

KANSAS REGISTER



State of Kansas

BILL GRAVES
Secretary of State

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State of Kansas

LEGISLATURE

INTERIM COMMITTEE SCHEDULE

The following committee meetings have been scheduled during the period of July 25 through August 7:

Date	Room	Time	Committee	Agenda
July 25 through July 30				No meetings scheduled.
August 3 August 4	527-S 526-S	10:00 a.m. 9:00 a.m.	Special Committee on Commercial and Financial Institutions	3rd: Hearings on Proposal No. 9—Trust Departments. 4th: Hearings on Proposal No. 11—Funding an Accident and Health Assigned Risk Plan.
August 4 August 5	527-S 527-S	10:00 a.m. after L.C.C. meeting	Legislative Budget Committee	4th: Staff reports on Proposals No. 25, 26 and 27. 5th: Staff report on Proposal No. 28.
August 5	519-S	9:00 a.m.	Legislative Coordinating Council	Legislative matters.

The following revision of title has been made to interim committee charge—Proposal No. 48:

**Special Committee on Ways and Means/Appropriations
Proposal No. 48—Corrections Initiatives (revised: July**

14, 1988)

Review and monitor the 1988 initiatives to address prison overcrowding and assess the need for new prison facilities.

WILLIAM R. BACHMAN
Director of Legislative
Administrative Services

Doc. No. 006815

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**PUBLISHED BY
BILL GRAVES
Secretary of State
2nd Floor, State Capitol
Topeka, KS 66612-1594**



Phone: (913) 296-3489

State of Kansas

STATE FAIR BOARD

NOTICE OF MEETING

The State Fair Board will meet at 1 p.m. Sunday, July 24, in the board room at the administration office, Hutchinson. For additional information, contact Deana K. Novak, (316) 662-6611.

DEANA K. NOVAK
Administrative Officer

Doc. No. 006814

State of Kansas

DEPARTMENT OF CORRECTIONS

PUBLIC NOTICE

The Kansas Department of Corrections is requesting initial interest in the design of a 1200-bed multi-security correctional facility. Interested firms should submit responses that include qualifications and past correctional institution design experience. Qualified Kansas-based firms and their consultants will receive special consideration over those based outside of Kansas.

Questions concerning the project should be directed to Robert Simpson, Project Manager, 4th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, (913) 296-3317. All responses are due by 5 p.m. August 5.

ROGER V. ENDELL
Secretary of Corrections

Doc. No. 006816

State of Kansas

**BOARD OF AGRICULTURE
DIVISION OF WATER RESOURCES**

NOTICE OF HEARING

A public hearing will be conducted at 9 a.m. Tuesday, August 9, at the 4-H Building, Jetmore, at which time all interested parties will have an opportunity to be heard regarding a petition by the Southwest Kansas Groundwater Management District No. 3 to reduce the district's territory by removing all of Hodgeman County from the district. This hearing is being held under the authority of K.S.A. 82a-1033.

All interested persons may attend the hearing and will be given an opportunity to express comments either orally or in writing, or both. If it is not possible for a person to be present, written comments may be submitted to the office of the Southwest Kansas Groundwater Management District No. 3, 409 Campus Drive, Suite 106, Garden City 67846, on or before August 2. For persons desiring to present testimony in person at the hearing, prior notice to this office would be helpful in arranging the agenda.

DAVID POPE
Chief Engineer
Division of Water Resources

Doc. No. 006829

State of Kansas

BOARD OF TECHNICAL PROFESSIONS

NOTICE OF MEETING

The State Board of Technical Professions will meet July 28-29 at the board office, Suite 507, Landon State Office Building, 900 S.W. Jackson, Topeka.

The Engineer and Land Surveyor Board and the Architect and Landscape Architect Board will meet at 9 a.m. on July 28. A full board meeting will be at 8:30 a.m. on July 29. The meetings are open to the public.

BETTY L. ROSE
Executive Secretary

Doc. No. 006830

State of Kansas

**DEPARTMENT OF ADMINISTRATION
DIVISION OF ARCHITECTURAL SERVICES**

**NOTICE OF COMMENCEMENT
OF NEGOTIATIONS
FOR TECHNICAL SERVICES**

Notice is hereby given of the commencement of negotiations for a contract for air and water balancing of the mechanical system and an infrared scan for the Pediatric Inpatient Unit renovation at the University of Kansas Medical Center, Kansas City, Kansas.

Interested individuals or firms in the balancing field must be certified by the National Environmental Balancing Bureau or the Associated Air Balance Council. Said individuals or firms must be engaged in balancing work on a full-time basis. Balance agencies which are of the same parent company as the designers or contractors of a particular project will not be considered for that project. Submit qualifications with letter of interest.

Interested individuals or firms in the infrared scan field must be an independent testing company using trained personnel who work full time on infrared testing projects. Personnel shall be familiar with the operation of the infrared camera and capable of analyzing the results. The infrared survey shall be done with a Model No. 750 infrared camera as manufactured by AGA Corporation of Secaucus, New Jersey, or equal. Submit qualifications with letter of interest.

Questions or expressions of interest should be directed to Myron Reed, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, prior to August 5.

EDWARD A. DE VILBISS, AIA
Director, Division of
Architectural Services

Doc. No. 006821

State of Kansas
STATE CONSERVATION COMMISSION

NOTICE TO CONTRACTORS

Sealed bids for the construction of a 84,000 cubic yard detention dam, Site 8 in Harvey County, will be received by the Doyle Creek Watershed Joint District No. 86 at the Harvey County Conservation District office, 1800 W. 4th, Newton 67114, until 2 p.m. on August 1, and then opened. A copy of the invitation for bids and the plans and specifications can be obtained from the district office, (316) 283-3760.

KENNETH F. KERN
 Executive Director

Doc. No. 006820

State of Kansas
**DEPARTMENT OF HEALTH
 AND ENVIRONMENT**

**NOTICE OF REVIEW OF SURFACE
 WATER QUALITY STANDARDS**

The Kansas Department of Health and Environment (KDHE) will conduct a triennial review of its surface water quality standards (K.A.R. 28-16-28b through 28-16-28f). Section 303 of the federal Clean Water Act requires states to adopt water quality standards and also to review and revise them, if necessary, every three years.

Additionally, these regulations are authorized under K.S.A. 65-171d. The regulations address the classification and the designated uses of surface waters. The most recent Kansas revision was in 1985. The review was extensive, involving the work of a public participation task force, six public meetings and two public hearings. The revised standards were adopted as K.A.R. 28-16-28b through K.A.R. 28-16-28f to be effective on May 1, 1986.

Persons desiring to comment on or suggest changes to the standards and be placed on a mailing list to receive a draft copy of proposed revisions should contact Linda Vandevord at Water Quality Assessment Section, KDHE, Forbes Field, Building 740, Topeka 66620, (913) 296-5565. Technical questions may be directed to Don Snethen at the same address, (913) 296-5567.

Initial issues identified by KDHE include: antidegradation, development of two-tier aquatic life criteria, criteria for the special/restricted aquatic life use, criteria for pesticides, drinking water criteria, and contact recreation. Comments received prior to August 15 will be acknowledged.

STANLEY C. GRANT, Ph.D.
 Secretary of Health
 and Environment

Doc. No. 006827

State of Kansas
DEPARTMENT OF ADMINISTRATION
EMPLOYEE AWARD BOARD

NOTICE OF MEETING

The Employee Award Board will meet at 1 p.m. Friday, July 22, in the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

BEN BARRETT
 Chairperson

Doc. No. 006817

State of Kansas
CONSUMER CREDIT COMMISSIONER

**NOTICE OF HEARING
 ON PROPOSED
 ADMINISTRATIVE REGULATIONS**

The office of the Consumer Credit Commissioner will conduct a public hearing at 10 a.m. Tuesday, August 23, in Room 352, Landon State Office Building, 900 S.W. Jackson, Topeka, on the proposed revocation of regulations 75-6-12, 75-6-13, 75-6-27 and 75-6-28. All interested parties may present oral or written comments and shall be given reasonable opportunity to present their views or arguments on the revocation of these regulations at the hearing.

The regulations proposed for revocation are in conflict with statutes as amended July 1, 1988. Regulations 75-6-12 and 75-6-13 refer to deferral charges and rebates by the rule of 78ths method. Computations by the rule of 78ths were deleted from the Uniform Consumer Credit Code effective July 1, 1988. Regulation 75-6-27 refers to K.S.A. 16a-2-510(4), which was deleted from the Uniform Consumer Credit Code effective July 1, 1988. Regulation 75-6-28 refers to K.S.A. 16a-2-401(10), which was amended in the Uniform Consumer Credit Code effective July 1, 1988.

The deletion of the rule of 78ths from the Uniform Consumer Credit Code will have a negative economic impact on the industry, a positive economic impact on the consumer, and no economic impact on this agency. There will be no economic impact on the consumer, industry or agency due to the deletion of 75-6-28.

Copies of the regulations proposed for revocation and the economic impact statements can be obtained from the Consumer Credit Commissioner at the address above.

This 30-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed revocations. Written comments may be submitted to the Consumer Credit Commissioner.

JUDITH BRAVENCE-STRINGER
 Consumer Credit Commissioner

Doc. No. 006823

State of Kansas

DEPARTMENT OF TRANSPORTATION

NOTICE TO CONTRACTORS

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, K.D.O.T., Topeka, until 10 a.m. C.D.T. August 18, 1988, and then publicly opened:

DISTRICT ONE—Northeast

Doniphan—20-22 K-3446-01—K-20, 2.3 miles east of the Brown-Doniphan county line, culvert. (State Funds)

Douglas—23 C-2614-01—County road, 2.0 miles west and 3.0 miles south of Eudora, then south, 3.0 miles, grading. (Federal Funds)

Jackson—43 C-2672-01—County road, 1.0 mile east and 0.5 mile south of the junction of U.S. 75 and K-116, 0.5 mile, grading and bridge. (Federal Funds)

Marshall—58 C-1996-01—County road, 4.0 miles north of Frankfort, then east, 0.1 mile, bridge replacement. (Federal Funds)

Marshall—58 C-1997-01—County road, 4.0 miles north and 3.0 miles east of Frankfort, then east, 0.1 mile, bridge replacement. (Federal Funds)

Wyandotte—32-105 K-3044-01—K-32, and 102nd Street (9th Street) in Edwardsville, intersection improvement. (Federal Funds)

DISTRICT TWO—Northcentral

Clay—82-14 M-1501-01—K-82, Milford Lake bridge 26, 6.9 miles east of K-15, 0.2 mile, bridge repair. (State Funds)

Dickinson—21 C-2056-01—County road, 0.5 mile south and 0.6 mile east of Chapman, then east, 0.1 mile, bridge replacement. (Federal Funds)

Jewell—14-45 M-1515-01—K-14, bridge 17, 0.7 mile north of U.S. 36, slide repair. (State Funds)

McPherson—61-59 K-3480-01—K-61, from the Reno-McPherson county line northeast to the junction of K-16 and U.S. 81 alternate, 14.5 miles, milling. (State Funds)

Saline—135-85 K-3461-01—I-135 bridge 40, east lane over I-70, bridge painting. (State Funds)

DISTRICT THREE—Northwest

Ellis—26 C-2171-01—County road, 0.8 mile west and 8.6 miles south of Victoria, then south, 0.3 mile, bridge replacement. (Federal Funds)

Norton—69 C-2507-01—County road, 1.3 miles west and 0.6 mile south of Almena, then north, 0.2 mile, grading and bridge. (Federal Funds)

DISTRICT FOUR—Southeast

Bourbon—6 C-2594-01—County road, 4.0 miles east and 0.8 mile south of Xenia, 0.3 mile, grading and surfacing. (Federal Funds)

Chautauqua—10 C-2595-01—County road, 0.5 mile west of Elgin, 0.1 mile, grading and surfacing. (Federal Funds)

Chautauqua—10 C-2596-01—County road, 2.5 miles west of Elgin, 0.2 mile, grading and surfacing. (Federal Funds)

Crawford—19 C-1496-01—County road, 1.0 mile west of Frontenac, then west, 0.1 mile bridge replacement. (Federal Funds)

Labette—50 C-2239-01—County road, 2.5 miles north and 1.5 miles east of Mound Valley, then east, 0.2 mile, bridge replacement. (Federal Funds)

DISTRICT FIVE—Southcentral

Barton—56-5 U-1197-01—U.S. 56 (Santa Fe Drive) and Main in Ellinwood, traffic signal. (Federal Funds)

Sedgwick—15-87 K-3475-01—K-15, from the north city limits of Mulvane to the south city limits of Wichita except through Derby, 6.3 miles, patching. (State Funds)

Sedgwick—87 U-0851-01—Seneca Avenue at Arkansas River in Wichita, 0.1 mile, bridge repair. (Federal Funds)

Sumner—15-96 K-3614-01—K-15, from the junction of K-15 and K-53 northwest to the Sumner-Sedgwick county line, 0.1 mile, patching. (State Funds)

DISTRICT SIX—Southwest

Finney—156-28 U-1126-01—Intersections of Kansas Avenue with Main Street and 8th Street in Garden City, intersection improvement. (Federal Funds)

Ford—56-29 K-3445-01—U.S. 56, intersection of U.S. 56 and K-129 at the east edge of Dodge City, traffic signal. (Federal Funds)

Kearney—47 C-2619-01—County road, 0.5 mile north of Deerfield, then north, 0.1 mile, grading and bridge. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the K.D.O.T. district office responsible for the work.

HORACE B. EDWARDS
Secretary of Transportation

Doc. No. 006826

State of Kansas

BOARD OF NURSING**NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

The Kansas State Board of Nursing will conduct a public hearing at 1 p.m. Tuesday, August 23, in Room 106, Landon State Office Building, 900 S.W. Jackson, Topeka, on K.A.R. 60-11-104a, Protocols or Guidelines, defined.

The regulations are specifically related to the advanced practices of nursing, defining the specific requirements and the use of written documents, protocols, and guidelines for the advanced nurse practitioner as she or he functions in the medical aspect of the care plan for the patient.

There is no immediate or foreseeable economic impact for the Kansas State Board of Nursing that is obvious at this time.

Public comments regarding the regulations may be given at the hearing or written comments may be submitted to the Board of Nursing. Complete copies of these regulations are available upon request from the Kansas State Board of Nursing, Suite 551-S, Landon State Office Building, Topeka 66612-1256.

LOIS RICH SCIBETTA, Ph.D., R.N.
Executive Administrator

Doc. No. 006812

State of Kansas

SECRETARY OF STATE**EXECUTIVE APPOINTMENTS**

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office.

Complete listings of state agencies, boards and commissions are included in the Kansas Directory. County officials are listed in the Directory of County Officers. Both directories are published by the Secretary of State's office and are available free of charge.

The following appointments were filed June 1 through July 15:

State Representative, 65th District

Alex Scott, 835 W. 5th, Junction City 66441. Effective June 27, 1988. Term expires when a successor is elected and qualifies according to law. Succeeds Edward C. Rolfs, resigned.

Haskell County Attorney

Steven Stapleton, Box 981, Sublette 67877. Effective June 9, 1988. Term expires when a successor is elected and qualifies according to law. Succeeds Kenn Boelte, resigned.

**District Judge, 29th Judicial District,
Division 5**

Joseph Dexter Burdette, 424 Greeley, Kansas City 66101. Effective May 27, 1988. Term expires when a successor is elected and qualifies according to law. Succeeds Leo J. Moroney, resigned.

Kansas Arts Commission

Lucinda Foster, Vice President, 400 N. Woodlawn, #205, Wichita 67208. Effective June 1, 1988. Term expires July 1, 1989.

Harolyn Clark O'Brien, President, 8740 Fairway, Leawood 66206. Effective June 1, 1988. Term expires July 1, 1989.

Mona Willis, Secretary-Treasurer, 3731 E. Kellogg, Wichita 67218. Effective June 1, 1988. Term expires July 1, 1989.

Children and Youth Advisory Committee

Lana Oleen, 1631 Fairchild, Manhattan 66502. Effective July 1, 1988. Term expires June 30, 1991. Succeeds Judge Richard Loffswold.

Richard Peckham, 400 N. Woodlawn, Wichita 67208. Effective July 1, 1988. Term expires June 30, 1991. Succeeds Stephen J. Clegg, Jr.

Crime Victims Reparations Board

Charles M. Hart, 125 E. Clark, Augusta 67010. Effective July 1, 1988. Subject to Senate confirmation. Term expires June 30, 1992. Reappointment.

State Board of Education, District 9

Timothy Emert, 3131 Terra Vista, Independence 67301. Effective May 25, 1988. Term expires when a successor is elected and qualifies according to law. Succeeds Robert J. Clemons, resigned.

Eisenhower Centennial Advisory Committee

John D. Conderman, P.O. Box 248, Manhattan 66502. Effective June 8, 1988. Serves at the pleasure of the Governor.

Emergency Medical Services Board

(Replaces Emergency Medical Services Council pursuant to 1988 Session Laws of Kansas, Chapter 261. Appointments effective June 2, 1988.)

Sen. Leroy A. Hayden, Box 458, Satanta 67870. Term expires May 31, 1991.

Rep. Mary Jane Johnson, 5321 Roswell, Kansas City 66104. Term expires May 31, 1991.

Thomas Little, 2026 N.E. Calhoun Bluff Road, Topeka 66617. Term expires May 31, 1989.

Clyde McCracken, 222 N. Kansas, Ness City 67560. Term expires May 31, 1989.

Lillian McDanel, 129 W. New Hampshire, Osborne 67473. Term expires May 31, 1989.

John McMaster, 935 Stagecoach, Wichita 67230. Term expires May 31, 1989.

Sen. Don Montgomery, 1218 Main, Sabetha 66534. Term expires May 31, 1992.

Joseph Moreland III, 322 N. Star, El Dorado 67042. Term expires May 31, 1990.

Gerald Oroke, Route 2, Tonganoxie 66086. Term expires May 31, 1990.

Robert Orth, P.O. Box 900, Sublette 67877. Term expires May 31, 1990.

Rep. Ivan Sand, Route 1, Box 96, Riley 66531. Term expires May 31, 1992.

Ralph Unger, Route 2, Box 114, Oberlin 67749. Term expires May 31, 1992.

Marvin Vanblaricon, 4 Tenlawns Place, Salina 67401. Term expires May 31, 1991.

Employee Award Board

Ben Barrett, 5842 N.W. North Hills Drive, Topeka 66617. Effective January 1, 1988. Term expires January 1, 1989. Reappointed by the Speaker of the House.

Sue Bauman, 540 N.E. Edgewood Drive, Topeka 66617. Effective January 1, 1988. Term expires January 1, 1989. Reappointed by the Speaker of the House.

Task Force on Epilepsy and Other Seizure Related Disorders

Rep. Elaine Hassler, Route 2, Box 220, Abilene 67410. Effective April 21, 1988. Term expires December 31, 1988. Appointed by the Speaker of the House.

Grain Sorghum Commission

Craig Polson, 300 Maple, Box 1, Axtell 66403. Effective June 28, 1988. Term expires June 30, 1991. Succeeds Rudolph Vopata.

John Stroble, Route 1, Elk City 67344. Effective June 28, 1988. Term expires June 30, 1991. Succeeds C. Jack Baird.

Cecil "Gene" Vining, Route 1, Richmond 66080. Effective June 28, 1988. Term expires June 30, 1991. Succeeds Steven P. Russell II.

Juvenile Justice State Advisory Group

Henry Otto III, 1208 Houston, Manhattan 66502. Effective June 24, 1988. Serves at the pleasure of the Governor.

Kansas/Oklahoma Arkansas River Commission

Arthur T. Woodman, 550 W. Central, Wichita 67203. Effective July 1, 1988. Term expires June 30, 1992. Succeeds Richard Sanborn.

Kansas Lottery Commission

Duane E. Nightingale, 3701 S.E. Long, Topeka 66609. Effective June 21, 1988. Subject to Senate confirmation. Term expires June 15, 1992. Reappointment.

Commission on Access to Services for the Medically Indigent and Homeless

Rep. Belle Borum, 3340 Elmwood Drive, Wichita 67218. Effective June 17, 1988. Succeeds Ed Rolfs.

Advisory Committee on Oil and Gas

Jim Patterson, 2612 N. 10th, Independence 67301. Effective June 30, 1988. Serves at the pleasure of the Governor. Succeeds Warren C. Mosher.

Kansas Parole Board

George Rogers, 2527 N. Roosevelt Court, Wichita 67220. Effective July 18, 1988. Subject to Senate confirmation. Term expires July 17, 1991. New position.

Carla J. Stovall, P.O. Box 1931, Pittsburg 66762. Effective July 18, 1988. Subject to Senate confirmation. Term expires July 17, 1992. New position.

Secretary of Revenue

Edward C. Rolfs, P.O. Box 700, Junction City 66441. Effective July 1, 1988. Subject to Senate confirmation. Serves at the pleasure of the Governor. Succeeds Harley Duncan, resigned.

Savings and Loan Board

John G. Holthus, 1016 N. Walnut, McPherson 67460. Effective June 14, 1988. Subject to Senate confirmation. Term expires June 30, 1992. Succeeds Henry Schwaller, Sr.

George L. Marstall, 815 E. 16th St. Terrace, Ottawa 66067. Effective June 14, 1988. Subject to Senate confirmation. Term expires June 30, 1992. Succeeds Paul Hill.

Joint Committee on Claims Against the State

Rep. George Dean, 2646 Exchange, Wichita 67217. Effective June 22, 1988. Term expires January 9, 1989. Appointed by the Speaker of the House to succeed Charles Laird.

Supreme Court Nominating Commission

Lon E. Pishny, Route 2, Towns Riverview, Garden City 67846. Effective July 1, 1988. Term expires June 30, 1993. Succeeds Bill Jellison.

State Board of Tax Appeals

Keith Farrar, 3632 S.W. Windsor Court, Topeka 66604. Effective July 1, 1988. Subject to Senate confirmation. Term expires June 30, 1992. Reappointment.

Charles F. Laird, 3501 Shawnee Court, Topeka 66605. Effective July 1, 1988. Subject to Senate confirmation. Term expires June 30, 1992. Succeeds Robert C. Henry.

State Board of Technical Professions

Thomas Colgrove, 9024 Rosewood Drive, Prairie Village 66207. Effective June 8, 1988. Term expires June 30, 1991. Succeeds Steven Perry.

Kansas Commission on Veterans' Affairs

C. Wayne Icenogle, Member and Chairman, 1515 Pembroke Lane, Topeka 66604. Effective July 1, 1988. Term expires June 30, 1992. Succeeds Marvin Jardon.

Kansas Water Office

Joseph F. Harkins, Director, 1122 Avalon Road, Lawrence 66044. Effective June 30, 1988. Subject to Senate confirmation. Serves at the pleasure of the Governor. Reappointment.

BILL GRAVES
Secretary of State

State of Kansas

DEPARTMENT OF ADMINISTRATION
DIVISION OF PURCHASES

NOTICE TO BIDDERS

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.D.T. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information:

Monday, August 1, 1988

#27332

Statewide—COMPUTER OUTPUT MICROFICHE

#27844

Various state agencies—PLASTIC DINNERWARE,
NON-DISPOSABLE

#74818-A

Department of Health and Environment—PLAIN
PAPER COPIER

#75131

Kansas State Industrial Reformatory—CONDENSING
AND EVAPORATOR UNITS

#75132

University of Kansas—PLAIN PAPER COPIER

#75147

University of Kansas Medical Center—
NEPHELOMETER

#75148

Kansas State University—AT AND XT
MICROCOMPUTERS

#75149

Department of Administration, Division of Printing—
SKIVER CLOTH

#75207

University of Kansas—FINE PAPER

Tuesday, August 2, 1988

#A-5794 (Rebid)

Topeka State Hospital—REPLACE ELECTRIC FIRE
DAMPERS, Ray, Eastman and Woodward Buildings

#A-5803

Winfield State Hospital and Training Center—
REPLACE DIGESTER LIDS, Sewer Plant Building

#27516

Statewide—SEPTEMBER (1988) MEAT PRODUCTS

#75167

Kansas State University—SOFTWARE COPYING
SERVICE

Wednesday, August 3, 1988

#25616

Pittsburg State University—ELEVATOR AND
DUMBWAITER MAINTENANCE

#25646

Department of Administration, Building and Grounds
Services—RENTAL SERVICE FOR TOWELS, SHOP
TOWELS, FLOOR MATS, MOPS AND DUSTERS

#27295

Department of Social and Rehabilitation Services—
JANITORIAL SERVICES, Osawatomie

#27515

Statewide—FROZEN FOODS

#27845

Emporia State University—CLEANING
CHEMICALS, SUPPLIES AND EQUIPMENT

#75174

Kansas State University—FROZEN FISH

#75185

University of Kansas Medical Center—PATIENT
MONITORING EQUIPMENT

Thursday, August 4, 1988

#A-5994

Kansas State University—DRAINAGE/PAVEMENT
IMPROVEMENTS, Kansas State University Stadium

#26540

University of Kansas Medical Center—DOOR
LOCKS AND CLOSERS

#27474

University of Kansas Medical Center—SEPTEMBER
(1988) MEAT PRODUCTS

#27517

Statewide—SPICES AND MISCELLANEOUS
GROCERIES

#27524

University of Kansas—SEPTEMBER (1988) MEAT
PRODUCTS

#75217

Kansas State School for the Visually Handicapped—
PASSENGER VANS

#75218

University of Kansas—MAGNETIC COMPUTER
TAPE

#75219

Kansas Correctional Industries—STEEL

#75220

Winfield State Hospital and Training Center—
TOWELS, DIAPERS, SHEETS

#75221

University of Kansas—SOFTWARE
DEVELOPMENT

#75222

Kansas State Penitentiary—CELL FRONTS AND
DETENTION DOORS

#75223

Kansas Neurological Institute—HOSPITAL BEDS
AND TABLES

Friday, August 5, 1988

#75236

Kansas State University—ELEVATOR REPAIRS

Monday, August 8, 1988

#75213

Kansas Lottery—INSTANT PULL TAB LOTTERY
TICKETS

Tuesday, August 9, 1988

#75161

Department of Human Resources—DATA ENTRY
SOFTWARE FOR AN IBM 4381

Wednesday, August 10, 1988

#75166

Department of Administration, Division of Information Systems and Communications—NAS DASD AND UPGRADES

#75168

Department of Administration, Division of Information Systems and Communications—IBM MAINFRAME DASD

Thursday, August 11, 1988

#27297

Department of Transportation—AGGREGATE

Monday, August 15, 1988

#27388

Statewide—GLOVES, PACKS, AND TRAYS (CLASS 06)

Monday, August 22, 1988

#26623

University of Kansas—PROPERTY INSURANCE

NICHOLAS B. ROACH
Director of Purchases

Doc. No. 006818

State of Kansas

STATE CORPORATION COMMISSION

NOTICE OF MOTOR CARRIER HEARINGS

Applications set for hearing are to be heard at 9:30 a.m. on the date indicated before the State Corporation Commission, Docking State Office Building, fourth floor, Topeka, unless otherwise noticed.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 4th Floor, Docking State Office Building, Topeka 66612, (913) 296-3808 or 296-3364.

Your attention is invited to Kansas Administrative Regulations (K.A.R.) 82-1-228, "Rules of Practice and Procedure Before the Commission."

Applications set for August 9, 1988

Application for Certificate of Convenience and Necessity:

Merrill G. Beightel, dba) Docket No. 161,661 M
Gene's Quik Lube)
301 W. 6th)
Emporia, KS 66801)

Applicant's Attorney: None

Wrecked and disabled vehicles,

Between all points and places in Kansas.

Application for Abandonment of Certificate of Convenience and Necessity:

Irvin's Tank Service, Inc.) Docket No. 56,568 M
P.O. Box 856)
Hays, KS 67601) MC ID No. 100528

Applicant's Attorney: None

Application for Transfer of Certificate of Convenience and Necessity:

Bill Jones Welding, Inc.) Docket No. 149,839 M
Route 1)
Great Bend, KS 67530) MC ID No. 124928

TO:

M & B Trucking and Supply, Inc.
Route 1

Great Bend, KS 67530

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612

Agricultural machinery, implements and parts, building materials, iron and steel articles, construction machinery and equipment and oilfield equipment, materials and supplies (except hazardous materials as defined in 49 C.F.R. § 172.101),

Between points and places in Kansas lying in and west of the Kansas counties of Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick and Sumner.

Also,

Between points and places in Kansas as described above, on the one hand, and on the other, all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Patty L. Kramer, dba) Docket No. 161,662 M
Ark Rock & Gravel)
502 S. Madison)
Plainville, KS 67663)

Applicant's Attorney: None

Scrapped farm equipment, scrap iron and general commodities,

Between all points and places in Kansas.

Application for Extension of Certificate of Convenience and Necessity:

Price Truck Line, Inc.,) Docket No. 7,283 M
3221 S. West St.)
Wichita, KS 67217) MC ID No. 100007

Applicant's Attorney: Clyde Christey, Southwest Plaza Building, Suite 202, 3601 W. 29th, Topeka, KS 66614

General commodities (except household goods, classes A and B explosives and liquid commodities in bulk),

Between points and places in the state of Kansas.

ALFONZO A. MAXWELL
Administrator
Transportation Division

Doc. No. 006822

State of Kansas

BOARD OF EDUCATION**NOTICE OF HEARING
ON PROPOSED
ADMINISTRATIVE REGULATIONS**

The Kansas State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, September 13, in Room 121 of the Kansas State Education Building, 120 E. 10th, Topeka, to consider proposed changes in Kansas Administrative Regulations 91-12-24, 91-12-24a, 91-12-26, 91-12-28, and 91-12-61.

The following is a summary of the substance of each proposed regulation and a summary of its anticipated economic impact.

1. K.A.R. 91-12-24 concerns the provision of hospital/homebound services for identified special education students. This regulation is being replaced by K.A.R. 91-12-24a. There will be no financial impact upon the State Department of Education, other governmental agencies, private business or individuals.

2. K.A.R. 91-12-24a concerns the provision of hospital/homebound services for identified special education students. Local education agency administrators requested a reduction in the number of reports required by the state department. The provision of hospital/homebound services for handicapped children is mandated by federal law. There will be a slight reduction in staff time and agency printing costs, as well as a slight reduction in local education agency staff time for processing forms. This regulation replaces K.A.R. 91-12-24.

3. K.A.R. 91-12-26 concerns the accreditation of special purpose schools. This regulation is being revoked because it is a duplication of agency accreditation regulations. There will be no financial impact upon the State Department of Education, other governmental agencies, private business or individuals.

4. K.A.R. 91-12-28 concerns on-site compliance monitoring and is being amended to change the timeline from six weeks to 12 weeks for preparation of the final compliance report. On-site compliance monitoring is mandated by federal law. There will be no financial impact upon the State Department of Education, other governmental agencies, private business or individuals.

5. K.A.R. 91-12-61 concerns paraprofessionals in special education. This regulation is being amended because of changes in the Nurse Practice Act that will allow a paraprofessional to give students medication under the supervision of a licensed nurse. There will be no financial impact upon the State Department of Education, other governmental agencies, private business or individuals.

A copy of the proposed regulations is being mailed to chief school administrators in the state and may be reviewed in their offices by interested persons. Also, a copy of the proposed regulations and complete economic impact statements may be obtained by contacting the secretary of the State Board of Education prior to the date of the hearing.

On the date of the hearing, all interested persons will be given a reasonable opportunity to present their views or arguments, either orally or in writing, in regard to the proposed regulations. In addition, the period of public

notice hereby provided constitutes a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. Such written comments may be submitted to the secretary of the State Board of Education at the address above. The hearing shall be conducted in compliance with the public hearing procedures of the board.

DR. LEE DROEGEMUELLER
Kansas Commissioner of Education

Doc. No. 006824

State of Kansas

BOARD OF EDUCATION**NOTICE OF HEARING**

The Kansas State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, August 9, in Room 121 of the Kansas State Education Building, 120 E. 10th, Topeka, to consider the proposed Kansas State Plan for School Food Service State Administration Expense (SAE) funds for fiscal year 1989.

State administrative expense (SAE) funds are federal funds made available to states for meeting expenses incurred when administering, supervising, and providing technical assistance for child nutrition programs. The annual state plan is part of a SAE management system that monitors each state's accountability of the funds and the U.S. Department of Agriculture's control over the funds.

Part I of the plan describes the anticipated costs and budget needs. Part II describes the activities for the utilization of state and federal funds. Justification is provided for the following major responsibilities of administering the child nutrition programs: technical assistance; program monitoring; claims processing/federal reporting; policy development/implementation; professional development (training); program administration, planning, and supervision; and program audits. The plan does not include program objectives.

A copy of the plan may be obtained by contacting the secretary of the State Board of Education, Kansas State Education Building, 120 E. 10th, Topeka 66612, prior to the date of the hearing.

On the date of the hearing, all interested persons will be given a reasonable opportunity to present their views or arguments, either orally or in writing, on the plan. In addition, the period of public notice hereby provided constitutes a public comment period for the purpose of receiving written public comments on the proposed plan. Such written comments may be submitted to the secretary of the State Board of Education at the above address. The hearing shall be conducted in compliance with the public hearing procedures of the board.

DR. LEE DROEGEMUELLER
Commissioner of Education

Doc. No. 006825

State of Kansas

BOARD OF ACCOUNTANCY**NOTICE OF MEETING**

The State Board of Accountancy will meet at 9 a.m. Thursday, July 28, in Conference Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka. Persons interested in agenda items or in attending should contact the board office in Suite 907 of the Landon Building.

GLENDIA SHERMAN
Board Secretary

Doc. No. 006828

State of Kansas

ATTORNEY GENERAL**Opinion No. 88-92**

Counties and County Officers—General Provisions—Home Rule Powers.

Constitution of the State of Kansas—Corporations—Cities' Powers of Home Rule. Stephan J. Smith, Burlington City Attorney, Emporia, July 7, 1988.

Pursuant to Article 12, § 5 of the Kansas Constitution and K.S.A. 1987 Supp. 19-101a, Kansas cities and counties may use home rule power to issue general obligation bonds. The proceeds from sale of those bonds may be used to finance what the legislative body rationally believes would promote a valid public purpose. In specific instances, such purposes may include encouraging, assisting and promoting private economic development. Cited herein: Kansas Constitution, Article 12, § 5; K.S.A. 1987 Supp. 10-101 *et seq.*; K.S.A. 10-201; K.S.A. 1987 Supp. 10-427; 12-1257; K.S.A. 12-1302; 12-1740; 12-3801; K.S.A. 1987 Supp. 19-101a; K.S.A. 19-101c; 19-103; 19-2801; 19-1596; 19-4101. TMN

Opinion No. 88-93

State Departments; Public Officers and Employees—Kansas Tort Claims Act—Definitions. Ronald S. Reuter, Roeland Park City Attorney, Overland Park, July 8, 1988.

A member of a redevelopment committee of a city is an "employee" of the city, as that term is defined in subsection (d) of K.S.A. 75-6102. Accordingly, a member of such a committee is covered by the provisions of the Kansas tort claims act, including complete immunity for the functions set out at K.S.A. 75-6104, and is entitled to a legal defense in the event he or she is sued for acts or omissions in the scope of his or her employment. In the further event that a judgment is rendered against a committee member for such acts or omissions, he or she may look to the city for indemnification. Cited herein: K.S.A. 1987 Supp. 75-6102; K.S.A. 75-6104; 75-6108; 75-6109. TRH

Opinion No. 88-94

Taxation—Property Valuation, Equalization, Assessment—Tax Levy to Pay Costs of Reappraisal.

Counties and County Officers—County Appraiser—Costs of Complying with Act; Tax Levy. Daniel L. Love, Ford County Attorney, Dodge City, July 8, 1988.

K.S.A. 1987 Supp. 79-1482 permits a tax levy in order to fund the costs of conducting the countywide reappraisal program in compliance with the act. In order to comply with the act, certain costs and activities will necessarily occur after the year 1989. Thus, K.S.A. 1987 Supp. 79-1482 authorizes and permits a levy to be made in years subsequent to 1989. Cited herein: K.S.A. 19-436; K.S.A. 1987 Supp. 79-1482; 79-1476. TMN

Opinion No. 88-95

Insurance—General Provisions Relative to Casualty, Surety and Fidelity Companies—Purpose of Act; Casualty Insurance Defined—Title Insurance; Constitutionality. Joe F. Jenkins II, Chairman, Abstractor's Board of Examiners, Kansas City, July 8, 1988.

The act relating to insurance, concerning captive insurance companies and the regulation of certain title insurance rates, does not violate the provisions of the Kansas Constitution regarding the effective date of a bill, the single-subject requirement, or uniformity of application. Cited herein: K.S.A. 1987 Supp. 40-252; K.S.A. 40-1111, as amended by L. 1988, ch. 156, § 19; K.A.R. 1987 Supp. 40-1-9; L. 1988, ch. 156; Kan. Const., Art. 2, §§ 16, 17, 19; Kan. Const., Art. 2, § 17 (1859). MWS

Opinion No. 88-96

Public Health—Emergency Medical Services—Counties. David E. Retter, Concordia City Attorney, Concordia, July 8, 1988.

A county is not required to provide ambulance services. If the county does provide services, it may not do so in any part of the county in which a taxing district already provides ambulance services, but must reimburse the taxing district a proportionate share of funds determined pursuant to statute. Cited herein: K.S.A. 19-261; L. 1988, ch. 261, §§ 12, 13 (to be codified at K.S.A. 65-6112 and K.S.A. 65-6113). MWS

Opinion No. 88-97

State Departments; Public Officers and Employees—Public Officers and Employees—Open Public Meetings; Rural Water Districts.

Waters and Watercourses—Water Districts; Rural Water Districts—Applicability of the Kansas Open Meetings Act. Daniel D. Creitz, Attorney at Law, Erie, July 8, 1988.

A public body must comply with the provisions of the Kansas Open Meetings Act if two tests are met: (1) the body is a legislative or administrative agency of the state or one of its political or taxing subdivisions, or is subordinate to such a body; and (2) the body receives or expends and is supported in whole or in part by public funds. A rural water district meets the first test as it is a political subdivision of the state. The second test is met if the district receives federal or state grants or other such public funding. Cited herein: K.S.A. 24-1201; K.S.A. 1987 Supp. 24-1219; K.S.A. 75-4317; K.S.A. 1987 Supp. 75-4318; K.S.A. 82a-612; K.S.A. 1987 Supp. 82a-613; K.S.A. 82a-614; 82a-616; 82a-619a; 82a-625; 82a-638. RLN

(continued)

Opinion No. 88-98

Automobiles and Other Vehicles—Uniform Act Regulating Traffic; Rules of the Road; Serious Traffic Offenses—Driving Under the Influence; DUI Diversion with Prior Expunged Offense.

Cities and Municipalities—Code for Municipal Courts; Proceedings after Arrest and Prior to Trial—DUI Diversion with Prior Expunged Offense. Keith E. Martin, Haysville City Attorney, July 12, 1988.

A person who has a prior conviction for driving under the influence (DUI) that has been expunged is ineligible for DUI diversion in municipal court. Cited herein: K.S.A. 1987 Supp. 8-1567; 12-4415; 21-4619. GGH

Opinion No. 88-99

Banks and Banking—Miscellaneous Provisions—Bank Holding Companies; Ownership Limitations; Exceptions. W. Newton Male, Bank Commissioner, Topeka, July 12, 1988.

An option contract is a continuing offer which, when supported by consideration, may not be revoked by the offeror. An option to purchase an interest in a bank is not a direct or indirect ownership of that bank. However, such an option does constitute control over the subject matter of the agreement, and the arrangement would violate Kansas law, which prohibits a bank holding company from directly or indirectly acquiring ownership or control of more than 5 percent of the shares of a bank that has not been in existence for five or more years. Cited herein: K.S.A. 1987 Supp. 9-521(a). MWS

Opinion No. 88-100

Automobiles and Other Vehicles—Driving Under the Influence of Alcohol or Drugs; Related Provisions—Certain Violations Not Public Record; Not To Be Considered For Liability Insurance. Fletcher Bell, Commissioner of Insurance, Topeka, July 13, 1988.

The misnomer in L. 1988, c. 47, § 19 is not a defect which renders the section void. The intent of the legislature is sufficiently clear to allow substitution of the correct language, so that reference to K.S.A. 40-277(7)(c), which does not exist, becomes K.S.A. 40-277(4)(a). Pursuant to section 19, blood-alcohol tests refusals or failures are not open records. Insurers may not consider such refusals or failures in determining automobile liability rates or in determining whether to cancel a policy. However, if a driving privilege is suspended by the department of revenue, the suspension is part of an open record, which may be obtained by insurers to process an application, renewal, or cancellation of a motor vehicle liability insurance policy. Cited herein: K.S.A. 1987 Supp. 8-1341a; K.S.A. 40-277; 45-215; 74-2012; L. 1988, ch. 47, § 19 (to be codified at K.S.A. 8-1018). MWS

ROBERT T. STEPHAN
Attorney General

Doc. No. 006819

State of Kansas

THE KANSAS LOTTERY
TEMPORARY ADMINISTRATIVE
REGULATIONS

Article 3.—INSTANT GAME RULES

111-3-14. Payment of Prizes. The procedures for payment of instant prizes to the winners of the instant games are as follows:

(a) The executive director or his designee shall award the designated prize to the appropriate person as soon as it is determined that all laws, regulations, and rules have been adhered to.

(b) Low-tier instant game prizes of \$25.00 or less shall be paid as follows:

(1) Present the ticket to the same retailer from whom the ticket was purchased. Upon validation of the ticket, the retailer shall immediately make payment for the prize to the claimant. If the retailer cannot validate the claim, the claimant shall fill out a claim form provided by the retailer and personally present or mail the completed form together with the ticket to Kansas lottery headquarters. If the claim is validated, then payment shall be made to the claimant by mail.

(2) Bring the ticket to any Regional office of the Kansas lottery during the hours that such office is open to the public for business. Upon verification of the claim, payment for such claim shall be made to the winner in the following manner:

(A) The prize for a validated free ticket winner redeemed in this manner shall be \$1.00 to be paid by the Kansas lottery.

(B) The prize for other validated low-tier winners redeemed in this manner shall be paid out of the lottery prize payment fund. Upon verification of the claim, the payment for the prize shall be mailed to the claimant.

(3) Mail the ticket with a completed claim form in any envelope other than an official "Grand Prize Draw" envelope to any office of the Kansas lottery. Claim forms can be obtained from any lottery instant game retailer or any office of the Kansas lottery. Upon verification of the claim, the payment for such claim shall be made to the winner in the following manner:

(A) The prize for a validated free ticket winner redeemed in this manner shall be \$1.00 which shall be paid by the Kansas lottery. Upon verification of the claim, the payment for the prize shall be mailed to the claimant.

(B) The prizes for other validated low-tier winners redeemed in this manner shall be paid out of the lottery prize payment fund. Upon verification of the claim, the payment for the prize shall be mailed to the claimant.

(c) Mid-tier game prizes in excess of \$25.00 but not exceeding \$100.00 shall be paid by any one of the following methods:

(1) Present the ticket to any authorized Kansas lottery retailer. Upon validation of the ticket the retailer may immediately make payment of prize to the claim-

ant. If the retailer chooses not to make the payment, the claimant shall claim the prize in another manner prescribed in these rules.

(2) Bring the ticket to any office of the Kansas lottery during the hours that such office is open to the public for business. Upon verification of the claim, the payment for the prize shall be mailed to the claimant.

(3) Mail the ticket with a completed claim form in any envelope other than an official "Grand Prize Draw" envelope to the Kansas lottery headquarters. Claim forms can be obtained from any lottery instant game retailer or any office of the Kansas lottery. Upon verification of the claim, the payment for the prize shall be mailed to the claimant.

(d) High-tier instant game prizes in excess of \$100.00 shall be paid by any one of the following methods:

(1) Bring the ticket to any office of the Kansas lottery during the hours that such office is open to the public for business. Upon verification of the claim, the payment shall be made to the claimant by the executive director by any means deemed appropriate.

(2) Mail the ticket with a completed claim form in any envelope other than a "Grand Prize Draw" envelope to any office of the Kansas lottery. Claim forms may be obtained from any lottery instant game retailer or any office of the Kansas lottery. Upon verification of the claim, the payment shall be made to the claimant by the executive director by any means deemed appropriate. (Authorized by K.S.A. 1987 Supp. 74-8710(c), as amended by L. 1988, ch. 366, § 23; implementing K.S.A. 1987 Supp. 74-8710(c), as amended by L. 1988, ch. 366, § 23; 74-8712(a), as amended by L. 1988, ch. 314, § 5; and 74-8720(c), as amended by L. 1988, ch. 314, § 7, and L. 1988, ch. 381, § 15; effective T-89-4, Jan. 21, 1988; amended T-89-7, Feb. 26, 1988; amended T-111-7-7-88.)

111-3-16. Disputes. In the event of a dispute between a ticket bearer and the Kansas lottery concerning any instant winner lottery game, and the drawings associated with any instant game, the executive director has the authority to determine the facts underlying the dispute and to pay a prize to the holder of a valid winning lottery ticket. If the investigation of the dispute is inconclusive, the executive director may, solely at his or her option, reimburse the ticket bearer for the cost of the disputed ticket. If the investigation of the dispute determines facts in favor of the Kansas lottery, the executive director shall deny any claim relating to the dispute. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710, as amended by L. 1988, ch. 366, § 23; effective T-89-4, Jan. 21, 1988; amended T-111-7-7-88.)

111-3-17. Governing Laws, Regulations, and Rules. In purchasing a ticket or entering any drawing, the player agrees to comply with and abide by the Kansas lottery act; and all rules and regulations of the Kansas lottery. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710, as amended by L. 1988, ch. 366, § 23; effective T-89-4, Jan. 22, 1988; amended T-89-25, May 24, 1988; amended T-111-7-7-88.)

111-3-19. Grand Prize Drawing and Other Drawings. The Kansas lottery shall conduct one grand prize drawing in connection with each instant ticket game up to and including game 4, "Kansas Treasures." Players for the grand prize drawing or other drawings shall be selected by the Kansas lottery during the established weekly drawing. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710; as amended by L. 1988, ch. 366, § 23; effective T-89-4, Jan. 21, 1988; amended T-111-7-7-88.)

111-3-20. Method of Entry. Entry into the "Grand Prize Drawing," and other drawings is accomplished by the following steps:

(a) Obtain a valid Kansas instant game lottery ticket;

(b) Determine if the ticket is a winning ticket in accordance with any instant game rules. If the ticket is a winning ticket, it is not eligible for the "Grand Prize Drawing" or other drawings and shall be redeemed in accordance with the appropriate game rules;

(c) If the ticket is a non-winning ticket, the ticket is eligible for winning the drawing, and the holder of the ticket may enter the "Grand Prize Drawing" or other drawings once the holder accumulates five (5) non-winning tickets;

(d) The holder of the five (5) non-winning tickets must complete the information form on the back of at least one (1) ticket in a legible manner and sign all five (5) tickets;

(e) The holder of the tickets must obtain an official entry envelope entitled "Grand Prize Draw" or "Kansas Lottery Entry Label" from any Kansas lottery retailer; and

(f) Place the five (5) tickets into the envelope or a 3½ by 6½ inch envelope with an official Kansas Lottery Entry Label affixed and mail them to the address printed on the envelope or label.

(g) There is no limit on the number of entries a person may make. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710, as amended by L. 1988, ch. 366, § 23; effective T-89-4, Jan. 21, 1988; amended T-111-7-7-88.)

111-3-21. Certification of Weekly "Grand Prize Drawing" and Other Drawings. (a) All preliminary and final "Grand Prize Drawing" and other drawings shall be personally observed by a member of the Kansas lottery division of security designated by the executive director and by an auditor.

(b) Upon completion of the drawings, the designated lottery security person and the auditor shall issue a report certifying that the name of the participant selected is correct and that to the best of their knowledge the procedures required by these rules were followed in selecting the participant.

(c) The affidavit shall be placed in an envelope, sealed, and given to the director of security to hold in a secured file until the time designated by the executive director for the "Grand Prize Drawing" or other drawings. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710, as amended by L. 1988, ch. 366, § 23; effective T-89-4, Jan. 21, 1988; amended T-111-7-7-88.)

(continued)

111-3-22. Weekly Selection of Participants. The following process shall be used for the selection of participants in the weekly "Grand Prize Drawing" and other drawings:

(a) Kansas Lottery mail room personnel shall pick up all mail trays containing "Grand Prize Draw" envelopes at the Topeka United States Post Office on a daily basis.

(b) The mail room and security personnel shall transport the mail trays to a secure area where they will be held until the time designated by the executive director for the selection of participants in the "Grand Prize Drawing" and other drawings.

(c) The selection process shall be held weekly. All drawings shall be held in a place accessible to the public and be open for public attendance and with lottery security personnel present. All drawings shall be video taped.

(d) An individual designated by the executive director shall pick at random two (2) sealed envelopes from each tray using the bare-arm technique. Should the designated individual draw an envelope with tickets belonging to that designated individual, the envelope shall be disqualified.

(e) The designated individual shall place the envelopes in a drum.

(f) Once the individual has selected two (2) envelopes from each tray, the drum shall be sealed and the contents mixed by shaking or rotating.

(g) The designated individual shall then unseal the drum, and using the bare-arm technique, remove one "Grand Prize Draw" envelope from the drum.

(h) The designated Kansas lottery security official shall unseal the "Grand Prize Draw" envelope removed from the drum and review the tickets inside to determine if they are eligible for the "Grand Prize Drawing" and other drawings in accordance with this regulation.

(i) If the tickets contained in the envelope are determined to be ineligible, the envelope removed shall be discarded, the drum resealed, and another envelope removed. This procedure will be repeated until all valid selections are obtained from the drum.

(j) Each valid entry, as it is obtained, shall be clearly marked in a permanent manner with a number. The number one (1) shall be placed on the first valid entry, the number two on the second valid entry, and so on until all valid entries are marked.

(k) As long as there is a "Grand Prize Drawing" the first entry drawn shall be entered into the "Grand Prize Drawing." The next six entries drawn shall be entered into the televised draw show. Thereafter, the next six entries drawn shall be home partners for televised draw show participants. The identities of the last six participants drawn will be disclosed on the appropriate draw show.

(l) All "Grand Prize Draw" envelopes remaining in the drum and the mail trays after valid entries have been selected shall be destroyed.

(m) The valid entry envelopes shall be certified and secured in accordance with K.A.R. 111-3-21. (Authorized by and implementing K.S.A. 1987, Supp. 74-8710(b), as amended by L. 1988, ch. 366, § 23; effective

tive T-89-4, Jan. 21, 1988; amended T-89-25, May 24, 1988; amended T-111-7-7-88.)

111-3-25. Winner Validation. The following validation requirements shall apply to the "Grand Prize Drawing" and other drawings:

(a) Each "Grand Prize Draw" envelope must contain five (5) valid non-winning Kansas instant game lottery tickets from any game;

(b) Each ticket must be signed by the same person, and the information form on the back of at least one ticket must be filled out in a legible manner.

(c) Each ticket must have been issued by the Kansas lottery in an authorized manner and must not be counterfeit in whole or in part;

(d) Each ticket must be complete and intact and not mutilated, altered, unreadable, reconstructed, or tampered with in any way;

(e) Each ticket must not be blank or partially blank, misregistered, defective, or printed or produced in error;

(f) The display printing on each ticket must be regular in every respect and correspond precisely with the artwork on file at the Kansas lottery;

(g) Each ticket must not be stolen nor appear on any list of omitted tickets on file at the Kansas lottery;

(h) Each ticket must have exactly one ticket validation number, one book-ticket number, and two retailer validation codes, each of which must be present in its entirety, be fully legible, be exactly as described in paragraph (d) above, and correspond precisely to the artwork on file at the Kansas Lottery. Each ticket validation number shall correspond to the play symbols on the ticket;

(i) The ticket validation number of the tickets shall not appear on the Kansas lottery's official list of ticket validation numbers of winning tickets.

(j) Any ticket not passing all the validation checks in this section is void and is not eligible for the "Grand Prize Drawing" or other drawings. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710(b), as amended by L. 1988, ch. 366, § 23; effective T-111-7-7-88.)

111-3-27. Rights of Participants. Any Kansas instant game lottery ticket entered into the "Grand Prize Drawing," or other Lottery drawings, is disqualified from any other Kansas lottery prize or eligibility that ticket may have been redeemable for. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710(d), as amended by L. 1988, ch. 366, § 23; T-111-7-7-88.)

111-3-30. (Authorized by and implementing L. 1987, Chapter 292, Section 10(b), (c), 20(b); effective T-89-4, Jan. 21, 1988; revoked 7/5/88; T-111-7-7-88.)

Article 4.—INDIVIDUAL GAME RULES

111-4-77a. Watch 'N Win Drawing. (a) In addition to the entries selected pursuant to K.A.R. 111-3-22, as well as special drawings in other instant games, there shall be an additional ten envelopes drawn at the "weekly selection of participants" for the Watch 'N Win segments of Kansas Lottery Live. The first of these drawings shall take place on April 14, 1988.

(b) Of the ten additional names, five shall be announced during the early part of the show. The first person among the five announced who calls in on the toll free number (1-800-232-PLAY) shall win \$200 and the remaining four persons shall win \$100, providing that each calls in by noon the following Monday with his or her name, address and social security number.

(c) During the latter part of Kansas Lottery Live, the remaining five names shall be announced and prizes awarded according to rules set forth in subsection (b).

(d) A claim form will be sent to the winners and will be verified upon receipt by the lottery. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710(b), as amended by L. 1988, ch. 366, § 23; effective T-89-11, April 13, 1988; amended T-111-7-7-88.)

LARRY MONTGOMERY
Executive Director

Doc. No. 006813

State of Kansas

SECRETARY OF STATE

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