



# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 29, No. 5

February 4, 2010

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 www.kssos.org



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

State of Kansas

Department of Wildlife and Parks

Request for Applications for  
Landowner Incentive Program

The Kansas Department of Wildlife and Parks (KDWP) officials announce that applications for participation in the Landowner Incentive Program (LIP) will be accepted until March 31. The program provides technical assistance and financial incentives to enhance wildlife habitat on private land in central and western Kansas.

KDWP has approximately \$159,000 of unexpended funding for the LIP from the U.S. Fish and Wildlife Service (FWS), Department of Interior, to aid in the protection and management of priority habitats, including streams and associated riparian areas, playa lakes and grasslands. This voluntary program will enable private landowners to receive technical guidance and financial incentives to benefit at-risk species identified in the Kansas Wildlife Action Plan. Priority species include Lesser Prairie-Chicken, Black-tailed Prairie Dog, Ferruginous Hawk, Northern Pintail, American Avocet, Black Tern, Cassin's Sparrow, Whooping Crane, Green Toad, Flat-head Chub, Arkansas Darter and Topeka Shiner. Some examples of potential projects to enhance habitat include restoring native vegetation, brush and invasive weed management, and restoring playa hydrology.

To effectively utilize available funding, KDWP will limit participation to privately owned (nongovernmental) land within the mixed-grass and short-grass prairie regions that are west of the Flint Hills. Within this area, special consideration will be given to projects in the Red Hills, Cimarron River Sandstone, Arkansas River Sandstone, Smoky Hills and Playa Lakes areas. Proposed projects must contribute to the enhancement of at least one priority species or its habitat to be eligible. Landowners also must agree to allow authorized personnel access to project lands, and the FWS requires landowners contribute a minimum of 25 percent of the total project cost. This match can either be a cash contribution from a nonfederal source or contributions of labor, materials and equipment use. A committee of professionals will review completed applications based on established rating criteria to ensure all applicants are considered fairly and that the best projects are chosen.

Landowners interested in participating should contact the LIP biologist at the Kansas Department of Wildlife and Parks, 512 S.E. 25th Ave., Pratt, 67124, (620) 672-0771. Persons with special communication needs may utilize the Kansas Relay Center, (800) 766-3777.

For more information about the grant program, go online to [federalaid.fws.gov/lip/lip.html](http://federalaid.fws.gov/lip/lip.html). The Catalog of Federal Domestic Assistance reference number is 15.633.

J. Michael Hayden  
Secretary of Wildlife  
and Parks

Doc. No. 037992

State of Kansas

Wichita State University

Notice to Bidders

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

Steve White  
Director of Purchasing

Doc. No. 037745

State of Kansas

Department of Administration  
Division of Purchases

Notice to Bidders

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

- 02/17/2010 12798 Metal Doors, Frames, and Hardware
- 02/17/2010 12800 Janitorial Services
- 02/18/2010 12812 Agricultural Services
- 02/19/2010 12804 Janitorial Services
- 02/23/2010 12760 Management Services
- 03/02/2010 12808 Utilization Review Services
- 03/05/2010 12715 Lab Services
- 03/09/2010 12795 Weather Forecasting Services
- 03/11/2010 12714 Dependent Care and Health Care Flexible Spending Account Program with Debit Card
- 03/26/2010 12813 Leased Space

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

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

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

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

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

- 02/16/2010 A-011190 Breukelman Science Hall Fume Hoods, Emporia State University, Emporia

Chris Howe  
Director of Purchases

Doc. No. 037993

## State of Kansas

**Pittsburg State University****Notice to Bidders**

Pittsburg State University encourages interested vendors to visit the Pittsburg State University Purchasing Office Web site at <http://www.pittstate.edu/purch/> for a complete list of all goods and services currently out for bid. Paper postings of all open bids may be reviewed at the Purchasing Office, Room 110, Russ Hall, 1701 S. Broadway, Pittsburg. Copies of open bids also may be requested by contacting Purchasing at (620) 235-4169, by fax at (620) 235-4166, or by e-mail at [jensch@pittstate.edu](mailto:jensch@pittstate.edu).

Jim Hughes  
Director of Purchasing

Doc. No. 037208

(Published in the Kansas Register February 4, 2010.)

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

Sealed bids will be received at the office of the city clerk at City Hall, 100 E. Santa Fe, Olathe, Kansas, until 11 a.m. local time March 9, 2010, for the construction of **South Indian Creek Trail, City Project No. 4-C-014-09, K.D.O.T. Project No. TE-0350-01.**

At said time and place, in the City of Governors Room and promptly thereafter, all bids that have been duly received in the city clerk's office will be publicly opened and read aloud.

A mandatory pre-bid meeting will be held at 2 p.m. February 18 in the City of Governors Room, first floor, Olathe City Hall. Attendance at this meeting is mandatory as key aspects of the project will be discussed, including contract provisional requirements. Any bid received by a contractor or their representative not in attendance of this meeting will be determined disqualified.

The work consists of the following: Construction of approximately 6,864 lineal feet of asphalt recreational trail and 1,056 lineal feet of concrete recreational trail. Demolition, clearing and grubbing, tree preservation, earthwork, erosion control, storm sewer, bank stabilization, retaining walls, signage, crosswalk signals and traffic control.

Contract documents including drawings and specifications will be available for purchase at 10 a.m. February 4 at Drexel Tech, 10840 W. 86th St., Lenexa, KS 66214-1632, for \$50, none of which will be refunded. A set of plans and specifications will be on file at the Parks and Recreation Office, 200 W. Santa Fe, Olathe, and open for public inspection.

The entire name of the project and project number, both city and KDOT, must appear on the outside of the bid envelope submitted to the city clerk's office.

A satisfactory bid bond executed by the bidder and an acceptable surety, in an amount equal to 5 percent of the total bid for work, shall be submitted with each proposal.

The successful bidder will be required to furnish and pay satisfactory performance and payment bond or bonds.

The city of Olathe reserves the right to reject any or all bids or to waive any informality in the bidding.

Bids may be held by the city of Olathe for a period not to exceed 60 days from the date of the opening of bids for the purpose of reviewing the bids and investigating the qualifications of bidders, prior to awarding the contract.

Effective April 24, 2000, all bidders shall submit in writing to the director of Human Relations an affirmative action program. No contract will be awarded to any company that has not been issued a Certification of Compliance by the Olathe Human Relations Commission within the past 12 months. A copy of the required form is included in the contract documents. Questions concerning the forms and information required to complete the form should be directed to the city of Olathe Equal Opportunity Office at (913) 971-6694.

City of Olathe, Kansas  
By Donald T. Howell  
City Clerk

Doc. No. 037987

## State of Kansas

**Kansas State University****Notice to Bidders**

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

Carla Bishop  
Director of Purchasing

Doc. No. 037624

## State of Kansas

**University of Kansas****Notice to Bidders**

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

Barry K. Swanson  
Associate Comptroller/  
Director of Purchasing Services

Doc. No. 037757

**State of Kansas  
Pooled Money Investment Board**

**Notice of Investment Rates**

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

**Effective 2-1-10 through 2-7-10**

Term	Rate
1-89 days	0.12%
3 months	0.13%
6 months	0.18%
1 year	0.30%
18 months	0.54%
2 years	0.84%

Elizabeth B.A. Miller  
Director of Investments

Doc. No. 037968

**State of Kansas  
Kansas Judicial Council**

**Notice of Meetings**

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

Date	Committee	Time	Location
Feb. 5	Judicial Council Planning Committee	9:30 a.m.	Room 269
Feb. 12	Commission on Judicial Performance	9:30 a.m.	Suite 140
Feb. 12	SB 141 (Inspector General)	9:30 a.m.	Suite 140
Feb. 19	Pattern Instruction for Kansas-Civil	9:30 a.m.	Room 269
Feb. 19	Probate Law	9:30 a.m.	Suite 140
March 12	Commission on Judicial Performance	9:30 a.m.	Suite 140
March 19	Pattern Instruction for Kansas-Civil	9:30 a.m.	Room 269

Hon. Lawton R. Nuss  
Chairman

Doc. No. 037969

**State of Kansas  
Kansas Insurance Department**

**Notice of Changes in Pharmacy Networks**

Pursuant to K.S.A. 40-2,153, the Kansas Commissioner of Insurance is publishing notice that changes have occurred in the following pharmacy networks in the state of Kansas:

**Aetna U.S. Healthcare Pharmacy Network** has notified the Insurance Department of the following additions to its pharmacy network:

Name	City	Effective
Ball Brothers Health Mart	Atchison	10/17/2009

In addition, Aetna U.S. Healthcare Pharmacy Network

has notified the department of the following terminations from its pharmacy network:

Name	City	Effective
Ball Brothers Drug	Atchison	11/1/2009
Miller Pharmacy	Paola	11/30/2009
C&R Clinic Pharmacy	Elkhart	12/31/2009

**CIGNA/CGLIC Pharmacy Network** has notified the department of the following additions to its pharmacy network:

Name	City	Effective
The Downtown Drugstore LLC	Tonganoxie	7/10/2009
Neighborhood Pharmacy #0001	Wichita	7/13/2009
Hy-Vee Pharmacy #1398	Manhattan	7/22/2009
Dixon Drug	Tribune	7/23/2009
Walgreens #13784	Overland Park	7/28/2009
Richeys Rexall Drug	Erie	8/13/2009
Cherryvale Pharmacy Inc	Cherryvale	8/18/2009
Galena Med-X Drug #6141	Galena	8/20/2009
Rockers Pharmacy	Paola	8/21/2009
Walgreens #12586	McPherson	8/25/2009
Walgreens #12814	Manhattan	8/25/2009
Caldwell Pharmacy #8101	Caldwell	8/31/2009
Ball Brothers Health Mart	Atchison	9/1/2009
Walgreens #11924	Shawnee	9/4/2009
Angel's Touch Pharmacy #1	Kansas City	9/18/2009
CVS Pharmacy #03212	Lawrence	9/20/2009
Walgreens #12815	Olathe	9/26/2009
Batsons Drug Store	Howard	9/27/2009
Oswego Drug Store	Oswego	9/27/2009
Moundridge Pharmacy	Moundridge	9/27/2009
Rays Pharmacy	Quinter	9/27/2009
Columbus Family Pharmacy	Columbus	9/27/2009
Porter Drugs	Neodesha	10/1/2009
Haskell IHS Pharmacy	Lawrence	10/1/2009
White Cloud IHS Pharmacy	White Cloud	10/1/2009
Walgreens #12923	Leavenworth	10/1/2009
Angel's Touch Pharmacy #2	Kansas City	10/12/2009
AR EX Drug Store	Marysville	11/1/2009
Briscoe Drug Store	Ottawa	11/1/2009
Wise Drug Inc	Hill City	11/1/2009
Watkins Memorial Health Center Pharmacy	Lawrence	11/1/2009
Tice Healthmart	Hiawatha	11/1/2009
Witmer Drug Store Inc.	Phillipsburg	11/1/2009
Currier Drug	Atwood	12/1/2009
Mahanna Pharmacy Inc.	Hoxie	12/1/2009
Washington Health Mart	Washington	12/1/2009

In addition, CIGNA/CGLIC Pharmacy Network has notified the department of the following terminations from its pharmacy network:

Name	City	Effective
Hen House Pharmacy #1	Overland Park	8/6/2009
Country Mart Pharmacy	Tonganoxie	12/8/2009

**Humana, Inc., Pharmacy Network** has notified the department of the following additions to its pharmacy network:

Name	City	Effective
Hen House #35	Fairway	11/17/2009
Bond Pharmacy	Kansas City	11/10/2009
Hen House #27	Kansas City	11/17/2009
Heartland Homecare Services Inc.	Lawrence	12/22/2009
Kindred Care	Lawrence	10/27/2009
Price Chopper #20	Leavenworth	11/17/2009
Hen House #31	Merriam	11/17/2009
Hen House #32	Olathe	11/17/2009
Pharmacy Express	Olathe	11/10/2009
Price Chopper #26	Olathe	11/17/2009
Price Chopper #40	Olathe	11/17/2009

(continued)

Price Chopper #42	Olathe	11/24/2009
Hen House #33	Overland Park	11/17/2009
Price Chopper #25	Overland Park	11/17/2009
Parsons Family Pharmacy	Parsons	12/29/2009
Price Chopper #12	Roeland Park	11/17/2009
Price Chopper #39	Shawnee	11/17/2009
Jayhawk Pharmacy and Patient Supply	Topeka	11/3/2009
Wamego Drug Store	Wamego	12/15/2009
White Cloud IHS Pharmacy	White Cloud	12/22/2009
Custom Rx	Wichita	10/27/2009
Heartland Homecare Services	Wichita	12/22/2009

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**USDA—Natural Resources  
Conservation Service**

**Notice of Kansas Technical Committee Meeting**

The Kansas Technical Committee will meet from 1 to 4 p.m. Monday, March 8, at the NRCS Conference Center, 747 S. Duvall, Salina. Agenda items include the following:

- National Conservation Reserve Program (CRP) Notice that requires review of CRP conservation priority areas.

Other agenda items may be sent by February 20 to Troy J. Munsch, Assistant State Conservationist, NRCS, 760 S. Broadway, Salina, 67401-4604, or e-mail at troy.munsch@ks.usda.gov. Persons requiring special assistance to attend the meeting should contact Troy Munsch at the contact information above or by calling (785) 823-4580.

NRCS is an equal opportunity provider and employer.

Eric B. Banks  
State Conservationist

Doc. No. 037991

(Published in the Kansas Register February 4, 2010.)

**Federal Emergency Management Agency**

**Public Notice  
FEMA-DR-1868**

The Department of Homeland Security, Federal Emergency Management Agency (FEMA) hereby gives notice to the public of its intent to reimburse State and local governments and agencies, and eligible private non-profit organizations for eligible costs incurred to repair and/or replace facilities damaged by a severe winter storm occurring from November 14-16, 2009. This notice applies to the Public Assistance (PA) and Hazard Mitigation Grant (HMGP) programs implemented under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 USC §§ 5121-5206 as amended.

Under a major disaster declaration (FEMA-1868-DR-KS) signed by the President on December 23, 2009, the following counties in the State of Kansas have been designated for PA: Marshall, Republic, and Washington.

This public notice concerns public assistance activities that may affect historic properties, activities that are located in or affect wetland areas or the 100-Year Floodplain (areas determined to have a one percent probability of flooding in any given year), and critical actions within the 500-Year Floodplain. Such activities may adversely affect the historic property, floodplain or wetland, or may result in continuing vulnerability to flood damage.

Such activities may include restoring facilities located in a floodplain with eligible damage to pre-disaster condition. Examples of such activities include, but are not limited to, the following:

1. Non-emergency debris removal and disposal;
2. Non-emergency protective measures;
3. Repair/replacement of roads, including streets, culverts, and bridges;

**Preferred Plus of Kansas/Preferred Health Systems Insurance Company Pharmacy Network** has notified the department of the following additions to its pharmacy network:

Pharmacy	City
Washington Health Mart	Washington
Kinsley Drug Company	Kinsley
Genoa Healthcare	Kansas City
Wal-Mart	Lawrence
Genoa Healthcare	Shawnee
Arbuthnot Drug Company	Belleville
Neighborhood Pharmacy	Wichita
The Downtown Drug Store	Tonganoxie
Angel's Tough Pharmacy	Kansas City
Hy-Vee Pharmacy	Manhattan
Goodland Medical Arts Pharmacy	Goodland
Walgreens	Overland Park
Walgreens	McPherson
Walgreens	Manhattan
Walgreens	Shawnee
Gurpreet Randhawa M.D., P.A.	Liberal
Ball Brothers Health Mart	Atchison
CVS	Lawrence
Walgreens	Olathe
Walgreens	Leavenworth
Angel's Touch Pharmacy	Kansas City
Optioncare	Overland Park

In addition, Preferred Plus of Kansas/Preferred Health Systems Insurance Company Pharmacy Network has notified the department of the following deletions to its pharmacy network:

Pharmacy	City
Right Choice Pharmacy	Tonganoxie
Dillon Pharmacy	Overland Park
Inman Pharmacy	Inman
Biomed Pharmaceuticals	Lenexa
Kmart Pharmacy	Lenexa
Biopartners in Care	Lenexa
CVS	Kansas City
Genoa Healthcare	Shawnee
Hutton Pharmacy	Tonkawa
Ball Brothers Drug	Atchison
Round Corner Drug	Lawrence
Miller Pharmacy	Paola
US Bioservices	Lenexa
Hen House Pharmacy	Overland Park

Questions should be directed to the Kansas Insurance Department, (785) 296-3071.

Sandy Praeger  
Kansas Insurance Commissioner

Doc. No. 037973

4. Repair/replacement of public dams, reservoirs and channels;
5. Repair/replacement of public buildings and related equipment;
6. Repair/replacement of public water control facilities, pipes and distribution systems;
7. Repair/replacement of public utilities, including sewage treatment plants, sewers and electrical power distribution systems; and
8. Repair/replacement of eligible private, non-profit facilities (hospitals, educational centers, emergency and custodial care services, etc.).

The President's Executive Order 11988, Floodplain Management, and Executive Order 11990, Protection of Wetlands, requires that all Federal actions in or affecting the 100-Year floodplain or wetland areas be reviewed for opportunities to move the facility out of the floodplain or wetland and to reduce the risk of future damage or loss from flooding and minimize harms to wetlands. However, FEMA has determined that in certain situations, there are no alternatives to restoring an eligible facility located in the floodplain to its pre-disaster condition. These situations meet all of the following criteria:

1. The FEMA estimated cost of repairs is less than 50 percent of the estimated cost to replace the facility and the replacement cost of the facility is less than \$100,000.
2. The facility is not located in a floodway or coastal high hazard area.
3. The facility has not sustained structural damage in a previous presidentially declared flood disaster or emergency.
4. The facility is not defined as critical (e.g., hospital, generating plant, contains dangerous materials, emergency operation center, etc.).

FEMA will provide assistance to restore the facilities described above to their pre-disaster condition except when measures to mitigate the effects of future flooding may be incorporated into the restoration work. For example, insufficient waterway openings under culverts and bridges may cause water backup to wash out the structures. The water backup could wash out the facility and could damage other facilities in the area. Increasing the size of the waterway opening would mitigate, or lessen, the potential for this damage. Additional examples of mitigation measures include providing erosion protection at bridge abutments or levees, and extending entrance tubes on sewage lift stations.

Disaster assistance projects to restore facilities, which do not meet the criteria listed above, must undergo a detailed review. The review will include a study to determine if the facility can be moved out of the floodplain. The public is invited to participate in the review. The public may identify alternatives for restoring the facility and may participate in analyzing the impact of the alternatives on the facility and the floodplain. An address and phone number for obtaining information about specific assistance projects is provided at the end of this Notice. The final determination regarding the restoration of these facilities in a floodplain will be announced in future Public Notices.

Due to the urgent need for and/or use of the certain facilities in a floodplain, actions to restore the facility may have started before the Federal inspector visits the site. Some of these facilities may meet the criteria for a detailed review to determine if they should be relocated. Generally, facilities may be restored in their original location where at least one of the following conditions applies:

1. The facility, such as a flood control device or bridge, is functionally dependent on its floodplain location.
2. The facilities, such as a park or other open-use space, already represent sound floodplain management and, therefore, there is no need to change it.
3. The facility, such as a road or a utility, is an integral part of a larger network that could not be relocated economically.
4. Emergency action is needed to address a threat to public health and safety.

The effects of not relocating the facilities will be examined. In each case, the examination must show an overriding public need for the facility at its original location that clearly outweighed the requirements in the Executive Order to relocate the facility out of the floodplain. FEMA will also consult State and local officials to make certain that no actions taken will violate either State or local floodplain protection standards. The restoration of these facilities may also incorporate certain measures designed to mitigate the effects of future flooding. This will be the only Notice to the public concerning these facilities.

FEMA also intends to provide Hazard Mitigation Grant Program (HMPG) funding under Section 404 of the Stafford Act to the State of Kansas for the purposes of mitigating future disaster damages. Hazard mitigation projects may involve the construction of a new facility (e.g., retention pond, or debris dam), modification of an existing undamaged facility (e.g., improving waterway openings of bridges or culverts), and the relocation of facilities out of the floodplain. Subsequent Notices will provide more specific information as project proposals are developed.

Information about assistance projects may be obtained by submitting a written request to the Regional Administrator, DHS-FEMA Region VII, 9221 Ward Parkway, Suite 300, Kansas City, MO 64114-3372. The information may also be obtained by calling (816) 283-7060 between the hours of 8 a.m. and 4:30 p.m. Monday through Friday. Comments should be sent in writing to the Regional Administrator at the above address within 15 days of the date of publication of this notice.

Brenda Hines  
Resource Manager  
External Affairs

Doc. No. 037971

## State of Kansas

Office of Judicial Administration  
Supreme Court Docket

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

## Monday, March 8, 2010

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<b>96,563</b> State of Kansas, Appellee v. Scott A. Dukes, Appellant	Stephen N. Six, Attorney General Jeffrey E. Evans, Asst. Dist. Attorney Rick Kittel, Kansas Appellate Defender	Sedgwick Petition for Review
<b>101,236</b> State of Kansas, Appellee v. Asa Adams, Appellant	Stephen N. Six, Attorney General Boyd K. Isherwood, District Attorney Janine Cox, Kansas Appellate Defender	Sedgwick
<b>100,457</b> State of Kansas, Appellee v. Edrick D. Edwards, Appellant	Stephen N. Six, Attorney General Matt J. Maloney, Asst. District Attorney Rachel L. Pickering, Kansas Appellate Defender	Sedgwick
<b>100,818</b> State of Kansas, Appellant v. John M. Hoisington, Appellee	Stephen N. Six, Attorney General Julie A. Koon, Asst. District Attorney Randall L. Hodgkinson, Kansas Appellate Defender	Sedgwick

## Tuesday, March 9, 2010

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<b>101,335</b> Ben J. and Lavelle Frick, Appellants v. City of Salina, Kansas, Appellee	Joseph R. Borich III Timothy P. Orrick	Saline
<b>98,571</b> State of Kansas, Appellee v. Alfonzal Jones, Appellant	Stephen N. Six, Attorney General Cathy A. Eaton, Asst. District Attorney Lydia Krebs, Kansas Appellate Defender	Wyandotte Petition for Review
<b>99,491</b> Kansas Dept. of Revenue, Appellant v. Jill Powell, Appellee	Brian J. Cox Michael E. Riling	Shawnee Petition for Review
<b>98,442</b> Stacy Lee Kuxhausen, Appellant v. Tillman Partners, L.P., Appellees	James L. Wisler Jacqueline M. Sexton	Riley Petition for Review

## Wednesday, March 10, 2010

9:00 a.m.

Case No. / Case Name	Attorneys	Jurisdiction
<b>101,873</b> State of Kansas, Appellant v. Comprehensive Health of Planned Parenthood of KS and Mid-MO, Appellee	Stephen N. Six, Attorney General Steven J. Obermeier, Asst. District Attorney Pedro L. Irigonegaray	Johnson
<b>98,932</b> Donna Schlaikjer, Appellant v. James D. Kapan, M.D., Appellee	Patrick E. White Gerald D. Eftink Bruce Keplinger	Johnson Petition for Review



97,457  
 State of Kansas, Appellee  
 v.  
 Richard Shadden, Appellant  
 98,667/98,668  
 State of Kansas, Appellee  
 v.  
 Tina C. Williams, Appellant

Stephen N. Six, Attorney General  
 Steven J. Obermeier, Asst. District Attorney  
 Shawn E. Minihan, Kansas Appellate Defender  
 Stephen N. Six, Attorney General  
 Steven J. Obermeier, Asst. District Attorney  
 Carl Folsom III, Kansas Appellate Defender

Johnson  
 Petition for Review  
 Johnson  
 Petition for Review

**Thursday, March 11, 2010**

**9:00 a.m.**

Case No. / Case Name

Attorneys

Jurisdiction

101,029  
 State of Kansas, Appellee  
 v.  
 Rory Foster, Appellant

Stephen N. Six, Attorney General  
 Jerry B. Hathaway, County Attorney  
 Heather R. Cessna, Kansas Appellate Defender

Allen

99,014  
 State of Kansas, Appellee  
 v.  
 Damon Laron Allen, Appellant

Stephen N. Six, Attorney General  
 Don L. Scott, County Attorney  
 Michelle A. Davis, Kansas Appellate Defender

Seward  
 Petition for Review

101,659  
 State of Kansas, Appellee  
 v.  
 Timothy W. Spidel, Appellant

Stephen N. Six, Attorney General  
 Chadwick J. Taylor, District Attorney  
 Michael E. Francis

Shawnee

102,509  
 Jeremy R. Johnson, Appellee  
 v.  
 Roger Werholtz, et al., Appellants

Paula D. Hofaker  
 Robert E. Wasinger

Ellsworth

**Friday, March 12, 2010**

**9:00 a.m.**

Case No. / Case Name

Attorneys

Jurisdiction

99,021  
 Fort Hays State University, Appellant/Cross-Appellee  
 v.  
 Fort Hays State Univ. Chapter, American Assoc. of  
 University Professors, Appellee/Cross-Appellant,  
 and Kansas Public Employee Relations Board,  
 Appellee/Cross-Appellee

Todd D. Powell  
 Lawrence G. Rebman  
 Darren E. Root  
 A.J. Kotich

Shawnee  
 Petition for Review

**March 2010**

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

100,743 State v. Marcus Frost      100,802 State v. William Gilliland      101,198 State v. Darron Edwards

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

101,758 State v. Enrique R. Rodriguez	102,331 State v. Michael Sanders	102,553 State v. Bruce Lee Weyer
102,028 State v. Jeremy Levy	102,352 State v. Todd Earl Bean	102,562 State v. Gary L. Hammitt
102,069 State v. Antonio Flores, Jr.	102,420 State v. Leona Craven	102,622 State v. Glen B. McGeoch II
102,146 State v. James E. Campbell, Jr.	102,438 State v. Chelisama Fishback	102,701 State v. Crystal Elaine Brown
102,197 State v. Jessica Ontiveros	102,440 State v. Tony A. Washington	102,723 State v. John Paul Carrillo
102,199 State v. Charles Buford Strawter	102,504 State v. Thomas Peterson	102,783 State v. Kristopher Jay Stephens
102,246 State v. Steven Woods	102,510 State v. Thomas Peterson	

Carol G. Green  
 Clerk of the Appellate Courts

Doc. No. 037979

State of Kansas

**Department of Health and Environment**

**Request for Comments**

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

KCP&L West Gardner Generating Station, Kansas City, Missouri, owns and operates a fossil fuel power generating plant located at 18827 Dillie Road, Edgerton, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka; and a copy of the proposed permit can be reviewed at the Johnson County Department of Environmental Health, 11180 Thompson Ave., Lenexa. To obtain or review the proposed permit and supporting documentation, contact Larry D. Lowry, (785) 296-6281, at the KDHE central office; and to review the proposed permit only, contact Mike Boothe, (913) 715-6939, at the Johnson County Department of Environmental Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Larry D. Lowry, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received before the close of business March 4.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Sharon Burrell, Bureau of Air, not later than the close of business March 4 in order for the Secretary of Health and Environment to consider the request.

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

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this

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

Roderick L. Bremby  
Secretary of Health and Environment

Doc. No. 037986

State of Kansas

**Department of Health and Environment**

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

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

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

**Public Notice No. KS-AG-10-017/020**

**Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Bogner Dairy Don Bogner 19019 South Haven Road Haven, KS 67543	NE/4 of Section 32, T25S, R04W, Reno County	Lower Arkansas River Basin

Kansas Permit No. A-ARRN-M031

This is a reissuance of a permit for an existing facility for 150 head (210 animal units) of mature dairy cattle, 45 head (45 animal units) of cattle weighing greater than 700 pounds, 45 head (22.5 animal units) of cattle weighing less than 700 pounds and 3 head (6 animal units) of horses, for a total of 243 head (283.5 animal units) of cattle and horses.

Name and Address of Applicant	Legal Description	Receiving Water
Bar M Bar Jack & Lori Martin 4780 County Road 4600 Cherryvale, KS 67335	NE/4 of Section 26, T32S, R16E, Montgomery County	Verdigris River Basin

Kansas Permit No. A-VEMG-B001

This is a reissuance of a permit for an existing veterinary clinic and cattle facility for 720 head (360 animal units) of cattle weighing less than 700 pounds.

Name and Address of Applicant	Legal Description	Receiving Water
Errebo Dairy 789 E. Rye Drive Sylvan Grove, KS 67481	NE/4 of Section 07, T11S, R09W, Lincoln County	Saline River Basin

Kansas Permit No. A-SALC-M003  
This permit is being reissued for an existing facility with a maximum capacity of 117 head (163.8 animal units) of mature dairy cattle and 35 head (17.5 animal units) of dairy calves, for a total of 181.3 animal units. This represents an increase of 2.8 animal units due to a change in the animal unit calculation for mature dairy cattle at the facility.

Name and Address of Applicant	Legal Description	Receiving Water
Ochampaugh Dairy James Ochampaugh 2380 R Road Plainville, KS 67663	SE/4 of Section 26, T08S, R17W, Rooks County	Solomon River Basin

Kansas Permit No. A-SORO-B009  
This permit is being reissued for an existing facility with a maximum capacity of 200 head (200 animal units) of replacement dairy heifers. There is no change in the permitted animal units from the previous permit.

**Public Notice No. KS-Q-10-008/011**

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Wichita-Sedgwick County Department of Community Health 1900 E. 9th St. Wichita, KS 67214	Arkansas River	Groundwater Remediation

Kansas Permit No. I-AR94-PO80 Federal Permit No. KS0092762  
Legal Description: NE¼, S5, T28S, R1E, Sedgwick County  
Facility Name: Gilbert & Mosley Remediation Site  
Facility Location: Herman Hill Park

Facility Description: The proposed action consists of reissuance of the existing Kansas/NPDES Water Pollution Control permit for the above-referenced existing facility. This facility is for a groundwater cleanup project consisting of 13 extraction wells located throughout downtown Wichita. The groundwater is contaminated primarily with chlorinated volatile organic compounds and is treated by an air stripper. A sequestering agent is added to the influent of the air stripper. The proposed permit contains limits for tetrachloroethylene, trichloroethylene, cis-1,2 dichloroethene and pH, as well as monitoring of total phosphorus, nitrate, total recoverable copper, volatile organic chemicals and effluent flow.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Great Plains Development Authority 1209 Corporate Drive, #6 Parsons, KS 67357	Neosho River via Labette Creek	Process Wastewater

Kansas Permit No. I-NE55-PO10 Federal Permit No. KS0099953  
Facility Name: Great Plains Industrial Park  
Facility Location: 1 mile southwest of 22000 Road & Scott Road, Parsons, KS 67357

Facility Description: This action consists of the issuance of a new industrial process NPDES/Kansas Water Pollution Control wastewater discharge permit to transfer ownership and continued operation of a portion of the land and infrastructure of the former Kansas Army Ammunition Plant. The Great Plains Development Authority was created to redevelop approximately 6,700 acres of the closed Army facility into an industrial park, using the existing infrastructure including the water and wastewater system. The proposed permit con-

tains limits for biochemical oxygen demand, total suspended solids, oil and grease, ammonia, E. coli, total residual chlorine, whole effluent toxicity and pH, as well as monitoring of total phosphorus, total recoverable lead and copper and effluent flow. Contained in the permit are schedules of compliance requiring the permittee to develop and implement a stormwater pollution prevention plan by October 1, 2010; obtain the services of a laboratory or become KDHE-field certified for total residual chlorine and pH; and eliminate the vehicle wash facility and appropriately dispose of all waste residues; and submit an approvable Master Wastewater Plan for the proposed industrial park.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Day & Zimmerman Kansas LLC 23018 Rooks Road Parsons, KS 67357	Neosho River via Labette Creek	Process Wastewater

Kansas Permit No. I-NE55-PO09 Federal Permit No. KS0099945  
Facility Name: Kansas Army Ammunition Plant

Facility Description: This action consists of the issuance of a new industrial process NPDES/Kansas Water Pollution Control wastewater discharge permit to transfer ownership and continued operation of a portion of the land and munition production activities of the Kansas Army Ammunition Plant. The land, buildings, appurtenances and other responsibilities associated with the federal facility are being transferred to Day & Zimmerman. This facility, as a privately owned business, will continue production activities of the former Kansas Army Ammunition Plant that will include ammunition load/assemble/pack operations. The proposed permit contains limits for total suspended solids, oil and grease, RDX + HMX, TNT, whole effluent toxicity and pH, as well as monitoring for perchlorate, total phosphorus and effluent flow. Contained in the permit is a schedule of compliance requiring the permittee to development and implement a stormwater pollution prevention plan by October 1, 2010, and to obtain the services of a laboratory or become KDHE-field certified for total residual chlorine and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
McCall, Inc. 11 Penn Plaza New York, NY 10001	Kansas River via Unnamed Tributary	Process Wastewater

Kansas Permit No. I-KS38-CO01 Federal Permit No. KS0091286  
Facility Name: McCall Pattern Company  
Facility Location: 615 McCall Road, Manhattan, KS 66502

Facility Description: This action consists of renewal of an existing NPDES/Kansas Water Pollution Control Permit. This facility primarily manufactures, warehouses and distributes sewing and craft patterns. A limited amount of commercial printing also occurs. Two separate cooling systems are in use at this facility. One is a recirculating closed-loop chiller system. When the closed loop chiller is down for maintenance, an average of two days per year, the chiller system water is either retained in the isolated chiller loop or the chiller system water is drained to the sanitary sewer via the chiller holding tank. When the chiller system is down and city water is used, approximately 20,000 gpd of city water is used for once-through noncontact cooling of the web printing hollow rollers and is discharged to the storm sewer. Contained in the permit is a schedule of compliance requiring the permittee to sample cooling tower blowdown discharge for total suspended solids and total phosphorus once within 180 days of issuance of permittee. The permittee also is required to either submit a "No Exposure Certification" or certify to KDHE within one year of the effective date of this permit that a stormwater pollution prevention (SWP2) plan has been developed and implemented.

**Public Notice No. KS-EG-10-002/003**

In accordance with K.A.R. 28-46-7 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been  
*(continued)*

prepared for the use of the well(s) described below within the state of Kansas:

**Name and Address of Applicant**

North American Salt Company  
P.O. Box 498  
Lyons, KS 67554

Facility Location: Lyons, Kansas

Well and Permit Number	Location
G101 KS-03-159-195	650 feet from south line and 5162 feet from east line of Section 14-20-8W, Rice County, Kansas (SW SW SW)
G109 KS-03-159-196	650 feet from south line and 2440 feet from east line of Section 15-20-8W, Rice County, Kansas (SW SW SE)

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

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

All comments regarding the draft documents or application notices received on or before March 6 will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-10-017/020, KS-Q-10-008/011, KS-ED-10-002/003) and name of the applicant/permittee when preparing comments.

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

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environ-

ment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

Roderick L. Bremby  
Secretary of Health  
and Environment

Doc. No. 037988

**State of Kansas**

**Secretary of State**

**Executive Appointments**

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

**State Representative, 25th District**

**Barbara Bollier**, 6910 Overhill Road, Mission Hills, 66208. Succeeds Terrie Huntington, resigned.

**State Representative, 40th District**

**Melanie Meier**, 31301 175th St., Leavenworth, 66048. Succeeds Don Navinsky, resigned.

**Washington County Register of Deeds**

**Nola E. Dusin**, 207 E. 4th St., Washington, 66968. Succeeds Marilyn Kolle, resigned.

**Governmental Ethics Commission**

**Sabrina K. Standifer**, 6401 Fairfield Road, Wichita, 67204. Term expires January 31, 2012. Reappointed.

**State Board of Mortuary Arts**

**Mary Diane Minear**, Secretary of State's Office, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, 66612. Term expires January 30, 2012. Succeeds Melissa Wangemann.

**Physician Assistant Council**

**Sheri Floyd**, 533 Delaware Drive, Ozawkie, 66070. Term expires January 31, 2013. Reappointed.

**State Employee Pay Plan Oversight Committee**

**Joshua L. Svaty**, Acting Secretary of Agriculture, 109 S.W. 9th, Topeka, 66612. Serves at the pleasure of the Governor. Succeeds Kathy Greenlee.

**Task Force on Racial Profiling**

**Brendon Fox**, 4321 E. 27th St. North, Wichita, 67220. Serves at the pleasure of the Governor. Succeeds Shala Perez.

**Maria C. Yssac-Belmares**, 7835 Elizabeth Ave., Kansas City, KS 66112. Serves at the pleasure of the Governor. Succeeds Susana Valdovinos.

Ron Thornburgh  
Secretary of State

Doc. No. 037995

State of Kansas

Secretary of State

Code Mortgage Rate for February

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of February 1, 2010 through February 28, 2010, is 12 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 037975

State of Kansas

Secretary of State

Usury Rate for February

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of February 1, 2010 through February 28, 2010, is 6.33 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 037974

State of Kansas

Department of Transportation

Request for Comments

The Kansas Department of Transportation requests comments on the amendment of the Statewide Transportation Improvement Program (STIP) FY 10-13 by adding the following project:

**Project KA-0696-01**, \$66,000 of Federal Bridge Funding for Right-of-Way Acquisition on K-42 for bridges over Red Creek and Rose Bud Creek 0.2 mile and 0.96 mile west of K-14, Kingman County

The amendment of the STIP requires a public comment period of 30 days. To receive more information on any of these projects or to make comments on the STIP amendment, contact the Kansas Department of Transportation, Bureau of Program and Project Management, 2nd Floor Tower, Eisenhower State Office Building, 700 S.W. Harrison, Topeka, 66603-3754, (785) 296-3526, fax (785) 368-6664.

This information is available in alternative accessible formats. To obtain an alternative format, contact the KDOT Bureau of Transportation Information, (785) 296-3585 (Voice/Hearing Impaired-711).

The comment period regarding the STIP amendment will conclude March 8.

Deb Miller  
Secretary of Transportation

Doc. No. 037972

(Published in the Kansas Register February 4, 2010.)

Notice of Partial Redemption  
Unified Government of Wyandotte County/  
Kansas City, Kansas  
Utility System Improvement Revenue Bonds  
Series 1999

Dated December 1, 1999

Notice is hereby given that, pursuant to the redemption provisions of the Indenture authorizing the issuance, sale and delivery of the above-captioned bonds, \$15,975,000 principal amount of the bonds have been called for redemption on March 1, 2010, at the redemption price of 100 percent of the principal amount thereof, together with interest thereon, to the date of redemption. Interest on the bonds called for redemption will cease to accrue from and after March 1, 2010. The bonds called for redemption are further described as follows:

Bond Number	Stated Maturity	Interest Rate	Amount of Bond	Called Amount	CUSIP Number
R-12	09/01/2011	5.2%	\$525,000	\$525,000	982674-BF-9
R-13	09/01/2012	5.25%	\$575,000	\$575,000	982674-BG-7
R-14	09/01/2013	5.375%	\$600,000	\$600,000	982674-BH-5
R-15	09/01/2014	5.5%	\$625,000	\$625,000	982674-BJ-1
R-16	09/01/2015	5.5%	\$650,000	\$650,000	982674-BK-8
R-17	09/01/2016	5.625%	\$700,000	\$700,000	982674-BL-6
R-18	09/01/2017	5.625%	\$725,000	\$725,000	982674-BM-4
R-19	09/01/2019	5.625%	\$1,575,000	\$1,575,000	982674-BP-7
R-20	09/01/2024	5.75%	\$4,900,000	\$4,900,000	982674-BU-6
R-21	09/01/2028	5.75%	\$5,100,000	\$5,100,000	982674-BY-8

This redemption is conditional upon the issuance of the Unified Government of Wyandotte County/Kansas City, Kansas Utility System Refunding Revenue Bonds, Series 2010-A, on or before March 1, 2010, to refund the bonds called for redemption. Bondholders should assume that the bonds called for redemption will be paid unless otherwise notified by the Trustee.

In order for bondholders to receive payment for the principal amount of called bonds, the bonds should be presented for payment as follows:

**Via U.S. Mail**

Security Bank of Kansas City  
Corporate Trust Department  
P.O. Box 171297  
Kansas City, KS 66117

**Via Courier or Hand Delivery**

Security Bank of Kansas City  
Corporate Trust Department  
701 Minnesota Ave., Suite 206  
Kansas City, KS 66101

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, as amended, paying agents making payments of principal on municipal bonds may be obligated to withhold 28 percent of any such remittance to individuals who have failed to furnish the paying agent with a certified taxpayer identification number. In order to avoid the application of these provisions, bondholders should submit a completed IRS Form W-9 to the paying agent.

The CUSIP Number is included solely for the convenience of the bondholders. Security Bank of Kansas City  
*(continued)*

shall not be responsible for the selection or use of the CUSIP number, nor is any representation made as to its correctness on this notice or any certificate.

If you have any questions regarding this redemption, please direct them to Pete Gardner at (913) 279-7948.

Dated January 15, 2010.

Security Bank of Kansas City  
as Paying Agent

Doc. No. 037981

(Published in the Kansas Register February 4, 2010.)

**Notice of Partial Redemption  
Unified Government of Wyandotte County/  
Kansas City, Kansas  
Utility System Improvement &  
Refunding Revenue Bonds  
Series 1998  
Dated December 1, 1998**

Notice is hereby given that, pursuant to the redemption provisions of the Indenture authorizing the issuance, sale and delivery of the above-captioned bonds, \$15,565,000 principal amount of the bonds have been called for redemption on March 1, 2010, at the redemption price of 100 percent of the principal amount thereof, together with interest thereon, to the date of redemption. Interest on the bonds called for redemption will cease to accrue from and after March 1, 2010. The bonds called for redemption are further described as follows:

Bond Number	Stated Maturity	Interest Rate	Amount of Bond	Called Amount	CUSIP Number
R-13	09/01/2011	4.4%	\$1,385,000	\$1,385,000	982674-AN-3
R-14	09/01/2012	4.5%	\$1,450,000	\$1,450,000	982674-AP-8
R-15	09/01/2013	5.125%	\$1,505,000	\$1,505,000	982674-AQ-6
R-16	09/01/2014	5.25%	\$1,595,000	\$1,595,000	982674-AR-4
R-17	09/01/2018	4.75%	\$9,630,000	\$9,630,000	982674-AS-2

This redemption is conditional upon the issuance of the Unified Government of Wyandotte County/Kansas City, Kansas Utility System Refunding Revenue Bonds, Series 2010-A, on or before March 1, 2010, to refund the bonds called for redemption. Bondholders should assume that the bonds called for redemption will be paid unless otherwise notified by the Trustee.

In order for bondholders to receive payment for the principal amount of called bonds, the bonds should be presented for payment as follows:

**Via U.S Mail.**

Security Bank of Kansas City  
Corporate Trust Department  
P.O. Box 171297  
Kansas City, KS 66117

**Via Courier or Hand Delivery**

Security Bank of Kansas City  
Corporate Trust Department  
701 Minnesota Ave., Suite 206  
Kansas City, KS 66101

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, as amended, paying agents making payments of principal on municipal bonds may be obligated to withhold 28 percent of any such remittance

to individuals who have failed to furnish the paying agent with a certified taxpayer identification number. In order to avoid the application of these provisions, bondholders should submit a completed IRS Form W-9 to the paying agent.

The CUSIP Number is included solely for the convenience of the bondholders. Security Bank of Kansas City shall not be responsible for the selection or use of the CUSIP number, nor is any representation made as to its correctness on this notice or any certificate.

If you have any questions regarding this redemption, please direct them to Pete Gardner at (913) 279-7948.

Dated January 15, 2010.

Security Bank of Kansas City  
as Paying Agent

Doc. No. 037982

(Published in the Kansas Register February 4, 2010.)

**Notice of Partial Redemption  
City of Kansas City, Kansas  
Utility System Refunding & Improvement Bonds  
Series 1992—Current Interest Bonds  
Dated February 1, 1992**

Notice is hereby given that, pursuant to the redemption provisions of the Indenture authorizing the issuance, sale and delivery of the above-captioned bonds, \$1,150,000 principal amount of the bonds have been called for redemption on March 1, 2010, at the redemption price of 100 percent of the principal amount thereof, together with interest thereon, to the date of redemption. Interest on the bonds called for redemption will cease to accrue from and after March 1, 2010. The bonds called for redemption are further described as follows:

Bond Number	Stated Maturity	Interest Rate	Amount of Bond	Called Amount	CUSIP Number
R-797	09/01/2016	6.3%	\$10,000	\$10,000	484790-KA-7
R-803	09/01/2016	6.3%	\$5,000	\$5,000	484790-KA-7
R-845	09/01/2016	6.3%	\$500,000	\$370,000	484790-KA-7
R-860	09/01/2016	6.3%	\$5,000	\$5,000	484790-KA-7
R-913	09/01/2016	6.3%	\$15,000	\$10,000	484790-KA-7
R-915	09/01/2016	6.3%	\$10,000	\$5,000	484790-KA-7
R-916	09/01/2016	6.3%	\$745,000	\$745,000	484790-KA-7

This redemption is conditional upon the issuance of the Unified Government of Wyandotte County/Kansas City, Kansas Utility System Refunding Revenue Bonds, Series 2010-A, on or before March 1, 2010, to refund the bonds called for redemption. Bondholders should assume that the bonds called for redemption will be paid unless otherwise notified by the Trustee.

If only a portion of your bond was called for redemption, a new bond representing the uncalled portion will be issued and returned to you. In order for bondholders to receive payment for the principal amount of called bonds, the bonds should be presented for payment as follows:

**Via U.S. Mail**

Security Bank of Kansas City  
Corporate Trust Department  
P.O. Box 171297  
Kansas City, KS 66117

**Via Courier or Hand Delivery**

Security Bank of Kansas City  
 Corporate Trust Department  
 701 Minnesota Ave., Suite 206  
 Kansas City, KS 66101

Under the provisions of the Interest and Dividend Tax Compliance Act of 1983, as amended, paying agents making payments of principal on municipal bonds may be obligated to withhold 28 percent of any such remittance to individuals who have failed to furnish the paying agent with a certified taxpayer identification number. In order to avoid the application of these provisions, bondholders should submit a completed IRS Form W-9 to the paying agent.

The CUSIP Number is included solely for the convenience of the bondholders. Security Bank of Kansas City shall not be responsible for the selection or use of the CUSIP number, nor is any representation made as to its correctness on this notice or any certificate.

If you have any questions regarding this redemption, please direct them to Pete Gardner at (913) 279-7948.

Dated January 15, 2010.

Security Bank of Kansas City  
 as Paying Agent

Doc. No. 037980

(Published in the Kansas Register February 4, 2010.)

**Summary Notice of Bond Sale**  
**City of Colby, Kansas**  
**\$2,720,000**  
**General Obligation Bonds, Series 2010-1**  
**(General obligation bonds payable from**  
**unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated February 2, 2010, written and electronic bids will be received on behalf of the director of finance of the city of Colby, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 2 p.m. February 16, 2010, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

**Bond Details**

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

Year	Principal Amount
2010	\$180,000
2011	255,000
2012	260,000
2013	270,000
2014	275,000
2015	280,000
2016	285,000
2017	295,000

2018	305,000
2019	315,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on June 1 and December 1 in each year, beginning December 1, 2010.

**Book-Entry-Only System**

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

**Paying Agent and Bond Registrar**

Kansas State Treasurer, Topeka, Kansas.

**Good Faith Deposit**

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$54,400.

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about March 10, 2010, to DTC for the account of the successful bidder.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2009 is \$44,535,830. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$5,600,000.

**Approval of Bonds**

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

**Additional Information**

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

**Written and Facsimile Bid and Good Faith Deposit**

**Delivery Address:**

Deborah Zerr, Director of Finance  
 City Hall, 585 N. Franklin  
 Colby, KS 67701  
 (785) 460-4400  
 Fax (785) 460-4444  
 E-mail: finance@cityofcolby.com

**Financial Advisor - Good Faith Deposit Delivery Address:**

Oppenheimer & Co., Inc.  
 320 N. Main  
 Wichita, KS 67202  
 Attn: Theron L. Froggatte  
 (316) 264-6300  
 Fax (316) 264-7999  
 E-mail: theron.froggatte@opco.com

Dated February 2, 2010.

City of Colby, Kansas

Doc. No. 037989

## State of Kansas

## Legislature

## Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced January 21-27 by the 2010 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 58-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096. Full texts of bills, bill tracking and other information may be accessed at [www.kslegislature.org](http://www.kslegislature.org).

## House Bills

**HB 2496**, An act concerning income taxation; relating to income tax credits; expenditures for restoration and preservation of certain historic structures; amending K.S.A. 2009 Supp. 79-32,211 and repealing the existing section, by Committee on Taxation.

**HB 2497**, An act concerning unclaimed property; regarding tax information; disclosure of information to the state treasurer for the purpose of locating unclaimed property owners; amending K.S.A. 2009 Supp. 79-3234 and repealing the existing section, by Committee on Local Government.

**HB 2498**, An act relating to drivers' licenses; concerning certain restricted licenses; amending K.S.A. 2009 Supp. 8-296 and 8-2,101 and repealing the existing sections, by Committee on Transportation.

**HB 2499**, An act regulating traffic; concerning distracted driving; amending K.S.A. 2009 Supp. 8-2118 and repealing the existing section, by Committee on Transportation.

**HB 2500**, An act concerning cities and municipalities; relating to municipal insurance pools; amending K.S.A. 12-2618 and repealing the existing section, by Committee on Insurance.

**HB 2501**, An act concerning insurance; relating to the liability of mortgage guaranty insurance companies; amending K.S.A. 40-3512 and repealing the existing section, by Committee on Insurance.

**HB 2502**, An act establishing the child witness protection act, by Committee on Corrections and Juvenile Justice.

**HB 2503**, An act concerning the department of corrections; relating to the inspection of department of corrections entities and facilities; amending K.S.A. 75-5251 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2504**, An act concerning crimes, criminal procedure and punishment; relating to the calculation of good time credits for inmates on postrelease supervision; amending K.S.A. 21-4722 and K.S.A. 2009 Supp. 22-3717 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2505**, An act concerning crimes, criminal procedure and punishment; relating to the Kansas parole board; discharge of an inmate by the parole board; amending K.S.A. 22-3722 and K.S.A. 2009 Supp. 22-3717 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2506**, An act concerning crimes, criminal procedure and punishment; relating to the Kansas parole board; considerations of the parole board when determining eligibility; amending K.S.A. 2009 Supp. 22-3717 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2507**, An act concerning crimes, criminal procedure and punishment; relating to the Kansas parole board; conditions of parole and post-release supervision; amending K.S.A. 2009 Supp. 22-3717 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2508**, An act concerning crimes, criminal procedure and punishment; relating to the Kansas parole board; deferral of parole board hearings; amending K.S.A. 2009 Supp. 22-3717 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2509**, An act concerning the commitment of sexually violent predators; relating to notice of release into a work release program; amending K.S.A. 59-29a03 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2510**, An act amending the vehicle dealers and manufacturers licensing act; relating to temporary vehicle registration; amending K.S.A. 8-2409 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2511**, An act concerning children in need of care; relating to reimbursement of costs of care for child in a grandparent's custody;

amending K.S.A. 2009 Supp. 38-2255 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2512**, An act concerning children in need of care; relating to powers of the court; amending K.S.A. 75-3330 and K.S.A. 2009 Supp. 38-2242, 38-2243, 38-2252, 38-2255, 38-2258, 38-2259, 38-2263, 38-2264 and 38-2270 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2513**, An act concerning children in need of care; relating to run-aways; amending K.S.A. 2009 Supp. 38-2231 and repealing the existing section, by Committee on Federal and State Affairs.

**HB 2514**, An act concerning trusts; relating to the capacity of the settlor of revocable trusts; amending K.S.A. 58a-601 and repealing the existing section, by Committee on Judiciary.

**HB 2515**, An act concerning cities and counties; relating to residential fire protection sprinkler systems, by Committee on Commerce and Labor.

**HB 2516**, An act concerning the Kansas expanded lottery act; relating to racetrack gaming facilities; creating the Kansas agricultural opportunity act; amending K.S.A. 2009 Supp. 74-8734, 74-8741, 74-8744, 74-8747, 74-8751 and 74-8768 and repealing the existing sections, by Committee on Appropriations.

**HB 2517**, An act concerning crimes, punishment and criminal procedure; relating to domestic violence; amending K.S.A. 20-369, 22-2307 and 22-2401 and K.S.A. 2009 Supp. 21-3110, 21-4603d and 75-712 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

**HB 2518**, An act concerning crimes, punishment and criminal procedure; amending K.S.A. 9-2012, 16-305, 17-12a508, 17-1311a, 19-3519, 21-2511, 21-3301, 21-3302, 21-3303, 21-3437, 21-3701, 21-3704, 21-3707, 21-3720, 21-3729, 21-3734, 21-3761, 21-3763, 21-3846, 21-3902, 21-3904, 21-3905, 21-3910, 21-4018, 21-4111, 21-4503a, 21-4638, 21-4643, 21-4703, 21-4706, 21-4707, 21-4709, 21-4710, 21-4711, 21-4720, 21-4722, 22-2908, 22-3303, 22-4906, 39-720 and 65-2859 and K.S.A. 2009 Supp. 21-36a01, 21-36a03, 21-36a05, 21-36a06, 21-36a07, 21-36a08, 21-36a09, 21-36a10, 21-36a13, 21-36a14, 21-36a16, 21-4603d, 21-4611, 21-4619, 21-4704, 21-4717, 21-4729, 22-2802, 22-3412, 22-3604, 22-3716, 22-3717, 38-2346, 38-2347, 38-2369, 38-2374, 38-2376, 38-2377, 39-717, 40-247, 40-2,118, 40-5013, 44-5,125, 44-719, 47-1827, 65-4167, 74-9101 and 75-5291 and repealing the existing sections; also repealing K.S.A. 21-4724 and K.S.A. 2009 Supp. 21-4705 and 21-4708, by Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2519**, An act concerning sales taxation; relating to streamlined sales and use tax agreement conformity; amending K.S.A. 2009 Supp. 79-3609, 79-3651, 79-3666 and 79-3672 and repealing the existing sections, by Committee on Taxation.

**HB 2520**, An act concerning taxation; relating to willful failure to collect tax or to commit other violations; amending K.S.A. 79-32,107 and K.S.A. 2009 Supp. 79-2971, 79-32,100c and 79-3643 and repealing the existing sections, by Committee on Taxation.

**HB 2521**, An act concerning taxation; relating to electronic filing of returns, reports or other documents, fees and penalties; credits, disallowance; intangibles tax, filing procedure; amending K.S.A. 12-1,104 and K.S.A. 2009 Supp. 75-5151, 75-5151a, 79-3220, 79-3298, 79-32,105, 79-3607 and 79-3609 and repealing the existing sections, by Committee on Taxation.

**HB 2522**, An act concerning sales taxation; relating to certain cash rebates on sales or leases of new motor vehicles; amending K.S.A. 2009 Supp. 79-3602 and repealing the existing section, by Committee on Taxation.

**HB 2523**, An act concerning the liquor enforcement tax; relating to violations of such law; prescribing penalties therefor; licensees and persons required to be licensed, by Committee on Taxation.

**HB 2524**, An act concerning townships; prohibiting certain townships from employing board members, by Committee on Local Government.

**HB 2525**, An act concerning the open meetings law; relating to executive sessions; amending K.S.A. 2009 Supp. 75-4319 and repealing the existing section, by Committee on Local Government.

**HB 2526**, An act relating to the vehicle dealers and manufacturers licensing act; concerning scrap metal recyclers; amending K.S.A. 2009 Supp. 8-2401, 8-2404, 8-2408 and 8-2434 and repealing the existing sections, by Representative Trimmer.

**HB 2527**, An act concerning abortion; regarding reports on late term abortions; amending K.S.A. 65-445 and 65-6703 and repealing the existing sections, by Representative Kinzer.



**HB 2528**, An act concerning crimes, criminal procedure and punishment; relating to appearance bonds; amending K.S.A. 22-2807 and repealing the existing section, by Committee on Judiciary.

**HB 2529**, An act concerning open records; relating to exceptions to disclosure; amending K.S.A. 60-3351 and K.S.A. 2009 Supp. 38-1664 and 45-229 and repealing the existing sections; also repealing K.S.A. 74-7405a and K.S.A. 2009 Supp. 79-1437f, by Special Committee on Judiciary.

**HB 2530**, An act concerning the rules and regulations filing act; pertaining to the filing process; amending K.S.A. 77-415a, 77-415b, 77-417, 77-418, 77-419, 77-420, 77-421a, 77-423, 77-428, 77-429, 77-430a, 77-436 and 77-438 and K.S.A. 2009 Supp. 77-415, 77-416, 77-421, 77-422, 77-424, 77-430, 77-431 and 77-435 and repealing the existing sections, by Committee on Judiciary.

**HB 2531**, An act concerning the courts; relating to docket fees; amending K.S.A. 2009 Supp. 20-367 and repealing the existing section, by Committee on Judiciary.

**HB 2532**, An act concerning the use of restraints and seclusion; relating to the care and treatment of mentally ill persons, persons with alcohol or substance abuse and committed sexually violent predators; amending K.S.A. 59-2977 and 59-29b77 and K.S.A. 2009 Supp. 59-29a22 and repealing the existing sections, by Committee on Judiciary.

**HB 2533**, An act concerning the Kansas act against discrimination; relating to disability; amending K.S.A. 44-1001, 44-1002 and 44-1006 and repealing the existing sections, by Committee on Federal and State Affairs.

**HB 2534**, An act concerning crimes and punishment; relating to unlawful sexual relations; amending K.S.A. 21-3520 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

**HB 2535**, An act designating a part of K-61 highway as the John Neal memorial highway, by Representatives O'Neal and Pauls.

**HB 2536**, An act concerning the duties of registered nurse anesthetists; amending K.S.A. 65-1158 and repealing the existing section, by Committee on Health and Human Services.

**HB 2537**, An act concerning alcoholic beverages; amending K.S.A. 41-210, 41-211, 41-304, 41-307, 41-308, 41-601, 41-602, 41-701, 41-708, 41-717, 41-718, 41-724, 41-725, 41-726, 41-729, 41-806, 41-901, 41-905, 41-1001, 41-1002, 41-1004, 41-1101, 41-1102, 41-1122, 41-1123, 41-1125, 41-2604, 41-2610, 41-2614, 41-2632, 41-2643, 41-2705, 41-2706, 41-2707, 41-2709, 41-2722, 41-2726, 79-4101, 79-4102, 79-4103, 79-4104, 79-41a01, 79-41a02, 79-41a04, 79-41a06, 79-41a07 and 79-41a08 and K.S.A. 2009 Supp. 41-102, 41-104, 41-209, 41-308b, 41-712, 41-805, 41-2611, 41-2637, 41-2641, 41-2642, 41-2645, 41-2701, 41-2704, 41-2728, 79-3606, 79-4108 and 79-41a03 and repealing the existing sections; also repealing K.S.A. 41-103 and 41-2712 and K.S.A. 2009 Supp. 41-2702, 41-2703 and 41-2708, by Committee on Federal and State Affairs.

**HB 2538**, An act concerning the promoting employment across Kansas act; relating to qualifications for benefits under the act; amending K.S.A. 2009 Supp. 74-50,211, 74-50,212 and 74-50,213 and repealing the existing sections, by Committee on Taxation.

**HB 2539**, An act concerning school districts; relating to school finance; amending K.S.A. 2009 Supp. 72-6434 and 72-64b01 and repealing the existing sections, by Representative Aurand.

**HB 2540**, An act concerning municipal bonds; amending K.S.A. 10-131 and repealing the existing section, by Committee on Government Efficiency and Fiscal Oversight.

**HB 2541**, An act enacting the Kansas illegal immigration relief act; amending K.S.A. 2009 Supp. 8-240, 8-1324, 79-32,120 and 79-32,138 and repealing the existing sections; also repealing K.S.A. 2009 Supp. 76-731a, by Committee on Local Government.

**HB 2542**, An act relating to motor vehicles; concerning drivers' licenses; amending K.S.A. 8-234b and K.S.A. 2009 Supp. 8-235 and repealing the existing sections, by Representative Horst.

**HB 2543**, An act concerning school districts; relating to state aid for capital outlay and capital improvements; amending K.S.A. 2009 Supp. 72-8814 and 75-2319 and repealing the existing sections, by Education Budget Committee.

**HB 2544**, An act concerning the state public trust established for certain communities within superfund sites; attendance at meetings; amending K.S.A. 2009 Supp. 49-512 and repealing the existing section, by Committee on Appropriations.

**HB 2545**, An act concerning crimes, criminal procedure and punishment; relating to appearance bonds; amending K.S.A. 2009 Supp. 22-2802 and repealing the existing section, by Committee on Judiciary.

**HB 2546**, An act concerning insurance; providing reimbursement for certain services; amending K.S.A. 2009 Supp. 40-2,103 and 40-19c09 and repealing the existing sections, by Representatives Moxley, Brunk, Williams, Brookens, Burroughs, Carlin, DeGraaf, George, Goico, Gordon, Grange, Hermanson, Hill, Huebert, Landwehr, Morrison, Neighbor, Proehl, Slattery, Spalding, Swanson, Swenson, Wetta, K. Wolf and Worley.

**HB 2547**, An act amending the vehicle dealers and manufacturers licensing act; amending K.S.A. 8-2410, 8-2413, 8-2414, 8-2415, 8-2416, 8-2417 and 8-2419 and repealing the existing sections, by Committee on Transportation.

**HB 2548**, An act concerning drainage district No. 2 of Finney county, Kansas; pertaining to the election of directors; amending K.S.A. 24-412 and K.S.A. 2009 Supp. 24-139a and 24-409 and repealing the existing sections, by Representative Powell.

**HB 2549**, An act concerning sales taxation; relating to imposition of tax on certain services; exemptions, repealed; fund-raising sales; amending K.S.A. 2009 Supp. 12-189a, 79-3602, 79-3603 and 79-3606 and repealing the existing sections, by Committee on Taxation.

**HB 2550**, An act concerning income taxation; relating to certain credits; prohibiting future transferability thereof; repealing certain credits; amending K.S.A. 39-7,132 and 65-7107 and K.S.A. 2009 Supp. 74-5005, 74-50,201, 74-50,202, 74-50,203, 74-50,205, 74-8133, 79-32,199a, 79-32,199b, 79-32,211 and 79-32,261 and repealing the existing sections; also repealing K.S.A. 79-32,200 and K.S.A. 2009 Supp. 74-50,208, 79-32,197a, 79-32,204, 79-32,207 and 79-32,242, by Committee on Taxation.

**HB 2551**, An act concerning recovery zone bonds; granting authority to the department of commerce to recapture unissued bonds, by Committee on Economic Development and Tourism.

**HB 2552**, An act enacting the midwest interstate passenger rail compact, by Representatives Pottorff and McCray-Miller.

**HB 2553**, An act concerning the department of commerce; relating to the Kansas enterprise zone act; amending K.S.A. 2009 Supp. 74-50,114, 74-50,131 and 79-201a and repealing the existing sections, by Committee on Economic Development and Tourism.

**HB 2554**, An act concerning the economic revitalization and reinvestment act; authorizing the issuance of bonds for certain economic development projects; amending K.S.A. 2009 Supp. 74-50,136 and repealing the existing section, by Committee on Economic Development and Tourism.

**HB 2555**, An act designating part of K-14 highway, United State highway 160 and K-2 highway as the SFC David R. Berry/SGT WillSun M. Mock memorial highway, by Representative Maloney.

**HB 2556**, An act regulating traffic; restricting the use of certain wireless communication devices while operating a moving motor vehicle; amending K.S.A. 2009 Supp. 8-2118 and repealing the existing section, by Commerce and Labor.

**HB 2557**, An act concerning the inheritance tax; applicability of provisions; limitations thereon; repealing references to the inheritance tax; amending K.S.A. 12-195, 12-8,101, 12-1746, 12-3418, 12-5248, 13-3114, 17-49a07, 19-2129, 19-4622, 32-882, 40-441, 59-212, 59-1410, 59-1413, 59-2249, 59-2251, 59-2286, 59-3204, 59-3302, 65-163q, 68-2309, 74-8908, 76-6a22, 76-823, 79-3122, 79-3425g, 80-2531 and 82a-1365 and K.S.A. 2009 Supp. 12-195b, 12-1774, 12-17,149, 12-17,169, 28-115, 59-2287, 74-2426, 76-783 and 82a-2209 and repealing the existing sections, by Committee on Judiciary.

**HB 2558**, An act concerning charitable contribution solicitations; relating to consumer telephone calls; amending K.S.A. 17-1766 and 50-670 and repealing the existing sections, by Committee on Judiciary.

**HB 2559**, An act concerning school districts; relating to certain expenditures; amending K.S.A. 2009 Supp. 72-6760 and repealing the existing section, by Committee on Appropriations.

**HB 2560**, An act concerning real estate salespersons and brokers; relating to licensure; technical amendments; amending K.S.A. 58-3037, 58-3038, 58-3041, 58-3042, 58-3044, 58-3060, 58-3061, 58-30,101, 58-30,102 and 58-30,103 and K.S.A. 2009 Supp. 58-3035, 58-3043, 58-3062, 58-3063 and 58-3068 and repealing the existing sections, by Committee on Commerce and Labor.

## House Concurrent Resolutions

**HCR 5027**, A concurrent resolution endorsing Taiwan's participation as an observer in the International Civil Aviation Organization (ICAO) and United Nations Framework Convention on Climate Change (UNFCCC).

(continued)

**HCR 5028**, A concurrent resolution establishing a three-year moratorium on the granting of new tax exemptions, tax credits or economic development incentive programs involving employer withholding taxes.

### House Resolutions

**HR 6009**, A resolution relating to assignment of seats of the House of Representatives.

**HR 6010**, A resolution congratulating and commending The Research on Black Wichita Project: 1945-1958.

### Senate Bills

**SB 406**, An act concerning taxation; relating to delinquent taxes; establishing service fee for taxpayers on installment payment plans, by Committee on Assessment and Taxation.

**SB 407**, An act concerning the liquor enforcement tax; relating to violations of such law; prescribing penalties therefor; licensees and persons required to be licensed, by Committee on Assessment and Taxation.

**SB 408**, An act relating to vehicles; concerning the registration thereof; amending K.S.A. 2009 Supp. 8-145d and repealing the existing section, by Committee on Transportation.

**SB 409**, An act establishing the passenger rail service program; providing for powers and duties of the secretary of transportation; establishing the passenger rail service revolving fund, by Committee on Ways and Means.

**SB 410**, An act concerning certain electronic payments received by state agencies; imposing notice requirements and civil penalty; amending K.S.A. 2009 Supp. 75-30,100 and repealing the existing section, by Committee on Ways and Means.

**SB 411**, An act concerning crimes and punishment; relating to criminal possession of a firearm; amending K.S.A. 2009 Supp. 21-4204 and repealing the existing section, by Committee on Judiciary.

**SB 412**, An act concerning taxation upon certain tobacco products; relating to little cigars; amending K.S.A. 79-3371 and K.S.A. 2009 Supp. 79-3301 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 413**, An act concerning taxation upon certain tobacco products; relating to moist snuff; amending K.S.A. 79-3371 and K.S.A. 2009 Supp. 79-3301 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 414**, An act concerning the health care stabilization fund; amending K.S.A. 2009 Supp. 40-3403 and 40-3404 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

**SB 415**, An act concerning certain municipalities; pertaining to investment in certain bonds; pertaining to investment of certain bond income; amending K.S.A. 10-131 and K.S.A. 2009 Supp. 10-1009 and 12-1675 and repealing the existing sections, by Committee on Financial Institutions and Insurance.

**SB 416**, An act concerning ethics and election related issues; relating to state educational employees; amending K.S.A. 2009 Supp. 46-247a and repealing the existing section, by Committee on Ethics and Elections.

**SB 417**, An act concerning ethics and election related issues; relating to campaign finance; amending K.S.A. 2009 Supp. 25-4148a and repealing the existing section, by Committee on Ethics and Elections.

**SB 418**, An act concerning campaign finance; relating to electioneering communication; establishing certain reporting requirements, by Committee on Ethics and Elections.

**SB 419**, An act concerning election of city officers; pertaining to filing requirements; amending K.S.A. 2009 Supp. 25-2110 and 25-2110a and repealing the existing sections, by Committee on Ethics and Elections.

**SB 420**, An act concerning county extension councils; pertaining to the date of election of the governing body; amending K.S.A. 2-624 and repealing the existing section, by Committee on Ethics and Elections.

**SB 421**, An act concerning election crimes; pertaining to the penalty for voting when not qualified; amending K.S.A. 25-2416 and repealing the existing section, by Committee on Ethics and Elections.

**SB 422**, An act concerning elections; pertaining to certain primary elections; amending K.S.A. 25-2102 and K.S.A. 2009 Supp. 25-2021, 25-2108a and 71-1415 and repealing the existing sections, by Committee on Ethics and Elections.

**SB 423**, An act concerning certain public officers and employees; relating to use of unexpended campaign funds; amending K.S.A. 25-4142

and K.S.A. 2009 Supp. 25-4143 and 25-4157a and repealing the existing sections, by Committee on Ethics and Elections.

**SB 424**, An act concerning motor vehicle registrations; relating to insufficient payment to county treasurers; amending K.S.A. 8-145b and repealing the existing section, by Committee on Financial Institutions and Insurance.

**SB 425**, An act concerning motor vehicle fuel; relating to blending of fuels, by Committee on Agriculture.

**SB 426**, An act concerning elections; pertaining to methods of voting absentee ballots by uniformed and overseas citizens and federal service voters; amending K.S.A. 25-1215 and 25-1218 and K.S.A. 2009 Supp. 25-1216 and repealing the existing sections, by Committee on Ethics and Elections.

**SB 427**, An act concerning taxation; relating to willful failure to collect tax or to commit other violations; amending K.S.A. 79-32,107 and K.S.A. 2009 Supp. 79-2971, 79-32,100c and 79-3643 and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 428**, An act concerning taxation; relating to electronic filing of returns, reports or other documents, fees and penalties; credits, disallowance; intangibles tax, filing procedure; amending K.S.A. 12-1,104 and K.S.A. 2009 Supp. 75-5151, 75-5151a, 79-3220, 79-3298, 79-32,105, 79-3607 and 79-3609 and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 429**, An act concerning sales taxation; relating to streamlined sales and use tax agreement conformity; amending K.S.A. 2009 Supp. 79-3609, 79-3651, 79-3666 and 79-3672 and repealing the existing sections, by Committee on Assessment and Taxation.

**SB 430**, An act concerning income taxation; relating to credits, limitations; amending K.S.A. 2009 Supp. 79-32,264 and repealing the existing section, by Committee on Assessment and Taxation.

**SB 431**, An act concerning property tax; regarding delinquent property taxes; providing for the sale of tax receivables, by Committee on Assessment and Taxation.

**SB 432**, An act concerning property taxes; delinquent taxes; fees for outsourcing collections; amending K.S.A. 2009 Supp. 79-2401a and repealing the existing section, by Committee on Assessment and Taxation.

**SB 433**, An act concerning sales taxation; relating to exemptions; Kansas Wildscape Foundation; amending K.S.A. 2009 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

**SB 434**, An act concerning crimes and punishment; relating to unlawful sexual relations; amending K.S.A. 21-3520 and repealing the existing section, by Committee on Judiciary.

**SB 435**, An act concerning criminal procedure; relating to search incident to arrest; amending K.S.A. 22-2501 and repealing the existing section, by Committee on Judiciary.

**SB 436**, An act concerning children in need of care; relating to runaways; amending K.S.A. 2009 Supp. 38-2231 and repealing the existing section, by Committee on Judiciary.

**SB 437**, An act concerning the secretary of state; relating to filing requirements for resident agents; amending K.S.A. 17-6204, 56a-1001 and 56a-1102 and repealing the existing sections, by Committee on Judiciary.

**SB 438**, An act concerning business trusts; relating to required filings with the office of the secretary of state; amending K.S.A. 17-2030 and repealing the existing section, by Committee on Judiciary.

**SB 439**, An act concerning the secretary of state; relating to the Kansas register; amending K.S.A. 75-431 and K.S.A. 2009 Supp. 75-430 and repealing the existing sections; also repealing K.S.A. 75-432, by Committee on Judiciary.

**SB 440**, An act concerning the office of secretary of state; relating to registration of insignias; repealing K.S.A. 75-421, 75-422, 75-423, 75-424, 75-425, 75-426 and 75-427, by Committee on Judiciary.

**SB 441**, An act concerning corporations and business entities; relating to the merger of limited partnerships; amending section 11 of chapter 47 of the 2009 Session Laws of Kansas and repealing the existing section; also repealing K.S.A. 56-1a609, by Committee on Judiciary.

**SB 442**, An act concerning courts; relating to court fees and costs; relating to the judicial branch surcharge fund; docket fees for expungement of records; amending K.S.A. 2009 Supp. 8-2107, 8-2110, 21-4619, 22-2410, 23-108a, 28-170, 28-172a, 28-177, 28-178, 38-2215, 38-2312, 38-2314, 59-104, 60-1621, 60-2001, 60-2203a, 61-2704 and 61-4001 and repealing the existing sections, by Committee on Judiciary.

**SB 443**, An act concerning elections; relating to campaign finance; amending K.S.A. 25-4153 and repealing the existing section, by Committee on Education.

**SB 444**, An act establishing the child witness protection act, by Committee on Ways and Means.

**SB 445**, An act concerning property tax; relating to exemptions; pertaining to property held by the secretary of transportation; amending K.S.A. 2009 Supp. 79-201a and repealing the existing section, by Committee on Ways and Means.

**SB 446**, An act concerning the department of administration; relating to approval of state contracts; amending K.S.A. 20-156, 20-1a13, 74-8704, 74-8709, 75-2540, 75-4101a, 76-720 and 76-770 and K.S.A. 2009 Supp. 40-3403, 74-8705, 74-99b16, 75-37,143, 75-4101, 75-4105, 75-5288, 76-760, 76-769 and 76-786 and repealing the existing sections; also repealing K.S.A. 75-3744, by Committee on Ways and Means.

**SB 447**, An act concerning child care; relating to supervision of children in child care facilities and licensing and inspection of family child care homes; amending K.S.A. 39-7,129, 65-504, 65-506, 65-512, 65-523, 65-524, 65-530 and 65-531 and K.S.A. 2009 Supp. 59-29a11, 65-503, 65-516, 65-525 and 65-526 and repealing the existing sections; also repealing K.S.A. 65-517, 65-518, 65-519, 65-520, 65-521 and 65-522, by Committee on Public Health and Welfare.

**SB 448**, An act concerning use of vital statistics; relating to maternal and child health surveillance and monitoring; amending K.S.A. 2009 Supp. 65-2422d and repealing the existing section, by Committee on Public Health and Welfare.

**SB 449**, An act concerning audiologists; relating to educational requirements for licensure; amending K.S.A. 65-6505 and repealing the existing section, by Committee on Public Health and Welfare.

**SB 450**, An act concerning telecommunications; relating to the federal universal service fund, by Committee on Utilities.

**SB 451**, An act concerning municipal bonds; amending K.S.A. 2009 Supp. 10-106 and repealing the existing section, by Committee on Local Government.

**SB 452**, An act concerning minors; relating to purchase or consumption of alcoholic beverages by a person less than 18 years of age; detention; amending K.S.A. 2009 Supp. 41-727 and repealing the existing section, by Committee on Federal and State Affairs.

**SB 453**, An act concerning alcoholic beverages; relating to packaging and warehousing facility permits, by Committee on Federal and State Affairs.

**SB 454**, An act concerning alcoholic beverages; relating to license fees, term of license and eligibility; amending K.S.A. 41-326, 41-2607 and 41-2629 and K.S.A. 2009 Supp. 41-308a, 41-310, 41-311, 41-317, 41-350, 41-2606, 41-2622 and 41-2623 and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 455**, An act concerning the civil commitment of sexually violent predators; relating to expert testimony; amending K.S.A. 59-29a03 and 60-456 and repealing the existing sections, by Committee on Judiciary.

**SB 456**, An act concerning consumer protection; creating the Kansas robo-call privacy act, by Committee on Judiciary.

**SB 457**, An act concerning compensation of attorneys of indigent defendants; amending K.S.A. 22-4507 and 22-4508 and repealing the existing sections, by Committee on Judiciary.

**SB 458**, An act concerning criminal procedure; relating to admissibility and certification of forensic examinations; allowing interactive video testimony in limited instances; amending K.S.A. 2009 Supp. 22-3437 and repealing the existing section, by Committee on Judiciary.

**SB 459**, An act concerning juvenile offenders; relating to right to jury trial; amending K.S.A. 2009 Supp. 38-2344, 38-2357, 38-2364, 38-2365 and 38-2373 and repealing the existing sections, by Committee on Judiciary.

**SB 460**, An act concerning children; relating to permanency; priority of certain orders; amending K.S.A. 38-1116 and 60-3103 and K.S.A. 2009 Supp. 38-1121, 38-2201, 38-2202, 38-2203, 38-2208, 38-2212, 38-2242, 38-2243, 38-2251, 38-2255, 38-2258, 38-2264, 38-2272, 38-2273, 38-2279, 38-2304, 38-2305, 38-2361 and 60-1610 and repealing the existing sections, by Committee on Judiciary.

**SB 461**, An act concerning district magistrate judges; relating to compensation thereof; amending K.S.A. 2009 Supp. 75-3120k and repealing the existing section, by Committee on Ways and Means.

**SB 462**, An act regulating traffic; concerning liability for damage to highway or structure; amending K.S.A. 8-1913 and repealing the existing section, by Committee on Transportation.

**SB 463**, An act concerning county bonded debt limits; amending K.S.A. 2009 Supp. 10-306 and repealing the existing section, by Committee on Local Government.

**SB 464**, An act concerning payment of taxes; amending K.S.A. 24-623 and 79-2301 and K.S.A. 2009 Supp. 8-173 and repealing the existing sections, by Committee on Local Government.

**SB 465**, An act concerning cities; relating to certain nuisance abatement procedures; amending K.S.A. 12-1617f and K.S.A. 2009 Supp. 12-1617e and repealing the existing sections, by Committee on Local Government.

**SB 466**, An act concerning elections; pertaining to voter identification; pertaining to advance voting; pertaining to HAVA compliance; pertaining to mail ballot elections; pertaining to party affiliation declarations; amending K.S.A. 25-2354 and 25-3304 and K.S.A. 2009 Supp. 25-433 25-1122, 25-1122d, 25-1123, 25-1124, 25-1128, 25-1216, 25-2309, 25-2908 and 25-3002 and repealing the existing sections, by Committee on Ethics and Elections.

**SB 467**, An act concerning the practice of optometry; amending K.S.A. 2009 Supp. 65-1501 and 65-1501a and repealing the existing sections, by Committee on Federal and State Affairs.

**SB 468**, An act concerning grand juries; relating to summoning; amending K.S.A. 22-3001 and repealing the existing section, by Committee on Ways and Means.

**SB 469**, An act concerning civil procedure; relating to remote claim liens on commercial property; establishing the state construction registry; amending K.S.A. 60-1103, 60-1110 and 60-1111 and repealing the existing sections, by Committee on Ways and Means.

**SB 470**, An act enacting the Kansas uniform common interest owners bill of rights act; amending K.S.A. 58-3119 and 58-3120 and repealing the existing sections; also repealing K.S.A. 2009 Supp. 58-3830, by Committee on Local Government.

**SB 471**, An act concerning crimes and punishment; relating to harassment by telephone; harassment by telecommunications; amending K.S.A. 21-4113 and repealing the existing section, by Committee on Judiciary.

**SB 472**, An act concerning income taxation; relating to certain credits; prohibiting future transferability thereof; repealing certain credits; amending K.S.A. 39-7,132 and 65-7107 and K.S.A. 2009 Supp. 74-5005, 74-50,201, 74-50,202, 74-50,203, 74-50,205, 74-8133, 79-32,199a, 79-32,199b, 79-32,211 and 79-32,261 and repealing the existing sections; also repealing K.S.A. 79-32,200 and K.S.A. 2009 Supp. 74-50,208, 79-32,197a, 79-32,204, 79-32,207 and 79-32,242, by Committee on Assessment and Taxation.

**SB 473**, An act concerning physical therapy; relating to evaluation and treatment of patients; amending K.S.A. 2009 Supp. 65-2921 and repealing the existing section, by Committee on Public Health and Welfare.

**SB 474**, An act concerning the employment security law; pertaining to the definition of wages; amending K.S.A. 2009 Supp. 44-703 and repealing the existing section, by Committee on Business and Labor.

**SB 475**, An act concerning funeral services; amending K.S.A. 2009 Supp. 65-1713 and repealing the existing section, by Committee on Ways and Means.

**SB 476**, An act concerning sales taxation; relating to imposition of tax on certain services; exemptions, repealed; fund-raising sales; amending K.S.A. 2009 Supp. 12-189a, 79-3602, 79-3603 and 79-3606 and repealing the existing sections, by Committee on Assessment and Taxation.

## Senate Concurrent Resolutions

**SCR 1623**, A concurrent resolution urging the United States Congress to exempt, because of its unique ecosystem and historic significance, the tallgrass prairie in the Flint Hills, from a smoke management plan mandated by the United States Environmental Protection Agency.

**SCR 1624**, A concurrent resolution establishing a three-year moratorium on the granting of new tax exemptions, tax credits or economic development incentive programs involving employer withholding taxes.

## Senate Resolutions

**SR 1806**, A resolution declaring January as Kansas Mentoring Month.

**SR 1807**, A resolution congratulating Guy and Mae's Tavern.

**SR 1808**, A resolution congratulating Benedictine College for its 152 years of service to the people of Kansas.

Doc. No. 037976

(Editor's Note: The following Executive Orders were filed with the Secretary of State's Office but were inadvertently never submitted for publication. The orders are being published below in their order of filing.)

**State of Kansas**

**Office of the Governor**

**Executive Order 09-01**

WHEREAS, in these unprecedented economic times the State of Kansas must examine all operations to determine if savings can be realized by suspending, merging or streamlining programs; and

WHEREAS, agencies were directed in 2003 to conduct a top to bottom review of the way state government does business. To date, these BEST efforts have eliminated \$1 billion in wasteful spending and inefficiencies by selling off hundreds of unneeded state vehicles, consolidating the purchasing power of different levels of government, and collecting millions in delinquent taxes; and

WHEREAS, closure of facilities and streamlining of programs have been recommended in the Governor's Budget Report that will affect the Juvenile Justice Authority, KTEC, Kansas, Inc., and the Department of Commerce, saving Kansas taxpayers over \$8 million in Fiscal Year 2010; and

WHEREAS, further examination of state owned and operated facilities is necessary to ensure Kansans receive quality services in an efficient manner, and without undue cost to the taxpayer.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby create the Facilities Closure and Realignment Commission ("Commission") with the following purposes and charges:

1. The Commission shall consist of 11 members appointed as follows: Five members shall be appointed by the Governor; two members shall be appointed by the president of the senate; one member shall be appointed by the minority leader of the senate; two members shall be appointed by the speaker of the house of representatives; and one member shall be appointed by the minority leader of the house of representatives.
2. The following Executive branch and state officials shall serve as ex-officio members of the Commission:
  - a. Secretary of Administration;
  - b. Secretary of Social and Rehabilitation Services;
  - c. Secretary of Labor;
  - d. Commissioner of the Juvenile Justice Authority; and
  - e. Commissioner of Education.
3. The Governor shall appoint a chairperson, and the Commission shall meet on call of the chairperson or on a request of the majority of the members of the Commission. The affirmative vote of six members of the Commission is required for any action of the Commission.
4. The Commission may meet at any time or place in the State of Kansas and may hold such public hearings as the Commission determines necessary to carry out the functions of the Commission.

5. The operating expenditures for the Commission shall be paid by the Department of Administration. The Department of Administration shall provide such staff and administrative support and assistance as may be necessary to carry out the functions of the Commission.
6. The Commission shall study and evaluate the closure and/or realignment of state facilities, and alternative uses of such facilities, including but not limited to:
  - a. Kansas School for the Deaf;
  - b. Kansas School for the Blind;
  - c. Beloit Juvenile Correctional Facility;
  - d. State Developmental Disability Hospitals; and
  - e. Rainbow Mental Health Facility.
7. On or before December 1, 2009, the Commission shall submit to the Governor and the legislature recommendations regarding facilities to be closed and/or realigned, recommended dates for those facilities identified to be closed and/or realigned, and recommendations of policies and procedures to facilitate the closures and/or realignments. Upon review and approval by the Governor, the Commission's recommendations will be submitted to the 2010 legislature as an Executive Reorganization Order.
8. In making its recommendations, the Commission shall consider:
  - a. The savings that will accrue to the state from closure and/or realignment of a facility and the impact any closure would have on funding of services.
  - b. The impact of any closure and/or realignment on clients and their families, the availability of alternative services for clients and their families, and the impact of closure on the quality of services provided to clients.
  - c. The economic impact of closure and/or realignment on the community where the facility is located.
  - d. The feasibility of using a closed facility to house other state services or programs.
  - e. The impact of closure and/or realignment of a facility on employees and the ability of employees to find alternative employment.
  - f. Any other factors that the Commission determines relevant to its decision.
  - g. The Commission shall work with stakeholders and service providers as the Commission develops its recommendations.
9. Members of the Commission may claim subsistence, allowance, mileage or associated expenses as permitted by law.
10. All agencies under the control of the Governor are directed to render full assistance and cooperation to the Commission.

This document shall be filed with the Secretary of State as Executive Order No. 09-01 and shall become effective immediately.

Dated January 16, 2009.

Kathleen Sebelius  
Governor  
Attest: Ron Thornburgh  
Secretary of State

#### Executive Order 09-02

WHEREAS, the natural world is a successful model for many values that human communities seek: continuity, stability and sustenance, adaptation, sustained productivity, renewal without exhaustion of resources, and thriving in an environment of diversity; and

WHEREAS, the Sunflower State is blessed with an abundance of natural beauty and natural resources which must be protected for future generations; and

WHEREAS, we as Kansans envision healthy vibrant cities, suburbs, rural communities, farms, and ranches committed to environmental stewardship, where sustainable natural resource use and management ensures equal benefits for today's citizens and for future generations; where quality of life engenders a pride of place and includes access to natural resources for all Kansans, while respecting private property interests; and where stakeholders participate as partners to protect our natural resources to assure a healthy economy and quality of life; and

WHEREAS, to sustain the rich natural resources in Kansas—including the tallgrass, midgrass and shortgrass native prairies, the playa lakes of western Kansas, the Wetlands of International Importance of central Kansas, the oak forests of eastern Kansas, and millions of acres of diverse land and habitats—requires the stewardship of future generations of Kansans; and

WHEREAS, stewardship of our natural resources, including water, is not possible without a strong sense of connection to and interaction with the natural world; and

WHEREAS, the positive connection Kansas children have with our natural world is critical in ensuring their quality of life, mental and physical health and appreciation of our natural resources; and

WHEREAS, spending frequent time outdoors in unstructured and structured experiences is the best way to develop a connection to nature and the foundation on which to build an environmental stewardship ethic; and

WHEREAS, there is a need to continue and expand outreach that will engage individuals, organizations and minority communities in partnerships with state government in promoting a high standard of life through the conservation, restoration and preservation of natural resources; and

WHEREAS, environmental education increases student engagement in science, improves student achievement in core subject areas, and increases student awareness about individual actions they can take to restore the health of the natural environment; and

WHEREAS, Kansas must renew its efforts to ensure that its children have abundant opportunities to connect with the places they live and grow, to become informed and responsible stewards of the environment, and who are prepared for future environmental challenges and opportunities as individual citizens and as members of the workforce.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby create the Kansas Coalition for Children in Nature ("KCCN") with the following purposes and charges:

1. The KCCN will promote outdoor experiential activities and environmental education for the young people of Kansas and provide ongoing support for these endeavors. The KCCN will be convened and managed by a Conveners Group which is charged with recruiting KCCN members. The KCCN will be divided into working groups established by the Conveners Group, to provide leadership and input for the major tasks identified under this Executive Order
2. The KCCN Conveners Group shall include the following members:
  - a. The Chair of the Governor's Natural Resources Sub-Cabinet or designee;
  - b. The Commissioner of the Kansas State Department of Education or designee;
  - c. The Secretary of the Kansas Department of Health and Environment or designee;
  - d. The Secretary of Agriculture or designee;
  - e. One representative of the Kansas Association for Conservation and Environmental Education ("KACEE");
  - f. One representative of the Kansas Wildlife Federation;
  - g. One representative of the Kansas Recreation and Parks Association;
  - h. One representative of a Kansas business/industry that supports outdoor learning and experiences for children, families and/or communities;
  - i. One representative of a Kansas conservation non-profit organization that supports outdoor learning and experiences for children, families and/or communities; and
  - j. One representative of a Kansas agriculture-oriented organization that supports outdoor learning and experiences for children, families and/or communities.
3. The KCCN membership may include, but is not limited to representatives of:
  - a. Non-profit organizations dedicated to environmental education, including one organization that works with youth in urban areas;
  - b. A Parent Teacher Organization;
  - c. Local governments that have demonstrated leadership in planning for and providing abundant opportunities for outdoor recreation in their communities;
  - d. Kansas Green Schools that have completed a Green School Project (teachers or administrators);
  - e. The formal education community (teacher or principal), to include those that represent urban schools, rural schools and special education interests;

(continued)

- f. Organizations representing school administrators and boards of education, such as United School Administrators and Kansas Association of School Boards;
  - g. Early childhood educators;
  - h. Youth-based organizations to include urban youth-based organizations and rural youth-based organizations;
  - i. Governor's Minority Affairs Offices;
  - j. The Kansas Health Policy Authority;
  - k. The pediatric medical field;
  - l. Organizations that provide environmental education in a non-formal setting;
  - m. The business community with demonstrated leadership in supporting children in nature;
  - n. The agricultural community with demonstrated leadership in supporting children in nature;
  - o. Hunting and/or fishing organizations with demonstrated leadership in supporting children in nature;
  - p. Kansas Institutes of Higher Education that work directly in the instruction of preservice teachers and that have demonstrated leadership in supporting environmental/outdoor education;
  - q. Faith-based organizations with demonstrated leadership in supporting children in nature; and
  - r. Additional KCCN members as the Conveners Group and the KCCN deem necessary.
4. The membership of the Conveners Group identified in this Executive Order shall be appointed by the Governor. Such members shall serve at the pleasure of the Governor for two year terms.
  5. The KCCN shall be co-chaired by the Chair of the Governor's Natural Resources Sub-Cabinet and the Commissioner of Education or designees.
  6. The KCCN shall meet at the call of the Co-Chairs.
  7. A majority of the KCCN Conveners Group constitutes a quorum for the transaction of any business. The Conveners Group may adopt any other procedures and by-laws necessary to ensure the orderly transaction of business.
  8. The KCCN shall consult with and engage leadership and staff from other Kansas Executive Departments and independent agencies, federal and local government representatives.
  9. Staff support for the KCCN shall be provided by the co-chairs' agencies and other state agencies and partners as requested by the co-chairs.
  10. The KCCN shall be supported by working groups, to be established by the Conveners Group, to lead the major tasks identified under this Executive Order.
  11. The KCCN shall promote the well-being of youth by providing opportunities for increased time spent outdoors and environmental literacy through outdoor experiential activities and formal and non-formal environmental education. The KCCN Conveners Group is charged with gathering input and

feedback from the working groups to accomplish the following:

- a. Develop and implement a plan to support the Children's Outdoor Bill of Rights which provides youth with structured and unstructured opportunities for play, outdoor recreation, learning and scientific study to include:
  - i. Strategies that provide increased support for schoolyard habitat programs, such as Outdoor Wildlife Learning Sites ("OWLS") and Kansas Green School programs, which include the conversion of schoolyards to natural habitats and schoolyard gardens for play and outdoor classrooms;
  - ii. Strategies providing increased support for Kansas Green School projects that include environmental education in the planning and implementation of those projects;
  - iii. Creation of green corridors or "greenways" to connect communities, parks and schools via systems that encourage walking, biking and increased time outdoors by youth and families;
  - iv. Greening initiatives that create nature play areas within communities to provide outdoor experiences for children close to home;
  - v. Strategies that increase support for the statewide Youth Conservation Corps, to provide at-risk youth with opportunities to serve in conservation crews in state parks and other public lands in Kansas with the Juvenile Justice Authority and community non-profit organizations;
  - vi. School-based programs that provide voluntary curriculum-aligned programming and service learning which promote collaborations across school systems, local parks and non-profit organizations to offer opportunities for children to engage in learning and service helping to better connect them to the land and our precious natural resources;
  - vii. Increased access to naturalists in state parks and other public lands to provide interpretive activities for children and families to enhance their discovery and enjoyment of Kansas' natural resources;
  - viii. Increased opportunities for underserved communities to access Kansas state, federal and local parks and other public lands with organizations that swerve minority students; and
  - ix. Early childhood learning which includes more outdoor and naturalistic play;
- b. Develop and implement a State Environmental Literacy Plan to include:
  - i. A review of current environmental education efforts in Kansas schools, including student environmental literacy levels;

- ii. Identification of curriculum necessary to develop environmentally literate students;
  - iii. Identification of model outdoor field and service learning experiences that can be integrated into the regular school curriculum;
  - iv. Professional development opportunities for in-service teachers, pre-service teachers, and non-formal environmental educators;
  - v. Methods to annually measure the progress of public school students toward becoming environmentally literate graduates; and
  - vi. A process for revising or updating the environmental literacy plan every five years, or as needed;
- c. Devise a method of measuring baseline data and increased time spent in nature by children, including an analysis of opportunities and obstacles encompassing the role of parents, schools, community and green space; and using this baseline data, develop an appropriate plan to increase the amount of time children spend in nature;
  - d. Devise a method of measuring baseline children's health data and explore correlations between time spent in nature by children and children's health; and
  - e. Identify opportunities and barriers to support implementation of programs in local school systems and on public lands.
12. The KCCN Conveners Group will present these plans and a status report on their implementation prior to the end of the Governor's term in office, January 10, 2011.

This document shall be filed with the Secretary of State as Executive Order No. 09-02 and shall become effective immediately.

Dated April 13, 2009.

Kathleen Sebelius  
Governor  
Attest: Ron Thornburgh  
Secretary of State

#### Executive Order 09-03

WHEREAS, the future of the Great State of Kansas is closely linked to the quality of our education system and the success of its graduates; and

WHEREAS, in 2008, Governor Sebelius created the Governor's P20 Education Council to create a shared plan for reaching the state's vision of a comprehensive system of education and focus on a standards-based improvement in P20 policy and program coherence; and

WHEREAS, the voluntary cooperation between the state department of education and the state board of regents will lead to a seamless system of education guided by the principle that success in college begins in kindergarten; and

WHEREAS, pursuant to K.S.A. 72-971, 72-7536 and 72-6202, the state department of education has developed a data system that can track student achievement beginning in kindergarten and extending throughout the period of a student's elementary and secondary education; and

WHEREAS, pursuant to K.S.A. 76-771, 71-801 and 72-4480, the state board of regents has developed a data system that can track student achievement in post-secondary education.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby support, encourage and approve the mutually agreed-to cross-evaluation of programs between the state department of education and the state board of regents whereby the state department of education will evaluate programs subject to the authority of the state board of regents and the state board of regents will evaluate programs subject to the general supervisory authority of the state department of education. The evaluation of programs will require the state department of education and the state board of regents to share personally identifiable student data. The terms of such evaluations and data sharing shall be specified in a memorandum of understanding between the state department of education and the state board of regents.

This document shall be filed with the Secretary of State as Executive Order No. 09-03 and shall become effective immediately.

Dated June 26, 2009.

Mark Parkinson  
Governor  
Attest: Ron Thornburgh  
Secretary of State

#### Executive Order 09-04

WHEREAS, the State of Kansas must continue to be fiscally responsible as we enter the new fiscal year; and

WHEREAS, the moratorium placed on employee bonuses for Executive Branch agencies in fiscal years 2003 through 2009 resulted in fiscal savings; and

WHEREAS, the State of Kansas has an Award and Recognition Program that authorizes state agencies to recognize and reward employees based on designated program criteria.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby continue the moratorium on employee bonuses for fiscal year 2010 and maintain the dollar amount limit that was established in fiscal year 2006 to continue to provide for flexibility when awards are given through the State of Kansas Award and Recognition Program.

This moratorium applies to any bonus issued by contracted agreements, Memorandums of Agreement, Executive Directives, awards authorized by the Award and Recognition Program and Program Guidelines in excess of \$1,000 per employee per fiscal year, and unclassified bonuses in excess of \$1,000 per employee per fiscal year. No new contracted agreements and Memorandums of Agreement should include bonus provisions.

(continued)

This moratorium does not apply to the longevity bonus or any cash award based on Memorandums of Agreement involving the Regent institutions' university police officers.

Any exceptions to this moratorium must be approved by the Governor's Office.

This document shall be filed with the Secretary of State as Executive Order No. 09-04 and shall become effective immediately.

Dated June 26, 2009.

Mark Parkinson  
Governor

Attest: Ron Thornburgh  
Secretary of State

#### Executive Order 09-05

WHEREAS, all young Kansans deserve to dream big and achieve a bright future; and

WHEREAS, ensuring the success of our youth impacts all Kansans, resulting in stronger communities, a viable young workforce and a civically engaged population; and

WHEREAS, research indicates that children who have a caring adult in their lives are less likely to engage in risky behaviors such as substance abuse and crime; and more likely to graduate from high school, enroll in college, and be active in their communities; and

WHEREAS, 50,000 young Kansans are currently in need of a caring adult in their lives and Kansas Mentors is committed to providing every young Kansan access to a caring and quality mentor; and

WHEREAS, Kansas Mentors has convened the Leadership Council ("Council"), made up of individuals from the public and private sector that have proven to be influential in their communities, to provide oversight of this mission.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby establish Kansas Mentors with the following purposes and charges:

1. Kansas Mentors will be a statewide mentoring partnership which will provide services and support to existing mentoring efforts and communities wishing to develop programs, and to encourage Kansans to get involved in these efforts.
2. The Kansas Mentors Leadership Council will serve as the main advisory body for Kansas Mentors and, as such, will consult with and advise the Governor and the staff of Kansas Mentors in manners affecting mentoring policies, programming efforts, finances and a long-term, strategic program for the state's mentoring efforts, while providing oversight of the overall mission of Kansas Mentors.
3. The Council shall act in an advisory capacity and shall do the following:
  - a. Review, develop, and advise the Governor and the staff of Kansas Mentors on the development and implementation of the Kansas Mentors program.
  - b. Develop and recommend to the Governor and the staff of Kansas Mentors a strategic plan that focuses on the development of Kansas Mentors and statewide mentoring efforts.

- c. Update the plan developed under section (b) as needed and submit the revised plan to the Governor and the staff of Kansas Mentors.
  - d. Prior to the start of each state fiscal year, develop, review and recommend funding priorities and recommendations to the staff of Kansas Mentors.
  - e. Provide other information or advice as directed by the Governor or the Director of Kansas Mentors.
4. Council members shall serve as champions of the state's mentoring efforts by communicating the work of Kansas Mentors throughout the state and by identifying and developing strategic partnership opportunities for the program.
  5. Council members shall help to identify additional sources of funding for Kansas Mentors and, upon the request and direction of the Director of Kansas Mentors, assist in the preparation and solicitation of those funding opportunities.
  6. On an annual basis, the Council will submit to the Governor, with aid from the Kansas Mentors staff, a report that overviews the prior year's accomplishments and organization's finances, and outlines actions for the upcoming year.
  7. The Council shall be composed of executives and leaders in the public and private sectors who have proven to be influential members of their communities.
  8. Council members shall be appointed by a nomination committee composed of the Council Chair, Council Vice-Chair, the Director of Kansas Mentors, and, if available, a representative of the Governor's office. Appointments are subject to the approval of the Governor's office.
  9. The Council Chair shall be nominated by the Director of Kansas Mentors and, if available, a representative of the Governor's office. This appointment is subject to the approval of the Governor's office. The Chair will serve a term of one year and may serve for more than one term.
  10. The Council shall be staffed by a director housed within the Kansas Department of Health and Environment.
  11. The Council will meet on the call of the Chair.
  12. Members shall serve without compensation with the exception that expenses incurred in the furtherance of the organization's mission are allowed to be reimbursed with documentation and prior approval. Approved expenses include mileage reimbursement for travel to Council meetings.

Dated July 2, 2009.

Mark Parkinson  
Governor  
Attest: Ron Thornburgh  
Secretary of State

Doc. No. 037977



## State of Kansas

**Commission on Veterans' Affairs****Notice of Meeting**

The Kansas Commission on Veterans' Affairs will meet at 10 a.m. Wednesday, February 17, in the Florentine Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka. The public is invited to attend. For more information, call (785) 296-3976.

Jack Fowler  
Executive Director

Doc. No. 037994

## State of Kansas

**Statewide Independent Living Council****Notice of Meeting**

The Statewide Independent Living Council of Kansas, Inc. will meet at 10 a.m. Friday, February 26, at the Topeka and Shawnee County Public Library, Room 101A, 1515 S.W. 10th Ave., Topeka. For more information, contact Mary Lou Dunn or Shannon Jones at (785) 234-6990 or (800) 217-4525, or e-mail at Marylouya@aol.com.

Don Jordan  
Secretary of Social and  
Rehabilitation Services

Doc. No. 037990

## State of Kansas

**Department of Agriculture  
Division of Water Resources****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 1:30 p.m. Wednesday, April 7, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of an amendment to an existing rule and regulation on a permanent basis. Individuals wishing to participate by teleconference may go to the office of the Big Bend Groundwater Management District (GMD 5), 125 S. Main, Stafford, on the date and time of the public hearing.

**K.A.R. 5-25-15. Exemptions for up to 15 acre-feet of groundwater.** The proposed amendment to the regulation changes the conditions under which 15 acre-feet exemptions will be allowed within Big Bend Groundwater Management District No. 5 (GMD 5). The 15 acre-feet exemptions will continue to be allowed. The 15 acre-feet exemptions in the Rattlesnake Creek, Arkansas River, Walnut Creek, Pawnee River and Buckner Creek Basins will require offsets. The regulation also sets the spacing of 15 acre-feet applications to one mile within the entire district.

Economic Impact: There will not be a fiscal impact to the agency. The estimated fiscal impact to government agencies, private businesses or individuals seeking 15 acre-feet exemptions on the aforementioned basin is \$3,000 per acre-foot for purchase of offset water.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendment to the rule and regulation. All interested parties may submit written comments prior to the hearing to the chief engineer, Division of Water Resources, Department of Agriculture, 109 S.W. 9th, 2nd Floor, Topeka, 66612, or by e-mail at leslie.garner@kda.ks.gov. Comments also may be made through the department's Web site, under the proposed regulation. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

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

Copies of the regulation and its economic impact statement may be obtained by contacting Leslie Garner, Department of Agriculture, 109 S.W. 9th, 4th Floor, Topeka, 66612, (785) 296-4623, or by accessing the department's Web site at <http://www.ksda.gov>.

David W. Barfield  
Chief Engineer  
Division of Water Resources

Doc. No. 037983

## State of Kansas

**Department of Agriculture  
Division of Water Resources****Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 2:30 p.m. Wednesday, April 7, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of amendments to existing rules and regulations and one new proposed rule and regulation on a permanent basis. Individuals wishing to participate by teleconference may go to the office of the: Stockton Field Office, 820 S. Walnut, Stockton; the Southwest Kansas Groundwater Management District (GMD 3), 2009 E. Spruce St., Garden City; the Equus Beds Groundwater Management District, (GMD 2), 313 Spruce, Halstead; or the Big Bed Groundwater Management District, (GMD 5), 125 S. Main, Stafford, on the date and time of the public hearing.

**K.A.R. 5-4-1. Distribution of water between users when a prior right is being impaired; K.A.R. 5-4-1a. (New) Distribution of water between users when a prior right is being impaired due to a regional lowering of**

(continued)

the water table, specify procedures for filing, investigating, and resolving water right impairment complaints.

Economic Impact: The average net fiscal impact to the agency is estimated to be approximately \$11,400 per year. The average fiscal impact to individuals filing impairment complaints is estimated to be approximately \$1,000 per filing. The average fiscal impact to groundwater management districts is estimated to be approximately \$2,300 per year, collectively.

**K.A.R. 5-7-1. Due and sufficient cause for nonuse,** changes the conditions where due and sufficient cause for non-use exist under a water right.

Economic Impact: There would not be a fiscal impact to the agency, governmental agencies and upon private business or individuals.

**K.A.R. 5-1-4. Water flowmeter specifications; K.A.R. 5-1-9. Criteria to determine when a water flowmeter is out of compliance,** changes the conditions under which meter seals will be required to be installed. Meter seals that make it impossible to alter the totalizer reading will continue to be required unless parallel water records are kept.

Economic Impact: There would not be a fiscal impact to the agency, governmental agencies and upon private business or individuals.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the chief engineer, Division of Water Resources, Department of Agriculture, 109 S.W. 9th, 2nd Floor, Topeka, 66612, or by e-mail at [leslie.garner@kda.ks.gov](mailto:leslie.garner@kda.ks.gov). Comments also may be made through the department's Web site, under the proposed regulation. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

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

Copies of the regulations and their economic impact statements may be obtained by contacting Leslie Garner, Department of Agriculture, 109 S.W. 9th, 4th Floor, Topeka, 66612, (785) 296-4623, or by accessing the department's Web site at <http://www.ksda.gov>.

David W. Barfield  
Chief Engineer  
Division of Water Resources

Doc. No. 037985

## State of Kansas

### Department of Agriculture Division of Water Resources

#### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 2 p.m. Wednesday, April 7, in the fourth floor training room of the Kansas Department of Agriculture, 109 S.W. 9th, Topeka, to consider the adoption of an amendment to an existing rule and regulation on a permanent basis. Individuals wishing to participate by teleconference may go to the office of the Equus Beds Groundwater Management District (GMD 2), 313 Spruce, Halstead, on the date and time of the public hearing.

**K.A.R. 5-22-7. Safe yield.** The proposed amendment to the regulation changes the conditions under which 15 acre-feet exemptions will be allowed within the Equus Beds Groundwater Management District No. 2 (GMD 2). The amendment will allow a 15 acre-feet exemption in GMD 2 but require that approval of a 15 acre-feet exemption not authorize more than 15 acre-feet when combined with another right or allow a 15 acre-feet exemption to be pumped through a common distribution system with another water right.

Economic Impact: There will be no fiscal impact to the agency, governmental agencies and upon private business or individuals.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendment to the rule and regulation. All interested parties may submit written comments prior to the hearing to the chief engineer, Division of Water Resources, Department of Agriculture, 109 S.W. 9th, 2nd Floor, Topeka, 66612, or by e-mail at [leslie.garner@kda.ks.gov](mailto:leslie.garner@kda.ks.gov). Comments also may be made through the department's Web site, under the proposed regulation. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

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

Copies of the regulation and its economic impact statement may be obtained by contacting Leslie Garner, Department of Agriculture, 109 S.W. 9th, 4th Floor, Topeka, 66612, (785) 296-4623, or by accessing the department's Web site at <http://www.ksda.gov>.

David W. Barfield  
Chief Engineer  
Division of Water Resources

Doc. No. 037984

## State of Kansas

**Kansas Health Policy Authority  
State Employees Health Care Commission**

**Notice of Hearing on Proposed  
Administrative Regulations**

A public hearing will be conducted at 1 p.m. Monday, May 24, in Room 106 of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes to existing regulations of the Kansas State Employees Health Care Commission.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed amendments. All interested parties may submit written comments prior to the hearing to the State Employee Health Plan, KHPA, Room 900-N, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, or to [lea.selleck@khpa.ks.gov](mailto:lea.selleck@khpa.ks.gov). All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed amendments during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

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 should be made at least five working days in advance of the hearing by contacting Lea Selleck at (785) 368-6361 or through the Kansas Relay Center at (800) 766-3777, or by e-mail at [lea.selleck@khpa.ks.gov](mailto:lea.selleck@khpa.ks.gov). Handicapped parking is located at the south end of Landon State Office Building, directly across the street from the building's north entrance, and on Ninth Street. The building's north entrance is accessible to individuals with disabilities.

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

**K.A.R. 108-1-1. Eligibility.** K.A.R. 108-1-1 establishes the eligibility requirements for state employees to be covered under the state's health care benefits program; i.e., the State Employee Health Plan (SEHP). Revisions to this regulation would reduce the new employee waiting period for joining the SEHP from sixty (60) days to thirty (30) days, modify the language regarding waiver of the waiting period to clarify when it will apply, and make the language regarding coverage of dependents more consistent with two related regulations (K.A.R. 108-1-3 and K.A.R. 108-1-4) and with current membership practices.

No economic impact on the general public is anticipated.

The cost/savings to employees resulting from being able to enroll in the SEHP earlier will depend on what an employee was paying for health coverage prior to being employed by the State of Kansas. In most cases, employees will have reduced health care costs by joining the plan earlier since the state pays the majority of the employee-only health plan coverage and pays, on average, fifty-five (55) percent of the cost for covering dependents.

With the change in the waiting period, state agencies and employees will pay the plan contributions thirty (30) days earlier, so there will be additional cost to both for contributions. The SEHP estimates that this will result in an additional cost to all state agencies of \$2,429,536. On a per member basis, the average revenue (employer and employee paid contributions) generated by allowing members into the plan thirty (30) days earlier is estimated to be \$665.86 per newly hired and enrolled plan member, with an estimated claims cost during this thirty (30) day period of \$484.04 per newly hired and enrolled plan member.

**K.A.R. 108-1-3. School district employee health care benefits plan.** K.A.R. 108-1-3 establishes the eligibility requirements for school district employees to be covered under the school district component of the SEHP. Revisions to this regulation would reduce the new employee waiting period for joining the SEHP from sixty (60) days to thirty (30) days, modify the language regarding waiver of the waiting period to clarify when it will apply, and make the language regarding coverage of dependents more consistent with two related regulations (K.A.R. 108-1-1 and K.A.R. 108-1-4) and with current membership practices.

No economic impact on the general public is anticipated.

The cost/savings to employees resulting from being able to enroll in the SEHP earlier will depend on what an employee was paying for health coverage prior to being employed by the school district and enrolling in the SEHP. In most cases, employees will have reduced health care costs by joining the plan earlier since the employer pays the majority of the employee-only health plan coverage and pays, on average, fifty-five (55) percent of the cost for covering dependents. The revenue generated by employees is estimated at \$53,444 over the course of the year based on current contribution rates.

With the change in the waiting period, participating school districts and their employees will be paying the plan contributions thirty (30) days earlier so there will be additional cost to both for contributions. The SEHP estimates that this will result in an additional cost to participating school districts of \$162,791. On a per member basis, the SEHP estimates the average revenue (employer and employee paid contributions) generated by allowing members into the plan thirty (30) days earlier would be \$752.57 per newly hired and enrolled plan member with an estimated claims cost during this thirty (30) day period of \$429 per newly hired and enrolled plan member.

**K.A.R. 108-1-4. Local unit of government employee health care benefits plan.** K.A.R. 108-1-4 establishes the eligibility requirements for nonstate public employees to be covered under the public employee component of the SEHP. K.S.A. 75-6508(a)(2) provides that the Kansas State Employees Health Care Commission (HCC) may designate by rules and regulations those groups which are qualified to participate in the SEHP. The proposed revisions would streamline the process of bringing eligible groups into the SEHP, reduce the new employee waiting period for joining the SEHP from sixty (60) days to thirty (30) days, modify the language regarding waiver of the

*(continued)*

waiting period to clarify when it will apply, and make the language regarding coverage of dependents more consistent with two related regulations (K.A.R. 108-1-1 and K.A.R. 108-1-3) and with current membership practices.

No economic impact on the general public is anticipated.

Streamlining the process for allowing eligible public employers to join the plan may offer the opportunity to provide the eligible public employers and their participants with greater benefit levels and/or improved rate stability. However, the economic impact on the additional public employers and the participating employees will depend on what the current benefits and employer and employee contributions are under their current plans relative to the SEHP.

Additional staff may be required to enroll and provide service to the new groups, and revisions to the billing and payment process may be required to accommodate the increasing number of nonstate employer groups in the SEHP. An increase in the administrative fees applied to all nonstate employer groups may be required to support any additional staff and software purchases that may be needed.

The cost/savings to an employee resulting from being able to enroll in the SEHP will depend on what an employee was paying for health coverage prior to being employed by the nonstate public employer and enrolling in the SEHP. In most cases, employees will have reduced health care costs by joining the plan earlier since the employer pays the majority of the employee-only health plan coverage and pays, on average, fifty-five (55) percent of the cost for covering dependents.

With the change in the waiting period, participating nonstate public employers and employees will be paying the plan contributions thirty (30) days earlier, so there will be additional cost to both for contributions. The SEHP estimates that this will result in an additional cost to participating public employers of \$433,246. On a per member basis, the SEHP estimates the average revenue (employer and employee paid contributions) generated by allowing members into the plan thirty (30) days earlier would be \$750.81 per newly hired and enrolled plan member, with a claims cost during this thirty (30) day period of \$597.05 per newly hired and enrolled plan member.

A copy of the proposed regulations and the economic impact statements may be obtained on the KHPA Web site at [www.khpa.ks.gov/health\\_reform/regulations.html](http://www.khpa.ks.gov/health_reform/regulations.html) or by contacting Lea Selleck at the contact information above.

Duane Goossen  
HCC Chair

Andrew Allison  
KHPA Executive Director

## State of Kansas

### Kansas Lottery

#### Temporary Administrative Regulations

#### Article 2.—LOTTERY RETAILERS

**111-2-30. Retailer bonus.** (a) On all Powerball, Hot Lotto, and Super Kansas Cash drawings in which the prize claimed and awarded is the “jackpot prize” offered in the game it represents, the Kansas lottery retailer(s) selling the ticket(s) shall receive \$10,000 for Powerball, \$2,500 for Hot Lotto, and \$1,000 for Super Kansas Cash, or share equally in a bonus if there are multiple winners and the prize is paid on a parimutuel basis. The bonus shall be in addition to compensation specified in K.A.R. 111-2-4.

(b) A “jackpot prize” is the highest prize awarded in the prize structure of the Powerball, Hot Lotto, or Super Kansas Cash game it represents.

(c) On all Powerball drawings where the prize claimed and awarded is less than the jackpot prize and is not less than \$200,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(d) On all Keno drawings where the prize claimed and awarded is not less than \$100,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(e) On all raffle game drawings where the prize claimed and awarded is not less than \$1,000,000, the Kansas lottery retailer selling the ticket shall receive \$1,000.

(f) In addition to other commissions and bonuses received, each retailer shall receive a sales bonus of one percent (1%) of each instant and online tickets sold by the retailer where the prize claimed and awarded is over \$599, with a minimum bonus of \$10 and a maximum bonus of \$100. A retailer receiving a bonus pursuant to subsections (a), (b), (c) or (d) above shall not be entitled to this bonus.

(g) A bonus as provided in subsections (a), (b), (c), (d), or (e) above shall only be paid to a Kansas lottery retailer that, at the time the qualifying prize is claimed and awarded, is not delinquent in any payments due the lottery, is a certified lottery retailer, is not suspended or on “hold” status, and is otherwise in compliance with retailer’s contract with the lottery. In the event a bonus is earned but the retailer is not at that time eligible to receive the bonus, the lottery will withhold payment or credit for up to 90 days to allow the retailer to cure any such delinquency or other deficiency. If after 90 days the retailer fails to cure said delinquency or deficiency, the retailer shall forfeit said bonus. Under extenuating circumstances, as determined by the executive director, the time for curing said delinquency or deficiency may be extended. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-8-5-94, July 15, 1994; amended, T-111-3-22-95, March 16, 1995; amended, T-111-5-22-96, May 15, 1996; amended, T-111-6-27-96, June 21, 1996; amended, T-111-7-22-96, July 19, 1996; amended, T-111-3-13-98, Feb. 20, 1998; amended, T-111-5-28-98, May 15, 1998; amended, T-111-7-19-99, June 17, 1999; amended, T-111-6-8-00, May 12, 2000; amended, T-111-7-

31-00, July 21, 2000; amended, T-111-11-14-00, Oct. 20, 2000; amended, T-111-3-30-06, March 15, 2006; amended, T-111-12-24-09, Dec. 16, 2009.)

**HANDY'S PROMOTION**

**111-2-232. Handy's Super Kansas Cash give-away.** (a) During the term of this promotion with participating chain numbers 1572 and 1610 Handy's stores in Kansas, for every Super Kansas Cash single ticket purchase of \$3 or more, the player shall receive an entry for the "Handy's Give-A-Way" promotion drawing. Lottery terminals shall automatically dispense an entry form for each \$3 or more Super Kansas Cash single ticket purchase at participating Handy's Kansas lottery retailers during the term of this promotion. The qualifying Super Kansas Cash purchase may be for a single draw or for multiple draws.

(b) The term of this promotion shall be on or about January 14, 2010, through the end of the business day on February 4, 2010.

(c) During the term of this promotion, drop boxes for the deposit of entries shall be provided by the lottery and placed at all participating Handy's locations. All drop boxes shall be retrieved by the Kansas lottery at the end of the promotion.

(d) After the term of this promotion has ended, one entry and two alternate entries shall be drawn by the Kansas lottery pursuant to standard lottery drawing procedures for each of the five Handy's locations.

(e) The winner from each store will win a \$100 gift card. The Kansas lottery will give each store a \$75 instant ticket credit. Handy's will pay the additional \$25 per store for the total \$100 prize.

(f) The drawing is tentatively set to be held on or about February 5, 2010, at each store location.

(g) The game promotion procedure set forth hereinabove shall be repeated for the second eligible contestant and possible alternate winners. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-2-233. Method of entry.** (a) Entry into the "Handy's Give-A-Way" promotion shall be accomplished as follows:

(1) During the term of this promotion, with every qualifying purchase of \$3 or more Super Kansas Cash on a single ticket, an entry form shall be automatically produced by the lottery online terminal.

(2) The purchaser must complete the information on the entry form in a legible manner. Only one name shall appear on each entry form.

(3) The completed entry form must be placed into the designated drawing receptacle provided at any participating Handy's store no later than the close of business for that store on February 4, 2010.

(4) The holder of the entry is not required to personally attend the drawing or be present at the time of the drawing to be determined a winner.

(5) The drawing shall be conducted at each store location after the entry deadline for the promotion. One and two alternate entries per store shall be drawn by lottery

personnel pursuant to standard Kansas lottery procedures.

(6) Entry forms obtained during the stated period of time may be entered in the drawing.

(b) There is no limit on the number of entries a person may make, but each person may only win once regardless of the place of entry.

(c) All eligible entry forms which are deposited into a drawing receptacle by the end of business for that store on February 4, 2010, shall be entered into the drawing.

(d) Eligible entrants in the promotion must be 18 years of age or older, and may not be an employee of any Handy's store in Kansas.

(e) Completing the information form on the entry form and entering the ticket into any drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

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

**111-4-2908. "Xs and Os" instant ticket lottery game number 244.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Xs and Os" commencing on or after January 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2908.

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

Play Symbols	Captions
X	
O	
MAYBE NEXT TIME	
GOOD LUCK	
Prize Symbols	Captions
FREE	TICKET
\$1 <sup>00</sup>	ONE\$
\$2 <sup>00</sup>	TWO\$
\$3 <sup>00</sup>	THR\$
\$5 <sup>00</sup>	FIVE\$
10 <sup>00</sup>	TEN\$
20 <sup>00</sup>	TWENTY
50 <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$1000	ONETHOU
\$3000	THRTHOU

(c) For this game, a play symbol shall appear in each of 11 play spots within the play area or areas.

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

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

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00

(continued)

TWY	=	\$20.00
FTY	=	\$50.00
HUN	=	\$100.00

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

(g) "Xs and Os" is a tic-tac-toe game plus a bonus play area. In the tic-tac-toe play area, the player will remove the scratch-off material to reveal nine play symbols and one prize symbol. If a player matches three "X" symbols or three "O" symbols in any one row, column, or diagonal, the player wins the prize in the prize box. A player can win one time in this play area. If a player reveals any prize amount in the bonus play area, the player wins that amount instantly. A player can win one time in the bonus play area.

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

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

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	40,000	\$0
\$1	\$1	40,000	40,000
\$2	\$2	18,000	36,000
\$1 + \$1 Bonus	\$2	10,000	20,000
\$2 Bonus	\$2	6,000	12,000
\$5	\$5	8,000	40,000
\$2 + \$3 Bonus	\$5	6,000	30,000
\$5 Bonus	\$5	3,000	15,000
\$10	\$10	3,000	30,000
\$5 + \$5 Bonus	\$10	2,000	20,000
\$10 Bonus	\$10	1,000	10,000
\$20	\$20	800	16,000
\$10 + \$10 Bonus	\$20	500	10,000
\$20 Bonus	\$20	200	4,000
\$50	\$50	250	12,500
\$100	\$100	40	4,000
\$1,000	\$1,000	8	8,000
\$3,000	\$3,000	6	18,000
<b>TOTAL</b>		<u>138,804</u>	<u>\$325,500</u>

(k) The odds of winning a prize in this game are approximately one in 4.32. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2909. "Lucky Duck Doubler" instant ticket lottery game number 246.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Lucky Duck Doubler" commencing on or after January 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 et seq. and 111-4-2909.

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

Play Symbols	Captions
01	ONE
02	TWO
03	THREE
04	FOUR

05	FIVE
06	SIX
07	SEVEN
08	EIGHT
09	NINE
10	TEN
11	ELEVEN
12	TWELVE
13	THRTN
14	FORTN
15	FIFTN
Symbol of a duck	DOUBLE

Prize Symbols	Captions
FREE	TICKET
\$1 <sup>00</sup>	ONE\$
\$2 <sup>00</sup>	TWO\$
\$3 <sup>00</sup>	THR\$
\$4 <sup>00</sup>	FOUR\$
\$5 <sup>00</sup>	FIVE\$
10 <sup>00</sup>	TEN\$
20 <sup>00</sup>	TWENTY
50 <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$2000	TWOTHOU

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

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

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

FRE	=	Free Ticket
ONE	=	\$1.00
FOR	=	\$4.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
FTY	=	\$50.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) "Lucky Duck Doubler" is a key number match game. A player will remove the scratch-off material to reveal one "WINNING NUMBER," five "YOUR NUMBERS," and five prize amounts. If the player matches the "WINNING NUMBER" to any of the "YOUR NUMBERS," the player wins the prize shown below that number. If the player reveals a "DUCK" symbol, the player wins double the prize shown instantly.

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

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

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	40,000	\$0
\$1	\$1	48,000	48,000
\$4	\$4	8,000	32,000
\$2 DBL	\$4	8,000	32,000
(\$1 x 4)	\$4	7,000	28,000
\$5	\$5	3,000	15,000
\$2 + \$3	\$5	3,000	15,000
(\$1 x 5)	\$5	3,000	15,000
\$1 + \$2 DBL	\$5	3,000	15,000
\$10	\$10	800	8,000
(\$2 x 5)	\$10	800	8,000
\$1 + \$4 + \$5	\$10	800	8,000
\$5 DBL	\$10	800	8,000
\$20	\$20	300	6,000
(\$10 x 2)	\$20	300	6,000
\$10 DBL	\$20	300	6,000
(\$5 x 4)	\$20	300	6,000
\$50	\$50	200	10,000
\$20 DBL + \$10	\$50	200	10,000
(\$10 x 5)	\$50	200	10,000
\$100	\$100	50	5,000
(\$20 x 3) + \$20 DBL	\$100	50	5,000
(\$100 x 5)	\$500	20	10,000
\$2,000	2,000	10	20,000
<b>TOTAL</b>		<u>128,130</u>	<u>\$326,000</u>

(k) The odds of winning a prize in this game are approximately one in 4.68. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2910. "Honey Comb Cash" instant ticket lottery game number 245.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Honey Comb Cash" commencing on or after January 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2910.

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

Play Symbols	Captions
Symbol of a bird	BIRD
Symbol of a bird nest	NEST
Symbol of a bee hive	HIVE
Symbol of a honey comb	COMB
Symbol of a honey jar	JAR
Symbol of a butterfly	BTRFLY
Symbol of a lady bug	LDYBG
Symbol of a flower	FLOWER
Symbol of a frog	FROG
Symbol of a bee	WIN
Prize Symbols	Captions
FREE	TICKET
\$1 <sup>.00</sup>	ONE\$
\$2 <sup>.00</sup>	TWO\$
\$5 <sup>.00</sup>	FIVE\$
10 <sup>.00</sup>	TEN\$
25 <sup>.00</sup>	TWTYFV
\$100\$	ONE-HUN
\$200\$	TWO-HUN
\$500\$	FIV-HUN
\$1000	ONETHOU

\$2000

TWOTHOU

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

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

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

FRE	=	Free Ticket
ONE	=	\$1.00
TWO	=	\$2.00
FIV	=	\$5.00
SEV	=	\$7.00
FRN	=	\$14.00
FTN	=	\$15.00
TWF	=	\$25.00
THF	=	\$35.00
STY	=	\$70.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) "Honey Comb Cash" is a symbol instant win game. If the player reveals a "BEE" symbol, the player wins the prize below that symbol.

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

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

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	40,000	\$0
\$1	\$1	52,000	52,000
\$2	\$2	16,000	32,000
(\$1 x 2)	\$2	16,000	32,000
\$5	\$5	2,000	10,000
(\$2 x 2) + \$1	\$5	2,000	10,000
(\$1 x 5)	\$5	2,400	12,000
\$2 + \$5	\$7	1,800	12,600
(\$2 x 3) + \$1	\$7	1,800	12,600
(\$1 x 7)	\$7	1,800	12,600
(\$2 x 2) + \$10	\$14	1,000	14,000
(\$2 x 2) + (\$5 x 2)	\$14	1,000	14,000
(\$2 x 7)	\$14	1,000	14,000
\$10 + \$5	\$15	400	6,000
(\$5 x 3)	\$15	400	6,000
\$1 + (\$2 x 2) + \$10	\$15	400	6,000
(\$1 x 5) + (\$5 x 2)	\$15	400	6,000
\$25	\$25	200	5,000
(\$5 x 5)	\$25	200	5,000
(\$1 x 5) + (\$10 x 2)	\$25	200	5,000
\$25 + \$10	\$35	160	5,600
(\$5 x 3) + (\$10 x 2)	\$35	160	5,600
(\$5 x 7)	\$35	160	5,600
(\$10 x 7)	\$70	60	4,200
\$100	\$100	20	2,000

(continued)

(\$25 x 4)	\$100	20	2,000
\$500	\$500	8	4,000
(\$100 x 5)	\$500	8	4,000
\$1,000	\$1,000	6	6,000
\$2,000	\$2,000	6	12,000
(\$500 x 2) + (\$200 x 5)	\$2,000	4	8,000
TOTAL		<u>141,612</u>	<u>\$325,800</u>

(k) The odds of winning a prize in this game are approximately one in 4.24. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2911. "Cash Wow Tripler" instant ticket lottery game number 247.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Cash Wow Tripler" commencing on or after January 1, 2010. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2911.

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

Play/Prize Symbols	Captions
FREE	TICKET
\$1.00	ONE\$
\$3.00	THR\$
\$5.00	FIV\$
\$9.00	NINE\$
10.00	TEN\$
15.00	FIFTEEN
30.00	THIRTY
90.00	NINTY
\$100\$	ONE-HUN
\$300\$	THRHUN
\$3000	THRTHOU
WOW	TRIPLER

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

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

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

FRE	=	Free Ticket
ONE	=	\$1.00
THR	=	\$3.00
NIN	=	\$9.00
FTN	=	\$15.00
TRY	=	\$30.00
NTY	=	\$90.00
THH	=	\$300.00

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

(g) "Cow Wow Tripler" is a match three of six prize amounts or a match two prize amounts plus a "WOW" symbol to win triple the prize amount. A player will remove the latex covering the play area to reveal six prize amounts or five prize amounts and a "WOW" symbol. If the player matches three like prize amounts, the player

wins that amount. If the player matches two like prize amounts plus a "WOW" symbol, the player wins triple the prize amount.

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

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

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

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's	Free Ticket	40,000	\$0
3 - \$1.00's	\$1	50,000	50,000
2 - \$1.00's & (T)	\$3	20,000	60,000
3 - \$3.00's	\$3	20,000	60,000
2 - \$3.00's & (T)	\$9	4,000	36,000
3 - \$9.00's	\$9	3,500	31,500
2 - \$5.00's & (T)	\$15	1,000	15,000
3 - \$15.00's	\$15	1,000	15,000
2 - \$10.00's & (T)	\$30	200	6,000
3 - \$30.00's	\$30	150	4,500
2 - \$30.00's & (T)	\$90	100	9,000
3 - \$90.00's	\$90	100	9,000
2 - \$100.00's & (T)	\$300	20	6,000
3 - \$300.00's	\$300	20	6,000
3 - \$3,000's	\$3,000	6	18,000
TOTAL		<u>140,096</u>	<u>\$326,000</u>

(T) - denotes tripler symbol

(k) The odds of winning a prize in this game are approximately one in 4.28. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2911a. "Kansas Lottery Racing" instant ticket lottery game number 261.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Kansas Lottery Racing" commencing on or after January 1, 2009. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-2912.

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

Play Symbols	Captions
26 Sec	TWN-SIX
27 Sec	TWEN-SEV
28 Sec	TWEN-EGT
29 Sec	TWEN-NIN
30 Sec	THIRTY
31 Sec	THTYONE
32 Sec	THTYTWO
33 Sec	THTYTHR
34 Sec	THTYFOR
35 Sec	THTYFIV
36 Sec	THTYSIX
37 Sec	THTYSEV
Symbol of a trophy	TROPHY
Symbol of a checkered flag	FLAG
Symbol of a race car	CAR
Symbol of a helmet	HELMET
Symbol of a head set radio	RADIO
Symbol of a pair of gloves	GLOVES



Symbol of a speedometer	SPEED
Symbol of a steering wheel	WHEEL
Symbol of a gas can	GAS
Symbol of a tire jack	JACK
Symbol of a pneumatic drill	DRILL
Symbol of a tire	TIRE
MAYBE NEXT TIME	
GOOD LUCK	

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

(c) For this game, a play symbol shall appear in each of 33 play spots within the play area or areas.

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

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

FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWF	=	\$25.00
FRY	=	\$40.00
STF	=	\$75.00
HUN	=	\$100.00
FHN	=	\$500.00

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

(g) "Kansas Lottery Racing" features four separate play areas. "QUALIFYING" is a time to beat game. A player will remove the scratch-off material over the game play area to reveal six qualifying laps. Each lap includes one "LEADER'S TIME," one "YOUR TIME," and one prize amount. If "YOUR TIME" is lower than the "LEADER'S TIME" in the same lap, the player wins the prize for that lap. A player can win up to six times in this play area.

"THE RACE" is a key symbol match game. A player will remove the scratch-off material to reveal two "WINNING SYMBOLS," four "YOUR SYMBOLS," and four prize amounts. If a player matches any of the "YOUR SYMBOLS" to either of the "WINNING SYMBOLS," the player wins the prize shown beside that symbol. A player can win up to four times in this play area.

"PIT STOP" is a fast \$40 game. If a player reveals four "TIRE" symbols, the player wins \$40 instantly. A player can win one time in this play area.

"VICTORY LANE" is an instant win game. If a player reveals any prize amount, the player wins that amount instantly. A player can win one time in this play area.

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

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

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

Get	Fast \$40	Victory Lane	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$5			\$5	86,000	\$430,000
		\$5	\$5	4,000	20,000
\$10			\$10	16,000	160,000
(\$5 x 2)			\$10	18,000	180,000
\$15			\$15	6,000	90,000
(5 x 2)		\$5	\$15	5,000	75,000
\$10 + \$5			\$15	4,000	60,000
\$25			\$25	2,000	50,000
\$10 + \$15			\$25	1,500	37,500
(\$5 x 4)		\$5	\$25	1,500	37,500
(\$5 x 5)			\$25	1,500	37,500
\$40			\$40	1,000	40,000
	\$40		\$40	1,000	40,000
(\$20 x 2)			\$40	1,000	40,000
(\$5 x 7)		\$5	\$40	1,000	40,000
\$75			\$75	220	16,500
\$50 + \$25			\$75	220	16,500
(\$5 x 4)	\$40	\$15	\$75	220	16,500
\$100			\$100	130	13,000
(\$25 x 4)			\$100	130	13,000
(\$5 x 10)	\$40	\$10	\$100	130	13,000
\$500			\$500	40	20,000
(\$25 x 6) + (\$50 x 2) + (\$100 x 2)	\$40	\$10	\$500	40	20,000
\$1,000			\$1,000	4	4,000
(\$500 x 2)			\$1,000	6	6,000
\$5,000 (game 1)			\$5,000	4	20,000
\$5,000 (game 2)			\$5,000	2	10,000
\$25,000 (game 1)			\$25,000	4	100,000
\$25,000 (game 2)			\$25,000	2	50,000
Subtotal				150,652	\$1,656,000
Second-Chance Drawing Prizes, May Speedway			\$3,326.43	40	133,057
Second-Chance Drawing Prizes, October Speedway			\$3,839.29	40	153,572
Chicago Trip			\$4,285.71	1	4,286
Phoenix Trip			\$4,285.71	1	4,286
TOTAL				150,734	\$1,951,201

(k) The odds of winning a prize in this game are approximately one in 3.98. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and K.S.A. 74-8720; effective, T-111-12-24-09, Dec. 16, 2009.)

**PIRATE'S TREASURE DRAWING**

**111-4-2912. Name of drawing.** The Kansas lottery shall conduct a drawing entitled "Pirate's Treasure Drawing," and will accept entries on and after the day Kansas lottery "Pirate's Treasure" instant tickets are first offered for sale to the general public and ending on Saturday, May 15, 2010, as specified in K.A.R. 111-4-2915. The drawing will be held soon after 6:00 p.m. on Saturday, May 15, 2010, at the Wichita River Festival in Wichita, Kansas, or other location as determined by the executive director. Rules applicable to this drawing are contained in K.A.R. 111-4-2912 through 111-4-2917 and K.A.R. 111-3-1, *et seq.*

(continued)

(Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2913. Definitions.** (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Pirate's Treasure Drawing" means the act of drawing prizes conducted by the Kansas Lottery at the 2010 Wichita River Festival in Wichita, Kansas, or other location as determined by the executive director, in which one participant is selected to win various prizes as described in these rules.

(c) "Non-winning ticket" means any valid Kansas "Pirate's Treasure" instant game lottery ticket not eligible to win a prize under the rules of the "Pirate's Treasure" instant game, and for purposes of this drawing only, tickets entitled to a free admission button prize for the 2010 Wichita River Festival shall also be considered "non-winning tickets."

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

(e) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2914. Prize.** (a) One grand prize package will be given away at the "Pirate's Treasure Drawing," which will be conducted on May 15, 2010. The grand prize winner shall receive \$50,000 cash.

(b) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(c) The winner of the grand prize shall return to the lottery a completed claim form as provided by the lottery no later than 5:00 p.m. on the thirtieth day following the day the claim form is mailed to the person whose name was drawn or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn for that prize pursuant to these rules shall be declared the winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2915. Method of entry.** (a) Entry into the "Pirate's Treasure Drawing" to be conducted on May 15, 2010, shall be accomplished as follows:

(1) Obtain a valid "Pirate's Treasure" Kansas instant lottery ticket;

(2) Determine if the ticket is a winning ticket in accordance with "Pirate's Treasure" game rules. If the ticket is a winning ticket, it is not eligible for the "Pirate's Treasure Drawing" and shall be redeemed in accordance with the instant game rules, except that any ticket winning a

free admission button for the 2010 Wichita River Festival may instead be used to enter the drawing, and if so utilized, shall be considered a "non-winning ticket" for purposes of entry into the drawing.

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

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

(5) A receptacle or drum shall be available and entries may be made at the Kansas lottery selling location at the Wichita River Festival between May 7, 2010, and 6:00 p.m. May 15, 2010.

(6) Players may also deposit entries for the "Pirate's Treasure Drawing" at any Kansas lottery event or location at which the lottery has specifically designated a receptacle for deposit of said entries.

(7) Entries other than those entered at the Wichita River Festival shall be mailed with proper postage to "Pirate's Treasure Drawing," P. O. Box 19226, Topeka, Kansas 66619-0226. Mailed entries must be received by morning mail pickup on Tuesday, May 11, 2010. More than one entry may be mailed in one envelope.

(8) The holder of the ticket is not required to personally attend the "Pirate's Treasure Drawing" or be present at the time of the drawing to be determined a winner.

(9) The drawing will be conducted soon after 6:00 p.m. on Saturday, May 15, 2010.

(b) There is no limit on the number of entries a person may make, but a person may only win one time in the drawing.

(c) Only valid non-winning "Pirate's Treasure" tickets which are mailed to the "Pirate's Treasure Drawing," at the above-stated address with proper postage and received by the morning mail pickup in Topeka, Kansas, on Tuesday, May 11, 2010, and non-winning "Pirate's Treasure" tickets entered into any other receptacle designated by the lottery or at the Wichita River Festival as provided in the rules herein shall be eligible for the drawing. All tickets so mailed or deposited shall be secured by the lottery until the drawing is conducted.

(d) Eligible entrants in the "Pirate's Treasure Drawing" must be 18 years of age or older.

(e) Completing the information form on the non-winning ticket and entering the ticket into the drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2916. Selection of winners.** The following process shall be used for the selection of the winners in the "Pirate's Treasure Drawing:"

(a) Kansas lottery personnel shall pick up all mail containing "Pirate's Treasure Drawing" tickets at the United States Post Office in Topeka, Kansas, with the final pick up at the Topeka post office in the morning mail pickup on Tuesday, May 11, 2010. Following the morning mail pickup on Tuesday, May 11, 2010, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. All mailed en-

tries shall then be placed in a secure receptacle, transported to the Wichita River Festival, and placed in the drawing receptacle or drum with all entries deposited at the festival and into any other receptacle designated by the lottery.

(b) The drawing shall be held on the Douglas street bridge at the Wichita River Festival or a similar location as determined by the executive director and shall be open to the public with lottery security personnel present. The drawing shall be audio and video taped.

(c) At the final drawing on Saturday, May 15, 2010, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be thoroughly mixed with a shovel or by other means.

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

(e) After one entry has been drawn on May 15, 2010, and the entry has been verified as valid, five more valid entries will be drawn, one at a time, which entries drawn will serve as alternate entries for the grand prize. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, and 5A. The winner shall have until 5:00 p.m. on the thirtieth day following mailing of a claim form to the winner to present the fully-executed claim form to lottery headquarters. If the grand prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the grand prize will be awarded to the first alternate entry drawn. The alternates will be used, if necessary, in the order drawn. If a winner or an alternate winner for the grand prize cannot be located, is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters as required herein, the alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

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

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

(h) Only non-winning "Pirate's Treasure" instant tickets are eligible for the drawing.

(i) All "Pirate's Treasure" tickets remaining in the drum or receptacle on May 15, 2010, after the winners and alternatives have been selected, and all entries not received in compliance with these rules, shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2917. Certification of drawing.** (a) The "Pirate's Treasure Drawing" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery.

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winners. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

#### KANSAS LOTTERY RACING DRAWINGS

**111-4-2918. Name of drawing.** The Kansas lottery shall conduct two drawings entitled "Kansas Lottery Racing Drawings." The first drawing will be held on April 2, 2010, and the second drawing will be held on August 27, 2010. Entries for the first drawing will be accepted on and after the day "Kansas Lottery Racing" instant ticket game number 261 is offered for sale to the general public and ending on Tuesday, March 30, 2010. Entries for the second drawing will be accepted on and after March 31, 2010, and ending on Tuesday, August 24, 2010. All references to the "Kansas Lottery Racing" ticket for these drawings are to be the \$5.00 "Kansas Lottery Racing" instant ticket, game number 261. Rules applicable to the "Kansas Lottery Racing Drawings" are contained in K.A.R. 111-4-2918 through 111-4-2923 and K.A.R. 111-3-1, *et seq.* (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2919. Definitions.** (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Kansas Lottery Racing Drawing" means the act of drawing prizes conducted by the Kansas lottery at a location designated by the executive director, in which participants are selected to win various prizes as described in these rules.

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

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

(continued)

(e) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2920. Prize.** (a) The winner of a grand prize at the "Kansas Lottery Racing Drawings," which will be conducted on or about April 2, 2010, and August 27, 2010, shall each receive a racing weekend package for two persons. The winners of the racing prize packages drawn on or about April 2, 2010, will receive two tickets to the Road Runner Turbo Indy 300 and the O'Reilly Auto Parts 250 races to be held on May 1 and 2, 2010, conducted at Kansas Speedway in Kansas City, Kansas, one double occupancy hotel room and room taxes for the evenings of April 30, 2010, and May 1, 2010, standard hotel parking, round-trip transportation between Kansas Speedway and the hotel, food and other amenities at the Kansas lottery hospitality chalet located at Kansas Speedway, \$400 cash, and mandatory state and federal withholding taxes. The winners of the racing prize packages drawn on or about August 27, 2010, will each receive two tickets to the Kansas Lottery 300 and the Kansas 400 races to be held on October 2 and 3, 2010, conducted at Kansas Speedway in Kansas City, Kansas, one double occupancy hotel room and room taxes for the evenings of October 1 and 2, 2010, standard hotel parking, round-trip transportation between Kansas Speedway and the hotel, food and other amenities at the Kansas lottery hospitality chalet located at Kansas Speedway, \$400 cash, and mandatory state and federal withholding taxes. The following restrictions shall apply to this prize:

(1) The Kansas lottery is not responsible for any losses caused by delay or cancellation of said automobile race.

(2) Prize packages are transferable one time and cannot be redeemed for cash.

(3) The lottery shall choose and reserve all hotel rooms.

(4) The lottery shall provide transportation to and from Kansas Speedway on a scheduled basis. All other transportation is the responsibility of the prize winners.

(5) Prize winners will receive notification of their prize, but the actual prize will be delivered at a time and place to be announced by the lottery.

(6) Any meals, drinks, gratuities, taxes, and other expenses that are not specifically mentioned are not included.

(7) The hotel may require winners to produce a major credit card at the time of check-in. Winners are responsible for all hotel charges incurred in excess of the basic room charge, and standard parking fees for one vehicle for each prize package. The lottery shall not be responsible for any additional expenses charged to the room.

(b) There will be 40 (forty) winners selected at each drawing.

(c) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(d) The winner of a prize shall return to the lottery a completed claim form as provided by the lottery within

14 calendar days in which his or her ticket was drawn or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn for that prize pursuant to these rules shall be declared the winner.

(e) If any prize in this drawing becomes unavailable, the lottery reserves the right to replace it with a prize of the lottery's choice of approximately equal value. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2921. Method of entry.** (a) Entry into the "Kansas Lottery Racing Drawings" to be conducted on or about April 2, 2010, and August 27, 2010, shall be accomplished as follows:

(1) Obtain a valid "Kansas Lottery Racing" instant lottery ticket.

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

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

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

(5) Entries may be mailed with proper postage to "Kansas Lottery Racing Drawing, c/o Kansas lottery, P. O. Box 3561, Topeka, Kansas 66601-3561." Mailed entries for the drawing conducted on or about April 2, 2010, must be received by morning mail pickup on Tuesday, March 30, 2010. Mailed entries for the drawing conducted on or about August 27, 2010, must be received by the morning mail pickup on Tuesday, August 24, 2010. More than one entry may be mailed in one envelope.

(6) Players may also deposit entries for these drawings at any Kansas lottery event at which the lottery has specifically designated a receptacle for deposit of said entries.

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

(8) The first drawing will be conducted on or about April 2, 2010, and the second drawing will be conducted on or about August 27, 2010.

(b) There is no limit on the number of entries a person may make, but a person may only win one time in the drawing.

(c) Only valid non-winning "Kansas Lottery Racing" tickets which are mailed to "Kansas Lottery Racing Drawing, c/o Kansas lottery, P. O. Box 3561, Topeka, Kansas 66601-3561" with proper postage and received by the morning mail pickups in Topeka, Kansas, by the dates set forth in these rules and non-winning "Kansas Lottery Racing" tickets entered at the Kansas lottery location at Kansas Speedway and other locations as may be specifically designated by the lottery shall be eligible for the drawing.

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

(e) Completing the information form on the non-winning ticket and entering the ticket into the drawing constitutes authorization to publicly identify the person whose entry is drawn. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2922. Selection of winners.** The following process shall be used for the selection of winners in the "Kansas Lottery Drawing:"

(a) Kansas lottery personnel shall pick up all mail containing "Kansas Lottery Racing Drawing" tickets at the United States Post Office in Topeka, Kansas, with the final pick ups at the Topeka post office in the morning mail pickups on Tuesday, March 30, 2010, for the first drawing, and on Tuesday, August 24, 2010, for the second drawing. Following the morning mail pickups on Tuesday, March 30, 2010, and Tuesday, August 24, 2010, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel. All mailed entries and entries retained from the Kansas lottery selling location at the Kansas Speedway and such other locations as specifically designated by the lottery shall then be placed in the drawing receptacle or drum.

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

(c) At the final drawings on or about April 2, 2010, and August 27, 2010, lottery security personnel will be present with the person designated by the executive director to perform the drawing. Prior to the drawing, if a drum is used, the drum shall be sealed and the contents mixed by rotating the drum at least 10 times. If a receptacle other than a drum is used, the contents shall be thoroughly mixed prior to the drawing.

(d) The designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove 40 entries from the receptacle or drum, one at a time. The person whose name appears on each entry shall be the winner of one of the prize packages identified in these rules subject to validation by the lottery as set forth in these rules. Each valid entry shall be numbered from one through 40.

(e) After 40 entries have been drawn at each drawing, and the entries have been verified as valid, 10 more entries will be drawn, one at a time. The last 10 entries drawn will serve as alternate entries for the prize packages. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, 5A, 6A, 7A, 8A, 9A, and 10A. The alternate entries will be used only if one or more of the original winners cannot be located or is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the fourteenth calendar day following each of the drawings. The alternates will be used, if necessary, in the order drawn. If an alternate winner cannot be located, is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the fourteenth calendar day following the claim form being given or sent to the alternate winner, the alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(f) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "Kansas Lottery Racing Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner and the prize won. Each winner shall be given or sent a prize claim form to be completed and returned to the lottery within 14 calendar days of the drawing.

(g) If the entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until valid selections are obtained.

(h) Only non-winning "Kansas Lottery Racing" instant tickets as defined by these rules are eligible for the drawing.

(i) All "Kansas Lottery Racing" tickets remaining in the drum or receptacle on April 2, 2010, and August 27, 2010, after the winners and alternatives have been selected, and all entries not received in compliance with these rules, shall be destroyed pursuant to K.A.R. 111-3-34.

(j) Entries into the first drawing on April 2, 2010, will not be eligible for the second drawing on August 27, 2010. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-4-2923. Certification of drawings.** (a) The "Kansas Lottery Racing Drawings" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery (hereinafter "event manager").

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winners. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

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

### CANYON CASH GIVEAWAY

**111-5-175. Name of drawing.** The Kansas lottery shall conduct a drawing entitled "Canyon Cash Giveaway," and will accept entries starting January 3, 2010, for the drawing to be conducted at approximately 4:00 p.m. on May 7, 2010. Rules applicable to this drawing are contained in 111-5-175 through 111-5-179 and 111-6-1 *et seq.* (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-5-176. Prize.** (a) One prize winner selected in the "Canyon Cash Giveaway" on the date specified in 111-5-175 shall receive a 2010 3i show special edition GMC canyon crew cab ZQ8 sport truck chosen by the Kansas lottery, all applicable sales and property taxes, registration fees, license tag fees, cash, and mandatory state and federal income withholding taxes.

(continued)

(b) All prizes are subject to lottery validation, set-offs and deductions authorized by law.

(c) The lottery reserves the right to substitute a prize of approximate equal value at its discretion.

(d) The winner of a prize as the result of the said drawing shall return to the lottery a completed claim form as provided by the lottery within 30 days of the date his or her entry was drawn or the person named on the entry drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn pursuant to subsection (e) of 111-5-178 shall be declared the winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-5-177. Method of entry.** (a) Entry into the "Canyon Cash Giveaway" shall be accomplished as follows:

(1) Beginning at 5:00 a.m. on January 3, 2009, and ending at the close of business as defined in subsection (p) of 111-6-1, on May 1, 2008, for every single \$4.00 or more Kansas Hot Lotto with Sizzler ticket purchase, the purchaser shall receive free of charge an entry blank for the drawing, which entry blank shall be automatically dispensed from the terminal upon qualifying purchase. In addition, from the time the Kansas lottery begins selling Hot Lotto tickets using lottery terminal(s) at the 3i Show in Great Bend, Kansas, on May 5, 2010, through and including 4:00 p.m. on May 7, 2010, for every single \$4.00 or more Kansas Hot Lotto with Sizzler ticket purchased from said terminal(s), the purchaser shall receive free of charge an entry blank for the drawing, which entry blank shall be automatically dispensed from the terminal(s) upon the qualifying purchase.

(2) The executive director may suspend or terminate this promotion at any time or modify the qualifying purchase necessary to receive an entry, whether during periods of high sales of Hot Lotto with Sizzler tickets, thereby rendering the generation of entries impractical, or otherwise.

(3) The holder of an entry blank must fill in the entry blank in a legible manner. Only one name shall appear on an entry blank.

(4) Place one or more completed entry blank(s) for said drawing into an envelope with proper postage and mail it to: "Canyon Cash Giveaway, P. O. Box 1453, Great Bend, Kansas 67530-1453," or deposit completed entry blank(s) into the lottery receptacle designated for such purpose at the 3i Show from May 5, 2010, until 4:00 p.m. on May 7, 2010. Mailed entries must be received by morning mail pickup on Tuesday, May 4, 2010. A receptacle or drum may also be available for deposit of entries at locations specifically designated by the lottery. All entries so deposited shall be transported to the lottery office in Great Bend, Kansas, and secured until the time of the drawing.

(5) The holder of the entry is not required to personally attend said drawing or be present at the time of the drawing to be determined a winner.

(6) The drawing will be conducted at the approximate time listed in 111-5-175.

(b) There is no limit on the number of entries a person may make, but a person may only win one time.

(c) All eligible entries which are mailed and received by the morning mail pickup in Great Bend, Kansas, on Tuesday, May 4, 2010, those deposited at the 3i Show, and those deposited at locations specifically designated by the lottery pursuant to subsection (a) herein, shall be entered into said drawing.

(d) Eligible entrants in the drawing must be 18 years of age or older.

(e) Completing the information form on the entry blank and entering it into the drawing constitutes authorization to publicly identify the person whose entry is drawn.

(f) The executive director of the Kansas lottery may, in his sole discretion, cancel this promotion at any time. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-5-178. Selection of winners.** The following process shall be used for the selection of winners in the "Canyon Cash Giveaway":

(a) Kansas lottery personnel shall pick up all mail containing entries mailed to P. O. Box 1453 for the drawing at the United States Post Office in Great Bend, Kansas, with final pick up on Tuesday, May 4, 2010.

(b) Lottery personnel shall transport the mail to the Great Bend regional office where the envelopes will be opened and the entries contained therein stored in a secure location until immediately prior to the drawing, at which time all entries will be placed into the drawing receptacle or drum, along with all entries deposited at the 3i Show pursuant to the rules herein, and all entries retained from any other locations as specifically designated by the lottery.

(c) The drawing shall be held at the 3i Show in Great Bend, Kansas, in a place accessible to the public and open for public attendance with lottery security personnel present. The drawing shall be audio and video taped.

(d) At the start of the drawing, lottery security personnel shall present the receptacle or drum to the person designated by the executive director to perform the drawing. The receptacle or drum for the said drawing shall contain all eligible entries. The entries shall be thoroughly mixed prior to the entries actually being drawn. The designated individual shall then unseal the receptacle or drum, and using the bare-arm technique, while looking away, remove one entry from the receptacle or drum and mark it in such a way as to identify it as the winning entry. The person whose name appears on the entry shall be the winner of the prize identified in 111-5-176, subject to validation by the lottery as set forth in these rules.

(e) After one entry has been drawn and verified as valid by lottery security, two more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A and 2A. The alternate entries will be used only if the original winner cannot be located or is declared ineligible, or fails to present a fully-executed claim form to lottery headquarters by 5:00 p.m. of the thirtieth day following the drawing. The alternates will be used, if necessary, in the order drawn.

(f) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the said drawing in accordance with these reg-

ulations. If it is a valid entry and the information is legible, the event manager and the security person present shall record the name of the winner and each alternate. The winner shall be given or sent a prize claim form to be completed and received by the lottery within 30 days of the drawing.

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

(h) Entries remaining in the drum or receptacle after the drawing has been completed and all entries not received in compliance with these rules shall be destroyed pursuant to 111-3-34. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

**111-5-179. Certification of drawing.** (a) The "Canyon Cash Giveaway" shall be personally observed

by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department or other person or persons designated by the executive director of the lottery ("event manager").

(b) Upon completion of the drawing, the security official and the event manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-24-09, Dec. 16, 2009.)

Ed Van Petten  
Executive Director

Doc. No. 037967

**INDEX TO ADMINISTRATIVE REGULATIONS**

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

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

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1-2-64	New	V. 28, p. 1338
1-2-65	New	V. 28, p. 1338
1-7-3	Amended	V. 28, p. 1338
1-7-4	Amended	V. 28, p. 1338
1-7-6	Amended	V. 28, p. 1339
1-7-7	Amended	V. 28, p. 1339
1-7-10	Amended	V. 28, p. 1339
1-7-11	Amended	V. 28, p. 1340
1-7-12	Amended	V. 28, p. 1340
1-14-8	Amended	V. 28, p. 1341

**AGENCY 3: KANSAS STATE TREASURER**

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

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

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4-6-2	Amended	V. 28, p. 1594
4-6-3	New	V. 27, p. 1741
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4-7-902	Amended	V. 27, p. 1022
4-7-903	Amended	V. 27, p. 1023
4-7-904	Amended	V. 27, p. 1023
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4-13-2	Amended	V. 29, p. 69
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4-13-13	Amended	V. 27, p. 188
4-13-14	Amended	V. 29, p. 71
4-13-16	Amended	V. 29, p. 71
4-13-17	Amended	V. 29, p. 72
4-13-18	Amended	V. 29, p. 72
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4-16-305	Amended	V. 27, p. 1025
4-17-300	Amended	V. 27, p. 1026
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4-28-16	New	V. 27, p. 191-195

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7-17-4	Amended	V. 27, p. 966
7-17-11	Amended	V. 27, p. 966
7-17-19	Amended	V. 27, p. 966
7-17-21	Amended	V. 27, p. 966
7-17-22	Amended	V. 27, p. 966
7-17-24	Amended	V. 27, p. 967
7-21-1	Amended	V. 27, p. 967
7-21-2	Amended	V. 27, p. 967
7-21-3	Revoked	V. 27, p. 967
7-21-4	New	V. 27, p. 967
7-23-13	Revoked	V. 27, p. 968
7-37-2	Revoked	V. 27, p. 968
7-38-2	Revoked	V. 27, p. 968
7-41-1		
through		
7-41-7	Amended	V. 28, p. 193-195
7-41-8	Revoked	V. 28, p. 195
7-41-9	Revoked	V. 28, p. 195
7-41-10		
through		
7-41-17	Amended	V. 28, p. 195, 196
7-41-18		
through		
7-41-29	Revoked	V. 28, p. 196
7-41-30	Amended	V. 28, p. 196
7-41-31	Revoked	V. 28, p. 196
7-41-32	Amended	V. 28, p. 196
7-41-33	Amended	V. 28, p. 197
7-41-34	New	V. 28, p. 197
7-41-35	New	V. 28, p. 197
7-45-1	New	V. 27, p. 968
7-45-2	New	V. 27, p. 968

(continued)

AGENCY 11: STATE CONSERVATION COMMISSION

Table with 3 columns: Reg. No., Action, Register. Rows include 11-6-1 through 11-12-6 with actions like New, Amended and register references.

26-43-200 through 26-43-207 New V. 28, p. 667-671

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Table with 3 columns: Reg. No., Action, Register. Rows include 28-1-20 through 28-4-312 with actions like Amended, New and register references.

28-4-317 through 28-4-430 Revoked Amended V. 27, p. 317, 318 V. 27, p. 991

28-4-800 through 28-4-825 New V. 27, p. 318-334

28-4-1200 through 28-4-1218 New V. 28, p. 1426-1437

Table with 3 columns: Reg. No., Action, Register. Rows include 28-16-28g through 28-32-7 with actions like Amended, Revoked and register references.

28-32-8 through 28-32-14 New V. 27, p. 247-249

28-36-33 through 28-36-49 Revoked V. 27, p. 73

28-36-70 through 28-36-89 New V. 27, p. 73-87

Table with 3 columns: Reg. No., Action, Register. Rows include 28-38-18 through 28-39-148 with actions like Amended, Revoked and register references.

28-39-149 through 28-39-168 Amended V. 28, p. 798-800

28-39-240 through 28-39-253 Revoked V. 28, p. 672

28-39-275 through 28-39-288 Revoked V. 28, p. 672

28-39-425 through 28-39-436 Revoked V. 28, p. 672

28-45b-1 through 28-45b-28 New V. 28, p. 973-988

28-53-1 through 28-53-5 Amended V. 28, p. 240, 241

28-59-5 Amended V. 27, p. 462

28-61-11 Amended V. 27, p. 464

28-70-4 New V. 28, p. 800

28-73-1 Amended V. 28, p. 74

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Table with 3 columns: Reg. No., Action, Register. Rows include 30-4-90 through 30-10-15b with actions like Amended, Revoked and register references.

Table with 3 columns: Reg. No., Action, Register. Rows include 30-10-17 through 30-64-24 with actions like Revoked, Amended and register references.

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Table with 3 columns: Reg. No., Action, Register. Rows include 40-1-37 through 40-7-20a with actions like Amended, Revoked and register references.

AGENCY 44: DEPARTMENT OF CORRECTIONS

Table with 3 columns: Reg. No., Action, Register. Rows include 44-6-101 through 44-6-132 with actions like Amended, New and register references.

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

Table with 3 columns: Reg. No., Action, Register. Rows include 48-1-1 through 48-4-2 with actions like Amended and register references.

AGENCY 49: DEPARTMENT OF LABOR

Table with 3 columns: Reg. No., Action, Register. Rows include 49-45-1 through 49-45-31 with actions like Amended and register references.



49-45-34 Amended V. 27, p. 1467  
 49-45-35 Amended V. 27, p. 1467  
 49-45-37 Amended V. 27, p. 1467

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

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

**AGENCY 60: BOARD OF NURSING**

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

**AGENCY 63: BOARD OF MORTUARY ARTS**

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

**AGENCY 66: BOARD OF TECHNICAL  
 PROFESSIONS**

**Reg. No. Action Register**  
 66-6-1 Amended V. 27, p. 315  
 66-6-4 Amended V. 27, p. 316  
 66-6-6 Amended V. 28, p. 1536  
 66-6-8 Revoked V. 28, p. 1537  
 66-6-9 Revoked V. 28, p. 1537  
 66-7-2 Amended V. 28, p. 1537  
 66-8-1 Revoked V. 28, p. 1537  
 66-8-3 Amended V. 28, p. 1537  
 66-8-4 Amended V. 28, p. 1537  
 66-8-7 Amended V. 28, p. 1537  
 66-9-4 Amended V. 28, p. 1538  
 66-10-1 Amended V. 28, p. 1538  
 66-10-9 Amended V. 28, p. 1538  
 66-10-14 Amended V. 28, p. 1538  
 66-11-1 Amended V. 28, p. 1539  
 66-11-1a Amended V. 28, p. 1539  
 66-11-1b Amended V. 28, p. 1539  
 66-11-4 Amended V. 28, p. 1539  
 66-11-5 Amended V. 28, p. 44  
 66-12-1 Amended V. 28, p. 44  
 66-14-1 Amended V. 28, p. 44  
 66-14-2 Amended V. 28, p. 45  
 66-14-3 Amended V. 28, p. 45  
 66-14-4 Revoked V. 28, p. 45  
 66-14-5 Amended V. 28, p. 45  
 66-14-7 Amended V. 28, p. 45

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

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

**AGENCY 68: BOARD OF PHARMACY**

**Reg. No. Action Register**  
 68-1-1h New V. 28, p. 1491  
 68-1-3a Amended V. 28, p. 1491  
 68-2-20 Amended V. 28, p. 1765  
 68-2-22 Amended V. 28, p. 1491

68-7-12b Amended V. 27, p. 1518  
 68-7-20 Amended V. 27, p. 435  
 68-11-2 Amended V. 27, p. 1518  
 68-16-3 Amended V. 28, p. 342  
 68-18-1 New V. 27, p. 1857  
 68-18-2 New V. 27, p. 1857  
 68-18-3 New V. 27, p. 1858  
 68-19-1 New V. 28, p. 342  
 68-20-16 Amended V. 28, p. 1561  
 68-20-23 New (T) V. 27, p. 1709  
 68-20-23 New V. 28, p. 192

**AGENCY 69: BOARD OF COSMETOLOGY**

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

**AGENCY 71: KANSAS DENTAL BOARD**

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

**AGENCY 74: BOARD OF ACCOUNTANCY**

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

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

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

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

**Reg. No. Action Register**  
 81-3-2 Amended V. 27, p. 1801  
 81-3-6 Amended V. 28, p. 606  
 81-5-7 Amended V. 27, p. 1156  
 81-5-14 Amended V. 28, p. 571  
 81-7-2 Amended V. 27, p. 1156  
 81-14-1 Amended V. 27, p. 1157  
 81-14-2 Amended V. 27, p. 1801  
 81-14-5 Amended V. 28, p. 610  
 81-14-9 Amended V. 27, p. 1163

**AGENCY 82: STATE CORPORATION  
 COMMISSION**

**Reg. No. Action Register**  
 82-3-107 Amended V. 27, p. 1518  
 82-3-108 Amended V. 27, p. 1519  
 82-3-111 Amended V. 27, p. 1520  
 82-3-135a Amended V. 27, p. 1521  
 82-3-135b Amended V. 27, p. 1521  
 82-3-138 Amended V. 27, p. 1521

82-3-402 Amended V. 27, p. 1521  
 82-4-3a through  
 82-4-3d Amended V. 28, p. 1373-1385  
 82-4-3e Revoked V. 28, p. 1386  
 82-4-3f through  
 82-4-3m Amended V. 28, p. 1386-1397  
 82-4-20 Amended V. 28, p. 1397  
 82-4-30a Amended V. 27, p. 1020  
 82-11-4 Amended V. 28, p. 917  
 82-11-10 Amended V. 28, p. 922  
 82-14-1 through  
 82-14-5 Amended V. 28, p. 967-971  
 82-14-6 New V. 28, p. 972

**AGENCY 84: PUBLIC EMPLOYEE  
 RELATIONS BOARD**

**Reg. No. Action Register**  
 84-2-1 Amended V. 28, p. 872

**AGENCY 86: REAL ESTATE COMMISSION**

**Reg. No. Action Register**  
 86-3-19 Amended (T) V. 27, p. 1090  
 86-3-19 Amended V. 27, p. 1517  
 86-3-30 New (T) V. 27, p. 1091  
 86-3-30 New V. 27, p. 1517

**AGENCY 88: BOARD OF REGENTS**

**Reg. No. Action Register**  
 88-29-1 Amended (T) V. 28, p. 1101  
 88-29-1 Amended V. 28, p. 1561  
 88-29-4 Amended (T) V. 28, p. 1102  
 88-29-4 Amended V. 28, p. 1562  
 88-29-5 Amended (T) V. 28, p. 1103  
 88-29-5 Amended V. 28, p. 1563  
 88-29-7 Amended (T) V. 28, p. 1103  
 88-29-7 Amended V. 28, p. 1563  
 88-29-8 Amended (T) V. 28, p. 1103  
 88-29-8 Amended V. 28, p. 1563  
 88-29-8a New (T) V. 28, p. 1103  
 88-29-8a New V. 28, p. 1563  
 88-29-8b New (T) V. 28, p. 1104  
 88-29-8b New V. 28, p. 1564  
 88-29-9 Amended (T) V. 28, p. 1104  
 88-29-9 Amended V. 28, p. 1564  
 88-29-11 Amended (T) V. 28, p. 1105  
 88-29-11 Amended V. 28, p. 1565  
 88-29-12 Amended (T) V. 28, p. 1106  
 88-29-12 Amended V. 28, p. 1566  
 88-29-18 Amended (T) V. 28, p. 1107  
 88-29-18 Amended V. 28, p. 1567  
 88-29-19 Amended (T) V. 28, p. 1108  
 88-29-19 Amended V. 28, p. 1568

**AGENCY 91: DEPARTMENT OF  
 EDUCATION**

**Reg. No. Action Register**  
 91-1-200 Amended V. 28, p. 1222  
 91-1-201 Amended V. 27, p. 1028  
 91-1-202 Amended V. 28, p. 1223  
 91-1-203 Amended V. 28, p. 1225  
 91-1-204 Amended V. 28, p. 1229  
 91-1-205 Amended V. 28, p. 1232  
 91-1-207 Amended V. 27, p. 1037  
 91-1-209 Amended V. 27, p. 1037  
 91-1-210 Amended V. 27, p. 1038  
 91-1-216 Amended V. 28, p. 1233  
 91-1-220 Amended V. 27, p. 1038  
 91-1-221 Amended V. 27, p. 1040  
 91-19-1 Amended V. 27, p. 1041  
 91-19-6 Amended V. 27, p. 1041  
 91-40-1 Amended V. 27, p. 274  
 91-40-2 Amended V. 27, p. 279  
 91-40-3 Amended V. 27, p. 279  
 91-40-5 Amended V. 27, p. 280  
 91-40-7 through  
 91-40-12 Amended V. 27, p. 281-284  
 91-40-16 Amended V. 27, p. 285  
 91-40-17 Amended V. 27, p. 285  
 91-40-21 Amended V. 27, p. 286

(continued)

91-40-22	Amended	V. 27, p. 287
91-40-26		
through		
91-40-31	Amended	V. 27, p. 287-289
91-40-33	Amended	V. 27, p. 290
91-40-34	Amended	V. 27, p. 290
91-40-35	Amended	V. 27, p. 290
91-40-37	Revoked	V. 27, p. 291
91-40-38	Amended	V. 27, p. 291
91-40-39	Revoked	V. 27, p. 291
91-40-41	Amended	V. 27, p. 291
91-40-42	Amended	V. 27, p. 291
91-40-42a	New	V. 27, p. 292
91-40-43	Amended	V. 27, p. 293
91-40-44	Amended	V. 27, p. 293
91-40-45	Amended	V. 27, p. 293
91-40-46	Amended	V. 27, p. 294
91-40-48	Amended	V. 27, p. 294
91-40-50	Amended	V. 27, p. 294
91-40-51	Amended	V. 27, p. 295

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-12-114	New	V. 27, p. 865
92-12-140		
through		
92-12-145	New	V. 27, p. 866, 867
92-12-145	Amended	V. 28, p. 604
92-19-70	Revoked	V. 27, p. 868
92-26-1	Amended	V. 28, p. 170
92-26-4	Amended	V. 28, p. 170
92-28-1		
through		
92-28-4	New	V. 28, p. 113
92-52-14	New	V. 27, p. 1214
92-52-15	New	V. 27, p. 1214
92-52-16	New	V. 27, p. 1215

**AGENCY 94: COURT OF TAX APPEALS**

Reg. No.	Action	Register
94-2-1		
through		
94-2-5	Amended (T)	V. 27, p.1091-1093
94-2-1		
through		
94-2-5	Amended	V. 27, p.1522-1524
94-2-8		
through		
94-2-16	Amended (T)	V. 27, p. 1093-1095
94-2-8		
through		
94-2-16	Amended	V. 27, p. 1524-1526
94-2-19	Amended (T)	V. 27, p. 1095
94-2-19	Amended	V. 27, p. 1527
94-2-20	Amended (T)	V. 27, p. 1096
94-2-20	Amended	V. 27, p. 1527
94-2-21	Amended (T)	V. 27, p. 1096
94-2-21	Amended	V. 27, p. 1528
94-3-1	Amended (T)	V. 27, p. 1097
94-3-1	Amended	V. 27, p. 1529
94-3-2	Amended (T)	V. 27, p. 1098
94-3-2	Amended	V. 27, p. 1529
94-4-1	Amended (T)	V. 27, p. 1098
94-4-1	Amended	V. 27, p. 1530
94-4-2	Amended (T)	V. 27, p. 1098
94-4-2	Amended	V. 27, p. 1530

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

Reg. No.	Action	Register
97-1-1	Revoked	V. 28, p. 459
97-1-1a	New	V. 28, p. 459
97-1-2	Revoked	V. 28, p. 460
97-1-2a	New	V. 28, p. 460
97-1-3	Revoked	V. 28, p. 460
97-1-3a	New	V. 28, p. 460
97-1-4	Revoked	V. 28, p. 460
97-1-4a	New	V. 28, p. 460
97-1-5	Revoked	V. 28, p. 461
97-1-5a	New	V. 28, p. 461
97-1-6a	New	V. 28, p. 461
97-2-1	Revoked	V. 28, p. 462
97-2-1a	New	V. 28, p. 462
97-2-2	Revoked	V. 28, p. 462

97-2-2a	New	V. 28, p. 462
97-2-3		
through		
97-2-8	Revoked	V. 28, p. 462
97-3-1	Revoked	V. 28, p. 462
97-3-1a	New	V. 28, p. 462
97-3-2	Revoked	V. 28, p. 462
97-3-2a	New	V. 28, p. 462
97-3-3	Revoked	V. 28, p. 463
97-3-3a	New	V. 28, p. 463
97-3-4		
through		
97-3-9	Revoked	V. 28, p. 463
97-4-1a	New	V. 28, p. 463

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

Reg. No.	Action	Register
99-25-1	Amended	V. 27, p. 108
99-25-5	Amended	V. 28, p. 522
99-25-9	Amended	V. 27, p. 108
99-25-11	New	V. 27, p. 109
99-26-1	Amended	V. 28, p. 522
99-27-2	Amended	V. 27, p. 1019
99-27-3	Revoked	V. 27, p. 1019
99-27-4	Amended	V. 27, p. 1019
99-27-5	Amended	V. 27, p. 1019

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-11-1	Amended (T)	V. 27, p. 1602
100-11-1	Amended	V. 28, p. 112
100-22-8	Revoked	V. 27, p. 357
100-22-8a	New	V. 27, p. 357
100-28a-1	Amended (T)	V. 27, p. 1602
100-28a-1	Amended	V. 28, p. 112
100-28a-2	Amended	V. 28, p. 1736
100-28a-10	Amended	V. 28, p. 572
100-29-3a	Amended	V. 28, p. 1737
100-29-16	Amended	V. 28, p. 1060
100-49-4	Amended (T)	V. 28, p. 923
100-49-4	Amended	V. 28, p. 1281
100-54-1	Amended	V. 28, p. 1594
100-54-4	Amended	V. 27, p. 209
100-54-8	Amended	V. 28, p. 1595
100-55-4	Amended	V. 27, p. 209
100-55-7	Amended	V. 28, p. 1061
100-55-9	Amended	V. 28, p. 572
100-69-1	Amended	V. 27, p. 1672
100-69-2	Revoked	V. 27, p. 1672
100-69-10	Amended	V. 28, p. 572
100-72-1	Amended (T)	V. 27, p. 1602
100-72-1	Amended	V. 28, p. 112
100-72-7	Amended	V. 28, p. 273
100-73-1	Amended (T)	V. 28, p. 923
100-73-1	Amended	V. 28, p. 1282
100-73-9	Amended	V. 27, p. 315

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

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

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

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

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

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

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

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

**AGENCY 110: DEPARTMENT OF COMMERCE**

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

**AGENCY 111: KANSAS LOTTERY**

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

Reg. No.	Action	Register
111-4-2899		
through		
111-4-2907	New	V. 29, p. 9-14
111-201-1		
through		
111-201-17	New	V. 29, p. 73-79
111-301-1		
through		
111-301-6	New	V. 29, p. 79, 80
111-302-1		
through		
111-302-6	New	V. 29, p. 82-86
111-303-1		
through		
111-303-5	New	V. 29, p. 87-89
111-304-1		
through		
111-304-6	New	V. 29, p. 89-91

**AGENCY 112: RACING AND GAMING COMMISSION**

Reg. No.	Action	Register
112-12-15	New	V. 28, p. 797
112-13-6	New	V. 28, p. 376

112-100-1 through 112-100-7	New	V. 27, p. 1378
112-101-1 through 112-101-16	New	V. 28, p. 376-379
112-102-1 through 112-102-13	New	V. 28, p. 1161-1163
112-103-1 through 112-103-12	New	V. 28, p. 376-382
112-103-15	New	V. 28, p. 382
112-103-16	New	V. 28, p. 382
112-104-1 through 112-104-33	New	V. 27, p. 1378-1406
112-104-34 through 112-104-41	New	V. 28, p. 1457-1459
112-105-1 through 112-105-7	New	V. 27, p. 1406-1408
112-106-1 through 112-106-7	New	V. 27, p. 1408-1411
112-107-1	New	V. 28, p. 424
112-107-2	New	V. 28, p. 424
112-107-3	New	V. 28, p. 424
112-107-5	New	V. 28, p. 428
112-107-6	New	V. 28, p. 428
112-107-7	New	V. 28, p. 428
112-107-9	New	V. 28, p. 429
112-107-10	New	V. 28, p. 429
112-107-11	New	V. 28, p. 430
112-107-13 through 112-107-32	New	V. 28, p. 430-440
112-107-34	New	V. 28, p. 441
112-108-1 through 112-108-57	New	V. 28, p. 1766-1788
112-110-1 through 112-110-13	New	V. 28, p. 464-470
112-111-1 through 112-111-5	New	V. 28, p. 470-472
112-112-1 through 112-112-9	New	V. 27, p. 1411-1413
112-113-1	New	V. 28, p. 382
112-114-1 through 112-114-6	New	V. 28, p. 472
112-114-8 through 112-114-12	New	V. 28, p. 472, 473
112-114-14	New	V. 28, p. 473

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

Reg. No.	Action	Register
115-2-1	Amended	V. 28, p. 1595
115-2-3	Amended	V. 27, p. 1264
115-2-3a	Amended	V. 28, p. 1596
115-2-5	Amended	V. 27, p. 1265
115-4-1	Amended	V. 28, p. 569
115-4-4	Amended	V. 27, p. 403
115-4-4a	Amended	V. 27, p. 403
115-4-6	Amended	V. 27, p. 109
115-4-6a	Revoked	V. 27, p. 112
115-4-11	Amended	V. 29, p. 67
115-4-13	Amended	V. 27, p. 404
115-4-14	Revoked	V. 27, p. 112
115-5-1	Amended	V. 28, p. 1250
115-5-2	Amended	V. 28, p. 1251
115-6-1	Amended	V. 28, p. 1251
115-7-1	Amended	V. 28, p. 1598
115-7-2	Amended	V. 27, p. 1708
115-7-3	Amended	V. 28, p. 1599
115-7-8	Amended	V. 27, p. 405
115-7-9	Amended	V. 27, p. 406
115-7-10	New	V. 28, p. 1600
115-8-1	Amended	V. 28, p. 571
115-8-6	Amended	V. 28, p. 1600
115-8-9	Amended	V. 27, p. 1265
115-8-10	Amended	V. 27, p. 1265
115-8-13	Amended	V. 27, p. 112
115-15-1	Amended	V. 28, p. 1079
115-15-2	Amended	V. 28, p. 1080
115-18-7	Amended	V. 27, p. 406
115-18-21	New	V. 27, p. 1708
115-20-7	New	V. 28, p. 1600

**AGENCY 117: REAL ESTATE APPRAISAL BOARD**

Reg. No.	Action	Register
117-1-1	Amended	V. 28, p. 373
117-2-2a	Amended	V. 28, p. 373
117-3-1	Amended	V. 28, p. 1027
117-3-2a	Amended	V. 28, p. 373
117-4-1	Amended	V. 28, p. 1028
117-4-2a	Amended	V. 28, p. 374
117-5-2	Amended	V. 28, p. 374
117-5-2a	Amended	V. 28, p. 375
117-6-1	Amended	V. 28, p. 1029
117-7-1	Amended	V. 28, p. 375
117-10-1	New	V. 28, p. 375

**AGENCY 121: DEPARTMENT OF CREDIT UNIONS**

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

121-12-1	New	V. 28, p. 459
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**AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION**

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

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

Reg. No.	Action	Register
128-1-1	New (T)	V. 27, p. 106
128-1-1	New	V. 27, p. 358
128-2-1	New	V. 27, p. 360
128-2-3 through 128-2-13	New	V. 27, p. 360-362
128-2-12	New (T)	V. 27, p. 107
128-3-1	New	V. 27, p. 362
128-4-1 through 128-4-9	New	V. 27, p. 363-367
128-4a-1	New	V. 27, p. 367
128-5-1	New	V. 27, p. 367
128-5-2	New	V. 27, p. 368
128-6-1	New	V. 27, p. 368
128-6-2	New	V. 27, p. 371
128-6-4	New	V. 27, p. 374

**AGENCY 129: KANSAS HEALTH POLICY AUTHORITY**

Reg. No.	Action	Register
129-5-1	Amended	V. 27, p. 628
129-5-78	Amended	V. 28, p. 1464
129-5-108	Amended	V. 27, p. 1346
129-10-15a	New	V. 27, p. 1346
129-10-15b	New	V. 27, p. 1348
129-10-17	New	V. 27, p. 1348
129-10-18	New	V. 27, p. 1350
129-10-23a	New	V. 27, p. 1353
129-10-23b	New	V. 27, p. 1353
129-10-25	New	V. 27, p. 1354
129-10-26	New	V. 27, p. 1355
129-10-27	New	V. 27, p. 1356
129-10-200	New	V. 27, p. 1356
129-10-210	New	V. 27, p. 1358

**AGENCY 130: HOME INSPECTORS REGISTRATION BOARD**

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

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