

**Permanent Administrative Regulations** 

**Temporary Administrative Regulations** 

October 29, 2015

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## Department for Aging and Disability Services

#### **Request for Comments**

The Kansas Department for Aging and Disability Service will be hosting a series of public comment sessions regarding programmatic amendments resulting from federal changes, such as the Department of Labor Home Care Ruling, which will impact consumers receiving certain services on the HCBS Traumatic Brain Injury (TBI), Intellectual and Developmental Disability (IDD), Frail Elderly (FE), Physical Disability (PD) and Technology Assisted (TA) programs.

Additionally, KDADS will be presenting an amendment reflecting the Financial Management Services (FMS) model change initially presented in 2014 public sessions for the IDD, TA and TBI programs. Information regarding the proposed model change previously presented can be found at the KDADS website provided below.

The public comment period for related program amendments will be open from November 1-30, 2015. Public information sessions will be announced and posted on the KDADS website as information regarding dates and times become available.

To obtain a copy of the proposed amendments, request an in-person consultation or provide written comments, send your communications to the HCBS mailbox at HCBS-KS@kdads.ks.gov or contact Susan Brinker with KDADS at 785-296-4983.

Following the public comment period, the state will make available documents relating to the presented amendments in three ways:

- Online (KDADS website): www.KDADS.ks.gov (on the home page)
- In person: At any local community developmental disability organization (CDDO), aging and disability resource center (ADRC), or center for independent living (CIL)
- By email: HCBS-KS@kdads.ks.gov (please notify KDADS if an accommodation is needed)

Kari Bruffett Secretary for Aging and Disability Services

Doc. No. 044020

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#### **Register Office:**

1st Floor, Memorial Hall 785-296-3489 Fax 785-296-8577 kansasregister@sos.ks.gov

## Council for Interstate Adult Offender Supervision Committee

#### **Notice of Meeting**

The Kansas Council for Interstate Adult Offender Supervision Committee will meet at 1 p.m. Friday, November 13, at the Kansas Department of Corrections, main conference room, 714 S.W. Jackson, third floor, Topeka. The meeting is open to the public.

Matthew Billinger Deputy Compact Administrator

Doc. No. 044023

#### State of Kansas

# Statewide Independent Living Council of Kansas

#### **Notice of Meeting**

The Statewide Independent Living Council of Kansas will meet at 10 a.m. Wednesday, November 18, at the Downtown Ramada, 420 S.E. 6th Ave., Suite 2000 meeting room, Topeka. For more information or to request accommodations contact Kathy Cooper, SILCK executive director, at 785-234-6990 or Kathy.Cooper@silck.org.

Kathy Cooper Executive Director

Doc. No. 044018

#### State of Kansas

#### **Department of Transportation**

#### **Notice to Contractors**

Electronic copies of the letting proposals and plans are available on the KDOT website at http://www.ksdot.org/ burconsmain/contracts/proposal.asp. The website will allow the contractor to request approval from KDOT to bid as a prime contractor and be included on the "Bid Holders List," or to be included on the "Non-Bid Holders List" as a subcontractor/supplier. KDOT's approval is required to bid as a prime contractor. To bid as a prime contractor, KDOT needs to be notified of the intent to bid no later than the close of business on the Monday preceding the scheduled letting date. Failure to obtain prior approval to bid as a prime contractor on any projects listed below will be reason to reject the bid. The secretary of transportation reserves the right to reject bids that do not comply with all requirements for preparing a bidding proposal as specified in the 2007 edition of the Kansas Department of Transportation's Standard Specifications for State Road and Bridge Construction.

KDOT will only accept electronic proposals using the Bid Express website at http://www.bidx.com until 1 p.m. local time November 18, 2015. KDOT will open and read these proposals at the Eisenhower State Office Building, 700 S.W. Harrison, Topeka, at 1:30 p.m. local time November 18, 2015. An audio broadcast of the bid letting is available at http://www.ksdot.org/burconsmain/audio.asp.

Each bidder shall certify that such person, firm, association or corporation has not, either directly or indi-

rectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This certification shall be in the form of a required contract provision provided by the state to each prospective bidder. Failure to complete the required contract provision and certify the completeness of the preceding statement when electronically signing the proposal will make the bid nonresponsive and not eligible for award consideration.

#### District One — Northeast

**Jackson**—43 C-4693-01 — County bridge, 2.0 miles west of Denison on 190th Road, then 0.75 mile north on U Road to 195th Road, bridge replacement, 0.2 mile. (Federal Funds)

**Lyon**—35-56 KA-4110-01 — Sign improvements on I-35, signing, 14.7 miles. (Federal Funds)

#### District Two — North Central

Mitchell—181-62 KA-2072-01 — K-181, bridge #032 and culvert #521 located 0.90 mile and 0.88 mile north of the Mitchell/Lincoln county line (Bacon Creek and Bacon Creek drainage), bridge replacement. (Federal Funds)

**Saline**—140-85 KA-3092-01 — K-140, bridge #121 (West Spring Creek drainage) located 3.46 miles east of the Saline/Ellsworth county line, bridge replacement. (Federal Funds)

#### **District Three** — Northwest

**Phillips**—09-74 KA-3095-01 — K-9, bridge #040 (north fork Solomon River drainage) located 1.79 miles east of the K-9/U.S. 183 junction, bridge replacement. (Federal Funds)

**Statewide**—106 M-0046-01 — KDOT Subareas in Russell and WaKeeney, stockpile bituminous material. (State Funds)

#### District Four — Southeast

Franklin—68-30 KA-2097-01 — K-68, bridge #070 located 8.65 miles east of the Osage County line (Marais des Cygnes River), bridge replacement, 0.8 mile. (Federal Funds)

#### District Five — South Central

Cowley—77-18 KA-3053-01 — U.S. 77, from 7th Avenue to 4th Avenue, grading, 0.2 mile. (State Funds)

#### District Six — Southwest

Clark—13 C-4675-01 — Upgrade signing on major collectors north of U.S. 160 and west of Road 16 (RS-1337), signing. (Federal Funds)

**Gray**—50-35 KA-3553-01 — U.S. 50, from Ash Street to Cedar Street, milling and overlay, 0.1 mile. (State Funds)

Haskell—83-41 KA-1008-05 — U.S. 83, from 1.75 miles south of U.S. 83/U.S. 160/K-144 junction north to 4.5 miles north of U.S. 83/U.S. 160/K-144 junction, grading and surfacing, 6.2 miles. (Federal Funds)

**Hodgeman**—42 C-4679-01 — Upgrade signing on various major collectors, signing. (Federal Funds)

Mike King Secretary of Transportation

Doc. No. 043998

## **Board of Regents Universities**

#### **Notice to Bidders**

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

Emporia State University – Bid postings: www.emporia.edu/busaff/. Additional contact info: phone 620-341-5145, fax: 620-341-5073, email: tshepher@emporia.edu. Mailing address: Emporia State University Purchasing, Campus Box 4021, 1 Kellogg Circle, Emporia, KS 66801-5415.

Fort Hays State University – Bid postings: www.fhsu.edu/purchasing/bids. Additional contact info: phone 785-628-4251, fax: 785-628-4046, email: purchasing@fhsu.edu. Mailing address: Fort Hays State Purchasing Office, 601 Park St., 318 Sheridan Hall, Hays, KS 67601.

Kansas State University – Bid postings: www.k-state.edu/ purchasing/rfq. Additional contact info: phone: 785-532-6214, fax: 785-532-5577, email: kspurch@k-state.edu. Mailing address: Division of Financial Services/Purchasing, 21 Anderson Hall, Kansas State University, Manhattan, KS 66506.

**Pittsburg State University** – Bid postings: www.pittstate.edu/office/purchasing. Additional contact info: phone: 620-235-4169, fax: 620-235-4166, email: purch@pittstate.edu. Mailing address: Pittsburg State University, Purchasing Office, 1701 S. Broadway, Pittsburg, KS 66762-7549.

University of Kansas – Electronic bid postings: http://www.procurement.ku.edu/. Paper bid postings and mailing address: KU Purchasing Services, 1246 W. Campus Road, Room 20, Lawrence, KS 66045. Additional contact info: phone: 785-864-5800, fax: 785-864-3454, email: purchasing@ku.edu.

University of Kansas Medical Center – Bid postings: http://www2.kumc.edu/finance/purchasing/bids.html. Additional contact info: phone: 913-588-1100, fax: 913-588-1102. Mailing address: University of Kansas Medical Center, Purchasing Department, Mail Stop 2034, 3901 Rainbow Blvd., Kansas City, KS 66160.

Wichita State University – Bid postings: www.wichita.edu/purchasing. Additional contact info: phone: 316-978-3080, fax: 316-978-3528. Mailing address: Wichita State University, Office of Purchasing, 1845 Fairmount Ave., Campus Box 12, Wichita, KS 67260-0012.

Kathy Herrman Chair of Regents Purchasing Group Director of Purchasing Fort Hays State University

Doc. No. 043663

(Published in the Kansas Register October 29, 2015.)

# North Central Regional Planning Commission

#### **Notice to Bidders**

Sealed bids for seven (7) Night Vision Binoculars will be accepted by the North Central Regional Planning Commission, 109 N. Mill St., Beloit, KS 67420, until 4 p.m. Tuesday, November 24, 2015, at which time they will be publicly opened and read aloud at the same address. Copies of Instructions to Bidders and project specifications can be accessed by going to www.ncrpc.org or by contacting the NCRPC at 785-738-2218 or angell.sherry@gmail.com. This action is being taken on behalf of the Northwest Kansas Regional Homeland Security Council. The estimated project value exceeds \$25,000.

Sherry L. Angell Regional Coordinator

Doc. No. 044016

#### State of Kansas

# Department of Administration Procurement and Contracts

#### **Notice to Bidders**

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

11/17/2015	EVT0004038	Asphalt Pavement Laid at
		Hillsdale State Park
11/18/2015	EVT0004034	Arapahoe & Pronghorn
		Campgrounds
11/19/2015	EVT0004037	Wastewater Pumping System
		Replacement
11/24/2015	EVT0003952	Central Registry Application
		System
12/01/2015	EVT0003788	Land Survey Records Web
		System
12/03/2015	EVT0004027	Printing/Banking, Farmers Senior
		Market

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

http://admin.ks.gov/offices/procurement-and-contracts/bid-solicitations

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

http://admin.ks.gov/offices/procurement-and-contracts/additional-files-for-bid-solicitations

11/24/2015 A-012916 Lansing Correctional Facility Primary Power Loop

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

Tracy T. Diel, Director Procurement and Contracts

Doc. No. 044027

# 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. 2014 Supp. 12-1675(b)(c)(d) and K.S.A. 2014 Supp. 12-1675a(g).

#### Effective 10-26-15 through 11-1-15

Term	Rate
1-89 days	0.13%
3 months	0.01%
6 months	0.13%
12 months	0.34%
18 months	0.49%
2 years	0.64%

Scott Miller Director of Investments

Doc. No. 044015

(Published in the Kansas Register October 29, 2015.)

Summary Notice of Bond Sale City of Leavenworth, Kansas \$600,000\* Taxable General Obligation Bonds Series 2015-B

(General obligation bonds payable from unlimited ad valorem taxes)

#### Bids

Subject to the Official Notice of Bond Sale and Preliminary Official Statement dated October 28, 2015, sealed, facsimile and electronic bids will be received by the city clerk of the city of Leavenworth, Kansas (the issuer), on behalf of the governing body of the city in the case of sealed bids, at City Hall, 100 N. Fifth, Leavenworth, KS 66048, via facsimile at 913-651-7143, and, in the case of electronic bids, via BIDCOMP/PARITY electronic bid submission system, until 11 a.m. (CST) Tuesday, November 10, 2015, for the purchase of \$600,000\* principal amount of Taxable General Obligation Bonds, Series 2015-B. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

#### **Bond Details**

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated November 30, 2015, and will become due on September 1 in the years as follows:

Year	Principal Amount*
2016	\$55,000

2017	55,000
2018	55,000
2019	55,000
2020	60,000
2021	60,000
2022	60,000
2023	65,000
2024	65,000
2025	70,000

The bonds will be subject to mandatory and optional redemption prior to maturity as provided in the Official Notice of Bond Sale.

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2016.

#### Paying Agent and Bond Registrar

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

#### **Good Faith Deposit**

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States, a wire transfer or a qualified financial surety bond in the amount of \$12,000 (2 percent of the principal amount of the bonds).

#### **Delivery**

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

## **Assessed Valuation and Indebtedness**

The total assessed valuation of taxable tangible property in the city for the year 2015 is \$223,046,202. The total general obligation indebtedness of the issuer, following the issuance of the bonds, is \$27,865,000.

#### **Approval of Bonds**

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

#### Additional Information

Additional information regarding the bonds may be obtained from the city clerk, 913-684-0335, or from the city's financial advisor, Piper Jaffray & Co., 11635 Rosewood St., Leawood, KS 66211-2000, 913-345-3374, Attn: Greg Vahrenberg.

Dated October 22, 2015.

City of Leavenworth, Kansas Karen J. Logan, City Clerk City Hall 100 N. Fifth St. Leavenworth, KS 66048

\*Subject to change. Doc. No. 044017 (Published in the Kansas Register October 29, 2015.)

#### Summary Notice of Bond Sale City of Derby, Kansas \$4,875,000\*

General Obligation Bonds, Series 2015-C

(General obligation bonds payable from unlimited ad valorem taxes)

#### Bids

Subject to the Notice of Bond Sale dated October 13, 2015, written and electronic bids will be received on behalf of the director of finance of the city of Derby, 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 10 a.m. (CST) November 10, 2015, 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 December 10, 2015, and will become due on December 1 in the years as follows:

	Principal
Year	Amount*
2016	\$60,000
2017	295,000
2018	295,000
2019	300,000
2020	310,000
2021	310,000
2022	325,000
2023	325,000
2024	330,000
2025	340,000
2026	340,000
2027	270,000
2028	280,000
2029	280,000
2030	290,000
2031	220,000
2032	55,000
2033	60,000
2034	60,000
2035	65,000
2036	65,000

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 June 1, 2016.

#### **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, a qualified financial surety bond or a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$97,500\*.

#### **Delivery**

The issuer will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about December 10, 2015, 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 2015 is \$217,415,001. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$69,085,000\*.

#### Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Wichita, Kansas, bond counsel to the issuer, 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 the financial advisor at the addresses set forth below.

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

Jean Epperson, Director of Finance City Hall 611 N. Mulberry Derby, KS 67037 316-788-1519 Fax: 316-788-6067 jeanepperson@derbyweb.com

## Financial Advisor –Good Faith Deposit Delivery Address:

Piper Jaffray & Co. 11635 Rosewood St. Leawood, KS 66211 Attn: Greg Vahrenberg 913-345-3374 Fax: 913-345-3393

gregory.m.vahrenberg@pjc.com

Dated October 13, 2015.

City of Derby, Kansas

\*Subject to change; see Notice of Bond Sale dated October 13, 2015.

Doc. No. 044021

(Published in the Kansas Register October 29, 2015.)

## Summary Notice of Bond Sale City of Manhattan, Kansas

#### \$5,930,000\*

General Obligation Refunding and Improvement Bonds Series 2015-A

\$5,290,000\*

General Obligation Refunding Bonds Series 2015-B

(General obligation bonds payable from unlimited ad valorem taxes)

#### **Bids**

Subject to the Notice of Bond Sale dated October 20, 2015, separate facsimile and electronic bids will be received on behalf of the director of finance of the city of Manhattan, Kansas (the issuer), in the case of facsimile bids, at the address set forth below, and in the case of electronic bids, through PARITY, until 11 a.m. (CST) November 17, 2015, for the separate purchase of the Series 2015-A and the Series 2015-B Bonds (collectively, the bonds). Minimum purchase prices for each series of bonds are set forth in the official Notice of Bond Sale.

#### **Bond Details**

General. The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof; will be dated June 2, 2014 (the dated date); and will bear interest from the dated date at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on May 1 and November 1 in each year, beginning on November 1, 2014.

**Series 2015-A Bonds**. The Series 2015-A Bonds will become due in principal installments on November 1 in the years as follows:

	Principal
Year	Amount*
2016	\$690,000
2017	835,000
2018	780,000
2019	785,000
2020	280,000
2021	280,000
2022	285,000
2023	290,000
2024	300,000
2025	175,000
2026	105,000
2027	110,000
2028	110,000
2029	115,000
2030	120,000
2031	125,000
2032	130,000
2033	135,000
2034	135,000
2035	145,000

**Series 2015-B Bonds**. The Series 2015-B Bonds will become due in principal installments on November 1 in the years as follows:

	Principal
Year	Amount*
2017	\$ 35,000
2018	340,000
2019	520,000
2020	525,000
2021	530,000
2022	545,000
2023	550,000
2024	570,000
2025	580,000
2026	595,000
2027	500,000

Dringing

#### **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 wire transfer in Federal Reserve funds immediately available for use by the issuer, as follows: (a) Series 2015-A – \$118,600; and (b) Series 2015-B – \$105,800.

#### **Delivery**

The issuer will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about December 7, 2015, 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 2015 is \$561,240,115. The total general obligation indebtedness of the issuer as of the dated date, including the bonds being sold, is \$164,585,000; such amount includes the issuer's temporary notes in the principal amount of \$3,870,000, dated as of December 15, 2015, which will be issued on or about December 15, 2015. Temporary notes in the principal amount of \$2,120,000 will be retired out of proceeds of the bonds and other available funds, which will reduce the outstanding general obligation indebtedness of the issuer to \$162,465,000.

#### 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 municipal advisor, at the addresses set forth below.

C 1E 24 D 24 D 12 A 11	2021	2.250.000
Good Faith Deposit Delivery Address:	2021	3,250,000
Rina Neal, City Treasurer	2022	3,310,000
City Hall, 1st Floor	2023	3,385,000
1101 Poyntz Ave.	2024	3,460,000
Manhattan, KS 66502-5497	2025	3,540,000
785-587-2465	2026	3,630,000
Fax: 785-587-2409	2027	3,735,000
neal@cityofmhk.com	2028	3,850,000
Municipal Advisor – Facsimile Bid	2029	1,020,000
Delivery Address:	2030	1,055,000
Springsted Incorporated	2031	1,090,000
Attn: Bond Services	2032	1,125,000
380 Jackson St., Suite 300	2033	1,165,000
St. Paul, MN 55101-2887	2034	1,205,000
651-223-3000	2035	1,250,000
Fax: 651223-3046	The bonds will bear intere	est from the dated

bond\_services@springsted.com

Dated October 20, 2015.

City of Manhattan, Kansas

\*Preliminary, subject to change; see Notice of Bond Sale.

Doc. No. 044024

(Published in the Kansas Register October 29, 2015.)

Summary Notice of Bond Sale City of Lenexa, Kansas \$49,500,000\* General Obligation Bonds, Series 2015B

(General obligation bonds payable from unlimited ad valorem taxes)

#### **Bids**

Subject to the Notice of Bond Sale dated November 3, 2015, bids will be received on behalf of the city clerk of the city of Lenexa, Kansas, on behalf of the governing body at the offices of Springsted Incorporated, 380 Jackson St., Suite 300, St. Paul, MN 55101-2887, by delivery; by telephone at 651-223-3000 or via facsimile at 651-223-3046; or, in the case of electronic proposals, via PARITY electronic bid submission system, until 10:30 a.m. (CST) November 17, 2015, for the purchase of \$49,500,000\* principal amount of General Obligation Bonds, Series 2015B. No bid of less than 100 percent of the par value of the bonds, plus accrued interest to the date of delivery, will be considered. Bidders may be required to be qualified in a manner established by the city before submitting a bid.

#### **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 December 15, 2015 (the dated date), and will become due on September 1 in the years as follows:

	Principal
Year	Amount*
2016	\$2,475,000
2017	2,295,000
2018	2,315,000
2019	3,150,000
2020	3,195,000

The bonds will bear interest from the dated date at rates to be determined when the bonds are sold as provided in the Notice of Sale, which interest will be payable semi-annually on March 1 and September 1 in each year, beginning September 1, 2016. A bidder may elect to have all or a portion of the bonds scheduled to mature in consecutive years issued as term bonds subject to the requirements set forth in the Notice of Sale.

#### Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

#### **Good Faith Deposit**

Each bid shall either be accompanied by a cashier's or certified check drawn on a bank located in the United States in the amount of \$990,000 or shall specify the agreement of the bidder to submit such good faith deposit amount by electronic fund transfer through the Federal Reserve system to an account specified by the city by 1:30 p.m. on the sale date.

#### **Delivery**

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about December 15, 2015, at the offices of the Depository Trust Company, New York, New York.

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

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2014 is \$982,834,051. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds, is \$170,170,000.

#### **Approval of Bonds**

The bonds will be sold subject to the legal opinion of Kutak Rock LLP, Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city and delivered to the successful bidder when the bonds are delivered.

#### **Additional Information**

Additional information regarding the bonds may be obtained from Doug Robinson, the city's administrative services director/CFO, 913-477-7544; from the city's municipal advisor, Springsted Incorporated of St. Paul, Minnesota, 651-223-3000; or from bond counsel, Kutak Rock

LLP, 2300 Main St., Suite 800, Kansas City, MO 64108-2416, 816-960-0090, Attention: Dorothea Riley.

Dated October 22, 2015.

City of Lenexa, Kansas By David F. Bryant III, MMC City Clerk Lenexa City Hall 12350 W. 87th St. Parkway Lenexa, KS 66215 913-477-7500

\*Subject to change. Doc. No. 044026

(Published in the Kansas Register October 29, 2015.)

Summary Notice of Bond Sale City of Andover, Kansas \$3,900,000\* Taxable General Obligation Bonds Series B, 2015

#### Details of the Sale

Subject to the terms and requirements of the Official Notice of Bond Sale dated October 13, 2015, of the city of Andover, Kansas, bids to purchase the city's Taxable General Obligation Bonds, Series B, 2015, will be received at the office of the city clerk at City Hall, 1609 E. Central, Andover, KS 67002, or by telefacsimile at 316-733-4634 or electronically on the Columbia Capital Auction website (www.ColumbiaCapitalAuction.com), until 10 a.m. central time Tuesday, November 10, 2015. The bids will be considered by the governing body at its meeting at 7 p.m. on the sale date.

No oral bids for the bonds shall be considered, and no bids for less than 98 percent of the total principal amount of the bonds and accrued interest to the date of delivery shall be considered.

#### **Good Faith Deposit**

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

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

The bonds will be dated December 1, 2015, and will be issued as registered bonds in the denomination of \$5,000 or any integral multiple thereof. Interest on the bonds is payable semiannually on April 1 and October 1 of each year, beginning April 1, 2016. Principal of the bonds becomes due on October 1 in the years and amounts as shown below:

#### **Maturity Schedule**

Principal	Maturity
Amount*	Date
\$240,000	2016
230,000	2017
230,000	2018
235,000	2019
235,000	2020
240,000	2021

245,000	2022
255,000	2023
260,000	2024
265,000	2025
275,000	2026
285,000	2027
295,000	2028
300,000	2029
310,000	2030

#### Payment of Principal and Interest

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

#### **Book-Entry Bonds**

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

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

The city will prepare the bonds at its expense and will deliver the registered bonds to DTC on or about December 1, 2015.

#### **Legal Opinion**

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

#### **Financial Matters**

The city's current assessed valuation for purposes of calculating statutory debt limitations is \$141,185,581. As of December 1, 2015, the city's total outstanding general obligation debt (including the bonds) is \$37,595,000\*. The city's total indebtedness that is subject to debt limitation, as of December 1, 2015, is estimated to be \$16,620,796.47\*, which is 11.77 percent of the assessed valuation of the city.

#### **Bidder Qualifications**

Only FINRA registered broker-dealers and dealer banks with DTC clearing arrangements will be eligible to bid. Electronic bids must be submitted in accordance with the rules of Columbia Capital Auction, as described in the Official Notice of Bond Sale.

#### **Additional Information**

For additional information contact the city clerk at the address and telephone number shown below, or the financial advisor, Jeff White, Columbia Capital Management, LLC, 6330 Lamar Ave., Suite 200, Overland Park, KS 66202, 913-312-8077.

City of Andover, Kansas By Susan C. Renner, City Clerk City Hall, 1609 E. Central Andover, KS 67002 316-733-1303 Fax: 316-733-4634

\*Subject to change. Doc. No. 044022

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

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

#### Public Notice No. KS-AG-15-356/371 Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Kent Howell	NE/4 of Section 23,	Upper Republican
11584 Highway 36	T03S, R35W,	River Basin
Atwood, KS 67730	Rawlins County	

Kansas Permit No. A-URRA-B010

This permit is being reissued for an existing facility with a maximum capacity of 60 head (60 animal units) of cattle more than 700 pounds and 60 head (30 animal units) of cattle 700 pounds or less, for a total of 120 head (90 animal units) of cattle. This represents a decrease in permitted animal units from the previous permit.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Adam Showalter	SE/4 of Section 22,	Upper Arkansas
Showalter & Sons	T18S, R20W, Rush	River Basin
1853 County Road 140	County	
Alexander, KS 67513	-	

Kansas Permit No. A-UARH-B001

This is a renewal permit for an existing facility with a maximum of 800 head (800 animal units) of cattle weighing greater than 700 pounds. There is no change in the permitted animal units.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Jim Mather	NW/4 of Section 02,	Smoky Hill River
Mather Cattle Co.	T12S, R32W, Logan	Basin
2420 U.S. 83	County	
Oakley, KS 67748	-	

Kansas Permit No. A-SHLG-B001

This is a renewal permit for an existing facility with a maximum capacity of 600 head (600 animal units) of beef cattle weighing more than 700 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Dennis Mader	SW/4 of Section 31,	Saline River Basin
Saline Star Feeders	T10S, R25W,	
14974 S. Road 140 East	Graham County	
Collyer, KS 67631	,	

Kansas Permit No. A-SAGH-B005

This is a reissuance of a permit for an existing facility with the maximum capacity for 245 head (245 animal units) of cattle weighing more than 700 pounds and 750 head (375 animal units) of cattle weighing less than 700 pounds, for a total of 995 head (620 animal units). There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Edward J. Goetz 1742 W. Road 90 South Grainfield, KS 67737	SW/4 of Section 28, T09S, R28W, Sheridan County	Saline River Basin

Kansas Permit No. A-SASD-S001

This is a renewal permit for an existing facility for the maximum capacity for 910 head (91 animal units) of swine weighing 55 pounds or less and 1,225 head (490 animal units) of swine weighing more than 55 pounds, for a total of 581 animal units. There is no change in the permitted animal units.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Alan Marietta	NW/4 of Section 02,	Upper Republican
FBN Hogs	T03S, R29W,	River Basin
302 N. York	Decatur County	
Oberlin, KS 67749	j	

Kansas Permit No. A-URDC-S007

This is a reissuance of a permit for an existing facility with a maximum capacity of 990 head (396 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Charles and Anita McKee	NW/4 of Section 18,	Kansas River
McKee Dairy	T05S, R15E, Jackson	Basin
31646 N Road	County	
Wetmore, KS 66550	,	

Kansas Permit No. A-KSJA-M016

This is a renewal permit for an existing facility with a maximum capacity of 30 head (30 animal units) of cattle weighing more than 700 pounds, 35 head (17.5 animal units) of cattle weighing less than 700 pounds and 60 head (84 animal units) of mature dairy cows, for a total of 131.5 animal units. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Dick Nellor	SW/4 of Section 13,	Marais des
Nellor Farms	T15S, R22E,	Cygnes River
21195 S. Gardner Road	Johnson County	Basin
Gardner KS 66030		

Kansas Permit No. A-MCJO-B003

This is a renewal permit for an existing facility with a maximum capacity of 100 head (100 animal units) of beef cattle weighing more than 700 pounds and 360 head (180 animal units) of beef cattle weighing 700 pounds or less, for a total of 280 animal units. There is no change in the permitted animal units.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Mark Grollmes	SE/4 of Section 35,	Kansas River
1751 1st Road	T05S, R13E,	Basin
Circleville, KS 66416	Nemaha County	

Kansas Permit No. A-KSNM-S021

This is a renewal permit for an existing facility with a maximum capacity of 55 head (22 animal units) of swine more than 55 pounds, 240 head (24 animal units) of swine 55 pounds or less and 40 head (20 animal units) of cattle 700 pounds or less, for a total of 335 head (66 animal units) of swine and cattle. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
William Nordhus 109 Elk Seneca, KS 66538	NE/4 of Section 34, T02S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S045

This is a renewal permit for an existing facility for a maximum capacity of 2,000 head (800 animal units) of swine weighing more than 55 pounds. There is no change in the permitted animal units.

Name and Address of Applicant Description Water

Steven C. Compton SW/4 of Section 35, Missouri River T03S, R17E, Brown 505 N. 2nd St. County

Hiawatha, KS 66434

Kansas Permit No.: A-MOBR-S013

This is a reissuance of a permit for an existing facility with the maximum capacity of 1,065 head (426 animal units) of swine weighing more than 55 pounds. This represents a decrease in the permitted animal units from the previous permit by 82.5 animal units.

Name and Address	Legal	Receiving
of Applicant	Description	Water
Steve Holthaus	NW/4 of Section 35,	Missouri River
Illinois Valley Farms, Inc.	T03S, R12E,	Basin
1383 K4 Road	Nemaha County	
Seneca, KS 66538	•	

Kansas Permit No. A-MONM-S025

This is a renewal permit for an existing facility with a maximum capacity of 2,081 head (832.4 animal units) of swine more than 55 pounds and 1,400 head (140 animal units) of swine 55 pounds or less, for a total of 3,481 head (972.4 animal units) of swine. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Jennifer Gerety	NW/4 of Section 25,	Missouri River
Daniel & Jennifer Gerety	T02S, R13E,	Basin
Farm - Heideman	Nemaha County	
1307 96th Road	-	
Seneca, KS 66538		

Kansas Permit No. A-MONM-S070

This permit is being reissued for an existing facility with a maximum capacity of 2,400 head (960 animal units) of swine more than 55 pounds. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Phillip D. Goodyear	E/2 of Section 17,	Kansas River
Pioneer Pork	T12S, R07E, Geary	Basin
10467 Humboldt Creek	County	
Road	•	

Junction City, KS 66441

Kansas Permit No. A-KSGE-S010

This permit is being reissued for an existing facility with a maximum capacity of 600 head (240 animal units) of swine more than 55 pounds, 1,200 head (120 animal units) of swine 55 pounds or less and 400 head (400 animal units) of cattle more than 700 pounds, for a total of 2,200 head (760 animal units) of swine and cattle. This represents an increase in animal units from the previous permit.

Name and Address of Applicant	Legal Description	Receiving Water
Jeff D. Bina	SE/4 of Section 18,	Neosho River
1915 275th St.	T18S, R04E, Marion	Basin
Marion, KS 66861	County	

Kansas Permit No. A-NEMN-B023

Kansas Permit No. A-NEMN-B029

This permit is being reissued for an existing facility with a maximum capacity of 600 head (240 animal units) of swine more than 55 pounds and 750 head (750 animal units) of cattle more than 700 pounds, for a total of 1,350 head (990 animal units) of swine and cattle. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Marcus Carlson	NE/4 of Section 15,	Neosho River
2881 290th St.	T18S, R05E, Marion	Basin
Lincolnville, KS 66858	County	

This is a renewal permit for an existing facility with the maximum capacity of 600 head (300 animal units) of beef cattle weighing 700 pounds or less. There is no change in the permitted animal units.

#### Public Notice No. KS-Q-15-138/147

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-g), and Federal Surface Water Criteria:

Name and Address	Receiving	Type of
of Applicant	Stream	Discharge
<b>Butler County Commission</b>	Harrison Creek via	Treated Domestic
121 S. Gordy, Suite 200	Unnamed Tributary	Wastewater
El Dorado, KS 67042	-	

Kansas Permit No. M-WA19-OO01 Federal Permit No. KS0098671 Legal Description: E½, NE¼, SE¼, S2, T26S, R7E, Butler County, KS Facility Name: Butler County Sewer District No. 9 (Rosalia)

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, total phosphorus and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
<b>Butler County Commission</b>	Hickory Creek via	Treated Domestic
121 S. Gorgy, Suite 200	North Branch of	Wastewater
El Dorado, KS 67042	Hickory Creek	

Kansas Permit No. M-WA23-OO01 Federal Permit No. KS0082180 Legal Description: N½, SW¾, SE¾, S33, T27S, R8E, Butler County, KS Facility Name: Butler County Sewer District No. 17 (Beaumont)

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, total phosphorus and pH.

Name and Address	Receiving	Type of
of Applicant	Stream	Discharge
Clifton, City of	Republican River	Treated Domestic
P.O. Box 86	-	Wastewater
Clifton, KS 66937		

Kansas Permit No. M-LR06-OO01 Federal Permit No. KS0048437 Legal Description: SW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub>, S1, T6S, R1E, Clay County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Courtland, City of P.O. Box 147	Republican River via Beaver Creek	Treated Domestic Wastewater
Courtland, KS 66939	via Unnamed Tributary	

Kansas Permit No. M-LR09-OO01 Federal Permit No. KS0083399 Legal Description: N½, NE¼, SW¼, S21, T3S, R5W, Republic County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen and pH.

Name and Address<br/>of ApplicantReceiving<br/>StreamType of<br/>DischargeLittle River, City of<br/>P.O. Box 126Little Arkansas<br/>RiverTreated Domestic<br/>WastewaterLittle River, KS 67457

Kansas Permit No. M-LA10-OO02 Federal Permit No. KS0085758 Legal Description: SW<sup>1</sup>/<sub>4</sub>, S16, T19S, R6W, Rice County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia, total phosphorus, nitrate + nitrite, chlorides, arsenic, selenium and pH. The proposed permit contains a schedule of compliance requiring the permittee submit an engineering report containing updates necessary to bring the facility into consistent compliance with permit requirements.

Name and Address	Receiving	Type of
of Applicant	Stream	Discharge
Mankato, City of	Republican River	Treated Domestic
217 S. High St.	via Middle Buffalo	Wastewater
Mankato, KS 66956	Creek	

Kansas Permit No. M-LR16-OO02 Federal Permit No. KS0095231 Legal Description: NW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, S22, T3S, R8W, Jewell County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand and total suspended solids, as well as monitoring for ammonia, E. coli, total phosphorus, nitrate + nitrite, total Kjeldahl nitrogen, total nitrogen, sulfates, arsenic, selenium and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Midwest Minerals, Inc. P.O. Box 412 Pittsburg, KS 66762	Labette Creek via Bachelor Creek	Pit Dewatering & Stormwater Runoff

Kansas Permit No. I-NE55-PO01 Federal Permit No. KS0115525

Legal Description: NW $^1\!\!/_4$ , S12, and SE $^1\!\!/_4$ , S1, T32S, R19E, Labette County, KS

Facility Name: Parsons Quarry #3

The proposed action consists of reissuing an existing permit for discharge of wastewater during quarry operations. This is a limestone quarrying and crushing operation with no washing. Outfall 001 and Outfall 002 consist of stormwater runoff and quarry pit water. The proposed permit contains generic water-quality language to protect waters of the atate.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Netawaka, City of	Straight Creek via	Treated Domestic
418 Kansas St.	Spring Creek via	Wastewater
Netawaka, KS 66516	Unnamed Tributary	

Kansas Permit No. M-KS49-OO01 Federal Permit No. KS0081591 Legal Description: SW<sup>1</sup>/<sub>4</sub>, S22, T5S, R15E, Jackson County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Vermillion, City of	Black Vermillion	Treated Domestic
P.O. Box 127	River Wastewater	
Vermillion, KS 66544		

Kansas Permit No. M-BB20-OO01 Federal Permit No. KS0085529 Legal Description: SW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub>, S12, T4S, R10E, Marshall County,

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total sus-

pended solids and E. coli, as well as monitoring for ammonia, total phosphorus and pH.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Wheaton, City of	Clear Fork of the	Treated Domestic
342 Main St.	Black Vermillion	Wastewater
Wheaton, KS 66551	River	

Kansas Permit No. M-KS79-OO01 Federal Permit No. KS0094013 Legal Description: NW½, NW½, NE⅓, S29, T6S, R10E, Pottawatomie County, KS

The proposed action consists of reissuance of an existing Kansas/NPDES Water Pollution Control permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids and E. coli, as well as monitoring for ammonia, total phosphorus and pH.

#### Public Notice No. KS-PT-15-016/017

The requirements of the draft permits public noticed below are pursuant to Kansas Administrative Regulations 26-16-82 through 28-16-98, and U.S. Environmental Protection Agency Pretreatment Regulation 40 CFR 403:

Name and Address of Applicant	Receiving Facility	Type of Discharge
Neal Spencer	Ottawa MWWTP	Process
1510 N. Davis St.		Wastewater
Ottawa, KS 66067		

Kansas Permit No. P-MC31-OO03 Federal Tracking No. KSP000090 Facility Name: Ernest Spencer Custom Coating

The proposed action consists of reissuing an existing pretreatment permit for an existing facility. This facility performs job shop powder coating on steel parts, prior to painting them. Outfall 001 consists of process wastes generated from phosphating of steel parts, using a five-stage washer system and phosphating wastes from a pressure spray operation, used to clean larger metal parts. Both of these phosphating systems are considered to be conversion coating operations and are subject to the Metal Finishing Standard, Part 433. The proposed permit contains limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of flow.

Name and Address	Receiving	Type of
of Applicant	Facility	Discharge
Full Vision, Inc.	Newton MWWTP	Process
3017 Full Vision Drive		Wastewater
Newton KS 67114		

Kansas Permit No. P-LA13-OO02 Federal Tracking No. KSP000104

The proposed action consists of reissuing an existing pretreatment permit for an existing facility. This facility manufactures steel roll over protection systems. Steel parts are cut, welded and processed in a three-stage phosphating system, before being painted. Spent wastes from the three-stage phosphating system are then pumped to an onsite, 6,000-gallon holding tank, which is considered Outfall 001. Once the pH of the waste is checked and adjusted, the wastes are then hauled to the city of Newton, via a 1,000-gallon portable tank. The proposed permit contains limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, total cyanide and pH, as well as monitoring of flow.

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, 6612-1367.

All comments regarding the draft documents or application notices received on or before November 28, 2015, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-15-356/ 371, KS-Q-15-138/147, KS-PT-15-016/017) and name of the applicant/permittee when preparing comments.

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

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

> Susan Mosier, M.D. Secretary of Health and Environment

Doc. No. 044025

#### State of Kansas

## **Real Estate Commission**

#### **Permanent Administrative Regulations**

#### Article 1.—APPLICATION AND EXAMINATION

- **86-1-5.** Fees. (a) Each applicant shall pay a fee in an amount equal to the actual cost of the examination and the administration of the examination to the testing service designated by the commission.
- (b) Each applicant shall submit the following fees for licensure to the commission:
- (1) For submission of an application for an original salesperson's or broker's license, a fee of \$15;
- (2) for an original salesperson's license, a prorated fee based on a two-year amount of \$125;
- (3) for an original broker's license, a prorated fee based on a two-year amount of \$175;
- (4) for renewal of a salesperson's license, a two-year fee of \$125;
- (5) for renewal of a broker's license, a two-year fee of
- (6) for reinstatement of a license that has been deactivated or that has been canceled pursuant to K.S.A. 58-3047(c), and amendments thereto, or due to termination of a salesperson or associate broker, a fee of \$15;
- (7) for reinstatement of each license canceled pursuant to K.S.A. 58-3047(d) or (f), and amendments thereto, a fee of \$7.50;

- (8) for a duplicate license, a fee of \$10;
- (9) for certification of licensure to another jurisdiction, a fee of \$10;
  - (10) for each branch office, a fee of \$25;
- (11) for each primary office of a company created or established by a supervising broker, a fee of \$25;
- (12) for certification of a licensee's education history under K.S.A. 58-3046a, and amendments thereto, a fee of
- (13) for certification of licensure of a professional corporation, a fee of \$10; and
- (14) for each additional primary or branch office at which a salesperson or an associate broker, supervising broker, or branch broker is associated or employed, if the person is associated or employed by more than one primary or branch office, a fee of \$10, which shall be paid by the salesperson or broker.
- (c)(1) Each applicant for an original salesperson's or broker's license shall pay a fee of \$60 for the cost of submission of the applicant's fingerprints to the Kansas bureau of investigation for the purpose of obtaining a criminal history check conducted by the Kansas bureau of investigation and the federal bureau of investigation and for the commission's reasonable costs of administering the criminal history check program.
- (2) Each licensee shall pay a fee of \$60, upon request of the commission, for the cost of submission of the licensee's fingerprints to the Kansas bureau of investigation for the purpose of obtaining a criminal history check conducted by the Kansas bureau of investigation and the federal bureau of investigation and for the commission's reasonable costs of administering the criminal history check program in connection with any investigation.
- (d)(1)(A) For each original salesperson's license, the applicant shall pay a prorated fee that is calculated by multiplying \$5.00 by the number of months that remain in the applicant's two-year license cycle.
- (B) For each original broker's license, the applicant shall pay a prorated fee that is calculated by multiplying \$7.00 by the number of months that remain in the applicant's two-year license cycle.
- (2) The number of months that remain in the applicant's two-year license cycle shall be determined beginning with the month following the date on which the applicant's application is received by the commission through the applicable expiration month, as specified in
- (e) Each entity seeking course approval pursuant to K.S.A. 58-3046a, and amendments thereto, shall submit the following applicable fee or fees to the commission:
- (1) For approval of a course of instruction submitted by a course provider pursuant to K.S.A. 58-3046a, and amendments thereto, a fee of \$50; and
- (2) for renewal of an approved course of instruction pursuant to K.S.A. 58-3046a, and amendments thereto, a fee of \$15.
- (f) Each licensee seeking approval of a course of instruction pursuant to K.S.A. 58-3046a(k), and amendments thereto, shall pay a fee of \$10 to the commission.

This regulation shall be effective on and after December 1, 2015. (Authorized by K.S.A. 2014 Supp. 58-3063, as amended by L. 2015, ch. 21, sec. 6; implementing K.S.A. 2014 Supp. 58-3039 and 58-3063, as amended by L. 2015, ch. 21, sec. 6; effective Jan. 1, 1966; amended, E-73-30, Sept. 28, 1973; amended Jan. 1, 1974; amended, E-74-50, Sept. 13, 1974; amended May 1, 1975; amended, E-81-18, July 16, 1980; amended May 1, 1981; amended May 1, 1982; amended May 1, 1983; amended, T-86-10, May 1, 1985; amended May 1, 1986; amended, T-87-32, Nov. 19, 1986; amended May 1, 1987; amended Sept. 26, 1988; amended July 31, 1991; amended Dec. 20, 1993; amended July 31, 1996; amended, T-86-10-1-97, Oct. 1, 1997; amended Oct. 24, 1997; amended March 13, 1998; amended, T-86-7-2-07, July 2, 2007; amended Nov. 16, 2007; amended Dec. 1, 2015.)

Erik Wisner Executive Director

Doc. No. 044019

#### State of Kansas

#### **Kansas Lottery**

**Temporary Administrative Regulations** 

#### **Article 2.—LOTTERY RETAILERS**

- **111-2-318.** Cosentino's Price Chopper grocery give-a-way. (a) The term of this promotion shall be from 12:00 a.m. October 1, 2015, through 11:59 p.m. on October 31, 2015.
- (b) During the term of this promotion with participating chain numbers 1436 and 1732 Cosentino's Price Chopper stores in Kansas, for every Hot Lotto single ticket purchase of \$3 or more, the player shall receive an entry for the "Grocery Give-A-Way" promotion drawing. Lottery terminals shall automatically dispense an entry form for each \$3 or more Hot Lotto single ticket purchase at participating Cosentino's Price Chopper Kansas lottery retailers during the term of this promotion. The qualifying Hot Lotto purchase may be for a single draw or for multiple draws.
- (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 Cosentino's Price Chopper locations. All drop boxes shall be collected by store managers and brought to the Cosentino's corporate office on the date of the drawing.
- (d) After the term of this promotion has ended on October 31, 2015, one winning entry and two alternate entries shall be drawn by the Kansas lottery pursuant to standard lottery drawing procedures for each of the participating Price Chopper grocery store locations. If the winning entry does not qualify under the terms of this promotion or the winner is not able to be contacted, the prize shall be awarded to an alternate winner accordingly.
- (e) The winner from each store location will win \$100 in groceries. The Kansas lottery will give each store a \$75 instant ticket credit. Cosentino's will pay the additional \$25 per store for the total \$100 prize. (Authorized by and implementing K.S.A. 2014 Supp. 74-8710; effective, T-111-10-8-15, Sept. 9, 2015.)

- **111-2-319. Method of entry.** (a) Entry into the "Grocery Give-A-Way" promotion shall be accomplished as follows.
- (1) During the term of this promotion, with every qualifying purchase of \$3 or more Hot Lotto 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 Cosentino's Price Chopper location no later than 11:59 p.m. on October 31, 2015.
- (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 Cosentino's corporate office during the week of November 9, 2015, at their monthly managers' meeting. One winner and two alternate entries per store shall be drawn by each Cosentino's store representative pursuant to standard Kansas lottery procedures.
- (6) Only 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) Eligible entrants in the promotion must be 18 years of age or older, and may not be an employee of any Cosentino's Price Chopper store in Kansas. (Authorized by and implementing K.S.A. 2014 Supp. 74-8710; effective, T-111-10-8-15, Sept. 9, 2015.)

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

- **111-4-3407.** "Pac-Man" instant ticket lottery game number 616. (a) The Kansas lottery may conduct an instant winner lottery game entitled "Pac-Man." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3407.
- (b) The "play and prize symbols" and "captions" for this game are as follows:

Play Symbols	Captions
$\uparrow$	
$\leftarrow$	
$\rightarrow$	
Symbol of a bunch of cherries↑	\$5
Symbol of a bunch of cherries ←	\$5
Symbol of a bunch of cherries $\rightarrow$	\$5
Symbol of an orange↑	\$25
Symbol of an orange ←	\$25
Symbol of an orange $\rightarrow$	\$25
Symbol of a strawberry↑	\$10
Symbol of a strawberry ←	\$10
Symbol of a strawberry $\rightarrow$	\$10
Symbol of a treasure chest	TRCHST

Prize Symbols	Cantions
Symbol of PAC-MAN	GAME OVER
Symbol of a lady bug	LDYBUG
Symbol of a horseshoe	HRSHOE
Symbol of a pot of gold	POTGLD
Symbol of a daisy	DAISY
Symbol of a crown	CROWN

Prize Symbols	Captions
FREE	TICKET
\$5.00	FIVE\$
$10^{.00}$	TEN\$
$15^{.00}$	FIFTEEN
$25^{.00}$	TWEN-FIV
$50^{.00}$	FIFTY
75.00	SVTYFIV
\$100	ONE-HUN
\$500	FIVE-HUN
\$1000	ONETHOU
\$5000	FIVTHOU
\$25000	25-THOU

- (c) For this game, a play/prize symbol shall appear in multiple play spots within the play areas.
- (d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 059.
- (e) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.
- (f) The "PAC-MAN" ticket features two separate play areas. In the maze area, a player will scratch the PAC-MAN symbol at "LIFE 1 START" to reveal an arrow. A player will scratch only the square in the direction indicated by the arrow (as shown on the LEGEND on the front of the ticket). A player will repeat the play action for "LIFE 2 START" and "LIFE 3 START." If the path revealed by following the arrows ends in the "FINISH" play area for "LIFE 1 START," "LIFE 2 START," or "LIFE 3 START," the player wins the prize shown in the "FIN-ISH" area. If the path revealed by following the arrows contains a GAME OVER "PACMAN" symbol, the path ends. If a player reveals a "CHERRY" "STRAWBERRY" or an "ORANGE" symbol in the path, the player keeps scratching in the direction of the arrow also found within that box. If, within all three revealed START paths (LIFE 1, LIFE 2, and LIFE 3), the player finds three identical symbols, the player wins the prize shown in the prize legend. A player can win up to four times in this play area.

In the "BONUS" play area, if a player reveals three identical symbols, the player wins the corresponding prize. A player can win up to one time in this play area.

- (g) Each ticket in this game may win up to five times.
- (h) 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 150,000 tickets, and the same odds as were contained in the initial ticket order.
- (i) The expected number and value of instant prizes in this game shall be as follows:

			Expected	Expected
			Number of	Value
	Bonus	Prize	Prizes in Game	in Game
Free Ticket		Free Ticket	\$40,000	\$0
\$5		\$5	28,000	140,000
\$5 w/cherry symbol		\$5	20,000	100,000

	\$5	\$5	20,000	100,000
\$10		\$10	10,480	104,800
	\$10	\$10	8,000	80,000
\$10 w/strawberry symbol		\$10	10,000	100,000
\$5 + \$5		\$10	10,000	100,000
\$15		\$15	6,000	90,000
	\$15	\$15	3,000	45,000
\$5 + \$5	\$5	\$15	4,000	60,000
\$5 + \$10		\$15	6,000	90,000
(\$5 x 2) + \$5 w/cherry				
symbol		\$15	8,000	120,000
\$25		\$25	1,000	25,000
	\$25	\$25	1,000	25,000
\$10 + \$15		\$25	2,000	50,000
\$25 w/orange symbol		\$25	5,000	125,000
(\$10 x 2) + \$5				
w/cherry symbol		\$25	3,000	75,000
\$50		\$50	400	20,000
\$25 w/orange symbol + \$25		\$50	600	30,000
\$25 + 5 + \$10	\$10	\$50	600	30,000
(\$15 x 2) + \$10 w/strawberr	y			
symbol + \$5	\$5	\$50	380	19,000
\$25 + \$15 + \$10				
w/strawberry symbol		\$50	600	30,000
\$75		\$75	150	11,250
\$25 w/orange symbol				
+ \$10 w/strawberry				
symbol + \$10 + \$5	\$25	\$75	400	30,000
(\$25 x 2) + \$25				
w/orange symbol		\$75	240	18,000
\$100		\$100	60	6,000
(\$25 x 2) + \$50		\$100	80	8,000
\$75 + (\$10 x 2) + \$5				
w/cherry symbol		\$100	100	10,000
\$500		\$500	56	28,000
\$1,000		\$1,000	10	10,000
(\$500 x 2)		\$1,000	10	10,000
\$5,000		\$5,000	6	30,000
\$25,000		\$25,000	4	100,000
TOTAL			189,176	\$1,820,050

- (j) The odds of winning a prize in this game are approximately one in 3.17. (Authorized by K.S.A. 2014 Supp. 74-8710; implementing K.S.A. 2014 Supp. 74-8710, and K.S.A. 74-8720, as amended by L. 2015, ch. 62 §23; effective, T-111-10-8-15, Sept. 9, 2015.)
- **111-4-3408.** "Double Bonus Crossword" instant ticket lottery game number 621. (a) The Kansas lottery may conduct an instant winner lottery game entitled "Double Bonus Crossword." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3408.
- (b) The "play symbols" for the "YOUR LETTERS," "BONUS LETTERS," "BONUS WORD," and the crossword puzzle grid in this game are as follows: A B C D E F G H I J K L M N O P Q R S T U V W X Y Z. There are no "play symbol captions" for the play symbols listed hereinabove.

The "prize symbols" and "prize symbol captions" for this game are as follows:

Prize Symbols	Captions
\$5.00	FIVE\$
$10^{.00}$	TEN\$
25.00	TWEN-FIV
50.00	FIFTY

(c) For this game, a play symbol shall appear in each of 18 play spots within the "YOUR LETTERS" play area, in each of two play spots within the "BONUS" play area, in each of the five play spots within the "BONUS WORD," and a variable number of times within the crossword puzzle grid.

- (d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.
- (e) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.
- (f) "Double Bonus Crossword" consists of four play areas. In the upper part of the ticket there is a crossword puzzle grid that contains 11 spaces (height) by 11 spaces (width) covered by transparent latex. In the "YOUR LET-TERS" play area, located in the lower part of the ticket, there are 18 letters located under opaque latex. To the right of the "YOUR LETTERS" play area is the "BONUS" play area in which there are two letters covered by opaque latex. Imaged around each of the 18 "YOUR LET-TERS" and two "BONUS" letters there will be a foursided box composed of solid lines. In the "BONUS WORD" play area, located below the "YOUR LETTERS," there is a "BONUS WORD" with a prize box. Imaged around each of the five letters in the "BONUS WORD" there will be a four-sided box composed of solid lines. A player will remove the latex from the "YOUR LETTERS" and "BONUS" play areas one letter at a time, and then for each matching letter in the crossword puzzle grid and the "BONUS WORD" play area scratch off the transparent latex. Each letter revealed in the "YOUR LETTERS" and "BONUS" play areas may be used an unlimited number of times in the crossword puzzle grid. If a player reveals at least three complete words in the crossword puzzle grid, the player wins the corresponding prize in the prize legend. The prize legend on the front of the ticket indicates prizes won for number of words revealed. If a player reveals all letters in the "BONUS WORD," the player wins the prize shown in the prize box.
- (g) To qualify as a complete word to win a prize in this game, the words revealed must meet the following requirements:
  - (1) must contain at least three letters;
- (2) cannot be formed diagonally, run right to left or from bottom to top;
- (3) must appear in an unbroken horizontal or vertical string of letters in the "crossword" puzzle;
- (4) an unbroken string of letters cannot be interrupted by a black space and must contain every single letter square between two black spaces;
- (5) every single letter in the unbroken string must be revealed in "YOUR LETTERS," or "BONUS" areas and be included to form a word; and
- (6) the three small letters outside the squares in the "YOUR LETTERS" area are for validation purposes and cannot be used to play "Bonus Crossword."
  - (h) Each ticket in this game may win up to two times.
- (i) Approximately 7,680,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.
- (j) The expected number and value of instant prizes in this game shall be as follows:

Match	Bonus Word	Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE		Free Ticket	1,280,000	\$0
\$5		\$5	332,800	1,664,000

	\$5	\$5	15,360	76,800
\$10		\$10	176,640	1,766,400
	\$10	\$10	8,704	87,040
\$10	\$5	\$15	6,144	92,160
\$20		\$20	58,880	1,177,600
\$10	\$10	\$20	5,120	102,400
	\$25	\$25	2,560	64,000
	\$50	\$50	1,280	64,000
\$100		\$100	7,680	768,000
\$500		\$500	1,088	544,000
\$2,000		\$2,000	256	512,000
\$20,000		\$20,000	32	640,000
TOTAL			1,896,544	\$7,558,400

- (k) The odds of winning a prize in this game are approximately one in 4.05. (Authorized by K.S.A. 2014 Supp. 74-8710; implementing K.S.A. 2014 Supp. 74-8710, and K.S.A. 74-8720, as amended by L. 2015, ch. 62 §23; effective, T-111-10-8-15, Sept. 9, 2015.)
- **111-4-3409.** "Bingo" instant ticket lottery game number 701. (a) The Kansas lottery may conduct an instant winner lottery game entitled "Bingo." The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3409.
- (b) The "play symbols" and "captions" (if applicable) for this game are as follows:

#### Little Numbers in the Bingo Cards under Latex:

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

## Larger Numbers and Word in the Bingo Cards over Latex:

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

## Larger Numbers and Word in the Bingo Cards under Latex:

B01	I16	N31	G46	O61
B02	I17	N32	G47	O62
B03	I18	N33	G48	O63
B04	I19	N34	G49	O64
B05	I20	N35	G50	O65
B06	I21	N36	G51	O66
B07	I22	N37	G52	O67
B08	I23	N38	G53	O68
B09	I24	N39	G54	O69
B10	I25	N40	G55	O70
B11	I26	N41	G56	O71
B12	I27	N42	G57	O72
B13	I28	N43	G58	O73
B14	I29	N44	G59	O74
B15	I30	N45	G60	O75

END	FREE			
"START	" Number	s under La	atex:	
B1	I16	N31	G46	O61
B2	I17	N32	G47	O62
В3	I18	N33	G48	O63
B4	I19	N34	G49	O64
B5	I20	N35	G50	O65
B6	I21	N36	G51	O66
B7	I22	N37	G52	O67
B8	I23	N38	G53	O68
B9	I24	N39	G54	O69
B10	I25	N40	G55	O70
B11	I26	N41	G56	O71
B12	I27	N42	G57	O72
B13	I28	N43	G58	O73
B14	I29	N44	G59	O74
B15	I30	N45	G60	O75

#### **Multipliers:**

Symbol	Caption
1X	ONEX
2X	TWOX
3X	THRX

- (c) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.
- (d) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.
- (e) In the "Bingo" ticket, there are five ways to win. The game consists of two scenes with each ticket featuring 27 different play symbols underneath the scratch-off coating area on the front side of the ticket. The player will scratch the "START" play area to reveal one Bingo number play symbol. The player will then scratch the corresponding number on the "CARD" to reveal the next number play symbol. The player will continue to play until the player reveals the "END" play symbol. If the player matches all five numbers or all four numbers plus the "FREE" play symbol in a complete horizontal, vertical, or diagonal line, the player wins the prize shown in the box printed to the left of the "CARD." If the player matches one number in each of the four corners, the player wins the prize shown in the box printed to the left of the "CARD." If the player matches all eight numbers in the highlighted diamond pattern, the player wins the prize shown in the box printed to the left of the "CARD." If the player completes a postage stamp pattern (matching all four numbers in one of the four corners on the ticket), the player wins the prize shown in the box printed to the left of the "CARD." If the player completes an "X" pattern in two diagonal lines extending from each corner of the "CARD" (matching all eight numbers and the "FREE" spot), the player wins the prize shown in the box printed to the left of the "CARD." The player will then scratch the "MULTIPLIER" spot to reveal one play symbol. The player will multiply his or her total winnings on the ticket by the number revealed in the "MULTIPLIER"
  - (f) Each ticket in this game may win up to one time.
- (g) Approximately 2,400,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes

per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

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

		Expected	Expected
		Number of	Value
	Prizes	Prizes in Game	in Game
Line w/1X	\$1	320,000	\$320,000
Line w/2X	\$2	88,000	176,000
Line w/3X	\$3	32,000	96,000
Postage Stamp w/1X	\$5	24,000	120,000
Postage Stamp w/2X	\$10	16,000	160,000
Postage Stamp w/3X	\$15	8,000	120,000
4 Corners w/1X	\$25	8,000	200,000
4 Corners w/2X	\$50	3,300	165,000
Diamond w/1X	\$250	400	100,000
Diamond w/2X	\$500	20	10,000
X w/1X	\$500	20	10,000
X w/2X	\$1,000	10	10,000
TOTAL		<u>499,750</u>	\$1,487,000

(j) The odds of winning a prize in this game are approximately one in 4.80. (Authorized by K.S.A. 2014 Supp. 74-8710; implementing K.S.A. 2014 Supp. 74-8710, and K.S.A. 74-8720, as amended by L. 2015, ch. 62 §23; effective, T-111-10-8-15, Sept. 9, 2015.)

## Article 5.—MULTI-STATE ONLINE GAMES AND DRAWINGS

**111-5-23. Definitions.** The following definitions shall apply to the "Powerball" game:

(a) "Advertised grand prize" shall mean the estimated annuitized grand prize amount as determined by the MUSL central office by use of the MUSL annuity factor and communicated through the selling lotteries prior to the grand prize drawing. The "advertised grand prize" is not a guaranteed prize amount and the actual grand prize amount may vary from the advertised amount, except in circumstances where there is a guaranteed grand prize amount as described in these rules.

(b) "Computer pick" means the random selection of indicia by the computer, which appear on a ticket and are played by a player in the game.

(c) "Drawing" refers collectively to the formal draw event for randomly selecting the winning indicia which determine the number of winners for each prize level of the Powerball game and the Power Play multiplier. Winning indicia include the winning numbers for the Powerball game, and the Power Play multiplier.

(d) "Game board" or "boards" means that area of the play slip which contains sets of numbered circles to be marked by the player.

- (e) "Game ticket" or "ticket" means an acceptable evidence of play, which is a ticket produced in a manner that meets the specifications defined in these rules and is a physical representation of the play or plays sold to the player.
- (f) "Grand prize" refers to the top prize in the Powerball game.
- (g) "Licensee lottery" shall mean a state lottery or lottery of a governmental unit, political subdivision, or en-

tity thereof that is not a party lottery but has agreed to comply with all applicable MUSL and product group requirements and has been authorized by the MUSL and by the Powerball product group to sell the Powerball game.

- (h) "MUSL" means the Multi-State Lottery Association, a government-benefit association wholly owned and operated by the party lotteries.
- (i) "MUSL annuity factor" shall mean the annuity factor as determined by the MUSL central office through a method approved by the MUSL finance and audit committee and which is used as described in these rules.
- (j) "MUSL board" means the governing body of the MUSL which is comprised of the chief executive officer of each party lottery.
- (k) "Online lottery game" means a lottery game connected by telephone lines, satellite or other similar communication methodology, owned or controlled by the lottery, to a central computer in which each player selects numbers out of a larger predetermined set or sets of numbers.
- (l) "Party Lottery" or "Member Lottery" means a state lottery or lottery of a political subdivision or entity which has joined the MUSL and, in the context of these Powerball product group rules, that is authorized to sell the Powerball Game. Unless otherwise indicated, "party lottery" or "member lottery" does not include "licensee lotteries."
- (m) "Play" or "bet" means the six numbers, the first five from a field of sixty-nine (69) numbers and the last one from a field of twenty-six (26) numbers, that appear on a ticket as a single lettered selection and are to be played by a player in the Powerball game.
- (n) "Play slip" or "bet slip" means a card used in marking a player's game plays and containing one or more boards.
- (o) "Power play" or "multiplier option" means the "Powerball" game option whereby a player may elect to pay an additional \$1 per play at the time of ticket purchase which will have the effect of multiplying any prize won on the play, except the grand prize.
- (p) "Product group" means the group of lotteries which has joined together to offer a product pursuant to the terms of the multi-state lottery agreement and the product group's own rules.
- (q) "Retailer" or "agent" means a person or entity authorized by the Kansas lottery to sell lottery plays.
- (r) "Selling lottery" means a lottery authorized by the product group to sell Powerball plays, including party lotteries and licensee lotteries.
- (s) "Set Prize," also referred to as "low-tier" prize, means all other prizes except the grand prize and, except in rare instances, outlined in these rules, will be equal to the prize amount established by the MUSL Board for the prize level.
- (t) "Terminal" means a device authorized by a party lottery to function in an online, interactive mode with the gaming computer system for the purpose of issuing lottery tickets and entering, receiving and processing lottery transactions, including purchases, validating tickets and transmitting reports.

- (u) "Validation" or "validate" means the process of determining whether a ticket presented for a prize is a winning ticket.
- (v) "Winning numbers" means the indicia randomly selected during a drawing event which shall be used to determine winning plays for the Powerball game contained on a game ticket.
- (w) These amendments shall take effect October 4, 2015. (Authorized by and implementing K.S.A. 2014 Supp. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-6-27-96, June 21, 1996; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-3-14-01, Feb. 16, 2001; amended, T-111-10-15-02, Sept. 13, 2002; amended, T-111-7-29-05, July 15, 2005; amended, T-111-2-20-09, Dec. 11, 2008; amended, T-111-2-9-12, Dec. 14, 2011; amended, T-111-4-4-14, Dec. 11, 2013; amended, T-111-10-8-15, Sept. 9, 2015.)

# 111-5-24. Game description; retail sale of tickets. (a) "Powerball" is a five (5) out of sixty-nine (69) plus one (1) out of twenty-six (26) numbers lottery game, drawn every Wednesday and Saturday as part of the Powerball drawing event, which pays the grand prize, at the election of the player made in accordance with the rules or by a default election made in accordance with these rules, either on an annuitized pari-mutuel basis, or as a single lump sum payment of the total funding held in the grand prize pool for the winning drawing on a pari-mutuel basis. Except as provided in these rules, all other prizes are paid on a single payment basis. Powerball winning numbers applicable to determine Powerball prizes will be determined in the Powerball drawing event. The drawing procedures shall include procedures for randomly select-

To play "Powerball" a player shall select (or computer pick) five different numbers from one (1) through sixtynine (69) and one additional number from one (1) through twenty-six (26) for input into a terminal. The additional number may be the same as one of the first five numbers selected by the player.

ing the Powerball game winning numbers and the Power

Play multiplier.

- (b) A "Powerball" play shall sell for two dollars.
- (c) Plays shall not be sold to any person under the age of 18 years. Each retailer may require a person purchasing plays to produce proof of age.
- (d) Each play shall be purchased from a terminal operated by a retailer. The player may select a set of five numbers and one additional number by:
  - (1) communicating the six numbers to the retailer;
- (2) marking six numbered circles in any one game board on a play slip and submitting the play slip to the retailer; or
- (3) requesting a "computer pick" or "quick pick" from the retailer. A player may choose the multiplier option by marking the appropriate box on the play slip or by communicating to the retailer the desire to play the multiplier option. If the multiplier option is chosen, it shall apply to all boards played on that play slip. For each board upon which the multiplier option is chosen, the player shall pay one additional dollar.

The retailer shall then issue a ticket from the terminal containing the selected set or sets of numbers, each of which constitutes a game play, and if applicable, whether or not the multiplier option has been chosen for all plays on that play slip.

- (e) A validated ticket shall be the only proof of a game play or plays. The only method of claiming a prize or prizes shall be the submission of the winning ticket to and receipt of the ticket by the lottery or its authorized agent. A play slip shall have no pecuniary or prize value and shall not be used as evidence of a play purchase or of numbers selected.
- (f) A play may not be voided or cancelled by returning the ticket to the selling retailer, including tickets that are printed in error. The Kansas lottery has an approved method (defined in K.A.R. 111-2-4) of compensating retailers for plays that are not transferred to a player for reasons acceptable to the Kansas lottery. No play that is eligible for a prize can be returned to the Kansas lottery for credit. Plays accepted by retailers as returned plays and that cannot be re-sold shall be deemed owned by the bearer thereof unless the ticket has been signed.
- (g) Ticket sales will end at approximately 8:59 p.m. central time (CT) on Wednesdays and Saturdays and will resume at approximately 9:05 p.m. central time (CT).
- (h) Drawings will be conducted twice weekly, on Wednesdays and Saturdays at approximately 9:58 p.m. central time (CT), after the game is closed at approximately 8:59 p.m. central time (CT) and the draw official has verified that the game is closed, under conditions and procedures promulgated by the executive director of the lottery.
- (i) Each player shall be responsible for verifying the accuracy of the game play or plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the online retailer who is deemed to be acting on behalf of the player in entering the play or plays.
- (j) These amendments shall take effect October 4, 2015. (Authorized by K.S.A. 2014 Supp. 74-8710; implementing K.S.A. 2014 Supp. 74-8710 and K.S.A. 74-8718; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-5-21-92, May 15, 1992; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-1-21-99, Jan. 15, 1999; amended, T-111-3-14-01, Feb. 16, 2001; amended, T-111-10-15-02, Sept. 13, 2002; amended, T-111-7-29-05, July 15, 2005; amended, T-111-2-20-09, Dec. 11, 2008; amended, T-111-2-9-12, Dec. 14, 2011; amended, T-111-10-8-15, Sept. 9, 2015.)
- **111-5-25. Prize pool; prize pool account, and prize reserve account.** (a) The prize pool for all prize categories shall consist of 50.0% of each drawing period's sales, inclusive of tax, after the prize pool accounts and prize reserve accounts are funded to the amounts set by the product group. Any amount remaining in the prize pool at the end of this game shall be returned to all lotteries participating in the prize pool after the end of all claim periods of all selling lotteries, carried forward to a replacement game, or expended in a manner as directed by the members of the product group.
- (b) Up to five percent (5%) of sales shall be deducted from a party lottery's grand prize pool contribution and placed in trust in one or more Powerball prize pool ac-

counts and prize reserve accounts held by the product group at any time that the prize pool accounts and the party lottery's share of the prize reserve account(s) is below the amounts designated by the product group.

The product group has established the following prize reserve accounts for the Powerball game: The prize reserve account, which is used to guarantee the payment of valid, but unanticipated, grand prize claims that may result from a system error or other reason, and the set prize reserve account, which is used to fund deficiencies in low-tier payments (subject to limitations of these rules).

The product group has established the following prize pool accounts for the Powerball game: the grand prize pool, which is used to fund the immediate grand prize; the Powerball set prize pool, which is used to fund the Powerball set prize payments; and the Powerball setaside account, which is used to guarantee payment of the minimum or starting grand prize. The Power Play prize pool and Power Play pool account are described in these rules. The set prize pool holds the temporary balances that may result from having fewer than expected winners in the Powerball set prize (aka low-tier prize) categories and the source of the prize pool is the party lottery's weekly prize contributions less actual Powerball set prize liability. The source of the set-aside account funding shall be the prize reserve deduction until such time as the setaside account is fully funded.

When the Powerball prize pool accounts and the party lottery's share of the Powerball prize reserve accounts exceed the designated amounts, the excess shall become part of the grand prize pool. The product group, with approval of the MUSL finance and audit committee, may establish a maximum balance for the Powerball prize pool accounts and prize reserve account(s).

The product group may determine to expend all or a portion of the funds in the Powerball prize pool accounts (except the grand prize pool account) and the prize reserve account(s) for the purpose of indemnifying the party lotteries and licensee lotteries in the payment of prizes to be made by the selling lotteries, subject to the approval of the MUSL board, and for the payment of prizes or special prizes in the game, subject to the approval of the MUSL finance and audit committee. The prize reserve shares of a party lottery may be adjusted with refunds to the party lottery from the prize reserve account(s) as may be needed to maintain the approved maximum balance and shares of the party lotteries.

A party lottery may contribute to its share of prize reserve accounts over time, but in the event of a draw down from the reserve account, a party lottery is responsible for its full percentage share of the account, whether or not it has been paid in full.

Any amount remaining in the Powerball prize reserve accounts or the prize pool account(s) at the end of this game shall be returned to all lotteries participating in the accounts after the end of all claim periods of all selling lotteries, carried forward to a replacement prize reserve account or prize pool account or expended in a manner as directed by the members of the product group in accordance with state law.

(c) These amendments shall take effect October 4, 2015. (Authorized by K.S.A. 2014 Supp. 74-8710; implementing K.S.A. 2014 Supp. 74-8710 and K.S.A. 74-8731; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-6-27-96, June 21, 1996; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-7-29-05, July 15, 2005; amended, T-111-2-20-09, Dec. 11, 2008; amended, T-111-2-9-12, Dec. 14, 2011; amended, T-111-4-4-14, Dec. 11, 2013; amended, T-111-10-8-15, Sept. 9, 2015.)

**111-5-26.** Expected prize payout pari-mutuel prizes. (a) The grand prize payout shall be determined on a pari-mutuel basis. Except as provided in these rules, all other prizes awarded shall be paid as set cash prizes with the following expected approximate prize payout percentages:

1 0		
Number of Matches Per Play	Prize Payment	Prize Pool Percentage Allocated to Prize
All five (5) of first set plus one (1) of second set	Grand Prize	68.0131%
All five (5) of first set and none of second set	\$1,000,000	8.5558%
Any four (4) of first set plus one (1) of second set	\$50,000	5.4757%
Any four (4) of first set and none of second set	\$100	0.2738%
Any three (3) of first set plus one (1) of second set	\$100	0.6899%
Any three (3) of first set and none of second set	\$7	1.2074%
Any two (2) of first set plus one (1) of second set	\$7	0.9981%
Any one (1) of first set and one (1) of second set	\$4	4.3489%
None of first set plus one (1) of second set	\$4	10.4373%

(b) The prize money allocated to the grand prize category shall be divided equally by the number of plays winning the grand prize.

(c) The Powerball set prize pool (for single payment prizes of \$1,000,000 or less) shall be carried forward to subsequent drawings if all or a portion of it is not needed to pay the Powerball set prizes awarded in the current drawing. If the total of the Powerball set prizes (as multiplied by the respective Power Play multiplier, if applicable) awarded in a drawing exceeds the percentage of the prize pool allocated to the Powerball set prizes, then the amount needed to fund the Powerball set prizes, including Power Play prizes, awarded shall be drawn from the following sources, in the following order: (1) the amount allocated to the Powerball set prizes and carried forward from previous drawings, if any; (2) an amount from the set prize reserve account, if available, not to exceed forty million dollars (\$40,000,000) per drawing, and (3) other amounts as agreed to by the product group in their sole discretion. If, after these sources are depleted, there are not sufficient funds to pay the set prizes awarded, including Power Play prizes, then the highest set prize shall become a pari-mutuel prize. If the amount of the highest set prize, when paid on a pari-mutuel basis, drops to or below the next highest set prize and there are still not sufficient funds to pay the remaining set prizes awarded, then the next highest set prize, including Power

Play prizes, shall become a pari-mutuel prize. This procedure shall continue down through all set prize levels, if necessary, until all set prize levels become pari-mutuel prize levels. In that instance, the money available from the funding sources listed in these rules shall be divided among the winning plays in proportion to their respective price percentages. Powerball set prizes and the Power Play prizes will be reduced by the same percentage. By agreement with the licensee lotteries, the licensee lotteries shall independently calculate their set pari-mutuel prize amounts. The party lotteries and the licensee lotteries shall then agree to set the pari-mutuel prize amounts for all lotteries selling the game at the lesser of the independently-calculated prize amounts.

(d) These amendments shall take effect October 4, 2015. (Authorized by and implementing K.S.A. 2014 Supp. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-10-15-02, Sept. 13, 2002; amended, T-111-7-29-05, July 15, 2005; amended, T-111-2-20-09, Dec. 11, 2008; amended, T-111-2-9-12, Dec. 14, 2011; amended T-111-4-4-14, Dec. 11, 2013; amended, T-111-10-8-15, Sept. 9, 2015.)

**111-5-27. Probability of winning.** (a) The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category based upon the total number of possible combinations in Powerball:

#### Probability Distribution

Number of Matches Per Ticket	Winners	Probability	Probable/Set Prize Amount
All five (5) of first set plus one (1) of second set	1	1:292,201,338.000	Grand Prize
All five (5) of first set and none of second set	25	1:11,688,053.5200	\$1,000,000
Any four (4) of first set plus one (1) of second set	320	1:913,129.1813	\$50,000
Any four (4) of first set and none of second set	8,000	1:36,525.1673	\$100
Any three (3) of first set plus one (1) of second set	20,160	1:14,494.1140	\$100
Any three (3) of first set and none of second set	504,000	1:579.7646	\$7
Any two (2) of first set plus one (1) of second set	416,640	1:701.3281	\$7
Any one (1) of first set plus one (1) of second set	3,176,880	1:91.9775	\$4
None of first set plus one (1) of second set	7,624,521	1:38.3239	\$4
Overall	11,750,538	1:24.8671	

(b) These amendments shall take effect October 4, 2015. (Authorized by and implementing K.S.A. 2014 Supp. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-3-14-01, Feb. 16, 2001; amended, T-111-10-15-02, Sept. 13, 2002; amended, T-111-7-29-05, July 15, 2005; amended, T-111-2-20-09, Dec. 11, 2008; amended, T-111-2-9-12, Dec. 14, 2011; amended, T-111-10-8-15, Sept. 9, 2015.)

**111-5-28.** Prize payments; annuitized and cash prizes. (a) Grand prizes shall be paid, at the election of the player made no later than 60 days after the player becomes entitled to a prize with either a per winner annuity or cash payment. If the payment election is not made at the time of purchase and is not made by the player within 60 days after the player becomes entitled

to the prize, then the prize shall be paid as an annuity prize. An election for an annuity payment made by a player before ticket purchase or by system default or design may be changed to a cash payment at the election of the player until the expiration of 60 days after the player becomes entitled to the prize. The election to take the cash payment may be made at the time of the prize claim or within 60 days after the player becomes entitled to the prize. An election made after the winner becomes entitled to the prize is final and cannot be revoked, withdrawn or otherwise changed. Shares of the grand prize shall be determined by dividing the cash available in the grand prize pool equally among all winning plays of the grand prize. Winner(s) who elected a cash payment shall be paid their share(s) in a single cash payment. The annuitized option prize shall be determined by multiplying a winner's share of the grand prize pool by the MUSL annuity factor. The MUSL annuity factor is determined through a process as approved by the MUSL finance and audit committee. Neither MUSL nor the party lotteries shall be responsible or liable for changes in the advertised or estimated annuity prize amount and the actual amount purchased after the prize payment method is actually known to MUSL. In certain instances announced by the product group, the grand prize shall be a guaranteed amount and shall be determined pursuant to subsection (f) of K.A.R. 111-5-28. If individual shares of the cash held to fund an annuity are less than \$250,000, the product group, in its sole discretion, may elect to pay the winners their share of the cash held in the grand prize pool of the annuity. All annuitized prizes shall be paid annually in 30 equal payments with the initial payment being made in cash, to be followed by 29 payments funded by the annuity. All annuitized prizes shall be paid annually in thirty (30) graduated payments (increasing each year) by a rate as determined by the product group. Prize payments may be rounded down to the nearest one-thousand dollars (\$1,000). Annual payments after the initial payment shall be made by the lottery on the anniversary date, or if such date falls on a non-business day, then on the first business day following the anniversary date of the selection of the grand prize winning numbers. Funds for the initial payment of an annuitized prize shall be made available by MUSL for payment by a party lottery by the fifteenth calendar day following the drawing or the next banking day if the fifteenth day is a non-business day. If necessary, when the due date for the payment of a prize occurs before the receipt of funds in the prize pool trust sufficient to pay the prize, the transfer of funds for the payment of the full lump sum cash option amount may be delayed pending receipt of funds from the selling lotteries. A state may elect to make the initial payment from its own funds after validation, with notice to MUSL. If a party lottery purchases or hold the prize payment annuity for a prize won in that jurisdiction, that party lottery's game rules, and any prize payment agreement with the prize winner, shall indicate that the prize winner has no recourse on the MUSL or any other party lottery for payment of that prize.

(b) In the event of the death of a lottery winner during the annuity payment period, the MUSL finance and audit committee, in its sole discretion excepting a discretionary review by the product group, upon the petition of the estate of the lottery winner (the "estate") to the lottery and subject to federal, state, or applicable laws, may accelerate the payment of all of the remaining lottery proceeds to the estate. If such a determination is made, then securities and/or cash held to fund the deceased lottery winner's annuitized prize may be distributed to the estate. The identification of the securities to fund the annuitized prize shall be at the sole discretion of the product group.

(c) All prizes (whether described as "cash" payment prizes or otherwise) shall be paid through the selling lottery which sold the winning play(s) and at the discretion of the selling lottery that sold the winning play(s) may be paid by cash, check, warrant, or electronic transfer. A selling lottery may begin paying low-tier cash prizes after receiving authorization to pay from the MUSL central office. If a selling lottery, due to jurisdictional law requirements, separately determines its low-tier prize amounts, it shall be solely responsible for its low-tier prize liability, and may begin paying low-tier prizes after a drawing when it determines appropriate to do so.

(d) Annuitized payments of the grand prize or a share of the grand prize may be rounded to facilitate the purchase of an appropriate funding mechanism. Breakage on an annuitized grand prize win shall be added to the first cash payment to the winner or winners. Prizes other than the grand prize, which, under these rules, may become single-payment, pari-mutuel prizes, may be rounded down so that prizes can be paid in multiples of whole dollars. Breakage resulting from rounding these prizes shall be carried forward to the prize pool for the next drawing.

(e) If the grand prize is not won in a drawing, the prize money allocated for the grand prize shall roll over and be added to the grand prize pool for the following drawing.

(f) The product group may offer guaranteed minimum grand prize amounts or minimum increases in the grand prize amount between drawings or make other changes in the allocation of prize money where the product group finds that it would be in the best interest of the game. If a minimum grand prize amount or a minimum increase in the grand prize amount between drawings is offered by the product group, then the grand prize shares shall be determined as follows. If there are multiple grand prize winners during a single drawing, each selecting the annuitized option prize, then a winner's share of the guaranteed annuitized grand prize shall be determined by dividing the guaranteed annuitized grand prize by the number of winning plays. If there are multiple grand prize winners during a single drawing and at least one of the grand prize winners has elected the annuitized option prize, then the best bid submitted by MUSL's preapproved qualified brokers shall determine the cash pool needed to fund the guaranteed annuitized grand prize. If no winner of the grand prize during a single drawing has elected the annuitized option prize, then the amount of cash in the grand prize pool shall be an amount equal to the guaranteed annuitized amount divided by the MUSL annuity factor. Changes in the allocation of prize money

shall be designed to retain approximately the same prize allocation percentages, over a year's time, set out in these rules. Minimum guaranteed prizes or increases may be waived if the alternate funding mechanism set out in K.A.R. 111-5-26 becomes necessary. Approval of the product group is required to change the guaranteed minimum grand prize amounts or minimum increases in the grand prize amount. Any reduction in the guaranteed minimum grand prize amount or reduction in the minimum increases to the grand prize amount shall not become effective until after a grand prize win following the action taken by the product group.

- (g) The holder of a winning play may win only one prize per play in connection with the winning numbers drawn, and shall be entitled only to the prize won by those numbers in the highest matching prize category.
- (h) All prizes must be claimed within 365 days of the day of the drawing in which the prize was won.
- (i) These amendments shall take effect October 4, 2015. (Authorized by K.S.A. 2014 Supp. 74-8710; implementing 2014 Supp. K.S.A. 74-8710 and K.S.A. 74-8731; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-3-24-92, March 20, 1992; amended, T-111-2-23-93, Feb. 19, 1993; amended, T-111-6-27-96, June 21, 1996; amended, T-111-10-27-97; Sept. 12, 1997; amended, T-111-1-21-99, Jan. 15, 1999; amended, T-111-8-20-02, Aug. 14, 2002; amended, T-111-10-15-02, Sept. 13, 2002; amended, T-111-7-29-05, July 15, 2005; amended, T-111-2-0-09, Dec. 11, 2008; amended, T-111-2-9-12, Dec. 14, 2011; amended, T-111-4-4-14, Dec. 11, 2013; amended, T-111-10-8-15, Sept. 9, 2015.)
- valid play and eligible to receive a prize, a ticket upon which the play appears shall satisfy all the requirements established by the Kansas lottery and MUSL (in accordance with K.S.A. 74-8731) for validation of winning plays sold through its online gaming system. The MUSL and the Kansas lottery shall not be responsible for tickets which are altered in any manner. (Authorized by and implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-6-27-96, June 21, 1996; amended, T-111-10-8-15, Sept. 9, 2015.)
- **111-5-31.** Ticket responsibility. (a) Prize claim procedures shall be governed by the rules of the Kansas lottery. The MUSL and the Kansas lottery shall not be responsible for prizes that are not claimed following the proper procedures as determined by the Kansas lottery.
- (b) Until such time as a signature, mark or name is placed on the back of a ticket in the area designated for a signature, mark or name, a ticket shall be owned by the holder of the ticket. When a signature, mark or name is placed on a ticket in the place designated, the person whose signature, mark or name appears in that area shall be the owner of the ticket and shall be entitled to any prize attributable thereto.
- (c) If the signature of more than one person appears on the back of the ticket in the designated place, the lottery shall make payment to the person presenting the ticket whose signature appears on both the ticket and the winner claim form. If all persons whose signatures appear in the appropriate space cannot identify one person to whom payment should be made, the lottery shall keep

- the prize until a determination of entitlement is made by the parties. In no event shall more than one person be entitled to a particular prize.
- (d) It shall be the sole responsibility of the player to verify the accuracy of the game play or plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the online agent who is acting on behalf of the player in entering the play or plays.
- (e) The product group, the MUSL and Kansas lottery shall not be responsible for lost, damaged, destroyed, misprinted, or stolen tickets, or tickets printed based on faulty information. (Authorized by K.S.A. 2015 Supp. 74-8710; implementing K.S.A. 2015 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-4-2-99, March 19, 1999; amended, T-111-2-9-12, Dec. 14, 2011; amended, T-111-4-4-14, Dec. 11, 2013; amended, T-111-10-8-15, Sept. 9, 2015.)
- **111-5-33. Multi-Draw.** (a) In addition to a single play for each \$2.00, a player may also have his or her selections entered in multiple drawings. Multi-draw tickets must be purchased for consecutive drawings beginning with the next drawing. This is done by marking one of the multi-draw boxes designated by 2, 3, 4, 5, 10, or 15 on the play slip. The additional draw period(s) for which the ticket is valid will then appear on the computer generated ticket given to the player by the retailer.
- (b) A player must pay an additional \$2.00 per play for each additional drawing in which he or she wishes to play
- (c) Unless one of the multi-draw boxes is marked and the additional amount paid, the play will only be eligible for the current drawing up to 8:59 p.m. the day of the drawing.
- (d) A player may purchase only the same numbers on the same boards for multiple drawings.
- (e) Multi-draw tickets for Powerball drawings conducted after the October 7, 2015, business day shall not be available for purchase prior to the business day beginning October 4, 2015.
- (f) A business day for the purposes of this game shall be defined at subsection (p) of K.A.R. 111-6-1.
- (g) These amendments shall take effect October 4, 2015. (Authorized by and implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-8-11-97, July 18, 1997; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-10-15-02, Sept. 13, 2002; amended, T-111-2-20-09, Dec. 11, 2008; amended, T-111-2-9-12, Nov. 16, 2011; amended, T-111-10-8-15, Sept. 9, 2015.)
- **111-5-200.** Powerball Power Play promotion. (a) The Kansas Lottery shall offer players the opportunity to participate in the Powerball Power Play promotion, with changes effective in these rules beginning October 4, 2015. The Power Play promotion shall offer a Powerball player a chance to increase the amount of any of the eight lump sum set prizes (the lump sum prizes normally paying \$4 to \$1,000,000) won in a drawing held during the promotion. The grand prize jackpot is not a set prize and will not be increased.

- (b) A qualifying play is any single Powerball play for which the player pays an extra one dollar for the Power Play option play and which is recorded in the Kansas Lottery's central computer as a qualifying play.
- (c) Except as provided in these rules, a qualifying play which wins one of the seven lowest lump sum set prizes (excluding the match 5+0 prize) will be multiplied by the number selected, either two, three, four, five, or sometimes 10 (2, 3, 4, 5, or sometimes 10), in a separate random Power Play drawing announced during the official Powerball drawing show. The ten (10X) multiplier will be available for drawings in which the initially advertised annuitized grand prize amount is one hundred fifty million dollars (\$150,000,000.000) or less. Each announced match 5+0 prize, for players selecting the Power Play option, shall be \$2,000,000 (two million dollars) unless a higher limited promotional dollar amount is announced by the group.
- (d) The multi-state lottery association will conduct a separate random Power Play drawing and announce results during each of the regular Powerball drawings held during the promotion. During each Powerball drawing, a single number (2, 3, 4, 5, and sometimes 10) shall be drawn. The ten (10X) multiplier shall be available for all drawings in which the advertised grand prize amount is one hundred fifty million dollars (\$150,000,000.00) or less. The Powerball group may modify the multiplier features for special promotions from time to time.
- (e) In drawings where the 10 (10X) multiplier is available, the expected payout for all prize categories shall consist of up to forty-nine and nine hundred sixty-nine thousandths percent (49.969%) of each drawing period's sales, including any specific statutorily mandated tax of a selling lottery to be included in the price of a lottery ticket. In drawings where the "ten (10)" multiplier is not available, the expected payout for all prize categories shall consist of up to forty-five and nine hundred thirtyfour thousandths percent (45.934%) of each drawing period's sales, including any specific statutorily mandated tax of a selling lottery to be included in the price of a lottery ticket. The prize payout percentage per draw may vary. The Power Play prize pool shall be carried forward to subsequent draws if all or a portion of it is not needed to pay the Power Play prizes awarded in the current draw and held in the Power Play pool account.
- (f) In drawings where the "ten (10)" multiplier is available, an additional thirty-one thousandths percent (0.031%) of sales, including any specific statutorily mandated tax of a selling lottery to be included in the price of a lottery ticket, may be collected and placed in trust in the Power Play pool account, for the purpose of paying Power Play prizes. In drawings where the "ten (10)" multiplier is not available, four and sixty-six thousandths percent (4.066%) of sales, including any specific statutorily mandated tax to be included in the price of a lottery ticket, may be collected and placed in trust in the Power Play pool account for the purpose of paying Power Play prizes. Any amount remaining in the Power Play pool account when the product group declares the end of this game shall be returned to all lotteries participating in the account after the end of all claim periods of all selling lotteries, carried forward to a replacement game, or ex-

pended in a manner as directed by the members of the product group and in accordance with Kansas law.

(g) The expected prize payout for Power Play prizes is as follows:

 Prize Amount
 Regardless of Power Play Number Selected

 Match 5+0 \$1,000,000 \$2,000,000 \$2,000,000 \$2,000,000 \$2,000,000 \$2,000,000

	Set Prize					
	Amount	10X	5X	4X	3X	2X
Match 4+1	\$50,000	\$500,000	\$250,000	\$200,000	\$150,000	\$100,000
Match 4+0	\$100	\$1,000	\$500	\$400	\$300	\$200
Match 3+1	\$100	\$1,000	\$500	\$400	\$300	\$200
Match 3+0	\$7	\$70	\$35	\$28	\$21	\$14
Match 2+1	\$7	\$70	\$35	\$28	\$21	\$14
Match 1+1	\$4	\$40	\$20	\$16	\$12	\$8
Match 0+1	\$4	\$40	\$20	\$16	\$12	\$8

In certain instances the Powerball set prize amount may be less than the amount shown as otherwise provided in these rules. In such case, the eight (8) lowest Power Play prizes will be changed to an amount announced after the draw.

(h) The following table sets forth the probability of the various Power Play numbers being drawn during a single Powerball drawing, except that the Power Play amount for the Match 5+0 prize will be \$2,000,000 (two million dollars). The Powerball group may elect to run limited promotions that may modify the multiplier features.

When the 10X multiplier is available:

Power Play	Probability of Prize Increase	Chance of Occurrence
10X - Prize Won Times 10	1 in 43	2.3255%
5X - Prize won Times 5	2 in 43	4.6512%
4X - Prize Won Times 4	3 in 43	6.9767%
3X - Prize Won Times 3	13 in 43	30.2326%
2X - Prize Won Times 2	24 in 43	55.8140%

When the 10X multiplier is not available:

	Probability of	Chance of
Power Play	Prize Increase	Occurrence
10X - Prize Won Times 10	0 in 42	0.00%
5X - Prize won Times 5	2 in 42	4.7619%
4X - Prize Won Times 4	3 in 42	7.1429%
3X - Prize Won Times 3	13 in 42	30.9523%
2X - Prize Won Times 2	24 in 42	57.1429%

Power Play does not apply to the grand prize. Except as provided in these rules, a Power Play match 5 prize is set at \$2,000,000 (two million dollars), regardless of the multiplier selected.

- (i) The Prize pool percentage allocated to the Power Play set prizes shall be carried forward to subsequent draws if all or a portion of it is not needed to pay the set prizes awarded in the current draw. Except as provided in these rules, if the total of the original Powerball set prizes and the Power Play prizes awarded in a drawing exceeds the percentage of the prize pools allocated to the set prizes, then the amount needed to fund the set prizes (including the Power Play prize amounts) awarded shall be drawn from the following sources in the following order:
- (1) the amount allocated to the set prizes and carried forward from previous draws, if any;
- (2) an amount from the Powerball set prize reserve account, if available in the account, not to exceed \$40,000,000 (forty million dollars) per drawing; and
- (3) other amounts as agreed to by the product group in its sole discretion.

If, after these sources are depleted, there are not sufficient funds to pay the set prizes awarded (including Power Play prize amounts), then the highest set prize (including the Power Play prize amounts) shall become a pari-mutuel prize. If the amount of the highest set prize, when paid on a pari-mutuel basis, drops to or below the next highest set prize and there are still not sufficient funds to pay the remaining set prizes awarded, then the next highest set prize, including the Power Play prize amount, shall become a pari-mutuel prize. This procedure shall continue down through all set prize levels, if necessary, until all set prize levels become pari-mutuel prize levels. In that instance, the money available from the funding sources listed in this rule shall be divided among the winning plays in proportion to their respective prize percentages. Powerball and Power Play prizes will be reduced by the same percentage.

- (j) All Power Play prizes shall be paid in one lump sum. The lottery will begin paying Power Play prizes after receiving authorization to pay from the MUSL central office.
- (k) Prizes that, under these rules, may become parimutuel prizes, may be rounded down so that prizes can be paid in whole dollars. Breakage resulting from rounding these prizes shall be carried forward to the prize pool for the next drawing. (Authorized by and implementing K.S.A. 2014 Supp. 74-8710; effective, T-111-2-9-12, Dec. 14, 2011; amended, T-111-4-4-14, Dec. 11, 2013; amended, T-111-10-8-15, Sept. 9, 2015.)

Terry P. Presta **Executive Director** 

Doc. No. 044000

#### INDEX TO ADMINISTRATIVE REGULATIONS

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5-22-7

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