

Kansas Register

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November 2, 2023

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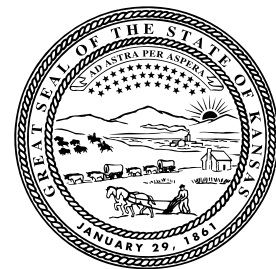
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State of Kansas

Legislative Administrative Services

Interim Committee Schedule

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

Date	Room	Time	Committee	Agenda
Nov. 1	112-N	8:00 a.m.	Special Committee on Childcare Centers Childcare Homes	http://kslegislature.org/li/b2023_24/committees/ctte_spc_2023_special_committee_on_child_care_ce_1/documents/agenda/weeklyinterim/20231101.pdf
Nov. 1	582-N	10:00 a.m.	Joint Committee on Information Technology	
Nov. 2	112-N	9:00 a.m.	Joint Committee on Pensions, Investments, and Benefits	http://www.kslegislature.org/li/b2023_24/committees/ctte_jt_pensions_1/documents/agenda/weeklyinterim/20231102.pdf
Nov. 3	112-N	9:00 a.m.	Joint Committee on Pensions, Investments, and Benefits	http://www.kslegislature.org/li/b2023_24/committees/ctte_jt_pensions_1/documents/agenda/weeklyinterim/20231102.pdf
Nov. 6	582-N	9:00 a.m.	Special Committee on Energy and Utilities	
Nov. 7	582-N	9:00 a.m.	Joint Committee on Fiduciary Financial Institutions Oversight	
Nov. 9	112-N	10:00 a.m.	Special Committee on Homelessness	
Nov. 9	582-N	TBD	Special Committee on Energy and Utilities	
Nov. 13	548-S	8:00 a.m.	Special Committee on Taxation	
Nov. 15	582-N	9:00 a.m.	Joint Committee on Information Technology	

Tom Day
 Director
 Legislative Administrative Services

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

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

Effective 10-30-23 through 11-5-23	
Term	Rate
1-89 days	5.33%
3 months	5.44%
6 months	5.50%
12 months	5.41%
18 months	5.23%
2 years	5.08%

Joel Oliver
Executive Director
Chief Investment Officer
Pooled Money Investment Board

Doc. No. 051599

State of Kansas

Secretary of State

Notice of Code Mortgage Rate for November 2023

Pursuant to the provisions of K.S.A. 16a-1-301, Section 11, the code mortgage rate during the period of November 1-30, 2023, is 12 percent. The reference rate referred to in the definition of "code mortgage rate" set forth in K.S.A. 16a-1-301(11)(b)(i) is discontinued, has become impractical to use, and/or is otherwise not readily ascertainable from the Federal Home Loan Mortgage Corporation.

Scott Schwab
Secretary of State

Doc. No. 051623

(Published in the Kansas Register November 2, 2023.)

North Central Regional Planning Commission

Request for Proposals

Proposals for assistance with SMART project implementation will be accepted by the North Central Regional Planning Commission (NCRPC) until 3:00 p.m. Monday, November 13, 2023, at 109 N. Mill St. Beloit, KS 67420, at which time they will be publicly reviewed/announced at the same address. Copies of the Request for Proposals and project details can be accessed by going to the <https://www.ncrpc.org/procurement/> or by contacting the NCRPC at 785-738-2218 or communitydevelopmentadvisor@ncrpc.org. This procurement is part of the Department of Transportation SMART grant award received by the North Central Regional Planning Commission. Estimated project value exceeds \$100,000.

Debra Ohlde
North Central Regional Planning Commission

Doc. No. 051621

(Published in the Kansas Register November 2, 2023.)

North Central Regional Planning Commission

Notice to Bidders

Request for bids for a night vision equipment will be accepted by the North Central Regional Planning Commission (NCRPC) until 10:00 a.m. (Central Time) Monday, November 20, 2023, at 109 N. Mill St., Beloit, KS 67420, at which time they will be publicly opened and read aloud at the same address. Copies of the Request for Bid and project specifications can be accessed by going to <http://procurement.ncrpc.org/HS/projects.html> or by contacting the NCRPC at 785-738-2218 or hlscoordinator@ncrpc.org. This action is being taken on behalf of the Northeast Kansas Regional Homeland Security Council. Estimated project value exceeds \$15,000.

Lisa Peters
Homeland Security Coordinator
Assistant Executive Director
North Central Regional Planning Commission

Doc. No. 051601

(Published in the Kansas Register November 2, 2023.)

North Central Regional Planning Commission

Notice to Bidders

Request for bids for a base of operations will be accepted by the North Central Regional Planning Commission (NCRPC) until 10:00 a.m. (Central Time) Monday, November 20, 2023, at 109 N. Mill St., Beloit, KS 67420, at which time they will be publicly opened and read aloud at the same address. Copies of the Request for Bid and project specifications can be accessed by going to <http://procurement.ncrpc.org/HS/projects.html> or by contacting the NCRPC at 785-738-2218 or hlscoordinator@ncrpc.org. This action is being taken on behalf of the Northeast Kansas Regional Homeland Security Council. Estimated project value exceeds \$25,000.

Lisa Peters
Homeland Security Coordinator
Assistant Executive Director
North Central Regional Planning Commission

Doc. No. 051602

(Published in the Kansas Register November 2, 2023.)

North Central Regional Planning Commission

Notice to Bidders

Request for bids for communication headsets will be accepted by the North Central Regional Planning Commission (NCRPC) until 10:00 a.m. (Central Time) Monday, November 20, 2023, at 109 N. Mill St., Beloit, KS 67420, at which time they will be publicly opened and read aloud at the same address. Copies of the Request for Bid and project specifications can be accessed by going to <http://procurement.ncrpc.org/HS/projects.html> or by contacting

the NCRPC at 785-738-2218 or hlscoordinator@ncrpc.org. This action is being taken on behalf of the South Central Kansas Regional Homeland Security Council. Estimated project value exceeds \$15,000.

Lisa Peters
Homeland Security Coordinator
Assistant Executive Director
North Central Regional Planning Commission

Doc. No. 051603

(Published in the Kansas Register November 2, 2023.)

City of Lenexa, Kansas

Notice to Bidders

Sealed bids for 95th Street and Loiret Boulevard Intersection Improvements (AWP-017-236-005) will be accepted by the City of Lenexa, Kansas until 1:00 p.m. (Central Time) December 5, 2023, at the Community Development Department, Lenexa City Hall, 17101 W. 87th St. Pkwy., Lenexa, KS 66219, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Community Development Department Customer Service Staff (Main Level) in sealed envelopes addressed to the City of Lenexa, Kansas, Attention: City Clerk, and marked "Bid for: 95th Street and Loiret Boulevard Intersection Improvements AWP-017-236-005." Copies of plans, specifications, bidding documents, and other contract documents are on file at Drexel Technologies, Inc. 10840 W. 86th St, Lenexa, KS 66214.

Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above. Plans and specifications may be downloaded from the Drexel Technologies, Inc. website at <http://planroom.drexeltech.com/>. Note: Davis Bacon Wage Rates apply to this project.

Each bidder will be responsible for ensuring that it has received any and all addenda issued by the city in accordance with IB-10 of the instructions to bidders.

Contractors should read and be fully familiar with all contract documents including addenda before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations and shall include in its bid a sum to cover the cost of all items of the work as specified in the contract documents.

No oral telegraphic, telephonic proposals, or alterations will be considered. Facsimile transmissions will not be accepted.

The following items must be included in the sealed envelope with the bid:

- a. Bid form;
- b. 5% Bid Security-Bid Bond, cashier's check or certified check (see below); and
- c. Acknowledgment of addenda Issued by the city.

Each bidder shall file with its bid a bid bond, a cashier's check, or a certified check drawn on an acceptable bank,

made payable to the City of Lenexa, Kansas, in an amount equal to five percent (5%) of the total bid, which shall be retained by the City of Lenexa, Kansas until a contract for the project has been executed. Bid Bonds will be returned to the bidders, with the exception of the best and lowest and second best and second lowest responsible bidders, within twenty-one (21) days after their bids are rejected. The bid deposit of the lowest and the second lowest responsible bidders will be returned when the performance bond, maintenance bond, and statutory bond, each in an amount equal to 100% of the contract amount; required insurance certificates and other required documents shall have been furnished and the contract documents have been executed by the successful bidder.

In the event the low bidder is unable to execute the contract, for whatever reason, within the time provided in the Notice of Award, the city may annul the Notice of Award and the bid deposit may be forfeited and the city shall exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security or specific performance.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of the city clerk, prior to the time and date for bid opening.

From and after the release of this notice, any party intending to bid on the above referenced project, including their officers, employees, agents, or contractors are specifically prohibited from communicating with any elected or appointed official of the city, directly or indirectly, with regard to the award of the contract for the project listed above, except as specifically authorized by the Instructions to Bidders. Any such unauthorized communication may result in the automatic disqualification of such bidder.

All bidders agree that rejection shall create no liability on the part of the city because of such rejection, and the filing of any bid in response to this notice shall constitute an agreement of the bidder to these conditions.

Jennifer Martin
City Clerk
City of Lenexa, Kansas

Doc. No. 051604

(Published in the Kansas Register November 2, 2023.)

City of Lenexa, Kansas

Notice to Bidders

Sealed bids for 2023 CDBG Street Lighting Project – Long Street, Rosehill Road, Gillette Street, and 89th Street, will be accepted by the City of Lenexa, Kansas until 11:00 a.m. (Central Time) December 7, 2023, at the Community Development Department, Lenexa City Hall, 17101 W. 87th St. Pkwy., Lenexa, KS 66219, at which time bids will be publicly opened and read aloud at the Lenexa City Hall. Any bid received after the designated closing time will not be considered and will be returned unopened.

All bids shall be submitted to the Community Development Department customer service staff (Main Level)

(continued)

el) in sealed envelopes addressed to the City of Lenexa, Kansas, Attention: City Clerk, and marked "Bid for: 2023 CDBG Street Lighting Project." Copies of plans, specifications, bidding documents, and other contract documents are on file at Drexel Technologies, Inc., 10840 W. 86th St. Lenexa, KS 66214.

Bidders desiring contract documents for use in preparing bids may obtain a set of such documents at the address above. Plans and specifications may be downloaded from the Drexel Technologies, Inc. website at <http://planroom.drexeltech.com/>. Note: Davis Bacon Wage Rates apply to this project.

Each bidder will be responsible for ensuring that it has received any and all addenda issued by city in accordance with IB-10 of the instructions to bidders.

Contractors should read and be fully familiar with all contract documents including addenda before submitting a bid. In submitting a bid, the bidder warrants that it has read the contract documents and is fully familiar therewith and that it has visited the site of the work to fully inform itself as to all existing conditions and limitations and shall include in its bid a sum to cover the cost of all items of the work as specified in the contract documents.

No oral telegraphic, telephonic proposals, or alterations will be considered. Facsimile transmissions will not be accepted.

The following items must be included in the sealed envelope with the bid:

- a. Bid form;
- b. 5% Bid Security–Bid Bond, cashier's check, or certified check (see below); and
- c. Acknowledgment of addenda issued by the city.

Each bidder shall file with its bid a bid bond, a cashier's check, or a certified check drawn on an acceptable bank, made payable to the City of Lenexa, Kansas, in an amount equal to five percent (5%) of the total bid, which shall be retained by the City of Lenexa, Kansas until a contract for the project has been executed. Bid bonds will be returned to the bidders, with the exception of the best and lowest and second best and second lowest responsible bidders, within twenty-one (21) days after their bids are rejected. The bid deposit of the lowest and the second lowest responsible bidders will be returned when the performance bond, maintenance bond and statutory bond, each in an amount equal to 100% of the contract amount; required insurance certificates and other required documents shall have been furnished and the contract documents have been executed by the successful bidder.

In the event the low bidder is unable to execute the contract, for whatever reason, within the time provided in the Notice of Award, the city may annul the Notice of Award and the bid deposit may be forfeited and the city shall exercise its legal prerogatives, including, but not limited to, enforcement of its rights as to the bid security or specific performance.

The city reserves the right to accept or reject any and all bids and to waive any technicalities or irregularities therein. Bids may be modified or withdrawn by written request of the bidder received in the office of the city clerk, prior to the time and date for bid opening.

From and after the release of this notice, any party intending to bid on the above referenced project, including their officers, employees, agents, or contractors are specifically prohibited from communicating with any elected or appointed official of the city, directly or indirectly, with regard to the award of the contract for the project listed above, except as specifically authorized by the Instructions to Bidders. Any such unauthorized communication may result in the automatic disqualification of such bidder.

All bidders agree that rejection shall create no liability on the part of the city because of such rejection, and the filing of any bid in response to this notice shall constitute an agreement of the bidder to these conditions.

A pre-bid conference will be held at 1:00 p.m. November 30, 2023, at the Lenexa City Hall, Prairie Star Conference Room, 17101 W. 87th St. Pkwy., Lenexa, KS 66219.

Jennifer Martin
City Clerk
City of Lenexa, Kansas

Doc. No. 051605

State of Kansas

Department of Administration Office of Facilities and Property Management

Notice to Bidders

Notice is hereby given for the receipt of subcontractor bids for the A-014692 University of Kansas 11th and Mississippi Design D-Long Lead MEP Package. This project is being delivered using procedures established under the Kansas alternate project delivery building construction procurement act (K.S.A 75-37,141 et seq.) for Department of Administration. Turner Construction is the construction manager. Contact person is Kyle Tawara at ktawara@sourceblue.com.

Subcontractor bids will be received for the following scopes of work:

- Long Lead MEP Equipment

Bids will be received until 2:00 p.m. (Central Time) Thursday, November 16, 2023 via Electronic Sealed Bid Submission utilizing BuildingConnected.

All bidders must prequalify through Turner Construction. Turner Construction utilizes a secure online system to administer the qualification review process. Bidders who are not prequalified should go to <http://turnerconstruction.com>, click on "Become a Subcontractor" and fill out the required information.

All bidders should advise of their intent to bid on BuildingConnected. Invitations to bid will be sent through BuildingConnected by the CMAR. This online system allows bidders to indicate their intent for bidding i.e. Undecided, Bidding, Not Bidding.

Bid documents will be available through the online bid solicitation software as well as at <https://app.buildingconnected.com/public>. Any messages, addendum, notices of changes will be sent through this system. Please contact above project contact to be added to distribution list.

Construction Manual including instructions to bidders, schedule, site logistics, scopes of work, bid form,

insurance requirements, etc. will be issued via Building-Connected. Notice of bid date change to be sent through BuildingConnected.

Barbara Schilling
Deputy Director-DCC
Office of Facilities and Property Management
Department of Administration

Doc. No. 051614

State of Kansas

Board of Regents Universities

Notice to Bidders

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

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

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

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

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

University of Kansas – Electronic bid postings: <http://www.procurement.ku.edu/>. The University of Kansas exclusively uses the online eBid tool and will no longer accept paper responses unless otherwise specified in a solicitation. Additional contact information, email: purchasing@ku.edu. Mailing address: University of Kansas, Procurement Department, 1246 W. Campus Road Room 20, Lawrence, KS 66045.

University of Kansas Medical Center – Electronic bid postings: <https://www.kumc.edu/finance/supply-chain/bid-opportunities.html>. Additional contact information,

phone: 913-588-1117, email: hunkemoore@kumc.edu. The University of Kansas Medical Center accepts only electronic bids.

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

Chris Robinson
Director
Purchasing and Contract Services
Kansas State University

Doc. No. 051386

State of Kansas

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

Notice to Bidders

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

All bids are to be submitted via email only to procurement@ks.gov. For more information, please visit https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL.

11/16/2023	EVT0009435	Elevator Maintenance – Capitol Complex – KDOA-OFFPM
11/22/2023	EVT0009437	New Hydraulic Press Brake – Kansas Correctional Industries (KCI)
11/28/2023	EVT0009440	Business Recruitment Consultant – Central US – KDOC
12/01/2023	EVT0009442	Food Service–Troop J – KHP
12/01/2023	EVT0009443	Janitorial Services – Concord Area – KDOT

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

https://supplier.sok.ks.gov/psc/sokfsprdsup/SUPPLIER/ERP/c/SCP_PUBLIC_MENU_FL.SCP_PUB_BID_CMP_FL.GBL

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

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

11/21/2023	A-013890(b)	Eastman Remodel Phase III – KDOL
11/21/2023	A-014853	Power Plant Clay Tile Roof Repair – Larned State Hospital
11/28/2023	A-014788	Replace Windows; Aspen and Holly Cottages – Parsons State Hospital
11/29/2023	A-014660	LTC Bariatric Room Conversion; Halsey Hall – Kansas Solders' Home

(continued)

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

Todd Herman
Director

Office of Procurement and Contracts
Department of Administration

Doc. No. 051628

State of Kansas

Department of Wildlife and Parks

Public Notice

The Kansas Department of Wildlife and Parks (KDWP) has reached an agreement for the purchase of a tract of land in Republic County, Kansas. The parcel consists of 5.9 acres, more or less, as follows: A tract of land in the North-east Quarter (NE ¼) of Section Thirty-two (32), Township Four South, Range Five West (T4S-R5W) of the Sixth P.M., Republic County, Kansas. Interested parties may contact KDWP for the full legal description. The total purchase price is \$50,000. This tract shall be managed as part of the Kansas Department of Wildlife and Parks Public Lands Division and will remain on the county's tax rolls.

Brad Loveless
Secretary

Department of Wildlife and Parks

Doc. No. 051608

(Published in the Kansas Register November 2, 2023.)

Midwest Regional Credit Union

Notice of Application for Change in Field of Membership

The Kansas Department of Credit Unions has received an application for a change in field of membership from Midwest Regional Credit Union, 7240 State Ave., Kansas City, Kansas, to alter its field of membership as follows:

Membership in this Credit Union is limited to: Anyone living or working in Anderson, Coffey, Douglas, Franklin, Geary, Johnson, Leavenworth, Linn, Miami, Morris, Osage, Pottawatomie, Riley, Shawnee, Wabaunsee, or Wyandotte counties within the state of Kansas; Jackson, County, Missouri; and their immediate families, and/or surviving spouses.

This also includes all employees of the select employee groups and payroll groups listed on Attachment "A" of the amendment, other select employee groups and payroll groups within the counties named above, and their immediate families, and/or surviving spouses. Membership, once established, may continue even though the credit union member would not be eligible for new membership.

Questions concerning the application may be directed to the Kansas Department of Credit Unions, 700 SW Jackson St., Suite 803, Topeka, KS 66603, phone 785-296-3021.

Thad Jones
President/CEO

Midwest Regional Credit Union

Doc. No. 051600

State of Kansas

Department for Children and Families

Public Notice

The State of Kansas will submit by December 31, 2023, the Temporary Assistance for Needy Families (TANF) Annual Report (ACF-204) and Caseload Reduction Report (ACF-202). Federal TANF regulations require states to submit an annual report containing information on TANF and State Maintenance of Effort programs. Submission of Form ACF-204 satisfies this requirement. Federal regulations also require a reduction in a state's required work participation rate for a fiscal year by the state's caseload reduction credit for that fiscal year. The caseload reduction credit gives a state credit for reducing its caseload between a base year and a comparison year. States submit data for the calculation of their caseload reduction credit by completing Form ACF-202.

The purpose of the TANF program is to assist low-income families with children in identifying and addressing barriers to becoming self-sufficient. TANF funded programs are intended to prepare adults served to obtain and maintain employment necessary to support their families. The program also coordinates supportive services intended to increase opportunities for families to thrive.

The Kansas Department for Children and Families (DCF) is preparing Form ACF-204 and Form ACF-202. Comments regarding these reports should be sent by December 19, 2023, to Angela.Stinson@ks.gov or by mail to the Kansas Department for Children and Families, Economic and Employment Services, 555 S. Kansas Ave., 4th Floor, Topeka, KS 66603. Requests to be notified when the completed reports are available should also be directed to Angela Stinson.

Laura Howard
Secretary

Department for Children and Families

Doc. No. 051609

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

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

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

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

Doc. No. 051423

State of Kansas

Wichita State University

Notice of Intent to Lease Real Property

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

fair market value and negotiable based on term of lease, purpose/use of the improvement, and benefit to WSU. WSU will consider serious offers and inquiries from any financially qualified individual, group, organization. If interested, please contact Property Manager Crystal Stegeman at crystal.stegeman@wichita.edu. This publication is being published pursuant to K.S.A. 75-430a(d), to the extent applicable.

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

Doc. No. 051455

State of Kansas

Kansas Housing Resources Corporation

Notice of Hearing

The State of Kansas will conduct a public hearing to provide an opportunity for citizens to review and comment upon the preliminary draft of the 2024 – 2028 Kansas Consolidated Plan and the 2024 Action Plan. The Consolidated Plan is the state’s policy framework for federal community development and housing programs.

The proposed 2024 – 2028 Kansas Consolidated Plan and the 2024 Action Plan will be available for public examination beginning November 15, 2023 at <http://kshousingcorp.org>. Limited hard copies will be available at the public hearing site and upon request. The public comment period ends December 18, 2023. Please direct written comments to the attention of the Consolidated Plan, at the address listed below.

Estimated resources available annually in the five-year plan include approximately \$14,821,600 from the Community Development Block Grant (CDBG), \$7,073,282 from the HOME Investment Partnerships (HOME), \$3,000,000 from the Housing Trust Fund, \$1,661,784 from the Emergency Solutions Grant (ESG), and \$793,084 from the Housing Opportunities for Persons with AIDS (HOPWA) programs.

Individuals with disabilities or limited English proficiency are encouraged to attend and participate in the public hearing. If you are in need of a sign language interpreter, an assistive listening device, large print, Braille material, or other accommodation to attend this meeting, please notify the Kansas Housing Resources Corporation (KHRC) at least five business days prior to the meetings. Requests may be addressed to KHRC, 611 S. Kansas Ave., Suite 300, Topeka, KS 66603-3803 or by phone at 785-217-2001 or via the Kansas relay service.

The public hearing is scheduled for 11:00 a.m. to 12:00 p.m. Thursday, November 16, 2023, Kansas Housing Resources Corporation, Main Conference Room, 611 S. Kansas Ave., Suite 300, Topeka, KS 66603-3803. The public hearing will also be available digitally. To join virtually, please go to <https://attendee.gotowebinar.com/register/4014923218696300122>.

Ryan Vincent
 Executive Director
 Kansas Housing Resources Corporation

Doc. No. 051627

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

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

Forté Products, PO Box 367, Cherryvale, KS 67335, owns and operates a plastic molding and fiberglass reinforced plastics manufacturing facility located at 1127 N. Liberty St., Cherryvale, Montgomery County, KS 67335.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Southeast District Office, 308 W. 14th St., Chanute, KS 66720. To obtain or review the proposed permit and supporting documentation, contact Garrett Kersting, 785-296-3589, at the central office of the KDHE or Ryan Jack, 620-860-7235, at the Southeast District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Garrett Kersting, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, December 4, 2023.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Garrett Kersting, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, December 4, 2023, in order for the Secretary of Health and Environment to consider the request.

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

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

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051611

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

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

Panhandle Eastern Pipe Line Company – Olpe Compressor Station, 7500 College Blvd., Suite 300, Overland Park, KS 66210, owns and operates a compressor station located at Section 21, Township 20S, Range 11E, Lyon County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366 and at the Southeast District Office, 308 W. 14th St., Chanute, KS 66720. To obtain or review the proposed permit and supporting documentation, contact Cathy Richardson, 785-296-1947, at the central office of the KDHE or Ryan Jack, 620-860-7235, at the Southeast District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Cathy Richardson, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, December 4, 2023.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, December 4, 2023, in order for the Secretary of Health and Environment to consider the request.

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

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

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051612

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Kansas Air Quality Class I Operating Permit Renewal

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

Northern Natural Gas Company, 801 S. Fillmore St., Suite 210, Amarillo, TX 79101, owns and operates a compressor station located at 2930 Gas City Rd., Section 7, Township 6S, Range 2E, Clifton, Clay County, Kansas.

A copy of the proposed permit, permit application, all supporting documentation, and all information relied upon during the permit application review process are available for public review during normal business hours of 8:00 a.m. to 5:00 p.m. at the KDHE, Bureau of Air (BOA), 1000 SW Jackson, Suite 310, Topeka, KS

66612-1366 and at the North Central District Office, 3040 Enterprise Dr., Salina, KS 67401. To obtain or review the proposed permit and supporting documentation, contact Cathy Richardson, 785-296-1947, at the central office of the KDHE or Jessica Fair, 785-827-9639, at the North Central District Office. The standard departmental cost will be assessed for any copies requested. The proposed permit, accompanied with supporting information, is available, free of charge, at the KDHE BOA Public Notice website at <https://www.kdhe.ks.gov/413/Public-Notices>.

Please direct written comments or questions regarding the proposed permit to Cathy Richardson, KDHE, BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than 12:00 p.m. Monday, December 4, 2023.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Cathy Richardson, KDHE BOA, 1000 SW Jackson, Suite 310, Topeka, KS 66612-1366, no later than 12:00 p.m. Monday, December 4, 2023, in order for the Secretary of Health and Environment to consider the request.

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

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

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051613

State of Kansas

Department of Health and Environment

Notice Concerning Kansas/Federal Water Pollution Control Permits and Applications

In accordance with Kansas Administrative Regulations 28-16-57a through 63, 28-18-1 through 17, 28-18a-1 through 31 and 33, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, various

(continued)

draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

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

Las acciones propuestas con respecto a los documentos preliminares se basan en la revisión del personal, aplicando los estándares, regulaciones y limitaciones de efluentes apropiados del estado de Kansas y de la Agencia de Protección Ambiental de Estados Unidos. La acción final resultará en la emisión de una Autorización Federal del Sistema Nacional de Eliminación de Descargas de Contaminantes y un permiso de Control de Contaminación del Agua de Kansas, sujeto a ciertas condiciones, revocación y reemisión del permiso designado o terminación del permiso designado. Si desea obtener más información en español o tiene otras preguntas, por favor, comuníquese con el Coordinador de No Discriminación al 785-296-5156 o en KDHE.NonDiscrimination@ks.gov.

Public Notice No. KS-AG-23-308/316

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Nelson Poultry Farms, Inc. - Prairie View Facility 1845 17th Rd. Clay Center, KS 66502	NW/4 of Section 13 T08S, R03E Clay County	Lower Republican River Basin

Kansas Permit No. A-LRCY-P001
Federal Permit No. KS0080489

The proposed action is to modify and reissue an existing State/NPDES permit for a facility for 79,000 head (2,607 animal units) of laying hens using a dry manure system that is exposed to precipitation during stockpiling. This permit is being modified to increase the total confined capacity to 100,000 head (3,300 animal units) of laying hens using a dry manure system that is exposed to precipitation during stockpiling by adding a two-tier system to existing buildings. Each confinement building will be replaced and moved to a high-rise manure management system. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Lane County Feeders, LLC 16 W. Road 230 Dighton, KS 67839	SW/4 of Section 01 & SE/4 of Section 02 & NE/4 & W/2 of Section 11 & NW/4 of Section 12 T17S, R29W Lane County	Upper Arkansas River Basin

Kansas Permit No. A-UALE-C004
Federal Permit No. KS0115177

The proposed action is to modify and reissue the existing NPDES permit for a facility for a proposed maximum capacity of 80,000 head (80,000 animal units) of cattle weighing more 700 pounds This represents an increase in the permitted animal units from the previous permit. This permit is also being modified to remove completed SOC's and add an SOC for submittal of a Nutrient Management Plan. Only the updated portions of the permit are subject to public comment.

Name and Address of Applicant	Legal Description	Receiving Water
Celtic, LLC Aidan Daly 38 Dairy Cir. Tribune, KS 67879	SE/4 of Section 03 T16S, R40W Greeley County	Smoky Hill River Basin

Kansas Permit No. A-SHGL-D001
Federal Permit No. KS0095303

The proposed action is to modify and reissue an existing NPDES permit for an existing facility for 3,000 head (4,200 animal units) of mature dairy cows and 50 head (25 animal units) of dairy calves; for a total of 4,225 animal units of cattle. The permit has been modified to add composting as a method of mortality management. Only the updated portion of the permit is subject to comment. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Peterson Farm & Livestock, Inc. 10729 S. Simpson Rd. Assaria, KS 67416	SW/4 of Section 22 T16S, R02W Saline County	Smoky Hill River Basin

Kansas Permit No. A-SHSA-B010

The proposed action is to reissue an existing state permit for an existing facility for 300 head (300 animal units) of cattle weighing greater than 700 pounds, and 698 head (349 animal units) of cattle weighing 700 pounds or less; for a total of 649 animal units of cattle. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Ebel Farms, Inc. Brad Ebel 3308 Horned Owl Rd. Hiawatha, KS 66434	NW/4 & SW/4 of Section 02 T01S, R16E Brown County	Missouri River Basin

Kansas Permit No. A-MOBR-S004

The proposed action is to reissue an existing state permit for an existing facility for 425 head (170 animal units) of swine more than 55 pounds, 300 head (30 animal units) of swine 55 pounds or less, 60 head (60 animal units) of cattle more than 700 pounds, and 60 head (30 animal units) of cattle 700 pounds or less, for a total of 290 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Max Menefee 33670 Quivira Rd. Paola, KS 66071	NW/4 of Section 02 T18S, R24E Miami County	Marais des Cygnes River Basin

Kansas Permit No. A-MCMI-S028

The proposed action is to reissue an existing state permit for an existing facility for 575 head (230 animal units) of swine weighing greater than 55 pounds, 300 head (30 animal units) of swine weighing 55 pounds or less, and 20 head (10 animal units) of cattle weighing 700 pounds or less for a total of 270 animal units. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Schurter Finishers Josh Hartter 1948 224th Rd. Bern, KS 66408	E/2 of NW/4 of Section 18 T01S, R14E Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S075

The proposed action is to reissue an existing state permit for an existing facility for 2,400 head (960 animal units) of swine weighing more than 55 pounds. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
4-N, Inc. 8831 S. Woodlawn Rd. Newton, KS 67114	NE/4 of Section 25 T24S, R01E Harvey County	Walnut River Basin

Kansas Permit No. A-WAHV-B001

The proposed action is to reissue an existing state permit for an existing facility for 700 head (700 animal units) of beef cattle weighing greater than 700 pounds and 299 head (149.5 animal units) of beef cattle weighing 700 pounds or less, for a total of 999 head (849.5 animal units) of cattle. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Upland Farms Myron Voth 730 Goldenrod Walton, KS 67151	SW/4 of Section 32 T21S, R02E Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-M025

The proposed action is to reissue an existing state permit for an existing facility for 90 head (126 animal units) of mature dairy cows and 60 head (30 animal units) dairy calves weighing less than 700 pounds; for a total of 156 animal units of cattle. There will be no change in the operation or permitted number of animal units from the previous permit. This facility has an approved Waste Management Plan on file with KDHE.

Public Notice No. KS-Q-23-186/190

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

Name and Address of Applicant	Receiving Stream	Type of Discharge
Atchison, City of 515 Kansas Ave. Atchison, KS 66002	Missouri River	Treated Domestic Wastewater

Kansas Permit No. M-MO01-IO01
Federal Permit No. KS0039128

Legal Description: E½, NE¼, NW¼ & W½, NW¼, NE¼, Section 18, Township 6S, Range 21E, Atchison County, Kansas

Facility Location: Latitude: 39.53229, Longitude: -95.11449

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of: Bar screens (2), grit chamber, pre-aeration (2), primary clarifiers (2), ABF tower, activated sludge basin (2), final clarifiers (2), sludge storage tank, and UV disinfection. In addition, there are eight CSO discharge point outfalls. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The proposed permit contains limits for Biochemical Oxygen Demand, Total Sus-

pending Solids, pH, and E. coli; as well as monitoring for Ammonia, Total Phosphorus, Nitrates + Nitrites, Total Kjeldahl Nitrogen, and Total Nitrogen. Permittee has received an Amended Consent Agreement and Final Order Case Docket No.09-E-124 BOW from KDHE. Permittee shall implement the requirements of the Order and any amendments or replacements thereto.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Hillsboro, City of PO Box 125 Hillsboro, KS 67063	South Cottonwood River via unnamed tributary	Treated Domestic Wastewater

Kansas Permit No. M-NE35-OO02
Federal Permit No. KS0097896

Legal Description: SE¼, NE¼, Section 35, Township 19S, Range 2E, Marion County, Kansas

Facility Location: Latitude: 38.35724, Longitude: -97.17189

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a three-cell wastewater stabilization lagoon system with aeration and a minimum of 120 days detention time. The facility receives domestic wastewater from residential and commercial areas and industrial wastewater from local manufacturers. The detention time at design flow is 131 days. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, and Ammonia; as well as monitoring for pH, E. coli, and Total Phosphorus. This NPDES discharging lagoon wastewater treatment facility has been reviewed for eligibility for the MDV for ammonia during the previous and current permit cycle. Eligibility was determined through analysis of the facility's highest attainable criteria (HAC) for ammonia and an Economic Eligibility Determination (EED) that assessed the impact of the cost of a new mechanical facility to the community's rate payers. The results of the EED determined it is uncertain if the facility is eligible. In accordance with EPA's Interim Economic Guidance for Water Quality Standards Workbook's Appendix M, as adopted in the Kansas Surface Water Quality Standards and approved by EPA, the community shall be moved to the adjacent category for subsequent renewal of this permit. For Hillsboro, this would move them into the cannot afford category based on a preliminary screener of 1.75, and secondary screener of 2.00. Additionally, the city has made the investment to add aerators to the cells, added a baffle wall, and ongoing SSO and I/I reduction to address the Schedule of Compliance and improve water treatment. Therefore, the facility has been determined to be eligible for the MDV. The ammonia effluent limit was determined on 7/7/2023 by calculating the 99th percentile ammonia value from the facility's discharge monitoring reports resulting in an ammonia limit of 6.5 mg/L for this facility. The 99th percentile limit decreased during the permit cycle but is less stringent than the final limits included in the previous permit. Codified in the NPDES regulations at 40 CFR 122.44(l), Section 402(o)(2) provides that the establishment of less stringent limits may be allowed where a variance has been granted.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Kansas 4-H Foundation 1168 K-157 Hwy. Junction City, KS 66441	Smokey Hill River via Lyon Creek via unnamed tributary	Treated Domestic Wastewater

Kansas Permit No. C-SH45-OO01
Federal Permit No. KS0118443

Legal Description: SW¼, NE¼, NW¼, Section 5, Township 14S, Range 5E, Dickinson County, Kansas

Facility Location: Latitude: 38.86757, Longitude: -96.90269

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The existing facility is a mechanical wastewater treatment plant consisting of: anaerobic treatment (Imhoff Tank), an Intermittent Sand Filter (ISF) and chlorination of the effluent. The facility receives domestic wastewater from a 4-H Ranch that is a

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seasonal operation. The proposed permit contains limits for Biochemical Oxygen Demand, Total Suspended Solids, pH, Ammonia, and E. coli; as well as monitoring for Total Residual Chlorine. The facility currently does not have an operator at the correct level of certification (Class I minimum). A schedule of compliance will be included to obtain an operator of the correct level by April 1, 2024.

Name and Address of Applicant	Receiving Stream	Type of Discharge
BP Products North America, Inc. 150 W. Warrenville Rd., MC-200-1N Naperville, IL 64054	Verdigris River via 6,500 Feet of 4" diameter pipe	Processed Wastewater

Kansas Permit No. I-VE29-PO05
Federal Permit No. KS0096385

Legal Description: SE ¼, Sec. 18, T 30S, R 16E, Wilson County, Kansas
Facility Location: Latitude: 37.43260, Longitude: -95.68884

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This former petroleum refinery site has been impacted by past releases of free hydrocarbon product. Hydrocarbons have migrated to the groundwater located within the refinery footprint. Groundwater collected within a trench and several extraction wells is treated with an oil/water separator, equalization tank, pH adjustment, air stripper, particulate filter, and three activated carbon filters operated in series. Filter effluent is discharged to the Verdigris River via 6,500-feet of 4-inch diameter pipe. The average discharge flow rate is 32 gpm with a maximum discharge flow rate of 100 gpm. The proposed permit contains limits for pH, as well as monitoring for Flow, Total Petroleum Hydrocarbon, and Total Phosphorus.

Name and Address of Applicant	Receiving Stream	Type of Discharge
Cessna Aircraft Company 6330 Southwest Blvd. Wichita, KS 67205	Arkansas River via Wichita Valley Center Floodway	Processed Wastewater

Kansas Permit No. I-AR94-PO09
Federal Permit No. KS0000485

Legal Description: SE¼ of Section 03, Township 28S, Range 01W, Sedgwick County, Kansas
Facility Location: Latitude: 37.64378, Longitude: -97.41520

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is engaged in the manufacture and assembly of propeller driven and jet aircraft. Non-contact cooling wastewater, air stripper effluent and stormwater runoff are discharged to the receiving stream. The outfall(s) and monitoring point(s) identified on the following page define the type and volume of wastewater discharge allowed. Domestic wastes, boiler blowdown, cooling tower blowdown, and process wastewater are discharged to the municipal sanitary sewer. Air conditioning condenser return and autoclave cooling water (0.25 MGD) are discharged to an on-site Class V injection well. The proposed permit contains limits for pH, as well as monitoring for, Flow, Trichloroethylene, Total Nitrogen, and Total Phosphorus.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment (KDHE) if they wish to have the comments or objections considered in the decision-making process. All written comments regarding the draft documents, application or registration notices received on or before December 2, 2023 will be considered in the formulation of the final determination regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-23-308/316, KS-Q-23-186/190) and name of the applicant/permittee when preparing comments.

All comments received will be responded to at the time the Secretary of Health and Environment issues a determination regarding final agency action on each draft document/application. If response to any draft document/application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). A request for public hearing must be submitted in writing and shall state the nature of the issues proposed to be raised during the hearing.

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

All draft documents/applications and the supporting information including any comments received are on file and may be inspected at the offices of the KDHE. For agricultural related draft documents or applications an appointment can be scheduled, or copies requested by contacting Mirina Landry at 1000 SW Jackson St., Suite 430, Topeka, KS 66612, telephone 785-296-0076 or email at kdhe.feedlots@ks.gov. Las preguntas o comentarios por escrito deben dirigirse a Erich Glave, Director, Bureau of Environmental Field Services en KDHE: 1000 SW Jackson St., Suite 430, Topeka, Kansas 66612-1367; por correo electrónico: kdhe.feedlots@ks.gov; por teléfono: 785-296-6432. For all other proposed permits or actions an appointment can be scheduled, or copies requested by contacting Neal Niceswanger, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, KS 66612, telephone (785) 296-6804 or email at Neal.Niceswanger@ks.gov. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available at <http://www.kdhe.ks.gov/livestock>. Division of Environment offices are open from 8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays.

Janet Stanek
Secretary

Department of Health and Environment

Doc. No. 051615

State of Kansas

Department of Transportation

Notice to Consulting Firms

The Kansas Department of Transportation (KDOT) is seeking up to 5 qualified consulting firms or teams of firms to perform professional services as described below. Interested consultants must submit a proposal to the appropriate bid form on Bid Express by 12:00 p.m. (Central Time) on November 10, 2023, to be considered for selection.

Consultant Prequalification

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

• 231 – Traffic Control Analysis and Design

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

Background and Scope of Project

Periodically for a given project, KDOT personnel may be unable to perform permanent signing inventory, data collection, design, planning, or other tasks within the timeframe required so it may be necessary to engage a consultant firm on short notice. This process begins with KDOT issuing an on-call service request to firms that have executed an on-call permanent signing agreement specifically for this type of support. To expedite commencement of work, resulting work order(s) are executed under the terms and conditions of that agreement. KDOT anticipates entering into such an agreement with up to 5 qualified consulting firms. Below is a list needed to complete permanent signing services:

- Permanent Signing Analysis, Design and Construction Plan development.
- Periodically, KDOT may be unable to perform within the time frame required. In those instances, it may be necessary to engage a consultant (with appropriately accredited personnel and equipment) on short notice under an on-call agreement.

Therefore, KDOT is seeking to execute on-call agreements up to 5 highly qualified firms, one of which may be selected on a project-by-project basis for specific assignment to be detailed in a task order/work order issued under a period of three years with an option to extend by one year two times with total max years of agreement possible of 5 years at KDOT’s sole discretion.

Anticipated Consultant Scope

KDOT anticipates the following to be included in the selected consultants’ scope: Permanent Signing Services as described below:

- Most often, the scope of services will generally consist of performing permanent signing engineering analysis, inventory, data collection, design, and construction plan development for KDOT along with field recommendations, shall be performed in accordance with the appropriate MUTCD, the HSM, AASHTO, Luminaires and Traffic Signals policies and procedures as directed by KDOT.
- In addition, requests for permanent signing services may occur on accelerated schedules. For this reason, approved consultants will need the ability to respond within a week to KDOT requests for permanent signing on-call services.

Anticipated Schedule and Key Dates

1. Proposals are due by or before 12:00 p.m. (Central Time) November 10, 2023.
2. Evaluation and ranking of proposals are expected to occur on or around November 15, 2023.
3. Executed agreements are anticipated to be complete around December 6, 2023.

Instructions for Proposal

1. No cost or pricing information shall be submitted with the proposal. Proposals including cost or pricing information will be considered non-responsive and withdrawn from further consideration.
2. The consultant’s proposal must not exceed 4 pages total (including any cover letter, index, etc.). All pages shall be standard letter size (8.5” x 11”). Any page larger than standard letter size will be count as two or more pages depending on size.
3. A single PDF (10MB maximum size) of the proposal must be uploaded to the appropriate bid form on Bid Express by the proposal due date and time.
4. The proposal PDF file name must read:
 - a. “On-Call Permanent Signing 2023_FIRM NAME”
5. The proposal must be accompanied by Special Attachments No. 8 (“Tax Clearance Certificate”) and No. 10 (“Policy Regarding Sexual Harassment”). If you need a Tax Clearance Certificate, you can request one here at <https://www.ksrevenue.gov/taxclearance.html>. Allow 2-3 business days for processing.
6. The outline in Table 1 below describes the expected proposal organization and content sections.
7. Table 2 lists the evaluation criteria and associated weights which will be used to make a selection.
8. Contact information for one consultant individual who is capable of answering any questions that may arise from the proposal shall be included in the proposal.
9. Depending on the number of responses received, KDOT may elect to shortlist (based on proposals) and hold in-person interviews prior to final selection (which may be based on both proposal and interview content). If KDOT deems them necessary, interview evaluation criteria will be distributed to shortlisted consultant teams in advance.

Table 1: Proposal Content

Section	Description of Intent	Page Limit
Cover Letter		1 Page
Project Approach	Demonstrate adequate capabilities to provide the services efficiently and to a high standard. Include cost-effective and optimized solutions. Include unique qualifications or experience related to the services required.	
Approach to Schedule	Describe the ability to accomplish the scope of services within schedule requirements. Include anticipated timelines for mobilization and lab analysis.	

(continued)

Approach to Quality Control	Describe methods or procedures your firm will use to provide all services, reports and other deliverables with professional quality and technical accuracy.
Qualifications and Experience	For key personnel to be assigned to the project, provide names, office location, qualifications, education, training, and expertise. Identify their area(s) of responsibility and their ability to dedicate what percent of their time to the project when providing the subject services. If there are changes in key personnel, KDOT should be notified immediately, and the above information should be provided for the new personnel.
Past Performance	Describe team’s past performance with respect to ability to meet project schedules; quality of work; and ability to control costs on similar transportation projects, especially those performed for KDOT. Include three references and contact information.
Familiarity with KDOT and Project Areas	Describe team’s familiarity with KDOT’s processes and standards. Describe familiarity with geotechnical engineering and geology in Kansas and any special site conditions you might anticipate finding.

Table 2: Evaluation Factors

Evaluation Factor	Weight
Qualifications and experience of project manager and other key project team members proposed for services	20%
Approach and commitment to meet advertised schedule	15%
Past performance history for similar projects/services for KDOT	20%
Understanding of the project area	5%
Innovation/Creativity in solutions	10%
Availability to respond to the work	15%
Unique qualifications	5%
Approach to quality control	5%
Demonstrated understanding of nature and scope of project	5%

Contract Terms and Conditions

The full list of consultants holding a “Permanent On-Call Agreement” resulting from this Request for Proposals is intended to replace the existing list of “High Performance Signing On-Call Agreement” holders based on the contracts executed in 2019. Each 2019 contract will remain in effect until either the contract expiration date (without extension) or when KDOT has determined the consultant has reached the contract maximum cumulative aggregate maximum cost. After the first of these occurs, each 2019 contract will be considered expired. Upon such expiration, firms currently holding a “High Performance Signing On-Call Agreement” that are not short-listed or are otherwise unable to successfully negotiate a new on-call agreement for this purpose will no longer receive on-call service requests associated with this Request for Proposals.

A KDOT Permanent on-call agreement for engineering and technical services will be used. KDOT may re-

quest this service via on-call service requests over a period of three years with an option to extend by one year two times with total max years of agreement possible of 5 years at KDOT’s sole discretion, which will result in work orders subject to a maximum cumulative aggregate amount payable to each on-call agreement holder under the agreement. This maximum amount payable will be the same for all on-call agreement holders, will be stated in each agreement, and is anticipated to be a cost not to exceed \$2,000,000.

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

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

Special Contract Conditions

On-Call agreements negotiated with the selected firms will take effect around December 6, 2023, have a maximum cost of services of two million dollars (\$2,000,000) over the life of the agreement, per consultant, and remain effective until such amount is spent associated with the agreement.

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

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

Questions

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

Questions can be submitted until November 2, 2023; answers will be provided to all prequalified consultants on November 6, 2023.

Calvin Reed
Secretary

Department of Transportation

Doc. No. 051590

State of Kansas

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

Public Notice

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) is amending the Kansas Medicaid State Plan. The Management of Self-monitoring Blood Pressure (SMBP) treatment plans will be added to the Kansas Medicaid State

Plan as a preventive outpatient service for persons using SMBP devices as part of their care.

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

Fee-For-Service Only	Estimated Federal Financial Participation
FFY 2024	\$22,912
FFY 2025	\$30,550

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

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

The last day for public comment is December 4, 2023. Draft copies of the proposed SPA may also be found at a Local Health Department (LHD).

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

Doc. No. 051620

State of Kansas

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

Request for Comments

The Kansas Department of Health and Environment, Division of Health Care Finance (KDHE-DHCF) in partnership with Kansas Department for Aging and Disability Services (KDADS), requests approval from the Centers for Medicare and Medicaid Services (CMS) to amend the Technology Assisted (TA) 1915(c) home and community-based services (HCBS) waiver, to allow for a change in Medicaid authority for mandatory managed care enrollment from the section 1115 waiver to a section 1915(b) waiver.

There will be no impact to beneficiaries and their coverage as the amendment is changing the Medicaid authority under which mandatory managed care enrollment is authorized.

The Autism, Brain Injury, Frail Elderly, Intellectual/Developmental Disabilities, Physical Disability, and Serious Emotional Disturbance 1915(c) HCBS waiver authority amendments were submitted to CMS on September 28, 2023 and are currently under review by CMS.

The proposed effective date of the amendment is January 1, 2024.

Comment Process

The full public notice statement and a draft of the proposed amendment are available for review at <https://www.kancare.ks.gov/home>.

Draft copies of the proposed amendments can also be found at a Local Health Department (LHD) or at the front

desk of the Kansas Department of Health and Environment, Division of Health Care Finance, at the address below. Locate the nearest LHD by visiting <https://www.kancare.ks.gov/>.

Question or comments may be addressed to Amy Gajda, KDHE/Division of Health Care Finance, 900 SW Jackson St., Room 900-N, Topeka, KS 66612-1220, or email KanCareRenewal@ks.gov.

Those needing accessibility assistance in order to understand the documents as posted in order to review or respond to the proposed amendment may also contact Amy Gajda at the email above.

Comments may be submitted from November 2, 2023, until 12:00 a.m. December 2, 2023.

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

Doc. No. 051619

State of Kansas

Office of the Governor

Executive Directive No. 23-576

Authorizing Expenditure of Federal Funds

By virtue of the authority vested in the Governor as the head of the Executive Branch of the State of Kansas, the following transactions are hereby authorized:

Pursuant to the authority of the Executive Director of the Kansas State Historical Society to receive and expend federal funds, and pursuant to the authority granted the Governor by Section 193 of Chapter 82 of *The 2023 Session Laws of Kansas*, approval is hereby granted to the Kansas State Historical Society for expenditure in FY 2024 of monies in the federal fund entitled "Native American Graves Protection and Repatriation Fund."

I have conferred with the Director of the Budget and members of my staff, and I have determined that the guidelines set forth in KSA 75-3711 and 75-3711c have been applied and that none of the foregoing actions exceeds the limitations contained therein.

Dated October 23, 2023.

Laura Kelly
 Governor

Doc. No. 051616

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be held at 9:00 a.m. November 17, 2023, in the conference room of Kansas Development Finance Authority (the "Authority"), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, on the proposed issuance by the Authority in one or more series of revenue bonds or notes (the "Tax-Exempt Obligations") in a principal amount not to exceed \$45,000,000. The Tax-Exempt Ob-

(continued)

ligations will be issued pursuant to K.S.A. 74-8901 et seq. (the "Act") to finance a portion of the costs of the acquisition and rehabilitation of an approximately 220-unit qualified residential rental project under Section 142 of the Internal Revenue Code located at or about 16700 W. 127th St., Olathe, Kansas and generally bounded by W. 127th Street to the south, Rogers Road to the west, E. 126th Terrace to the north, and N. Mur-Len Road to the east, known as Clarion Park Apartments (the "Project"), the principal user of which will be Clarion Park Housing I, LLC, a Kansas limited liability company (the "Borrower").

The Tax-Exempt Obligations will be limited obligations of the Authority, payable solely from revenues pledged by the Borrower, and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, nor will the Tax-Exempt Obligations constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged, but the Tax-Exempt Obligations will be payable solely from revenues pledged by the Borrower in amounts sufficient to pay the principal of, interest and redemption premium, if any, on the Tax-Exempt Obligations.

Interested individuals may participate in the public hearing in person or via conference call. Please call toll free at 844-621-3956 and use access code 145 880 8929 followed by # to join the conference.

At the time and place fixed for the hearing, all individuals who appear will be given an opportunity to express their views for or against the proposal to issue the Tax-Exempt Obligations for the Project, and all written comments previously filed with the Authority at its above referenced offices will be considered. Additional information regarding the project may be obtained by contacting the Authority at the address of its offices shown above.

Rebecca E. Floyd
President
Kansas Development Finance Authority

Doc. No. 051606

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be held at 9:00 a.m. November 17, 2023, in the conference room of Kansas Development Finance Authority (the "Authority"), 534 S. Kansas Ave., Suite 800, Topeka, Kansas, on the proposed issuance by the Authority in one or more series of revenue bonds or notes (the "Tax-Exempt Obligations") in a principal amount not to exceed \$8,500,000. The Tax-Exempt Obligations will be issued pursuant to K.S.A. 74-8901 et seq. (the "Act") to finance a portion of the costs of the acquisition and rehabilitation of an approximately 100-unit qualified residential rental project under Section 142 of the Internal Revenue Code comprised of approximately 19 buildings generally located on the south side of E. 12th Avenue all along St. James Court in the City of Winfield Kansas, known as Canterbury Village, the main office of which is located at 2300 St. James Court (the "Project"),

and the principal user of which will be OPG Canterbury Partners, LLC, a Kansas limited liability company (the "Borrower").

The Tax-Exempt Obligations will be limited obligations of the Authority, payable solely from revenues pledged by the Borrower, and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, nor will the Tax-Exempt Obligations constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged, but the Tax-Exempt Obligations will be payable solely from revenues pledged by the Borrower in amounts sufficient to pay the principal of, interest and redemption premium, if any, on the Tax-Exempt Obligations.

Interested individuals may participate in the public hearing in person or via conference call. Please call toll free at 844-621-3956 and use access code 145 880 8929 followed by # to join the conference.

At the time and place fixed for the hearing, all individuals who appear will be given an opportunity to express their views for or against the proposal to issue the Tax-Exempt Obligations for the Project, and all written comments previously filed with the Authority at its above referenced offices will be considered. Additional information regarding the project may be obtained by contacting the Authority at the address of its offices shown above.

Rebecca E. Floyd
President
Kansas Development Finance Authority

Doc. No. 051607

(Published in the Kansas Register November 2, 2023.)

City of Emporia, Kansas

Summary Notice of Bond Sale
\$9,925,000*
General Obligation Bonds, Series 2023

(General Obligation Bonds Payable
from Unlimited Ad Valorem Taxes)

Bids

Subject to the Notice of Bond Sale dated October 4, 2023 (the "Notice"), email and electronic bids will be received on behalf of the Director of Finance of the City of Emporia, Kansas (the "Issuer") in the case of email bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 10:00 a.m. (Central Time) November 14, 2023, for the purchase of the above-referenced bonds (the "Bonds"). No bid of less than 100% of the principal amount of the Bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The Bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The Bonds will be dated November 29, 2023, and will become due on September 1 in the years as follows:

Year	Principal Amount*	Year	Principal Amount*
2024	\$465,000	2034	\$420,000

2025	445,000	2035	435,000
2026	460,000	2036	450,000
2027	475,000	2037	465,000
2028	490,000	2038	480,000
2029	500,000	2039	495,000
2030	515,000	2040	515,000
2031	535,000	2041	535,000
2032	550,000	2042	555,000
2033	565,000	2043	575,000

* Subject to change, see the Notice

The Bonds will bear interest from the date thereof at rates to be determined when the Bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 2024.

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Treasurer of the State of Kansas, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied (in the manner set forth in the Notice) by a good faith deposit in the form of a cashier’s or certified check drawn on a bank located in the United States of America or a wire transfer in Federal Reserve funds immediately available for use by the Issuer in the amount of \$198,500.

Delivery

The Issuer will pay for preparation of the Bonds and will deliver the same properly prepared, executed, and registered without cost to the successful bidder on or about November 29, 2023, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The Equalized Assessed Tangible Valuation for Computation of Bonded Debt Limitations for the year 2023 is \$247,517,458. The total general obligation indebtedness of the Issuer as of the Dated Date, including the Bonds being sold, is \$27,590,000.

Approval of Bonds

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

Additional Information

Additional information regarding the Bonds may be obtained from the undersigned, or from the Municipal Advisor at the addresses set forth below.

Issuer

City of Emporia, Kansas
 Attn: Janet Harrouff, Director of Finance
 111 E. 6th Ave.
 Emporia, KS 66801
 620-343-4950
jharrouff@emporiaks.gov

Municipal Advisor – Email Bid and Good Faith Deposit Delivery Address

Raymond James & Associates, Inc.
 Attn: Greg Vahrenberg
 11551 Ash St., Suite 250
 Leawood, KS 66211
 816-509-5451
greg.vahrenberg@raymondjames.com

Dated October 4, 2023.

Janet Harrouff
 Director of Finance
 City of Emporia, Kansas

Doc. No. 051617

(Published in the Kansas Register November 2, 2023.)

City of Halstead, Kansas

**Summary Notice of Bond Sale
 \$750,000***

**Taxable General Obligation Bonds
 Series A, 2023**

Details of the Sale

Subject to the terms and requirements of the Official Notice of Bond Sale, dated October 23, 2023, of the City of Halstead, Kansas (the “City”), bids to purchase the City’s Taxable General Obligation Bonds, Series A, 2023, (the “Bonds”) will be received at the office of the City Clerk at City Hall, 303 Main, Halstead, KS 67056 or by telefacsimile at 316-835-2377 or electronically as described in the Official Notice of Bond Sale until 10:00 a.m. (Central Time) Monday, November 13, 2023. The bids will be considered by the governing body at its meeting at 7:00 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 99 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% of the principal amount of the Bonds.

Details of the Bonds

The Bonds will be dated December 6, 2023 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, 2024. Principal of the Bonds becomes due on October 1 in the years and amounts as shown below:

Maturity Schedule

Principal Amount*	Maturity Date	Principal Amount*	Maturity Date
\$40,000	2024	\$50,000	2032
35,000	2025	55,000	2033
35,000	2026	55,000	2034
35,000	2027	60,000	2035

(continued)

Principal Amount*	Maturity Date	Principal Amount*	Maturity Date
40,000	2028	65,000	2036
40,000	2029	70,000	2037
45,000	2030	75,000	2038
50,000	2031		

* Amounts subject to change.

Payment of Principal and Interest

The Treasurer of the State of Kansas 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 December 6, 2023. 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 \$18,212,268. As of December 6, 2023, the City's total outstanding general obligation debt (including the Bonds), is \$4,330,000*. The City's total indebtedness which is subject to debt limitation, as of December 6, 2023, is estimated to be \$3,422,597.34*, which is 18.79%* 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, Bret Shogren, Stifel Nicolaus & Company, Incorporated, 301 N. Main, Suite 800, Wichita, KS 67202, telephone 316-264-9351.

City of Halstead, Kansas
Julie Wait, City Clerk
City Hall
303 Main
Halstead, KS 67056
316-835-2286
Fax: 316-835-2377

Doc. No. 051618

State of Kansas

Board of Examiners in Optometry

Notice of Hearing on Proposed Administrative Regulation

The Kansas State Board of Examiners in Optometry will conduct a public hearing at 1:00 p.m. Wednesday, January 3, 2024, in the Kansas State Capitol, Committee Room 218-N, 300 SW 10th Ave., Topeka, KS 66612, to consider the adoption of the proposed regulation K.A.R.

65-5-14 of the Kansas State Board of Examiners in Optometry on a permanent basis.

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 regulation. All interested parties may submit written comments prior to the hearing by mailing them to the Kansas Board of Examiners in Optometry, 3109 W. 6th St., Suite A, Lawrence, KS 66049 or by email to kssbeo@ks.gov. All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulation during the public hearing. In order to provide all parties an opportunity to present their views, it may be necessary to ask that each participant limit any oral presentation to an appropriate time frame.

Complete copies of the proposed regulation and economic impact statement may be found on the Board's website at <https://kssbeo.ks.gov/> or by contacting Jan Murray at jan.murray@ks.gov.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five (5) working days in advance of the hearing by contacting Jan Murray at 785-832-9986.

A summary of the proposed regulation and its economic impact is as follows:

K.A.R. 65-5-14 Biennial Renewal. K.A.R. 65-5-14 is a permanent regulation that updates the biennial renewal schedule. Even license numbers will renew in the even numbered years and odd number license numbers will renew in the odd numbered years.

Economic Impact: The adoption of this regulation will affect revenue for the Kansas State Board of Examiners in Optometry. Revenue will decrease the first year of implementation but will level out over time. There is no environmental impact.

Jan Murray
Executive Officer
Board of Examiners in Optometry

Doc. No. 051610

State of Kansas

Board of Examiners in Optometry

Permanent Administrative Regulations

Article 4.—GENERAL PROVISIONS

65-4-4. Notice to board. A licensee shall provide notice to the board, in writing, within 20 days of the following:

- (a) the licensee's conviction of a felony, whether or not related to the practice of optometry;
- (b) the revocation, suspension or limitation of a licensee's license to practice optometry in another state, territory, nation or the District of Columbia;
- (c) the censure of the licensee by the proper licensing authority of another state, territory, nation or the District of Columbia;

(d) a finding by a court of competent jurisdiction that the licensee is mentally ill, disabled, not guilty by reason of insanity or incompetent to stand trial;

(e) sanctions or disciplinary actions taken against the licensee by a peer review committee, medical care facility or professional association or society;

(f) adverse action for acts or conduct which would constitute grounds for disciplinary action pursuant to K.S.A. 65-1517, and amendments thereto, taken against the licensee by another state or licensing jurisdiction, a peer review body, a medical care facility, a professional association or society, a governmental agency, by a law enforcement agency, or a court;

(g) surrender of the licensee's license or authorization to practice optometry in another state, territory, nation or the District of Columbia or surrender of the licensee's membership on any professional staff, or in any professional association or society;

(h) an adverse judgment, award, or settlement against the licensee resulting from a medical liability claim;

(i) any change in contact information to receive notifications from the Board including physical address, electronic mail address, and phone number. (Authorized by K.S.A. 74-1504(a)(6); implementing K.S.A. 65-1509; effective May 18, 1992; amended June 7, 1993; amended Nov. 17, 2023.)

Article 5. — LICENSES

65-5-4. Approved schools or colleges of optometry.

An approved school or college of optometry shall be a school or college accredited by the Accreditation Council on Optometric Education (ACOE). (Authorized by K.S.A. 74-1504(a)(6) and K.S.A. 65-1505; implementing K.S.A. 65-1505; effective May 18, 1992; amended Nov. 17, 2023.)

Jan Murray
Executive Officer

Board of Examiners in Optometry

Doc. No. 051624

State of Kansas

Behavioral Sciences Regulatory Board

Permanent Administrative Regulations

Article 1. — CERTIFICATION OF PSYCHOLOGISTS

102-1-13. Fees. (a) Each applicant for licensure as a psychologist shall pay the appropriate fee as follows:

- (1) Application for a license, \$175;
- (2) original license, \$50;
- (3) renewal, \$150;
- (4) duplicate license, \$20;
- (5) community-based psychologist license, \$50;
- (6) psychology interjurisdictional compact (PSYPACT) home state privilege to practice fee, \$25;
- (7) reinstatement temporary license, \$25
- (8) temporary license, \$50;
- (9) temporary license renewal fee, \$50;
- (10) temporary permit for an out-of-state licensed independent psychologist, \$200; or
- (11) temporary permit for an out-of-state licensed independent psychologist extension, \$200.

(b) Each applicant for an expedited application shall pay \$100 in addition to the application fee of \$175.

(c) Each applicant for a license renewal after the license's expiration date, if the license has been expired for less than one year, shall pay an additional fee of \$150, as well as the renewal fee of \$150.

(d) Each applicant for a license renewal after the license's expiration date, if the license has been expired for one-year or more, shall pay the renewal fee of \$150.

(e) Each applicant for reinstatement of a license that has been revoked by the board shall pay a fee of \$200.

(f) Fees paid to the board shall not be refundable. (Authorized by 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 74-5316, as amended by 2023 Sub for SB 131, sec. 32, K.S.A. 2022 Supp. 74-5316a, K.S.A. 74-5318, as amended by 2023 Sub for SB 131, sec. 33, K.S.A. 74-5339, as amended by 2023 Sub for SB 131, sec. 41, K.S.A. 2022 Supp. 74-5353, and K.S.A. 74-7507; implementing 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 74-5310, as amended by 2023 Sub for SB 131, sec. 30, K.S.A. 74-5310a, K.S.A. 2022 Supp. 74-5315, as amended by 2023 Sub for SB 131, sec. 31, K.S.A. 2022 Supp. 74-5316, as amended by 2023 Sub for SB 131, sec. 32, K.S.A. 2022 Supp. 74-5316a, K.S.A. 74-5318, as amended by 2023 Sub for SB 131, sec. 33, K.S.A. 74-5339, as amended by 2023 Sub for SB 131, sec. 41, and K.S.A. 2022 Supp. 74-5353; effective May 1, 1984; amended, T-85-35, Dec. 19, 1984; amended May 1, 1985; amended May 1, 1987; amended, T-102-5-1-90, May 1, 1990; amended June 11, 1990; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 23, 1993; amended Aug. 4, 1995; amended Oct. 24, 1997; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007; amended Nov. 30, 2007; amended, T-102-6-26-09, June 26, 2009; amended Oct. 9, 2009; amended March 8, 2019; amended, T-102-7-17-23, July 17, 2023; amended Nov. 17, 2023.)

Article 2. — LICENSING OF SOCIAL WORKERS

102-2-3. Fees. (a) Each applicant for a new social work license shall pay the appropriate application fee as follows:

- (1) Licensed baccalaureate social worker (LBSW): \$50;
- (2) licensed master social worker (LMSW): \$50;
- (3) licensed specialist clinical social worker (LSCSW): \$50;
- (4) community-based social work license: \$50;
- (5) temporary candidacy baccalaureate social work license: \$50;
- (6) temporary candidacy baccalaureate social work license extension: \$50;
- (7) temporary candidacy master social work license: \$50;
- (8) temporary candidacy master social work license extension: \$50;
- (9) temporary license fee: \$50;
- (10) temporary permit for an out-of-state licensed independent clinical social worker: \$200; and
- (11) temporary permit for an out-of-state licensed independent clinical social worker extension: \$200.

(b) Each applicant for an expedited application shall pay \$100, in addition to the application fee of \$50.

(c) Each applicant for a new social work license shall pay the appropriate original license fee as follows:

(continued)

- (1) Licensed baccalaureate social worker (LBSW): \$100;
- (2) licensed master social worker (LMSW): \$150; and
- (3) licensed specialist clinical social worker (LSCSW): \$150.

(d) Each applicant for license renewal shall pay the applicable fee as follows:

- (1) Licensed associate social worker (LASW): \$50;
- (2) licensed baccalaureate social worker (LBSW): \$50;
- (3) licensed master social worker (LMSW): \$75; and
- (4) licensed specialist clinical social worker (LSCSW): \$100.

(e) Each applicant for a reinstatement temporary license shall pay the applicable fee as follows:

- (1) Licensed baccalaureate social worker (LBSW): \$50;
- (2) licensed master social worker (LMSW): \$50; and
- (3) licensed specialist clinical social worker (LSCSW): \$50.

(f) Each applicant for license reinstatement after the date of the license's expiration, if the license has been expired less than one-year, shall pay, in addition to the renewal fee, the applicable penalty fee as follows:

- (1) Licensed associate social worker (LASW): \$50;
- (2) licensed baccalaureate social worker (LBSW): \$50;
- (3) licensed master social worker (LMSW): \$75; and
- (4) licensed specialist clinical social worker (LSCSW): \$100.

(g) Each applicant for a license renewal after the license's expiration date, if the license has been expired for one-year or more, shall pay the renewal fee listed in subsection (d).

(h) The fee for a replacement license shall be \$20, and the fee for a replacement wallet card license shall be \$2.

(i) Each provider of continuing education programs shall pay the applicable fee as follows:

- (1) One-year, provisional approved provider application fee: \$100;
- (2) three-year approved provider renewal fee: \$250; and
- (3) single-program provider fee: \$50.

(j) Fees paid to the board shall not be refundable. (Authorized by 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 65-6309a, K.S.A. 65-6314, as amended by 2023 Sub for SB 131, sec. 13, and K.S.A. 74-7507; implementing 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 65-6309a, K.S.A. 65-6313, as amended by 2023 Sub for SB 131, sec. 12, and K.S.A. 65-6314, as amended by 2023 Sub for SB 131, sec. 13; effective May 1, 1982; amended, T-86-20, July 1, 1985; amended May 1, 1986; amended, T-87-10, July 1, 1986; amended May 1, 1987; amended, T-102-10-17-89, Oct. 17, 1989; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended June 12, 1995; amended Aug. 4, 1995; amended Aug. 4, 2000; amended March 8, 2002; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007; amended Nov. 30, 2007; amended April 2, 2010; amended March 8, 2019; amended, T-102-7-17-23, July 17, 2023; amended Nov. 17, 2023.)

Article 3.—PROFESSIONAL COUNSELORS; FEES

102-3-2. Fees. (a) Each applicant for licensure as a professional counselor or clinical professional counselor shall pay the appropriate fee or fees as follows:

(1) Application for a professional counselor license, \$50;

(2) application for a clinical professional counselor license, \$50;

(3) application for a board-approved clinical supervisor, \$20;

(4) community-based professional counselor license, \$50;

(5) original professional counselor license, \$150;

(6) original license fee for a clinical professional counselor, \$150;

(7) renewal of a professional counselor license, \$100;

(8) renewal of a clinical professional counselor license, \$125;

(9) replacement of a professional counselor or a clinical professional counselor wall certificate, \$20;

(10) reinstatement of a professional counselor license that has been suspended or revoked, \$100;

(11) reinstatement of a clinical professional counselor license that has been suspended or revoked, \$125;

(12) reinstatement temporary license for a professional counselor, \$25;

(13) reinstatement temporary license for a clinical professional counselor, \$25;

(14) temporary professional counselor license, \$50;

(15) temporary permit for an out-of-state licensed independent clinical professional counselor, \$200; or

(16) temporary permit for an out-of-state licensed independent clinical professional counselor extension, \$200.

(b)(1) Each applicant for renewal of a professional counselor license after license's expiration date, if the license has been expired for less than one year, shall pay the reinstatement fee in addition to the late renewal penalty fee of \$100;

(2) Each applicant for renewal of a professional counselor after the license's expiration date, if the license has been expired for one-year or more, shall pay the renewal fee of \$100.

(c)(1) Each applicant for renewal of a clinical professional counselor license after its expiration date, if the license has been expired for less than one year, shall pay the reinstatement fee in addition to the late renewal penalty fee of \$125;

(2) Each applicant for renewal of a clinical professional counselor after its expiration date, if the license has been expired for one-year or more, shall pay the renewal fee of \$125.

(d) Each applicant for an expedited application shall pay \$100, in addition to the application fee of \$50.

(e) Fees paid to the board shall not be refundable. (Authorized by 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 65-5807a, K.S.A. 2022 Supp. 65-5808, as amended by 2023 Sub for SB 131, sec. 8, and K.S.A. 74-7507; implementing 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 65-5804a, as amended by 2023 Sub for SB 131, sec. 5, K.S.A. 65-5807a, and 65-5808 as amended by 2023 Sub for SB 131, sec. 8; effective, T-88-45, Nov. 10, 1987; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 4, 1995; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007; amended Nov. 30, 2007; amended March 8, 2019; amended, T-102-7-17-23, July 17, 2023; amended Nov. 17, 2023.)

Article 4.—MASTER’S LEVEL PSYCHOLOGISTS

102-4-2. Fees. (a) Each applicant or licensee shall pay the appropriate fee or fees as follows:

- (1) Application for a master’s level psychologist license, \$50;
- (2) application for clinical psychotherapist license, \$50;
- (3) community-based master’s level psychologist license, \$50
- (4) original master’s level psychologist license, \$150;
- (5) original clinical psychotherapy license, \$150;
- (6) renewal of a master’s level psychologist license, \$100;
- (7) renewal of a clinical psychotherapist license, \$125;
- (8) replacement of a master’s level psychologist or a clinical psychotherapist license, \$20;
- (9) replacement of a master’s level psychologist or a clinical psychotherapist wallet card license, \$2;
- (10) reinstatement of a master’s level psychologist license after suspension or revocation, \$100;
- (11) reinstatement of a clinical psychotherapist license after suspension or revocation, \$125;
- (12) temporary master’s level psychologist license, \$50;
- (13) temporary permit for an out-of-state licensed independent clinical master’s level psychologist, \$200; or
- (14) temporary permit for an out-of-state licensed independent clinical master’s level psychologist extension, \$200.

(b)(1) Each applicant for reinstatement of a master’s level psychologist license after the license’s expiration date, if the license has been expired for less than one year, shall pay the renewal fee in addition to the penalty fee of \$100;

(2) Each applicant for reinstatement of a master’s level psychologist license after the license’s expiration date, if the license has been expired for more than one year, shall pay the renewal fee of \$100.

(c)(1) Each applicant for reinstatement of a clinical psychotherapist license after the license’s expiration date, if the license has been expired for less than one year, shall pay the renewal fee in addition to the penalty fee of \$125;

(2) Each applicant for reinstatement of a clinical psychotherapist license after the license’s expiration date, if the license has been expired for more than one year, shall pay the renewal fee of \$125.

(d) Each applicant for an expedited application shall pay \$100, in addition to the application fee of \$50.

(e) Fees paid to the board shall not be refundable. (Authorized by 2023 Sub for SB 131, sec. 2, K.S.A. 74-5365, as amended by Sub for SB 131, sec. 36, K.S.A. 74-5367, as amended by Sub for SB 131, sec. 38, K.S.A. 2022 Supp. 74-5367a, and K.S.A. 74-7507; implementing 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 74-5363, as amended by Sub for SB 131, sec. 35, K.S.A. 74-5365, as amended by Sub for SB 131, sec. 36, K.S.A. 74-5366, as amended by Sub for SB 131, sec. 37, K.S.A. 74-5367, as amended by Sub for SB 131, sec. 38, and K.S.A. 2022 Supp. 74-5367a; effective, T-102-2-23-89, Feb. 23, 1989; effective April 3, 1989; amended, T-102-11-29-90, Nov. 29, 1990; amended Jan. 21, 1991; amended Aug. 4, 1995; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007; amended Nov. 30,

2007; amended March 8, 2019; amended, T-102-7-17-23, July 17, 2023; amended Nov. 17, 2023.)

Article 5.—LICENSING OF MARRIAGE AND FAMILY THERAPISTS

102-5-2. Fees. (a) Each applicant or licensee shall pay the appropriate fee or fees as follows:

- (1) Application for a marriage and family therapist license, \$50;
- (2) application for a clinical marriage and family therapist license, \$50;
- (3) application for a board-approved clinical supervisor, \$20;
- (4) community-based marriage and family therapist license, \$50;
- (5) original marriage and family therapist license, \$150;
- (6) original clinical marriage and family therapist license, \$150;
- (7) renewal of a marriage and family therapist license, \$100;
- (8) renewal of a clinical marriage and family therapist license, \$125;
- (9) replacement of a marriage and family therapist or a clinical marriage and family therapist license, \$20;
- (10) replacement of a marriage and family therapist or a clinical marriage and family therapist wallet card license, \$2;
- (11) reinstatement of a marriage and family therapist license, \$100;
- (12) reinstatement of a clinical marriage and family therapist license, \$125;
- (13) reinstatement temporary license, \$25;
- (14) temporary marriage and family therapist license, \$50;
- (15) temporary permit for an out-of-state licensed independent clinical marriage and family therapist, \$200; or
- (16) temporary permit for an out-of-state licensed independent clinical marriage and family therapist extension, \$200.

(b)(1) Each applicant for renewal of a marriage and family therapist license after the license’s expiration date, if the license has been expired for less than one year, shall pay the renewal fee in addition to the late renewal penalty of \$100;

(2) Each applicant for renewal of a marriage and family therapist license after the license’s expiration date, if the license has been expired for less than one year, shall pay the renewal fee of \$100.

(c)(1) Each applicant for renewal of a clinical marriage and family therapist license after the license’s expiration date, if the license has been expired for less than one year, shall pay the renewal fee in addition to the late renewal penalty of \$125;

(2) Each applicant for renewal of a clinical marriage and family therapist license after the license’s expiration date, if the license has been expired for more than one year, shall pay the renewal fee of \$125.

(d) Each applicant for an expedited application shall pay \$100, as well as the application fee of \$50.

(e) Fees paid to the board shall not be refundable. (Authorized by 2023 Sub for SB 131, sec. 2, K.S.A. 2022

(continued)

Supp. 65-6405a, K.S.A. 2022 Supp. 65-6411, as amended by Sub for SB 131, sec. 11, and K.S.A. 74-7507; implementing 2023 Sub for SB 131, sec. 2, K.S.A. 2022 Supp. 65-6405, as amended by Sub for SB 131, sec. 17, K.S.A. 65-6405a, and K.S.A. 65-6411, as amended by Sub for SB 131, sec. 11; effective March 29, 1993; amended Aug. 23, 1993; amended Aug. 4, 1995; amended Oct. 24, 1997; amended Aug. 4, 2000; amended July 1, 2005; amended, T-102-7-2-07, July 2, 2007; amended Nov. 30, 2007; amended March 8, 2019; amended, T-102-7-17-23, July 17, 2023; amended Nov. 17, 2023.)

Article 7.—LICENSING OF ADDICTION COUNSELORS

102-7-2. Fees. (a) Each applicant or licensee shall pay the appropriate fee or fees as follows:

- (1) Application for an addiction counselor license: \$50;
- (2) application for a master's addiction counselor license: \$50;
- (3) application for a clinical addiction counselor license: \$50;
- (4) original addiction counselor license: \$100;
- (5) original master's addiction counselor license: \$150;
- (6) original clinical addiction counselor license: \$150;
- (7) renewal of an addiction counselor license: \$50;
- (8) renewal of a master's addiction counselor license: \$75;
- (9) renewal of a clinical addiction counselor license: \$100;
- (10) replacement of an addiction counselor, a master's addiction counselor, or a clinical addiction counselor license: \$20;
- (11) replacement of an addiction counselor, a master's addiction counselor, or a clinical addiction counselor wallet license: \$2;
- (12) reinstatement of an addiction counselor license: \$50;
- (13) reinstatement of a master's addiction counselor license: \$75;
- (14) reinstatement of a clinical addiction counselor license: \$100;
- (15) reinstatement temporary addiction counselor license, \$25;
- (16) reinstatement temporary master's addiction counselor license, \$25;
- (17) reinstatement temporary clinical addiction counselor license, \$25;
- (18) temporary addiction counselor license: \$50;
- (19) temporary master's addiction counselor license: \$50;
- (20) temporary permit for an out-of-state licensed clinical addiction counselor: \$200; or
- (21) temporary permit for an out-of-state licensed clinical addiction counselor extension: \$200;
- (22) student temporary addiction counselor license, \$50;
- (23) student temporary addiction counselor license renewal, \$50.

(b) Each applicant for license renewal after the license's expiration date, if the license has been expired for less than one year, shall pay, in addition to the renewal fee, the applicable late renewal penalty fee as follows:

- (1) Licensed addiction counselor: \$50;
 - (2) licensed master's addiction counselor: \$75; or
 - (3) licensed clinical addiction counselor: \$100.
- (c) Each applicant for a license renewal after the license's expiration date, if the license has been expired for one-year or more, shall pay the renewal fee listed above.
- (d) Each applicant for an expedited application shall pay \$100, in addition to the application fee of \$50.
- (e) Fees paid to the board shall not be refundable. (Authorized by 2023 Sub for SB 131, sec. 2, K.S.A. 65-6618, as amended by Sub for SB 131, sec. 26, and 74-7507; implementing 2023 Sub for SB 131, sec. 2, K.S.A. 65-6618, as amended by Sub for SB 131, sec. 26; effective, T-102-7-1-11, July 1, 2011; effective, T-102-10-27-11, Oct. 27, 2011; effective Jan. 20, 2012; amended March 8, 2019; amended, T-102-7-17-23, July 17, 2023; amended Nov. 17, 2023.)

David Fye
Executive Director
Behavioral Sciences Regulatory Board

Doc. No. 051625

State of Kansas

Racing and Gaming Commission

Temporary Administrative Regulations

Article 201.—GENERAL PROVISIONS AND DEFINITIONS

112-201-1. Definitions. Each of the following words and terms, when used in article 112-201, 112-202, and 112-203 of the Kansas racing and gaming commission's regulations, shall have the meaning specified in this subsection unless the context indicates otherwise:

(a) "Affiliate" means an entity that provides goods or services to a Kansas-certified integrated sports wagering platform and required to be registered under K.A.R. 112-202-5, but not to be certified as an interactive sports wagering platform.

(b) "Age and identity verification" means a method, system, or device used by a lottery gaming facility manager or its interactive sports wagering platform provider to verify the validity of a patron's age and the patron's identity.

(c) "Canceled wager" means a wager that has been canceled by the lottery gaming facility manager or its interactive sports wagering platform provider through the interactive sports wagering platform due to an issue with an event that prevents the wager completion.

(d) "Cash equivalents" means instruments with a value equal to United States currency or coin, including certified checks, cashier's checks, traveler's checks, money orders, gaming tickets, winning sports wagering tickets, sports wagering vouchers, and coupons.

(e) "Communications Technology" means a process in which components are employed to facilitate the transmission of information including, but not limited to, transmission and reception systems based on wire, cable, radio, microwave, light, optics or computer data networks and the internet.

(f) "Dormant account" means a sports wagering account that has had no login for a period of three years.

(g) "Executive Director" means the executive director of the Kansas racing and gaming commission and/or anyone within the agency he designates to carry out the duties on behalf of the agency.

(h) "Gaming Day" means the period that corresponds with the lottery gaming facility manager's gaming day that has been approved by the executive director.

(i) "House Rules" means policies established by a lottery gaming facility manager to explain methods used to settle bets on events that occur outside the normal completion of an event.

(j) "Internet" means the international computer network of both federal and non-federal interoperable packet switched data networks.

(k) "Interactive sports wagering platform provider" means a sports wagering supplier that contracts with a lottery gaming facility manager to provide an interactive sports wagering platform. If a lottery gaming facility manager develops its own interactive sports wagering platform, the lottery gaming facility manager is also considered an interactive sports wagering platform provider for the purposes of this article.

(l) "Kansas Lottery" means the state agency created by the Kansas Lottery Act, K.S.A. 74-87001 *et seq.*, to operate a lottery or lotteries pursuant to the act, including sports wagering.

(m) "Kansas Racing and Gaming Commission" and "KRGC" means the state agency responsible for licensing and regulating all Kansas lottery gaming facilities, including its employees, gaming equipment, gaming and non-gaming suppliers, and interactive sports wagering platforms.

(n) "Layoff wager" means a wager placed by an interactive sports wagering platform provider with another interactive sports wagering platform provider for the purpose of offsetting patron wagers.

(o) "Marketing Plan" means a plan that must be submitted to the executive director for creation of sports wagering accounts.

(p) "Market" means a wager type (e.g. money line, spread, over/under) on which opportunities are built for wagering on one or more events.

(q) "Mobile application" means any application on a mobile device through which an individual is able to place a sports wager through an interactive sports wagering platform.

(r) "Payout" means the total payment due on a winning wager whether or not:

(1) The patron collects the total payment due at one time;

(2) all or a portion of the payment due is made in the form of cash, chips or other form of payment; or

(3) all or portion of the payment due is used by the patron to place another wager.

(s) "Penetration Testing" means an authorized simulated cyberattack performed to evaluate security of a system.

(t) "Personally Identifiable Information "PII" means any information or data used to confirm an individual's identity. Personally identifiable information includes, but is not limited to, name, address, IP address, phone number, social security number, and driver's license number.

(u) "Prohibited sports wagering participant" means any involuntarily-excluded person, any voluntarily-excluded person, and all of the following:

(1) any person who is under the age 21;

(2) any person placing wagers while not within the State of Kansas;

(3) a lottery gaming facility manager, and any director, officer, owner and employee of such manager, and any relative living in the same household as such persons, placing wagers with the manager at the manager's location or through the manager's interactive sports wagering platform;

(4) an interactive sports wagering platform, any director, officer, owner and employee of such platform, and any relative living in the same household as such persons, placing wagers through such platform or at the manager's location;

(5) any director, officer, owner and employee of the interactive sports wagering platform, and any relative living in the same household as such persons, placing wagers with the manager;

(6) any owner, officer, athlete, coach, referee, or other employee of a team, player union or referee union or any other person participating in any sporting event approved for wagering by the Kansas Lottery;

(7) any person with access to nonpublic confidential information held by the lottery gaming facility manager when attempting to place wagers with such manager;

(8) any person placing wagers as agents or proxies for other person; and

(9) any person placing wagers who has been convicted of any felony or misdemeanor offense involving sports wagering, including, but not limited to, the use of funds derived from illegal activity to make wagers, placing wagers to conceal money derived from illegal activity, the use of other individuals to place wagers as part of any wagering scheme to circumvent any provision of federal or state law and the use of false identification to facilitate the placement of any wager or the collection of any prize in violation of federal or state law, from placing wagers;

(v) "Satellite cage" means cashiering windows located in an area separated from the main cashiering facility.

(w) "Sports book" means a designated area in a lottery gaming facility offering sports wagering in accordance with established regulations.

(x) "Sports wagering account" means an account established through a lottery gaming facility manager or its interactive sports wagering platform provider for an individual patron to use for sports wagering.

(y) "Sports wagering count sheet" means a form used to inventory and balance a bank or ticket writer's drawer.

(z) "Sports wagering kiosk" means an automated device that may be used for sports wagering ticket processing and other automated functions as approved by the executive director.

(aa) "Sports Wagering Manager" means a licensed sports book employee who is responsible for operating the interactive sports wagering platform and providing final approval of all odds established on an agreed upon wager.

(bb) "Sports wagering operation" means the Kansas Lottery business of accepting wagers pursuant to the

(continued)

Kansas Expanded Lottery Act, K.S.A. 74-8733 through 74-8773, and amendments thereto, and K.S.A. 74-8781 through 74-8794, and amendment thereto, at a lottery gaming facility, through an interactive sports wagering platform or pursuant to a marketing agreement approved by the executive director of the Kansas Lottery.

(cc) "Sports wagering promotional credit" means any cashable or non-cashable credit, free play, patron incentives, coupon or voucher redeemable by a patron and issued in accordance with a promotional program or activity approved by the Kansas Lottery.

(dd) "Sports wagering registrant" means an individual or entity that is contracted to provide goods or services that the executive director determines affects the conduct of sports wagering but falls outside the scope of an interactive sports wagering platform certification or a vendor's certification.

(ee) "Sports wagering ticket" means a printed record issued or an electronic record maintained by the interactive sports wagering platform that evidences a sports wager.

(ff) "Sports wagering voucher" means a printed record, or digital representation thereof, issued by an interactive sports wagering platform that may be used to fund a wager or may be redeemable for cash.

(gg) "Strong authentication" means a method that has been demonstrated to the satisfaction of the executive director to effectively provide higher security than a username and password alone.

(hh) "Structured wagers" means the act of parcelling bets or winnings that would otherwise be a large financial sum into smaller transactions.

(ii) "Suspicious transaction" means a transaction which a lottery gaming facility manager or its interactive sports wagering platform provider knows or, has reason to suspect:

- (1) The transaction is part of a plan to violate or evade, any federal, state, or local law or regulation;
- (2) the wager is placed by, or on behalf of, a coach or participant in a sporting event or other event on such event;
- (3) the transaction is a structured wager; or
- (4) the transaction has no business or apparent lawful purpose or is not the sort of transaction the patron would normally be expected to perform.

(jj) "Ticket writer" means a cashier that handles sports wagering transactions.

(kk) "Voided wager" means a sports wager voided by an employee of the lottery gaming facility manager or interactive sports wagering platform operator and approved pursuant to the internal controls or house rules.

(ll) "Wager" means any commitment of credits or money by the patron on the results of events.

(mm) "Wagering Communication" means the transmission of a wager between a point of origin and a point of reception by aid of a communications technology.

(nn) "Wagering Instructions" means the instructions given by a patron on the grounds of a sports book who maintains a sports wagering account to effect a wagering communication to an interactive sports wagering platform. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective T-112-10-17-23, Aug. 12, 2022.)

112-201-2. Accounting controls for the Sports book.

(a) A ticket writer shall begin a shift with an imprest amount of sports wagering funds, consisting of currency and coin. No funds shall be added to or removed from the sports wagering funds during such shift except:

- (1) in collection of sports wagers;
- (2) in order to make change for a patron buying a sports wagering ticket;
- (3) in collection for the issuance of sports wagering vouchers;
- (4) in payment of winning or properly canceled or refunded sports wagering tickets;
- (5) in payment of sports wagering vouchers; or
- (6) in exchanges with the ticket writer's cage, a satellite cage, or the sports book bank supported by proper documentation, and which documentation shall be sufficient for accounting reconciliation purposes.

(b) A sports wagering count sheet shall be completed and signed by a supervisor, and the following information, at a minimum, shall be recorded thereon at the commencement of a shift:

- (1) The date, time, and shift of preparation.
- (2) The denomination of currency and coin in the sports wagering inventory issued to the ticket writer.
- (3) The total amount of each denomination of currency and coin in the sports wagering inventory issued to the ticket writer.
- (4) The sports wagering window number to which the ticket writer is assigned.
- (5) The signature of the sports wagering shift supervisor.

(c) A ticket writer assigned to a ticket writer window shall count and verify the sports wagering inventory at the sports wagering bank and shall agree with the count to the sports wagering count sheet. The ticket writer shall sign the count sheet attesting to the accuracy of the information recorded thereon. The sports wagering inventory shall be placed in the ticket writer's drawer and transported directly to the appropriate ticket writer window by the ticket writer.

(d) If the system generated sports wagering window net receipts for the shift do not agree with the sports wagering count sheet total plus the sports wagering inventory, the shift supervisor shall record any overage or shortage. If the count does not agree, the ticket writer and the shift supervisor shall attempt to determine the cause of the discrepancy in the count. Any discrepancy that cannot be resolved by the ticket writer and the shift supervisor shall be reported in writing to the department supervisor in charge at such time. Any discrepancy in excess of \$500 shall be reported to the Kansas racing and gaming commission. The report shall include the:

- (1) date on which the discrepancy occurred;
- (2) shift during which the discrepancy occurred;
- (3) name of the ticket writer;
- (4) name of the supervisor;
- (5) window number; and
- (6) amount of the discrepancy.

(e) The sports book shift supervisor shall compare the ticket writer window net for the shift as generated by the ticket writer's computer terminal, and if it agrees with the sports wagering count sheet total plus the sports wagering inventory, shall agree with the count of the sports

wagering count sheet and sign the sports wagering count sheet attesting to the accuracy. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective T-112-10-17-23, Aug. 12, 2022.)

112-201-3. Reserve requirements. All lottery gaming facility managers or their interactive sports wagering platform providers shall maintain a reserve in the form of cash, cash equivalents, payment processor reserves, payment processor receivables, an irrevocable letter of credit, a bond, or a combination thereof, of not less than the greater of \$500,000 or the amount necessary to ensure the ability to cover all unclaimed winnings and future liability. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective T-112-10-17-23, Aug. 12, 2022.)

112-201-4. Issuance and sports wagering ticket control requirements. (a) Immediately upon accepting a wager, the interactive sports wagering platform shall create a sports wagering ticket on which the terms of the wager are written.

(b) Printed sports wagering tickets must bear the name and address of the sports book.

(c) An interactive sports wagering platform shall be capable of processing lost or destroyed sports wagering tickets.

(d) When a sports wager is voided or canceled, the lottery gaming facility manager or its interactive sports wagering platform provider shall clearly indicate that the sports wager is voided or canceled ensuring it is nonredeemable and log it into the interactive sports wagering platform indicating the void or cancellation and the identity of the cashier or automated process. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-5. General wagering requirements. (a) Lottery gaming facility managers or their interactive sports wagering platform providers may not accept wagers unless made with:

- (1) Cash and cash equivalents;
- (2) electronic bank transfers of money, including transfers through third parties;
- (3) bank and wire transfers of money;
- (4) debit and credit cards;
- (5) online and mobile application payment systems that support online money transfers;
- (6) sports wagering promotional credits provided by a lottery gaming facility manager; and
- (7) any other payment method approved by the executive director.

(b) A lottery gaming facility manager or its interactive sports wagering platform provider shall accept wagers only on its licensed premises, and only at ticket writers or sports wagering kiosks approved by the executive director or through an interactive sports wagering platform that has been approved by the executive director.

(c) A lottery gaming facility manager or its interactive sports wagering platform provider shall not knowingly accept money or its equivalent purportedly as a wager upon an event whose outcome has already been determined. A lottery gaming facility manager or its interactive sports wagering platform provider shall not accept a wager on an event unless the date and time at which the

outcome of the event is determined or can be confirmed from reliable sources satisfactory to the executive director.

(d) All accepted wagers shall be listed in the house rules.

(e) The lottery gaming facility manager or its interactive sports wagering platform provider shall ensure that any statistics/line data that is made available to the patron pertaining to an event uses a source allowed by the Kansas lottery. The source providing the statistics/line data shall be accurate at the time of the event.

(f) No lottery gaming facility manager, interactive sports wagering platform provider, agent or employee of lottery gaming facility manager or an interactive sports wagering platform provider may accept a wager from a person who the lottery gaming facility manager, interactive sports wagering platform provider, agent or employee knows or reasonably should know is a messenger bettor or is placing the wager in violation of state or federal laws.

(g) No lottery gaming facility manager or its interactive sports wagering platform provider may hold a patron's money or its equivalent on the understanding that the lottery gaming facility manager or its interactive sports wagering platform provider will accept the money as a wager only upon the occurrence of a specified, future contingency, unless a sports wagering ticket documenting the wager and contingency is issued immediately when the lottery gaming facility manager or its interactive sports wagering platform provider receives the money or its equivalent.

(h) A lottery gaming facility manager or its interactive sports wagering platform provider shall limit each patron to one active and continuously used sports wagering account and username for each interactive sports wagering platform.

(i) A lottery gaming facility manager or its interactive sports wagering platform provider shall implement rules and publish procedures to suspend all, but one active account for any sports wagering patron that establishes, or seeks to establish, multiple active accounts in a single interactive sports wagering platform, whether directly or by use of another person as a proxy.

(j) In the event a patron has a pending wager and then self-excludes, the wager shall settle, and the funds shall be remitted to the problem gambling grant fund established under K.S.A. 79-4805, and amendments thereto, if the wager settles as a win or push.

(k) A full age and identity verification must be undertaken before a patron is allowed to place a wager on an interactive sports wagering platform as follows:

(1) Only patrons 21 years of age and older may deposit funds or participate in wagering. The lottery gaming facility manager and interactive sports wagering platform provider must deny the ability to deposit funds or participate in wagering to any person that submits a birth date that indicates the person is under 21 years of age.

(2) Age and identity verification must use commercial reasonable standards to confirm that the patron is not a prohibited sports wagering participant.

(3) Details of age and identity verification must be kept in a secure manner.

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(4) Third-party service providers may be used for age and identity verification of patrons.

(5) The lottery gaming facility manager and interactive sports wagering platform provider must have a documented policy for the handling of patrons discovered to be using a sports wagering account in a fraudulent manner, including, but not limited to:

(A) The maintenance of information about any patron's activity, such that if fraudulent activity is detected, the Kansas racing and gaming commission has all of the necessary information to take appropriate action;

(B) The suspension of any patron account discovered to be providing access to fraudulent patrons; and

(C) The treatment of deposits, wagers, and wins associated with a fraudulent patron's sports wagering account. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-6. Multiple wagers. (a) A lottery gaming facility manager and its employees shall not knowingly allow, and each interactive sports wagering platform provider shall take reasonable steps to prevent, the circumvention of K.A.R. 112-104-6 by multiple cash wagers within its designated gaming day. As part of a lottery gaming facility manager's and its interactive sports wagering platform provider's efforts to prevent such circumventions relative to K.A.R. 112-104-6, a lottery gaming facility manager or its interactive sports wagering platform provider shall establish and implement wagering multiple transaction logs.

(b) Each lottery gaming facility manager or its interactive sports wagering platform provider shall record in the wagering multiple transaction log, all cash wagers of \$3000 or more and properly complete a currency transaction report for all single cash transactions and for a series of multiple cash transactions in excess of \$10,000.

(c) Each log entry in a wagering multiple transaction log shall be made by the employee accepting or approving the cash wager.

(d) When aggregated cash wagers exceed \$10,000, the lottery gaming facility manager and its interactive sports wagering platform provider shall complete the record-keeping and reporting requirements of K.A.R. 112-201-6. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-7. Structured wagers. (a) A lottery gaming facility manager or its interactive sports wagering platform provider shall not encourage or instruct the patron to structure or attempt to structure wagers. This subsection does not prohibit a lottery gaming facility manager or its interactive sports wagering platform provider from informing a patron of the regulatory requirements imposed upon the sports book, including the definition of structured wagers.

(b) A lottery gaming facility manager or its interactive sports wagering platform provider shall not knowingly assist a patron in structuring or attempting to structure wagers. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-8. Recordkeeping and reporting requirements. (a) The lottery gaming facility manager and its in-

teractive sports wagering platform provider shall maintain records of:

(1) All wagers placed, including personally identifiable information of the person placing the wager;

(2) the amount and type of wager;

(3) the time the wager was placed;

(4) the location of the wager, including the IP address, if applicable;

(5) the outcome of the wager;

(6) any records of abnormal wagering activity; and

(7) video camera recordings, in the case of in-person wagers.

(b) Lottery gaming facility managers shall maintain personally identifiable information of persons placing a sports wager. Use of personally identifiable information shall be limited to purposes that facilitate placing of a sports wager or payment of any prize as well as for compliance with any federal or state law.

(c) Personally identifiable information, including the IP address from which a sports wager is placed, will be used by sports wagering platforms to allow placement of sports wagers on an approved mobile app. Permissible use of personally identifiable information include, but are not limited to, age verification; voluntary exclusions; geolocation; detection of location anonymizers such as proxy servers, VPNs, and TOR exit nodes; re-geolocation; fraud detection and investigation; and FinCen reporting.

(d) A patron may elect to prohibit collection of personally identifiable information by a sports wagering platform or gaming facility manager if that election does not interfere with the ability of a platform to initiate a sports wager or facilitate payment of a prize.

(e) Sports wagering platforms and gaming facility managers shall not use for marketing purposes any person's personally identifiable information who has elected to not have their personally identifiable information collected for any purpose other than placing a sports wager or receiving payment of a prize. The person's election to prohibit collection of personally identifiable information shall be maintained by the sports wagering platform and facility manager until the person affirmatively, through the platform or by other written means, cancels such election. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-9. Payment of winning wagers. (a) Except as otherwise provided in this subsection, lottery gaming facility manager or their interactive sports wagering platform providers shall make a payment on a winning wager to the patron who presents the patron's original sports wagering ticket representing the wager. A lottery gaming facility manager or its interactive sports wagering platform provider shall not make payment to a patron who the interactive sports wagering platform knows or reasonably should know is collecting the payment on behalf of another patron or in violation of law. A lottery gaming facility manager or its interactive sports wagering platform provider may withhold payment of a winning wager if a patron refuses to supply identification or any other documentation required by state law.

(b) The lottery gaming facility manager or its interactive sports wagering platform provider shall honor winning sports wagering tickets for 180 days after the event

has concluded. The lottery gaming facility manager or its interactive sports wagering platform provider shall state the redemption period on each sports wagering ticket, on the house rules, and on notices conspicuously placed about the licensed premises. Interactive sports wagering platforms shall maintain the information and documentation presented for a period of two years.

(c) Any patron unclaimed winnings shall meet all requirements of K.A.R. 112-104-32. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-10. Wager Cancellations. Lottery gaming facility managers or their interactive sports wagering platform providers shall establish internal controls pertaining to wagering transactions that can be voided or cancelled.

(a) A lottery gaming facility manager or its interactive sports wagering platform provider may, in its discretion, void or cancel an accepted wagering transaction due to an obvious error. An obvious error must be defined in the internal controls.

(b) Except as otherwise provided in this article, a lottery gaming facility manager or its interactive sports wagering platform provider shall not unilaterally void or cancel any wager without the prior approval of the executive director. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-11. Reporting of suspicious activity. (a) A lottery gaming facility manager shall utilize an independent supplier to identify non-normal irregularities in volume or odds swings that could signal suspicious activity and further investigation.

(1) Internal controls shall state details for how integrity monitoring efforts and notifications pertaining to them will be handled.

(2) In situations requiring immediate attention, such as large odd swings or irregularities in volume, the lottery gaming facility manager shall immediately notify the on-site Kansas racing and gaming commission agent in addition to filing a report within 24 hours.

(b) Nothing in this regulation shall be construed as relieving a lottery gaming facility manager or its interactive sports wagering platform provider from meeting any obligation to prepare or maintain any book, record, or document required by any other federal, state, or local governmental body, authority, or agency. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective T-112-10-17-23, Aug. 12, 2022.)

112-201-12. Wagers, terms and conditions. (a) An interactive sports wagering platform provider or a licensed lottery gaming facility manager where the sports book is located or an affiliate of one or more of those entities that holds a gaming license may provide room, food, and beverage, that are available to the public from other sources, including spa services, movies, bowling and entertainment admissions and limousine or other car service transportation to and from the gaming establishment where the sports book is located.

(b) A lottery gaming facility manager or its interactive sports wagering platform provider, including all marketing entities that have contracted with the lottery

gaming facility manager or its interactive sports wagering platform provider to provide sports wagering, may award loyalty program points based on wagers placed by a patron; however, such points may only be redeemed in accordance with the rules of the program. The lottery gaming facility manager shall include a description and controls for player loyalty programs related to sports wagering in their internal controls.

(c) A lottery gaming facility manager or its interactive sports wagering platform provider shall not, in an attempt to provide a benefit to the patron in violation of subsection (a), offer a wagering proposition, or set or move its wagering odds, lines or limits, or do anything that would violate their house rules.

(d) Other than as part of an approved promotional mechanism, an interactive sports wagering platform provider shall not set lines or odds, or offer wagering propositions, designed for the purposes of ensuring that a patron will win a wager or series of wagers. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-13. Wagering communications, establishing patron wagering for sporting events. (a) A lottery gaming facility manager or its interactive sports wagering platform provider shall only accept sport wagering initiated from within the state of Kansas. Each lottery gaming facility manager or its interactive sports wagering platform provider shall conspicuously display signs to that effect on its premises.

(b) A lottery gaming facility manager or its interactive sports wagering platform provider shall not accept wagering instructions for sport wagers unless the transmission of the wagering instructions is initiated from within the state of Kansas.

(c) Each lottery gaming facility manager or its interactive sports wagering platform provider that accepts wagering communications shall establish and implement a system of internal controls for such transactions and comply its system of internal controls.

(d) Each lottery gaming facility manager or its interactive sports wagering platform provider shall prepare a written description of its house rules and procedures for wagering communications and shall make a copy available to all patrons upon request.

(e) Before each lottery gaming facility manager or its interactive sports wagering platform provider accepts a wagering communication on any sports wager or any other event wager over the internet, a patron shall register and create a sports wagering account, either remotely or in person.

(1) To create the required sports wagering account remotely, the patron must confirm their identity by providing the following:

(i) The patron's full legal name;

(ii) the patron's date of birth;

(iii) the patron's permanent residential address (other than P.O. Box);

(iv) the patron's Social Security number, or the last four digits of the Social Security number, or an equivalent identification number for a noncitizen patron, such as a passport or taxpayer identification number; and

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(v) any other information collected from the patron used to verify his or her identity and to prove the patron is at least 21 years of age.

(2) A lottery gaming facility manager or its interactive sports wagering platform provider may register and create sports wagering accounts for patrons in-person, by inspecting and confirming a patron's registration information identified in (e).

(i) A lottery gaming facility manager or its interactive sports wagering platform provider must file a request with the executive director requesting approval for its employees to register and create sports wagering accounts for patrons.

(ii) The request must include a comprehensive marketing plan including the types of locations and types of potential patrons which a lottery gaming facility manager or its interactive sports wagering platform provider intends to send its employees for the purposes of registering and creating sports wagering accounts for patrons.

(iii) A lottery gaming facility manager or its interactive sports wagering platform provider may not act under its marketing plan prior to the executive director approving the request. The executive director may impose limitations and conditions on any approved request. The executive director may rescind approval of a request of a lottery gaming facility manager or its interactive sports wagering platform provider to have its employees register and create accounts upon written notice to the lottery gaming facility manager or its interactive sports wagering platform provider.

(f) Prior to creation of the sports wagering account under (e) the patron shall affirm that the patron has been informed and acknowledges that patrons are prohibited by law from placing sports wagers and other event wagers while physically located outside of Kansas and that the interactive sports wagering platform is prohibited from accepting such wagers.

(g) A lottery gaming facility manager or interactive sports wagering platform provider may place a layoff wager with another sports wagering platform located in the state of Kansas for the purpose of offsetting patron wagers provided that:

(1) The lottery gaming facility manager or interactive sports wagering platform placing the layoff wager discloses the identity to the interactive sports wagering platform receiving the layoff wager;

(2) The receiving sports wagering platform agrees to accept the layoff wager; and

(3) both the platform placing the wager and the platform receiving the wager include in their internal controls processes for placing and accepting layoff wagers.

(h) In addition to the posting of the wager in the interactive sports wagering platform, all wagering communications shall be electronically recorded and retained for a period of two years. Such recordings shall be made immediately available to any enforcement agent upon request.

(i) All sports wagering account applications or amendments thereto for active accounts shall be retained by the lottery gaming facility manager or its interactive sports wagering platform. All sports wagering account applications or amendments thereto for rejected applications

shall be retained by the lottery gaming facility manager or its interactive sports wagering platform for no less than two years following the rejection of the related application. All sports wagering account applications or amendments thereto for closed accounts shall be retained by the lottery gaming facility manager or its interactive sports wagering platform provider for no less than two years following the closure of the related sports wagering account. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug, 12, 2022.)

112-201-14. Lottery gaming facility manager or interactive sports wagering platform provider duties. (a) A lottery gaming facility manager or its interactive sports wagering platform shall report to the commission's security staff, within 24 hours, any facts the facility manager or its interactive sports wagering platform has reasonable grounds to believe indicate a violation of law, violation of the facility managers minimum control standards, or violations of KRGC regulations, including the performance of activities different from those permitted under the person's license or certificate;

(b) A lottery gaming facility manager or its interactive sports wagering platform provider shall provide for the patron's review and confirmation of all wagering information before the wagering communication is accepted by the interactive sports wagering platform. This confirmation of the wager shall be deemed an actual transaction of records, regardless of whether or not that wager was recorded by the interactive sports wagering platform.

(c) A lottery gaming facility manager or its interactive sports wagering platform provider shall prohibit wagers from being changed after the patron has reviewed and confirmed the wagering information, and the specific wagering communication transaction has been completed.

(d) A lottery gaming facility manager or its interactive sports wagering platform provider shall prohibit the acceptance of wagers after post time.

(e) A lottery gaming facility manager or its interactive sports wagering platform provider shall prohibit an interactive sports wagering platform from accepting an account wager, or a series of account wagers, in an amount in excess of the available balance of the wagering account;

(f) A lottery gaming facility manager or its interactive sports wagering platform provider shall post payment on winning account wagers as a credit to the patron's wagering account based on approved house rules approved under this article.

(g) A lottery gaming facility manager or its interactive sports wagering platform provider shall maintain complete records of every deposit, withdrawal, wager, winning payoff and other debit or credit for each account;

(h) A lottery gaming facility manager or its interactive sports wagering platform provider shall not permit a patron to transfer funds from a sports wagering account to another sports wagering account.

(i) Lottery gaming facility managers or their interactive sports wagering platform providers shall provide an account statement with account details to a patron on demand, which shall include detailed account activity for at least the last six months. In addition, a lottery gaming

facility manager or its interactive sports wagering platform provider shall, upon request, be capable of providing a summary statement of all patron activity during the past two years.

(j) A lottery gaming facility manager and its interactive sports wagering platform provider shall periodically re-verify a patron's identification upon reasonable suspicion that the patron's identification has been compromised.

(k) The utilization of funds to place a wager under this regulation shall be initiated only by a patron using an access control, such as a password. Access controls shall require the use of a unique access code for each patron. The access code shall be selected by and available to only the patron.

(l) A patron's sports wagering account may be funded using approved methods which shall produce a sufficient audit trail for verification of the source of the deposits. Approved methods include:

- (1) Cash and cash equivalents;
- (2) electronic bank transfers of money, including transfers through third parties;
- (3) bank and wire transfers of money;
- (4) debit and credit cards;
- (5) online and mobile application payment systems that support online money transfers;
- (6) sports wagering promotional credits provided by a lottery gaming facility manager or an interactive sports wagering platform provider; and

(m) Lottery gaming facility managers or their interactive sports wagering platform providers shall provide a conspicuous and readily accessible method for a patron to close the patron's account through the account management page or through the lottery gaming facility manager's or interactive sports wagering platform provider's customer support team. Any balance remaining in a patron's sports wagering account closed by a patron shall be returned to the patron under the lottery gaming facility manager's or its interactive sports wagering platform provider's internal controls.

(n) A patron must be allowed to withdraw the funds maintained in the patron's open sports wagering account once all patron obligations have been fulfilled.

(o) A lottery gaming facility manager or interactive sports wagering platform provider must honor such patron request to withdraw funds within five calendar days of the request, unless the conditions set forth in subsection (p) are met.

(p) The lottery gaming facility manager or interactive sports wagering platform provider may decline to honor a patron request to withdraw funds only if the lottery gaming facility manager or its interactive sports wagering platform provider believes in good faith that the patron engaged in either fraudulent conduct or other conduct that would put the lottery gaming facility manager or interactive sports wagering platform provider in violation of the law. In such cases, the lottery gaming facility manager or its interactive sports wagering platform provider shall conduct its investigation in a reasonable and expedient fashion, providing the patron additional written notice of the status of the investigation every 10th calendar day starting from the day of the patron request.

(q) For purposes of this provision, a request for withdrawal will be considered honored if it is processed by the lottery gaming facility manager or its interactive sports wagering platform provider notwithstanding a delay by a payment processor, credit card issuer, or the custodian of a financial account.

(r) A lottery gaming facility manager or its interactive sports wagering platform provider shall consider a patron account to be dormant if the patron has not logged into the account for at least three years.

(1) The lottery gaming facility manager or its interactive sports wagering platform provider shall provide notice to the patron prior to closing a dormant account. The notice shall provide options to reactivate or close the account. Funds of patrons that remain in a dormant patron account 30 days after notice was given shall be presumed abandoned.

(2) The lottery gaming facility manager or is interactive sports wagering platform provider shall report and deliver all funds of patrons that are presumed abandoned as required under the Kansas Expanded Lottery Act and applicable regulations. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-15. House rules requirements. (a) The Lottery gaming facility manager shall create house rules that must be submitted to the KRGC executive director for review.

(b) House rules shall establish operational procedures on how to deal with the following anomalies:

- (1) Wager adjustments;
- (2) event cancellations;
- (3) schedule changes;
- (4) rain delays/Game rainouts;
- (5) rejected wagers;
- (6) canceled wagers;
- (7) overtime/end of regulation;
- (8) handling of wagers with multiple events such as parlays when one or more legs are canceled.
- (9) injuries; and
- (10) any situation that can potentially affect the terms of the wager.

(c) House rules are not effective until approved by KRGC. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-16. Assign regulatory staff. The executive director at any time may require a lottery gaming facility manager or its interactive sports wagering platform provider to allow Kansas racing and gaming commission staff to be permanently present on the sport book's premises, and to require the costs and expenses for such Kansas racing and gaming commission staff to be borne by the lottery gaming facility manager or its interactive sports wagering platform provider in a manner deemed reasonable by the executive director. Kansas racing and gaming commission staff shall have full and complete access to all books, records, and emails. (Authorized by K.S.A. 2022 Supp. 74-8772 and implementing K.S.A. 2022 Supp. 74-8752 and K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

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112-201-17. Records and forms. Lottery gaming facility managers or their interactive sports wagering platform providers shall create and maintain the records and reports required by this article by using forms that the executive director approves. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-18. Sports wagering requirements. (a) The sports book, professional sports team, or auto racetrack facility shall utilize ticket writers or sports wagering kiosks for wagering transactions in a location approved by the executive director. Sports wagering kiosks shall be subject to the approval and other requirements of the Kansas racing and gaming commission. This does not preclude use of a remote wagering device throughout the lottery gaming facility, or at a professional sports team or auto racetrack facility.

(b) Each lottery gaming facility manager shall file with the Kansas racing and gaming commission a schedule setting forth the specific times at which the canisters will be brought to or removed from the sports wagering kiosks. The sports wagering kiosk drop shall be monitored and recorded by surveillance. All changes to the sports wagering kiosk drop schedule and drop route shall be approved by the executive director. All sports wagering kiosk drop procedures shall be incorporated in the internal controls.

(1) The bill validator and bill validator canisters, as defined in K.A.R. 112-104-1, must meet the requirements of K.A.R. 112-104-17.

(2) The issuance, receipt, and reconciliation of imprest funds used by sports wagering kiosks shall be completed in accordance with KAR 112-201-2.

(c) Whenever a point-of-sale is opened or closed for wagering or turned over to a new ticket writer, the ticket writer signs on or off and the interactive sports wagering platform creates a point-of-sale session record indicating the ticket writer's identity, the date and time, the point-of-sale number, and the fact that the point-of-sale was opened or closed. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-19. Sports Wagering voucher requirements. (a) Payment by sports wagering voucher as a method of credit redemption is only permissible when the interactive sports wagering platform supports this functionality.

(b) A sports wagering voucher shall contain the following information:

- (1) voucher serial number;
- (2) Sports book name and site identification
- (3) ticket writer or sports wagering kiosk which issued the voucher;
- (4) date and time the sports wagering voucher was issued;
- (5) numeric value of the sports wagering voucher in dollars and cents;
- (6) voucher number that appears on the leading edge of the sports wagering paper voucher;
- (7) bar code or any machine readable code representing the validation number;

(8) indication if the sports wagering voucher is a "duplicate";

(9) responsible gambling information; and

(10) indication of an expiration date which is 180 days from the date of issue.

(c) The interactive sports wagering platform provider is required to keep and maintain a record of sports wagering vouchers issued by ticket writers or sports wagering kiosks. The sports wagering voucher record on the interactive sports wagering platform shall contain the following sports wagering voucher information:

- (1) Voucher number;
- (2) date and time the sports wagering voucher was issued;
- (3) type of transaction or other method of differentiating sports wagering voucher types;
- (4) numeric value of the sports wagering voucher in dollars and cents;
- (5) status of sports wagering voucher;
- (6) date and time the sports wagering voucher will expire;
- (7) ticket writer or sports wagering kiosk which issued the sports wagering voucher; and
- (8) date and time the sports wagering voucher was redeemed, voided, or expired.

(d) Before redeeming a sports wagering voucher, the complete validation number of the unredeemed sports wagering voucher shall only be available to the interactive sports wagering platform provider.

(e) Sports wagering vouchers can be redeemed at a sports wagering kiosk, point-of-sale, ticket writer booths or other kiosks provided they support sports wagering voucher validation with an interactive sports wagering platform.

(f) Upon presentation of a sports wagering voucher for redemption, the interactive sports wagering platform shall be used to verify the validity of the serial number and value of the voucher, and if valid, the platform shall immediately update the sports wagering voucher status and permit the redemption of the voucher for the value indicated thereon.

(g) The interactive sports wagering platform shall have the ability to identify these occurrences and notify the cashier or ticket writer that one of the following occurrences exists:

- (1) Sports wagering voucher serial number cannot be found;
- (2) sports wagering voucher has already been paid; or
- (3) amount of sports wagering voucher for confirmation by a cashier or ticket writer during the redemption process. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-20. Patron Disputes. A lottery gaming facility manager and interactive sports wagering platform provider must include on its interactive sports wagering platform a notice or link to advise patrons of their right to make a complaint against the lottery gaming facility manager or interactive sports wagering platform provider, including information explaining how complaints may be filed, how complaints are resolved, and how the patron may submit a complaint to the Kansas racing and gaming commission. (Authorized by and implementing

K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-21. Sports Wagering Transactions. A lottery gaming facility manager shall submit sports wagering internal controls along with a sports wagering floor plan and corresponding surveillance floor plan to the Kansas racing and gaming commission.

(a) Sports wagering at a lottery gaming facility shall not commence until the floor plan is approved by the executive director.

(b) Sports wagering internal controls at a lottery gaming facility shall not be effective until approved by the Kansas racing and gaming commission.

(c) Sports wagering transactions shall be conducted from:

(1) A counter or window located in the sports book or other cage cashier window locations as approved by the executive director;

(2) sports wagering kiosks in locations as approved by the executive director; or

(3) a mobile application installed on a mobile device or accessed over the internet through a website within the geographical boundaries of Kansas. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-22. Sports wagering exclusion list. The lottery gaming facility manager shall include internal controls for the following:

(a) Preventing wagering by prohibited sports wagering participants;

(b) identifying and restricting prohibited sports wagering participants;

(c) procedures for voluntary or involuntary exclusion of patrons, including the following:

(1) Providing a notification containing the voluntary or involuntary exclusion status and general instructions for resolution or change of status, if applicable;

(2) Confirmation that immediately upon executing the voluntary or involuntary exclusion, no new wagers or deposits are accepted from the patron, until such time as the sports wagering exclusion has been revoked; and

(3) Confirmation that the patron is not prevented from withdrawing any or all of their account balance, provided that the lottery gaming facility manager or the interactive sports wagering platform provider acknowledges that the funds have cleared, and that the reason(s) for exclusion would not prohibit a withdrawal.

(4) Confirmation that the lottery gaming facility manager excludes patrons who applied for and became participants in the VEP program after September 1, 2022 from sports wagering while participating in the VEP program established by article 112 of the commission's regulations. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-201-23. Waiver of requirements. (a) One or more of the requirements of this article applicable to sports wagering may be waived by the Kansas racing and gaming commission on its own initiative, upon the Kansas racing and gaming commission's determination that the compensating control or procedure, as documented in a lottery gaming facility manager's or its interactive

sports wagering platform provider's internal control system, meets the operational integrity requirements of the act and this article.

(b) Any lottery gaming facility manager or interactive sports wagering platform provider may submit a written request to the Kansas racing and gaming commission for a waiver for one or more of the requirements in this article. The request shall be filed on an amendment waiver and request form and shall include supporting documentation demonstrating how the proposed auditing and internal controls for which the waiver has been requested would meet the operational integrity requirements of the act and this article. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

Article 202. — RISK MANAGEMENT AND SPORTS WAGERING REGISTRANT

112-202-1. Risk management requirements. (a) An approved interactive sports wagering platform provider engaging in risk management may provide direction, management, consultation, and/or instruction to the lottery gaming facility manager concerning:

(1) The management of risks associated with sports wagering and other event wagering;

(2) The determination of where lines, point spreads, odds, or other activity relating to betting or wagering are initially set and the determination of whether to change such lines, point spreads, odds, or other activity relating to betting or wagering;

(3) Whether to accept or reject bets or wagers; and

(4) The use, transmittal, and accumulation of information and data for the purpose of providing risk management.

(b) An approved interactive sports wagering platform provider which intends to provide risk management shall enter into a written agreement with the lottery gaming facility manager to provide risk management. A copy of such executed agreement shall be provided to the executive director no later than the date on which the interactive sports wagering platform provider commences risk management.

(c) Each lottery gaming facility manager's or its interactive sports wagering platform provider's internal controls shall contain details on its risk management framework, including but not limited to:

(1) Automated and manual risk management procedures;

(2) employee management, including access controls and segregation of duties;

(3) information regarding identifying and reporting fraud and suspicious conduct;

(4) controls ensuring regulatory compliance;

(5) description of anti-money laundering compliance standards including procedures for detecting structuring to avoid reporting requirements;

(6) description of all software applications that comprise the interactive sports wagering platform;

(7) description of all types of wagers available to be offered by the interactive sports wagering platform;

(8) description of the method to prevent past-post wagers from being placed; and

(continued)

(9) description of all integrated third-party service providers. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-202-2. Sports wagering registration requirement. (a) An individual or entity that is contracted to provide goods or services or sport governing body personnel that the executive director determines affects the conduct of sports wagering but falls outside of the scope of an interactive sports wagering platform certification or a vendor's certification shall be required to register with the Kansas racing and gaming commission as a sports wagering registrant.

(b) A lottery gaming facility manager shall conduct due diligence in a commercially reasonable manner of each contracted sports wagering registrant. The due diligence check is for high-level company officers and employees with decision making ability that directly affects sports wagering related operations.

(c) A lottery gaming facility manager or its interactive sports wagering platform provider shall have each contracted sports wagering registrant complete a sports wagering registrant form and provide these to the commission.

(d) All information deemed necessary shall be provided to the commission upon request. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

Article 203.—INTERACTIVE SPORTS WAGERING PLATFORM REQUIREMENTS

112-203-1. Communications technology. Before the interactive sports wagering platform accepts any wagering communications, and before the interactive sports wagering platform accepts any wagering instructions, the lottery gaming facility manager shall obtain written approval from the executive director to accept such wagering communications and wagering instructions, and thereafter use only the communications technology approved for that purpose. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-203-2. Change management requirements. (a) The interactive sports wagering platform must have a change management program approved by the executive director. The change management program shall ensure that all changes to the interactive sports wagering platform are conducted by an established set of processes. These processes must be:

(1) developed in accordance with the most current version of Gaming Laboratories International's GLI-CMP Change Management Program Guide version 1.0; and

(2) approved prior to its deployment and is subject to an audit at an annual interval by the executive director or its designee which may be a Kansas racing & gaming commission-approved independent testing laboratory.

(b) The Change management program shall ensure transparency in relation to changes in the interactive sports wagering platform and the system process behind those changes.

(c) The Change management system framework shall consist of the following:

(1) Framework for managing system changes;

(2) definition of responsibilities, to include:

(A) license Holder Responsibilities; and

(B) responsibility of Change Management System

(i) Role – the interactive sports wagering platform shall appoint one or more among their staff to take overall responsibility of system changes.

(ii) Skill – The responsible manager shall possess sufficient experience and competence in relation to change management and hold a key position within the interactive sports wagering platform in relation to change management.

(iii) Log – The responsible manager(s) need not necessarily handle the system changes personally. The interactive sports wagering platform shall keep a log of the persons who have been involved in the decision process.

(3) Program change control procedures shall be adequate to ensure that only authorized versions of programs are implemented on the production environment. These change controls shall include;

(A) An appropriate software version control or mechanism for all software components and source code;

(B) Records kept of all new installations and/or modifications to the system, including:

(i) The date of the installation or modification;

(ii) Details of the reason or nature of the installation or change such as new software, server repair, significant configuration modifications;

(iii) A description of procedures required to bring the new or modified component into service (conversion or input of data, installation procedures, etc);

(iv) The identity of the user performing the installation or modification;

(v) A strategy for reverting back to the previous implementation if install is unsuccessful, including complete backups of previous versions of software and a test of the rollback plan prior to the implementation to the production environment;

(vi) A policy addressing emergency change procedures;

(vii) Procedures for testing and migration of changes;

(viii) Segregation of duties between the developers, quality assurance team, migration team and users; and

(ix) Procedures to ensure technical and user documentation is updated as a result of a change.

(d) Remote access into the interactive sports wagering platform shall meet the requirements of KAR 112-107-31. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-203-3. Interactive sports wagering platform requirements. (a) A lottery gaming facility manager or its interactive sports wagering platform provider shall document and maintain any system malfunction or deviation from the interactive sports wagering platform for a minimum period of two years.

(b) A lottery gaming facility manager or its interactive sports wagering platform provider shall provide the executive director or the executive director's designee with unlimited access to wagering transactions and related data.

(c) All interactive sports wagering platforms shall be designed to ensure the integrity and confidentiality of all patron communications and ensure the proper iden-

tification of the sender and receiver of all communications. If communications are performed across a public or third-party network, the platform shall either encrypt the data packets or utilize a secure communications protocol to ensure the integrity and the confidentiality of the transmission.

(d) The interactive sports wagering platform shall employ a mechanism capable of maintaining a separate copy of all information required on a separate and independent logging device capable of being administered by an employee with no incompatible function. If the interactive sports wagering platform can be configured such that any logged data is contained in a secure transaction file, a separate logging device is not required.

(e) All interactive sports wagering platform data shall be required to be exported in a format accessible by the Kansas racing and gaming commission.

(f) All procedures used to meet the interactive sports wagering requirements shall be submitted in the internal controls. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-203-4. Electronic asset disposal. (a) Prior to disposal of an electronic asset any sensitive and confidential data shall be sanitized from the equipment by performing a data wipe or over-write, or physical destruction overseen by a Kansas racing and gaming commission agent.

(b) The lottery gaming facility manager must provide to the KRGC at least 14 days prior to the requested disposal date the following:

- (1) a written request to destroy an electronic asset;
 - (2) proof of the Kansas Lottery approval of the request to destroy an electronic asset; and
 - (3) a description of the electronic asset.
- (c) Sanitization may occur by one of the following methods:
- (1) overwriting the media;
 - (2) magnetic erasure of the media;
 - (3) physical destruction of the media; or
 - (4) other method approved by the commission. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-203-5. Server location and access. (a) The lottery gaming facility manager or its interactive sports wagering platform provider shall locate its primary server responsible for the acceptance of sports wagers in the State of Kansas. The location of the primary server shall have approval from the executive director prior to operation. The executive director may approve of the use of internet or cloud-based hosting of duplicate data or data not related to transactional wagering data upon written request of a lottery facility manager.

(b) The locations selected must have adequate security and twenty-four hour surveillance.

(c) The server shall provide a mechanism for the executive director to query and export all sports wagering data. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-203-6. Geofence Requirement. (a) In order to prevent unauthorized use of the internet or a mobile device to place a sports wager when a patron is not within

the state of Kansas, the lottery gaming facility manager or its interactive sports wagering platform provider shall utilize a geofence system that reasonably detects the physical location of a patron attempting to access the interactive sports wagering platform and place a wager, and to monitor and block unauthorized attempts to place a wager when a patron is not within the state of Kansas.

(b) Before being deployed in this state the geofence system shall be certified by a Kansas racing & gaming commission approved independent testing laboratory, including applicable field testing and evaluation of the following geo-location techniques and methods:

- (1) basic methods that include IP addresses;
- (2) advanced methods using trilateration through:
 - (A) cell towers;
 - (B) wi-fi; and
 - (C) GPS.
- (3) Methods utilized in order to prevent unauthorized use of interactive sports wagering platform.

(4) Geo-location techniques reasonably possessing the ability to detect the physical location of a patron attempting to access the interactive sports wagering platform and to monitor and block unauthorized attempts.

(5) Prior to deployment, the geofence system shall have approval from the executive director.

(6) A list of KRGC approved testing laboratories is available upon request. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-203-7. Certification testing. (a) Prior to offering sports wagering, the interactive sports wagering platform and equipment used in conjunction with sports wagering shall be evaluated by a Kansas racing & gaming commission approved independent testing laboratory.

(b) The Kansas racing & gaming commission approved independent testing laboratory shall certify that the interactive sports wagering platform and equipment used in conjunction with the sports wagering operation meets or exceeds version 1 of Gaming Laboratories International's GLI-33, Standards for Event Wagering Systems and its appendices, or equivalent standard as approved by the commission, and the standards established by this document. The list of KRGC approved testing laboratories is available by request. Lottery gaming facility managers are prohibited from offering on behalf of the Kansas lottery, sports wagering in Kansas without equipment approval from the executive director.

(c) Interactive sports wagering platforms and equipment, shall be subject to the following testing:

- (1) wagering account controls/authentication;
- (2) base and peripheral web pages (artwork and functionality);
- (3) wagering disclosure and operation;
- (4) settlement determination and display;
- (5) payment of winnings;
- (6) all supporting wager types (straight, fixed odds, etc.);
- (7) cancellation, voiding, suspension or termination of bets or events;
- (8) financial/operational accounting and reporting;
- (9) wagering history;

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- (10) shutdown and recovery;
- (11) desktop and mobile compatibility;
- (12) technical standards-specific requirements;
- (13) source code review; and
- (14) software and system version control. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-203-8. Waiver of requirements. (a) One or more of the requirements of this article applicable to technology and interactive sports wagering platform requirements may be waived by the Kansas racing and gaming commission on its own initiative, upon the Kansas racing and gaming commission's determination that the compensating control or procedure, as documented in a lottery gaming facility manager's or its interactive sports wagering platform provider's internal control system, meets the operational integrity requirements.

(b) Any lottery gaming facility manager or interactive sports wagering platform provider may submit a written request to the commission for a waiver for one or more of the requirements in this article. The request shall be filed on an amendment waiver and request form and shall include supporting documentation demonstrating how the proposed auditing and internal controls for which the waiver has been requested would meet the operational integrity requirements. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

Article 204. — FINANCIAL REPORTING AND AUDITING

112-204-1. Compliance and audit requirements.

(a) Each lottery gaming facility manager or its interactive sports wagering platform provider must have documented revenue audit procedures. Documentation must be maintained evidencing the performance of all revenue audit procedures, any exceptions noted, and follow-up of all exceptions.

(b) The lottery gaming facility manager or its interactive sports wagering platform provider, mobile management services provider, or management services provider must notify the Kansas racing and gaming commission of any report that is filed, or required to be filed, with the Securities and Exchange Commission or other securities regulatory agency. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-204-2. Revenue reporting. (a) Reports generated from the interactive sports wagering platform shall be made available when requested by the Kansas racing and gaming commission. The interactive sports wagering platform shall be capable of issuing reports by wagering day, wagering month, and wagering year. Wagering data shall not be purged until approved by the Kansas racing and gaming commission. The interactive sports wagering platform shall provide for a mechanism to export the data for the purposes of data analysis and auditing or verification. The interactive sports wagering platform shall be able to provide, at a minimum, the following sports wagering information:

- (1) The date and time each event started and ended;

- (2) total amount of wagers collected;
- (3) total amount of winnings paid to patrons;
- (4) total amount of wagers canceled, voided, and expired;
- (5) commission or fees collected;
- (6) total value of promotional play or free play used to purchase or execute a sports wager;
- (7) event status;
- (8) total amount held by the operator for the sports wagering accounts;
- (9) total amount of wagers placed on future events; and
- (10) total amount of winnings owed but unpaid by the lottery gaming facility manager or interactive sports wagering platform provider on winning wagers.

(b) For accounting and revenue audit purposes each lottery gaming facility manager or its interactive sports wagering platform provider must have procedures and systems for the preparation, use, and maintenance of complete, accurate, and legible accounting and wagering records, which must include all transactions.

(c) All books, forms, records, documents, and data submitted to the Kansas racing and gaming commission must have the name of the entity, date of completion, and the title of the book, form, record, document, or stored data.

(d) General accounting records must be maintained on a basis consistent with generally accepted accounting principles.

(e) Reports shall be provided in a format approved by the Kansas racing and gaming commission. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-204-3. Annual integrity and security audit. (a) If an interactive sports wagering platform provider is conducting sports wagering for a lottery gaming facility manager, an audit of the sports wagering operations for the interactive sports wagering platform provider or parent company of the provider shall be conducted by certified public accountants authorized to practice in the state of Kansas, and the audit shall be provided to the Kansas racing and gaming commission within 120 days of the provider's fiscal year end and meet the following conditions:

(1) Inclusion of an internal control letter, audited balance sheet, and audited profit-and-loss statement including a breakdown of expenditures and subsidiaries of sports wagering activities.

(2) inclusion of a supplement schedule indicating financial activities on a calendar-year basis if the provider's fiscal year does not correspond to the calendar year.

(3) inclusion of a supplement schedule for all Kansas locations in which the provider operates.

(4) report of any material errors, irregularities that may be discovered during the audit, or notice of any audit adjustments.

(5) availability, upon request, of an engagement letter for the audit between the provider or parent company of the provider and the auditing firm.

(6) the annual audit for sports wagering will meet the regulatory requirements of K.A.R. 112-104-6.

(b) Each lottery gaming facility manager or its interactive sports wagering platform provider must contract with an independent third party to perform an IT audit.

The third party must be approved by the executive director as qualified, independent, and capable of performing the audit. The audits must be performed, and a copy of the report provided to the Kansas racing and gaming commission, within 90 days of commencing initial operations and at least once each calendar year. The audit and corresponding report must assess the following:

(1) The design, controls, maintenance, and security of the interactive sports wagering platform's IT systems, including:

- (A) document review
 - (i) reviewing system architecture
 - (ii) policies and procedures review
- (B) onsite audits
 - (i) physical and environmental security
 - (ii) verification of procedures
- (B) network security
 - (i) vulnerability assessment (internal and external)
 - (ii) penetration testing (network and application layer)
 - (iii) firewall rules review; and

(2) The lottery gaming facility manager's or its interactive sports wagering platform provider's compliance with the IT and interactive sports wagering platform requirements of this chapter.

(c) The required system validations shall consist for the following:

- (1) laboratory document review
 - (A) reviewing system architecture;
 - (B) policies and procedures review;
- (2) onsite audits;
 - (A) physical and environmental security; and
 - (B) verification of procedures.

(d) The lottery gaming facility manager or its interactive sports wagering platform provider must file with the commission the report required by paragraph (j) of this rule in a format determined by the executive director within one hundred twenty days following the end of the fiscal year or upon receipt, whichever is earlier.

(e) At any time, the executive director may require a special audit of a lottery gaming facility manager or its interactive sports wagering platform provider, by Kansas racing and gaming commission personnel. Any data or records necessary for conduct of a special audit shall be made available to KRGC. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-204-4. Sports promotional contests, tournaments, or promotional activities. (a) Sports promotional contests, tournaments, or promotional activities may be conducted by the lottery gaming facility manager or its interactive sports wagering platform provider providing the rules have prior approval by the executive director.

(1) Rules shall be made available to participants for review prior to registering. Rules shall include, at a minimum: all conditions registered patrons must meet to qualify to enter or advance through the event, available prizes or awards, fees, and distribution of prizes or awards based on specific outcomes.

(2) Changes to rules shall not be made after participants have registered, unless approved by the KRGC.

(3) Results for promotional contests with an entry fee shall be made available for the registered patrons to re-

view at the same location at which or in the same manner in which patrons registered. Results shall include, at a minimum: name of the event, date of the event, total number of entries, amount of entry fees, total prize pool, and amount paid for each winning category.

(4) Fees collected less any prizes paid will be considered sports wagering revenue.

(5) All emails or digital advertisements promoting contests, tournaments, and promotional activities shall include a link or other easily obtainable source that includes rules or terms and conditions.

(6) Promotional contests and tournaments must comply with all federal, state, and local laws including 18 U.S.C. §1084.

(7) Rules shall be submitted at least 30 days prior to the event.

(i) The lottery gaming facility manager or its interactive sports wagering platform provider may obtain pre-approval of promotional, contest and tournament mechanics by submitting them to the Kansas racing and gaming commission. Notification must be provided at least 5 days prior to the event to the Kansas racing and gaming commission for promotions utilizing the pre-approved mechanics.

(ii) The lottery gaming facility manager or its interactive sports wagering platform provider shall maintain a digital log of all promotions, contests and tournaments. The digital log shall be made available to the Kansas racing and gaming commission.

(b) A lottery gaming facility or its interactive sports wagering platform are prohibited from using the term "risk free" in advertising and promotional activity. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-204-5. Internal Audit. (a) Each lottery gaming facility manager's internal control system or its interactive sports wagering platform provider shall include internal controls for internal audit standards. The internal controls shall be submitted to and approved by the Kansas racing and gaming commission according to K.A.R. 112-104-1. Lottery gaming facility managers or their interactive sports wagering platform providers shall maintain a separate internal audit department, located on-site, which is independent of the sports wagering operation and may be the internal audit department of a parent entity of the lottery gaming facility manager or interactive sports wagering platform provider.

(b) The internal audit department shall audit the lottery gaming facility manager's or its interactive sports wagering platform provider's compliance with rules and regulations adopted by the Kansas racing and gaming commission, the internal controls as approved by the Kansas racing and gaming commission, and the house rules.

(c) The internal audit department shall follow the standards, conventions, and rules governing audits in accordance with "international standards for the professional practice of internal auditing" or "generally accepted auditing standards".

(d) The audit satisfying the requirements of this rule shall be performed at least semi-annually with the results

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documented in an audit report that must be provided to the Kansas racing and gaming commission within 30 days of the audit being performed.

(e) Documentation shall be maintained to evidence all work performed as it relates to the requirements of this rule, including all instances of noncompliance.

(f) Follow-up observations and examinations by the internal audit department shall be performed to verify that corrective action has been taken regarding all instances of noncompliance cited by internal audit, the independent accountant, and the Kansas racing and gaming commission. The verification shall be performed within three months of the issuance of the audit report.

(g) Whenever possible, internal audit observations shall be performed on an unannounced basis.

(h) All deficiencies disclosed during audits shall be investigated and resolved, with the results being documented and retained for seven years.

(i) Additional audits may be ordered by the Kansas racing and gaming commission to verify corrective action or when noncompliance with rules and regulations adopted by the Kansas racing and gaming commission, the internal controls as approved by the Kansas racing and gaming commission, and the house rules is discovered or suspected.

(j) All internal audit findings shall be reported to management, who shall be required to respond to internal audit findings stating corrective measures to be taken to avoid recurrence of the audit exception. The management responses shall be included in the internal audit reports that are delivered to the lottery gaming facility manager's management, the Kansas racing and gaming commission, or other entity designated by the executive director. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-204-6. External audits and other reports. (a) Each lottery gaming facility manager or its interactive sports wagering platform provider, must have its annual financial statements audited by a independent registered certified public accounting firm approved by the executive director and licensed to practice in Kansas. A list of approved certified public accounting firms will be provided upon request. The audit must be in accordance with generally accepted auditing standards and, when applicable, the standards of the Kansas board of accountancy. The lottery gaming facility manager or interactive sports wagering platform provider must report to the Kansas racing and gaming commission the name of the independent registered certified public accounting firm as well as the lead audit partner or other individual taking primary responsibility for the financial statement audit engagement before the start of the engagement.

(b) The lead audit partner or other individual taking primary responsibility for the financial statement audit engagement may serve a maximum of five years in

such a position before being required to rotate off the engagement.

(c) The annual financial statements audit must be prepared on a comparative basis for the current and prior fiscal years and present financial position and results of operations in conformity with generally accepted accounting principles.

(d) The audit required by paragraph (a) of this rule must be filed with the Kansas racing and gaming commission, in a format acceptable to the Kansas racing and gaming commission within one hundred twenty days following the end of the fiscal year.

(e) All audits and reports required by this rule are to be prepared at the sole expense of the lottery gaming facility manager or its interactive sports wagering platform provider.

(f) The Kansas racing and gaming commission may require the termination of any audit engagement due to lack of qualification, independence, or capacity of the auditor or a finding that the contract or conduct performed thereunder poses a material risk to the integrity of sports wagering in Kansas. If an audit engagement contract is terminated, the lottery gaming facility manager or its interactive sports wagering platform provider must enter into a new audit engagement contract to ensure the requirements of this rule are met. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

112-204-7. Waiver of requirements. (a) One or more of the requirements of this article applicable to auditing and accounting may be waived by the Kansas racing and gaming commission on its own initiative, upon the Kansas racing and gaming commission's determination that the compensating control or procedure, as documented in a lottery gaming facility manager's or its interactive sports wagering platform provider's internal control system, meets the operational integrity requirements of the act and this article.

(b) Any lottery gaming facility manager or its interactive sports wagering platform provider may submit a written request to the Kansas racing and gaming commission for a waiver for one or more of the requirements in this article. The request shall be filed on an amendment waiver and request form and shall include supporting documentation demonstrating how the proposed auditing and internal controls for which the waiver has been requested would meet the operational integrity requirements of the act and this article. (Authorized by and implementing K.S.A. 2022 Supp. 74-8772; effective, T-112-10-17-23, Aug. 12, 2022.)

Don Brownlee
Executive Director
Racing and Gaming Commission

Doc. No. 051626

INDEX TO ADMINISTRATIVE REGULATIONS

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

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-34-135	New (T)	V. 42, Issue 41
28-34-146	New (T)	V. 42, Issue 41
28-34-147	New (T)	V. 42, Issue 41
28-34-148	New (T)	V. 42, Issue 41
28-34-149	New (T)	V. 42, Issue 41
28-34-150	New (T)	V. 42, Issue 41
28-34-151	New (T)	V. 42, Issue 41
28-34-152	New (T)	V. 42, Issue 41

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-43-1	New	V. 42, Issue 42

AGENCY 40: INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-53	New	V. 42, Issue 24
40-2-14a	Revoked	V. 42, Issue 42
40-3-12	Revoked	V. 42, Issue 42
40-3-13	Revoked	V. 42, Issue 42

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-6	Amended	V. 42, Issue 33

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-13	Amended (T)	V. 42, Issue 30
102-2-3	Amended (T)	V. 42, Issue 30
102-3-2	Amended (T)	V. 42, Issue 30
102-4-2	Amended (T)	V. 42, Issue 30
102-5-2	Amended (T)	V. 42, Issue 30
102-7-2	Amended (T)	V. 42, Issue 30

AGENCY 111: KANSAS LOTTERY

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

31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through 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*. A list of regulations filed from 2016 through 2017, can be found in the Vol. 36, No. 52, December 28, 2017 *Kansas Register*. A list of regulations filed from 2018 through 2019, can be found in the Vol. 38, No. 52, December 26, 2019 *Kansas Register*. A list of regulations filed from 2020 through 2021, can be found in the Vol. 40, No. 52, December 30, 2021 *Kansas Register*.

Reg. No.	Action	Register
111-2-329	New	V. 41, Issue 40
111-4-3547	Amended	V. 42, Issue 33
111-4-3681	Amended	V. 41, Issue 6
111-4-3695	New	V. 41, Issue 6
111-4-3696	New	V. 41, Issue 6
111-4-3697	New	V. 41, Issue 6
111-4-3698	New	V. 41, Issue 6
111-4-3699	New	V. 41, Issue 6
111-4-3700	New	V. 41, Issue 6
111-4-3701	New	V. 41, Issue 6
111-4-3702	New	V. 41, Issue 6
111-4-3703	New	V. 41, Issue 9
111-4-3704	New	V. 41, Issue 9
111-4-3705	New	V. 41, Issue 9
111-4-3706	New	V. 41, Issue 9
111-4-3707	New	V. 41, Issue 9
111-4-3708	Amended	V. 41, Issue 19
111-4-3709	Amended	V. 41, Issue 19
111-4-3710	New	V. 41, Issue 19
111-4-3711	New	V. 41, Issue 19
111-4-3712	New	V. 41, Issue 19
111-4-3713	Amended	V. 41, Issue 29
111-4-3714	New	V. 41, Issue 19
111-4-3715	New	V. 41, Issue 24
111-4-3716	New	V. 41, Issue 24
111-4-3717	New	V. 41, Issue 24
111-4-3718	New	V. 41, Issue 29
111-4-3719	New	V. 41, Issue 29
111-4-3720	New	V. 41, Issue 29
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111-4-3742	New	V. 42, Issue 15
111-4-3743	New	V. 42, Issue 18
111-4-3744	New	V. 42, Issue 22
111-4-3745	New	V. 42, Issue 22
111-4-3746	New	V. 42, Issue 22
111-4-3747	New	V. 42, Issue 22

111-4-3748	New	V. 42, Issue 22
111-4-3749	New	V. 42, Issue 28
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111-4-3751	New	V. 42, Issue 33
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111-9-232	New	V. 41, Issue 51
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111-18-2	Amended	V. 42, Issue 33
111-18-3	Amended	V. 42, Issue 33
111-18-5	Amended	V. 42, Issue 33
111-18-8	New	V. 41, Issue 29
111-19-2a	Amended	V. 41, Issue 12
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111-19-161	Amended	V. 42, Issue 41
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