



Kansas Register

Kris W. Kobach, Secretary of State

Vol. 35, No. 4

January 28, 2016

Pages 53-72

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State of Kansas

Department of Commerce

Notice of Hearing

The Department of Commerce, CDBG Program, will conduct a public hearing on the proposed FFY 2016 and 2017 Community Development Block Grant Program from 10 to 11 a.m. Wednesday, March 9, in the department's main conference room, Curtis State Office Building, 1000 S.W. Jackson St., Topeka, KS. The purpose of this hearing is to gain citizen input on the proposed changes to the federally funded CDBG program, as well as take comments on the performance of past administration of this program. No preregistration is required. All citizens are invited to attend the public hearing or also may call in by conference call at 866-620-7326 (conference code 6583791179).

Anyone needing special accommodations should contact the Kansas Department of Commerce at least five business days in advance of the hearing at 785-296-3004, fax 785-296-3490 or TTY 711.

Proposed CDBG Program changes listed below will be discussed at the public hearing:

1. Remove bridge repair or replacement from eligibility for 2016 Urgent Need funding. The only exception is when a bridge is damaged due to a recent natural or other disaster.

2. Relaunch the water improvement Regionalization grant funding program in conjunction with Rural Development and the Kansas Department of Health & Environment. Two or more entities will be eligible to apply for up to \$1,000,000 to address their water needs in a holistic regional manner. Program set-a-side will be \$1,000,000.

3. Extend applicant Housing Inter Agency Committee study results from two years to five. Thus, a potential applicant will have to undertake a housing study and attend a HIAC meeting every five years.

Written comments will be accepted until the day of the hearing and may be sent to salih@kansascommerce.com or to the Kansas Department of Commerce, 1000 S.W. Jackson, Suite 100, Topeka, 66612-1354.

Antonio J. Soave
Acting Secretary of Commerce

Doc. No. 044254

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 1-25-16 through 1-31-16	
Term	Rate
1-89 days	0.37%
3 months	0.30%
6 months	0.42%
12 months	0.67%
18 months	0.81%
2 years	0.90%

Scott Miller
Director of Investments

Doc. No. 044251

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

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Hard copy subscription information and current and back issues of the Kansas Register (PDF Format) can be found at the following link: http://www.sos.ks.gov/pubs/pubs_kansas_register.asp

Published by
Kris W. Kobach
Secretary of State
1st Floor, Memorial Hall
120 S.W. 10th Ave.
Topeka, KS 66612-1594
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www.sos.ks.gov



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State of Kansas

911 Coordinating Council**Notice of Meeting**

The 911 Coordinating Council will conduct a webinar meeting at 11 a.m. Friday, February 5. Persons interested in attending should contact Melissa Wangemann at wangemann@kansascounties.org for sign-in instructions.

Melissa Wangemann
Kansas Association of Counties
Local Collection Point Administrator

Doc. No. 044259

State of Kansas

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

A public hearing will be conducted at 10 a.m. Monday, April 4, 2016, in the 1st floor meeting room 124 of the Kansas Department of Agriculture, 1320 Research Park Dr., Manhattan, Kansas, to consider the adoption of proposed regulations. Individuals wishing to participate by teleconference may go to the Garden City Field Office, 2508 Johns St., Garden City, or the Groundwater Management District No. 4 office, 1175 S. Range Ave., Colby, on the date and time of the public hearing.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Chief Engineer, Division of Water Resources, 1320 Research Park Dr., Manhattan, Kansas, 66502, or by email at ronda.hutton@kda.ks.gov. Comments may also be made through the agency's website. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

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

K.A.R. 5-21-6 amendments will require a totalizing flowmeter on all non-domestic, non-temporary points of diversion located within the boundaries of Western Kansas Groundwater Management District No. 1 (GMD 1) and removes the assumption a water right holder can use an hour meter and estimated pump rate to calculate water use.

K.A.R. 5-23-4 relates to allowable withdrawals within the Southwest Kansas GMD No. 3 (GMD 3). The proposed changes to K.A.R. 5-23-4, initiated by GMD 3, would close the GMD to new appropriations that have as all or part of its source, the Ogallala Aquifer.

K.A.R. 5-23-4b is revoked, as it is no longer needed with the amendments to K.A.R. 5-23-4.

K.A.R. 5-24-2 relates to allowable withdrawals within the Northwest Kansas GMD No. 4 (GMD 4). The proposed changes to K.A.R. 5-24-2, initiated by GMD 4, would close the GMD to new appropriations that have as all or part of its source, the Ogallala Aquifer.

Summary of Economic Impact Statement, K.A.R. 5-21-6: The proposed amendments will allow a more accurate method of determining water use for the best management of the water resource within the boundaries of GMD 1. This regulation amendment was requested by GMD 1 and will apply within that district. This regulation is not mandated by federal law.

The proposed amendments will result a minimum fiscal impact to the department by increasing incoming meter completion forms. This will require acknowledgment and data entry into our water rights database. This will be in addition to forms we receive from users statewide.

The proposed amendments will result in a minor fiscal impact to GMD 1 regarding the increase in field work to inspect the new meter installations. However, inspection of meter installation is work the district currently conducts; therefore, this will be only be a short term increase of daily work as all additional wells are metered.

There will be a fiscal impact to individual water right holders of approximately \$1500 per well (cost of meter and installation). An estimated additional 500 wells will have the requirement for a flowmeter. The total fiscal impact to the water right holders in the GMD 1 will be \$750,000 (\$1500 x 500 wells). No other methods were considered by the state.

Metering results in timely and more accurate monitoring of water use – information that could result in more efficient water use and water right compliance.

Summary of Economic Impact Statement, K.A.R. 5-23-4 and K.A.R. 5-23-4b: The regulation change was requested by GMD 3 as the District now wishes to close the Ogallala to new appropriations, replacing its current regulation on allowable new development which has allowed very limited new development over recent years as areas with significant groundwater resources have already been fully or over-developed. The change in regulation, by formally closing the Ogallala to new appropriations, will protect existing water rights from abandonment, insuring that water right holders are not pumping merely to prevent abandonment. The regulation is not mandated by Federal Law.

There are no financial impacts expected to the Department from the proposed change. There have been few new applications filed sourced in the Ogallala Aquifer within GMD 3 over recent years; therefore, the anticipated reduction in fees is expected to be minimal.

Closure of the District to new appropriations, even though there currently are few new applications filed in this region, may result in a small and temporary negative economic impact. Long-term, the closure will provide additional surety to the existing water rights and may result in a positive economic impact.

No alternative methods were considered because of minimal impact to the agency and other governmental agencies.

(continued)

The change in regulation, by formally closing the Ogallala to new appropriations, will protect existing water rights from abandonment, insuring that water right holder are not pumping merely to prevent abandonment.

Summary of Economic Impact Statement, K.A.R. 5-24-2: The regulation change was requested by GMD 4 as the District now wishes to close the Ogallala to new appropriations, replacing its current regulation on allowable new development which has allowed very limited new development over recent years as areas with significant ground-water resources have already been fully or over-developed. The change in regulation, by formally closing the Ogallala to new appropriations, will protect existing water rights from abandonment, insuring that water right holders are not pumping merely to prevent abandonment. The regulation is not mandated by Federal Law.

There are no financial impacts expected to the Department from the proposed change. There have been few new applications filed sourced in the Ogallala Aquifer within GMD 4 over recent years; therefore, the anticipated reduction in fees is expected to be minimal.

Closure of the District to new appropriations, even though there currently are few new applications filed in this region, may result in a small and temporary negative economic impact. Long-term, the closure will provide additional surety to the existing water rights and may result in a positive economic impact.

No alternative methods were considered because of minimal impact to the agency and other governmental agencies.

The change in regulation, formally closing the Ogallala to new appropriations, will protect existing water rights from abandonment, insuring that water right holders are not pumping merely to prevent abandonment.

Any individual with a disability may request accommodations in order to participate in the public hearing and may request the proposed regulations and impact statements in an accessible format. Requests for accommodations should be made at least five working days in advance of the hearing by contacting Ronda Hutton at 785-564-6715 or fax 785-564-6777. Handicapped parking is located on the west side of the building located at 1320 Research Park Drive, Manhattan, and the west entrance to the building is accessible to individuals with disabilities.

Copies of the regulations and their economic impact statements may be obtained by contacting Ronda M. Hutton, Department of Agriculture, at the contact information above or by accessing the department's website at agriculture.ks.gov. Comments may also be made through our website under the proposed regulation.

David W. Barfield
Chief Engineer
Division of Water Resources

Doc. No. 044255

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 "NonBid 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 your bid. The Secretary 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 internet proposals using the Bid Express website at <http://www.bidx.com> until 1 p.m. local time February 17, 2016. 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 February 17, 2016. 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 indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This 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

Lyon—99-56 KA-4240-01 – K-99, from the north city limits of Emporia, north and east to 0.1 mile north of the K-170/K-99 junction, milling and overlay, 10.5 miles. (State Funds)

District Two — North Central

Dickinson—70 21 KA-4237-01-I-70, from 0.4 mile west of K-15 (Abilene), east to 2.3 miles east of east K-43 junction, special maintenance, 8.4 miles. (State Funds)

Mitchell—14-62 KA-3045-01-K-14, from 2,260 feet north of 8th Street, then north 1,090 feet in Beloit, grade and surfacing, 0.2 mile. (State Funds)

Morris—64 TE-0382-01—From the existing River Walk Trail south to the Flint Hills Nature Trail and north to Market Street, pedestrian and bicycle paths. (Federal Funds)

Republic—81-79 KA-3237-01 – U.S. 81, from 8.5 miles north of the Republic/Cloud county line, north to 1 mile north of U.S. 36, pavement reconstruction, 3.7 miles. (State Funds)

District Three — Northwest

Phillips—74 C-4698-01-3 miles north and 4.0 miles east of Long Island, bridge replacement, 0.3 mile. (Federal Funds)

Phillips—36-74 KA-4239-01—U.S. 36, from the east city limits of Phillipsburg, east 13.58 miles to the Phillips/Smith county line, sealing, 13.6 miles. (State Funds)

Smith–92 C-4704-01–1.5 miles south and 2.0 miles east of Smith Center, bridge replacement, 0.3 mile. (Federal Funds)

District Four – Southeast

Crawford–07-19 KA-3552-01–Girard Geometric Improvement, K-47/K-7 intersection, intersection improvement, 0.3 mile. (State Funds)

Statewide–106 KA-4241-01–U.S. 166, from the east end of Bridge #085 (U.S. 166 over Neosho River near Chetopa), east to the Labette/Cherokee county line; U.S. 166, from the Cherokee/Labette county line, east to the west city limits of Baxter Springs, ¾-inch overlay, 18.7 miles. (State Funds)

Statewide–106 KA-4250-01–K-58, from the K-99 junction east 12.5 miles to the Greenwood /Coffey county line; K-58, from the Greenwood/Coffey county line east 13.2 miles to U.S. 75 junction; K-249, from the K-99 junction north .71 mile to the K-58 junction, sealing, 26.4 miles. (State Funds)

District Five – South Central

Barton–56-5 KA-2051-01–U.S. 56, bridge #005, 5.8 miles east of U.S. 56/K-156 junction (from the west city limits of Ellinwood, east to 0.5 mile east of the east city limits of Ellinwood), bridge replacement, 1.7 miles. (Federal Funds)

Barton–5 TE-0375-01–K-4 overlook, located 2.2 miles east of Redwing, construct parking lot and sidewalks for overlook, landscaping and beautification. (Federal Funds)

Barton–5 TE-0423-01–K-4 overlook, located 2.2 miles east of Redwing, install a viewing tower, landscaping and beautification. (Federal Funds)

Harvey–135-40 KA-4236-01–I-135, from the Harvey/Sedgwick county line north to the south city limits of Newton, 3-inch overlay, 7.5 miles. (State Funds)

Sedgwick–235-87 KA-3109-01–I-235, Bridges #096 and #097 (Arkansas River) located 1.09 and 1.08 miles north-east of Bickell Street; bridge #098 (25th Street) located at the junction of I-235/25th Street; bridges #099 and #100 (Wichita Flood Control Canal) located 0.69 & 0.7 mile northeast of 25th Street, bridge replacement. (Federal Funds)

District Six – Southwest

Ford–400-29 KA-4238-01–U.S. 400, from the end of the concrete pavement, southeast to Ford/Ensign Road (north of Ford), slurry seal, 14.5 miles. (State Funds)

Mike King
Secretary of Transportation

Doc. No. 044226

State of Kansas

Department of Transportation

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking a qualified consulting firm or a team of consultants who are prequalified in both category 111–Rail Systems Planning and category 162 – Long Range Planning, for the project listed below. A PDF (0.5 Mb maximum size) of the interest response must be emailed to David J. Nagy, P.E., Contracts Engineer, at DavidN@ksdot.org. Interest and experience responses are limited to six pages, the subject line of the reply email and the PDF file

name must read “Project #–LOI–Firm Name.” Letters of interest must be received by noon February 11, 2016, for the consulting firm to be considered. View categories at www.ksdot.org/divengdes/prequal.

Project 106 P-0771-01 Freight-Rail Plan 2016, KDOT seeks proposals to develop KDOT’s 2016 Kansas Statewide Freight Plan (KSFP) Update. KDOT will incorporate the Statewide Rail Plan Update (SRP) as a component of the KSFP Update. The SRP should be able to serve as a standalone document. The KSFP update will have a timeline not to exceed twelve (12) months in length. The KSFP update must be structured to meet all requirements of the *Fixing America’s Surface Transportation Act (FAST)*. The SRP component must be structured to meet all requirements of the *Passenger Rail Investment and Improvement Act (PRIIA)*. The study planning horizon will be 2040. The Kansas Freight Advisory Committee (KFAC) will provide input into the KSFP as well as the SRP component. Interested firms should email David J. Nagy for the entire scope of services.

The Consultant Shortlist Committee will select three to five of the most highly qualified firms expressing interest and schedule an individual interview for the project. The consulting firms can more thoroughly discuss their experience related to the project at the interview and will be expected to discuss their approach to this project in detail and the personnel to be assigned to this project. View categories at www.ksdot.org/divengdes/prequal.

The Consultant Selection Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select one firm to perform the professional services required for completing the advertised project. The contract will be a standard KDOT cost plus fixed fee agreement which it is anticipated to be executed by March 31, 2016.

It is KDOT’s policy to use the following criteria for selection of the consulting engineering firms:

1. Size and professional qualifications.
2. Experience of staff.
3. Location of firm with respect to project(s).
4. Work load of firm.
5. Firm’s performance record.

The firms accounting systems must have the following capabilities before the firm may be awarded a contract:

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

For more information contact David J. Nagy, P.E., at DavidN@ksdot.org.

Jim L. Kowach, P.E., Director
Division of Engineering and Design

Doc. No. 044264

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:

02/09/2016	EVT0004171	Quality Assurance Reviewer – Real Estate Appraisal Board
02/11/2016	EVT0004169	Excavating & Earthmoving NE KS
02/11/2016	EVT0004170	Janitorial Services–Emporia
02/16/2016	EVT0004165	Agricultural Services @ Marais des Cygnes Wildlife Area
02/16/2016	EVT0004172	Janitorial Services – Iola
02/16/2016	EVT0004173	Janitorial Services – Fort Scott
02/22/2016	EVT0004125	Audio/Video Streaming Service
02/22/2016	EVT0004152	Closed Captioning Services
02/23/2016	EVT0004164	Well Plugging District 4

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>

02/10/2016	A-012817(A)	Wichita State University Innovation Campus Infrastructure – Phase 2
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Information regarding prequalification, projects and bid documents can be obtained at 785-296-8899 or <http://admin.ks.gov/offices/ofpm/dcc>.

Tracy T. Diel, Director
Procurement and Contracts

Doc. No. 044263

State of Kansas

Board of Regents Universities

Notice to Bidders

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

Emporia State University – Bid postings: 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

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed reopening of an air quality operating permit. A Class I Air Operating Permit was issued for the operation of Southern Star Central Gas Pipeline, Inc. located at Section 25, T28S, R29W, Gray County, KS which owns and operates Montezuma Compressor Station. The effective date of the permit was December 14, 2011. K.A.R. 28-19-513(e)(2) states that only those parts of the permit for which cause to reopen exists shall be affected by the reopening.

The Class I operating permit issued to Southern Star Central Gas Pipeline, Inc. is being reopened by KDHE for the purpose of incorporating 40 CFR Part 63, Subpart DDDDD.

A copy of the proposed permit as modified, all supporting documentation and all information relied upon during the reopening process are available for public review during normal business hours at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, Kansas. Also a copy of the proposed permit only can be reviewed at the KDHE Southwest District Office, 302 W. McArtor

Road, Dodge City, Kansas. To obtain or review the proposed reopening and supporting documentation contact Cathy Richardson, 785-296-1947, at the central office of the KDHE or Ethel Evans, 620-356-1075 at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Please direct written comments or questions regarding the proposed permit to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than noon Monday, February 29, 2016.

A person may request a public hearing be held on the proposed action. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE, Bureau of Air, no later than noon Monday, February 29, 2016, in order for the secretary of health and environment to consider the request.

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

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

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

Doc. No. 044257

State of Kansas

**Department of Health
and Environment**

Notice of Hearing on Federal Block Grant

The Kansas Department of Health and Environment will conduct a public hearing at 1 p.m. Friday, February 26, Flint Hills Room, 3rd Floor, Kansas Department of Health and Environment, 1000 S.W. Jackson St., Topeka, to solicit comments from interested persons on revisions to the state plan for the Preventive Health and Health Services Block Grant.

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

Doc. No. 044260

State of Kansas

**Department of Health
and Environment**

**Notice Concerning Kansas
Environmental Use Controls Program**

In accordance with K.S.A. 65-1,233, the Kansas Department of Health and Environment (KDHE) reports the following summary on behalf of the Environmental Use Controls Program for calendar year 2015. During this annual reporting period KDHE approved six environmental use control agreements pursuant to this act. The cumulative total for the program is 197 approved environmental use control agreements.

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

Doc. No. 044261

State of Kansas

**Department of Health
and Environment**

**Notice Concerning Kansas
Voluntary Cleanup Program**

In accordance with K.S.A. 65-34,173, the Kansas Department of Health and Environment (KDHE) reports the following summary on behalf of the Voluntary Cleanup Program for year 2015. During this annual reporting period KDHE received 17 applications, with a cumulative total of 693 applications. The categories of applicants include agri-business (30%), oil/gas related (25%), industry (20%), commercial (15%), railroad (5%), government (3%), and private citizen (2%). A total of three cleanups were conducted for 2015, with a cumulative total of 84 cleanups.

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

Doc. No. 044262

(Published in the Kansas Register January 28, 2016.)

**Summary Notice of Bond Sale
City Of Andover, Kansas
\$9,820,000***

**General Obligation Refunding
and Equipment Bonds
Series A, 2016**

Details of the Sale

Subject to the terms and requirements of the Official Notice of Bond Sale dated December 8, 2015, of the City of Andover, Kansas, bids to purchase the city's General Obligation Refunding and Equipment Bonds, Series A, 2016, will be received at the office of the city clerk at City Hall, 1609 E. Central, Andover, Kansas, 67002, or by telefacsimile at 316-733-4634 or electronically as described in

(continued)

the Official Notice of Bond Sale until 11 a.m. central time Tuesday, February 9, 2016. The bids will be considered by the governing body at its meeting at 7 p.m. central time on the sale date.

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

Good Faith Deposit

Bidders 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 March 1, 2016, and will be issued as registered bonds in denominations 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 Amount *	Maturity Date
\$ 205,000.00	2016
120,000.00	2017
670,000.00	2018
960,000.00	2019
995,000.00	2020
1,015,000.00	2021
1,030,000.00	2022
1,050,000.00	2023
635,000.00	2024
645,000.00	2025
585,000.00	2026
360,000.00	2027
370,000.00	2028
380,000.00	2029
395,000.00	2030
405,000.00	2031

Payment of Principal and Interest

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

Book-Entry Bonds

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

Delivery of the Bonds

The city will prepare the bonds at its expense and will deliver the registered bonds to DTC on or about March 1, 2016. Any bond printing costs will be paid by the city from the proceeds of the bonds or other city funds.

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 \$146,104,006. As of March 1, 2016, the city's total outstanding general obligation debt (including the bonds) is \$39,500,000* which excludes bonds outstanding in the amount of \$8,685,000 which will be retired out of the proceeds of the bonds herein offered for sale. The city's total indebtedness which is subject to debt limitation, as of March 1, 2016, is estimated to be \$17,812,644.07, which is 12.20 percent of the assessed valuation of the city.

Additional Information

For additional information contact the city clerk at the address and telephone number shown below, or the financial advisor, Greg Vahrenberg, Piper Jaffray & Co., 11635 Rosewood St., Leawood, Kansas 66211-2000, 913-345-3374.

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

* Subject to Change
Doc. No. 044265

State of Kansas

Board of Barbering

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10 a.m. Wednesday, March 30, 2016, in the Senate Room, located off the main lobby, Jayhawk Tower, 700 S.W. Jackson, Topeka, to consider adoption of proposed regulations K.A.R. 61-3-7, K.A.R. 61-7-1 and K.A.R. 61-7-2 as permanent regulations of the Kansas Board of Barbering.

This 60 day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed adoption of these regulations. All parties may submit written comments prior to the hearing to Larry Montgomery, Administrator, Kansas Board of Barbering, 700 S.W. Jackson, Suite 1002, Topeka, 66603, or to kbob@kbob.ks.gov. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Sonia Sprouse, Administrative Assistant, Kansas Board of Barbering, at Sonia.sprouse@kbob.ks.gov or 785-296-2211.

These regulations are proposed for permanent adoption. A summary of the proposed regulations and the estimated economic impact statement follows:

K.A.R. 61-3-7. Minimum requirements for opening a barber school or barber college. This regulation is amended to include definitions of the minimum requirements for opening a barber school or barber college housed in an existing establishment teaching or conducting other trades, professions, or businesses.

K.A.R. 61-7-1. Fees. This regulation is revoked. New fees are established in K.A.R. 61-7-2.

K.A.R. 61-7-2. Fees. This regulation establishes new license fees in accordance with K.S.A. 65-1817.

Economic Impact. The adoption of these regulations will have a minimal but positive impact on the growth in local, county and state taxes as a result of income and asset growth based on an increase in schools, colleges, instructors, students and new barbers. It is anticipated there will be an economic impact to the Board as it will need to increase the number of yearly barber license examinations conducted, resulting from an increase in barber school graduates as the number of licensed barber schools and colleges increase. The increase in expenditure to the board to cover costs of conducting these examinations will be covered by the examination and licensing fees charged by the Board. There is no environmental impact.

Copies of the regulations and the economic impact statement may be obtained by contacting the Kansas Board of Barbering at Jayhawk Tower, 700 S.W. Jackson, Suite 1002, Topeka 66603, 785-296-2211, or kbob@kbob.ks.gov.

Larry Montgomery
Administrator

Doc. No. 044266

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced January 14-20 by the 2016 Kansas Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 58-S, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, 785-296-4096. Full texts of bills, bill tracking and other information may be accessed at <http://www.kslegislature.org/li/>.

House Bills

HB 2458, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; possession of a controlled substance; amending K.S.A. 2015 Supp. 21-6604 and 21-6805 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2459, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawfully tampering with electronic monitoring equipment; amending K.S.A. 2015 Supp. 21-6322 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2460, AN ACT concerning the Kansas offender registration act; regarding violations of the act; amending K.S.A. 2015 Supp. 22-4903 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2461, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; certified drug abuse treatment program; amending K.S.A. 2015 Supp. 21-6824 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2462, AN ACT concerning crimes, punishment and criminal

procedure; relating to theft; amending K.S.A. 2015 Supp. 21-5801 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2463, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal history; juvenile adjudications; amending K.S.A. 2015 Supp. 21-6810 and 21-6811 and repealing the existing sections, by Committee on Corrections and Juvenile Justice.

HB 2464, AN ACT concerning crimes, punishment and criminal procedure; relating to probation and postrelease supervision; violation sanctions; amending K.S.A. 2015 Supp. 22-3716 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

HB 2465, AN ACT concerning criminal procedure; relating to competency; amending K.S.A. 22-3301 and repealing the existing section, by Committee on Judiciary.

HB 2466, AN ACT concerning municipalities; relating to sanctuary ordinances and resolutions and the prohibition thereof, by Committee on Judiciary.

HB 2467, AN ACT concerning alcoholic beverages; relating to microbreweries; authorizing the production of hard cider; amending K.S.A. 2015 Supp. 41-102 and 41-308b and repealing the existing sections, by Committee on Federal and State Affairs.

HB 2468, AN ACT concerning schools; relating to the possession of weapons on school property; amending K.S.A. 72-89a01 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2469, AN ACT concerning alcoholic beverages; relating to microbreweries; amending K.S.A. 2015 Supp. 41-308b and repealing the existing section, by Committee on Federal and State Affairs.

HB 2470, AN ACT regulating traffic; concerning overtaking and passing school buses, cameras, penalties; amending K.S.A. 2015 Supp. 8-1556, 8-2106 and 8-2118 and repealing the existing sections, by Committee on Education.

HB 2471, AN ACT concerning the Kansas board of barbering; disciplinary authority; amending K.S.A. 65-1810, 65-1812, 65-1819 and 65-1820a and K.S.A. 2015 Supp. 65-1824 and repealing the existing sections, by Committee on Health and Human Services.

HB 2472, AN ACT concerning the state board of tax appeals; relating to orders; judicial review; amending K.S.A. 2015 Supp. 74-2426 and 77-618 and repealing the existing sections, by Committee on Judiciary.

HB 2473, AN ACT concerning motor vehicles; relating to license plates, providing for the Alzheimer's disease awareness license plate, by Committee on Transportation.

HB 2474, AN ACT concerning taxation; providing for the extinguishment of tax liens for unpaid personal property taxes under certain circumstances; amending K.S.A. 2015 Supp. 79-2026 and repealing the existing section, by Committee on Taxation.

HB 2475, AN ACT concerning property taxation; relating to redevelopment districts, capital outlay levy; amending K.S.A. 72-8803 and K.S.A. 2015 Supp. 12-1770a and 72-8801 and repealing the existing sections, by Committee on Taxation.

HB 2476, AN ACT concerning property taxation; relating to collection; delinquent real property tax, claims against the county; amending K.S.A. 79-2011 and repealing the existing section, by Committee on Taxation.

HB 2477, AN ACT concerning motor vehicles; relating to registration, proof of payment of real and personal property taxes; amending K.S.A. 2015 Supp. 8-173 and repealing the existing section, by Committee on Taxation.

HB 2478, AN ACT concerning telecommunications; relating to prepaid wireless devices; creating the public safety prepaid wireless communications device committee, by Representative Sloan.

HB 2479, AN ACT concerning agriculture; relating to noxious weeds; amending K.S.A. 2-1314b, 2-1320, 2-1323, 2-1330 and 2-1332 and K.S.A. 2015 Supp. 2-1314, 2-1315, 2-1316, 2-1317, 2-1318, 2-1319, 2-1322 and 2-1331 and repealing the existing sections; also repealing K.S.A. 2-1316a, 2-1325, 2-1326, 2-1328 and 2-1329 and K.S.A. 2015 Supp. 2-1327 and 2-1334, by Committee on Agriculture and Natural Resources.

HB 2480, AN ACT concerning livestock; relating to marks and brands; amending K.S.A. 47-418, 47-421 and 47-426 and K.S.A. 2015 Supp. 47-414, 47-414a, 47-416, 47-417, 47-417a, 47-420, 47-422, 47-428, 47-446 and 47-1011a and repealing the existing sections; also repealing K.S.A. 47-423, 47-436, 47-438, 47-439, 47-440, 47-445 and 47-447 and K.S.A. 2015 Supp. 47-418a, 47-432, 47-433, 47-434, 47-435, 47-437, 47-441, 47-442 and 47-448, by Committee on Agriculture and Natural Resources.

HB 2481, AN ACT concerning water; relating to multi-year flex accounts; amending K.S.A. 2015 Supp. 82a-708c and repealing the existing section, by Committee on Agriculture and Natural Resources.

(continued)

HB 2482, AN ACT concerning the nurse educator service scholarship; relating to the definition of school of nursing; amending K.S.A. 2015 Supp. 74-32,220 and repealing the existing section, by Committee on Appropriations.

HB 2483, AN ACT concerning postsecondary education; relating to postsecondary career technical education performance-based funding; amending K.S.A. 2015 Supp. 72-4490 and repealing the existing section, by Committee on Appropriations.

HB 2484, AN ACT concerning charitable gaming; relating to disclosure of licensee information; amending K.S.A. 2015 Supp. 75-5133 and repealing the existing section, by Committee on Federal and State Affairs.

HB 2485, AN ACT concerning insurance; relating to risk-based capital instructions; effective date; amending K.S.A. 2015 Supp. 40-2c01 and repealing the existing section, by Committee on Insurance and Financial Institutions.

HB 2486, AN ACT concerning school districts; relating to capital improvements; creating the school district bond project review board; amending K.S.A. 2015 Supp. 75-2319 and repealing the existing section, by Committee on Education.

HB 2487, AN ACT concerning legislators; relating to subsistence allowances; amending K.S.A. 2015 Supp. 46-137a and repealing the existing section, by Representative Trimmer.

HB 2488, AN ACT concerning retirement and pensions; relating to the Kansas public employees retirement system and systems thereunder; lump-sum death benefit; amending K.S.A. 74-4989 and K.S.A. 2015 Supp. 74-49,315 and repealing the existing sections, by Committee on Pensions and Benefits.

HB 2489, AN ACT concerning the Kansas public employees retirement system; relating to death and long-term disability benefits; employer payments to group insurance reserve fund; Kansas public employees retirement system act of 2015; accidental death benefit; annuity interest rate; amending K.S.A. 74-4916 and K.S.A. 2015 Supp. 74-4927 and 74-49,313 and repealing the existing sections, by Committee on Pensions and Benefits.

HB 2490, AN ACT concerning the plant pest and agriculture commodity certification act; relating to certain definitions; relating to plant pest containment; amending K.S.A. 2015 Supp. 2-2113, 2-2114, 2-2116 and 2-2117 and repealing the existing sections, by Committee on Agriculture and Natural Resources.

HB 2491, AN ACT concerning water; relating to the water appropriation act; annual water use report; amending K.S.A. 2015 Supp. 82a-732 and repealing the existing section, by Committee on Agriculture and Natural Resources.

HB 2492, AN ACT concerning conservation; establishing the Kansas conservation reserve enhancement program, by Committee on Agriculture and Natural Resources.

HB 2493, AN ACT concerning property taxation; relating to cities and counties, election requirements for certain budget increases; amending K.S.A. 2015 Supp. 79-2925b and repealing the existing section, by Committee on Taxation.

HB 2494, AN ACT concerning taxation; repealing certain obsolete or expired sections; amending K.S.A. 79-5a03 and K.S.A. 2015 Supp. 74-2439 and repealing the existing sections; also repealing K.S.A. 79-310a, 79-319, 79-319a, 79-322, 79-506, 79-1408 and 79-1472 and K.S.A. 2015 Supp. 79-1409 and 79-1494, by Committee on Taxation.

HB 2495, AN ACT concerning property taxation; relating to classification of certain improvements, timeframe for appeals; amending K.S.A. 2015 Supp. 79-262 and repealing the existing section, by Committee on Taxation.

HB 2496, AN ACT concerning property taxation; relating to personal property sold or transferred before the tax has been paid; amending K.S.A. 2015 Supp. 79-2109 and repealing the existing section, by Committee on Taxation.

HB 2497, AN ACT concerning the department of revenue; relating to driver's license examiners, unclassified service; amending K.S.A. 2015 Supp. 75-2935 and repealing the existing section, by Committee on Taxation.

HB 2498, AN ACT concerning sales taxation; relating to the community improvement district sales tax administration fund; amending K.S.A. 2015 Supp. 12-6a31 and repealing the existing section, by Committee on Taxation.

HB 2499, AN ACT concerning sales tax authority; relating to the Sherwood improvement district; amending K.S.A. 19-2765 and repealing the existing section, by Committee on Taxation.

Senate Bills

SB 324, AN ACT concerning school districts; relating to curriculum on winter celebrations, by Committee on Education.

SB 325, AN ACT concerning the revised Kansas code for care of children; relating to child in need of care files; prosecutor access; amending K.S.A. 2015 Supp. 38-2211 and repealing the existing section, by Committee on Corrections and Juvenile Justice.

SB 326, AN ACT concerning alcoholic beverages; relating to microbreweries; amending K.S.A. 2015 Supp. 41-308b and repealing the existing section, by Committee on Federal and State Affairs.

SB 327, AN ACT concerning crimes, punishment and criminal procedure; relating to preliminary hearings; hearsay; amending K.S.A. 2015 Supp. 22-2902 and repealing the existing section, by Committee on Judiciary.

SB 328, AN ACT concerning the plant pest and agriculture commodity certification act; relating to certain definitions; relating to plant pest containment; amending K.S.A. 2015 Supp. 2-2113, 2-2114, 2-2116 and 2-2117 and repealing the existing sections, by Committee on Natural Resources.

SB 329, AN ACT concerning water; relating to multi-year flex accounts; amending K.S.A. 2015 Supp. 82a-708c and repealing the existing section, by Committee on Natural Resources.

SB 330, AN ACT concerning conservation; establishing the Kansas conservation reserve enhancement program, by Committee on Natural Resources.

SB 331, AN ACT concerning firearms; enacting the Kansas firearms industry nondiscrimination act, by Committee on Federal and State Affairs.

SB 332, AN ACT concerning sales taxation; relating to exemptions; the Kansas DUI impact center, inc.; amending K.S.A. 2015 Supp. 79-3606 and repealing the existing section, by Committee on Assessment and Taxation.

SB 333, AN ACT concerning elections; relating to voter registration; concerning citizenship requirements; amending K.S.A. 2015 Supp. 25-2309 and repealing the existing section, by Senators Hensley, Faust-Goudeau, Francisco, Haley, Hawk, Holland, Kelly and Pettey.

SB 334, AN ACT concerning the attorney general; relating to notice and opportunity to appear or intervene before statute or constitutional provision declared invalid or unconstitutional; amending K.S.A. 60-1712 and K.S.A. 2015 Supp. 60-224 and repealing the existing sections, by Committee on Judiciary.

SB 335, AN ACT concerning motor vehicles; relating to passenger vehicles; registration fees, dedicating a portion to the law enforcement training center fund; amending K.S.A. 2015 Supp. 8-143 and 8-145 and repealing the existing sections, by Committee on Ways and Means.

SB 336, AN ACT concerning livestock; relating to marks and brands; amending K.S.A. 47-418, 47-421 and 47-426 and K.S.A. 2015 Supp. 47-414, 47-414a, 47-416, 47-417, 47-417a, 47-420, 47-422, 47-428, 47-446 and 47-1011a and repealing the existing sections; also repealing K.S.A. 47-423, 47-436, 47-438, 47-439, 47-440, 47-445 and 47-447 and K.S.A. 2015 Supp. 47-418a, 47-432, 47-433, 47-434, 47-435, 47-437, 47-441, 47-442 and 47-448, by Committee on Natural Resources.

SB 337, AN ACT concerning water; relating to the water appropriation act; annual water use report; amending K.S.A. 2015 Supp. 82a-732 and repealing the existing section, by Committee on Natural Resources.

SB 338, AN ACT concerning cities; relating to the rehabilitation of abandoned property; amending K.S.A. 2015 Supp. 12-1750 and 12-1756a and repealing the existing sections, by Committee on Commerce.

SB 339, AN ACT concerning insurance; relating to property and casualty insurance; pertaining to certain homeowners insurance policies, by Committee on Financial Institutions and Insurance.

SB 340, AN ACT concerning the office of the securities commissioner of Kansas; appointment of securities commissioner by the commissioner of insurance; cooperation with the insurance department; amending K.S.A. 2015 Supp. 75-6301 and repealing the existing section, by Committee on Financial Institutions and Insurance.

SB 341, AN ACT concerning the Kansas medical assistance program; relating to the electronic claims management system; removing certain limitations thereunder; amending K.S.A. 2015 Supp. 39-7,121 and repealing the existing section, by Committee on Public Health and Welfare.

Senate Resolutions

SR 1756, by Senator Ostmeier, A RESOLUTION congratulating and commending Northwest Kansas Technical College for being selected as an Apple Distinguished School for 2015-2017.

Doc. No. 044253

State of Kansas

Department for Children and Families

Permanent Administrative Regulations

Article 44.—SUPPORT ENFORCEMENT

30-44-2. Standardized cost recovery fee. (a) As used in this regulation, the following definitions shall apply:

(1) "Applicant or recipient" means a person who has applied for or is receiving support enforcement services from the department for children and families pursuant to Part D of Title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended.

(2) "IV-D case" means a case in which the department for children and families is providing child support services pursuant to Part D of Title IV of the federal social security act, 42 U.S.C. § 651 et seq., as amended.

(3)(A) "Non-PA case" means a case in which the applicant or recipient or the child, as appropriate, has not received and is not currently receiving public assistance from the state of Kansas, including the following:

- (i) Temporary assistance to needy families (TANF), regardless of how designated;
- (ii) medical services;
- (iii) care due to placement under K.S.A. 38-2201 et seq. and K.S.A. 38-2301 et seq., and amendments thereto;
- (iv) care in a state institution, as defined in K.S.A. 59-2006b and amendments thereto;
- (v) supplemental nutrition assistance program (SNAP); and
- (vi) child care assistance.

(B) "Non-PA case" shall also mean, in any IV-D case in which the applicant or recipient or the child previously received but is not currently receiving public assistance from the state of Kansas, that portion of the case not subject to any assignment of support rights for reimbursement of public assistance.

(C) In an interstate IV-D case referred to Kansas by another state, unless the other state clearly designates otherwise, "non-PA case" shall mean a case, or that portion of a case, designated as IV-D non-TANF.

(D) "Non-PA" case shall not include any IV-D case referred to Kansas from a foreign country.

(b) A cost recovery fee may be collected in all non-PA cases. If a fee is required pursuant to subsection (c), the fee shall be retained from support collections made on behalf of the applicant or recipient. If any fee remains unpaid and the applicant or recipient will receive no further support collections in the non-PA case, the fee shall be remitted by the applicant or recipient upon demand.

(c) The fee shall be in an amount equal to the basic rate times the amount of support collections distributed to the applicant or recipient. The date of collection shall determine the applicable basic rate. The basic rate shall be four percent. If the secretary determines that the department for children and families' funds for support enforcement services are sufficient to pay for some or all of the costs associated with all non-PA cases statewide, then the basic rate for all non-PA cases statewide may be reduced by an amount commensurate with the department's available funds or not collected. (Authorized by and implementing

K.S.A. 2015 Supp. 39-756; effective Feb. 6, 1995; amended Jan. 3, 2000; amended Feb. 12, 2016.)

30-44-6. Support arrears forgiveness. (a) If a child's parent or parents are liable to repay the secretary for state assistance expended on the child's behalf pursuant to K.S.A. 39-718b and amendments thereto, the amount due may be offset by one of the following:

- (1) The parent's or parents' participation in an arrears adjustment program; or
- (2) the parent's or parents' contributions to a Kansas postsecondary education savings account established on behalf of the child through the child support savings initiative program.

(b) All arrears adjustment programs shall be approved by the department's child support services and shall include programs designed to provide job skills, further education, and enhance parenting skills.

(c) The arrears adjustments earned through participation in an arrears adjustment program or contributions to the child support savings initiative program shall be applied to offset the amount owed to the secretary. The department's child support services shall have the authority to determine any arrears adjustment rates and to determine whether participation in a particular class or program qualifies a participant for any arrears adjustments. (Authorized by and implementing K.S.A. 2015 Supp. 39-753; effective Feb. 12, 2016.)

Phyllis Gilmore
Secretary for Children and Families

Doc. No. 044258

State of Kansas

Department of Revenue

Permanent Administrative Regulations

Article 23.—CHARITABLE GAMING

92-23-9. (Authorized by K.S.A. 79-4708; implementing K.S.A. 79-4706, 79-4708; effective May 1, 1985; revoked Feb. 12, 2016.)

92-23-10. (Authorized by and implementing K.S.A. 2000 Supp. 79-4708; effective May 1, 1985; amended Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-11. (Authorized by and implementing K.S.A. 79-4708; effective May 1, 1985; revoked Feb. 12, 2016.)

92-23-12. (Authorized by and implementing K.S.A. 79-4708; effective May 1, 1985; revoked Feb. 12, 2016.)

92-23-13. (Authorized by and implementing K.S.A. 79-4708; effective May 1, 1985; revoked Feb. 12, 2016.)

92-23-14. (Authorized by K.S.A. 79-4708; implementing K.S.A. 79-4706; effective May 1, 1985; revoked Feb. 12, 2016.)

92-23-15. (Authorized by K.S.A. 2000 Supp. 79-4708; implementing K.S.A. 2000 Supp. 79-4706; effective May 1, 1985; amended Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-16. (Authorized by K.S.A. 2000 Supp. 79-4708; implementing K.S.A. 2000 Supp. 79-4706; effective May

(continued)

1, 1986; amended Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-17. (Authorized by K.S.A. 2000 Supp. 79-4708; implementing K.S.A. 2000 Supp. 79-4704; effective Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-18. (Authorized by K.S.A. 2000 Supp. 79-4708; implementing K.S.A. 2000 Supp. 79-4704 and 79-4705; effective Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-19. (Authorized by and implementing K.S.A. 2000 Supp. 79-4708; effective Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-20. (Authorized by and implementing K.S.A. 2000 Supp. 79-4708; effective Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-21. (Authorized by and implementing K.S.A. 2000 Supp. 79-4708; effective Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-22. (Authorized by and implementing K.S.A. 2000 Supp. 79-4708; effective Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-23. (Authorized by and implementing K.S.A. 2000 Supp. 79-4708; effective Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-25. (Authorized by K.S.A. 2000 Supp. 79-4708; implementing K.S.A. 2000 Supp. 79-4706; effective Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-30. (Authorized by K.S.A. 2000 Supp. 79-4708; implementing K.S.A. 2000 Supp. 79-4706; effective Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-31. (Authorized by and implementing K.S.A. 2000 Supp. 79-4706; effective Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-37. (Authorized by K.S.A. 1976 Supp. 79-4708; effective, E-77-49, Sept. 30, 1976; effective Feb. 15, 1977; revoked Feb. 12, 2016.)

92-23-38. (Authorized by K.S.A. 2000 Supp. 79-4708; implementing K.S.A. 2000 Supp. 79-4706; effective, E-77-49, Sept. 30, 1976; effective Feb. 15, 1977; amended, E-81-27, Sept. 10, 1980; amended May 1, 1981; amended May 1, 1985; amended May 1, 1986; amended Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-38a. (Authorized by K.S.A. 2000 Supp. 79-4708; implementing K.S.A. 2000 Supp. 79-4706 and 79-4708; effective, E-81-27, Sept. 10, 1980; effective May 1, 1981; amended May 1, 1985; amended Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-39. (Authorized by K.S.A. 1976 Supp. 79-4708; effective, E-77-49, Sept. 30, 1976; effective Feb. 15, 1977; revoked Feb. 12, 2016.)

92-23-40. (Authorized by K.S.A. 2000 Supp. 79-4708; implementing K.S.A. 2000 Supp. 79-4706; effective, E-80-12, Aug. 8, 1979; effective May 1, 1980; amended Feb. 22, 2002; revoked Feb. 12, 2016.)

92-23-41. Definitions; persons conducting games of bingo; restrictions. (a) For purposes of K.A.R. 92-23-41 through K.A.R. 92-23-59, each of the following terms shall have the meaning specified in this subsection:

(1) "Gross bingo receipts" means the revenue received from the sale of bingo faces, reusable bingo cards, instant bingo tickets, and any charges or admission fees imposed on players for participation in games of bingo.

(2) "Licensing period" means the period of time beginning on July 1 and through the following June 30.

(b) A person engaged in the management, operation, or conduct of a game of bingo shall not participate as a player in that game of bingo.

(c) Only one employee of the lessor may assist the licensee with the session if there has been a cancellation by a licensee's volunteer to work. The lessor's employee shall not handle any money.

(d) Volunteers who are members of a licensee's non-profit organization may assist only one licensee during the same licensing period. (Authorized by K.S.A. 2015 Supp. 75-5181; implementing K.S.A. 2015 Supp. 75-5179 and 75-5181; effective Feb. 12, 2016.)

92-23-42. Bond required for distributors. Each distributor shall post a cash bond of \$1,000 at the time of initial registration. Any distributor may subsequently be required by the director to increase the cash bond to an amount equal to three times the average monthly tax liability based upon the distributor's sales for the previous 12 months. If the distributor does not have 12 months of tax liability history to use for this calculation, then an estimate of the tax liability may be made by the director based upon the best information available. (Authorized by K.S.A. 2015 Supp. 75-5181; implementing K.S.A. 2015 Supp. 75-5176 and 75-5184; effective Feb. 12, 2016.)

92-23-43. Bingo trust bank accounts. Each licensee required to establish and use a bingo trust bank account pursuant to K.S.A. 2015 Supp. 75-5179, and amendments thereto, shall comply with all of the following requirements:

(a) The bingo trust bank account name shall include the word "bingo."

(b) Only revenue received from the conduct of call bingo and instant bingo shall be deposited into the bingo trust bank account. Funds from other sources shall not be deposited in the account.

(c) Cash prizes from call bingo games under \$500 and all prizes from instant bingo games may be paid from the daily gross bingo receipts before depositing these receipts in the bingo trust bank account if the licensee keeps a detailed written record of the gross bingo receipts, cash prizes paid, and net deposit made to the account for the day.

(d) All payments made from the bingo trust bank account shall be made by check.

(e) Any excess funds in the bingo trust bank account that are not needed for the payment of bingo prizes, taxes, and expenses may be removed from the account by writing a check. These excess funds may be used for any lawful purpose of the nonprofit organization pursuant to K.S.A. 2015 Supp. 75-5179, and amendments thereto. (Authorized by K.S.A. 2015 Supp. 75-5181; implementing K.S.A. 2015 Supp. 75-5179; effective Feb. 12, 2016.)

92-23-44. Schedule of games of bingo. (a) Each applicant or licensee applying for an initial bingo license or for renewal of an existing bingo license shall furnish, at the time of the application, a schedule of the games of

bingo that will be conducted. The schedule shall include the date and time of each session. If the games of bingo will be conducted only occasionally or on irregular dates that have not been determined at the time of the application, the applicant or licensee shall state this on the application form and shall furnish a schedule in accordance with subsection (b).

(b) If a licensee intends to conduct games of bingo on a date or at a time different from that previously furnished in writing to the secretary, the licensee shall submit written notice of the change to the administrator at least three days before the effective date of that change.

(c) Each licensee and lessor shall post information inside the premises and outside the premises providing the following information:

(1) Name of the nonprofit organization conducting the session; and

(2) date and time of each session. (Authorized by K.S.A. 2015 Supp. 75-5181; implementing K.S.A. 2015 Supp. 75-5179; effective Feb. 12, 2016)

92-23-45. Handling of reusable bingo cards. (a) No person shall select or set aside any reusable bingo cards for playing by the person or another person before the time that the reusable bingo cards are made accessible to all of the players before the start of a session.

(b) No person shall set aside or reserve reusable bingo cards between games of bingo. All reusable bingo cards to be used for a particular session shall be shuffled before being sold or rented to the players so as to ensure that reusable bingo cards returned from the previous session do not remain in the order in which they were returned.

(c) At the end of each session, all reusable bingo cards used during the session shall be returned to one common area. (Authorized by and implementing K.S.A. 2015 Supp. 75-5181; effective Feb. 12, 2016.)

92-23-46. Bingo; house rules. Any licensee may impose restrictions on player eligibility and game procedures through the use of "house rules" if these house rules meet all of the following conditions:

(a) The house rules do not conflict with state laws and regulations and local ordinances.

(b) The house rules are conspicuously posted at the location where games of bingo are conducted.

(c) The house rules are uniformly and consistently enforced by the licensee. (Authorized by and implementing K.S.A. 2015 Supp. 75-5181; effective Feb. 12, 2016.)

92-23-47. Display of numbered objects used in conducting games of bingo. As each number is called during each game of bingo, the selected object upon which the number appears shall be displayed to the players present so that each player who desires to see the number can do so. (Authorized by and implementing K.S.A. 2015 Supp. 75-5181; effective Feb. 12, 2016.)

92-23-48. Bingo; procedure for correction if wrong number called. (a) If a caller calls a number different from what is on the ball or other object selected by chance and this fact is brought to the caller's attention before the prize is awarded for that game of bingo, then the mistake shall be corrected by announcing that the correct number will be used rather than the incorrect number.

(1) If this correction results in one or more immediate

winners, then the game of bingo shall be deemed complete at that point. If the caller can determine who would have won first if the mistake had not been made, then the prize or prizes shall be awarded to that winner or those winners. If the caller cannot determine which winner would have won first, then the prize or prizes shall be split as equally as possible among the winners.

(2) If this correction does not result in at least one winner, then the game of bingo shall be continued until there is a winner.

(b) If a caller calls a number different from what is on the ball or other object selected by chance and this fact is brought to the caller's attention after the prize or prizes have been awarded for that game of bingo, then no correction shall be made and the winner or winners shall retain the prize or prizes. (Authorized by and implementing K.S.A. 2015 Supp. 75-5181; effective Feb. 12, 2016.)

92-23-49. Bingo; persons selling refreshments or performing janitorial work. A person who is only selling refreshments or providing janitorial services for games of bingo shall not be deemed to be participating in the management, conduct, or operation of games of bingo. (Authorized by and implementing K.S.A. 2015 Supp. 75-5181; effective Feb. 12, 2016.)

92-23-50. Communication of numbers needed to win prohibited. Each licensee shall ensure that no person communicates verbally or in any other manner the number or numbers needed by any player to win a game of bingo to any person involved in the conduct of that game of bingo. (Authorized by and implementing K.S.A. 2015 Supp. 75-5181; effective Feb. 12, 2016.)

92-23-51. Disputed game of bingo. (a) "Disputed game of bingo" shall mean a game of bingo at which a participant or observer registers a complaint with a licensee's employee or volunteer who is operating, conducting, or managing games of bingo for the licensee. If the participant or observer is not satisfied with the manner in which the complaint is handled, then that individual may file a written complaint with the administrator.

(b) Each licensee shall, on the premises, post in plain view of the participants the address where bingo complaints may be filed. The address shall be provided to each licensee by the department. (Authorized by K.S.A. 2015 Supp. 75-5181; implementing K.S.A. 2015 Supp. 75-5179 and 75-5181; effective Feb. 12, 2016.)

92-23-52. Bingo; multiple winners. (a) Before the beginning of the first call bingo game of a session, the licensee shall notify the players of how the licensee intends to pay out the prize for each game of bingo during that session if there are multiple winners.

(b) If a bingo player has a winning pattern simultaneously on two or more bingo faces or reusable bingo cards, then that player shall be treated as a separate winner for each such winning bingo face or reusable bingo card when determining the awarding of the prize or prizes for that game of bingo.

(c) If a bingo player has two or more winning patterns simultaneously on the same bingo face or reusable bingo card, then the licensee may treat the player as a separate winner for each winning pattern when determining the

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awarding of the prize or prizes for that game only if the licensee has published a house rule to that effect. (Authorized by K.S.A. 2015 Supp. 75-5181; implementing K.S.A. 2015 Supp. 75-5179; effective Feb. 12, 2016.)

92-23-53. Verification of winners. The winning numbers on the bingo face or reusable bingo card of each announced winner of each call bingo game shall be verified by the following individuals:

(a) At least one other call bingo player unrelated by blood or marriage to either the winning player or the caller of that game of bingo; and

(b) one or more of the bingo workers, using one of the following methods:

(1) The bingo worker shall call back the winning numbers while the other call bingo player looks at the bingo face or reusable bingo card and verifies that the correct numbers are being called back. The winning numbers shall be called out loud so that the other players present can hear the numbers. The caller shall announce whether the bingo face or reusable bingo card is a winner. For a blackout game, the numbers not selected may be called by the bingo worker and other call bingo player to verify the winners; or

(2) the bingo worker shall call out the unique identifying number on the bingo face while the other call bingo player verifies that the correct identifying number was called. The caller shall type the identifying number into the bingo machine with an electronic verifier and announce the bingo machine's response as to whether the bingo face is a winner. (Authorized by and implementing K.S.A. 2015 Supp. 75-5181; effective Feb. 12, 2016.)

92-23-54. Bingo; reduction in value of prizes. Any licensee may make the value of the prize awarded to the winner of call bingo contingent upon the number of players participating, if the exact terms of the contingency are posted or announced to all of the players before their purchase of any bingo faces or reusable bingo cards for the game. (Authorized by and implementing K.S.A. 2015 Supp. 75-5181; effective Feb. 12, 2016.)

92-23-55. Cashing of prize checks. Checks written by licensees for call bingo prizes of \$500 or more shall not be cashed by any licensee or member of the licensee's non-profit organization, any lessor, any employee or agent of the lessor, or any other person located upon the premises where the licensee is conducting games of bingo. (Authorized by K.S.A. 2015 Supp. 75-5181; implementing K.S.A. 2015 Supp. 75-5179; effective Feb. 12, 2016.)

92-23-56. Bingo; instant bingo. (a) Each licensee shall maintain and enforce written procedures to ensure that the licensee's instant bingo tickets are sold only at the times and places permitted by law.

(b) Instant bingo tickets shall be sold only by the licensee.

(c) Each prize for a winning instant bingo ticket shall be paid out to the winner only within the premises designated by the licensee for the conduct of games of bingo.

(d) Once sold, instant bingo tickets shall remain within the premises designated by the licensee for the conduct of games of bingo and shall be disposed of by placing them in receptacles provided by the licensee. The licensee shall be responsible for arranging for the removal and disposal of the instant bingo tickets. However, the licens-

ee shall retain all winning tickets.

(e) An instant bingo game in which the prize is awarded by matching the winning number in a call bingo game shall not be carried over from one session to another. If not all of the tickets from a game have been sold before awarding a prize, then the amount of the prize may be reduced based upon a formula or schedule that has been made known to the players before the commencement of the instant bingo game. (Authorized by K.S.A. 2015 Supp. 75-5181; implementing K.S.A. 2015 Supp. 75-5179; effective Feb. 12, 2016.)

92-23-57. Bingo; records; inspection; preservation.

(a) Each licensee shall maintain records that are necessary to determine the amount of tax due and to determine that the games of bingo operated or conducted by the licensee are operated or conducted in compliance with the Kansas charitable gaming act, K.S.A. 2015 Supp. 75-5171 through 75-5188, and amendments thereto. The records shall show the following:

(1) The date and location of each call bingo game conducted;

(2) the name of the operator or manager who conducted or operated each game of bingo;

(3) the number of call bingo games played daily;

(4) the value of all prizes awarded for each call bingo game played;

(5) the value of all other prizes awarded in connection with games of bingo;

(6) the date on which each call bingo prize was awarded;

(7) the name and address of each winner of a call bingo game in which the prize awarded was more than \$100 in value and of all winners of prizes in disputed games of bingo as defined in K.A.R. 92-23-51. A prize shall not be awarded to any individual who refuses to give the individual's name and address to a licensee in compliance with this regulation;

(8) the daily gross bingo receipts received by the licensee for admission, charges for participation, and any other charges in connection with games of bingo, with separate totals for call bingo and instant bingo;

(9) the number of players present during each session on which games of bingo are conducted;

(10) for each progressive bingo game, the winning and consolation prizes offered and the number of bingo balls required to win each of these prizes; and

(11) the occurrence of any drawing conducted during each session and, if any drawing occurred, a description of the prize awarded and its fair market value.

(b) All records required by subsection (a) shall be preserved for at least three years following the date on which the game of bingo to which the records pertain was managed, operated, or conducted.

(c) All records required by this regulation shall be available for, and subject to, inspection by the director of taxation or the director's authorized agents and employees at a location previously designated by the licensee. The records shall be subject to inspection at any reasonable time. The records for the preceding four months shall be available for inspection without advance notice at all times that the licensee is operating or conducting games of bingo.

(d) Each licensee shall provide all information, tax

returns, and records regarding or related to the operation, management, or conduct of games of bingo that are requested by the department. Failure to provide all requested information shall constitute grounds for revocation of a bingo license. (Authorized by K.S.A. 2015 Supp. 75-5181; implementing K.S.A. 2015 Supp. 75-5179; effective Feb. 12, 2016.)

92-23-58. Bingo; filing of returns; notice; hearings.

(a) On or before the last day of each calendar month, each licensee that was licensed during the preceding calendar month shall submit a return and remit all enforcement taxes due for the preceding month to the department. The return shall be submitted upon a form furnished by the department.

(b) If a licensee does not operate or conduct any games of bingo during a calendar month, the licensee shall still submit a return for that month. (Authorized by K.S.A. 2015 Supp. 75-5181; implementing K.S.A. 2015 Supp. 75-5176 and 75-5180; effective Feb. 12, 2016.)

92-23-59. Due date of tax return by distributors.

Each distributor shall submit a return and remit the tax due for each month's sale of bingo faces and instant bingo tickets by the 25th day of the month following the month in which the sales were made. (Authorized by K.S.A. 2015 Supp. 75-5181; implementing K.S.A. 2015 Supp. 75-5176 and 75-5177; effective Feb. 12, 2016.)

92-23-70. Charitable raffles; definitions. As used in K.A.R. 92-23-70 through K.A.R. 92-23-75, each of the following terms shall have the meaning specified in this regulation:

(a) "Gross receipts" means the total number of raffle tickets sold and given away multiplied by the selling price of a single raffle ticket. For the purpose of determining potential gross receipts, each raffle ticket shall be calculated at its individual selling price before the application of any discount for the purchase of two or more raffle tickets.

All charitable raffles conducted within the same licensing period shall be included when determining gross receipts.

(b) "Licensing period" means the period of time beginning on July 1 and through the following June 30. (Authorized by and implementing K.S.A. 2015 Supp. 75-5188; effective Feb. 12, 2016.)

92-23-71. Licensing requirements; renewals. (a) Each applicant expecting to conduct charitable raffles with annual gross receipts exceeding \$25,000 shall apply to the department for a charitable raffle license at least 30 days before any raffle tickets may be sold.

(b) Each application for a charitable raffle license or the renewal of a charitable raffle license shall be submitted on a form prescribed by the department and be accompanied by the applicable fees prescribed in K.S.A. 2015 Supp. 75-5175, and amendments thereto.

(c) In addition to information requested on the application, any applicant or licensee may be required to provide any of the following with an application or renewal:

(1) A copy of the applicant's or licensee's articles of incorporation or bylaws or, if the applicant or licensee is not a corporation, a copy of any bylaws or other documents that specify the nonprofit organization's structure and purpose;

(2) a copy of the ruling or determination letter from the internal revenue service recognizing the applicant or licensee as a nonprofit organization; and

(3) a current roster of all active members of the nonprofit organization.

(d) Each licensee shall maintain current information on its license. The licensee shall inform the department within 30 days of any changes in the information supplied in its most recent application filed with the department.

(e) Any licensee may request a hearing in accordance with the Kansas administrative procedure act before a charitable raffle license may be suspended or revoked by the secretary. The licensee shall surrender the raffle license to the department upon receipt of the final order of suspension or revocation.

(1) For each suspension, the license shall be returned to the licensee at the end of the suspension period.

(2) For each revocation, the former licensee may re-apply for a charitable raffle license no earlier than six months following the date of revocation.

(f) Charitable raffle licenses shall not be transferred or assigned to another nonprofit religious organization, nonprofit charitable organization, nonprofit fraternal organization, nonprofit educational organization, or nonprofit veterans' organization.

(g) Only one nonprofit organization may be licensed for each charitable raffle.

(h) Each licensee wanting to renew its license shall submit an application for renewal at least 30 days before the date the licensee intends to begin selling charitable raffle tickets in the new licensing period. (Authorized by and implementing K.S.A. 2015 Supp. 75-5175; effective Feb. 12, 2016.)

92-23-72. Charitable raffle ticket requirements. (a) Except as specified in subsection (f), each raffle ticket shall contain all of the following information printed in a clear and legible manner:

(1) The name of the licensee as it appears on the raffle license;

(2) the licensee's Kansas charitable raffle license number;

(3) the word "raffle";

(4) the date, time, and location of the raffle drawing;

(5) the price of the raffle ticket;

(6) a statement specifying whether a participant must be present to win;

(7) a unique sequential identification number on the raffle ticket and ticket stub that is different from any other number found on a ticket sold for that particular raffle activity; and

(8) any other information that the administrator requests.

(b) The ticket stub portion of the raffle ticket that is given to the purchaser shall contain a sequential number corresponding to the number printed on the raffle ticket from which the stub is detached. The raffle ticket portion of the ticket that is retained by the licensee shall contain a space for the purchaser's name, address, and telephone number if a participant's presence is not required when a winner is determined.

(c) A sample raffle ticket may be requested by the department for each raffle conducted by the licensee.

(d) Each raffle ticket shall be offered for the same price

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as that for every other raffle ticket being sold for the same charitable raffle. Any licensee may offer a discount for the purchase of two or more raffle tickets if the discount is offered to all persons wanting to participate in the charitable raffle.

(e) Each raffle ticket to participate in a charitable raffle shall be paid for in advance by cash, check, or credit card. The extension of credit shall be prohibited. The issuance of free raffle tickets shall not be prohibited; however, the value of all free raffle tickets shall be included in the gross receipts derived from the charitable raffle.

(f) If all raffle ticket purchases and the subsequent raffle are conducted during the same event, it shall be permissible to clearly display the following information at the event in lieu of printing the information on each raffle ticket:

(1) The name of the licensee as it appears on the raffle license;

(2) the licensee's Kansas charitable raffle license number;

(3) the word "raffle";

(4) the date, time, and location of the raffle drawing;

(5) the price of the raffle ticket;

(6) a statement specifying whether a participant must be present to win;

(7) a unique sequential identification number on the raffle ticket and ticket stub that is different from any other number found on a ticket sold for that particular raffle activity; and

(8) any other information that the administrator requests. (Authorized by and implementing K.S.A. 2015 Supp. 75-5188; effective Feb. 12, 2016.)

92-23-73. Conduct of charitable raffle. (a) Each licensee shall be responsible for the following:

(1) The conduct and management of the charitable raffle;

(2) the publishing of a promotional plan and advertising for each charitable raffle; and

(3) the accountability of raffle ticket sales, which shall include all of the following:

(A) Tracking raffle tickets provided to each raffle ticket seller;

(B) collecting all receipts from each raffle ticket seller;

(C) collecting the portion of all raffle tickets sold that shall be retained by the licensee; and

(D) collecting all unsold raffle tickets.

(b) All raffle tickets sold or given away shall be placed in the pool of raffle tickets from which the winners shall be drawn.

(c) Each raffle ticket placed in the raffle container shall have an equal opportunity to win.

(d) The order in which the winners will be determined shall be announced before the start of the drawing.

(e) Only one raffle ticket shall be drawn at a time.

(f) If a participant's presence is required when a winner is to be determined, statements specifying this condition shall be printed on each raffle ticket and all promotional material concerning the charitable raffle. If a participant's presence is not required when a winner is to be determined, each participant shall complete the portion of the raffle ticket providing the participant's name, address, and telephone number.

(g) Only raffle tickets that have been sold or given to a participant shall be included in the raffle container when determining the winner.

(h) If more than one prize or opportunity to win has been offered in a particular charitable raffle and a series of drawings must be made to determine all of the winners, any raffle ticket that has been drawn may be returned to the raffle container.

(i) Prizes awarded in a charitable raffle may include cash, merchandise, and anything of value that may be legally owned. If any prize other than cash is awarded, the prize shall be valued at fair market value.

(j) Each licensee conducting a charitable raffle in which prizes of real or personal property are to be awarded shall have paid for in full or otherwise become the owner without lien or interest of others of all the real or personal property to be awarded as prizes, before the date on which the winners will be determined.

(k) The licensee shall not participate in a charitable raffle as a player. Raffle tickets shall not be purchased in the name of the licensee. Individual members of the licensee may purchase raffle tickets.

(l) If a charitable raffle is canceled, the decision to cancel the charitable raffle shall be announced publicly and shall be posted at the licensee's principal office and web site. All receipts from raffle ticket sales shall be returned to each purchaser within 30 days of cancellation of the charitable raffle.

(m) If a charitable raffle is postponed, the postponement shall be announced publicly and shall be posted at the licensee's principal office and web site. The postponed charitable raffle shall be conducted within 30 days of the original date scheduled.

Any participant may request a refund on the purchase price of a raffle ticket if that participant is not able to be present on the date of the postponed charitable raffle and the participant's presence is required. (Authorized by and implementing K.S.A. 2015 Supp. 75-5188; effective Feb. 12, 2016.)

92-23-74. Awarding charitable raffle prizes. (a) All charitable raffle prizes shall be awarded.

(b) Each licensee shall make a diligent effort to locate the winners of all prizes.

(c) A prize shall not be forfeited to the licensee.

(d) Each prize that is not claimed or for which the winner cannot be located within 30 days from the date of the drawing shall be awarded by conducting another drawing using the original pool of raffle tickets. (Authorized by and implementing K.S.A. 2015 Supp. 75-5188; effective Feb. 12, 2016.)

92-23-75. Reporting requirements; recordkeeping.

(a) Each licensee shall annually report all charitable raffle winners of any prize for which the retail value is at least \$1,199. The report shall be submitted on a reconciliation form prescribed by the department.

(b) Each licensee shall annually reconcile the charitable raffle license fee paid based on the gross receipts from the previous licensing period. The licensee shall submit the reconciliation on a form prescribed by the department.

(c) Each licensee shall maintain the following information for each charitable raffle, for three years after the date the charitable raffle was conducted:

(1) Date of charitable raffle;

(2) total gross receipts;

- (3) total number of raffle tickets available for sale;
- (4) number of raffle tickets sold;
- (5) number of raffle tickets given away;
- (6) number of raffle tickets returned unsold to the licensee;
- (7) raffle ticket price;
- (8) value of all raffle tickets sold and given away;
- (9) name and address of all charitable raffle winners of any prize;
- (10) receipts for the purchase of prizes awarded or a

statement indicating the fair market value of the prizes donated for each charitable raffle; and
 (11) deposit records indicating that the proceeds from the charitable raffle have been deposited into the licensee's bank account. (Authorized by and implementing K.S.A. 2015 Supp. 75-5188; effective Feb. 12, 2016.)

Nick Jordan
 Secretary

Doc. No. 044252

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the 2009 Volumes of the *Kansas Administrative Regulations* and the 2015 Supplement of the *Kansas Administrative Regulations*.

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Reg. No.	Action	Register
1-16-4	Amended	V. 35, p. 44
1-16-8	Amended	V. 35, p. 44
1-16-15	Amended	V. 35, p. 45
1-16-18	Amended	V. 35, p. 45
1-16-18a	Amended	V. 35, p. 46
1-45-22	Amended	V. 34, p. 1227

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

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AGENCY 7: SECRETARY OF STATE

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

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14-19-40	New	V. 34, p. 1053
14-20-42	New (T)	V. 34, p. 825
14-20-42	New	V. 34, p. 1054
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AGENCY 16: ATTORNEY GENERAL

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28-16-28e	Amended	V. 34, p. 197
28-16-28f	Amended	V. 34, p. 199
28-16-58	Amended	V. 34, p. 200
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AGENCY 30: KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

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40-1-37	Amended	V. 34, p. 120
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40-2-20	Amended	V. 34, p. 1202
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68-16-9	Revoked	V. 34, p. 70
68-20-10a	Amended	V. 34, p. 70
68-20-31	New (T)	V. 34, p. 103
68-20-31	New	V. 34, p. 480

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-11-1	Amended	V. 34, p. 996
69-15-1	Amended	V. 34, p. 996
69-15-14	Amended	V. 34, p. 997
69-15-30	Amended	V. 34, p. 998

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-1-1	Amended	V. 34, p. 1301
81-2-1	Amended	V. 34, p. 1303
81-3-1	Amended	V. 34, p. 1304
81-3-2	Amended	V. 34, p. 1052
81-3-5	Amended	V. 34, p. 1305
81-3-6	Amended	V. 34, p. 1306
81-3-7	Amended	V. 34, p. 1310
81-4-1	Amended	V. 34, p. 1311
81-4-4	Amended	V. 34, p. 1312
81-5-7	Amended	V. 34, p. 1312
81-5-15	Amended	V. 34, p. 1312
81-5-17	Amended	V. 34, p. 1313
81-5-21	Amended	V. 34, p. 1313
81-6-1	Amended	V. 34, p. 1313
81-7-1	Amended	V. 34, p. 1314
81-7-2	Amended	V. 34, p. 1314
81-14-1	Amended	V. 34, p. 1315
81-14-2	Amended	V. 34, p. 1052
81-14-5	Amended	V. 34, p. 1316
81-14-11	Amended	V. 34, p. 1321
81-21-1	Revoked	V. 34, p. 1053
81-22-1	Revoked	V. 34, p. 1053
81-22-3	Revoked	V. 34, p. 1053
81-23-3	Revoked	V. 34, p. 1053
81-24-2	Revoked	V. 34, p. 1053
81-24-3	Revoked	V. 34, p. 1053
81-25-4	Revoked	V. 34, p. 1053
81-26-1	Revoked	V. 34, p. 1053
81-26-2	Revoked	V. 34, p. 1053
81-27-1	Revoked	V. 34, p. 1053
81-27-2	Revoked	V. 34, p. 1053
81-29-1	Revoked	V. 34, p. 1053
81-29-2	Revoked	V. 34, p. 1053

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-2-402	Revoked	V. 34, p. 900
82-2-506	Revoked	V. 34, p. 900
82-2-507	Revoked	V. 34, p. 900
82-3-100	Amended	V. 34, p. 900
82-3-106	Amended	V. 34, p. 900
82-3-109	Amended	V. 34, p. 901
82-3-203	Amended	V. 34, p. 902
82-3-207	Amended	V. 34, p. 902

(continued)

82-3-208	Amended	V. 34, p. 902
82-3-209	Amended	V. 34, p. 902
82-3-304	Amended	V. 34, p. 1100
82-3-312	Amended	V. 34, p. 903
82-3-1100 through		
82-3-1120	Revoked	V. 34, p. 903
82-4-3a	Amended (T)	V. 34, p. 373
82-4-3a	Amended	V. 34, p. 846
82-4-3f	Amended	V. 34, p. 515
82-4-3g	Amended	V. 34, p. 518

AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS

Reg. No.	Action	Register
85-4-1	Amended	V. 34, p. 177
85-7-1	Amended	V. 34, p. 177

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-5	Amended	V. 34, p. 1159

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-3-8a	Amended (T)	V. 34, p. 961
88-3-8a	Amended	V. 34, p. 1266
88-3-12	Revoked (T)	V. 34, p. 961
88-3-12	Revoked	V. 34, p. 1267
88-24-2	Amended	V. 34, p. 247
88-26-1 through		
88-26-8	Amended	V. 34, p. 247-250
88-26-7	Amended (T)	V. 34, p. 961
88-26-7	Amended	V. 34, p. 1267
88-26-9 through		
88-26-16	Revoked	V. 34, p. 250
88-28-6	Amended	V. 34, p. 250
88-29-1	Amended	V. 34, p. 313
88-29-5	Amended	V. 34, p. 314
88-29-6	Amended	V. 34, p. 314
88-29-7	Amended	V. 34, p. 315
88-29-7a	Amended	V. 34, p. 315
88-29-11	Amended	V. 34, p. 315
88-29a-1	Amended	V. 34, p. 316
88-29a-5	Amended	V. 34, p. 318
88-29a-6	Amended	V. 34, p. 318
88-29a-7	Amended	V. 34, p. 318
88-29a-7a	Amended	V. 34, p. 319
88-29b-1	Amended	V. 34, p. 319
88-29b-4	Amended	V. 34, p. 320
88-29b-5	Amended	V. 34, p. 321
88-29b-6	Amended	V. 34, p. 322
88-29b-7	Amended	V. 34, p. 323
88-29b-7a	Amended	V. 34, p. 324

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-56-1	Amended	V. 34, p. 1140
92-56-2	Amended	V. 34, p. 1141
92-56-4	Amended	V. 34, p. 1356

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-9-1	New	V. 34, p. 260

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-28a-1a	New (T)	V. 34, p. 1334
100-28a-6	Amended (T)	V. 34, p. 1334
100-28a-9	Amended (T)	V. 34, p. 1335
100-28a-9a	New (T)	V. 34, p. 1335
100-28a-10	Amended (T)	V. 34, p. 1335
100-28a-11	Amended (T)	V. 34, p. 1336
100-28a-12	Amended (T)	V. 34, p. 1336
100-28a-13	Amended (T)	V. 34, p. 1336
100-28a-14	Amended (T)	V. 34, p. 1337
100-28a-15	Amended (T)	V. 34, p. 1337
100-28a-17	Amended (T)	V. 34, p. 1337

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-5-2	Amended	V. 34, p. 1248
105-5-3	Amended	V. 34, p. 1248
105-5-6	Amended	V. 34, p. 1248
105-5-7	Amended	V. 34, p. 1249
105-5-8	Amended	V. 34, p. 1249

105-11-1 Amended V. 34, p. 1249

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-2-8	Amended	V. 34, p. 71
109-5-1	Amended	V. 34, p. 1299
109-5-1a through		
109-5-1d	Amended	V. 34, p. 1299, 1300
109-5-2	Revoked	V. 34, p. 1300
109-8-1	Amended	V. 34, p. 1300
109-10-1	Revoked	V. 34, p. 344
109-10-1c	Amended	V. 34, p. 344
109-10-1e	Amended	V. 34, p. 345
109-10-2	Revoked	V. 34, p. 345
109-10-7	Amended	V. 34, p. 345
109-11-3a	Amended	V. 34, p. 345
109-11-4a	Amended	V. 34, p. 346
109-11-6a	Amended	V. 34, p. 346
109-11-10	Revoked	V. 34, p. 347

AGENCY 111: KANSAS LOTTERY

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

the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*.

AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

Reg. No.	Action	Register
115-1-1	Amended	V. 34, p. 1204
115-2-1	Amended	V. 34, p. 1206
115-4-11	Amended	V. 34, p. 1208
115-4-13	Amended	V. 34, p. 1210
115-7-1	Amended	V. 34, p. 1211
115-7-2	Amended	V. 34, p. 103
115-7-10	Amended	V. 34, p. 1212
115-9-6	Amended	V. 34, p. 104
115-30-1	Amended	V. 34, p. 104

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-7-1	Amended	V. 34, p. 420

AGENCY 123: DEPARTMENT OF CORRECTIONS—DIVISION OF JUVENILE SERVICES

Reg. No.	Action	Register
123-6-105	Amended	V. 34, p. 868
123-6-105a	New	V. 34, p. 868
123-15-107	New	V. 24, p. 1183

AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION

Reg. No.	Action	Register
127-2-2	Amended	V. 34, p. 347

AGENCY 129: DEPARTMENT OF HEALTH AND ENVIRONMENT—DIVISION OF HEALTH CARE FINANCE

Reg. No.	Action	Register
129-5-1	Amended (T)	V. 34, p. 100
129-5-1	Amended	V. 34, p. 340
129-5-10 through		
129-5-21	New	V. 34, p. 943, 944
129-10-18	Amended	V. 35, p. 46
129-10-19	New	V. 35, p. 49

AGENCY 132: KANSAS 911 COORDINATING COUNCIL

Reg. No.	Action	Register
132-1-1	New	V. 34, p. 103

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