



Kansas Register

Kris W. Kobach, Secretary of State

Vol. 35, No. 20

May 19, 2016

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In this issue ...

Page

Department of Agriculture—Division of Conservation	
Notice of authorization to proceed with on-call engineering services.....	436
City of Overland Park	
Notice of public information meeting.....	436
Kansas WorkforceONE	
Request for comments on WIOA Strategic Plan.....	437
Board of Emergency Medical Services	
Notice of meetings	437
Kansas Department of Transportation, Office of Contract Compliance	
Notice of disadvantaged business enterprise goal.....	437
State Board of Indigents’ Defense Services	
Notice of hearing on continued proration of hourly rate paid to assigned counsel.....	437
City of Attica	
Notice of intent to seek private placement of general obligation bonds	437
Pooled Money Investment Board	
Notice of investment rates	438
Kansas Board of Regents Universities	
Notice to bidders.....	438
Secretary of State	
Notice of forfeiture.....	438
Department of Administration—Procurement and Contracts	
Notice to bidders for state purchases.....	439
Bond Sale	
City of Lawrence	440
Department of Administration—Office of Facilities and Property Management	
Notice of requested engineering services.....	440, 441
Department of Health and Environment	
Notice concerning water pollution control permits/applications.....	441
Request for comments on proposed air quality permits.....	443
New State Laws	
Substitute for House Bill 2062 , concerning the uniform commercial code; relating to the exclusion of consumer transactions governed by federal law; secured transactions.....	443
House Bill 2436 , concerning boating; relating to safety education courses, exemptions therefrom.....	445
House Bill 2632 , concerning economic development; relating to tax increment financing, eligible areas; the STAR bond financing act; base year assessed valuation, business relocation; reports to the legislature; delegating authority to the state finance council to oversee any sale of the Kansas bioscience authority or its assets.....	445
Senate Bill 318 , concerning utilities; relating to state entities; concerning the Kansas electric transmission authority; abolishing certain funds and transferring the balances; concerning the department of health and environment and the state corporation commission, agency activities.....	451
Senate Bill 321 , concerning probate; relating to filing of wills.....	453
Substitute for Senate Bill 323 , concerning education; relating to capital improvement state aid; creating a language assessment program for children who are deaf or hard of hearing; creating the Jason Flatt act; requiring suicide prevention training for school district personnel.....	453

(continued)

Permanent Administrative Regulation
 Board of Technical Professions..... 455

Temporary Administrative Regulations
 Kansas Lottery 457

Index to administrative regulations 467

State of Kansas

**Department of Agriculture
 Division of Conservation**

**Notice of Authorization to Proceed with
 On-Call Engineering Services**

Wildhorse Riverworks, Inc. has been identified as a qualified entity to provide certain on-call engineering services to the Kansas Department of Agriculture, Division of Conservation. Pursuant to its current "Agreement for On-Call Engineering Services" with Wildhorse Riverworks, Inc., the Kansas Department of Agriculture, Division of Conservation, issued an authorization to proceed on Contract No. SbPP-2016-3 for survey and design of six Tuttle Creek watershed streambank stabilization project sites (Site Nos. BBR2-13, BBR2-2, BBR1-1, BBR2-21, LBR1-24 and LBR1-38). The authorization to proceed was issued on May 10, 2016, on a total proposed price of \$109,050.

Additional information about the Division of Conservation's Streambank Protection Program is available from the program administrator by phone at 785-564-6622, or electronically at steve.frost@kda.ks.gov.

Rob Reschke
 Executive Director
 Division of Conservation

Doc. No. 044548

(Published in the Kansas Register May 19, 2016.)

City of Overland Park, Kansas

Notice of Public Information Meeting

The City of Overland Park will be conducting a public information meeting regarding the roadway improvements for Metcalf Avenue from 159th Street to 167th Street. City staff along with design engineers from HNTB Corp. will present the conceptual improvement plans and schedule for the project.

The public meeting will be held from 5 to 6:30 p.m. Thursday, June 2, 2016, in the conference room at the Overland Park Blue Valley Maintenance Facility, 6869 W. 153rd St., Overland Park. The Maintenance Facility is located east of Metcalf on 153rd Street.

Property owners in this area are encouraged to attend. Other members of the Overland Park community are also invited to attend.

For more information about the meeting contact Tony Rome, senior civil engineer, city of Overland Park, at 913-895-6001.

Sally Wachtel, Contract Specialist
 Public Works Department
 City of Overland Park, Kansas

Doc. No. 044547

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Kansas WorkforceONE**Request for Comments**

The Local Area I Workforce Development Board (LWDB) invites comment on Kansas WorkforceONE Local Area 1 WIOA Strategic Plan from May 10, 2016, to June 10, 2016. All comments must be received by 5 p.m. on June 10, 2016. To access the plan electronically please visit www.kansasworkforceone.org. To access a physical copy of the plan please contact the LWDB office at 785-493-8018. Comments may be submitted by email at info@kansasworkforceone.org.

Deb Scheibler
Executive Director

Doc. No. 044499

State of Kansas**Board of Emergency Medical Services****Notice of Meetings**

The Board of Emergency Medical Services will meet at 9 a.m. Friday, June 3, 2016, in Room 509 of the Landon State Office Building, 900 S.W. Jackson, Topeka. Meetings for the Planning and Operations Committee, the Education, Examination, Certification and Training Committee, the Investigation Committee and the Executive Committee will be held at 9 a.m. Thursday, June 2, 2016, at the same location. Items on the agenda for the board meeting can be found on our website <http://www.ksbems.org>.

All meetings of the board are open to the public. For more information contact the executive director, Room 1031, Landon State Office Building, 900 S.W. Jackson, Topeka, KS, 66612-1228 or 785-296-7296.

Joseph House
Executive Director

Doc. No. 044541

State of Kansas**Department of Transportation
Office of Contract Compliance****Public Notice**

In accordance with the requirements of the U.S. Department of Transportation as set forth in 49 CFR, Part 26 as amended, The Kansas Department of Transportation, Office of Contract Compliance, Topeka, Kansas, hereby notifies the public that it recommends the following Federal Transportation Administration (FTA) Disadvantaged Business Enterprise (DBE) goal for applicable professional services and procurement contracts during federal fiscal years (FFY) 2017 through 2019 which begins October 1, 2016 and ends September 30, 2019. The overall total DBE goal for the period is 1.79 percent for Metropolitan transportation planning projects and for Coordinated Transportation District grants which receive federal funding.

Information pertaining to this goal and a description of the background calculations is available for inspection at the Kansas Department of Transportation, Office of Con-

tract Compliance, Eisenhower State Office Building, 700 S.W. Harrison St., Suite 350, Topeka, KS 66603-3745, for 60 calendar days following the date of publication of this notice. A public meeting to discuss DBE goal methodology will be held from 10-11:30 a.m. May 23, 2016, in the Eisenhower State Office Bldg., 3rd Floor, Chief Counsel Conference Room.

Written comments will be accepted on this goal methodology for 60 days from the date of this publication. The comments are for informational purposes only and may be sent to the Office of Contract Compliance at the address above or to the Regional Civil Rights Officer, Federal Transit Administration, Region 7, 901 Locust St., Suite 404, Kansas City, MO 64106.

Mike King
Secretary of Transportation

Doc. No. 044544

State of Kansas**Board of Indigents' Defense Services****Notice of Hearing**

The State Board of Indigents' Defense Services will conduct a public hearing at 2:30 p.m. Friday, June 3, in the board's office, Suite 500, Jayhawk Tower, 700 S.W. Jackson, Topeka, to receive comments regarding the effect that continued proration of the hourly rate paid to assigned counsel will have on the quality of the representation afforded to indigent defendants and the availability of sufficient numbers of attorneys available in the judicial district, pursuant to K.A.R. 105-9-5. Additionally, comments regarding this issue may be sent in writing and they will become part of the record.

The building is accessible for disabled persons. Persons who require an accommodation to participate in the public hearing may contact Patricia Scalia at the address above, 785-368-6295.

Patricia A. Scalia
State Director

Doc. No. 044546

(Published in the Kansas Register May 19, 2016.)

City of Attica, Kansas**Notice of Intent to Seek Private Placement
General Obligation Bonds, Series 2016-A**

Notice is hereby given that the city of Attica, Kansas (the issuer), proposes to seek a private placement of the above-referenced bonds. The maximum aggregate principal amount of the bonds shall not exceed \$1,000,000. The proposed sale of the bonds is in all respects subject to approval of a bond purchase agreement between the issuer and the purchaser of the bonds and the passage of an ordinance and adoption of a resolution by the governing body authorizing the issuance of the bonds and the execution of various documents necessary to deliver the bonds.

Dated May 16, 2016.

Suzann Norris
Clerk

Doc. No. 044550

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 2014 Supp. 12-1675(b)(c)(d) and K.S.A. 2014 Supp. 12-1675a(g).

Effective 5-16-16 through 5-22-16

Term	Rate
1-89 days	0.37%
3 months	0.25%
6 months	0.38%
12 months	0.56%
18 months	0.68%
2 years	0.72%

Scott Miller
Director of Investments

Doc. No. 044536

State of Kansas

Board of Regents Universities

Notice to Bidders

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

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

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

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

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

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

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

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

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

Doc. No. 043663

State of Kansas

Secretary of State

Notice of Forfeiture

In accordance with Kansas statutes, the following business entities organized under the laws of Kansas and the foreign business entities authorized to do business in Kansas were forfeited during the month of April 2016 for failure to timely file an annual report and pay the annual report fee.

Please Note: The following list represents business entities forfeited in April. Any business entity listed may have filed for reinstatement and be considered in good standing. To check the status of a business entity go to the Kansas Business Center's Business Entity Search Station at <https://www.kansas.gov/bess/flow/main?execution=e2s4> (select Business Entity Database) or contact the Business Services Division at 785-296-4564.

Domestic business Entities

Air Capital Communications, Inc., Wellington, KS
All About Stone, Inc., Kansas City, KS
Altura Incorporated, Merriam, KS
Ambition, Inc., Hutchinson, KS
Amlar, Inc., Topeka, KS
Animal Solutions Pest Control, Inc., Osawatomie, KS
B & P Care Service, Inc., Caldwell, KS
B & S Well Service, Inc., Winfield, KS
Beckman Operating, Inc., Kensington, KS
Bohm, Inc., Salina, KS
Brown's Super Service, Inc., Topeka, KS
Central State Hearing Aid Center, Inc., Wichita, KS
Cherokee County Action Fund, Riverton, KS
Commercial Tire Centers, Inc., Salina, KS
Construction Masters, Inc., Olathe, KS
Cowell & Longmire Management Group, Lenexa, KS
Dignified Doggies Inc., Lawrence, KS
Domann Oil Co., Inc., Winchester, KS
Drl Garnett, Inc., Garnett, KS
Encore Floors and More, Inc., Kansas City, KS
Essential Tax Concepts, Inc., Olathe, KS
Floyd's, Inc., Emporia, KS
Fortune Restaurant, Inc., New York, NY
Fran-Mar Investments, Inc., Wichita, KS
Funkytown, Inc., Topeka, KS
G & G Controls Inc., Newton, KS
Gametime Recreation Inc., Lawrence, KS

Gamma Xi Zeta of Lambda Chi Alpha Fraternity, Manhattan, KS
 Gene Switzer Antiques, Inc., Overland Park, KS
 Georgetown, Inc., Salina, KS
 Global Management Services, L.L.C., Oklahoma City, OK
 Green Vision Developer, L.L.C., Wichita, KS
 Greg Hodges & Company, Leawood, KS
 Halibrand Performance Corporation, Inc., Wellington, KS
 Janna McKean Inc., S.A., Olathe, KS
 Jen-Mar, Inc., Wichita, KS
 Jim Hartness Electric, Inc., Auburn, KS
 Kansas City Metro Educational Advancement of Science, Inc., Lenexa, KS
 Kauffman Enterprises, Inc., Olathe, KS
 Mark's Tile Inc., Haysville, KS
 McKinney Motors, LLC, Chanute, KS
 McNeil Woodworks, Inc., Argonia, KS
 Medrecords LLC, Valley Center, KS
 Melchert Enterprises, Inc., Edmond, OK
 Mid America Consulting, Inc., Wichita, KS
 Mid-Continent Manufacturing, Inc., Colby, KS
 MNT, Inc., Topeka, KS
 Newt Properties, LLC, Overland Park, KS
 None Other! LLC, Meriden, KS
 NuOtter Investments, LLC, Hurricane, WV
 Osage City Band Parent Organization Inc., Osage City, KS
 Ottawa Middle School PTO, Inc., Ottawa, KS
 PAMICO, Inc., Burrton, KS
 Parking, Inc., Wichita, KS
 Partridge Auto Supply, Inc., Newton, KS
 Pride Built Homes, Inc., Olathe, KS
 Q Tech, Inc., Olathe, KS
 Ranch Bowl Holdings, L.L.C., Kansas City, KS
 Riverbend Home Sales, Inc., Walnut Shade, MO
 Rutland Administrator, Inc., Wichita, KS
 S&T Auto Care, Inc., Olathe, KS
 Shawnee Mission Plumbing, Heating & Cooling, Inc., Shawnee Mission, KS
 SJM Automotive & Handyman, Inc., Spring Hill, KS
 SMN Choir Booster Club, Overland Park, KS
 Swafford Management, Inc., South Hutchinson, KS
 The Academy of the Arts Dance Teams Association, Shawnee, KS
 The Artisan, Inc., Olathe, KS
 The Church of Aviatology, Scranton, KS
 The Church of God in Christ, Inc., Kansas City, KS
 The Old Wooden Spoon LLC, Deerfield, KS
 The Peterson Industries, Inc., Smith Center, KS
 The Spirit Channels, Inc., Lawrence, KS
 Up Your Alley, Inc., Overland Park, KS
 Urban Acres Farming Inc., Overland Park, KS
 Walking for the Soul Inc., Lansing, KS
 Walls True Value, Inc., Dighton, KS
 Weaver's A-Ok Exterminators, Inc., Merriam, KS
 Wheels, Inc., Frankfort, KS
 Wichita Theatre Organ, Inc., Wichita, KS
 Wilson & Associates, Inc., Leawood, KS
 Young Cattle Co., Tribune, KS
 Zeta Tau Housing Corporation Inc., Hays, KS
 ZM Outdoor Enterprises, Inc., Bucyrus, KS
 3-D Consulting, Inc., Mission, KS

Foreign Business Entities

AE Leuken, LLC, Denver, CO
 Aerosync Engineering & Consulting Inc., Wichita, KS
 Boulevard Suites, LLC, Olathe, KS
 Caliper, Inc., Virginia Beach, VA
 Dala Petroleum Corp., Midland, TX
 Datapath, Inc., Duluth, GA

Davis Bros. Oil Producers, Inc., Tulsa, OK
 Greenway EHS, Inc., Tampa, FL
 HME, Inc., Wyoming, MI
 Industrial Process Insulators, Inc., Port Neches, TX
 Lightning Intermediate Holdings, LLC, Tampa, FL
 Lion First Responder PPE, Inc., Dayton, OH
 Pae Labat-Anderson Incorporated, McLean, VA
 Phoenix Millwork, Inc., Alvin, TX
 P2ES Holdings, LLC, Denver, CO
 Robertson Restaurant Management, LLC, Springfield, MO
 Smith & Smith Aircraft International, Ltd., Metairie, LA
 Wesgray Corporation, Broomfield, CO
 West Central Distribution, LLC, Willmar, MN
 Western Marketing, Inc., Abilene, TX
 4 Life Weight Loss Centers, Inc., Independence, MO

Kris W. Kobach
 Secretary of State

Doc. No. 044543

State of Kansas

**Department of Administration
 Procurement and Contracts**

Notice to Bidders

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

05/24/2016	EVT0004423	Outboard Motor
06/01/2016	EVT0004421	Vehicle Maintenance Services, Topeka, KS
06/02/2016	EVT0004393	Microscopes
06/02/2016	EVT0004418	Lab Analysis Services for Stormwater Samples
06/07/2016	EVT0004411	Software, Learning Management System

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

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

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

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

06/02/2016	A-013075	Lansing Correctional Facility K, L, & M Food Service Building Boiler Replacement
06/07/2016	A-012800	Kansas State University Purebred Beef Facilities at Manhattan, KS
06/09/2016	A-013079	Kansas Department of Administration LSOB South Wing Reroof
06/16/2016	A-013073	Norton Correctional Facility D Dorm and Power House Exterior Wall Repair

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

Tracy T. Diel, Director
 Procurement and Contracts

Doc. No. 044555

(Published in the Kansas Register May 19, 2016.)

Summary Notice of Bond Sale
City of Lawrence, Kansas
\$15,095,000*
General Obligation Refunding Bonds
Series 2016-A

(General obligation bonds payable from
 unlimited ad valorem taxes)

Bids

Subject to the Notice of Bond Sale dated May 17, 2016, written and electronic bids will be received on behalf of the clerk of the city of Lawrence, Kansas (the issuer), in the case of written bids, at the address set forth below, and in the case of electronic bids, through PARITY® until 11 a.m. (CDT) June 7, 2016, for the purchase of the above-referenced bonds. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated June 29, 2016, and will become due on November 1 in the years as follows:

Year	Principal Amount*
2016	\$1,320,000
2017	2,695,000
2018	2,720,000
2019	2,750,000
2020	2,785,000
2021	2,825,000

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

Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied (in the manner set forth in the notice) by a good faith deposit in the form of a wire transfer in Federal Reserve funds immediately available for use by the issuer in the amount of \$301,900.

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 June 29, 2016, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2015 was \$995,923,209. The total general obligation indebtedness

of the issuer as of the dated date, including the bonds being sold, is \$123,830,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, 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.

Municipal Advisor—Facsimile Bid and Good Faith

Deposit Delivery Address:

Springsted Incorporated
 380 Jackson St., Suite 300
 St. Paul, MN 55101-2887
 651-223-3000
 Fax: 651-223-3046
 bond_services@springsted.com

Dated May 17, 2016.

City of Lawrence, Kansas
 Sherri Riedemann, City Clerk

* Preliminary; subject to change.

Doc. No. 044556

State of Kansas

Department of Administration
Office of Facilities and Property Management

Notice of Requested "On-Call" Engineering Services

Notice is hereby given of the commencement of the selection process for "on-call" mechanical/electrical/plumbing (MEP) engineering services for Emporia State University. Services are required for restricted (small) projects of \$1,000,000 or less. Two firms will be selected. Contracts will be for three years.

For more information contact Bobbi Pearson, bpearson@emporia.edu, 620-341-5551. Firms interested in providing these services should be familiar with the requirements which can be found in Part B—Chapter 4 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at <http://admin.ks.gov/offices/ofpm/dcc/f-and-d>. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 MB and follow the current State Building Advisory Commission guidelines which can be found in Part B—Chapter 2 of the Building Design and Construction Manual at <http://www.admin.ks.gov/offices/ofpm/dcc/bdcm>.

Proposals should be sent on a CD, DVD or flash drive along with a transmittal to Randy Riveland, Office of Fa-

cilities and Property Management, Suite 700, 800 S.W. Jackson, Topeka, 66612-1216. Proposals sent via email will no longer be accepted and paper copies of the proposals are no longer required. It is the proposer's responsibility to ensure proposals are received by the closing date and time. Delays in mail delivery or any other means of transmittal, including couriers or agents of the issuing entity, shall not excuse late proposal submissions. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory Commission for review. If you have questions call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of Randy Riveland by 2 p.m. on or before June 3, 2016.

Mark J. McGivern, Director
Office of Facilities and
Property Management

Doc. No. 044551

State of Kansas

**Department of Administration
Office of Facilities and Property Management**

Notice of Requested "On-Call" Engineering Services

Notice is hereby given of the commencement of the selection process for "on-call" fire protection engineering services for Emporia State University. Services are required for restricted (small) projects of \$1,000,000 or less. One firm will be selected. The contract will be for three years.

For more information contact Bobbi Pearson, bpearson@emporia.edu, 620-341-5551. Firms interested in providing these services should be familiar with the requirements which can be found in Part B—Chapter 4 of the Building Design and Construction Manual at the website below.

To be considered, one (1) PDF file of the following should be provided: State of Kansas Professional Qualifications DCC Forms 051-054, inclusive, and information regarding similar projects. These forms may be found at <http://admin.ks.gov/offices/ofpm/dcc/f-and-d>. State of Kansas Professional Qualifications DCC Form 050 for each firm and consultant should be provided at the end of each proposal. Please include your firm name, agency abbreviation and an abbreviated project name in the title of the PDF document. Proposals should be less than 5 MB and follow the current State Building Advisory Commission guidelines which can be found in Part B – Chapter 2 of the Building Design and Construction Manual at <http://www.admin.ks.gov/offices/ofpm/dcc/bdcm>.

Proposals should be sent on a CD, DVD or flash drive along with a transmittal to Randy Riveland, Office of Facilities and Property Management, Suite 700, 800 S.W. Jackson, Topeka, 66612-1216. Proposals sent via email will no longer be accepted and paper copies of the proposals are no longer required. It is the proposer's responsibility to ensure proposals are received by the closing date and time. Delays in mail delivery or any other means of transmittal, including couriers or agents of the issuing entity shall not excuse late proposal submissions. Proposals received after the date and time noted below will not be forwarded to the State Building Advisory

Commission for review. If you have questions, call 785-296-0749. The PDF proposal submissions shall be delivered to the attention of Randy Riveland by 2 p.m. on or before June 3, 2016.

Mark J. McGivern, Director
Office of Facilities and
Property Management

Doc. No. 044552

State of Kansas

Department of Health and Environment

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

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

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

Public Notice No. KS-AG-16-072/076

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Scott Vathauer D & S Cattle Co. LLC 158 All American Road Barnes, KS 66933	W/2 of Section 27, T05S, R05E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-C009 Federal Permit No. KS0100251

This permit is being reissued for an expanding facility with a proposed maximum capacity of 3,000 head (3,000 animal units) of cattle weighing more than 700 pounds and 2,999 head (1,499.5 animal units) of cattle weighing 700 pounds or less; for a total of 5,999 head (4,499.5 animal units). The facility currently consists of approximately 29.5 acres of open lot pens, working facilities, commodity areas and other associated feedlot areas. The waste management system includes a diversion, five sediment basins and two earthen retention control structures. The facility is proposing to construct an additional 13.5 acres of open lot pens including associated areas, a run-on diversion and a sixth sediment basin. This facility has an approved Nutrient Management Plan on file with KDHE.

Name and Address of Applicant	Legal Description	Receiving Water
Gary D. Bartcher 357 Y Road Esbon, KS 66941	SW/4 of Section 28, T01S, R10W, Jewell County	Lower Republican River Basin

Kansas Permit No. A-LRJW-B004

(continued)

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

Name and Address of Applicant	Legal Description	Receiving Water
Kathleen Sinn 5990 Silver Creek Road Manhattan, KS 66503	NW/4 of Section 14, T09S, R06E, Riley County	Kansas River Basin

Kansas Permit No. A-KSRL-S004

This is a renewal permit for an existing facility with a maximum capacity of 449 head (179.6 animal units) of swine more than 55 pounds, 430 head (43 animal units) of swine 55 pounds or less, 100 head (100 animal units) of cattle more than 700 pounds and 175 head (87.5 animal units) of cattle 700 pounds or less, for a total of 410.1 animal units. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Joel DeRouche KSU Animal Sciences and Industry KSU Modified Early Wean Swine Unit 232 Weber Hall Manhattan, KS 66506	NW/4 of Section 36, T09S, R07E, Riley County	Big Blue River Basin

Kansas Permit No. A-BBRL-S016

This is a renewal permit for an existing facility with a maximum capacity of 400 head (40 animal units) of swine 55 pounds or less. There is no change in the permitted animal units.

Name and Address of Applicant	Legal Description	Receiving Water
Jeff Baumgartner JLB Farms, Inc. 2738 R Road Bern, KS 66408	NW/4 of Section 25, T01S, R13E, Nemaha County	Missouri River Basin

Kansas Permit No. A-MONM-S046

This permit is being reissued for an existing facility with a maximum capacity of 450 head (180 animal units) of swine more than 55 pounds. There is no change in the permitted animal units.

Public Notice No. KS-Q-16-054

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
Mid-States Materials, LLC P.O. Box 236 Topeka, KS 66601	Hickory Creek via Unnamed Tributary	Pit De-Watering & Stormwater Runoff

Kansas Permit No. I-MC31-PO06 Federal Permit No. KS0092606

Legal Description: S1, T17S, R20E, Franklin County, KS

The proposed action consists of issuing a new permit for discharge of wastewater during quarry operations. This is a limestone quarrying and crushing operation with no washing. Outfalls 001 and 002 consist of pit water and stormwater runoff. The proposed permit contains generic language to protect waters of the state.

Public Notice No. KS-EG-16-020

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

prepared for the use of the wells described below within the state of Kansas.

Name and Address of Applicant

Occidental Chemical Corporation
P.O. Box 12283
Wichita, KS 67277

Facility Name: Occidental Chemical Corporation–Wichita Plant

Well & Permit Number	Location
3–KS-01-173-004	Latitude: 37.58170, Longitude: 97.42123
7–KS-01-173-006	Latitude: 37.58406, Longitude: 97.42180
8–KS-01-173-007	Latitude: 37.58298, Longitude: 97.42205
9–KS-01-173-008	Latitude: 37.58280, Longitude: 97.42122

Facility Description: The proposed action is to reissue four Class I Hazardous Waste Disposal Well permits. The fluids to be injected consist of primarily of sodium, calcium, and magnesium chloride brines which vary in pH. The acidic wastes are primarily hydrochloric acid with some sulfuric acid and the basic wastes are primarily sodium hydroxide. Injection is into the Arbuckle and Simpson formations from a bottom depth of approximately 4,725 feet to a top depth of approximately 3,840 feet below ground surface. Disposal is by means of gravity flow, no pump pressure is allowed. The maximum rate of injection limit is 864,000 gallons per day per well. The current facility injection volume limit of 2,520,000 gallons per day will not be increased. All construction, monitoring and operation of these wells will meet all of the requirements that apply to Class I Injection Wells under the Kansas UIC Regulations, K.A.R. 28-46-1 through 28-46-44 and other requirements of KDHE.

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

All comments regarding the draft documents or application notices received on or before June 18, 2016, will be considered in the formulation of the final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-16-072/076, KS-Q-16-054, KS-EG-16-020) and name of the applicant/permittee when preparing comments.

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

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

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

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

Doc. No. 044553

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment (KDHE) is soliciting comments regarding a proposed air quality operating permit. Linn Operating, Inc. 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.

Linn Operating, Inc., 2225 W. Oklahoma Ave., Ulysses, KS 67880, owns and operates Satanta Gas Plant located at Sec 8, T30S, R35W, Grant 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, 8 a.m. to 5 p.m., at the KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, and at the KDHE Southwest District Office, 302 W. McArtor Road, Dodge City. To obtain or review the proposed permit and supporting documentation contact Cathy Richardson, 785-296-1947, at the KDHE central office or Ethel Evans, 620-356-1075, at the KDHE Southwest District Office. The standard departmental cost will be assessed for any copies requested.

Written comments or questions regarding the proposed permit may be directed to Cathy Richardson, KDHE, Bureau of Air, 1000 S.W. Jackson, Suite 310, Topeka, KS 66612-1366. In order to be considered in formulating a final permit decision, written comments must be received no later than noon Monday, June 20, 2016.

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 Bureau of Air, no later than noon Monday, June 20, 2016, in order for the secretary of Health and Environment to consider the request.

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

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

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

Doc. No. 044545

State of Kansas

Secretary of State

Certification of New State Laws

I, Kris W. Kobach, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

Kris W. Kobach
Secretary of State

(Published in the Kansas Register May 19, 2016.)

Substitute for HOUSE BILL No. 2062

AN ACT concerning the uniform commercial code; relating to the exclusion of consumer transactions governed by federal law; secured transactions; amending K.S.A. 84-4a-108 and K.S.A. 2015 Supp. 84-9-408, 84-9-803, 84-9-805 and 84-9-807 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 84-4a-108 is hereby amended to read as follows: 84-4a-108. (a) Except as provided in subsection (b), this article does not apply to a funds transfer any part of which is governed by the electronic fund transfer act of 1978 (title XX, public law 95-630, 92 Stat. 3728, 15 U.S.C. § 1693 et seq.) ~~as amended from time to time.~~

(b) This article applies to a funds transfer that is a remittance transfer as defined in the electronic fund transfer act (15 U.S.C. § 1693o-1), unless the remittance transfer is an electronic fund transfer as defined in the electronic fund transfer act (15 U.S.C. § 1693a).

(c) In a funds transfer to which this article applies, in the event of an inconsistency between an applicable provision of this article and an applicable provision of the electronic fund transfer act, the provision of the electronic fund transfer act governs to the extent of the inconsistency.

Sec. 2. K.S.A. 2015 Supp. 84-9-408 is hereby amended to read as follows: 84-9-408. (a) **Term restricting assignment generally ineffective.** Except as otherwise provided in subsection (b) and subsection (g) of K.S.A. 17-76,134(b) and (g), and amendments thereto, a term in a promissory note or in an agreement between an account debtor and a debtor which relates to a health-care-insurance receivable or a general intangible, including a contract, permit, license, or franchise, and which term prohibits, restricts, or requires the consent of the person obligated on the promissory note or the account debtor to, the assignment or transfer of, or creation, attachment, or perfection of a security interest in, the promissory note, health-care-insurance receivable, or general intangible, is ineffective to the extent that the term:

(1) Would impair the creation, attachment, or perfection of a security interest; or

(continued)

(2) provides that the assignment or transfer or the creation, attachment, or perfection of the security interest may give rise to a default, breach, right of recoupment, claim, defense, termination, right of termination, or remedy under the promissory note, health-care-insurance receivable, or general intangible.

(b) **Applicability of subsection (a) to sales of certain rights to payment.** Subsection (a) applies to a security interest in a payment intangible or promissory note only if the security interest arises out of a sale of the payment intangible or promissory note, other than a sale pursuant to a disposition under K.S.A. 2015 Supp. 84-9-610, and amendments thereto, or an acceptance of collateral under K.S.A. 2015 Supp. 84-9-620, and amendments thereto.

(c) **Legal restrictions on assignment generally ineffective.** Except as otherwise provided in and subsection (g) of K.S.A. 17-76,134(g), and amendments thereto, a rule of law, statute, or regulation that prohibits, restricts, or requires the consent of a government, governmental body or official, person obligated on a promissory note, or account debtor to the assignment or transfer of, or creation of a security interest in, a promissory note, health-care-insurance receivable, or general intangible, including a contract, permit, license, or franchise between an account debtor and a debtor, is ineffective to the extent that the rule of law, statute, or regulation:

(1) Would impair the creation, attachment, or perfection of a security interest; or

(2) provides that the assignment or transfer or the creation, attachment, or perfection of the security interest may give rise to a default, breach, right of recoupment, claim, defense, termination, right of termination, or remedy under the promissory note, health-care-insurance receivable, or general intangible.

(d) **Limitation on ineffectiveness under subsections (a) and (c).** To the extent that a term in a promissory note or in an agreement between an account debtor and a debtor which relates to a health-care-insurance receivable or general intangible or a rule of law, statute, or regulation described in subsection (c) would be effective under law other than this article but is ineffective under subsection (a) or (c), the creation, attachment, or perfection of a security interest in the promissory note, health-care-insurance receivable, or general intangible:

(1) Is not enforceable against the person obligated on the promissory note or the account debtor;

(2) does not impose a duty or obligation on the person obligated on the promissory note or the account debtor;

(3) does not require the person obligated on the promissory note or the account debtor to recognize the security interest, pay or render performance to the secured party, or accept payment or performance from the secured party;

(4) does not entitle the secured party to use or assign the debtor's rights under the promissory note, health-care-insurance receivable, or general intangible, including any related information or materials furnished to the debtor in the transaction giving rise to the promissory note, health-care-insurance receivable, or general intangible;

(5) does not entitle the secured party to use, assign, possess, or have access to any trade secrets or confidential information of the person obligated on the promissory note or the account debtor; and

(6) does not entitle the secured party to enforce the security interest in the promissory note, health-care-insurance receivable, or general intangible.

(e) **Section prevails over specified inconsistent law.** This section prevails over any inconsistent provisions of any laws, rules, and regulations of this state.

Sec. 3. K.S.A. 2015 Supp. 84-9-803 is hereby amended to read as follows: 84-9-803. (a) **Continuing perfection: Perfection requirements satisfied.** A security interest that is a perfected security interest immediately before July 1, 2013, is a perfected security interest under article 9 of chapter 84 of the Kansas Statutes Annotated, as amended by this act, if, on July 1, 2013, the applicable requirements for attachment and perfection under article 9 of chapter 84 of the Kansas Statutes Annotated, as amended by this act, are satisfied without further action.

(b) **Continuing perfection: Perfection requirements not satisfied.** Except as otherwise provided in K.S.A. 2015 Supp. ~~84-9-806~~ 84-9-805, and amendments thereto, if immediately before July 1, 2013, a security interest is a perfected security interest, but the applicable requirements for perfection under article 9 of chapter 84 of the Kansas Statutes Annotated, as amended by this act, are not satisfied on July 1, 2013, the security interest remains perfected thereafter only if the applicable requirements for perfection under article 9 of chapter 84 of the Kansas Statutes Annotated, as amended by this act, are satisfied within one year after July 1, 2013.

Sec. 4. K.S.A. 2015 Supp. 84-9-805 is hereby amended to read as follows: 84-9-805. (a) **Pre-effective-date filing effective.** The filing of a financing statement before July 1, 2013, is effective to perfect a security interest to the extent the filing would satisfy the applicable requirements for perfection under article 9 of chapter 84 of the Kansas Statutes Annotated, and as amended by this act.

(b) **When pre-effective-date filing becomes ineffective.** This act does not render ineffective an effective financing statement that, before July 1, 2013, is filed and satisfies the applicable requirements for perfection under the law of the jurisdiction governing perfection as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, prior to amendments by this act. However, except as otherwise provided in subsections (c) and (d) of ~~and~~ K.S.A. 2015 Supp. ~~84-9-807~~ 84-9-806, and amendments thereto, the financing statement ceases to be effective:

(1) If the financing statement is filed in this state, at the time the financing statement would have ceased to be effective had this act not taken effect; or

(2) if the financing statement is filed in another jurisdiction, at the earlier of:

(A) At the time the financing statement would have ceased to be effective under the law of that jurisdiction; or

(B) June 30, 2018.

(c) **Continuation statement.** The filing of a continuation statement after July 1, 2013, does not continue the effectiveness of a financing statement filed before this act takes effect. However, upon the timely filing of a continuation statement after July 1, 2013, and in accordance with the law of the jurisdiction governing perfection as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, as amended by this act, the effectiveness of a financing statement filed in the same office in that jurisdiction before July 1, 2013, continues for a period provided by the law of that jurisdiction.

(d) **Application of subsection (b)(2)(B) to transmitting utility financing statement.** Subsection (b)(2)(B) applies to a financing statement that, before July 1, 2013, is filed against a transmitting utility and satisfies the applicable requirements for perfection under the law of the jurisdiction governing perfection as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, prior to amendments by this act, only to the extent that article 9 of chapter 84 of the Kansas Statutes Annotated, as amended by this act, provides that the law of a jurisdiction other than the jurisdiction in which the financing statement is filed governs perfection of a security interest in collateral covered by the financing statement.

(e) **Application of part 5.** A financing statement that includes a financing statement filed before July 1, 2013, and a continuation statement filed after July 1, 2013, is effective only to the extent that it satisfies the requirements of part 5 of article 9 of chapter 84 of the Kansas Statutes Annotated, as amended by this act, for an initial financing statement. A financing statement that indicates that the debtor is a decedent's estate indicates that the collateral is being administered by a personal representative within the meaning of K.S.A. 2015 Supp. 84-9-503(a)(2), as amended by this act. A financing statement that indicates that the debtor is a trust or trustee acting with respect to property held in trust indicates that the collateral is held in a trust within the meaning of K.S.A. 2015 Supp. 84-9-503(a)(3), as amended by this act.

Sec. 5. K.S.A. 2015 Supp. 84-9-807 is hereby amended to read as follows: 84-9-807. (a) **Pre-effective-date financing statement.** In this section, "pre-effective-date financing statement" means a financing statement filed before July 1, 2013.

(b) **Applicable law.** After July 1, 2013, a person may add or delete collateral covered by, continue or terminate the effectiveness of, or otherwise amend the information provided in, a pre-effective-date financing statement only in accordance with the law of the jurisdiction governing perfection as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, as amended by this act. However, the effectiveness of a pre-effective-date financing statement also may be terminated in accordance with the law of the jurisdiction in which the financing statement is filed.

(c) **Method of amending: General rule.** Except as otherwise provided in subsection (d), if the law of this state governs perfection of a security interest, the information in a pre-effective-date financing statement may be amended after July 1, 2013, only if:

(1) The pre-effective-date financing statement and an amendment are filed in the office specified in K.S.A. 2015 Supp. 84-9-501, and amendments thereto;

(2) an amendment is filed in the office specified in K.S.A. 2015 Supp. 84-9-501, and amendments thereto, concurrently with, or after

the filing in that office of, an initial financing statement that satisfies subsection (c) of K.S.A. 2015 Supp. ~~84-9-807~~ 84-9-806(c), and amendments thereto; or

(3) an initial financing statement that provides the information as amended and satisfies subsection (c) of K.S.A. 2015 Supp. 84-9-807(c), and amendments thereto, is filed in the office specified in K.S.A. 2015 Supp. 84-9-501, and amendments thereto.

(d) **Method of amending: Continuation.** If the law of this state governs perfection of a security interest, the effectiveness of a pre-effective-date financing statement may be continued only under subsections (c) and (e) of K.S.A. 2015 Supp. ~~84-9-806~~ 84-9-805(c) and (e), and amendments thereto, or K.S.A. 2015 Supp. ~~84-9-807~~ 84-9-806, and amendments thereto.

(e) **Method of amending: Additional termination rule.** Whether or not the law of this state governs perfection of a security interest, the effectiveness of a pre-effective-date financing statement filed in this state may be terminated after July 1, 2013, by filing a termination statement in the office in which the pre-effective-date financing statement is filed, unless an initial financing statement that satisfies subsection (c) of K.S.A. 2015 Supp. ~~84-9-807~~ 84-9-806(c), and amendments thereto, has been filed in the office specified by the law of the jurisdiction governing perfection as provided in article 9 of chapter 84 of the Kansas Statutes Annotated, as amended by this act, as the office in which to file a financing statement.

Sec. 6. K.S.A. 84-4a-108 and K.S.A. 2015 Supp. 84-9-408, 84-9-803, 84-9-805 and 84-9-807 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 19, 2016.)

HOUSE BILL No. 2436

AN ACT concerning boating; relating to safety education courses, exemptions therefrom; amending K.S.A. 32-1139 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 32-1139 is hereby amended to read as follows: 32-1139. (a) On and after January 1, 2001:

(1) No person born on or after January 1, 1989, shall operate on public waters of this state any motorboat or sailboat unless the person possesses a certificate of completion of an approved boater safety education course of instruction lawfully issued to such person as provided by this act.

(2) No owner or person in possession of any motorboat or sailboat shall permit another person, who is subject to the requirements in subsection (a)(1), to operate such motorboat or sailboat unless such other person either: (A) Has been lawfully issued a certificate of completion of an approved boater safety education course of instruction as provided by this act; or (B) is legally exempt from the requirements of subsection (a)(1).

(3) The requirement in subsection (a)(1), shall not apply to a person 21 years of age or older.

(4) *The requirement in subsection (a)(1) shall not apply to a person operating a sailboat that does not have a motor and has an overall length of 16 feet, seven inches or less, while such person is enrolled in an instructor-led class.*

(b) The requirement in subsection (a)(1) shall not apply to a person operating a motorboat or sailboat accompanied by and under the direct and audible supervision of a person over 17 years of age who either: (1) Possesses a certificate of completion of an approved boater safety education course; or (2) is legally exempt from the requirements of subsection (a)(1).

(c) No person who is charged with a violation of subsection (a)(1) shall be convicted of the violation if such person produces in court or in the office of the arresting officer a certificate of completion of an approved boater safety education course of instruction lawfully issued to such person and valid at the time of such person's arrest.

Sec. 2. K.S.A. 32-1139 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 19, 2016.)

HOUSE BILL No. 2632

AN ACT concerning economic development; relating to tax increment financing, eligible areas; the STAR bond financing act; base year assessed valuation, business relocations; reports to the legislature; concerning the Kansas bioscience authority; delegating authority to the state finance council to oversee any sale of the Kansas bioscience authority or substantially all of the authority's assets; amending K.S.A. 2015 Supp. 12-1770a, 12-17,162, 12-17,169, 12-17,171, 12-17,176 and 74-99b15 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2015 Supp. 12-1770a is hereby amended to read as follows: 12-1770a. As used in this act, and amendments thereto, the following words and phrases shall have the following meanings unless a different meaning clearly appears from the content:

(a) "Auto race track facility" means: (1) An auto race track facility and facilities directly related and necessary to the operation of an auto race track facility, including, but not limited to, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding (2) hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(b) "Base year assessed valuation" means the assessed valuation of all real property within the boundaries of a redevelopment district on the date the redevelopment district was established.

(c) "Blighted area" means an area which:

(1) Because of the presence of a majority of the following factors, substantially impairs or arrests the development and growth of the municipality or constitutes an economic or social liability or is a menace to the public health, safety, morals or welfare in its present condition and use:

(A) A substantial number of deteriorated or deteriorating structures;
(B) predominance of defective or inadequate street layout;
(C) unsanitary or unsafe conditions;
(D) deterioration of site improvements;
(E) tax or special assessment delinquency exceeding the fair market value of the real property;

(F) defective or unusual conditions of title including, but not limited to, cloudy or defective titles, multiple or unknown ownership interests to the property;

(G) improper subdivision or obsolete platting or land uses;

(H) the existence of conditions which endanger life or property by fire or other causes; or

(I) conditions which create economic obsolescence; or

(2) has been identified by any state or federal environmental agency as being environmentally contaminated to an extent that requires a remedial investigation; feasibility study and remediation or other similar state or federal action; or

(3) a majority of the property is a 100-year floodplain area; or

(4) previously was found by resolution of the governing body to be a slum or a blighted area under K.S.A. 17-4742 et seq., and amendments thereto.

(d) "Conservation area" means any improved area comprising 15% or less of the land area within the corporate limits of a city in which 50% or more of the structures in the area have an age of 35 years or more, which area is not yet blighted, but may become a blighted area due to the existence of a combination of two or more of the following factors:

(1) Dilapidation, obsolescence or deterioration of the structures;
(2) illegal use of individual structures;
(3) the presence of structures below minimum code standards;
(4) building abandonment;
(5) excessive vacancies;
(6) overcrowding of structures and community facilities; or
(7) inadequate utilities and infrastructure.

(e) "De minimus" means an amount less than 15% of the land area within a redevelopment district.

(f) "Developer" means any person, firm, corporation, partnership or limited liability company, other than a city and other than an agency, political subdivision or instrumentality of the state or a county when relating to a bioscience development district.

(continued)

(g) "Eligible area" means a blighted area, conservation area, enterprise zone, intermodal transportation area, major tourism area or a major commercial entertainment and tourism area or; bioscience development area or a building or buildings which are 65 years of age or older and any contiguous vacant or condemned lots.

(h) "Enterprise zone" means an area within a city that was designated as an enterprise zone prior to July 1, 1992, pursuant to K.S.A. 12-17,107 through 12-17,113, and amendments thereto, prior to its repeal and the conservation, development or redevelopment of the area is necessary to promote the general and economic welfare of such city.

(i) "Environmental increment" means the increment determined pursuant to K.S.A. 12-1771a(b), and amendments thereto.

(j) "Environmentally contaminated area" means an area of land having contaminated groundwater or soil which is deemed environmentally contaminated by the department of health and environment or the United States environmental protection agency.

(k) (1) "Feasibility study" means:

(A) A study which shows whether a redevelopment project's or bioscience development project's benefits and tax increment revenue and other available revenues under K.S.A. 12-1774(a)(1), and amendments thereto, are expected to exceed or be sufficient to pay for the redevelopment or bioscience development project costs; and

(B) the effect, if any, the redevelopment project costs or bioscience development project will have on any outstanding special obligation bonds payable from the revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto.

(2) For a redevelopment project or bioscience project financed by bonds payable from revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto, the feasibility study must also include:

(A) A statement of how the taxes obtained from the project will contribute significantly to the economic development of the jurisdiction in which the project is located;

(B) a statement concerning whether a portion of the local sales and use taxes are pledged to other uses and are unavailable as revenue for the redevelopment project. If a portion of local sales and use taxes is so committed, the applicant shall describe the following:

(i) The percentage of sales and use taxes collected that are so committed; and

(ii) the date or dates on which the local sales and use taxes pledged to other uses can be pledged for repayment of special obligation bonds;

(C) an anticipated principal and interest payment schedule on the bonds;

(D) following approval of the redevelopment plan, the feasibility study shall be supplemented to include a copy of the minutes of the governing body meeting or meetings of any city whose bonding authority will be utilized in the project, evidencing that a redevelopment plan has been created, discussed, and adopted by the city in a regularly scheduled open public meeting; and

(E) the failure to include all information enumerated in this subsection in the feasibility study for a redevelopment or bioscience project shall not affect the validity of bonds issued pursuant to this act.

(l) "Major tourism area" means an area for which the secretary has made a finding the capital improvements costing not less than \$100,000,000 will be built in the state to construct an auto race track facility.

(m) "Real property taxes" means all taxes levied on an ad valorem basis upon land and improvements thereon, except that when relating to a bioscience development district, as defined in this section, "real property taxes" does not include property taxes levied for schools, pursuant to K.S.A. 2015 Supp. 72-6470, and amendments thereto.

(n) "Redevelopment project area" means an area designated by a city within a redevelopment district or, if the redevelopment district is established for an intermodal transportation area, an area designated by a city within or outside of the redevelopment district.

(o) "Redevelopment project costs" means: (1) Those costs necessary to implement a redevelopment project plan or a bioscience development project plan, including costs incurred for:

(A) Acquisition of property within the redevelopment project area;

(B) payment of relocation assistance pursuant to a relocation assistance plan as provided in K.S.A. 12-1777, and amendments thereto;

(C) site preparation including utility relocations;

(D) sanitary and storm sewers and lift stations;

(E) drainage conduits, channels, levees and river walk canal facilities;

(F) street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;

(G) street light fixtures, connection and facilities;

(H) underground gas, water, heating and electrical services and connections located within the public right-of-way;

(I) sidewalks and pedestrian underpasses or overpasses;

(J) drives and driveway approaches located within the public right-of-way;

(K) water mains and extensions;

(L) plazas and arcades;

(M) major multi-sport athletic complex;

(N) museum facility;

(O) parking facilities including multilevel parking facilities;

(P) landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations and similar amenities;

(Q) related expenses to redevelop and finance the redevelopment project;

(R) for purposes of an incubator project, such costs shall also include wet lab equipment including hoods, lab tables, heavy water equipment and all such other equipment found to be necessary or appropriate for a commercial incubator wet lab facility by the city in its resolution establishing such redevelopment district or a bioscience development district;

(S) costs for the acquisition of land for and the construction and installation of publicly-owned infrastructure improvements which serve an intermodal transportation area and are located outside of a redevelopment district; and

(T) costs for infrastructure located outside the redevelopment district but contiguous to any portion of the redevelopment district and such infrastructure is necessary for the implementation of the redevelopment plan as determined by the city.

(2) Redevelopment project costs shall not include: (A) Costs incurred in connection with the construction of buildings or other structures to be owned by or leased to a developer, however, the "redevelopment project costs" shall include costs incurred in connection with the construction of buildings or other structures to be owned or leased to a developer which includes an auto race track facility or a multilevel parking facility.

(B) In addition, for a redevelopment project financed with special obligation bonds payable from the revenues described in K.S.A. 12-1774(a)(1)(D), and amendments thereto, redevelopment project costs shall not include:

(i) Fees and commissions paid to developers, real estate agents, financial advisors or any other consultants who represent the developers or any other businesses considering locating in or located in a redevelopment district;

(ii) salaries for local government employees;

(iii) moving expenses for employees of the businesses locating within the redevelopment district;

(iv) property taxes for businesses that locate in the redevelopment district;

(v) lobbying costs;

(vi) a bond origination fee charged by the city pursuant to K.S.A. 12-1742, and amendments thereto;

(vii) any personal property, as defined in K.S.A. 79-102, and amendments thereto; and

(viii) travel, entertainment and hospitality.

(p) "Redevelopment district" means the specific area declared to be an eligible area in which the city may develop one or more redevelopment projects.

(q) "Redevelopment district plan" or "district plan" means the preliminary plan that identifies all of the proposed redevelopment project areas and identifies in a general manner all of the buildings, facilities and improvements in each that are proposed to be constructed or improved in each redevelopment project area or, if the redevelopment district is established for an intermodal transportation area, in or outside of the redevelopment district.

(r) "Redevelopment project" means the approved project to implement a project plan for the development of the established redevelopment district.

(s) "Redevelopment project plan" means the plan adopted by a municipality for the development of a redevelopment project or projects which conforms with K.S.A. 12-1772, and amendments thereto, in a redevelopment district.

(t) "Substantial change" means, as applicable, a change wherein the proposed plan or plans differ substantially from the intended purpose for which the district plan or project plan was approved.

(u) "Tax increment" means that amount of real property taxes collected from real property located within the redevelopment district that

is in excess of the amount of real property taxes which is collected from the base year assessed valuation.

(v) "Taxing subdivision" means the county, city, unified school district and any other taxing subdivision levying real property taxes, the territory or jurisdiction of which includes any currently existing or subsequently created redevelopment district including a bioscience development district.

(w) "River walk canal facilities" means a canal and related water features which flows through a redevelopment district and facilities related or contiguous thereto, including, but not limited to pedestrian walkways and promenades, landscaping and parking facilities.

(x) "Major commercial entertainment and tourism area" may include, but not be limited to, a major multi-sport athletic complex.

(y) "Major multi-sport athletic complex" means an athletic complex that is utilized for the training of athletes, the practice of athletic teams, the playing of athletic games or the hosting of events. Such project may include playing fields, parking lots and other developments including grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(z) "Bioscience" means the use of compositions, methods and organisms in cellular and molecular research, development and manufacturing processes for such diverse areas as pharmaceuticals, medical therapeutics, medical diagnostics, medical devices, medical instruments, biochemistry, microbiology, veterinary medicine, plant biology, agriculture, industrial environmental and homeland security applications of bioscience and future developments in the biosciences. Bioscience includes biotechnology and life sciences.

(aa) "Bioscience development area" means an area that:

(1) Is or shall be owned, operated, or leased by, or otherwise under the control of the Kansas bioscience authority;

(2) is or shall be used and maintained by a bioscience company; or

(3) includes a bioscience facility.

(bb) "Bioscience development district" means the specific area, created under K.S.A. 12-1771, and amendments thereto, where one or more bioscience development projects may be undertaken.

(cc) "Bioscience development project" means an approved project to implement a project plan in a bioscience development district.

(dd) "Bioscience development project plan" means the plan adopted by the authority for a bioscience development project pursuant to K.S.A. 12-1772, and amendments thereto, in a bioscience development district.

(ee) "Bioscience facility" means real property and all improvements thereof used to conduct bioscience research, including, without limitation, laboratory space, incubator space, office space and any and all facilities directly related and necessary to the operation of a bioscience facility.

(ff) "Bioscience project area" means an area designated by the authority within a bioscience development district.

(gg) "Biotechnology" means those fields focusing on technological developments in such areas as molecular biology, genetic engineering, genomics, proteomics, physiomics, nanotechnology, biodefense, bio-computing, bioinformatics and future developments associated with biotechnology.

(hh) "Board" means the board of directors of the Kansas bioscience authority.

(ii) "Life sciences" means the areas of medical sciences, pharmaceutical sciences, biological sciences, zoology, botany, horticulture, ecology, toxicology, organic chemistry, physical chemistry, physiology and any future advances associated with life sciences.

(jj) "Revenue increase" means that amount of real property taxes collected from real property located within the bioscience development district that is in excess of the amount of real property taxes which is collected from the base year assessed valuation.

(kk) "Taxpayer" means a person, corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, group or other entity that is subject to the Kansas income tax act, K.S.A. 79-3201 et seq., and amendments thereto.

(ll) "Floodplain increment" means the increment determined pursuant to K.S.A. 2015 Supp. 12-1771e(b), and amendments thereto.

(mm) "100-year floodplain area" means an area of land existing in a 100-year floodplain as determined by either an engineering study of a Kansas certified engineer or by the United States federal emergency management agency.

(nn) "Major motorsports complex" means a complex in Shawnee county that is utilized for the hosting of competitions involving motor vehicles, including, but not limited to, automobiles, motorcycles or other self-propelled vehicles other than a motorized bicycle or motorized wheelchair. Such project may include racetracks, all facilities directly related and necessary to the operation of a motorsports complex, including, but not limited to, parking lots, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility.

(oo) "Intermodal transportation area" means an area of not less than 800 acres to be developed primarily to handle the transfer, storage and distribution of freight through railway and trucking operations.

(pp) "Museum facility" means a separate newly-constructed museum building and facilities directly related and necessary to the operation thereof, including gift shops and restaurant facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility. The museum facility shall be owned by the state, a city, county, other political subdivision of the state or a non-profit corporation, shall be managed by the state, a city, county, other political subdivision of the state or a non-profit corporation and may not be leased to any developer and shall not be located within any retail or commercial building.

Sec. 2. K.S.A. 2015 Supp. 12-17,162 is hereby amended to read as follows: 12-17,162. As used in ~~this the STAR bond financing act, and amendments thereto,~~ the following words and phrases shall have the following meanings unless a different meaning clearly appears from the context:

(a) "Auto race track facility" means: (1) An auto race track facility and facilities directly related and necessary to the operation of an auto race track facility, including, but not limited to, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding (2) hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(b) "Commence work" means the manifest commencement of actual operations on the development site, such as, erecting a building, excavating the ground to lay a foundation or a basement or work of like description which a person with reasonable diligence can see and recognize as being done with the intention and purpose to continue work until the project is completed.

(c) "De minimus" means an amount less than 15% of the land area within a STAR bond project district.

(d) "Developer" means any person, firm, corporation, partnership or limited liability company other than a city and other than an agency, political subdivision or instrumentality of the state.

(e) "Economic impact study" means a study to project the financial benefit of the project to the local, regional and state economies.

(f) "Eligible area" means a historic theater, major tourism area, major motorsports complex, auto race track facility, river walk canal facility, major multi-sport athletic complex, or a major commercial entertainment and tourism area as determined by the secretary.

(g) "Feasibility study" means a feasibility study as defined in ~~sub-section (b) of~~ K.S.A. 2015 Supp. 12-17,166(b), and amendments thereto.

(h) "Historic theater" means a building constructed prior to 1940 which was constructed for the purpose of staging entertainment, including motion pictures, vaudeville shows or operas, that is operated by a nonprofit corporation and is designated by the state historic preservation officer as eligible to be on the Kansas register of historic places or is a member of the Kansas historic theatre association.

(i) "Historic theater sales tax increment" means the amount of state and local sales tax revenue imposed pursuant to K.S.A. 12-187 et seq., 79-3601 et seq. and 79-3701 et seq., and amendments thereto, collected from taxpayers doing business within the historic theater that is in excess of the amount of such taxes collected prior to the designation of the building as a historic theater for purposes of this act.

(j) "Major commercial entertainment and tourism area" means an area that may include, but not be limited to, a major multi-sport athletic complex.

(k) "Major motorsports complex" means a complex in Shawnee county that is utilized for the hosting of competitions involving motor vehicles, including, but not limited to, automobiles, motorcycles or other self-propelled vehicles other than a motorized bicycle or motorized

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wheelchair. Such project may include racetracks, all facilities directly related and necessary to the operation of a motorsports complex, including, but not limited to, parking lots, grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor and retail centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility.

(l) "Major tourism area" means an area for which the secretary has made a finding the capital improvements costing not less than \$100,000,000 will be built in the state to construct an auto race track facility.

(m) "Major multi-sport athletic complex" means an athletic complex that is utilized for the training of athletes, the practice of athletic teams, the playing of athletic games or the hosting of events. Such project may include playing fields, parking lots and other developments including grandstands, suites and viewing areas, concessions, souvenir facilities, catering facilities, visitor centers, signage and temporary hospitality facilities, but excluding hotels, motels, restaurants and retail facilities, not directly related to or necessary to the operation of such facility.

(n) "Market study" means a study to determine the ability of the project to gain market share locally, regionally and nationally and the ability of the project to gain sufficient market share to:

- (1) Remain profitable past the term of repayment; and
- (2) maintain status as a significant factor for travel decisions.

(o) "Market impact study" means a study to measure the impact of the proposed project on similar businesses in the project's market area.

(p) "Museum facility" means a separate newly-constructed museum building and facilities directly related and necessary to the operation thereof, including gift shops and restaurant facilities, but excluding hotels, motels, restaurants and retail facilities not directly related to or necessary to the operation of such facility. The museum facility shall be owned by the state, a city, county, other political subdivision of the state or a non-profit corporation, shall be managed by the state, a city, county, other political subdivision of the state or a non-profit corporation and may not be leased to any developer and shall not be located within any retail or commercial building.

(q) "Project" means a STAR bond project.

(r) "Project costs" means those costs necessary to implement a STAR bond project plan, including costs incurred for:

- (1) Acquisition of real property within the STAR bond project area;
- (2) payment of relocation assistance pursuant to a relocation assistance plan as provided in K.S.A. 2015 Supp. 12-17,173, and amendments thereto;
- (3) site preparation including utility relocations;
- (4) sanitary and storm sewers and lift stations;
- (5) drainage conduits, channels, levees and river walk canal facilities;
- (6) street grading, paving, graveling, macadamizing, curbing, guttering and surfacing;
- (7) street light fixtures, connection and facilities;
- (8) underground gas, water, heating and electrical services and connections located within the public right-of-way;
- (9) sidewalks and pedestrian underpasses or overpasses;
- (10) drives and driveway approaches located within the public right-of-way;
- (11) water mains and extensions;
- (12) plazas and arcades;
- (13) parking facilities and multilevel parking structures devoted to parking only;
- (14) landscaping and plantings, fountains, shelters, benches, sculptures, lighting, decorations and similar amenities;
- (15) auto race track facility;
- (16) major multi-sport athletic complex;
- (17) museum facility;
- (18) major motorsports complex;
- (19) related expenses to redevelop and finance the project, except that for a STAR bond project financed with special obligation bonds payable from the revenues described in ~~subsection (a)(1)~~ of K.S.A. 2015 Supp. 12-17,169(a)(1), and amendments thereto, such expenses shall require prior approval by the secretary of commerce; and
- (20) except as specified in ~~subsections~~ paragraphs (1) through (19) above, project costs shall not include:

(A) Costs incurred in connection with the construction of buildings or other structures;

(B) fees and commissions paid to developers, real estate agents, financial advisors or any other consultants who represent the developers

or any other businesses considering locating in or located in a STAR bond project district;

(C) salaries for local government employees;

(D) moving expenses for employees of the businesses locating within the STAR bond project district;

(E) property taxes for businesses that locate in the STAR bond project district;

(F) lobbying costs;

(G) any bond origination fee charged by the city or county;

(H) any personal property as defined in K.S.A. 79-102, and amendments thereto; and

(I) travel, entertainment and hospitality.

(s) "Projected market area" means any area within the state in which the project is projected to have a substantial fiscal or market impact upon businesses in such area.

(t) "River walk canal facilities" means a canal and related water features which flow through a major commercial entertainment and tourism area and facilities related or contiguous thereto, including, but not limited to, pedestrian walkways and promenades, landscaping and parking facilities.

(u) "Sales tax and revenue" are those revenues available to finance the issuance of special obligation bonds as identified in K.S.A. 2015 Supp. 12-17,168, and amendments thereto.

(v) "STAR bond" means a sales tax and revenue bond.

(w) "STAR bond project" means an approved project to implement a project plan for the development of the established STAR bond project district with:

(1) At least a \$50,000,000 capital investment and \$50,000,000 in projected gross annual sales; or

(2) for areas outside of metropolitan statistical areas, as defined by the federal office of management and budget, the secretary finds:

(A) The project is an eligible area as defined in subsection (f), and amendments thereto; and

(B) would be of regional or statewide importance; or

(3) is a major tourism area as defined in subsection (l), and amendments thereto; or

(4) is a major motorsports complex, as defined in subsection (k); ~~and amendments thereto.~~

(x) "STAR bond project area" means the geographic area within the STAR bond project district in which there may be one or more projects.

(y) "STAR bond project district" means the specific area declared to be an eligible area as determined by the secretary in which the city or county may develop one or more STAR bond projects. A STAR bond project district includes a redevelopment district, as defined in K.S.A. 12-1770a, and amendments thereto, created prior to the effective date of this act for the Wichita Waterwalk project in Wichita, Kansas, provided, the city creating such redevelopment district submits an application for approval for STAR bond financing to the secretary on or before July 31, 2007, and receives a final letter of determination from the secretary approving or disapproving the request for STAR bond financing on or before November 1, 2007. *No STAR bond project district shall include real property which has been part of another STAR bond project district unless such STAR bond project and STAR bond project district have been approved by the secretary of commerce pursuant to K.S.A. 2015 Supp. 12-17,164 and 12-17,165, and amendments thereto, prior to March 1, 2016. A STAR bond project district shall be limited to those areas being developed by the STAR bond project and any area of real property reasonably anticipated to directly benefit from the redevelopment project.*

(z) "STAR bond project district plan" means the preliminary plan that identifies all of the proposed STAR bond project areas and identifies in a general manner all of the buildings, facilities and improvements in each that are proposed to be constructed or improved in each STAR bond project area.

(aa) "STAR bond project plan" means the plan adopted by a city or county for the development of a STAR bond project or projects in a STAR bond project district.

(bb) "Secretary" means the secretary of commerce.

(cc) "Substantial change" means, as applicable, a change wherein the proposed plan or plans differ substantially from the intended purpose for which the STAR bond project district plan was approved.

(dd) "Tax increment" means that portion of the revenue derived from state and local sales, use and transient guest tax imposed pursuant to K.S.A. 12-187 et seq., 12-1692 et seq., 79-3601 et seq. and 79-3701 et seq., and amendments thereto, collected from taxpayers doing business within that portion of a STAR bond project district occupied by a project that is in excess of the amount of base year revenue. For

purposes of this subsection, the base year shall be the 12-month period immediately prior to the month in which the STAR bond project district is established. The department of revenue shall determine base year revenue by reference to the revenue collected during the base year from taxpayers doing business within the specific area in which a STAR bond project district is subsequently established. *The base year of a STAR bond project district, following the addition of area to the STAR bond project district, shall be the base year for the original area, and with respect to the additional area, the base year shall be any 12-month period immediately prior to the month in which additional area is added to the STAR bond project district.* For purposes of this subsection, revenue collected from taxpayers doing business within a STAR bond project district, or within a specific area in which a STAR bond project district is subsequently established shall not include local sales and use tax revenue that is sourced to jurisdictions other than those in which the project is located. *The secretary of revenue and the secretary of commerce shall certify the appropriate amount of base year revenue for taxpayers relocating from within the state into a STAR bond district.*

(ee) "Taxpayer" means a person, corporation, limited liability company, S corporation, partnership, registered limited liability partnership, foundation, association, nonprofit entity, sole proprietorship, business trust, group or other entity that is subject to the Kansas income tax act, K.S.A. 79-3201 et seq., and amendments thereto.

Sec. 3. K.S.A. 2015 Supp. 12-17,169 is hereby amended to read as follows: 12-17,169. (a) (1) Any city or county shall have the power to issue special obligation bonds in one or more series to finance the undertaking of any STAR bond project in accordance with the provisions of this act. Such special obligation bonds shall be made payable, both as to principal and interest:

(A) From revenues of the city or county derived from or held in connection with the undertaking and carrying out of any STAR bond project or projects under this act including historic theater sales tax increments;

(B) from any private sources, contributions or other financial assistance from the state or federal government;

(C) from a pledge of 100% of the tax increment revenue received by the city from any local sales and use taxes, including the city's share of any county sales tax, which are collected from taxpayers doing business within that portion of the city's STAR bond project district established pursuant to K.S.A. 2015 Supp. 12-17,165, and amendments thereto, occupied by a STAR bond project, except for amounts committed to other uses by election of voters or pledged to bond repayment prior to the approval of the STAR bond project;

(D) at the option of the county in a city STAR bond project district, from a pledge of all of the tax increment revenues received by the county from any local sales and use taxes which are collected from taxpayers doing business within that portion of the city's STAR bond project district established pursuant to K.S.A. 2015 Supp. 12-17,165, and amendments thereto, except for amounts committed to other uses by election of voters or pledged to bond repayment prior to the approval of a STAR bond project;

(E) in a county STAR bond project district, from a pledge of 100% of the tax increment revenue received by the county from any county sales and use tax, but excluding any portions of such taxes that are allocated to the cities in such county pursuant to K.S.A. 12-192, and amendments thereto, which are collected from taxpayers doing business within that portion of the county's STAR bond project district established pursuant to K.S.A. 2015 Supp. 12-17,165, and amendments thereto, occupied by a STAR bond project;

(F) from a pledge of all or a portion of the tax increment revenue received from any state sales taxes which are collected from taxpayers doing business within that portion of the city's or county's STAR bond project district occupied by a STAR bond project, *except that for any STAR bond project district established and approved by the secretary on or after January 1, 2017, such tax increment shall not include any sales tax revenue from retail automobile dealers;*

(G) at the option of the city or county and with approval of the secretary, from all or a portion of the transient guest tax of such city or county;

(H) at the option of the city or county and with approval of the secretary: (i) From a pledge of all or a portion of increased revenue received by the city or county from franchise fees collected from utilities and other businesses using public right-of-way within the STAR bond project district; or (ii) from a pledge of all or a portion of the revenue received by a city or county from local sales taxes or local transient guest and local use taxes; or

(I) by any combination of these methods.

The city or county may pledge such revenue to the repayment of such special obligation bonds prior to, simultaneously with, or subsequent to the issuance of such special obligation bonds.

(2) Bonds issued under ~~paragraph (1) of this subsection (a)(1)~~ shall not be general obligations of the city or the county, nor in any event shall they give rise to a charge against its general credit or taxing powers, or be payable out of any funds or properties other than any of those set forth in ~~paragraph (1) of this subsection (a)(1)~~ and such bonds shall so state on their face.

(3) Bonds issued under the provisions of ~~paragraph (1) of this subsection (a)(1)~~ shall be special obligations of the city or county and are declared to be negotiable instruments. Such bonds shall be executed by the mayor and clerk of the city or the chairperson of the board of county commissioners and the county clerk and sealed with the corporate seal of the city or county. All details pertaining to the issuance of such special obligation bonds and terms and conditions thereof shall be determined by ordinance of the city or by resolution of the county.

All special obligation bonds issued pursuant to this act and all income or interest therefrom shall be exempt from all state taxes. Such special obligation bonds shall contain none of the recitals set forth in K.S.A. 10-112, and amendments thereto. Such special obligation bonds shall, however, contain the following recitals: (i) The authority under which such special obligation bonds are issued; (ii) such bonds are in conformity with the provisions, restrictions and limitations thereof; and (iii) that such special obligation bonds and the interest thereon are to be paid from the money and revenue received as provided in ~~paragraph (1) of this subsection (a)(1)~~.

(4) Any city or county issuing special obligation bonds under the provisions of this act may refund all or part of such issue pursuant to the provisions of K.S.A. 10-116a, and amendments thereto.

(b) (1) Subject to the provisions of ~~paragraph (2) of this subsection (b)(2)~~, any city shall have the power to issue full faith and credit tax increment bonds to finance the undertaking, establishment or redevelopment of any major motorsports complex, as defined in ~~subsection (k) of K.S.A. 2015 Supp. 12-17,162(k)~~, and amendments thereto. Such full faith and credit tax increment bonds shall be made payable, both as to principal and interest: (A) From the revenue sources identified in ~~paragraph (1) of subsection (a)(1)~~ or by any combination of these sources; and (B) subject to the provisions of ~~paragraph (2) of this subsection (b)(2)~~, from a pledge of the city's full faith and credit to use its ad valorem taxing authority for repayment thereof in the event all other authorized sources of revenue are not sufficient.

(2) Except as provided in ~~paragraph (3) of this subsection (b)(3)~~, before the governing body of any city proposes to issue full faith and credit tax increment bonds as authorized by this subsection, the feasibility study required by ~~subsection (b) of K.S.A. 2015 Supp. 12-17,166(b)~~, and amendments thereto, shall demonstrate that the benefits derived from the project will exceed the cost and that the income therefrom will be sufficient to pay the costs of the project. No full faith and credit tax increment bonds shall be issued unless the governing body states in the resolution required by ~~subsection (e) of K.S.A. 2015 Supp. 12-17,166(e)~~, and amendments thereto, that it may issue such bonds to finance the proposed STAR bond project. The governing body may issue the bonds unless within 60 days following the conclusion of the public hearing on the proposed STAR bond project plan a protest petition signed by 3% of the qualified voters of the city is filed with the city clerk in accordance with the provisions of K.S.A. 25-3601 et seq., and amendments thereto. If a sufficient petition is filed, no full faith and credit tax increment bonds shall be issued until the issuance of the bonds is approved by a majority of the voters voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law. The failure of the voters to approve the issuance of full faith and credit tax increment bonds shall not prevent the city from issuing special obligation bonds in accordance with this section. No such election shall be held in the event the board of county commissioners or the board of education determines, as provided in K.S.A. 2015 Supp. 12-17,165, and amendments thereto, that the proposed STAR bond project district will have an adverse effect on the county or school district.

(3) As an alternative to ~~paragraph (2) of this subsection (b)(2)~~, any city which adopts a STAR bond project plan for a major motorsports complex, but does not state its intent to issue full faith and credit tax increment bonds in the resolution required by ~~subsection (e) of K.S.A. 2015 Supp. 12-17,166(e)~~, and amendments thereto, and has not acquired

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property in the STAR bond project area may issue full faith and credit tax increment bonds if the governing body of the city adopts a resolution stating its intent to issue the bonds and the issuance of the bonds is approved by a majority of the voters voting at an election thereon. Such election shall be called and held in the manner provided by the general bond law. The failure of the voters to approve the issuance of full faith and credit tax increment bonds shall not prevent the city from issuing special obligation bonds pursuant to ~~paragraph (1)~~ of subsection (a)(1). Any project plan adopted by a city prior to the effective date of this act in accordance with K.S.A. 12-1772, and amendments thereto, shall not be invalidated by any requirements of this act.

(4) During the progress of any major motorsports complex project in which the project costs will be financed, in whole or in part, with the proceeds of full faith and credit tax increment bonds, the city may issue temporary notes in the manner provided in K.S.A. 10-123, and amendments thereto, to pay the project costs for the major motorsports complex project. Such temporary notes shall not be issued and the city shall not acquire property in the STAR bond project area until the requirements of ~~paragraph (2) or (3)~~ of this subsection (b)(2) or (b)(3), whichever is applicable, have been met.

(5) Full faith and credit tax increment bonds issued under this subsection shall be general obligations of the city and are declared to be negotiable instruments. Such bonds shall be issued in accordance with the general bond law. All such bonds and all income or interest therefrom shall be exempt from all state taxes. The amount of the full faith and credit tax increment bonds issued and outstanding which exceeds 3% of the assessed valuation of the city shall be within the bonded debt limit applicable to such city.

(6) Any city issuing full faith and credit tax increment bonds under the provisions of this subsection may refund all or part of such issue pursuant to the provisions of K.S.A. 10-116a, and amendments thereto.

(c) (1) For each project financed with special obligation bonds payable from the revenues described in subsection (a)(1), the city or county shall prepare and submit to the secretary by October 1 of each year, a report describing the status of any projects within such STAR bond project area, any expenditures of the proceeds of special obligation bonds that have occurred since the last annual report and any expenditures of the proceeds of such bonds expected to occur in the future, including the amount of sales tax revenue, how such revenue has been spent, the projected amount of such revenue and the anticipated use of such revenue. The department of commerce shall compile this information and submit a report annually to the governor and the legislature by February 1 of each year.

(2) (A) *In addition to the report referenced in paragraph (1), the department of commerce, in cooperation with the department of revenue, shall submit a report to the senate commerce committee and the house commerce, labor and economic development committee by January 31 of each session. The report shall include the following information for the last three calendar years and the most current year-to-date information available with respect to each star bond district:*

(i) *The amount of sales tax collected, and the amount of any "base" sales taxes being allocated to the district;*

(ii) *the total amount of bond payments and other expenses incurred;*

(iii) *the total amount of bonds issued and the balance of the bonds, by district and by project in the district;*

(iv) *the remaining cash balance in the project to pay future debt service and other expenses;*

(v) *any new income producing properties being brought into a district and the base revenue going to the state general fund and incremental sales tax increases going to the district with respect to such properties;*

(vi) *the amount of bonds issued to repay private investors in the project with calculations showing the private and state share of indebtedness;*

(vii) *the percentage of local effort sales tax actually committed to the district compared to the state's share of sales tax percentage committed to the district;*

(viii) *the number of out-of-state visitors to a project, a discussion of the visitor attraction properties of projects in the districts, and a comparison of the number of out-of-state visitors with the number of in-state visitors; and*

(ix) *if any information or data is not available, an explanation as to why it is not available.*

(B) *Either the senate commerce committee or the house committee on commerce, labor and economic development may amend the information required in the report with additional requests and clarification on a going forward basis.*

(d) A city or county may use the proceeds of special obligation bonds or any uncommitted funds derived from sources set forth in this section to pay the bond project costs as defined in K.S.A. 2015 Supp. 12-17,162, and amendments thereto, to implement the STAR bond project plan.

(e) With respect to a STAR bond project district established prior to January 1, 2003, for which, prior to January 1, 2003, the secretary made a finding as provided in subsection (a) of this section that a STAR bond project would create a major tourism area for the state, such special obligation bonds shall be payable both as to principal and interest, from a pledge of all of the revenue from any transient guest, state and local sales and use taxes collected from taxpayers as provided in subsection (a) of this section whether or not revenues from such taxes are received by the city.

Sec. 4. K.S.A. 2015 Supp. 12-17,171 is hereby amended to read as follows: 12-17,171. (a) Any addition of area to the STAR bond project district, or any substantial change as defined in K.S.A. 2015 Supp. 12-17,162, and amendments thereto, to the STAR bond project district plan shall be subject to the same procedure for public notice and hearing as is required for the establishment of the STAR bond project district. *Any such addition of area shall be limited to real property which has not been part of another STAR bond project district. The base year of a STAR bond project district, following the addition of area to the STAR bond project district, shall be the base year for the original area, and with respect to the additional area, the base year shall be any 12-month period immediately prior to the month in which additional area is added to the STAR bond project district.*

(b) A city or county may remove real property from a STAR bond project district by an ordinance or resolution of the governing body respectively.

(c) A city or county may divide the real property in a STAR bond project district, including real property in different project areas within a STAR bond project district, into separate STAR bond project districts. Any division of real property within a STAR bond project district into more than one STAR bond project district shall be subject to the same procedure of public notice and hearing as is required for the establishment of the STAR bond project district.

(d) *Subject to the provisions of subsection (a), if a city or county has undertaken a STAR bond project within a STAR bond project district, and either the city or county wishes to subsequently remove more than a de minimus amount of real property from the STAR bond project district, or the city or county wishes to subsequently divide the real property in the STAR bond project district into more than one STAR bond project district, then prior to any such removal or division the city or county must provide a feasibility study which shows that the tax revenue from the resulting STAR bond project district within which the STAR bond project is located is expected to be sufficient to pay the project costs.*

(e) Removal of real property from one STAR bond project district and addition of all or a portion of that real property to another STAR bond project district may be accomplished by the adoption of an ordinance or resolution, and in such event the determination of the existence or nonexistence of an adverse effect on the county or school district under ~~subsection (f)~~ of K.S.A. 2015 Supp. 12-17,165(f), and amendments thereto, shall apply to both such removal and such addition of real property to a STAR bond project district.

Sec. 5. K.S.A. 2015 Supp. 12-17,176 is hereby amended to read as follows: 12-17,176. (a) STAR bond projects using state sales tax financing pursuant to K.S.A. 2015 Supp. 12-17,169, and amendments thereto, shall be audited by an independent certified public accountant annually at the expense of the city or county. The audit report shall supplement the annual report required pursuant to K.S.A. 2015 Supp. 12-17,169, and amendments thereto.

(b) Such audits shall determine whether bond financing obtained under K.S.A. 2015 Supp. 12-17,169, and amendments thereto, is being used only for authorized purposes. Audit results shall be reported to the house commerce, labor and economic development and tourism committee, the senate commerce committee, or successor committees, the governor and the secretaries of commerce and revenue during the legislative session immediately following the audit.

(c) If audit findings indicate that bond funds have been used for unauthorized or ineligible purposes, the city or county shall repay to the bond fund all such unauthorized or ineligible expenditures. Such city or county shall enter into a repayment agreement with the secretary of revenue specifying the terms of such repayment obligation.

Sec. 6. K.S.A. 2015 Supp. 74-99b15 is hereby amended to read as follows: 74-99b15. Nothing in this act should be construed as allowing the board to sell the authority or substantially all of the assets of the authority, or to merge the authority with another institution, without prior or legislative authorization by statute. *This authorization may be provided by the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711(c)(c), and amendments thereto, except that such approval also may be given while the legislature is in session.*

Sec. 7. K.S.A. 2015 Supp. 12-1770a, 12-17,162, 12-17,169, 12-17,171, 12-17,176 and 74-99b15 are hereby repealed.

Sec. 8. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 19, 2016.)

SENATE BILL No. 318

AN ACT concerning utilities; relating to state entities; concerning the Kansas electric transmission authority; abolishing certain funds and transferring the balances; concerning the department of health and environment and the state corporation commission, agency activities; amending K.S.A. 2015 Supp. 45-229 and 65-3031 and repealing the existing sections; also repealing K.S.A. 2015 Supp. 74-99d01, 74-99d02, 74-99d03, 74-99d04, 74-99d05, 74-99d06, 74-99d07, 74-99d08, 74-99d10, 74-99d11, 74-99d12, 74-99d13 and 74-99d14.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. On the effective date of this act, the director of accounts and reports shall transfer \$45,000 from the KETA administrative fund of the state corporation commission to the state general fund and transfer all remaining moneys in the KETA administrative fund and the KETA development fund of the state corporation commission to the public service regulation fund of the state corporation commission. On the effective date of this act, all liabilities of the KETA administrative fund and the KETA development fund of the state corporation commission are hereby transferred to and imposed on the public service regulation fund of the state corporation commission and the KETA administrative fund and the KETA development fund are hereby abolished.

Sec. 2. K.S.A. 2015 Supp. 45-229 is hereby amended to read as follows: 45-229. (a) It is the intent of the legislature that exceptions to disclosure under the open records act shall be created or maintained only if:

- (1) The public record is of a sensitive or personal nature concerning individuals;
- (2) the public record is necessary for the effective and efficient administration of a governmental program; or
- (3) the public record affects confidential information.

The maintenance or creation of an exception to disclosure must be compelled as measured by these criteria. Further, the legislature finds that the public has a right to have access to public records unless the criteria in this section for restricting such access to a public record are met and the criteria are considered during legislative review in connection with the particular exception to disclosure to be significant enough to override the strong public policy of open government. To strengthen the policy of open government, the legislature shall consider the criteria in this section before enacting an exception to disclosure.

(b) Subject to the provisions of subsections (g) and (h), any new exception to disclosure or substantial amendment of an existing exception shall expire on July 1 of the fifth year after enactment of the new exception or substantial amendment, unless the legislature acts to continue the exception. A law that enacts a new exception or substantially amends an existing exception shall state that the exception expires at the end of five years and that the exception shall be reviewed by the legislature before the scheduled date.

(c) For purposes of this section, an exception is substantially amended if the amendment expands the scope of the exception to include more records or information. An exception is not substantially amended if the amendment narrows the scope of the exception.

(d) This section is not intended to repeal an exception that has been amended following legislative review before the scheduled repeal of the exception if the exception is not substantially amended as a result of the review.

(e) In the year before the expiration of an exception, the revisor of statutes shall certify to the president of the senate and the speaker of the house of representatives, by July 15, the language and statutory citation of each exception which will expire in the following year which meets the criteria of an exception as defined in this section. Any exception that is not identified and certified to the president of the senate and the speaker of the house of representatives is not subject to legislative review and shall not expire. If the revisor of statutes fails to certify an exception that the revisor subsequently determines should have been

certified, the revisor shall include the exception in the following year's certification after that determination.

(f) "Exception" means any provision of law which creates an exception to disclosure or limits disclosure under the open records act pursuant to K.S.A. 45-221, and amendments thereto, or pursuant to any other provision of law.

(g) A provision of law which creates or amends an exception to disclosure under the open records law shall not be subject to review and expiration under this act if such provision:

- (1) Is required by federal law;
- (2) applies solely to the legislature or to the state court system;
- (3) has been reviewed and continued in existence twice by the legislature; or
- (4) has been reviewed and continued in existence by the legislature during the 2013 legislative session and thereafter.

(h) (1) The legislature shall review the exception before its scheduled expiration and consider as part of the review process the following:

- (A) What specific records are affected by the exception;
- (B) whom does the exception uniquely affect, as opposed to the general public;
- (C) what is the identifiable public purpose or goal of the exception;
- (D) whether the information contained in the records may be obtained readily by alternative means and how it may be obtained;

(2) an exception may be created or maintained only if it serves an identifiable public purpose and may be no broader than is necessary to meet the public purpose it serves. An identifiable public purpose is served if the legislature finds that the purpose is sufficiently compelling to override the strong public policy of open government and cannot be accomplished without the exception and if the exception:

(A) Allows the effective and efficient administration of a governmental program, which administration would be significantly impaired without the exception;

(B) protects information of a sensitive personal nature concerning individuals, the release of which information would be defamatory to such individuals or cause unwarranted damage to the good name or reputation of such individuals or would jeopardize the safety of such individuals. Only information that would identify the individuals may be excepted under this paragraph; or

(C) protects information of a confidential nature concerning entities, including, but not limited to, a formula, pattern, device, combination of devices, or compilation of information which is used to protect or further a business advantage over those who do not know or use it, the disclosure of which information would injure the affected entity in the marketplace.

(3) Records made before the date of the expiration of an exception shall be subject to disclosure as otherwise provided by law. In deciding whether the records shall be made public, the legislature shall consider whether the damage or loss to persons or entities uniquely affected by the exception of the type specified in paragraph (2)(B) or (2)(C) of this subsection (h) would occur if the records were made public.

(i) (1) Exceptions contained in the following statutes as continued in existence in section 2 of chapter 126 of the 2005 Session Laws of Kansas and which have been reviewed and continued in existence twice by the legislature as provided in subsection (g) are hereby continued in existence: 1-401, 2-1202, 5-512, 9-1137, 9-1712, 9-2217, 10-630, 11-306, 12-189, 12-1,108, 12-1694, 12-1698, 12-2819, 12-4516, 16-715, 16a-2-304, 17-1312e, 17-2227, 17-5832, 17-7511, 17-7514, 17-76,139, 19-4321, 21-2511, 22-3711, 22-4707, 22-4909, 22a-243, 22a-244, 23-605, 23-9,312, 25-4161, 25-4165, 31-405, 34-251, 38-2212, 39-709b, 39-719e, 39-934, 39-1434, 39-1704, 40-222, 40-2,156, 40-2c20, 40-2c21, 40-2d20, 40-2d21, 40-409, 40-956, 40-1128, 40-2807, 40-3012, 40-3304, 40-3308, 40-3403b, 40-3421, 40-3613, 40-3805, 40-4205, 44-510j, 44-550b, 44-594, 44-635, 44-714, 44-817, 44-1005, 44-1019, 45-221(a)(1) through (43), 46-256, 46-259, 46-2201, 47-839, 47-844, 47-849, 47-1709, 48-1614, 49-406, 49-427, 55-1,102, 58-4114, 59-2135, 59-2802, 59-2979, 59-29b79, 60-3333, 60-3336, 65-102b, 65-118, 65-119, 65-153f, 65-170g, 65-177, 65-1,106, 65-1,113, 65-1,116, 65-1,157a, 65-1,163, 65-1,165, 65-1,168, 65-1,169, 65-1,171, 65-1,172, 65-436, 65-445, 65-507, 65-525, 65-531, 65-657, 65-1135, 65-1467, 65-1627, 65-1831, 65-2422d, 65-2438, 65-2836, 65-2839a, 65-2898a, 65-3015, 65-3447, 65-34,108, 65-34,126, 65-4019, 65-4922, 65-4925, 65-5602, 65-5603, 65-6002, 65-6003, 65-6004, 65-6010, 65-67a05, 65-6803, 65-6804, 66-101c, 66-117, 66-151, 66-1,190, 66-1,203, 66-1220a, 66-2010, 72-996, 72-4311, 72-4452, 72-5214, 72-53,106, 72-5427, 72-8903, 73-1228, 74-2424, 74-2433f, 74-4905, 74-4909, 74-50,131, 74-5515, 74-7308, 74-7338, 74-8104, 74-8307, 74-8705,

(continued)

74-8804, 74-9805, 75-104, 75-712, 75-7b15, 75-1267, 75-2943, 75-4332, 75-4362, 75-5133, 75-5266, 75-5665, 75-5666, 75-7310, 76-355, 76-359, 76-493, 76-12b11, 76-3305, 79-1119, 79-1437f, 79-3234, 79-3395, 79-3420, 79-3499, 79-34, 113, 79-3614, 79-3657, 79-4301 and 79-5206.

(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and which have been reviewed during the 2015 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 17-2036, 40-5301, 45-221(a)(45), (46) and (49), 48-16a10, 58-4616, 60-3351, 72-972a, 74-50, 217, 74-99d05 and 75-53, 105.

(j) (1) Exceptions contained in the following statutes as continued in existence in section 1 of chapter 87 of the 2006 Session Laws of Kansas and which have been reviewed and continued in existence twice by the legislature as provided in subsection (g) are hereby continued in existence: 1-501, 9-1303, 12-4516a, 39-970, 65-525, 65-5117, 65-6016, 65-6017 and 74-7508.

(2) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2010 are hereby continued in existence until July 1, 2016, at which time such exceptions shall expire: 12-5358, 12-5611, 22-4906, 22-4909, 38-2310, 38-2311, 38-2326, 44-1132, 60-3333, 65-6154, 71-218, 75-457, 75-712c, 75-723 and 75-7c06.

(k) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) and which have been reviewed during the 2014 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 1-205, 2-2204, 8-240, 8-247, 8-255c, 8-1324, 8-1325, 12-17, 150, 12-2001, 17-12a607, 38-1008, 38-2209, 40-5006, 40-5108, 41-2905, 41-2906, 44-706, 44-1518, 45-221(a)(44), (45), (46), (47) and (48), 50-6a11, 56-1a610, 56a-1204, 65-1, 243, 65-16, 104, 65-3239, 74-50, 184, 74-8134, 74-99b06, 77-503a and 82a-2210.

(l) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2011 are hereby continued in existence until July 1, 2017, at which time such exceptions shall expire: 12-5711, 21-2511, 38-2313, 65-516, 74-8745, 74-8752, 74-8772 and 75-7427.

(m) Exceptions contained in the following statutes as certified by the revisor of statutes to the president of the senate and the speaker of the house of representatives pursuant to subsection (e) during 2012 and which have been reviewed during the 2013 legislative session and continued in existence by the legislature as provided in subsection (g) are hereby continued in existence: 12-5811, 40-222, 40-223j, 40-5007a, 40-5009a, 40-5012a, 65-1685, 65-1695, 65-2838a, 66-1251, 66-1805, 72-60c01, 75-712 and 75-5366.

Sec. 3. K.S.A. 2015 Supp. 65-3031 is hereby amended to read as follows: 65-3031. (a) In accordance with the requirements of the environmental protection agency's rulemaking pursuant to docket EPA-HQ-OAR-2013-0602, the secretary may develop and submit to the environmental protection agency a state plan for compliance with the regulation of carbon dioxide from any affected or existing electric generating units pursuant to 42 U.S.C. § 7411. The secretary of health and environment may establish separate standards of performance for carbon dioxide emissions based upon: (1) The best system of emission reduction that has been adequately demonstrated while considering the cost of achieving such reduction;

(2) reductions in emissions of carbon dioxide that can reasonably be achieved through measures taken at each electric generating unit; and

(3) efficiency improvements to any affected electric generating unit and other measures that can be undertaken at each electric generating unit to reduce carbon dioxide emissions without any requirements for fuel switching, co-firing with other fuels or limiting the utilization of the unit.

(b) In establishing any standard of performance for any existing electric generating unit pursuant to this section, the secretary may consider alternative standards and metrics or may provide alternative compliance schedules than those provided by federal rules or regulations by evaluating: (1) Unreasonable costs of achieving an emission limitation due to plant age, location or the design of an electric generating unit;

(2) any unusual physical or compliance schedule difficulties or impossibility of implementing emission reduction measures;

(3) the cost of applying the performance standard to an electric generating unit;

(4) the remaining useful life of an electric generating unit;

(5) any economic or electric transmission and distribution impacts resulting from closing the electric generating unit if compliance with the performance standard is not possible; and

(6) the potential for a standard of performance relating to unit efficiency, including any requirements for a new source review or the application of a best available control technology emission limitation for any criteria pollutant as a condition of receiving a permit or authorization for the project.

(c) The secretary may implement such standards through flexible regulatory mechanisms, including the averaging of emissions, emissions trading or other alternative implementation measures that the secretary determines to be in the interest of Kansas. The secretary may enter into voluntary agreements with utilities that operate fossil-fuel based electric generating units within Kansas to implement such carbon dioxide emission standards. Such agreements may aggregate the carbon dioxide emissions levels from electric resources in this state, including coal, petroleum, natural gas or renewable energy resources as defined in K.S.A. 2015 Supp. 66-1257, and amendments thereto, that are owned, operated or utilized by power purchase agreements by utilities for purposes of determining compliance with such carbon dioxide emission standards.

(d) The secretary and the state corporation commission shall enter into a memorandum of understanding concerning implementation of the requirements and responsibilities under the Kansas air quality act.

(e) (1) The secretary shall submit to the clean power plan implementation study committee:

(A) A plan to investigate, review and develop a state plan no later than the first week of November 2015;

(B) information on any final rule adopted by the environmental protection agency under docket EPA-HQ-OAR-2013-0602 no later than February 1, 2016; and

(C) any information requested by the chairperson.

(2) The state corporation commission shall submit information to the clean power plan implementation study committee concerning:

(A) Each utility's re-dispatch options along with the cost of each option;

(B) the lowest possible cost re-dispatch options on a state-wide basis; and

(C) the impact of each re-dispatch option on the reliability of Kansas' integrated electric systems.

(f) The secretary shall present any proposed state plan proposed for submission to the environmental protection agency to the clean power plan implementation study committee for review and input pursuant to K.S.A. 2015 Supp. 66-1285, and amendments thereto, at least 30 days prior to submission of such a plan to the environmental protection agency or any other federal agency. If a proposed plan is disapproved by the clean power plan implementation study committee, the secretary shall resubmit a revised plan to the study committee. The secretary may submit any proposed plan to the environmental protection agency that has been submitted to the study committee and that has not been disapproved by the committee within 30 days of the committee receiving such proposed plan.

(g) Notwithstanding review by the clean power plan implementation study committee of the submission of a state plan to the environmental protection agency, further action by the secretary to implement or enforce the final approved state plan is dependent upon the final adoption of the federal emission guidelines. If the federal emission guidelines are not adopted or are adopted and subsequently suspended, vacated, in whole or in part, or held to not be in accordance with the law, the secretary shall suspend or terminate, as appropriate, further action to implement or enforce the state plan.

(h) Notwithstanding any other provision of law, prior to submitting any state plan to the environmental protection agency, the secretary shall: (1) Submit such state plan as proposed rules and regulations pursuant to K.S.A. 77-415 et seq., and amendments thereto. Such submission shall be expedited by any agency reviewing such proposed rules and regulations pursuant to K.S.A. 77-415 et seq., and amendments thereto;

(2) request a review of the proposed state plan by the office of the attorney general. The attorney general review may certify to the secretary that the plan will not hinder, undermine or in any way harm the position of the state of Kansas in any current or pending litigation relating to the environmental protection agency docket EPA-HQ-OAR-2013-0602. The attorney general shall also review the proposed

state plan concerning any impacts on the protections guaranteed by the constitutions of the United States or the state of Kansas; and

(3) not submit a state plan if the attorney general review indicates that the proposed plan would adversely impact the state's legal position in any current or pending litigation relating to the environmental protection agency docket EPA-HQ-OAR-2013-0602 or if the attorney general review indicates that the proposed state plan adversely impacts protections guaranteed by the constitutions of the United States or the state of Kansas.

(i) The secretary shall be responsible for submitting a state plan to the environmental protection agency in a timely manner. Notwithstanding any other provision of this act, the secretary shall prepare and submit any request for an extension of time to file a state plan, if necessary, an interim state plan or a final state plan to the environmental protection agency. Any interim or final state plan shall be submitted by the secretary no less than four calendar days prior to the federal submission deadline, or extended submission deadline, established by the environmental protection agency. Any final state plan submitted to the environmental protection agency may only be submitted if the secretary has previously submitted such plan for review by the clean power plan implementation study committee pursuant to this act.

(j) *Due to the February 9, 2016, stay issued by the United States supreme court, all state agency activities, studies and investigations in furtherance of the preparation of an initial submittal or the evaluation of any options for the submission of a final state plan pursuant to the environmental protection agency docket EPA-HQ-OAR-2013-0602, codified as 40 C.F.R. part 60, shall be suspended until the stay is lifted. Nothing in this subsection shall be construed so as to restrict the ability of a state agency from communicating with, or providing information to, other state agencies in furtherance of any of the agency's statutory obligations.*

(j)(k) This section shall be part of and supplemental to the Kansas air quality act.

Sec. 4. K.S.A. 2015 Supp. 45-229, 65-3031, 74-99d01, 74-99d02, 74-99d03, 74-99d04, 74-99d05, 74-99d06, 74-99d07, 74-99d08, 74-99d10, 74-99d11, 74-99d12, 74-99d13 and 74-99d14 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 19, 2016.)

SENATE BILL No. 321

AN ACT concerning probate; relating to filing of wills; amending K.S.A. 2015 Supp. 59-618a and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2015 Supp. 59-618a is hereby amended to read as follows: 59-618a. (a) Any person possessing a decedent's will may file in the district court of the county of the decedent's last residence the decedent's will and an affidavit which complies with subsection (b) ~~if the decedent's probate estate contains no known real or personal property or the value of the known real and personal property in the decedent's probate estate is less than the total of all known demands enumerated in K.S.A. 59-1301, and amendments thereto.~~

(b) An affidavit filed pursuant to this section shall state: (1) The name, residence address and date and place of death of the decedent; (2) the names, addresses and relationships of all the decedent's heirs, legatees and devisees which are known to the affiant after a diligent search and inquiry; (3) the name and address of any trustee of any trust established under the will; ~~(4) the property left by the decedent and its approximate valuation; (5) the approximate amount and nature of any demands enumerated in K.S.A. 59-1301, and amendments thereto, which were outstanding against the decedent's estate upon the decedent's death; (6) that the will is being filed with the district court for the purpose of preserving it for record in the event that probate proceedings are later required; and (7) (5) that a copy of the affidavit and will has been mailed to each heir, legatee and devisee named in the affidavit.~~

(c) Any will filed pursuant to this section within a period of six months after the death of the testator may be admitted to probate after such six-month period.

Sec. 2. K.S.A. 2015 Supp. 59-618a is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register May 19, 2016.)

Substitute for SENATE BILL No. 323

AN ACT concerning education; relating to capital improvement state aid; creating a language assessment program for children who are deaf or hard of hearing; creating the Jason Flatt act; requiring suicide prevention training for school district personnel; amending K.S.A. 2015 Supp. 75-2319 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) This section shall be known and may be cited as the Jason Flatt act.

(b) The board of education of each school district shall provide suicide awareness and prevention programming to all school staff and shall notify the parents or legal guardians of students enrolled in such school district that the training materials provided under such programming are available to such parents or legal guardians. Such programming shall include, at a minimum:

(1) At least one hour of training each calendar year based on programs approved by the state board of education. Such training may be satisfied through independent self-review of suicide prevention training materials; and

(2) a building crisis plan developed for each school building. Such plan shall include:

- (A) Steps for recognizing suicide ideation;
- (B) appropriate methods of interventions; and
- (C) a crisis recovery plan.

(c) No cause of action may be brought for any loss or damage caused by any act or omission resulting from the implementation of the provisions of this section, or resulting from any training, or lack of training, required by this section. Nothing in this section shall be construed to impose any specific duty of care.

(d) On or before January 1, 2017, the state board of education shall adopt rules and regulations necessary to implement the provisions of this section.

New Sec. 2. (a) There is hereby established a language assessment program to be coordinated by the Kansas commission for the deaf and hard of hearing. The purpose of the program is to assess, monitor and track the language developmental milestones of children who are deaf or hard of hearing from birth through the age of eight. The recognized languages used in the education of children who are deaf and hard of hearing are English and American sign language. The scope of the program includes children who may use one or more communication modes in American sign language, English literacy and, if applicable, spoken English and visual supplements.

(b) On and after July 1, 2018, an annual language assessment shall be given to each child who is deaf or hard of hearing and who is less than nine years of age. Language assessments shall be provided either through early intervention services administered by the Kansas department of health and environment, or if the child is three years of age or older, through the school district in which the child is enrolled. Such language assessments shall be provided in accordance with the provisions of this section and any recommendations adopted pursuant to this section.

(c) There is hereby established within KCDHH an advisory committee on the language assessment program. The advisory committee shall consist of 16 members as follows:

(1) Nine members of the advisory committee shall be appointed by the governor as follows:

(A) One member shall be a credentialed teacher of the deaf who uses both ASL and English during instruction;

(B) one member shall be a credentialed teacher of the deaf who uses spoken English with or without visual supplements during instruction;

(C) one member shall be a credentialed teacher of the deaf who has expertise in curriculum development and instruction of ASL and English;

(D) one member shall be a credentialed teacher of the deaf who has expertise in assessing language development in both ASL and English;

(E) one member shall be a speech language pathologist who has experience working with children from birth through the age of eight;

(F) one member shall be a professional with a linguistic background who conducts research on language outcomes of children who are deaf or hard of hearing and use ASL and English;

(continued)

(G) one member shall be a parent of a child who is deaf or hard of hearing and who uses both ASL and English;

(H) one member shall be a parent of a child who is deaf or hard of hearing and who uses spoken English with or without visual supplements; and

(I) one member who is knowledgeable about teaching and using both ASL and English in the education of children who are deaf and hard of hearing; and

(2) seven members of the advisory committee shall be ex officio members as follows:

(A) One member shall be the executive director of KCDHH;

(B) one member shall be the coordinator of the sound start program, or such coordinator's designee;

(C) one member shall be the KCDHH commission member representing the state school for the deaf, or such commission member's designee;

(D) one member shall be the KCDHH commission member representing the department of health and environment, or such commission member's designee;

(E) one member shall be the KCDHH commission member representing the state board of education, or such commission member's designee;

(F) one member shall be the coordinator of the early intervention program administered by the department of health and environment, or such coordinator's designee; and

(G) one member shall be the coordinator of the early education program administered by the department of education, or such coordinator's designee.

(d) The executive director of KCDHH shall call an organizational meeting of the advisory committee on or before August 1, 2016. At such organizational meeting, the members shall elect a chairperson and vice-chairperson from the membership of the advisory committee. The advisory committee may meet at any time and at any place within the state on the call of the chairperson. A quorum of the advisory committee shall be nine members. All actions of the advisory committee shall be by motion adopted by a majority of those members present when there is a quorum. Any vacancy on the committee shall be filled in accordance with subsection (c).

(e) On or before January 31, 2018, the advisory committee shall develop specific action plans and make recommendations necessary to fully implement the language assessment program. In carrying out its charge under this section, the committee shall:

(1) Collaborate with the coordinating council on early childhood developmental services and the Kansas state special education advisory council;

(2) solicit input from professionals trained in the language development and education of children who are deaf or hard of hearing on the selection of specific language developmental milestones;

(3) review, recommend and monitor the use of existing and available language assessments for children who are deaf or hard of hearing;

(4) identify and recommend qualifications of language professionals with knowledge of the use of evidence-based, best practices in English and American sign language who can be available to advocate at IFSP or IEP team meetings;

(5) identify qualifications of language assessment evaluators with knowledge on the use of evidence-based, best practices with children who are deaf or hard of hearing and the resources for locating such evaluators; and

(6) identify procedures and methods for communicating information on language acquisition, assessment results, milestones, assessment tools used and progress of the child to the parent or legal guardian of such child, teachers and other professionals involved in the early intervention and education of such child.

(f) The specific action plans and recommendations developed by the advisory committee shall include, but are not limited to, the following:

(1) Language assessments that include data collection and timely tracking of the child's development so as to provide information about the child's receptive and expressive language compared to such child's linguistically age-appropriate peers who are not deaf or hard of hearing;

(2) language assessments conducted in accordance with standardized norms and timelines in order to monitor and track language developmental milestones in receptive, expressive, social and pragmatic language acquisition and developmental stages to show progress in American sign language literacy, English literacy, or both, for all children who are deaf or hard of hearing from birth through the age of eight;

(3) language assessments delivered in the child's mode of communication and which have been validated for the specific purposes for which each assessment is used, and appropriately normed;

(4) language assessments administered by individuals who are proficient in ASL for ASL assessments and English for English assessments;

(5) use of assessment results, in addition to the assessment required by federal law, for guidance on the language developmental discussions by IFSP and IEP teams when assessing the child's progress in language development;

(6) reporting of assessment results to the parents or legal guardian of the child and the applicable agency;

(7) reporting of assessment results on an aggregated basis to the committees on education of the house of representatives and the senate; and

(8) reporting of assessment results to the members of the child's IFSP or IEP team, which may be used, in addition to the assessment required by federal law, by the child's IFSP or IEP team, as applicable, to track the child's progress, and to establish or modify the IFSP or IEP.

(g) The state department of education, the department of health and environment and the state school for the deaf shall enter into interagency agreements with KCDHH to share statewide aggregate data.

(h) On or before January 31, 2019, and each January 31 thereafter, KCDHH shall publish a report that is specific to language and literacy developmental milestones of children who are deaf or hard of hearing for each age from birth through the age of eight, including those who are deaf or hard of hearing and have other disabilities, relative to such children's peers who are not deaf or hard of hearing. Such report shall be based on existing data reported in compliance with the federally required state performance plan on pupils with disabilities. KCDHH shall publish the report on its website.

(i) The advisory committee shall cease to exist from and after July 1, 2018.

(j) As used in this section:

(1) "ASL" means American sign language.

(2) "English" means English literacy, spoken English, signing exact English and morphemic system of signs, CASE, cued speech and any other visual supplements.

(3) "IEP" means individualized education program.

(4) "IFSP" means individualized family service plan.

(5) "KCDHH" means the Kansas commission for the deaf and hard of hearing.

(6) "Language" means a complex and dynamic system of conventional symbols that is used in various modes for thought and communication.

(7) "Literacy" includes the developmental stages of literacy, including pre-emergent, emergent and novice levels, as necessary beginning stages to master a language.

Sec. 3. K.S.A. 2015 Supp. 75-2319 is hereby amended to read as follows: 75-2319. (a) There is hereby established in the state treasury the school district capital improvements fund. The fund shall consist of all amounts transferred thereto under the provisions of subsection (c).

(b) ~~Subject to the provisions of subsection (f),~~ In each school year, each school district which is obligated to make payments from its capital improvements fund shall be entitled to receive payment from the school district capital improvements fund in an amount determined by the state board of education as provided in this subsection.

(1) For general obligation bonds approved for issuance at an election held prior to July 1, 2015, the state board of education shall:

(A) Determine the amount of the assessed valuation per pupil (AVPP) of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(1);

(B) determine the median AVPP of all school districts;

(C) prepare a schedule of dollar amounts using the amount of the median AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts and shall range downward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the lowest AVPP of all school districts;

(D) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the median AVPP shown on the schedule, decreasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval above the amount of the

median AVPP, and increasing the state aid computation percentage assigned to the amount of the median AVPP by one percentage point for each \$1,000 interval below the amount of the median AVPP. Except as provided by K.S.A. 2015 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid percentage factor of a school district shall not exceed 100%. The state aid computation percentage is 25%;

(E) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held prior to July 1, 2015; and

(F) multiply the amount determined under subsection (b)(1)(E) by the applicable state aid percentage factor.

(2) For general obligation bonds approved for issuance at an election held on or after July 1, 2015, ~~but prior to July 1, 2017~~; the state board of education shall:

(A) Determine the amount of the AVPP of each school district in the state and round such amount to the nearest \$1,000. The rounded amount is the AVPP of a school district for the purposes of this subsection (b)(2);

(B) prepare a schedule of dollar amounts using the amount of the AVPP of the school district with the lowest AVPP of all school districts as the point of beginning. The schedule of dollar amounts shall range upward in equal \$1,000 intervals from the point of beginning to and including an amount that is equal to the amount of the AVPP of the school district with the highest AVPP of all school districts;

(C) determine a state aid percentage factor for each school district by assigning a state aid computation percentage to the amount of the lowest AVPP shown on the schedule and decreasing the state aid computation percentage assigned to the amount of the lowest AVPP by one percentage point for each \$1,000 interval above the amount of the lowest AVPP. Except as provided by K.S.A. 2015 Supp. 75-2319c, and amendments thereto, the state aid percentage factor of a school district is the percentage assigned to the schedule amount that is equal to the amount of the AVPP of the school district. The state aid computation percentage is 75%;

(D) determine the amount of payments that a school district is obligated to make from its bond and interest fund attributable to general obligation bonds approved for issuance at an election held on or after July 1, 2015, ~~but prior to July 1, 2017~~; and

(E) multiply the amount determined under subsection (b)(2)(D) by the applicable state aid percentage factor.

(3) For general obligation bonds approved for issuance at an election held on or before June 30, 2016, the sum of the amount determined under subsection (b)(1)(F) and the amount determined under subsection (b)(2)(E) is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(4) For general obligation bonds approved for issuance at an election held on or after July 1, 2016, the amount determined under subsection (b)(2)(E) is the amount of payment the school district shall receive from the school district capital improvements fund in the school year, except the total amount of payments school districts receive from the school district capital improvements fund in the school year for such bonds shall not exceed the six-year average amount of capital improvement state aid as determined by the state board of education.

(A) The state board of education shall determine the six-year average amount of capital improvement state aid by calculating the average of the total amount of moneys expended per year from the school district capital improvements fund in the immediately preceding six fiscal years, not to include the current fiscal year.

(B) (i) Subject to clause (ii), the state board of education shall prioritize the allocations to school districts from the school district capital improvements fund in accordance with the priorities set forth as follows in order of highest priority to lowest priority:

(a) Safety of the current facility and disability access to such facility as demonstrated by a state fire marshal report, an inspection under the Americans with disabilities act, 42 U.S.C. § 12101 et seq., or other similar evaluation;

(b) enrollment growth and imminent overcrowding as demonstrated by successive increases in enrollment of the school district in the immediately preceding three school years;

(c) impact on the delivery of educational services as demonstrated by restrictive inflexible design or limitations on installation of technology; and

(d) energy usage and other operational inefficiencies as demonstrated by a district-wide energy usage analysis, district-wide architectural analysis or other similar evaluation.

(ii) In allocating capital improvement state aid, the state board shall give higher priority to those school districts with a lower AVPP compared to the other school districts that are to receive capital improvement state aid under this section.

(C) On and after July 1, 2016, the state board of education shall approve the amount of state aid payments a school district shall receive from the school district capital improvements fund pursuant to subsection (b)(5) prior to an election to approve the issuance of general obligation bonds.

(5) The sum of the amounts determined under subsection (b)(3) and the amount determined or allocated to the district by the state board of education pursuant to subsection (b)(4), is the amount of payment the school district is entitled to receive from the school district capital improvements fund in the school year.

(c) The state board of education shall certify to the director of accounts and reports the entitlements of school districts determined under the provisions of subsection (b), and an amount equal thereto shall be transferred by the director from the state general fund to the school district capital improvements fund for distribution to school districts. All transfers made in accordance with the provisions of this subsection shall be considered to be demand transfers from the state general fund, except that all such transfers during the fiscal years ending June 30, 2013, June 30, 2014, June 30, 2015, and June 30, 2016, shall be considered to be revenue transfers from the state general fund.

(d) Payments from the school district capital improvements fund shall be distributed to school districts at times determined by the state board of education to be necessary to assist school districts in making scheduled payments pursuant to contractual bond obligations. The state board of education shall certify to the director of accounts and reports the amount due each school district entitled to payment from the fund, and the director of accounts and reports shall draw a warrant on the state treasurer payable to the treasurer of the school district. Upon receipt of the warrant, the treasurer of the school district shall credit the amount thereof to the bond and interest fund of the school district to be used for the purposes of such fund.

(e) The provisions of this section apply only to contractual obligations incurred by school districts pursuant to general obligation bonds issued upon approval of a majority of the qualified electors of the school district voting at an election upon the question of the issuance of such bonds.

(f) On or before the first day of the legislative session in 2017, and each year thereafter, the state board of education shall prepare and submit a report to the legislature that includes information on school district elections held on or after July 1, 2016, to approve the issuance of general obligation bonds and the amount of payments school districts were approved to receive from the school district capital improvements fund pursuant to subsection (b)(4)(C).

Sec. 4. K.S.A. 2015 Supp. 75-2319 is hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

State of Kansas

Board of Technical Professions

Permanent Administrative Regulation

Article 6. — PROFESSIONAL PRACTICE

66-6-1. Seals and signatures. (a) Each licensee shall obtain a seal of the design approved by the board in compliance with K.S.A. 74-7023, and amendments thereto. The seal may contain an abbreviated form of the licensee's given name or a combination of initials representing the licensee's given name if the surname listed with the board appears on the seal and in the signature. The seal may be a rubber stamp, an embossed seal, or a digital seal.

(b)(1) After the licensee's seal has been applied to any document, the licensee shall apply the licensee's handwritten or authenticated digital signature and the date across the seal. The application of the licensee's seal and

(continued)

signature and the date shall constitute certification that the document on which the seal was applied was created by the licensee or under the licensee's responsible charge.

(2) After a licensee has applied the seal, handwritten or digital signature, and date to a document, that document may be reproduced as necessary for the project in accordance with applicable law.

(3) Any licensee may use a digital signature if the digital signature authentication process meets all of the following requirements:

(A) Is unique to the licensee using the digital signature;

(B) is able to be verified;

(C) is under the sole control of the licensee using the digital signature; and

(D) is linked to an electronic document bearing the digital signature in such a manner that the signature is invalidated if any data in the document is altered.

(4) Each transmitted or stored electronic document containing a digital signature shall bear the signature, date of signing, and seal, which shall be a confirmation that the electronic document was not altered after the initial digital signing of the document. If the electronic document is altered, the signature, date, and seal shall be void.

(c)(1) Except as provided in K.S.A. 74-7031, K.S.A. 74-7032, K.S.A. 74-7033, K.S.A. 74-7034, or K.S.A. 74-7042a and amendments thereto, each document, including drawings, technical reports, original land descriptions for the purpose of conveying an interest in real property, records, and papers, shall be sealed, signed, and dated by the licensee who prepared the document or by the licensee who is in responsible charge. The licensee shall seal, sign, and date only work within the licensee's area of licensure and competence. Unless the licensee is in responsible charge, that licensee shall not review or check technical submissions of another licensed professional or unlicensed person and seal the documents as the licensee's own work.

(2) Documents required to be sealed, signed, and dated shall include the following:

(A) Any document submitted to any public or governmental agency, a client, or a user for final approval or recording; and

(B) each revision to a sealed, signed, and dated document, which shall be identified and sealed, signed, and dated by the licensee responsible for the revision.

(d)(1) The following documents shall be sealed, signed, and dated as specified in this subsection:

(A) For a set of drawings, in one of the following ways:

(i) On each drawing sheet of a set of drawings;

(ii) only on the first sheet of a multisheet set of project drawings if a digital signature authentication process meeting all the requirements in this regulation and capable of digitally linking all drawing sheets to a licensee's area of responsibility is utilized; or

(iii) in a certification block displaying the seal, signature, and date of each licensee in responsible charge and designating the drawing sheets for which each licensee is responsible, which shall be included on the cover sheet or first drawing sheet of the set of drawings;

(B) for project-specific technical specifications, on the cover sheet or index page. If multiple licensees contribute to these specifications, each licensee shall also designate each part for which that licensee is responsible;

(C) for each technical report or survey plat, on the first or last page;

(D) for original land descriptions for the purpose of conveying an interest in real property, on the first or last page;

(E) for each manufacturer's design document submitted in response to a project's delegated design requirements, including performance specifications or drawings for a specific system or components that are not commonly manufactured items standard for order, and prepared by or under the direct supervision of a Kansas licensee, with the submittal sealed, signed, and dated by the manufacturer's Kansas licensee as specified in paragraph (d)(1)(A) or (B); and

(F) for modified standard details or drawings required by a public agency to be incorporated in a project, on the cover sheet or index page of the document.

(2) For multiple seals, each licensee shall affix that individual's seal and signature to the document and shall designate the specific subject matter for which that licensee is responsible, in a note under that licensee's seal or in the title or index sheet indicating the document to which the seal applies.

(e) The documents not required to be sealed, signed, and dated shall include the following:

(1) A working drawing or preliminary document, if the working drawing or preliminary document contains a statement in large, bold letters stating "PRELIMINARY, NOT FOR CONSTRUCTION, RECORDING PURPOSES, OR IMPLEMENTATION" or words of comparable meaning; and

(2) published standard details, drawings, or specifications adopted by a municipal, county, or public agency, if incorporated in that agency's own projects. These documents shall be referenced within the project's set of drawings when used. Nothing in this subsection shall relieve a licensee of the duty of professional conduct.

(f)(1) If a licensee who has responsible charge of the work is unavailable to complete the work, a successor licensee may assume responsible charge by performing all professional services, including developing a complete design file with work or design criteria, calculations, code research, and any necessary and appropriate changes to the work, under either of the following conditions:

(A) The work is a site adaptation of a standard design plan.

(B) The non-professional services, including drafting, are not required to be redone by the successor licensee but clearly and accurately reflect the successor licensee's work.

(2) The successor licensee shall have responsible charge over the work product.

(3) The successor licensee shall be responsible for compliance with this subsection. (Authorized by K.S.A. 2015 Supp. 74-7013; implementing K.S.A. 2015 Supp. 74-7023; effective May 1, 1978; amended May 1, 1984; amended May 1, 1985; amended May 4, 1992; amended Feb. 22, 1993; amended Feb. 13, 1995; amended March 1, 1996; amended Feb. 6, 1998; amended Nov. 2, 2001; amended March 28, 2008; amended, T-66-5-30-14, July 1, 2014; amended Sept. 26, 2014; amended June 3, 2016.)

Shelby L. Lopez
Executive Director

Doc. No. 044549

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 4.—INSTANT GAMES AND DRAWINGS

111-4-3433. “Kansas City Royals” instant ticket lottery game number 704. (a) The Kansas lottery may conduct an instant winner lottery game entitled “Kansas City Royals.” The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3433.

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

Play Symbols	Captions
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SVN
8	EGT
9	NIN
10	TEN
11	ELEVN
12	TWELV
13	THRTN
14	FORTN
15	FIFTN
16	SIXTN
17	SVNTN
18	EGHTN
19	NINTN
20	TWNTY
21	TWYON
22	TWYTW
23	TWYTH
24	TWYFR
25	TWYFV
26	TWYSX
27	TWYSV
28	TWYET
29	TWYNI
30	THRTY
31	THYON
32	THYTW
33	THYTR
34	THYFR
35	THYFV
36	THYSX
37	THYSV
38	THYET
39	THYNI
40	FORTY
Symbol of a star	DOUBLE
Symbol of a stack of bills	MONEY

Symbol of a stack of coins	COINS
Symbol of a fist full of money	FISTFUL
Symbol of a piggy bank	PIGBNK
Symbol of a safe	SAFE
Symbol of a wallet	WALLET
Symbol of coins	CENTS
Symbol of a gold nugget	NUGGET
Symbol of a bar of gold	BAR
Symbol of a treasure chest	CHEST
Symbol of a baseball bat	BAT
Symbol of home plate	WINALL

Prize Symbols

FREE
\$1. ⁰⁰
\$2. ⁰⁰
\$5. ⁰⁰
\$7. ⁰⁰
\$10. ⁰⁰
\$15. ⁰⁰
\$20. ⁰⁰
\$30. ⁰⁰
\$50. ⁰⁰
\$100
\$500
\$1,000
\$5,000
\$25,000

Captions

TICKET
ONE\$
TWO\$
FIVE\$
SEVEN\$
TEN\$
FIFT\$
TWENY
THIRTY
FIFTY
ONEHUN
FIVHUN
ONETHO
FIVTHO
25-THOU

(c) For this game, a play/prize symbol shall appear in 55 play spots within the play area or areas.

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

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

(f) The “Kansas City Royals” game is a key number match game with four ways to win. On the front of the ticket the player will remove the scratch-off material to reveal five “WINNING NUMBERS” and 20 “YOUR NUMBERS” with an associated prize amount. If the player matches any of the “YOUR NUMBERS” to any of the “WINNING NUMBERS,” the player wins the prize amount shown for that number. If the player reveals a “STAR” symbol, the player wins double the prize amount shown for that symbol. On the back of the ticket, the player will remove the scratch-off material to reveal five play symbols and five prize amounts. If the player reveals a “BAT” symbol, the player wins the prize amount shown for that symbol. If the player reveals a “HOME PLATE” symbol, the player wins all five prizes shown on the back side of the ticket within the game play area.

(h) Each ticket in this game may win up to 25 times.

(i) Approximately 600,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

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

(continued)

Game 1	Game 2	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free \$5 Ticket		Free Ticket	30,000	\$0
	Free \$5 Ticket	Free Ticket	20,000	0
\$2 w/STAR	\$1	\$5	20,000	100,000
(\$1 x 5)		\$5	20,000	100,000
\$5		\$5	10,000	50,000
	\$5	\$5	10,000	50,000
\$2 w/STAR	(\$1 x 3)	\$7	10,000	70,000
	\$1 w/HOME PLATE	\$7	10,000	70,000
\$2		\$7	10,000	70,000
\$7		\$7	10,000	70,000
	\$7	\$7	10,000	70,000
\$5 w/STAR		\$10	10,000	100,000
	\$2 w/HOME PLATE	\$10	10,000	100,000
\$10		\$10	5,000	50,000
	\$10	\$10	5,000	50,000
(\$2 x 3) + \$2 w/STAR	\$5	\$15	5,000	75,000
	\$2 w/HOME PLATE	\$15	5,000	75,000
\$5		\$15	5,000	75,000
\$15		\$15	5,000	75,000
	\$15	\$15	5,000	75,000
\$5 + \$5 w/STAR	(\$1 x 5)	\$20	2,500	50,000
	\$2 w/HOME PLATE	\$20	2,500	50,000
(\$2 x 5)		\$20	2,500	50,000
\$20		\$20	2,500	50,000
	\$20	\$20	2,500	50,000
	\$5 w/HOME PLATE	\$30	600	18,000
(\$1 x 5)		\$30	500	15,000
(\$5 w/STAR x 2)	(\$5 x 2)	\$30	500	15,000
\$30		\$30	500	15,000
	\$30	\$30	500	15,000
	\$5 w/HOME PLATE	\$50	500	25,000
\$5 + \$10 w/STAR		\$50	500	25,000
(\$2 x 20)	(\$2 x 5)	\$50	500	25,000
\$50		\$50	500	25,000
	\$50	\$50	250	12,500
	\$10 w/HOME PLATE	\$100	125	12,500
(\$10 x 5)		\$100	125	12,500
(\$10 x 3) + \$10 w/STAR	\$20 + \$30	\$100	125	12,500
\$100		\$100	125	12,500
	\$100	\$100	125	12,500
(\$10 x 10) + (\$50 w/STAR x 2)	(\$50 x 4)	\$500	25	12,500
(\$20 x 20)	(\$20 x 5)	\$500	25	12,500
\$500		\$500	25	12,500
\$500	\$500	10	5,000	
(\$100 x 3) + \$100 w/STAR	\$100 w/HOME PLATE	\$1,000	15	15,000
\$1,000		\$1,000	10	10,000
	\$1,000	\$1,000	10	10,000
\$5,000		\$5,000	5	25,000
	\$5,000	\$5,000	5	25,000
\$25,000		\$25,000	2	50,000
	\$25,000	\$25,000	2	50,000
SUBTOTAL			214,484	1,808,000
Second-Chance Drawings Prize Fund			1	33,542
TOTAL			214,485	\$1,841,542

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

Play Symbols	Captions
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SVN
8	EGT
9	NIN
10	TEN
11	ELEVN
12	TWELV
13	THRNTN
14	FORTN
15	FIFTN
16	SIXTN
17	SVNTN
18	EGHTN
19	NINTN
20	TWNTY
21	TWYON
22	TWYTW
23	TWYTH
24	TWYFR
25	TWYFV
26	TWYSX
27	TWYSV
28	TWYET
29	TWYNI
30	THRTY
31	THYON
32	THYTW
33	THYTR
34	THYFR
35	THYFV
36	THYSX
37	THYSV
38	THYET
39	THYNI
40	FORTY
41	FRYON
42	FRYTW
43	FRYTR
44	FRYFR
45	FRYFV
46	FRYSX
47	FRYSV
48	FRYET
49	FRYNI
50	FIFTY
	AUTO
	DOUBLE
	WINALL

(k) The odds of winning a prize in this game are approximately one in 2.80. (Authorized by K.S.A. 2015 Supp. 74-8710; implementing K.S.A. 2015 Supp. 74-8710, and 74-8720; effective, T-111-4-21-16, March 9, 2016.)

111-4-3434. “Fast Money” instant ticket lottery game number 705. (a) The Kansas lottery may conduct an instant winner lottery game entitled “Fast Money.” The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-3434.

Symbol of a money bag
 Symbol of a key
 Symbol of a car

Prize Symbols

FREE
\$2⁰⁰
\$4⁰⁰
\$5⁰⁰
\$10⁰⁰
\$20⁰⁰
\$25⁰⁰
\$40⁰⁰
\$50⁰⁰
\$100
\$400
\$500
\$1,000
\$10,000
\$75,000

Captions

TICKET
TWO\$
FOUR\$
FIVE\$
TEN\$
TWENTY
TWFNFIV
FORTY
FIFTY
ONEHUN
FORHUN
FIVHUN
ONETHO
10-THOU
75-THOU

(\$10 x 5) + \$25 w/KEY	\$100	250	25,000
(\$10 x 10)	\$100	250	25,000
\$100	\$100	150	15,000
\$20 w/CAR	\$500	30	15,000
(\$50 x 6) + \$100 w/KEY	\$500	25	12,500
(\$20 x 25)	\$500	10	5,000
\$500	\$500	10	5,000
\$40 w/CAR	\$1,000	20	20,000
(\$100 w/KEY x 5)	\$1,000	15	15,000
(\$40 x 25)	\$1,000	10	10,000
\$1,000	\$1,000	5	5,000
\$400 w/CAR	\$10,000	2	20,000
(\$1,000 w/KEY x 5)	\$10,000	2	20,000
(\$1,000 x 10)	\$10,000	1	10,000
\$10,000	\$10,000	1	10,000
\$75,000	\$75,000	2	150,000
SUBTOTAL		123,158	\$1,743,750
Second-Chance Drawing Prize		1	70,855
TOTAL		123,159	\$1,814,605

(c) For this game, a play/prize symbol shall appear in 56 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 029.

(e) The price of instant tickets sold by a retailer for this game shall be \$10.00 each.

(f) The "Fast Money" game is a key number match game with four ways to win. The player will remove the scratch-off material to reveal six "WINNING NUMBERS" and 25 "YOUR NUMBERS" with an associated prize amount. If the player matches any of the "YOUR NUMBERS" to any of the "WINNING NUMBERS," the player wins the prize amount shown for that number. If the player reveals a "MONEY BAG" symbol, the player wins that prize amount shown automatically. If the player reveals a "KEY" symbol, the player wins two times the prize amount shown for that symbol. If the player reveals a "CAR" symbol, the player wins all 25 prizes shown.

(h) Each ticket in this game may win up to 25 times.

(i) Approximately 300,000 tickets shall be ordered initially for this instant game. Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 240,000 tickets, and the same odds as were contained in the initial ticket order.

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

Get	Prize	Expected Number of Prizes in Game	Expected Value in Game
Free \$10 Ticket	Free Ticket	40,000	\$0
\$5 w/KEY	\$10	20,000	200,000
(\$5 x 2)	\$10	10,000	100,000
\$10	\$10	10,000	100,000
\$10 w/KEY	\$20	10,000	200,000
(\$10 x 2)	\$20	10,000	200,000
\$20	\$20	10,000	200,000
(\$5 x 3) + \$5 w/KEY	\$25	5,000	125,000
(\$5 x 5)	\$25	2,500	62,500
\$25	\$25	2,500	62,500
\$2 w/CAR	\$50	750	37,500
(\$10 x 3) + \$10 w/KEY	\$50	500	25,000
(\$5 x 10)	\$50	500	25,000
\$50	\$50	375	18,750
\$4 w/CAR	\$100	250	25,000

(k) The odds of winning a prize in this game are approximately one in 2.44. (Authorized by K.S.A. 2015 Supp. 74-8710; implementing K.S.A. 2015 Supp. 74-8710, and 74-8720; effective, T-111-4-21-16, March 9, 2016.)

111-4-3435. Name and description of event. The Kansas lottery may conduct a promotional event entitled "Fast Money Drawings and Giveaway" which shall consist of a series of four drawings and a final grand prize giveaway event. The winners selected during each of the drawings shall become prize winners and finalists in the grand prize giveaway event. At the conclusion of the promotion and during the grand prize giveaway event, the winner of the grand prize shall be determined, at which time the remaining drawing winners who did not win the grand prize will automatically become the winners of secondary prizes. The Kansas lottery will accept entries into the "Fast Money Drawings" on and after the day Kansas lottery "Fast Money" instant tickets are first offered for sale to the general public and ending on September 17, 2016, as specified in these rules. The grand prize giveaway event will be conducted in conjunction with the Outlaw Truck and Tractor Pull event at the state fair in Hutchinson, Kansas, on September 18, 2016, at approximately 4:00 p.m., or at a time and location as may otherwise be designated by the executive director of the Kansas lottery. Rules applicable to this promotional event are contained in K.A.R. 111-4-3435 through 111-4-3441 and K.A.R. 111-3-1, *et seq.* (Authorized by and implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-4-21-16, March 9, 2016.)

111-4-3436. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Approximately," when in reference to a specific time, shall mean not before said time listed, but may include a short period thereafter, as determined by the executive director or his designee, to deal with any unforeseen circumstance which might delay said event.

(c) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the

(continued)

receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm and looks away from the drawing drum or receptacle while drawing.

(d) "Fast Money Drawing" means the act of drawing to be conducted by the Kansas lottery at the times and dates described in these rules in which participants are selected as finalists to win prizes as described in these rules.

(e) "Drawing winner" or "finalist" means the person whose entry ticket was drawn in one of the four drawings and declared a winner of the drawing who shall become a finalist in the grand prize giveaway event.

(f) "Grand prize" means the prize to be given away identified in K.A.R. 111-4-3437(a).

(g) "Grand prize giveaway event" means the event held during which the determination of the grand prize and secondary prizes will be made.

(h) "Non-winning ticket" means any valid Kansas lottery "Fast Money" instant game ticket not eligible to win an instant prize under the rules of the "Fast Money" instant game.

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

(j) "Secondary prize" means the prize to be given away identified in K.A.R. 111-4-3437(b). (Authorized by and implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-4-21-16, March 9, 2016.)

111-4-3437. Prize. (a) The grand prize winner in the "Fast Money Drawings and Giveaway" shall receive his or her choice of a 2016 Chevrolet Camaro, a 2016 Dodge Charger, or a 2016 Ford Mustang, along with initial mandatory federal and state income withholding taxes, and other applicable initial taxes and fees for the vehicle. The grand prize has an approximate value of \$70,855.

(b) The finalists in the promotional event, and who are not awarded the grand prize, shall each receive a secondary prize consisting of \$1,000 cash, along with mandatory federal and state income withholding taxes.

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

(d) The Kansas lottery may, at its sole and absolute discretion, substitute a prize of approximate equal value. (Authorized by and implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-4-21-16, March 9, 2016.)

111-4-3438. Method of entry. (a) Entry into the four "Fast Money Drawings" shall be accomplished as follows:

(1) Obtain a valid "Fast Money" Kansas instant lottery ticket, game number 705;

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

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

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

(5) Four drawings will be conducted to select winners who will be finalists in the grand prize giveaway on September 18, 2016, at the Kansas state fair. The first drawing will be conducted on June 1, 2016, selecting three winners; the second drawing will be conducted on July 27, 2016, selecting three winners; the third drawing will be conducted on September 7, 2016, selecting three winners; and the fourth drawing will be conducted on September 17, 2016, selecting one winner.

(6) Players may deposit entries for the first "Fast Money Drawing" to be held on June 1, 2016, beginning on and after the day Kansas lottery "Fast Money" instant tickets are first offered for sale to the general public at any Kansas lottery event or location at which the lottery has specifically designated a receptacle for deposit of said entries, including a receptacle at lottery headquarters in Topeka, Kansas, until approximately 5:00 p.m. on May 31, 2016. Entries other than those entered at Kansas lottery events or locations as identified in these rules shall be mailed with proper postage to "Fast Money Drawing," P. O. Box 5596, Topeka, Kansas 66605-0596. Mailed entries must be received by the morning mail pickup on Tuesday, May 31, 2015. More than one entry may be mailed in one envelope.

(7) Entries which were entered according to subsection (a)(6) and which were not selected as drawing winners on June 1, 2016, shall remain eligible to be selected as winners in the second drawing to be conducted on July 27, 2016. Players may also deposit entries for the second "Fast Money Drawing" beginning on June 1, 2016, at any Kansas lottery event or location at which the lottery has specifically designated a receptacle for deposit of said entries, including a receptacle at lottery headquarters in Topeka, Kansas, until approximately 5:00 p.m. on July 26, 2016. Entries other than those entered at Kansas lottery events or locations as identified in these rules shall be mailed with proper postage to "Fast Money Drawing," P. O. Box 5596, Topeka, Kansas 66605-0596. Mailed entries into the second drawing conducted on July 27, 2016, must be received by the morning mail pickup on Tuesday, July 26, 2016. More than one entry may be mailed in one envelope.

(8) Entries which were entered according to subsections (a)(6) and (a)(7) and which were not selected as drawing winners on June 1, 2016, and July 27, 2016, shall remain eligible to be selected as winners in the third drawing to be conducted on September 7, 2016. Players may also deposit entries for the third "Fast Money Drawing" beginning on July 27, 2016, at any Kansas lottery event or location at which the lottery has specifically designated a receptacle for deposit of said entries, including a receptacle at lottery headquarters in Topeka, Kansas, until approximately 5:00 p.m. on September 6, 2016. Entries other than those entered at Kansas lottery events or locations as identified in these rules shall be mailed with proper postage to "Fast Money Drawing," P. O. Box 5596, Topeka, Kansas 66605-0596. Mailed entries into the third drawing conducted on September 7, 2015, must be

received by the morning mail pickup on Tuesday, September 6, 2016. More than one entry may be mailed in one envelope.

(9) At the conclusion of the third drawing on September 7, 2016, all "Fast Money Drawing" entries previously entered and not selected as winners shall not be eligible to be selected as a winner in the fourth and final "Fast Money Drawing" and shall be destroyed pursuant to K.A.R. 111-3-34.

(10) With the exception of entries deposited at the Kansas state fair, players may deposit entries for the fourth and final "Fast Money Drawing" to be held at the Kansas state fair on September 17, 2016, beginning on September 7, 2016, at any Kansas lottery event or location at which the lottery has specifically designated a receptacle for deposit of said entries, including a receptacle at lottery headquarters in Topeka, Kansas, until approximately 5:00 p.m. on September 16, 2016. Entries into the fourth "Fast Money Drawing," other than those entered at Kansas lottery events or locations as identified hereinabove shall be mailed with proper postage to "Fast Money Drawing," P. O. Box 5596, Topeka, Kansas 66605-0596. Mailed entries into the fourth drawing conducted on September 17, 2016, shall be received no earlier than the morning mail pickup on Wednesday, September 7, 2016, and must be received by the morning mail pickup on Thursday, September 15, 2016. More than one entry may be mailed in one envelope.

(11) All entries received pursuant to subsection (a)(10) shall be transported by Kansas lottery security personnel, according to established procedures, to the Kansas state fair, where they shall be deposited into the drawing receptacle to be eligible for the fourth and final "Fast Money Drawing."

(12) Players may also deposit entries for the fourth "Fast Money Drawing" to be conducted on September 17, 2016, in a receptacle designated for deposit of said entries only at the Kansas lottery selling location at the Kansas state fair in Hutchinson, Kansas, beginning on September 9, 2016, through approximately 9:00 p.m. on September 17, 2016.

(b) There is no limit on the number of entries a person may make, but a person may only win one time in any of the drawings. If a person is selected as a winner in any drawing, the winner shall not be eligible to win in any sequential drawing(s) and an alternate winner will be drawn at that time.

(c) Only valid non-winning "Fast Money" tickets, which are mailed to the "Fast Money Drawings," at the above-stated address with proper postage and received by the morning mail pickup in Topeka, Kansas, as specified in these rules, and non-winning "Fast Money" tickets entered into any other receptacle designated by the lottery as provided in the rules herein shall be eligible for the drawing(s). All tickets so mailed or deposited shall be secured by the lottery until the drawing(s) are conducted.

(d) Eligible entrants in the "Fast Money Drawings" must be 18 years of age or older.

(e) Completing the information form on the non-winning ticket and entering the ticket into the drawing(s) constitutes authorization to publicly identify the persons whose entries are drawn.

(f) The Kansas lottery shall not be responsible for any lost, destroyed, mutilated, unreadable, or altered ticket entries into the "Fast Money Drawings." Players enter this contest at their own risk.

(g) Each person who enters a Kansas Lottery non-winning Fast Money ticket, game number 705, agrees to release the Kansas lottery and respective officers, directors, employees, agents, and sponsors from liability of any kind or nature for any loss, claims, damages, or injuries of any kind associated with participation in the drawing or with acceptance and use of any prize. Any liability for any issue involved with the awarding of these prizes shall be limited to the ticket cost as shown on the front of the ticket.

(h) If the executive director of the Kansas lottery reasonably determines that changes need to be made to either the dates of the drawing or the drawing procedure, any changes will be posted on the Kansas lottery's website, www.kslottery.com, prior to said changes becoming effective. (Authorized by and implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-4-21-16, March 9, 2016.)

111-4-3439. Selection of drawing winners. The following process shall be used for the selection of the winners in the "Fast Money Drawings:"

(a) Kansas lottery personnel shall pick up all mail containing "Fast Money Drawing" tickets at the United States Post Office Box 5596, in Topeka, Kansas, with the final pickups at the Topeka post office in the morning mail pickups according to K.A.R. 111-4-3438. Following the morning mail pickups for each drawing on the dates specified in K.A.R. 111-4-3438, the envelopes containing mailed entries will be transported to lottery headquarters and opened by lottery personnel.

(b) Kansas lottery personnel shall pick up all "Fast Money Drawing" entries deposited at any Kansas lottery event or location, at which the lottery specifically designated a receptacle for deposit of said entries, periodically throughout the remaining duration of the promotional event. The final pick up at any open receptacles, other than the receptacle(s) at the Kansas state fair, shall be immediately after the close of the Kansas lottery claims center in Topeka, Kansas, at 5:00 p.m. on the dates specified for each drawing as described in K.A.R. 111-4-3438. All entries deposited at a designated receptacle for deposit of said entries, except those entries deposited at the Kansas state fair, shall be transported to lottery headquarters, if necessary, and opened by lottery personnel.

(c) All drawings shall be held at a location determined by the executive director of the Kansas lottery and shall be open to the public with lottery security personnel present. The drawings shall be audio and video taped.

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

(e) At the first drawing on June 1, 2016, the designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away,

(continued)

remove three entry tickets from the receptacle or drum, which shall be marked 1, 2, and 3, in the order drawn. The person whose name appears on each entry drawn shall be a finalist in the grand prize giveaway to be conducted on September 18, 2016, at the Kansas state fair and shall be the winner of a prize described in K.A.R. 111-4-3437. After three entries have been drawn and verified as valid, seven more valid entries will be drawn, one at a time, which entries drawn will serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, 3A, 4A, 5A, 6A, and 7A. Winners shall be contacted by phone and/or in person and also in writing as soon as possible following the drawing. Each winner shall be informed that he or she has been selected as a winner in the drawing which entitles the winner to a prize which will be determined in the grand prize giveaway event to be conducted on September 18, 2016, at the Kansas state fair. Each winner shall be informed that he or she is not required to be present at the grand prize giveaway event on September 18, 2016, but is encouraged to do so, and that the winner may designate a proxy individual to participate in the grand prize giveaway event on the winner's behalf. If the winner cannot be contacted for any reason or fails to designate a proxy individual to participate in the grand prize giveaway event on the winner's behalf, prior to the grand prize giveaway event on September 18, 2016, the executive director of the Kansas lottery, or his designee, shall designate a proxy individual on the winner's behalf to participate in the promotional event giveaway.

(f) At the second drawing on July 27, 2016, the designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove three entry tickets from the receptacle or drum, which shall be marked 1, 2, and 3, in the order drawn. The person whose name appears on each entry drawn shall be a finalist in the grand prize giveaway to be conducted on September 18, 2016, at the Kansas state fair and shall be the winner of a prize described in K.A.R. 111-4-3437. After three entries have been drawn and verified as valid, seven more valid entries will be drawn, one at a time, which entries drawn will serve as alternate entries. The alternate entries will be marked in order drawn, 1B, 2B, 3B, 4B, 5B, 6B, and 7B. Winners shall be contacted by phone and/or in person and also in writing as soon as possible following the drawing. Each winner shall be informed that he or she has been selected as a winner in the drawing which entitles the winner to a prize which will be determined in the grand prize giveaway event to be conducted on September 18, 2016, at the Kansas state fair. Each winner shall be informed that he or she is not required to be present at the grand prize giveaway event on September 18, 2016, but is encouraged to do so, and that the winner may designate a proxy individual to participate in the grand prize giveaway event on the winner's behalf. If the winner cannot be contacted for any reason or fails to designate a proxy individual to participate in the grand prize giveaway event on the winner's behalf, prior to the grand prize giveaway event on September 18, 2016, the executive director of the Kansas lottery, or his designee, shall designate a proxy individual on the winner's behalf to participate in the promotional event giveaway.

(g) At the third drawing on September 7, 2016, the designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove three entry tickets from the receptacle or drum, which shall be marked 1, 2, and 3, in the order drawn. The person whose name appears on each entry drawn shall be a finalist in the grand prize giveaway to be conducted on September 18, 2016, at the Kansas state fair and shall be the winner of a prize described in K.A.R. 111-4-3437. After three entries have been drawn and verified as valid, seven more valid entries will be drawn, one at a time, which entries drawn will serve as alternate entries. The alternate entries will be marked in order drawn, 1C, 2C, 3C, 4C, 5C, 6C, and 7C. Winners shall be contacted by phone and/or in person and also in writing as soon as possible following the drawing. Each winner shall be informed that he or she has been selected as a winner in the drawing which entitles the winner to a prize which will be determined in the grand prize giveaway event to be conducted on September 18, 2016, at the Kansas state fair. Each winner shall be informed that he or she is not required to be present at the grand prize giveaway event on September 18, 2016, but is encouraged to do so, and that the winner may designate a proxy individual to participate in the grand prize giveaway event on the winner's behalf. If the winner cannot be contacted for any reason or fails to designate a proxy individual to participate in the grand prize giveaway event on the winner's behalf, prior to the grand prize giveaway event on September 18, 2016, the executive director of the Kansas lottery, or his designee, shall designate a proxy individual on the winner's behalf to participate in the promotional event giveaway.

(h) At the fourth and final drawing on September 17, 2016, the designated individual shall then unseal the drum, if a drum is used, and using the bare-arm technique, while looking away, remove one entry ticket from the receptacle or drum, which shall be marked 1. The person whose name appears on the entry drawn shall be a finalist in the grand prize giveaway to be conducted on September 18, 2016, at the Kansas state fair and shall be the winner of a prize described in K.A.R. 111-4-3437. After one entry has been drawn and verified as valid, four more valid entries will be drawn, one at a time, which entries drawn will serve as alternate entries. The alternate entries will be marked in order drawn, 1D, 2D, 3D, and 4D. The winner shall be contacted by phone and/or in person and also in writing as soon as possible following the drawing. The winner shall be informed that he or she has been selected as a winner in the drawing which entitles the winner to a prize which will be determined in the grand prize giveaway event to be conducted on September 18, 2016, at the Kansas state fair. The winner shall be informed that he or she is not required to be present at the grand prize giveaway event on September 18, 2016, but is encouraged to do so, and that the winner may designate a proxy individual to participate in the grand prize giveaway event on the winner's behalf. If the winner cannot be contacted for any reason or fails to designate a proxy individual to participate in the grand prize giveaway event on the winner's behalf, prior to the grand prize giveaway event on September 18, 2016, the

executive director of the Kansas lottery, or his designee, shall designate a proxy individual on the winner's behalf to participate in the promotional event giveaway.

(i) The Kansas lottery security official present shall review each entry ticket drawn to determine the validity of the entry into the "Fast Money Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner.

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

(k) Only non-winning "Fast Money" instant tickets are eligible for the drawings.

(l) All "Fast Money" tickets remaining in the drum or receptacle after the winners and alternates have been selected following the final drawing on September 18, 2016, and all entries not received in compliance with these rules shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-4-21-16, March 9, 2016.)

111-4-3440. Determination of grand prize winner and secondary prize winners. On September 18, 2016, at approximately 4:00 p.m. in conjunction with the Outlaw Truck and Tractor Pull event at the Kansas state fair in Hutchinson, Kansas, the Kansas lottery will determine the winner of the grand prize and winners of the secondary prizes in the "Fast Money Drawings and Giveaway" event as follows:

(a) The 10 finalists of the "Fast Money Drawings" described in these rules, or their proxies, will present themselves at a location designated by the executive director of the Kansas lottery at the tractor pull event.

(b) The Kansas lottery will present a treasure chest which encases the keys/key fob which will start the grand prize described in these rules. The treasure chest shall be locked with a padlock. The Kansas lottery shall also present a peg board with 10 keys that may or may not unlock the padlock on the treasure chest. One of the 10 keys will unlock the padlock on the treasure chest, while the other nine keys only appear to unlock the treasure chest.

(c) In the consecutive draw date and order drawn, numbers one through 10, and according to these rules, the drawing winners of the "Fast Money Drawings" or their designated proxy shall come forward, one-by-one, remove a key from the pegboard and attempt to unlock the treasure chest. The drawing winner who selects the key that unlocks the treasure chest shall be declared the winner of the grand prize described in these rules. The remaining nine drawing winners, whose keys failed to open the padlock on the treasure chest or who did not get an opportunity to attempt to open the treasure chest because another drawing winner already selected the matching key that unlocked the treasure chest, shall each receive the secondary prize of \$1,000 as described in these rules.

(d) Following the determination of the grand prize winner and secondary prize winners, a claim form will be mailed or given to each winner of the respective prize won. Each winner shall then have until 5:00 p.m. on the fourteenth day

following the presentation or mailing of a claim form to the winner, whichever is applicable, to present the fully-executed claim form to lottery headquarters. If the fourteenth day following the mailing of a claim form to the winner falls on a weekend or holiday, the fourteenth day shall be extended to the next business day. If the grand prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the grand prize will be awarded to the next alternate ticket selected in the order drawn and in the same drawing from which the grand prize winner who failed to present a fully-executed claim form was selected. An alternate winner shall have until 5:00 p.m. on the fourteenth day following mailing of a claim form to an alternate winner to present the fully-executed claim form to lottery headquarters. If the fourteenth day following the mailing of a claim form to an alternate winner falls on a weekend or holiday, the fourteenth day shall be extended to the next business day. If an alternate prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the prize will be awarded to the next alternate ticket selected in the order drawn and in the same drawing from which the winner was selected. The alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

If a secondary prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the prize will be awarded to the next alternate ticket selected in the order drawn and in the same drawing from which the winner who failed to present a fully-executive claim form was selected. An alternate winner shall have until 5:00 p.m. on the fourteenth day following mailing of a claim form to an alternate winner to present the fully-executed claim form to lottery headquarters. If the fourteenth day following the mailing of a claim form to an alternate winner falls on a weekend or holiday, the fourteenth day shall be extended to the next business day. If an alternate prize winner cannot be located or is declared ineligible, or fails to timely present a fully-executed claim form to lottery headquarters, the prize will be awarded to the next alternate ticket selected in the order drawn and in the same drawing from which the winner was selected. The alternate winner process shall be repeated until the prize is properly claimed or until such time as no alternate winners remain, whichever occurs first.

(e) A drawing winner and finalist in the grand prize giveaway event shall be the winner of whatever prize is determined by his or her proxy during the grand prize giveaway event.

(f) Any person representing a drawing winner by proxy shall not be entitled to any prize. (Authorized by and implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-4-21-16, March 9, 2016.)

111-4-3441. Certification of drawing and grand prize winner determination. (a) Each "Fast Money Drawing" shall be personally observed by a member of the Kansas lottery security department and a member of the Kansas lottery marketing department serving as the

(continued)

event manager or other person or persons designated by the executive director of the lottery as the event manager.

(b) Prior to the grand prize giveaway event on September 18, 2016, Kansas lottery security personnel shall record and certify, in writing, the name of any individual serving as proxy on a drawing winner's behalf at the grand prize giveaway event. Such record shall be verified by the event manager, also prior to the grand prize giveaway event, to confirm that the drawing winner's name correctly matches the designated proxy individual's name.

(c) Upon completion of the drawings and grand prize giveaway event, the security official and the event manager shall issue a report to the executive director, certifying that the names of the prize winners are correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-4-21-16, March 9, 2016.)

Article 16.—GENERIC ONLINE DRAWING RULES

111-16-1. Definitions. Unless otherwise provided in these regulations, all definitions contained in the Kansas lottery act shall apply to all regulations in this section.

(a) "APP" or "app" means a self-contained program or piece of software designed to fulfill a particular purpose such as an application downloaded by a user to a mobile device.

(b) "Download" means to copy data from one computer system to another, typically over the Internet.

(c) "Mobile device" means a portable computing device, including but not limited to a smartphone or tablet.

(d) "Online drawing" means the act of drawing or selecting winners by means of an electronic drawing method from among the entries that were entered for prizes which are identified in specific online game rules.

(e) "Online entry" or "online entries" means the method of entering a contest, game, drawing, promotion or other event sponsored by the Kansas lottery via the Internet.

(f) "Non-winning ticket(s)" means any Kansas lottery ticket, either instant or online, which is not a winner of any prize for the game in which it was eligible.

(g) "Players Club" refers to the Kansas lottery's online players club where a player can enter the online drawing promotion.

(h) "QR code" means a machine-readable code consisting of an array of black and white squares typically used in storing URLs or other information for reading by the camera on a smartphone.

(i) "Random number generator" or "RNG" means the online drawing machine or equipment used to select the drawing winners.

(j) "URL" means a location or address identifying where documents can be found on the Internet.

(k) "Winning ticket" means any Kansas lottery ticket, either instant or online, which is a winner of any prize for the game in which it was eligible.

(l) "www.kslottery.com" refers to the Kansas lottery's website where a player can join the Kansas lottery's players club. (Authorized by K.S.A. 2015 Supp. 74-8710 and 74-8748; implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011; amended, T-111-4-21-16, March 9, 2016.)

111-16-2. Method of entry. (a) In August 2011, the Kansas lottery shall begin accepting registration for "online events."

(b) The Kansas lottery shall designate which "online events" are eligible for "online entry."

(c) "Online events" that are designated by the Kansas lottery for "online entry" shall not be eligible for any other form of entry.

(d) "Online entry" requires the player to legally acquire a specified, winning or non-winning, Kansas lottery game ticket depending on the game in question.

(e) A player can visit the Kansas Lottery website at www.kslottery.com or any other website designated by the Lottery to enter the specified "online event."

(f) A player must join or be a member of the Kansas lottery players club to be eligible to enter "online events."

(g) A player must enter specified information online to be eligible to win. Failure to provide all specified information shall cause an online entry to be disqualified.

(h) Online entries not entered into the appropriate "online event" or appropriate prize category shall be disqualified.

(i) A player may use each non-winning ticket only once as an eligible online entry.

(j) All online entries into an "online event" are final.

(k) Any entries mailed or hand delivered to the Kansas lottery will not qualify for any prize in an "online event" and will be discarded.

(l) There is no limit to the number of online entries a player can make, unless indicated otherwise in the specific rules for a promotion, but players may only use one winning or non-winning ticket per online entry.

(m) Fraudulent online entries for a single draw will void all entries for that entrant.

(n) An entrant must be a natural person, at least 18 years of age to play the lottery in the state of Kansas, with a street mailing address in the United States or a United States territory. Post office box addresses are not acceptable.

(o) By entering an "online event," an entrant grants permission to the Kansas lottery to publicly disclose entrants' name and city or state of residence. Other information, such as phone number, street address, email address, etc., will not be disclosed.

(p) by entering the Kansas lottery's online players club, a player consents to all of the requirements for joining said club or its successors. (Authorized by K.S.A. 2015 Supp. 74-8710 and 74-8748; implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011; amended, T-111-4-21-16, March 9, 2016.)

111-16-5. Liability and exclusions. The Kansas lottery is not responsible for and shall not be liable for: (a) Any damage to a player's computer system that is directly or indirectly caused by accessing or downloading content from <http://www.kslottery.com> or any other website designated by the Kansas lottery; or

(b) For any computer system, phone line, hardware, software or program malfunctions; or

(c) Other errors, failures, dropped or delayed computer transmissions or network connections of any kind.

(d) Any liability incurred by the Kansas lottery as a result of any malfunction shall be limited to the purchase price of any eligible entering ticket.

(e) Without limiting the generality of the foregoing, the Kansas lottery is not responsible for incomplete, illegible, misdirected, late, lost, damaged or stolen entries; or for lost, interrupted, inaccessible or unavailable networks, satellites, Internet Service Providers (ISP), website or other connections; or for miscommunications; failed, jumbled, scrambled, delayed, or misdirected computer, telephone or cable transmission; or for any technical malfunctions, failures, or difficulties; printing errors; clerical, typographical or other error in the offering or announcement of any prize or in any prize notification documents, or other errors of any kind or nature; or for the incorrect or inaccurate capture of information or the failure to capture information.

(f) The Kansas lottery shall have the option to substitute any prize(s) with a prize of approximate equal value at its sole discretion.

(g) The Kansas lottery may discontinue an online event at any time.

(h) Kansas lottery employees and commission members and their immediate families living in the same household, and any other person or entity otherwise prohibited from participation by the statutes, rules and/or regulations are not eligible to win a prize in any online event.

(i) Each person who enters a Kansas lottery online contest or drawing event agrees to release the Kansas lottery and respective officers, directors, employees, agents, and sponsors from liability of any kind or nature for any loss, claims, damages, or injuries of any kind.

(j) All decisions with regard to ticket eligibility and drawing outcomes made by the Kansas lottery are final. (Authorized by K.S.A. 2015 Supp. 74-8710 and 74-8748; implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-9-23-11, Aug. 17, 2011; amended, T-111-4-21-16, March 9, 2016.)

Article 17.—SPECIFIC ONLINE DRAWING RULES

111-17-28. Cruise for cash collect and win promotion. (a) The Kansas lottery shall conduct five second-chance online drawing events consisting of six drawings entitled “Cruise for Cash Collect and Win Promotion.” The Kansas lottery will accept online entries into the drawing events beginning at 5:00 a.m. on March 21, 2016. Entry into the first drawing event will close at noon on April 5, 2016. The first drawing event will consist of one drawing, referred to as drawing number one, and will be conducted sometime after entry into the first drawing has closed, but before noon on April 8, 2016. Entry into the second drawing event will close at noon on April 12, 2016. The second drawing event will consist of one drawing, referred to as drawing number two, and will be conducted sometime after entry into the second drawing has closed, but before noon on April 15, 2016. Entry into the third drawing event will close at noon on April 26, 2016. The third drawing event will consist of one drawing, referred to as drawing number three, and will be conducted sometime after entry into the third drawing has closed, but before noon on April 29, 2016. Entry into the fourth drawing event will close at noon on May 10, 2016. The fourth drawing event will consist of one drawing, referred to as drawing number four, and

will be conducted sometime after entry into the fourth drawing has closed, but before noon on May 13, 2016. Entry into the fifth and final drawing event will close at noon on May 24, 2016. The fifth drawing event will consist of two drawings, numbers five and six, and will be conducted sometime after entry into the fifth drawing has closed, but before noon on May 27, 2016.

(b) The specific ticket eligible for entry into the second-chance online drawing events shall be any winning or non-winning Kansas lottery online Pick 3 ticket. The entry ticket may include single plays, multiple plays, or multi-draws on a single ticket. The entry ticket must be purchased during the period beginning at 5:00 a.m. on March 21, 2016, through 2:00 a.m. on May 22, 2016.

(c) Any entry into the drawing events which is not selected as a winner in the first, second, third, fourth, and fifth drawings shall remain eligible to win a prize in a subsequent drawing.

(d) A player shall enter qualifying tickets through the online Kansas lottery players club at www.kslottery.com. The player shall follow the hyperlink specifically developed for the purpose of accessing the “Cruise for Cash Collect and Win Promotion.” The player may enter the required data from the online ticket manually for entry into the drawing. If the player does not enter the ticket data manually, the player may scan the ticket to enter data to be used for entry into the drawing using a mobile device. To enter using a mobile device, the player will use the QR code printed on the Pick 3 ticket to download an APP and scan the ticket. After the ticket data is entered either manually or scanned using an APP, one of six different symbols is generated randomly on a player’s electronic card. Once the player collects all six different symbols on his or her electronic card, the player will be entered automatically into the drawing. If a symbol is generated that already appears on the player’s electronic card, that symbol shall be moved automatically to another electronic card which shall be eligible to collect the remaining symbols.

(e) For the first drawing event in the “Cruise for Cash Collect and Win Promotion” to be conducted before noon on April 8, 2016, the Kansas lottery shall award two \$500 prizes. In the second drawing event, to be conducted before noon on April 15, 2016, the Kansas lottery shall award two \$500 prizes. In the third drawing event, to be conducted before noon on April 29, 2016, the Kansas lottery shall award two \$500 prizes. In the fourth drawing event, to be conducted before noon on May 13, 2016, the lottery shall award two \$500 prizes. In the fifth and final drawing event, to be conducted before noon on May 27, 2016, the lottery shall conduct two separate drawings, drawing number five and drawing number six. In drawing number five, one grand prize shall be awarded. In drawing number six, two \$500 prizes shall be awarded. The grand prize shall consist of a Royal Caribbean cruise for three nights to the Bahamas with ocean view balcony stateroom for two persons, roundtrip airfare for two out of any major airport, premium hotel accommodations for two at a deluxe hotel the night before the cruise departs, and \$500 spending money. The grand prize package has an approximate value of \$5,306.

(continued)

(f) For the first, second, third, and fourth drawing events, described in subsection (e), the Kansas lottery shall select 10 entrants. The first and second entries selected in the first, second, third, and fourth drawings shall each be awarded a \$500 prize. The next eight entries selected in each drawing (entry numbers 3 through 10) shall be used as alternate winners, if necessary, in the order drawn.

For the fifth and final drawing event described in subsection (e), in drawing number five, the Kansas lottery shall select four entrants. The first entry selected in drawing number five shall be awarded the grand prize described in these rules. The next three entries selected in drawing number five (entry numbers 2, 3, and 4) shall be used as alternate winners, if necessary, in the order drawn. In drawing number six of the fifth and final online drawing event and as described in subsection (e), the Kansas lottery shall select 10 entrants. The first and second entries selected in the sixth drawing shall each be awarded a \$500 prize. The next eight entries selected in the sixth drawing (entry numbers 3 through 10) shall be used as alternate winners, if necessary, in the order drawn.

(g) The entry of any alternate winner(s) selected in any of the first, second, third, fourth, or fifth drawings shall be eligible to win a prize in any subsequent drawing unless the alternate winner claims a prize in any previous drawing.

(h) A player may enter the drawing(s) an unlimited number of times, but may win only one prize package in each drawing.

(i) A winner of a prize shall be notified via email that he or she has won a prize. At that time, the winner shall be instructed how to verify his or her personal identification information.

(j) A winner shall be sent a claim form via U. S. mail at the time the winner is notified he or she has won a prize.

(k) A player who is selected as a prize winner in any drawing must return his or her completed claim form, and must be received by the Kansas lottery within 20 days following the date of the online event drawing. A player who is among the entrants selected as alternate winners in these drawings to receive a prize must return his or her completed claim form within 20 days following the date the alternate winner was sent a claim form via U. S. mail.

(l) Completed claim forms can be mailed by the winner via U.S. Mail to: Kansas lottery, 128 North Kansas Avenue, Topeka, Kansas 66603, or the winner can deliver the completed claim form to the Kansas lottery claims center in Topeka, Kansas, during the hours the claim center is open for business.

(m) If a player fails to answer any email, respond to any request for information, or fill out any forms required by the Kansas lottery within the time allotted in the winner's notification of winning a prize, said win shall be forfeited and the prize awarded to another alternate winner.

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

(o) Rules applicable to this online event drawing are contained in K.A.R. 111-17-28 and K.A.R. 111-16-1 *et seq.* (Authorized by K.S.A. 2015 Supp. 74-8710 and 74-8748; implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-4-21-16, March 9, 2016.)

111-17-29. KC Royals drawings. (a) The Kansas lottery shall conduct two second-chance online event drawings entitled "KC Royals Drawings." The Kansas lottery will accept online entries into the drawings beginning at 5:00 a.m. on April 7, 2016. Entry into the first drawing will close at noon on July 19, 2016. The first drawing will be conducted sometime after entry into the first drawing has closed, but before noon on July 22, 2016. Entry into the second drawing will close at noon on September 6, 2016. The second drawing will be conducted sometime after entry into the second drawing has closed, but before noon on September 9, 2016.

(b) The specific ticket eligible for entry into the second-chance online event drawings shall be any non-winning Kansas lottery "Kansas City Royals" \$5 instant ticket, number 704.

(c) Any entry into the drawings which is not selected as a winner in the first drawing shall remain in drawing and shall be eligible to win a prize in a subsequent drawing.

(d) A player shall enter qualifying tickets through the online Kansas lottery players club at www.kslottery.com. The player shall follow the hyperlink specifically developed for the purpose of accessing the "KC Royals Drawing." The player shall enter the required data from the instant ticket manually for entry into the drawing.

(e) For the first drawing in the "KC Royals Drawings" to be conducted before noon on July 22, 2016, the Kansas lottery shall award eight grand prizes. In the second drawing, to be conducted before noon on September 9, 2016, the Kansas lottery shall award eight grand prizes. Each prize awarded in the first drawing to be conducted before noon on July 22, 2016, shall consist of access to one game on September 3, 2016, in the Kansas City Royals dugout suite at Kauffman Stadium in Kansas City, Missouri, for a regular season Kansas City Royals game for one winner and one guest including food, non-alcoholic beverages, tickets for the suite, parking, one hotel room for two for one night on September 3, 2016, two \$50 stadium gift cards valid at the Kansas City Royals team store and concession stands at Kauffman Stadium, \$200 cash, and mandatory state and federal income withholding taxes. Each grand prize awarded in the second drawing to be conducted before noon on September 9, 2016, shall consist of access to one game on October 1, 2016, in the Kansas City Royals dugout suite at Kauffman Stadium in Kansas City, Missouri, for a regular season Kansas City Royals game for one winner and one guest including food, non-alcoholic beverages, tickets for the suite, parking, one hotel room for two for one night on October 1, 2016, two \$50 stadium gift cards valid at the Kansas City Royals team store and concession stands at Kauffman Stadium, \$200 cash, and mandatory state and federal income withholding taxes. Each grand prize in both drawings shall have an approximate value of \$2,100.

(f) For each drawing described in subsection (e), the Kansas lottery shall select 20 entrants. The first eight entries selected in each drawing shall be awarded a grand prize. The next 12 entries selected in each drawing (entry numbers 9 through 20) shall be used as alternate winners, if necessary, in the order drawn.

(g) The entry of any alternate winner selected in the first drawing shall be returned to the subsequent draw-

ing to be eligible to win a prize. In the event an alternate winner is used to claim a prize in any previous drawing, the alternate winner shall no longer be eligible to win a prize in any drawing other than the drawing for which the alternate claimed a prize.

(h) A player may enter the drawing(s) an unlimited number of times, but may win only one prize package in each drawing.

(i) A winner of a prize shall be notified via email that he or she has won a prize. At that time, the winner shall be instructed how to verify his or her personal identification.

(j) A winner shall be sent a claim form via U. S. mail at the time the winner is notified he or she has won a prize.

(k) A player who is selected as a prize winner in any drawing must return his or her completed claim form, and must be received by the Kansas lottery within 14 days following the date of the online event drawing. A player who is among the entrants selected as alternate winners in these drawings to receive a prize must return his or her completed claim form within 14 days following the date the alternate winner was sent a claim form via U. S. mail.

(l) Completed claim forms can be mailed by the winner via U.S. Mail to: Kansas lottery, 128 North Kansas Avenue, Topeka, Kansas 66603, or the winner can deliver the completed claim form to the Kansas lottery claims center in Topeka, Kansas, during the hours the claim center is open for business.

(m) If a player fails to answer any email, respond to any request for information, or fill out any forms required by the Kansas lottery within the time allotted in the winner's notification of winning a prize, said win shall be forfeited and the prize awarded to another alternate winner.

(n) Each person who enters a Kansas lottery \$5 instant "Kansas City Royals," ticket number 704, ticket in the "Kansas City Royals Drawings" agrees to release the Kansas City Royals and the Kansas lottery and respective officers, directors, employees, agents, and sponsors from liability of any kind or nature for any loss, claims, damages, or injuries of any kind associated with participation in the drawing or with acceptance and use of any prize.

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

(p) Rules applicable to this online event drawing are contained in K.A.R. 111-17-29 and K.A.R. 111-16-1 *et seq.* (Authorized by K.S.A. 2015 Supp. 74-8710 and 74-8748; implementing K.S.A. 2015 Supp. 74-8710; effective, T-111-4-21-16, March 9, 2016.)

Terry P. Presta
Executive Director

Doc. No. 044537

INDEX TO ADMINISTRATIVE REGULATIONS

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

AGENCY 1: DEPARTMENT OF ADMINISTRATION

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

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-5-1	Revoked	V. 35, p. 238
4-5-2	Revoked	V. 35, p. 238
4-5-4	New	V. 35, p. 238

AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-1-1	Amended	V. 35, p. 308
5-12-1	Amended	V. 35, p. 313

5-21-6	Amended	V. 35, p. 431
5-22-7	Amended	V. 35, p. 199
5-23-4	Amended	V. 35, p. 385
5-23-4b	Revoked	V. 35, p. 386
5-24-2	Amended	V. 35, p. 386
5-25-21	New	V. 35, p. 200

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-23-14	Amended	V. 34, p. 1032
7-23-15	New	V. 34, p. 1033

AGENCY 9: DEPARTMENT OF AGRICULTURE—DIVISION OF ANIMAL HEALTH

Reg. No.	Action	Register
9-7-4	Amended	V. 35, p. 428
9-7-4a	Amended	V. 35, p. 428
9-18-31	New	V. 35, p. 313
9-26-1	Revoked	V. 35, p. 314

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

Reg. No.	Action	Register
14-19-40	New (T)	V. 34, p. 824
14-19-40	New	V. 34, p. 1053
14-20-42	New (T)	V. 34, p. 825
14-20-42	New	V. 34, p. 1054
14-21-23	New (T)	V. 34, p. 825
14-21-23	New	V. 34, p. 1054

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-14-1 through 16-14-9	New (T)	V. 34, p. 962, 963
16-14-1 through		

16-14-9	New	V. 34, p. 1228, 1229
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AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-4-94	New	V. 34, p. 420
28-16-28b	Amended	V. 34, p. 190
28-16-28c	Amended	V. 34, p. 194
28-16-28d	Amended	V. 34, p. 196
28-16-28e	Amended	V. 34, p. 197
28-16-28f	Amended	V. 34, p. 199
28-16-58	Amended	V. 34, p. 200
28-19-274	New	V. 34, p. 1140
28-74-1	New	V. 35, p. 383
28-74-2	New	V. 35, p. 383
28-74-3	New	V. 35, p. 383
28-74-4	New	V. 35, p. 384

AGENCY 30: KANSAS DEPARTMENT FOR CHILDREN AND FAMILIES

Reg. No.	Action	Register
30-10-19	Revoked	V. 35, p. 46
30-44-2	Amended	V. 35, p. 63
30-44-6	New	V. 35, p. 63

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 34, p. 216
40-1-37	Amended	V. 34, p. 120
40-1-48	Amended	V. 34, p. 120
40-2-18	Amended	V. 35, p. 405
40-2-20	Amended	V. 34, p. 1202
40-4-29a	Amended	V. 34, p. 996
40-4-34	Amended	V. 35, p. 384
40-4-37e	Amended	V. 34, p. 120
40-9-118	Amended	V. 34, p. 103
40-9-126	New	V. 34, p. 103

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-2-101	Amended	V. 35, p. 322
60-3-102	Amended	V. 35, p. 323
60-3-103	Amended	V. 35, p. 323
60-3-110	Amended	V. 35, p. 323
60-3-113	Amended	V. 35, p. 324
60-4-103	Amended	V. 34, p. 260
60-7-102	Amended	V. 35, p. 324
60-7-106	Amended	V. 35, p. 324
60-9-105	Amended	V. 35, p. 325
60-9-106	Amended	V. 35, p. 326
60-17-102	Amended	V. 35, p. 327

AGENCY 61: BOARD OF BARBERING

Reg. No.	Action	Register
61-3-7	Amended	V. 35, p. 384
61-3-22	Amended	V. 34, p. 190
61-7-1	Revoked	V. 35, p. 385
61-7-2	New	V. 35, p. 385

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-5-6	Amended	V. 34, p. 480
65-5-10	Revoked	V. 34, p. 481
65-5-11	Revoked	V. 34, p. 481
65-5-13	New	V. 34, p. 481

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-14-1	Amended	V. 34, p. 617
66-14-2	Amended	V. 34, p. 617
66-14-3	Amended	V. 34, p. 618
66-14-5	Amended	V. 34, p. 618
66-14-7	Amended	V. 34, p. 618
66-14-10	Amended	V. 34, p. 618
66-14-11	Amended	V. 34, p. 619

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-2-22	Amended	V. 34, p. 70
68-7-22	New	V. 35, p. 427
68-16-1 through 68-16-9	Revoked	V. 34, p. 70
68-20-10a	Amended	V. 34, p. 70
68-20-31	New (T)	V. 34, p. 103
68-20-31	New	V. 34, p. 480

AGENCY 69: BOARD OF COSMETOLOGY

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

AGENCY 70: DEPARTMENT OF AGRICULTURE, BOARD OF VETERINARY EXAMINERS

Reg. No.	Action	Register
70-5-1	Amended	V. 35, p. 428

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-6-5	Amended	V. 35, p. 140

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-3	Amended	V. 35, p. 84
74-1-4	Amended	V. 35, p. 84
74-2-7	Amended	V. 35, p. 85

74-4-8	Amended	V. 35, p. 85
74-4-9	Amended	V. 35, p. 86
74-5-2	Amended	V. 35, p. 87
74-5-2a	Amended	V. 35, p. 88
74-5-2b	New	V. 35, p. 88
74-5-101 through 74-5-104	Amended	V. 35, p. 88, 89
74-5-201 through 74-5-203	Amended	V. 35, p. 89
74-5-301	Amended	V. 35, p. 90
74-5-401	Amended	V. 35, p. 90
74-5-403	Amended	V. 35, p. 90
74-5-405a	Amended	V. 35, p. 90
74-5-406	Amended	V. 35, p. 90
74-5-407	Amended	V. 35, p. 91
74-11-6	Amended	V. 35, p. 91
74-11-7	Amended	V. 35, p. 91
74-15-1	Amended	V. 35, p. 92

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

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

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-2-402	Revoked	V. 34, p. 900
82-2-506	Revoked	V. 34, p. 900
82-2-507	Revoked	V. 34, p. 900
82-3-100	Amended	V. 34, p. 900
82-3-106	Amended	V. 34, p. 900
82-3-109	Amended	V. 34, p. 901
82-3-203	Amended	V. 34, p. 902
82-3-207	Amended	V. 34, p. 902
82-3-208	Amended	V. 34, p. 902
82-3-209	Amended	V. 34, p. 902
82-3-304	Amended	V. 34, p. 1100
82-3-312	Amended	V. 34, p. 903
82-3-1100 through 82-3-1120	Revoked	V. 34, p. 903

82-4-1	Amended	V. 35, p. 357
82-4-2a	Amended	V. 35, p. 359
82-4-3a	Amended (T)	V. 34, p. 373
82-4-3a	Amended	V. 34, p. 846
82-4-3f	Amended	V. 34, p. 515
82-4-3g	Amended	V. 34, p. 518
82-4-3h	Amended	V. 35, p. 359
82-4-3i	Amended	V. 35, p. 360
82-4-3j	Amended	V. 35, p. 362
82-4-3k	Amended	V. 35, p. 363
82-4-3n	Amended	V. 35, p. 364
82-4-3o	Amended	V. 35, p. 366
82-4-8a	Amended	V. 35, p. 366
82-4-20	Amended	V. 35, p. 366

AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS

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

AGENCY 86: REAL ESTATE COMMISSION

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

AGENCY 88: BOARD OF REGENTS

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

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-42-1	Amended (T)	V. 35, p. 163
91-42-2	Amended (T)	V. 35, p. 163
91-42-3 through 91-42-7	New (T)	V. 35, p. 164-166

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-23-9 through 92-23-23	Revoked	V. 35, p. 63, 64
92-23-25	Revoked	V. 35, p. 64

92-23-30	Revoked	V. 35, p. 64
92-23-31	Revoked	V. 35, p. 64
92-23-37		
through		
92-23-40	Revoked	V. 35, p. 64
92-23-41		
through		
92-23-59	New	V. 35, p. 64-67
92-23-70		
through		
92-23-75	New	V. 35, p. 67, 68
92-56-1	Amended	V. 34, p. 1140
92-56-2	Amended	V. 34, p. 1141
92-56-4	Amended	V. 34, p. 1356

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-6-3	Amended	V. 35, p. 357
93-9-1	New	V. 34, p. 260

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-28a-1a	New (T)	V. 34, p. 1334
100-28a-1a	New	V. 35, p. 353
100-28a-6	Amended (T)	V. 34, p. 1334
100-28a-6	Amended	V. 35, p. 353
100-28a-9	Amended (T)	V. 34, p. 1335
100-28a-9	Amended	V. 35, p. 354
100-28a-9a	New (T)	V. 34, p. 1335
100-28a-9a	New	V. 35, p. 354
100-28a-10	Amended (T)	V. 34, p. 1335
100-28a-10	Amended	V. 35, p. 354
100-28a-11	Amended (T)	V. 34, p. 1336
100-28a-11	Amended	V. 35, p. 355
100-28a-12	Amended (T)	V. 34, p. 1336
100-28a-12	Amended	V. 35, p. 355
100-28a-13	Amended (T)	V. 34, p. 1336
100-28a-13	Amended	V. 35, p. 355
100-28a-14	Amended (T)	V. 34, p. 1337
100-28a-14	Amended	V. 35, p. 356
100-28a-15	Amended (T)	V. 34, p. 1337
100-28a-15	Amended	V. 35, p. 356
100-28a-17	Amended (T)	V. 34, p. 1337
100-28a-17	Amended	V. 35, p. 356
100-29-9	Amended	V. 35, p. 387
100-29-16	Amended	V. 35, p. 388
100-54-7	Amended	V. 35, p. 389
100-54-12	New	V. 35, p. 390

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-5-2	Amended	V. 34, p. 1248
105-5-3	Amended	V. 34, p. 1248
105-5-6	Amended	V. 34, p. 1248
105-5-7	Amended	V. 34, p. 1249
105-5-8	Amended	V. 34, p. 1249
105-11-1	Amended	V. 34, p. 1249

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-1-1	Amended	V. 35, p. 314
109-2-1	Amended	V. 35, p. 317

109-2-2	Amended	V. 35, p. 317
109-2-6	Amended	V. 35, p. 318
109-2-7	Amended	V. 35, p. 318
109-2-8	Amended	V. 35, p. 318
109-2-11	Amended	V. 35, p. 320
109-5-1	Amended	V. 34, p. 1299
109-5-1a		
through		
109-5-1d	Amended	V. 34, p. 1299, 1300
109-5-2	Revoked	V. 34, p. 1300
109-7-1	Amended	V. 35, p. 321
109-8-1	Amended	V. 34, p. 1300
109-10-1	Revoked	V. 34, p. 344
109-10-1c	Amended	V. 34, p. 344
109-10-1e	Amended	V. 34, p. 345
109-10-2	Revoked	V. 34, p. 345
109-10-7	Amended	V. 34, p. 345
109-11-3a	Amended	V. 34, p. 345
109-11-4a	Amended	V. 34, p. 346
109-11-6a	Amended	V. 34, p. 346
109-11-10	Revoked	V. 34, p. 347

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 *Kansas Register*. A list of regulations filed from 2001 through 2003 can be found in the Vol. 22, No. 52, December 25, 2003 *Kansas Register*. A list of regulations filed from 2004 through 2005 can be found in the Vol. 24, No. 52, December 29, 2005 *Kansas Register*. A list of regulations filed from 2006 through 2007 can be found in the Vol. 26, No. 52, December 27, 2007 *Kansas Register*. A list of regulations filed from 2008 through November 2009 can be found in the Vol. 28, No. 53, December 31, 2009 *Kansas Register*. A list of regulations filed from December 1, 2009, through December 21, 2011, can be found in the Vol. 30, No. 52, December 29, 2011 *Kansas Register*. A list of regulations filed from December 22, 2011, through November 6, 2013, can be found in the Vol. 32, No. 52, December 26, 2013 *Kansas Register*. A list of regulations filed from November 7, 2013, through December 31, 2015, can be found in the Vol. 34, No. 53, December 31, 2015 *Kansas Register*.

Reg. No.	Action	Register
111-4-3417		
through		
111-4-3421	New	V. 35, p. 131-135
111-4-3422	New	V. 35, p. 157
111-4-3423	New	V. 35, p. 157
111-4-3424		
through		
111-4-3431	New	V. 35, p. 406-408
111-7-66	Amended	V. 35, p. 158
111-7-68	Amended	V. 35, p. 159
111-7-73	Amended	V. 35, p. 159
111-7-75	Amended	V. 35, p. 159
111-17-21	Amended	V. 35, p. 160
111-17-24	New	V. 35, p. 136
111-17-25	New	V. 35, p. 161
111-17-27	New	V. 35, p. 408

111-401-35		
through		
111-401-37	Amended	V. 35, p. 162
111-401-185		
through		
111-401-188	Amended	V. 35, p. 139
111-401-190		
through		
111-401-194	Amended	V. 35, p. 140
111-401-200a	New	V. 35, p. 409
111-401-201		
through		
111-401-205	New	V. 35, p. 409-411
111-501-122		
through		
111-501-127	New	V. 35, p. 412-414

AGENCY 115: DEPARTMENT OF WILDLIFE, PARKS AND TOURISM

Reg. No.	Action	Register
115-1-1	Amended	V. 34, p. 1204
115-2-1	Amended	V. 34, p. 1206
115-4-11	Amended	V. 34, p. 1208
115-4-13	Amended	V. 34, p. 1210
115-7-1	Amended	V. 34, p. 1211
115-7-2	Amended	V. 34, p. 103
115-7-10	Amended	V. 34, p. 1212
115-8-1	Amended	V. 35, p. 274
115-9-6	Amended	V. 34, p. 104
115-30-1	Amended	V. 34, p. 104

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-7-1	Amended	V. 34, p. 420
117-8-3	New	V. 35, p. 199

AGENCY 123: DEPARTMENT OF CORRECTIONS—DIVISION OF JUVENILE SERVICES

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

AGENCY 127: KANSAS HOUSING RESOURCES CORPORATION

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

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

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

AGENCY 132: KANSAS 911 COORDINATING COUNCIL

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

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