 2, 3, 4, and 5. An ace may not be used, however, with any other sequence of cards to form a "straight," similar to, queen, king, ace, 2 and 3. The permissible poker hands at the game of Mississippi Stud, in order of highest to lowest rank, are as follows:

(continued)

(a) 6-card royal flush – a hand consisting of ace, king, queen, jack, 10 and 9 of the same suit.

(b) Royal flush—a hand consisting of ace, king, queen, jack, and 10 of the same suit.

(c) Straight flush—a hand consisting of five cards of the same suit in consecutive ranking except for a royal flush as defined above.

(d) Four-of-a-kind—a hand consisting of four cards of the same rank.

(e) Full house—a hand consisting of three of a kind and a pair.

(f) Flush—a hand consisting of five cards of the same suit, not in consecutive order.

(g) Straight—a hand consisting of five unsuited cards of consecutive rank

(h) Three-of-a-kind—a hand consisting of three cards of the same rank regardless of suit.

(i) Two pair—a hand consisting of two pairs.

(j) One pair—a hand consisting of two cards of the same rank regardless of suit.

(k) High card—a hand that does not encompass any of the hands above. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-10-18-12, Aug. 15, 2012; amended, T-111-9-25-23, Aug. 16, 2023.)

**111-501-107. Wagers.** (a) All wagers at Mississippi Stud Poker shall be made by placing gaming chips and, if applicable, a match play coupon on the appropriate betting areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) Only players who are seated at the Mississippi Stud Poker table may touch the cards.

(c) All ante wagers at Mississippi Stud Poker shall be placed prior to the dealer dealing the first card. No ante wager at Mississippi Stud Poker shall be made, increased or withdrawn after the dealer has dealt the first card.

(d) Any player who places an ante wager may also make a progressive wager by placing gaming chips on the progressive wager sensor in front of their betting position prior to the dealer dealing the first card.

(e) Players who make an ante wager will receive two cards face down. They either fold or buy the first community card by making a 3<sup>rd</sup> Street wager. When that card is revealed, they either fold or buy the second community card making a 4<sup>th</sup> Street wager. After that card is revealed, a player may either fold or buy the last community card making a 5<sup>th</sup> Street wager.

(f) Any player who places a Mississippi Stud Poker wager may also make an optional 3-Card Bonus side wager by placing gaming chips and, if applicable, a match play coupon on the designated betting area of the table layout. The 3-Card Bonus wager will remain in play even if the player folds his or her Mississippi Stud Poker wager. If the player has placed a wager on the 3-Card Bonus side wager and folds his or her Mississippi Stud Poker wager, the dealer will remove the original Mississippi Stud Poker wager and tuck the folded cards under the player's 3-Card Bonus side wager. A player placing a 3-Card Bonus wager will win the wager if the three community cards constitute at least a pair or higher ranking Mississippi Stud Poker hand. A 3-Card Bonus wager shall be paid at the odds posted on the table.

(g) Any player who places a Mississippi Stud Poker wager may also make an optional 6-Card Bonus side wager by placing gaming chips and, if applicable, a match play coupon on the designated betting area of the table layout. The 6-Card Bonus wager will remain in play even if the player folds his or her Mississippi Stud Poker wager. If the player has placed a wager on the 6-Card Bonus side wager and folds his or her Mississippi Stud Poker wager, the dealer will remove the original Mississippi Stud Poker wager and tuck the folded cards under the player's 6-Card Bonus side wager. A player placing a 6-Card Bonus wager will win the wager if the player's two cards combined with the four 6-Card bonus cards constitute a three-of-a-kind or higher ranking Mississippi Stud Poker hand or a 6-card royal flush hand. A 6-Card Bonus wager shall be paid at the odds posted on the table.

(h) After each round of play is complete, the dealer shall collect all losing wagers and pay off all winning wagers in accordance with the payout table. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-10-18-12, Aug. 15, 2012; amended, T-111-10-11-13, Aug. 14, 2013; amended, T-111-3-19-21, Feb. 10, 2021; amended, T-111-9-25-23, Aug. 16, 2023.)

**111-501-108. Play.** (a) The starting position for the dealing of cards and the delivery of stacks of cards for the game of Mississippi Stud Poker may be determined in the following manner:

(1) The dealer shall deliver the first stack of three cards to the dealer, also known as the community cards, and will then deliver two cards dealt by the shuffling machine to the player farthest to the dealer's left, continuing to deal each player two cards face down in a clockwise manner. Each player shall receive two cards before the next player receives cards. If one or more players also made a 6-card bonus wager, the dealer shall place the next four cards face down in the designated area of the table gaming layout.

(2) After all players have looked at their two cards, the players have a choice:

(A) Fold and surrender their ante wager; or

(B) Make a 3<sup>rd</sup> Street bet.

(3) The dealer shall then reveal the first community card.

(4) The players have a choice:

(A) Fold and surrender their ante wager and 3<sup>rd</sup> Street bet; or

(B) Make a 4<sup>th</sup> Street bet.

(5) The dealer shall then reveal the second community card.

(6) The players have a choice:

(A) Fold and surrender their ante wager, 3<sup>rd</sup> Street bet, and 4<sup>th</sup> Street bet; or

(B) Make a 5<sup>th</sup> Street bet.

(7) The dealer shall then reveal the third community card.

(b) Working from right to left, the dealer reveals each player's two-card hand and determines their hand combined with the three community cards.

(c) The dealer pays and takes according to the pay table.

(d) A player making the progressive wager also qualifies to win an envy bonus. If any player at the table is



deal a Straight Flush or Royal Flush that wins a progressive bonus, all other players who made a progressive wager win the envy bonus. The player dealt the hand that wins the progressive bonus shall not be paid an envy bonus but shall only be paid the applicable progressive prize.

(e) The dealer shall pay all envy bonuses at the end of the round. If more than one hand triggers an envy bonus, then multiple envy bonuses may be paid.

(f) After settling a player's ante wager, street wagers, and three card bonus wager, the dealer shall settle any progressive wagers.

(g) After settling all other wagers, if one or more players made a 6-card bonus wager the dealer shall turn face up the four cards in the 6-card bonus area on the gaming table layout. Working from right to left, the dealer shall combine the player's two-card hand with the four 6-card bonus cards and determine if the combined hand constitutes a three-of-a-kind or higher ranking hand. If so, the dealer shall pay the player based upon the set amount or odds stated in the pay table for the 6-card bonus. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-10-18-12, Aug. 15, 2012; amended, T-111-3-19-21, Feb. 10, 2021; amended, T-111-9-25-23, Aug. 16, 2023.)

**111-501-109. Payout odds.** (a) For a winning hand, the ante, 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> street wagers are paid using the following payout table:

<b>Hand Ranking</b>	<b>Odds</b>
Royal flush	500 to 1
Straight flush	100 to 1
Four-of-a-kind	40 to 1
Full house	10 to 1
Flush	6 to 1
Straight	4 to 1
Three-of-a-kind	3 to 1
Two pair	2 to 1
Pair of jacks or better	1 to 1
Pair of 6s to 10s	Push

Any hand not listed in this table is a losing hand.

(b) All winning 3-Card Bonus side wagers will receive payout odds using the following payout table:

<b>Hand Ranking</b>	<b>Odds</b>
Straight flush	40 to 1
Three-of-a-kind	30 to 1
Straight	6 to 1
Flush	3 to 1
Any Pair	1 to 1

(c) Players shall be paid on each winning progressive wager in accordance with the following pay tables based upon a \$5 progressive wager:

<b>Hand</b>	<b>Progressive or Odds</b>	<b>Envy</b>
Royal Flush	Mega Progressive	\$5,000
Straight Flush	Major Progressive	\$1,500
Four of a kind	Minor Progressive	
Full House	50 for 1	
Flush	40 for 1	
Straight	30 for 1	
Three of a kind	9 for 1	

Prizes do not include the return of the player's original wager.

(d) The minimum progressive wager shall be in the amount \$5 posted at each table that offers the progressive wager.

(e) The progressive pool shall be funded as follows:

(1) The casino manager shall initially contribute \$50,000 to establish the beginning amount for the Mega progressive pool, \$5,000 to establish the Major progressive pool, and \$1,250 to establish the Minor progressive pool. A progressive pool shall be replenished in the same amount each time the progressive prize is awarded; and

(2) A total of 21% of each progressive wager shall be used to fund the progressive pools, as follows: 10% will fund the Mega progressive, 8% will fund the Major progressive, and 3% will fund the Minor progressive.

(f) If during the same round of play one or more players are entitled to a progressive pool the players will split the pool evenly.

(g) All winning 6-Card Bonus side wagers will receive payout odds or a set amount using the following payout table:

<b>Hand Ranking</b>	<b>Odds or Set Amount</b>
6-Card Royal Flush	\$100,000 Set Amount
Royal Flush	1,000 to 1 Odds
Straight Flush	200 to 1 Odds
Four-of-a-kind	50 to 1 Odds
Full House	20 to 1 Odds
Flush	15 to 1 Odds
Straight	10 to 1 Odds
Three-of-a-kind	5 to 1 Odds

(Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-10-18-12, Aug. 15, 2012; amended, T-111-10-11-13, Aug. 14, 2013; amended, T-111-3-19-21, Feb. 10, 2021; amended, T-111-9-25-23, Aug. 16, 2023.)

**111-501-121. Side bets.** (a) The dragon bonus bet is an optional side bet with a separate pay table. The pay table shall be posted on the Midi-Baccarat table.

(b) Rules for the optional dragon bonus bet are as follows:

(1) Players must make a standard midi-baccarat wager in order to make a dragon bonus bet.

(2) Dragon bonus bet limits will be posted at the table and must be made in \$5 increments.

(3) Dragon bonus bets must be placed within the designated betting area on the game table.

(4) Players may hedge their dragon bonus bets by making a traditional wager on the player hand and a dragon bonus bet on the banker hand or on the player and banker hands.

(c) Payouts on the dragon bonus for natural hands shall be as follows:

(1) Natural winners pay 1 to 1;

(2) Natural pushes neither win nor lose.

(d) Payouts on the dragon bonus for non-natural winning hands shall be as follows:

(1) A hand winning by a total point count of 9 pays odds of 30 to 1;

(continued)

(2) A hand winning by a total point count of 8 pays odds of 10 to 1;

(3) A hand winning by a total point count of 6 or 7 pays odds of 4 to 1;

(4) A hand winning by a total point count of 4 or 5 pays odds of 2 to 1.

(e) Dealing procedures for the dragon bonus shall be as follows:

(1) Players must make the standard midi-baccarat wager and, if desired, the optional dragon bonus bet before the dealer reveals any of the cards.

(2) The dealer will collect and pay standard wagers first, and then the optional dragon bonus bet of each player before moving to the next player position.

(f) A commission shall not be charged on winning dragon bonus bets.

(g) If offered at the mini-baccarat gaming table, players may also place a golden talons bet. The golden talons bet is an optional side bet with a separate pay table. The pay table shall be posted on the midi-baccarat table.

(h) Rules for the optional golden talons bet are as follows:

(1) Players must make a standard midi-baccarat wager in order to make a golden talons bet.

(2) Golden talons bet limits will be posted at the table and must be made in \$5 increments.

(3) Golden talons bets must be placed within the designated betting area on the game table.

(4) Players may hedge their golden talons bets by making a traditional wager on the player hand and a golden talons bet on the banker hand or on the player and banker hands.

(i) Payouts on the golden talons for natural hands shall be as follows:

(1) Natural winners pay 1 to 1;

(2) Natural pushes or ties neither win nor lose.

(j) Payouts on the golden talons for non-natural winning hands shall be as follows:

(1) A hand winning by a total point count of 9 pays odds of 30 to 1;

(2) A hand winning by a total point count of 8 pays odds of 10 to 1;

(3) A hand winning by a total point count of 6 or 7 pays odds of 4 to 1;

(4) A hand winning by a total point count of 4 or 5 pays odds of 2 to 1.

(k) Dealing procedures for the golden talons shall be as follows:

(1) Players must make the standard midi-baccarat wager and, if desired, the optional golden talons bet before the dealer reveals any of the cards.

(2) The dealer will collect and pay standard wagers first, and then the optional golden talons bet of each player before moving to the next player position.

(l) A commission shall not be charged on winning golden talons bets.

(m) If offered at the midi-baccarat gaming table, players may also participate in the optional harmony progressive by placing a \$5 wager in the designated area. The harmony progressive wager is considered a side wager based on the player's and banker's hands. The player must place an original midi-baccarat wager to make a harmony progressive wager.

(n) The harmony progressive will be comprised of a beginning base amount of \$10,000. Nineteen percent of each harmony progressive wager shall be added to the harmony progressive amount. Each time the harmony progressive is awarded it will be replenished to the base amount of \$10,000.

(o) The current amount of the harmony progressive will be displayed in a manner visible to all players at the gaming table.

(p) Winning harmony progressive wagers will be paid as follows:

Hand	Win
Four 8's	100% of progressive
Four-of-a-kind	\$5,000
Six 0's	\$1,000
Tie same color	\$100
Any tie	\$10

For a four 8's or four-of-a-kind hand to win a harmony progressive wager, there must be exactly four cards dealt in total. Tie same color means all cards are in the suits of diamonds and/or hearts or all cards are in the suits of clubs and/or spades. All other ties constitute an any tie. All set dollar amount payouts are based on a \$5 wager amount. When a winning harmony progressive hand is dealt, all players that made a harmony progressive wager during that round of play will win the posted prize, except that if the prize is the 100% progressive pool, the pool shall be split evenly among all eligible players. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-10-18-12, Aug. 15, 2012; amended, T-111-9-25-23, Aug. 16, 2023.)

**111-501-154. Mini-baccarat 5 treasures and eternal baccarat bonus bets.** (a) The 5 treasures baccarat bonus may be offered for play in the game of mini-baccarat. The 5 treasures baccarat bonus offers several optional side bets with separate pay tables. The pay tables shall be posted on the mini-baccarat table.

(b) Rules for the 5 treasures baccarat bonus bet are as follows:

(1) Players must make a standard mini-baccarat wager in order to make a 5 treasures baccarat bonus bet;

(2) 5 treasures baccarat bonus bet limits will be posted at the table and must be made in \$5 increments; and

(3) 5 treasures baccarat bonus bets must be placed within the designated betting area on the game table.

(c) There are five optional wagers on the 5 treasures baccarat bonus, as follows:

(1) Fortune 7 wins if the banker's outcome is a three-card total of seven and pays odds of 40 to 1.

(2) Golden 8 wins if the player's outcome is a three-card total of eight and pays odds of 25 to 1.

(3) Heavenly 9 wins if either the banker's outcome or the player's outcome is a three-card total of nine and pays odds of 10 to 1. Heavenly 9 wins if both the banker's outcome and the player's outcome are three-card totals of nine and pays odds of 75 to 1.

(4) Blazing 7 wins if both the banker's outcome and the player's outcome are two-card totals of seven and pays odds of 50 to 1. Blazing 7 wins if both the banker's outcome and the player's outcome are three-card totals of seven and pays odds of 200 to 1.

(5) The cover all bonus wins if any one or more of the separate bonus wagers in sections (c)(1), (c)(2), (c)(3) or (c)(4) win. The cover all bonus wager pays odds of 6 to 1. The cover all bonus may be played alone. Players are not required to place a separate bonus wager in order to win the cover all bonus wager.

(d) Dealing procedures for the 5 treasures baccarat bonus shall be as follows:

(1) Players must make the standard mini-baccarat wager and, if desired, the optional 5 treasures baccarat bonus bet before the dealer reveals any of the cards.

(2) The dealer will collect and pay standard wagers first, and then the optional 5 treasures baccarat bonus bet of each player before moving to the next player position.

(e) A commission shall not be charged on winning 5 treasures baccarat bonus bets.

(f) The eternal baccarat bonus may be offered for play in the game of mini-baccarat. The eternal baccarat bonus offers several optional side bets with separate pay tables. The pay tables shall be posted on the mini-baccarat table.

(g) Rules for the eternal baccarat bonus bet are as follows:

(1) Players must make a standard mini-baccarat wager in order to make an eternal baccarat bonus bet;

(2) Eternal baccarat bonus bet limits will be posted at the table and must be made in \$5 increments; and

(3) Eternal baccarat bonus bets must be placed within the designated betting area on the game table.

(h) There are five optional wagers on the eternal baccarat bonus, as follows:

(1) Sun 7 wins if the banker's outcome is a three-card total of seven and pays odds of 40 to 1.

(2) Moon 8 wins if the player's outcome is a three-card total of eight and pays odds of 25 to 1.

(3) Supreme 7 wins if both the banker's outcome and the player's outcome is a three-card total of seven and pays odds of 200 to 1. Supreme 7 also wins if both the banker's outcome and the player's outcome are two-card totals of seven and pays odds of 50 to 1.

(4) Divine 9 wins if both the banker's outcome and the player's outcome are three-card totals of seven and pays odds of 75 to 1. Divine 9 also wins if both the banker's outcome and the player's outcome are three-card totals of nine and pays odds of 10 to 1.

(5) The eclipse bonus wins if any one or more of the separate bonus wagers in sections (h)(1), (h)(2), (h)(3) or (h)(4) win. The eclipse bonus wager pays odds of 6 to 1. The eclipse bonus may be played alone. Players are not required to place a separate bonus wager in order to win the eclipse bonus wager.

(i) Dealing procedures for the eternal baccarat bonus shall be as follows:

(1) Players must make the standard mini-baccarat wager and, if desired, the optional eternal baccarat bonus bet before the dealer reveals any of the cards.

(2) The dealer will collect and pay standard wagers first, and then the optional eternal baccarat bonus bet of each player before moving to the next player position.

(j) A commission shall not be charged on winning eternal baccarat bonus bets. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-6-1-22, May 11, 2022;

amended, T-111-7-27-22, July 13, 2022; amended, T-111-9-25-23, Aug. 16, 2023.)

**111-501-155. Midi-baccarat 5 treasures and eternal baccarat bonus bet.** (a) The 5 treasures baccarat bonus may be offered for play in the game of midi-baccarat. The 5 treasures baccarat bonus offers several optional side bets with separate pay tables. The pay tables shall be posted on the midi-baccarat table.

(b) Rules for the 5 treasures baccarat bonus bet are as follows:

(1) Players must make a standard midi-baccarat wager in order to make a 5 treasures baccarat bonus bet;

(2) 5 treasures baccarat bonus bet limits will be posted at the table and must be made in \$5 increments; and

(3) 5 treasures baccarat bonus bets must be placed within the designated betting area on the game table.

(c) There are five optional wagers on the 5 treasures baccarat bonus, as follows:

(1) Fortune 7 wins if the banker's outcome is a three-card total of seven and pays odds of 40 to 1.

(2) Golden 8 wins if the player's outcome is a three-card total of eight and pays odds of 25 to 1.

(3) Heavenly 9 wins if either the banker's outcome or the player's outcome is a three-card total of nine and pays odds of 10 to 1. Heavenly 9 wins if both the banker's outcome and the player's outcome are three-card totals of nine and pays odds of 75 to 1.

(4) Blazing 7 wins if both the banker's outcome and the player's outcome are two-card totals of seven and pays odds of 50 to 1. Blazing 7 wins if both the banker's outcome and the player's outcome are three-card totals of seven and pays odds of 200 to 1.

(5) The cover all bonus wins if any one or more of the separate bonus wagers in sections (c)(1), (c)(2), (c)(3) or (c)(4) win. The cover all bonus wager pays odds of 6 to 1. The cover all bonus may be played alone. Players are not required to place a separate bonus wager in order to win the cover all bonus wager.

(d) Dealing procedures for the 5 treasures baccarat bonus shall be as follows:

(1) Players must make the standard midi-baccarat wager and, if desired, the optional 5 treasures baccarat bonus bet before the dealer reveals any of the cards.

(2) The dealer will collect and pay standard wagers first, and then the optional 5 treasures baccarat bonus bet of each player before moving to the next player position.

(e) A commission shall not be charged on winning 5 treasures baccarat bonus bets.

(f) The eternal baccarat bonus may be offered for play in the game of midi-baccarat. The eternal baccarat bonus offers several optional side bets with separate pay tables. The pay tables shall be posted on the midi-baccarat table.

(g) Rules for the eternal baccarat bonus bet are as follows:

(1) Players must make a standard midi-baccarat wager in order to make an eternal baccarat bonus bet;

(2) Eternal baccarat bonus bet limits will be posted at the table and must be made in \$5 increments; and

(3) Eternal baccarat bonus bets must be placed within the designated betting area on the game table.

(continued)

(h) There are five optional wagers on the eternal baccarat bonus, as follows:

(1) Sun 7 wins if the banker's outcome is a three-card total of seven and pays odds of 40 to 1.

(2) Moon 8 wins if the player's outcome is a three-card total of eight and pays odds of 25 to 1.

(3) Supreme 7 wins if both the banker's outcome and the player's outcome is a three-card total of seven and pays odds of 200 to 1. Supreme 7 also wins if both the banker's outcome and the player's outcome are two-card totals of seven and pays odds of 50 to 1.

(4) Divine 9 wins if both the banker's outcome and the player's outcome are three-card totals of seven and pays odds of 75 to 1. Divine 9 also wins if both the banker's outcome and the player's outcome are three-card totals of nine and pays odds of 10 to 1.

(5) The eclipse bonus wins if any one or more of the separate bonus wagers in sections (h)(1), (h)(2), (h)(3) or (h)(4) win. The eclipse bonus wager pays odds of 6 to 1. The eclipse bonus may be played alone. Players are not required to place a separate bonus wager in order to win the eclipse bonus wager.

(i) Dealing procedures for the eternal baccarat bonus shall be as follows:

(1) Players must make the standard midi-baccarat wager and, if desired, the optional eternal baccarat bonus bet before the dealer reveals any of the cards.

(2) The dealer will collect and pay standard wagers first, and then the optional eternal baccarat bonus bet of each player before moving to the next player position.

(j) A commission shall not be charged on winning eternal baccarat bonus bets. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-6-1-22, May 11, 2022; amended, T-111-7-27-22, July 13, 2022; amended, T-111-9-25-23, Aug. 16, 2023.)

**111-501-156. Name of the game; rules and regulations.** The Kansas lottery shall conduct a lottery facility game at the Kansas Star Casino in Mulvane, Kansas, entitled "DJ Wild Stud Poker" beginning on or after September 1, 2023.

The rules and regulations for the game of "DJ Wild Stud Poker" are contained in K.A.R. 111-501-156 through 111-501-162, and applicable generic rules are contained in K.A.R. 111-201-1 *et seq.* (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-9-25-23, Aug. 16, 2023.)

**111-501-157. Object of game.** DJ Wild Stud Poker is a poker-based game between the player and the dealer, in which one or more players have multiple wager options. Players are dealt five cards to make the highest ranking poker hand possible. DJ Wild Stud Poker is played with one standard deck of 52 cards plus one joker, the back of which cards shall all be identical in appearance. Each deck of playing cards shall consist of 13 value cards designated as ace, 2, 3, 4, 5, 6, 7, 8, 9, 10, jack, queen, and king in each of the four suits hearts, spades, diamonds, and clubs plus one joker. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-9-25-23, Aug. 16, 2023.)

**111-501-158. Definitions.** The following words and terms, when used in the game of DJ Wild Stud Poker shall have the following meanings unless the context clearly indicates otherwise:

(a) "Ante" or "ante wager" means an initial wager, separate from but equal in amount to the player's blind wager, required to be made prior to any cards being dealt in order to participate in the round of play.

(b) "Blind" or "blind wager" means an initial wager, separate from but equal in amount to the player's ante, required to be made prior to any cards being dealt in order to participate in the round of play.

(c) "Fold" means the withdrawal of a player from a round of play by not making a play wager and discarding the player's five cards.

(d) "Hand" or "poker hand" means the highest ranking five-card hand that can be formed from the five cards dealt to the dealer and the five cards dealt to a player. All players and the dealer may only form their hand from the five cards dealt to each of them.

(e) "Natural hand" means a player or dealer hand that does not utilize any wild card to form the highest ranking hand.

(f) "Play wager" means a wager made after five cards have been dealt to each player and the dealer but before the face values of the dealer's five cards are revealed, which wager must be two times the amount of the player's ante wager.

(g) "Progressive pool" means the set percentage of all progressive wagers made in the game of DJ Wild Stud Poker and any other linked progressive game that accumulates until paid to one or more winners of a progressive wager.

(h) "Progressive wager" means an optional wager that a player may make prior to any cards being dealt that the player's cards will constitute a three-of-a-kind, straight, flush, full house, four-of-a-kind, straight flush, or a royal flush, with a winning progressive wager being paid in accordance with a posted pay table regardless of the outcome of the player's hand otherwise.

(i) "Push" means a tie or draw, and occurs if the player's five-card hand and the dealer's five-card hand are of equal rank.

(j) "Rank" or "ranking" means the relative position of a card or group of cards as set forth in K.A.R. 111-501-159, "DJ Wild Stud Poker hand rankings."

(k) "Round of play" or "round" means one complete cycle of play during which all players playing at the table have been dealt a hand, have folded or wagered upon it, and have had their wagers paid or collected.

(l) "Suit" means one of the four categories of cards: club, diamond, heart, or spade, with no suit being higher in rank than another.

(m) "Trips wager" means an optional wager that a player may make prior to any cards being dealt that the player's best five-card hand will be a three-of-a-kind or better ranking hand, with a winning trips wager being paid in accordance with a posted pay table regardless of the outcome of the player's hand against the dealer's hand.

(n) "Two-way bad beat wager" means an optional wager that a player may make prior to any cards being dealt



that the player's and the dealer's best five-card hands will be a three-of-a-kind or better ranking hands but their hands do not tie, with a winning two-way bad beat wager being paid in accordance with a posted pay table based upon whichever of the player's or dealer's hands ranks lowest.

(o) "Wild card" means a 2 card or joker card, which card may be substituted for any other card to form a player's or the dealer's highest ranking hand.

(p) "Wild hand" means a player or dealer hand that utilizes one or more wild cards to form the highest ranking hand. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-9-25-23, Aug. 16, 2023.)

**111-501-159. DJ Wild Stud Poker hand rankings.**

(a) The rank of the cards used in DJ Wild Stud Poker, for the determination of winning hands, in order of highest to lowest rank, shall be: ace, king, queen, jack, 10, 9, 8, 7, 6, 5, 4, 3, and 2. All suits shall be considered equal in rank. Notwithstanding the foregoing, an ace may be used to complete a "straight flush" or a "straight" formed with a 2, 3, 4, and 5. The joker card is wild and has no rank, but it may be substituted for any card value. A 2 card may be used as a 2 value card or as a wild card that substitutes for the rank of any value card.

(b) The permissible poker hands at the game of DJ Wild Stud Poker, in order of highest to lowest rank, shall be:

(1) "Five wilds" is a hand consisting of four 2 cards and one joker card;

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

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

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

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

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

(7) "Flush" is a hand consisting of five cards of the same suit, not in consecutive order, with ace, king, queen, jack, and 9 being the highest ranking flush and 2, 3, 4, 5, and 7 being the lowest ranking flush;

(8) "Straight" is a hand consisting of five unsuited cards of consecutive rank, with an ace, king, queen, jack, and 10 being the highest ranking straight and an ace, 2, 3, 4, and 5 being the lowest ranking straight;

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

(10) "Two pairs" is a hand consisting of two cards of the same rank and two cards of a different same rank,

with two aces and two kings being the highest ranking two pair and two 3s and two 2s being the lowest ranking two pair; and

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

(c) When comparing two hands which are of identical poker rank as described herein as permissible poker hands, or which contain none of the hands authorized in this section, the hand that contains the highest ranking card as provided in (a) above which is not contained in the other hand shall be considered the higher ranking hand. If the hands are of identical rank after the application of this section, the hands shall be considered a push. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-9-25-23, Aug 16, 2023.)

**111-501-160. Wagers.** (a) All wagers at DJ Wild Stud Poker shall be made by placing gaming chips or, if applicable, a match play coupon on the appropriate betting area or areas of the table layout. A verbal wager accompanied by cash shall not be accepted.

(b) All ante, blind, trips, two-way bad beat, and progressive wagers shall be placed prior to the dealer dealing the cards for that round of play. Except for a play wager as provided in K.A.R. 111-501-161, no wager shall be made, increased, or withdrawn after the dealer begins to deal the round of play.

(c) Upon placing an ante wager and a blind wager, a player may also place a trips wager by placing a wager on the designated betting area of the layout. The outcome of the trips wager shall have no bearing on any other wager made by the player at the game of DJ Wild Stud Poker.

(d) Upon placing an ante wager and a blind wager, a player may also place a two-way bad beat wager by placing a wager on the designated betting area of the layout. The outcome of the two-way bad beat wager shall have no bearing on any other wager made by the player at the game of DJ Wild Stud Poker.

(e) Any player who places an ante and a blind wager may also make a progressive wager by placing gaming chips on the progressive wager sensor in front of their betting position prior to the dealer dealing the first card.

(f) Play wagers shall be made in accordance with the provisions set forth in these rules.

(g) Only players who are seated at the DJ Wild Stud Poker table may place a wager at the game.

(h) A player shall not be permitted to wager on more than one player position at a DJ Wild Stud Poker table. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-9-25-23, Aug. 16, 2023.)

**111-501-161. Play.** (a) For the start of play, starting with the player farthest to the dealer's left and continuing around the table in a clockwise manner, the dealer shall deal the cards as follows:

(1) Five card packets are dealt to each player who has placed one or more wagers and to the dealer. All cards dealt to players and the dealer shall be dealt face down.

*(continued)*

(2) After all cards have been dealt to the players and dealer, one additional card shall be dealt face down and placed in the area on the table gaming layout marked "Progressive Joker Replacement." This card shall only be used to determine the result of a progressive wager if a player making a progressive wager has the joker card in the player's hand, in which case the additional card shall replace the joker card.

(b) After all cards have been dealt, starting with the player farthest to the dealer's left and proceeding in a clockwise manner around the table, the dealer shall ask each player if the player wishes to place a play wager. The player may either fold or place a play wager in an amount equal to two times the amount of the player's ante wager.

(c) If a player places a play wager, the wager shall be placed in the designated play betting area.

(d) If a player folds, the ante and blind wagers of the player shall be collected, and if the player did not make a trips wager the player's cards will also be collected and the player will not participate in the rest of that round of play. If the player made a trips wager, the dealer shall place the cards of the player face down underneath the player's trips wager pending its resolution at the conclusion later in the round of play.

(e) Once all players have either placed a play wager or folded, the dealer shall turn all five of the dealer's cards face up, position the cards to form the best possible five-card hand and announce the dealer's hand to the players.

(f) Starting with the player farthest to the right of the dealer and working counter-clockwise, the dealer shall turn each player's cards face up and compare the dealer's hand to the player's hand. The dealer shall view the cards of each player who has placed a play wager face up and announce the best possible five-card poker hand that can be formed using the player's cards. The wagers of each player shall be resolved one player at a time regardless of outcome.

(g) If the player's hand is ranked higher than the dealer's hand, the player shall win and the dealer shall pay any ante, blind and play wagers made by the player provided that the blind wager shall not be paid unless the player's winning hand has a rank of straight or higher.

(h) If the player's hand and the dealer's hand are of equal rank, the player's hand shall be a push. In such case, the dealer shall not collect or pay the player's ante, blind, or play wagers.

(i) After settling a player's ante, blind, and play wagers, the dealer shall settle any trips wager made by the player by determining whether the player's hand qualifies for a payout in accordance with K.A.R. 111-501-162. A winning trips wager shall be paid without regard to the outcome of any other wager made by the player.

(j) If the player made a two-way bad beat wager and the player and dealer hands consist of a three-of-a-kind or higher ranking hand and do not tie, the two-way bad beat wager is paid as set forth in K.A.R. 111-501-162. The payout odds shall be based on the rank of the losing hand. If the player made a two-way bad beat wager but the player's hand does not consist of a three-of-a-kind or higher ranking hand, the two-way bad beat wager

loses and will be collected by the dealer. Two-way bad beat wagers will also lose and be collected by the dealer if both the player and dealer do not have a hand ranking three-of-a-kind or higher. If the dealer's and player's hands are of the same rank of at least three-of-a-kind or higher, the wager shall be a push and the player shall retain the player's wager.

(k) After settling a player's ante, blind, play, trips and two-way bad beat wagers, the dealer shall settle any progressive wager made by the player by determining whether the player's hand qualifies for a payout in accordance with K.A.R. 111-501-162.

(l) A player making the progressive wager also qualifies to win an envy bonus. If any player at the table that has made a progressive wager is dealt a Straight Flush or Royal Flush, all other players who made a progressive wager during the same round of play win the envy bonus in accordance with K.A.R. 111-501-162. The player dealt the hand that wins the progressive bonus shall not be paid an envy bonus but shall only be paid the applicable progressive prize.

(m) The dealer shall pay all envy bonuses at the end of the round of play. If more than one hand triggers an envy bonus, then multiple envy bonuses shall be paid.

(n) The progressive system is an optional system and is not required to operate the game. If the progressive system is not functional for any reason, the game may still be operated without it. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-9-25-23, Aug. 16, 2023.)

**111-501-162. Payout odds.** (a) Each winning ante and play wager shall be paid at odds of 1 to 1.

(b) Players shall be paid on each winning blind wager at the following payout odds:

Hand	Payout Odds
Five wilds	1,000 to 1
Royal flush	50 to 1
Five-of-a-kind	10 to 1
Straight flush	9 to 1
Four-of-a-kind	4 to 1
Full house	3 to 1
Flush	2 to 1
Straight	1 to 1
Less than a straight	Push

The payouts listed above do not include the return of the player's original bet.

(c) Players shall be paid on each winning trips wager at the following payout odds:

Hand	Natural Hand Payout Odds	Wild Hand Payout Odds
Five wilds	N/A	2,000 to 1
Royal flush	1,000 to 1	90 to 1
Five-of-a-kind	N/A	70 to 1
Straight flush	200 to 1	25 to 1
Four-of-a-kind	60 to 1	6 to 1
Full house	30 to 1	5 to 1
Flush	25 to 1	4 to 1
Straight	20 to 1	3 to 1
Three-of-a-kind	6 to 1	1 to 1

The payouts listed above do not include the return of the player's original bet. The trips bets are paid as each hand decision is made.

(d) Players shall be paid on each winning two-way bad beat wager at the following payout odds:

Hand	Payout Odds
Royal flush	500 to 1
Five-of-a-kind	500 to 1
Straight flush	500 to 1
Four-of-a-kind	300 to 1
Full house	200 to 1
Flush	100 to 1
Straight	50 to 1
Three-of-a-kind	15 to 1

The payouts listed above do not include the return of the player's original bet.

(e) Players shall be paid on each winning progressive wager in accordance with the following pay table based upon a \$5 progressive wager. For purposes of the progressive wager, no wild cards can be used in the player's hand. If a player has made a progressive wager and the player's hand contains a joker card, that card will be replaced with the additional card dealt during the dealing process:

	Winner's Prize	Envy Prize
Royal Flush	100% of Mega Progressive	\$1000
Straight Flush	100% of Major Progressive	\$300
Four-of-a-kind	100% of Minor Progressive	\$0
Full House	50 for 1	\$0
Flush	40 for 1	\$0
Straight	30 for 1	\$0
Three-of-a-kind	9 for 1	\$0

The payouts listed above do not include the return of the player's original bet and only the three prizes denoted as percentages shall be paid out of the progressive pool.

(f) The progressive pool shall be funded as follows:

(1) To establish the beginning amount for each of the three progressive prize pools, the casino manager shall initially contribute \$50,000 for the mega progressive pool, \$5,000 for the major progressive pool and \$1,250 for the minor progressive pool. A progressive pool will be replenished in those same amounts each time that progressive prize is awarded; and

(2) From each progressive wager, 10% shall be added to the mega progressive pool, 8% shall be added to the major progressive pool and 3% shall be added to the minor progressive pool.

(g) If during the same round of play one or more players are entitled to the same progressive prize pool, the total progressive amount will be split evenly between the one or more progressive winners.

(h) The following rules regarding irregularities shall apply:

(1) A card that is found face up in the shoe or the deck while the cards are being dealt shall not be used in the game and shall be placed in the discard rack. If more than one card is found face up in the shoe or the deck during the dealing of the cards, all hands shall be void and the cards shall be reshuffled. Notwithstanding the foregoing, if a card is found face up after each player and the dealer has received his or her five cards, any trips wager shall be settled in accordance with the payout odds set forth above; and

(2) If an automated card shuffling device is being used and the device jams, stops shuffling during a shuffle, or fails to complete a shuffle cycle, the cards shall be reshuffled. (Authorized by K.S.A. 2022 Supp. 74-8710 and K.S.A. 74-8748; implementing K.S.A. 2022 Supp. 74-8710; effective, T-111-9-25-23, Aug. 16, 2023.)

Stephen W. Durrell  
Executive Director  
Kansas Lottery

Doc. No. 051562

**INDEX TO ADMINISTRATIVE REGULATIONS**

This index lists in numerical order the new, amended, and revoked administrative regulations with a future effective date and the *Kansas Register* issue in which the regulation can be found. A complete listing and the complete text of all currently effective regulations required to be published in the *Kansas Administrative Regulations* can be found at [https://www.sos.ks.gov/pubs/pubs\\_kar.aspx](https://www.sos.ks.gov/pubs/pubs_kar.aspx).

**AGENCY 7: SECRETARY OF STATE**

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7-36-7	Amended	V. 42, Issue 39
7-47-1	Amended	V. 42, Issue 39

**AGENCY 40: INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-53	New	V. 42, Issue 24

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-2-103	Amended	V. 42, Issue 40

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-20-32	New (T)	V. 42, Issue 30

**AGENCY 92: DEPARTMENT OF REVENUE**

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92-12-141	Revoked	V. 42, Issue 39
92-12-143	Revoked	V. 42, Issue 39
92-12-144	Revoked	V. 42, Issue 39
92-12-145	Revoked	V. 42, Issue 39

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

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102-2-3	Amended (T)	V. 42, Issue 30
102-3-2	Amended (T)	V. 42, Issue 30
102-4-2	Amended (T)	V. 42, Issue 30
102-5-2	Amended (T)	V. 42, Issue 30
102-7-2	Amended (T)	V. 42, Issue 30

**AGENCY 111: KANSAS LOTTERY**

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

ber 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*. A list of regulations filed from 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 *Kansas Register*.

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