

# KANSAS REGISTER

State of Kansas

**BILL GRAVES**  
Secretary of State

Vol. 9, No. 25

June 21, 1990

Pages 973-1006

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## State of Kansas

## Legislature

## Interim Committee Schedule

The following committee meetings have been scheduled during the period of June 25 through July 8:

Date	Room	Time	Committee	Agenda
June 25	519-S	10:00 a.m.	Special Committee on Economic Development	<u>25th</u> : Overview of state's economic development strategy and other related issues.
June 26	519-S	9:00 a.m.		
June 25	123-S	10:00 a.m.	Joint Committee on State Building Construction	Proposals regarding a new Highway Patrol training facility.
June 26	123-S	9:00 a.m.		
June 26	514-S	10:00 a.m.	Ad Hoc Committee	Discussion of composition and charge for Special Committee on Social and Rehabilitation Services.
June 26	521-S	9:00 a.m.	Joint Committee on Arts and Cultural Resources	SB 499—Deaccession authorization for the State Historical Society.
June 27	521-S	9:00 a.m.		
June 28	531-N	10:00 a.m.	Joint Committee on Special Claims Against the State	Agenda unavailable.
June 29	531-N	9:00 a.m.		
June 28	514-S	10:00 a.m.	Special Committee on Judiciary	Agenda unavailable.
June 29	514-S	9:00 a.m.		
July 3	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda unavailable.
July 4	514-S	9:00 a.m.		

Emil Lutz  
Director of Legislative  
Administrative Services

Doc. No. 009389

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**(913) 296-2236**



**Register Office:**  
**235-N, State Capitol**  
**(913) 296-3489**

State of Kansas  
**Kansas Sentencing Commission**

**Notice of Meeting**

The Kansas Sentencing Commission will meet at 9 a.m. Monday, June 25, in the Harold R. Fatzner Courtroom, third floor, Kansas Judicial Center, 301 W. 10th, Topeka.

Ben Coates  
 Executive Director

Doc. No. 009383

State of Kansas  
**State Banking Board**

**Notice of Meeting**

The State Banking Board will meet at 9:30 a.m. Monday, July 16, in the conference room of the State Banking Department, Suite 300, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 *et seq.*

W. Newton Male  
 State Bank Commissioner

Doc. No. 009397

State of Kansas  
**Board of Accountancy**

**Notice of Meeting and  
 Hearing on Proposed  
 Administrative Regulations**

The Board of Accountancy will conduct a formal administrative hearing at 11 a.m. Thursday, June 26, in conference room 108, Landon State Office Building, 900 S.W. Jackson, Topeka, for the purpose of amending K.A.R. 74-5-406 (firm names) to set out what the board considers to be misleading. The board does not expect any fiscal or economic impact on the citizens of the state of Kansas, other state agencies or the general public, and very little, if any, on certified public accountants regulated by the board who are practicing public accounting in this state.

Anyone interested in addressing the board in person at this hearing should contact the board secretary in writing advising approximately how much time will be needed for such presentation. Requests for copies of the full text of the regulation or written comments to the board concerning the regulation should be addressed to the board secretary in advance of the hearing during this 30-day public comment period.

Additionally, board will meet at 9 a.m. on the same day at the same location. Anyone interested in agenda items or in appearing before the board for any reason should contact the board secretary in writing at least 10 days in advance of the meeting date.

Glenda Sherman  
 Board Secretary

Doc. No. 009390

State of Kansas  
**Department of Administration**

**Notice of Hearing  
 on Proposed  
 Administrative Regulations**

A public hearing will be conducted at 10 a.m. Monday, July 23, in Room 354-S of the Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes in existing rules and regulations of the Division of Accounts and Reports.

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Administration, Room 263-E, State Capitol, Topeka 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

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

**K.A.R. 1-16-18; Subsistence allowance, rates.** Proposed temporary and permanent amendments to this regulation raise the quarter-day meal allowance rates as follows:

**Proposed Increases in Meals Allowance**

	Current	Proposed
Designated high cost geographic area—Bureau of Manhattan and Washington D.C.	\$6.00	\$8.50
International Travel	\$6.00	\$8.50

These amendments are proposed so that subsistence rates for employees travelling to those locales will more closely reflect current travel expenses. As it is not possible to determine the number of days of subsistence which are paid to employees travelling to the Borough of Manhattan and Washington D.C., it is not possible to determine the total increase in expenditures that would be incurred by state agencies. No impact on other governmental units or on the general public is anticipated.

The temporary amendments to K.A.R. 1-16-18 are proposed to take effect May 1, 1990. Copies of the regulations and their economic impact statements may be obtained from the Division of Accounts and Reports, 3rd Floor, Landon State Office Building, Topeka 66612, (913) 296-2311.

Shelby Smith  
 Secretary of Administration

Doc. No. 009381

## 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. July 19, 1990, and then publicly opened:

## District One—Northeast

**Brown**—36-7 K-3619-01—U.S. 36, the intersection north of 12th Street in Hiawatha, 0.1 mile, grading and surfacing. (State Funds)

**Jefferson**—44 C-2546-01—County road, 2.5 miles north and 1.5 miles east of Meriden, then east, 0.1 mile, grading and bridge. (Federal Funds)

**Johnson**—35-46 K-2501-01—I-35, from Renner Road northeast to I-435, 2.4 miles, pavement reconstruction. (Federal Funds)

**Johnson**—35-46 K-4303-01—I-35, from Old U.S. 50 to K-150 (northbound) and K-150 to I-435 (north and southbound), 5.6 miles, patching. (State Funds)

**Johnson**—46 C-2689-01—Kill Creek Road; from K-10 north to 83rd Street, 1.1 miles, grading and surfacing. (Federal Funds)

**Johnson**—46 U-1139-02—119th Street and I-35 Intersection at Olathe, grading and bridge. (Federal Funds)

**Johnson/Wyandotte**—435-106 K-4340-01—I-435, west ramp tapers, Quivera-Lackman; Donahoo-K-5, 2.5 miles, pavement marking. (State Funds)

**Leavenworth**—52 C-1744-01—County road, 2.5 miles west and 0.3 mile north of Basehor, then north, 0.1 mile, bridge replacement. (Federal Funds)

**Marshall**—36-58 K-4344-01—U.S. 36, from the east city limits of Marysville, east to the junction of K-87, 15.9 miles, bituminous seal shoulders. (State Funds)

**Osage**—70 C-2679-01—County road, 5.7 miles north of Overbrook, then north, 0.3 mile, grading, surfacing and bridge. (Federal Funds)

**Shawnee**—89 U-1110-01—Golden Avenue at Shungunga Creek in Topeka, 0.1 mile, grading, surfacing and bridge. (Federal Funds)

**Wyandotte**—24-105 U-1289-01, U.S. 24, State Street and 38th in Kansas City, intersection improvement. (Federal Funds)

## District Two—Northcentral

**Geary**—31 C-2585-01—County road, 3.0 miles south and 0.5 mile west of the junction of K-177 and I-70, 0.2 mile, grading and bridge. (Federal Funds)

**Republic**—199-79 K-4337-01—K-199, from the north city limits of Courtland, north to the south right of way line at U.S. 36, 0.8 mile, overlay. (State Funds)

**Saline**—135-85 K-4304-01—I-135, from the McPherson/Saline county line north to .3 mile north of the junction of K-104, 9.3 miles, overlay. (State Funds)

## District Three—Northwest

**Ellis**—26 C-1728-01—County road, 14.0 miles north of

Hays and 0.5 mile west of U.S. 183, then west, 0.3 mile, bridge replacement. (Federal Funds)

**Norton**—69 U-1206-01—Washington Avenue bridge at the north Solomon River in Lenora, 0.2 mile, grading, surfacing and bridge. (Federal Funds)

**Russell**—281-84 K-3626-01—U.S. 281, 0.3 mile north of I-70 north 2000 feet in Russell, 0.4 mile, grading and surfacing. (State Funds)

**Sherman**—91 C-2162-01—County road, 3.8 miles east and 9.1 miles north of Goodland, then north 0.1 mile, bridge replacement. (Federal Funds)

## District Five—Southcentral

**Barber**—160-4 K-4289-01—U.S. 160, Bear Creek bridge 3, 11.1 miles east of Comanche County line, bridge painting. (State Funds)

**Harvey**—135-40 K-4307-01—I-135, from the Sedgwick/Harvey county line north 8.3 miles, patching. (State Funds)

**Harvey**—135-40 K-4308-01—I-135, from the north junction of K-15 north to Harvey/McPherson county line, 8.3 miles, patching. (State Funds)

**Kingman**—48 C-2152-01—County road, 3.5 miles north and 3.9 miles east of Kingman, then east 0.1 mile, bridge replacement. (Federal Funds)

**Sedgwick**—135-87 K-4306-01—I-135, 17th Street in Wichita, north to 61st Street in Park City, 5.7 miles, patching. (State Funds)

**Sedgwick**—135-87 K-4309-01—I-135, from 61st Street north to the Sedgwick/Harvey county line, 8.0 miles, patching. (State 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. 009387

## State of Kansas

## Kansas State University

## Notice to Bidders

Sealed bids for the item listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 532-6214 for additional information.

Monday, July 2, 1990

#10001

Transponder time

William H. Sesler  
Director of Purchasing

Doc. No. 009376

## 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, 1500 S.W. Arrowhead Road, 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, 1500 S.W. Arrowhead Road, Topeka 66604-4027, (913) 271-3196 or 271-3149.

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 July 10, 1990

## Application for Certificate of Convenience and Necessity:

Charles R. Fry, dba ) Docket No. 171,829 M  
Charlie's Automotives )  
15 S. Malcome )  
Chanute, KS 66720 ) MC ID No. 137195

Applicant's Attorney: None

*Wrecked, disabled, repossessed and replacement motor vehicles,*

Between all points and places in Coffey, Anderson, Woodson, Allen, Wilson, Neosho, Montgomery and Labette counties, Kansas.

\*\*\*\*\*

## Application for Extension of Certificate of Convenience and Necessity:

Roger A. Schulz, dba ) Docket No. 135,642 M  
Schulz Welding Service )  
136 N. Main )  
Canton, KS 67428 ) MC ID No. 124078

Applicant's Attorney: None

*Salt water, fresh water and crude oil,*

Between all points and places in McPherson, Dickinson, Saline, Ellsworth, Rice, Marion, Reno, Harvey, Barton, Morris, Chase, Butler and Sedgwick counties, Kansas.

\*\*\*\*\*

## Application for Certificate of Convenience and Necessity:

Trand, Inc. ) Docket No. 171,828 M  
Pratt Industrial Airport )  
Pratt, KS 67124 ) MC ID No. 137194

Applicant's Attorney: Stuart Kowalski, 220 W. Douglas, 300 Page Court, Wichita, KS 67202-3194

*Oilfield machinery, equipment, materials, and supplies, including heavy machinery, buildings and pipeline materials,*

Between all points and places in the state of Kansas.

\*\*\*\*\*

## Application for Certificate of Convenience and Necessity:

Verland T. Robinson, dba ) Docket No. 165,927 M  
Robinson's Delivery Service )  
1401 Fairfax Trafficway, D-228 )  
Kansas City, KS 66115 ) MC ID No. 133544

TO:

Robinson's Delivery Service,  
Inc.  
1401 Fairfax Trafficway, D-228  
Kansas City, KS 66115

Applicant's Attorney: Alex Lewandowski, 4420 Madison Ave., Kansas City, MO 64111

*General commodities (except classes A and B explosives, household goods, commodities in bulk and hazardous materials,*

Between all points and places in the state of Kansas.

\*\*\*\*\*

## Application for Extension of Certificate of Convenience and Necessity:

Transport Distribution Company) Docket No. 171,830 M  
P.O. Box 306 )  
Joplin, MO 64802 ) MC ID No. 119813

Applicant's Attorney: John Jandera, 1610 S.W. Topeka Blvd., P.O. Box 237, Topeka, KS 66612-1840

*General commodities (except household goods, commodities in bulk and hazardous materials),*

Between points and places in Kansas.

\*\*\*\*\*

Alfonzo A. Maxwell  
Administrator  
Transportation Division

Doc. No. 009398

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 28-16-63 and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Name and Address of Applicant	Waterway	Type of Discharge
Johnson County Little Bull Creek Sewer Sub-District No. 2 One Industrial Parkway Industrial Airport, KS 66031 Johnson County, Kansas	Marais des Cygnes River via Big Bull Creek via Hillsdale Lake via Little Bull Creek	Advanced Wastewater Treatment
Kansas Permit No. M-MC51-PO01      Fed. Permit No. KS-0119296		
Description of Facility: This facility is designed for the treatment of domestic and industrial process wastewater. This is an existing facility which will be replaced by an advanced wastewater treatment facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).		

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council 115 E. Smith, Box 100 Hesston, KS 67062 Harvey County, Kansas	Emma Creek via Middle Emma Creek	Secondary wastewater treatment facility
Kansas Permit No. M-LA07-IO01      Fed. Permit No. KS-0022799		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are water quality limited.		

Name and Address of Applicant	Waterway	Type of Discharge
U.S.D. 345, Rochester Elementary School 1124 W. Lyman Road Topeka, KS 66608 Shawnee County, Kansas	Kansas River via Soldier Creek via unnamed tributary	Secondary wastewater treatment facility
Kansas Permit No. M-KS72-0013      Fed. Permit No. KS-0081663		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
Mayor and City Council 408 Russell Ave. WaKeeney, KS 67672 Trego County, Kansas	Big Creek via dry tributary	Secondary wastewater treatment facility
Kansas Permit No. M-SH38-0001      Fed. Permit No. KS-0030481		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
U.S.D. 345, West Indianola Elementary School 1124 W. Lyman Road Topeka, KS 66608 Shawnee County, Kansas	Kansas River via Soldier Creek via unnamed tributary	Secondary wastewater treatment facility
Kansas Permit No. M-KS72-0017      Fed. Permit No. KS-0078972		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
U.S.D. 345, Seaman High School 1124 W. Lyman Road Topeka, KS 66608 Shawnee County, Kansas	Kansas River via Soldier Creek via unnamed tributary	Secondary wastewater treatment facility
Kansas Permit No. M-KS72-0018      Fed. Permit No. KS-0080098		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Name and Address of Applicant	Waterway	Type of Discharge
U.S.D. 450, Tecumseh North Elementary School 44th and Shawnee Heights Road Tecumseh, KS 66542 Shawnee County, Kansas	Kansas River via Shunganunga Creek	Secondary wastewater treatment facility
Kansas Permit No. M-KS72-0015      Fed. Permit No. KS-0119962		
Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are technology based.		

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to July 20 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-90-43/49) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Division of Environment offices from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Stanley C. Grant  
Secretary of Health and Environment

Doc. No. 009394

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63 and 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for the water pollution abatement facilities for the feedlots described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards and regulations of the state of Kansas and the EPA. The permit requires control of any existing or potential discharges to achieve the goal of "no discharge" whenever possible. The permit, upon issuance, will constitute a state water pollution control and national pollutant discharge elimination system permit.

Name and Address of Applicant	Legal Description	Receiving Water
Double B & S Cattle, Co. Route 1, Box 36A Fowler, KS 67844	NW 1/4 Section 22, Township 29S, Range 26W, Ford County, Kansas	Cimarron River Basin

Federal Permit No: KS-0115100 Kansas Permit No: A-CIFO-C001  
The feedlot has capacity for approximately 3,000 cattle and a contributing drainage area of approximately 25 acres. This is an existing facility.  
Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 9.25 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Kadel Farms, Inc. Route 2 Beloit, KS 67420	W 1/2 Section 26, Township 7S, Range 7W, Mitchell County, Kansas	Solomon River Basin

Federal Permit No: KS-0116467 Kansas Permit No: A-SOMC-C003  
The feedlot has capacity for approximately 1,200 cattle and a contributing drainage area of approximately 11 acres. This is an existing facility.  
Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 4.1 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Lynch Feed Yard, Inc. Route 2 Dodge City, KS 67801	SE 1/4 Section 16, and NW 1/4 Section 21, Township 26S, Range 26W, Ford County, Kansas	Upper Arkansas River Basin

Federal Permit No: KS-0115142 Kansas Permit No: A-UAFO-C002  
The feedlot has capacity for approximately 9,500 cattle and a contributing drainage area of approximately 84 acres. This is an existing facility.  
Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 30 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Mull Farms and Feeding, Inc. Route 1, Box 74 Pawnee Rock, KS 67567	NW 1/4 Section 17, Township 21S, Range 15W, Pawnee County, Kansas	Upper Arkansas River Basin

Federal Permit No: KS-0115134 Kansas Permit No: A-UAPN-C002

The feedlot has capacity for approximately 9,500 cattle and a contributing drainage area of approximately 65 acres. This is an existing facility.  
Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 24.25 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Sunbelt Feeders, Inc. P.O. Box 38 Hugoton, KS 66951	Section 24, Township 32S, Range 37W, Stevens County, Kansas	Cimarron River Basin

Federal Permit No: KS-0116203 Kansas Permit No: A-CISW-C002  
The feedlot has capacity for approximately 30,000 cattle and a contributing drainage area of approximately 200 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 67 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Supreme Feeders Company Box 708 Liberal, KS 67901	Section 16, Township 32S, Range 33W, Se- ward County, Kansas	Cimarron River Basin

Federal Permit No: KS-0041599 Kansas Permit No: A-CISW-C002  
The feedlot has capacity for approximately 85,000 cattle and a contributing drainage area of approximately 580 acres. This is an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent disposal upon agricultural land. Storage capabilities are provided in excess of 238 acre-feet.

Compliance Schedule: None, existing control adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Tri-Pork, Inc. Robert Krehbiel, Pres. Rural Route, Box 525 Buhler, KS 67522	NE 1/4 Section 22, Township 23S, Range 4W, Reno County, Kansas	Lower Arkansas River Basin

Federal Permit No: KS-0116262 Kansas Permit No: A-LARN-H002  
The existing facility has the capacity for approximately 4,000 swine.  
Wastewater Control Facilities: Wastewater will be impounded for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.

Compliance Schedule: None, existing control adequate.

Written comments on the proposed NPDES permits may be submitted to Angela Buie, Bureau of Environmental Quality, Kansas Department of Health and Environment, Forbes Field, Topeka 66620-0001. All comments received prior to July 21 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number (KS-AG-90-48/54) and name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations within 30 days of this notice. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61.

The application, proposed permit, special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available

(continued)



upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at address above.

Stanley C. Grant  
Secretary of Health  
and Environment

Doc. No. 009392

## State of Kansas Kansas Public Disclosure Commission

### Advisory Opinion No. 90-8

Written May 9, 1990, to Bonnie Swartz, Gray County Clerk, Cimarron.

This opinion is in response to your letter of March 26, 1990, in which you request an opinion from the Kansas Public Disclosure Commission concerning the local conflict of interest laws, K.S.A. 75-4302 *et seq.*

We understand you request this opinion in your capacity as the county clerk for Gray County, Kansas.

You advise us of a situation where a county employee and spouse are considering selling goods to the county. You ask the following questions:

1. Can employees who work in one department sell supplies or services to a different department or even within their own department?
2. Does it make a difference if only the spouse is selling the supplies or service?
3. Does it make a difference if it is a department head or just an employee?
4. When is it a conflict of interest and when is it not?

As a general rule, this section does not prohibit a county employee from contracting with the county for the sale of goods to it. Rather, this section is aimed at requiring the employee from abstaining from any action on the contract in his or her official position with the county. If the contract is let for competitive bid or the price or rate is fixed by law, even this restriction does not apply. Further, as a general rule, a spouse's interests are considered those of the other spouse for the purpose of these statutes.

Thus, the answer to your first question is yes, under the conditions we have described above, so long as the employee abstains unless the contract is let for competitive bid or the rate or price is fixed by law. The answer to your second question is generally it does not make a difference, that is the spouse who is a county employee must abstain. The third question is more difficult since there may be some situations where a department head cannot abstain and therefore he or she or his or her spouse may be prohibited from selling to the county.

If you have any further questions on the clarification, don't hesitate to contact our staff for guidance.

### Advisory Opinion No. 90-9

Written May 9, 1990, to Ted R. Morgan, Attorney at Law, Lakin.

This opinion is in response to your letter of March 30, 1990, in which you request an opinion from the Kansas Public Disclosure Commission concerning the local conflict of interest laws, K.S.A. 75-4301 *et seq.*

You state you are an appointed city attorney for the city of Lakin, Kansas; a third class city. You advise the city council and city officers and do legal work as requested. You are considering running for the position of county commissioner of Kearny County, Kansas, the county in which Lakin is located.

You ask if there is a conflict of interest and if the holding of both positions is contrary to law.

We have reviewed K.S.A. 75-4301 *et seq.* in its entirety and that law does not prohibit holding the two positions you have described at the same time.

We refer you to the Attorney General on the question of whether common law or some other statutory system applies to your question and to the Ethics Committee of the Kansas Bar Association on possible legal ethical concerns.

### Advisory Opinion No. 90-10

Written May 9, 1990, to Alan C. Snider, Wichita.

This opinion is in response to your letter of April 30, 1990, in which you request an opinion from the Kansas Public Disclosure Commission. We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.* Thus, whether some other common law, statutory system or agency policy relates to your question is not covered by this opinion.

You state you are employed by the Kansas Corporation Commission, Conservation Division, Wichita, Kansas, as a Geologist II. Your position is to regulate oil and gas activities involving production of hydrocarbon and permitting of injection or disposal wells for the petroleum industry. Before KCC employment, you received two overriding royalty, nonworking interests on two oil leases in Kansas. In the near future, you would like to sell your interests in the leases. Oil industry personnel regularly purchase such interests on an individual basis or through an auction.

The estimated value of the leases is between \$1,500 and \$3,000.

You ask whether a sale to persons who you might regulate is permissible and, if so, are there any reporting requirements.

K.S.A. 46-238 is the only section of the act that directly relates to the question of legality of the proposed sale. That section states:

"No state officer or employee or candidate for state office or associated person shall charge to or accept from a person known to have a special interest a price, fee, compensation or other consideration, for the sale or lease of any property or the furnishing of services which is substantially in excess of that which other persons in the same business or profession would charge in the ordinary course of business."

From a review of this section, it is our opinion so long as the price charged is reasonable the contemplated sale is permissible. We find no reporting requirements are necessary concerning the sale.

Lowell K. Abeldt  
Chairman

Doc. No. 009368



State of Kansas

Social and Rehabilitation Services

Notice of Basic Maximum Daily Charge for State Institutions

In compliance with K.S.A. 59-2006b(a), the following per patient day costs for fiscal year 1991 will be the basic maximum daily rate of charge, effective July 1, 1990, for the following state institutions:

- Parsons State Hospital and Training Center ..... \$170.87
Winfield State Hospital and Training Center ..... \$216.28
Kansas Neurological Institute ..... \$169.77

In compliance with K.S.A. 59-2006b(a), the following state institutions are hereby authorized to compute an individual patient charge on the basis of rates for services based on costs incurred by such state institutions as determined by application of generally acceptable hospital accounting principles: Topeka State Hospital; Osawatomie State Hospital; Larned State Hospital, including the State Security Hospital; and Rainbow Mental Health Facility.

Dennis Taylor
Acting Secretary of Social and Rehabilitation Services

Doc. No. 009384

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.

Friday, June 29, 1990

84451

Department of Administration, Division of Printing—High volume copier(s)

84452

Department of Administration, Division of Printing—High volume copier(s)

Monday, July 2, 1990

84462

Kansas Lottery—Truck

Tuesday, July 3, 1990

A-6287

Department of Transportation—Construct dome chemical storage building

27516

Statewide—August (1990) meat products

Thursday, July 5, 1990

25328

University of Kansas—Laundry services, Watkins Hospital

26190

Department of Social and Rehabilitation Services—Collection service

26661

Kansas State University—Rental service for personnel clothing, towels, linens, mops, wipers and weather mats

Friday, July 6, 1990

A-6210

Youth Center at Beloit—Reroof administration building

A-6277, A-6279, A-6282

Department of Transportation—Insulate and weatherproof sub-area shop buildings

28274

Kansas Soldiers' Home—Nursing staff relief services

84458

Kansas Highway Patrol—Patrol cars

84459

Adjutant General's Department—Furnish all labor and materials to modify existing boiler burner, Fort Riley

Tuesday, July 10, 1990

A-4879(c)

Fort Hays State University—Theater seating installation, Sheridan Coliseum renovation

Wednesday, July 11, 1990

A-6402(c)

Kansas State University—Parking lot B5N renovation

A-6402(d and e)

Kansas State University—1990 parking lot maintenance

Tuesday, July 17, 1990

27245

Statewide—Ostomy products and supplies (Class 17)

Monday, July 23, 1990

28273

Department of Wildlife and Parks—Hay lease, Glen Elder

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Request for Proposals

Monday, July 2, 1990

28275

Nursing staff services for the University of Kansas Medical Center

Thursday, July 12, 1990

28272

Kansas Lottery Draw Show for the Kansas Lottery

Nicholas B. Roach
Director of Purchases

Doc. No. 009394

## State of Kansas

## Social and Rehabilitation Services

## Request for Proposals

Kansas Rehabilitation Services (KRS) is seeking proposals for establishment grants for new or expanded Kansas based services to train dogs to assist persons with disabilities to be more independent. Services are to be designed to match trained dogs with individuals challenged by disabilities and to train such persons in the care and use of such dogs in a variety of community settings, including but not limited to employment.

A total of \$250,000 in grant funding is available. Decreasing funding for the second and third years is dependent upon availability of funds and success of the first year project as measured by attainment of project goals. A 20 percent cash match will be required of the grantees. The closing date for receipt of proposals is July 27.

To obtain a request for proposal and grant application packet, contact John Bieberly at (913) 296-3911 or TDD (913) 296-7029.

Gabriel R. Faimon  
Commissioner,  
Rehabilitation Services

Doc. No. 008395

## State of Kansas

## Attorney General

## Opinion No. 90-65

State Boards, Commissions and Authorities—Crime Victims Compensation Board—State's Subrogation Rights; Criminal Restitution. Judge William R. Carpenter, Third Judicial District, Shawnee County, Topeka, June 8, 1990.

Pursuant to K.S.A. 1989 Supp. 74-7312(a), 74-7301(d) and 74-7305(c) (1), the state should be subrogated to the victim's receipt of restitution to the extent of the victim's award from the crime victims compensation board. Cited herein: K.S.A. 21-4610; K.S.A. 1989 Supp. 74-7301; 74-7305; 74-7312. JLM

## Opinion No. 90-66

Cities of the Third Class—Election, Appointment and Removal of Officers—Qualifications; How Vacancies Filled. Representative Jack Lacey, 2nd District, Oswego, June 8, 1990.

The election, appointment, and removal of officers of a city of the third class having a mayor/council form of government is subject to K.S.A. 15-201 *et seq.* unless the city charters out of these statutes under home rule powers. Under K.S.A. 15-209, an individual elected to the office of mayor of such a city must be a qualified elector of that city at the time of the election. The election of an individual who is not a qualified elector of the city is void, but the individual would have served as an officer *de facto*. The last individual who was elected and qualified to the office of mayor would continue to serve as mayor until a successor is elected and qualified. If the former mayor is unable to continue serving as mayor, a vacancy

in that office occurs, and the president of the city council then fills the office of mayor until the next regular election for the office of mayor. Cited herein: K.S.A. 15-201; 15-209; K.S.A. 1989 Supp. 15-311; Kan. Const., Art. 5, § 1. RDS

## Opinion No. 90-67

Public Health—Solid and Hazardous Waste; Solid Wastes—Solid Waste Processing Facility Permit; Authority to Issue. Senator Phil Martin, 13th District, Pittsburg, June 8, 1990.

The secretary of health and environment has the authority to issue a solid waste disposal facility permit upon receiving and approving a complete application from the proposed permittee. The completed application must include certification from the board of county commissioners that the proposed facility is consistent with the official county plan for the management of solid waste within such county. Cited herein: K.S.A. 65-3405; 65-3406; 65-3407. CN

## Opinion No. 90-68

Counties and County Officers—Planning and Zoning; Planning and Zoning in Counties—Agricultural Purposes; Greyhound Operations. George E. Scamman, Legal Counsel for County Planning Board, Wellington, June 11, 1990.

For county zoning purposes, greyhound operations are not considered an agricultural use. As a non-agricultural use the county may require conditional use permits for greyhound operations in areas zoned agricultural. Under county home rule authority, the county may regulate the size, construction and sanitation of greyhound kennels. Cited herein: K.S.A. 2-3201; K.S.A. 1989 Supp. 2-3203; K.S.A. 19-101a; 19-2921; 19-2926; 19-2960; 21-4310; 44-505; 47-414; K.S.A. 1989 Supp. 47-607; 47-610; 47-620; 47-1001; 47-1402; K.S.A. 1989 Supp. 47-1501; 47-1701; K.S.A. 47-1718; K.S.A. 1989 Supp. 65-6a18; K.S.A. 76-478; 79-1301; Kan. Const., Art. 11, § 1; 7 U.S.C. § 2131; 7 U.S.C. § 1232. CN

## Opinion No. 90-69

Drainage and Levees—Levees—Powers of County Commissioners. Charles F. Bennett, Neosho County Attorney, Chanute, June 11, 1990.

A levee district organized pursuant to K.S.A. 24-801 *et seq.* has the implied power of dissolution using the same standard for its creation; pursuant to statute, only the board of county commissioners is authorized to affect the levee district's existence; it is within the board's discretion to allow reimbursements to landowners who repaired the levee; short of charging fraud against the county, a landowner cannot withdraw from a levee district because he feels he is not benefiting; meetings of a levee district are subject to the Kansas open meetings act requiring the county board to provide notice of meetings to anyone requesting it. Cited herein: K.S.A. 24-801 *et seq.* GE

## Opinion No. 90-70

State Boards, Commissions and Authorities—Regulation of Psychologists; Registration of Masters Level Psychol-

(Published in the Kansas Register, June 21, 1990.)

**Summary Notice of Bond Sale****\$2,200,000****Unified School District 443****Ford County, Kansas (Dodge City)****General Obligation Bonds****(general obligation bonds payable from unlimited ad valorem taxes)**

ogists—Registration Applications, Waiver of Educational Requirements. Mary Ann Gabel, Executive Director, Behavioral Sciences Regulatory Board, Topeka, June 11, 1990.

In establishing an initial waiver of certain educational requirements for registration as a masters level psychologist, the legislature did not intend a perpetual exemption from its exercise of police power. Therefore, the statutory waiver does not apply to those who submit an application for registration after October 1, 1988. Cited herein: K.S.A. 1989 Supp. 74-5363. MWS

**Opinion No. 90-71**

Counties and County Officers—County Commissioners; Powers and Duties—Change in Number of Districts; Petition; Question; Recital.

Elections—Sufficiency of Petitions—Petition Documents; Contents; Question; Recital. Representative Ron Reinert, 115th District, Dodge City, June 11, 1990.

K.S.A. 19-204 recognizes that the qualified electors of a county may petition to have a question regarding a change in the number of county commissioner districts submitted to the electors. Such a petition must meet the requirements of K.S.A. 25-3601 *et seq.* Because the petition in question fails to state the question petitioners seek to bring to an election and fails to include the recital set forth in K.S.A. 25-3602(b) (3), the petition in question is invalid. Cited herein: K.S.A. 19-204; K.S.A. 1989 Supp. 25-3601; K.S.A. 25-3602. RDS

**Opinion No. 90-72**

Livestock and Domestic Animals—Farm Animal and Research Facilities Protection Act—1990 Senate Bill No. 776. Sheila Hochhauser, State Representative, 67th District, Manhattan, June 13, 1990.

The proscribed criminal conduct defined by 1990 Senate Bill No. 776 applies only to animals used in food, fur or fiber production, agriculture, testing or education at an animal facility. Animals used in any other manner remain subject to protective actions by humane societies pursuant to the cruelty to animals statute which provides limited lawful authority to take and care for an abused animal. Under Senate Bill No. 776, a question of fact may arise relating to the specific intent with which an animal was taken from an animal facility. The specific intent to damage the enterprise conducted at an animal facility is a required element of the crimes defined by the bill. Upon conviction restitution may be ordered in an amount sufficient to compensate the victim for the loss suffered. In a civil action compensatory damages may include out-of-pocket loss as well as consequential damages. Liability is limited to the extent to which the perpetrators acts caused the damage. Cited herein: K.S.A. 21-3701; 21-4310; 21-4311; 21-4501; 21-4603; 21-4610; 47-1701. CN

Robert T. Stephan  
Attorney General

**Details of Sale**

Subject to the terms and conditions of the complete official notice of bond sale dated as of June 11, 1990, of Unified School District 443, Ford County, state of Kansas (Dodge City), in connection with the bonds hereinafter described, sealed, written bids shall be received at the district's offices at 1000 2nd Ave., Dodge City, KS 67801, until 7:30 p.m. C.D.T. on Thursday, June 28, 1990, for the purchase of general obligation bonds, Series 1990, of the district, which are hereinafter described. All bids shall be publicly opened, read aloud, and considered on said date and at said time and shall be immediately thereafter acted upon by the governing body of the district.

The bonds to be sold are in the aggregate principal amount of \$2,200,000. No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the clerk of the district. Bids may be submitted by mail or may be delivered in person and must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States, shall be made payable to the order of the district, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

**Details of the Bonds**

The bonds shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall bear a dated date of July 1, 1990. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on April 1 and October 1 of each year, commencing April 1, 1991, and the bonds shall mature serially on October 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$260,000	1991
275,000	1992
295,000	1993
160,000	1994
170,000	1995
185,000	1996
195,000	1997
205,000	1998
220,000	1999
235,000	2000

(continued)

### Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

### Security for the Bonds

The bonds and the interest thereon shall constitute general obligations of the district and the full faith, credit and resources of the district shall be pledged to the payment thereof. The district shall be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the district for the purpose of paying the bonds and the interest thereon.

### Delivery of the bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the district to the successful bidder, or at its direction, on or about Wednesday, July 25, 1990, at such bank or trust company or other qualified depository in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

### Legal Opinion

The bonds will be sold subject to the legal opinion of Curfman, Harris, Borniger, Rose & Wetz, Wichita, Kansas, bond counsel, whose fees will be paid by the district. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

### Financial Matters

The assessed valuation of the district for computation of bonded debt limitations for the year 1989 is \$121,360,887. Exclusive of the bonds described herein, the district has no outstanding general obligation indebtedness at the date hereof.

### Official Statement

The district has prepared a preliminary official statement, dated as of June 15, 1990, relating to the bonds, copies of which may be obtained from the district or the district's financial advisors. The preliminary official statement is in a form "deemed final" by the district for the purpose of the Securities Exchange Commission's Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the district shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered at the successful bidder's expense.

### Additional Information

For additional information regarding the district, the bonds and the sale, interested parties are invited to re-

quest copies of the complete official notice of bond sale and official bid form and the district's preliminary official statement for the bonds, all of which may be obtained from the clerk of the district, Loyal Johnson, or from the district's financial advisors, Ranson & Company, Inc., Suite 450, 120 S. Market, Wichita, KS 67202, Attention: John Haas.

Unified School District 443  
Administrative Center  
1000 2nd Ave.  
Dodge City, KS 67801  
(316) 225-4189

Doc. No. 009386

(Published in the Kansas Register, June 21, 1990.)

### Notice of Redemption and Refunding City of Topeka, Kansas Waterworks Improvement and Refunding Revenue Bonds Series of 1976

Notice is hereby given pursuant to the provisions of Ordinance No. 13864 that the city's Waterworks Improvement and Refunding Revenue Bonds, Series of 1976, dated July 1, 1976, maturing after July 1, 1990, being bonds numbered 381 to 1600, inclusive, have been called for redemption on July 1, 1990, at a redemption price equal to 104 percent of the principal amount thereof, plus accrued and unpaid interest thereon to said redemption date.

Notice is further given that to provide for the payment of the principal, premium and interest on the bonds, investment obligations consisting of United States Treasury certificates of indebtedness, notes or bonds have been issued in book entry form on the books of the Treasury, Bureau of Public Debt, Washington, D.C., and now secure the bonds, and that the ordinance authorizing the bonds has been released. The projected principal and interest payments to be received from such obligations have been calculated to be adequate to pay the interest on the bonds as the same becomes due and to redeem the bonds on July 1, 1990, at a redemption price equal to 104 percent of the principal amount thereof.

On July 1, 1990, the bonds will be due and payable at the office of The Merchants National Bank of Topeka, Topeka, Kansas, upon presentation and surrender of the bonds, together with any and all coupons maturing subsequent to July 1, 1990. From and after July 1, 1990, interest on the aforesaid bonds will cease to accrue.

City of Topeka, Kansas  
Harry Felker, Mayor  
Norma E. Robbins, City Clerk

Doc. No. 009382

(Published in the *Kansas Register*, June 21, 1990.)

**Notice of Call for Redemption  
to the holders of  
City of Coffeyville, Kansas  
Electric System Revenue Bonds  
Series 1980  
Dated August 1, 1980**

Notice is hereby given, pursuant to the provisions of Section 4 of Ordinance No. S-80-21 of the city, that the above mentioned bonds maturing August 1, 1991, and thereafter, and all unmatured coupons appertaining thereto, have been called for redemption and payment on August 1, 1990, at the principal corporate trust office of BANK IV Coffeyville, N.A., as successor to The First National Bank of Coffeyville, Coffeyville, Kansas (the paying agent).

Bond Nos.	Maturity Date	Principal Amount	Interest Rate
54-60	8-1-91	\$ 35,000	7 <sup>1</sup> / <sub>8</sub> %
61-67	8-1-92	35,000	7 <sup>1</sup> / <sub>8</sub> %
68-74	8-1-93	35,000	7 <sup>1</sup> / <sub>2</sub> %
75-81	8-1-94	35,000	7 <sup>3</sup> / <sub>4</sub> %
82-88	8-1-95	35,000	8.000%
89-95	8-1-96	35,000	8 <sup>1</sup> / <sub>4</sub> %
96-119	8-1-97	120,000	8 <sup>3</sup> / <sub>8</sub> %
120-180	8-1-98	305,000	8 <sup>1</sup> / <sub>2</sub> %

On such redemption date there shall become due and payable, upon the presentation and surrender of each such bond, the redemption price thereof equal to 103 percent of the principal amount of each bond together with interest accrued to the redemption date, upon the presentation and surrender of each such bond and appropriate coupons appertaining thereto. Interest shall cease to accrue on the bonds so called for redemption, and all unmatured coupons appertaining thereto, from and after August 1, 1990, in that sufficient funds for redemption are on deposit with the paying agent.

City of Coffeyville, Kansas  
By BANK IV Coffeyville, N.A.  
Coffeyville, Kansas  
as Escrow Trustee

Doc. No. 009385

**State of Kansas  
Kansas Insurance Department  
Temporary Administrative  
Regulations**

**Article 10.—FIREFIGHTER'S RELIEF FUND TAX**

**40-10-2.** Firefighter's relief association; requirements for participation; procedure. (a) Members of a fire department who desire to participate in the distribution of firefighter's relief funds shall:

- (1) Apply for a charter and incorporate as a not-for-profit corporation;
- (2) file with the commissioner of insurance a certified copy of the articles of incorporation of the firefighter's relief association; and
- (3) file with the commissioner of insurance evidence of establishment of a fire district within a township or county

in accordance with applicable Kansas statutes. This requirement shall not apply to fire departments under the exclusive control of the governing body of an incorporated city.

(b) When the members of a city, township, county, or fire district fire department notify the commissioner of insurance of their desire to participate in the firefighter's relief fund tax and have otherwise qualified for participation, the proper officials shall complete a declaration form, provided by the commissioner, which declares their right to participate in the firefighter's relief fund. The completed form shall be returned to the commissioner. The declaration form shall be executed by the chief executive officer of the city, township, county, or fire district. The clerk of the city, township or county, or the equivalent official of the fire district shall attest to the execution of the form.

(c) A declaration form shall be filed annually with the commissioner of insurance.

(d) Qualified firefighter's relief associations shall annually submit, on forms provided by the commissioner, a certification by the county clerk of the population and assessed tangible property valuation of the geographic area provided fire protection services by the fire department of the association. The population figure shall be computed using the most recent population figures available from the United States bureau of the census as certified to the secretary of state by the division of the budget on July 1 of each year. Except as otherwise provided, the assessed tangible property valuation figure provided on the form shall be computed using the tangible assessed valuation as shown on the latest November 1 assessment roll prepared and maintained by the county clerk. Firefighter's relief associations who are to receive a payment from the 1989 taxes to be distributed in calendar year 1990 that did not receive and were not eligible to receive a payment from taxes collected in prior years shall submit and their participation will be based upon the tangible assessed valuation shown on the November 1, 1988 assessment roll prepared and maintained by the county clerk.

(e) Each firefighter's relief association shall adopt bylaws to cover all activities of the association and shall set forth the procedures for disbursing funds for the payment of benefits provided by the association. A copy of the bylaws and the procedures shall be filed with the commissioner. (Authorized by K.S.A. 40-103, K.S.A. 1989 Supp. 40-1707(g); implementing K.S.A. 40-1701; effective Jan. 1, 1966; amended May 1, 1979; amended May 1, 1981; amended May 1, 1985; amended May 1, 1986; amended T-40-6-1-90, June 1, 1990.)

Fletcher Bell  
Commissioner of Insurance

Doc. No. 009378

## State of Kansas

## The Kansas Lottery

Temporary Administrative  
Regulations

## Article 4.—INDIVIDUAL GAME RULES

## RULES FOR INSTANT GAME NO. 23

## "QUICK SILVER"

**111-4-217.** Name of Game. The Kansas Lottery shall conduct an instant winner lottery game entitled "Quick Silver" commencing on June 21, 1990. The specific rules for the "Quick Silver" are contained in K.A.R. 111-3-1 *et seq.* and 111-4-217 through 111-4-220. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective, T-111-5-8-90, May 9, 1990; amended, T-111-6-7-90, June 1, 1990.)

## Article 7.—CASH LOTTO GAME RULES

**111-7-3.** Game Description; Retail Sale of Tickets.

(a) Cash Lotto is a twice weekly six (6) of thirty-three (33) Lotto game which pays prizes for correctly picking six (6) of six (6) numbers on a pari-mutuel basis with a minimum guaranteed prize of Fifty Thousand Dollars (\$50,000.00). Prizes for correctly picking five (5) of six (6) numbers and four (4) of six (6) numbers shall be determined on a pari-mutuel basis with a two dollar (\$2.00) minimum.

(b) To play Cash Lotto, a player shall select a set of six (6) different numbers between one (01) and thirty-three (33), for input into a terminal. Tickets may be purchased from a terminal operated by a retailer (i.e., a clerk-activated terminal). When purchased from a retailer, the player may select each two (2) sets of numbers by: 1) communicating the numbers to the retailer; 2) by marking two, or four, six, eight or ten, boards with six (6) numbers on each play slip and submitting the play slip to the retailer; or 3) requesting a quick pick from the retailer.

The retailer will then issue a ticket from the terminal containing the selected sets of numbers, each of which constitutes a game play. Should a player submit a play slip on which one or more boards are marked to indicate number selections and one or more other boards indicate quick pick, the system shall follow the player's intentions as marked on the play slip.

(c) A validated ticket shall be the only proof of a game play or plays, and the submission of a winning ticket to and receipt of the ticket by the Lottery or its authorized retailer shall be the sole method of claiming a prize or prizes. A play slip has no pecuniary or prize value and shall not constitute evidence of ticket purchase, of numbers selected or prizes to be paid.

(d) A ticket may not be voided or cancelled by returning the ticket to the selling retailers, including tickets that are printed in error.

(e) Ticket sales will end at approximately 7:59 p.m. central time (CT) on Wednesdays and Saturdays.

(f) Drawings will be conducted twice weekly, on Wednesdays and Saturdays between 8:15 p.m. and 9:00 p.m. central time (CT) after the game is closed at approximately 7:59 p.m. central time (CT), and the external

auditor has verified that the game is closed, under conditions and procedures promulgated by the executive director of the lottery.

(g) It shall be the sole responsibility of the player to verify the accuracy of the game plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the on-line retailer who is acting on behalf of the player in entering the plays.

(h) On Wednesday, June 13, 1990, ticket sales will end at approximately 7:59 p.m. and will not resume until approximately 6:00 a.m., Thursday, June 14, 1990. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710, effective, T-89-25, May 31, 1988; amended, T-111-11-2-89, October 27, 1989; amended, T-111-6-7-90, June 1, 1990.)

**111-7-4.** Prize Pool; Reserve Account. (a) The prize pool in the lottery prize payment fund for all prize categories shall consist of forty-five per cent (45%) of sales for each draw until the jackpot prize is funded to the amount guaranteed by the Kansas lottery which, for Cash Lotto, shall be Fifty Thousand Dollars (\$50,000.00).

(b) One-half of one percent (.5%) of the prize pool, included within the forty-five per cent (45%) of sales for prize winnings, shall be placed in a prize reserve pool. Moneys left over after the five (5) of six (6) and four (4) of six (6) prizes have been rounded down pursuant to K.A.R. 111-7-5(g) shall be placed in the prize reserve pool. The lottery may transfer funds from the prize reserve pool to the lottery prize payment fund. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710, effective, T-89-25, May 24, 1988; amended, T-111-6-1-88, May 24, 1988; amended, T-111-9-7-88, Sept. 7, 1988; amended, T-111-6-7-90, June 1, 1990.)

**111-7-5.** Prizes. (a) Prizes shall be awarded for matching four, five or six numbers on a board. Prize categories are as follows:

Tickets Containing Following Number of Matches in One Game Play	Prize Category	Per Cent of Prize Pool Allocated to Prize Category
All six (6) winning numbers	1	Approx. 82.50% (\$50,000 minimum)
Any five (5) winning numbers	2	Approx. 6.50% (\$2.00 minimum pari-mutuel share)
Any four (4) winning numbers	3	Approx. 10.50% (\$2.00 minimum pari-mutuel share)

(b) The jackpot prize for matching all six (6) winning numbers shall be calculated on a pari-mutuel basis and be not less than Fifty Thousand Dollars (\$50,000.00) for each draw. On any draw, if the jackpot is hit and the jackpot pool is insufficient to match the \$50,000.00 guarantee, the Lottery will utilize the prize and reserve pool to fund the guaranteed \$50,000.00 jackpot.

(c) All prizes shall be paid in a lump sum.

(d) The prize money allocated to the jackpot prize category for matching six (6) of six (6) shall be divided equally by the number of game boards winning a jackpot prize.

(e) The prize money allocated to prize category numbers two (2) and three (3) shall be paid in the amount stated in subsection (a) except in situations wherein the number of winners in a category or categories results in a prize liability in excess of the per cent of the prize pool allocated for that category. If the amount in the prize pool to be paid into category two (2) and three (3) is



insufficient, money in the prize reserve account shall be available to pay the amounts stated in the prize categories in subsection (a). Money available in the prize reserve pool shall not be drawn down below \$50,000 for any draw for category two (2) or three (3).

(f) The prize paid for matching five (5) of six (6) winning numbers shall not be less than the prize paid for matching four (4) of six (6) winning numbers.

(g) The prize paid for prize category numbers two (2) and three (3) shall be paid in the amount stated in subsection (a) except valid winning tickets purchased prior to but claimed as a result of draws before June 14, 1990, shall be paid in the amounts of \$500 for matching five (5) of six (6) winning numbers and \$10 for matching four (4) of six (6) winning numbers.

(h) For multi-draw tickets purchased after the draw on June 2, 1990, and before the draw on June 13, 1990, the prizes paid for prize category numbers two (2) and three (3) pursuant to draws after June 14, 1990, shall be paid in the amounts of \$500 for matching five (5) of six (6) winning numbers and \$10 for matching four (4) of six (6) winning numbers. Prize money to pay prizes in prize categories two (2) and three (3) as set out above in this paragraph shall be paid from the prize reserve pool. To claim the appropriate prize for a winning multi-draw ticket under this subsection, the holder of such a ticket must present or mail the winning ticket and claim form to the Kansas Lottery.

(i) The calculation of a prize shall be rounded down so that prizes can be paid in multiples of whole dollars. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710, effective, T-89-25, May 24, 1988; amended, T-111-9-7-88, Sept. 7, 1988; amended, T-111-6-7-90, June 1, 1990.)

**111-7-6. Probability of Winning.** (a) The following table sets forth the probability of winning and the probable distribution of winners in and among each prize category, based upon the total number of possible combinations of six (6) drawn numbers from a field of thirty-three (33) numbers when playing the required two (2) boards for One Dollar (\$1.00).

**PRIZE CATEGORIES AND ODDS OF WINNING ON EACH \$1.00 TICKET**

Prize Category	Match	Probability of Winning	Probability Distribution of Winners	Probable Prize Amount
1	6	1:533,784	1	\$50,000.00
2	5	1:3,418	162	100.00 (\$2.00 minimum) (pari-mutuel share)
3	4	1:105	5,274	5.00 (\$2.00 minimum) (pari-mutuel share)

(Authorized by and implementing K.S.A. 1989 Supp. 74-8710, effective, T-89-25, May 24, 1988; amended, T-111-6-7-90, June 1, 1990.)

**111-7-11. Multi-Draw.** (a) In addition to a single play involving two boards for each \$1.00, a player may also have his or her selections entered in multiple drawings. Multi-draw tickets must be purchased for consecutive drawings beginning with the next drawing. This is done by marking one of the multi-draw boxes designated by

2, 3 or 4 on the play slip. The additional draw period(s) for which the ticket is valid will then appear on the computer generated ticket given to the player by the retailer.

(b) A player must pay an additional \$1.00 per two (2) boards for each additional drawing in which he or she wishes to play.

(c) Unless one of the multi-draw boxes is marked and the additional amount paid, the play will only be eligible for the current drawing up to approximately 7:59 p.m. the day of the drawing.

(d) A player may purchase only the same numbers on the same boards for multiple drawings.

(e) Holders of winning multi-draw tickets purchased after the draw on June 2, 1990, and before the draw on June 13, 1990, must present or mail the winning tickets and claim forms to the Kansas Lottery to insure proper payment pursuant to K.A.R. 111-7-5(h). (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective, T-111-6-17-88, June 17, 1988; amended, T-111-6-7-90, June 1, 1990).

Gerald F. Simpson  
Executive Director

Dec. No. 009380

**State of Kansas  
Social and Rehabilitation Services  
Temporary Administrative  
Regulations**

**Article 5.—PROVIDER PARTICIPATION, SCOPE OF SERVICES, AND REIMBURSEMENTS FOR THE MEDICAID (MEDICAL ASSISTANCE) PROGRAM**

**30-5-87. Scope of the Kan Be Healthy program.** Kan Be Healthy screenings shall be available at intervals designated by the Kansas department of social and rehabilitation services and at other medically necessary intervals for all program recipients under 21 years of age. (a) The Kan Be Healthy medical screening shall include, but shall not be limited to, the following procedures:

- (1) Comprehensive health and developmental history;
- (2) comprehensive, unclothed physical examination;
- (3) appropriate laboratory tests;
- (4) appropriate immunizations according to age and health history;
- (5) health education including anticipatory guidance; and
- (6) scheduling or referral for diagnosis and treatment necessary to correct defects and chronic conditions discovered during screening.

(b) The Kan Be Healthy dental screening shall include, but shall not be limited to, the following procedures:

- (1) Comprehensive oral examination; and
- (2) scheduling or referral for diagnosis and treatment necessary to correct defects and chronic conditions discovered during screening.

(c) The Kan Be Healthy vision screening shall include, but shall not be limited to, the following procedures:

(continued)



(1) A vision screening; and  
 (2) scheduling or referral for diagnosis and treatment necessary to correct defects and chronic conditions discovered during screening.

(d) The Kan Be Healthy hearing screening shall include, but shall not be limited to, the following procedures:

(1) Appropriate hearing testing; and  
 (2) scheduling or referral for diagnosis and treatment necessary to correct defects and chronic conditions discovered during screening.

(e) Diagnosis and treatment to correct defects and chronic conditions discovered during screening shall include, but shall not be limited to, the following services:

(1) Eyeglasses;  
 (2) relief of pain and infections, restoration of teeth and maintenance of dental health;  
 (3) hearing aids; and  
 (4) other necessary health care, diagnostic services, treatment and other measures to correct or ameliorate defects and physical and mental illnesses and conditions discovered by the screening services. (Authorized by and implementing K.S.A. 39-708c; effective May 1, 1981; amended May 1, 1982; amended May 1, 1984; amended, T-85-24, Sept. 18, 1984; amended May 1, 1985; amended May 1, 1988; amended Jan. 2, 1989; amended, T-30-6-1-90, June 1, 1990.)

Dennis R. Taylor  
 Acting Secretary of Social and  
 Rehabilitation Services

Doc. No. 009379

**State of Kansas**  
**Consumer Credit Commissioner**  
**Permanent Administrative**  
**Regulations**

**Article 6.—UNIFORM CONSUMER CREDIT CODE**

**75-6-11. [16a-2-511.] Conversion of precomputed loan to interest bearing basis.** In addition to rewriting a loan contract in order to convert a precomputed loan contract to one in which the finance charge is based on unpaid balances when two consecutive installments or parts thereof are in default for ten days or more, the lender may unilaterally elect to convert the loan by the bookkeeping entries necessary for rebating a precomputed unpaid balance as of the date of the maturity of the first delinquent installment pursuant to the provisions on rebate for prepayment found in K.S.A. 16a-2-510 and thereafter make a finance charge upon the unpaid principal balance in accordance with the original contractual terms, subject to the limitations provided by 16a-2-511. (Authorized by K.S.A. 16a-6-104(e); implementing K.S.A. 16a-2-511; effective, E-74-13, Jan. 1, 1974; effective May 1, 1975; amended Aug. 6, 1990.)

Neil H. Arasmith  
 Consumer Credit Commissioner

Doc. No. 009388

**State of Kansas**

**Board of Nursing**

**Permanent Administrative**  
**Regulations**

**Article 11.—ADVANCED REGISTERED**  
**NURSE PRACTITIONERS**

**60-11-108. Requirements for advanced registered nurse practitioner programs of study.** (a) To be approved by the Board, each program which prepares registered nurses for advanced nursing practice located or offered within Kansas shall meet the requirements of this regulation.

(b) The educational program shall be a minimum of nine months or one academic year of full-time study or its equivalent, as defined by the sponsoring academic institution. The program shall contain both didactic and clinical components. The clinical component shall include a preceptorship meeting a minimum of eight hours a week for one academic year, or its substantial equivalent of practice.

(c) The philosophy, purpose and objectives of the program shall be clearly defined and available in written form.

(d) The objectives reflecting the philosophy shall be stated in behavioral terms and shall describe the competencies of the graduate.

(e) After January 1, 1995, the faculty shall include a majority of advanced registered nurse practitioners who are currently certified by the board in Kansas.

(f) After January 1, 1995, faculty member shall have earned a graduate degree.

(g) The content, methods of instruction and learning experience shall be consistent with the philosophy and objectives of the program.

(h) Course syllabi shall be available in writing.

(i) The program shall include content relating to role realignment, ethical and legal implications of advanced nursing practice, and the health care delivery system.

(j) The program shall provide clinical instruction in the performance of diagnostic procedures that are essential to practice in the area of specialization.

(k) Admission criteria shall be clearly stated and available in written form.

(l) Policies for withdrawal, dismissal and readmission shall be available in written form.

(m) The student shall receive official evidence that indicates successful completion of the program of study.

(n) A written plan for continuing program evaluation shall be developed, adopted and implemented by the faculty. (Authorized by K.S.A. 65-1129 and 65-1133; implementing K.S.A. 65-1133; effective May 1, 1984; amended, T-85-16, June 5, 1984; amended May 1, 1985; amended Aug. 6, 1990.)

Patsy L. Johnson  
 Executive Administrator

Doc. No. 009391

## State of Kansas

## Secretary of State

Permanent Administrative  
Regulations

## Article 29.—BALLOTS

**7-29-1.** 1990 official paper ballot printing rates. The secretary of state authorizes the following maximum prices for the printing of ballots. All prices refer to primary and general elections, except item (a) (5) which includes special elections;

## (a) Ballot Printing Rates for Primary and General Elections

	First 100 ballots	Each additional 100
(1) National/state offices	\$96.60	\$2.95
(2) County/township	\$96.60	\$2.95
(3) City/school	\$65.00	\$1.75
(4) Judicial	\$40.00	\$1.30
(5) Special elections, constitutional amendments or question-submitted elections	\$40.00 per question/issue	\$1.30

(b) In addition, there shall be allowed for each ballot \$4.60 per change. A change is defined as the alteration of an office, name or precinct or the rotation of the ballot.

(c) Printing prices set forth above shall not apply to ballots for optical scan vote tabulation machines. Prices for ballots of optical scan vote tabulation machines shall be no greater than \$300 per 1,000 ballots. (Authorized by and implementing K.S.A. 25-604; effective, T-85-5, Feb. 15, 1984; effective May 1, 1986; amended T-\_\_\_\_\_, \_\_\_\_\_; amended Aug. 6, 1990.)

Bill Graves  
Secretary of State

Doc. No. 009377

## State of Kansas

## Department of Revenue

## Division of Alcoholic Beverage Control

Permanent Administrative  
RegulationsArticle 5.—TRANSPORTATION; CARRIERS;  
STORAGE

**14-5-4.** Storage of alcoholic liquor and cereal malt beverage in transit in public liquor warehouses; reports of warehouseman. Whenever alcoholic liquor or cereal malt beverage is transported into this state, consigned to a licensed distributor or licensed manufacturer of alcoholic liquor or cereal malt beverage, the alcoholic liquor or cereal malt beverage shall be considered to remain in transit until it is delivered to the bonded warehouse of the consignee. Alcoholic liquor and cereal malt beverage may be stored in transit in a public bonded liquor warehouse within the state of Kansas, upon the following terms and conditions:

(a) Any public bonded liquor warehouse in which alcoholic liquor or cereal malt beverage is stored in transit

shall, within 48 hours of receipt of the alcoholic liquor or cereal malt beverage, give written notice to the director of the receipt, stating the names and addresses of the consignor and consignee, the description of the liquor, and the name of the carrier that delivered the liquor to that warehouse.

(b) Each public bonded liquor warehouse shall make delivery of the alcoholic liquor or cereal malt beverage, or any part of it, only to a carrier that has been designated by the director as a liquor carrier, for delivery by the carrier to a licensed manufacturer or licensed distributor who is the consignee of such liquor.

(c) Within 48 hours after the alcoholic liquor or cereal malt beverage has been removed from the public bonded liquor warehouse for delivery to the consignee, the warehouse shall make a written report to the director setting out the name of the carrier to which the liquor has been delivered, the name and address of the consignee, and a description of the liquor delivered. (Authorized by K.S.A. 41-211, K.S.A. 1989 Supp. 41-210; implementing K.S.A. 1989 Supp. 41-408, 41-409; effective Jan. 1, 1966; amended, T-88-22, July 1, 1987; amended May 1, 1988; amended Aug. 6, 1990.)

## Article 6.—CONTAINERS; LABELS

**14-6-1.** Containers, nature and form; change of original containers or labels. (a)(1) Each original package of alcoholic liquor or cereal malt beverage sold or offered for sale in this state shall be constructed of such material and be in such form as has been generally founded by the industry and recognized by federal and state enforcement officers to be safe, sanitary, and in no manner prejudicial to the health or interest of the public.

(2) All original packages of alcoholic liquor shall, before being offered for sale or sold, be approved by the director as to nature and form. Each manufacturer or corporate subsidiary of any manufacturer who markets the manufacturer's products through a subsidiary, each rectifier, distiller, and fermenter and each distributor of alcoholic liquor bottled in foreign countries shall submit an approved copy of the federal label approval form for each container offered for sale in this state.

(3) Each manufacturer or corporate subsidiary of a manufacturer who markets the manufacturer's products through a subsidiary, each rectifier, distiller, and fermenter, and each distributor of alcoholic liquor bottled in foreign countries, wishing to offer alcoholic liquor for sale in this state shall, upon requesting authority to do so, furnish a copy of the price list containing the information required by K.A.R. 14-14-10.

(4) After a container has been approved as to nature and form for sale in Kansas, further approval shall not be required.

(5) Each item shall be approved prior to posting it on the first of any month. No new container embodying changes as to nature and form for the same brand or kind of merchandise shall be sold or offered for sale until an approved copy of the federal label approval form has been submitted to the director.

(6) Imported containers embodying substantially the same brand, type and age of alcoholic liquor as that of

(continued)

ferred domestically by the same manufacturer or supplier, or a subsidiary of same, may be approved for sale in Kansas by the director.

(7) A container shall not be approved for sale in this state which, because of its design, composition or form, is obscene material.

(b) Whenever any original package of alcoholic liquor which has been approved as provided by subsection (a) of this regulation is changed by different labeling, closure, container, age or proof or changed in any other respect which, in the opinion of the director, constitutes a significant package change, the following procedures shall be followed:

(1) The new package, which reflects the change or changes, shall, before being offered for sale or sold, be approved by the director as to nature and form and shall be subject to all other provisions of subsection (a) of this regulation.

(2) To insure the orderly depletion of old packages in the inventories of licensed distributors, the manufacturer or supplier, subject to approval by the director, may redistribute at the expense of the manufacturer or supplier, among licensed distributors, the remaining stocks of the old packages prior to the release of the new packages. All inventories of the old package in the hands of the distributors shall be depleted before the new package may be offered for sale. (Authorized by K.S.A. 1989 Supp. 41-210, implementing K.S.A. 41-211; effective Jan. 1, 1966; amended Jan. 1, 1969; amended Jan. 1, 1970; amended Jan. 1, 1971; amended, E-80-28, Dec. 12, 1979; amended May 1, 1980; amended Oct. 1, 1988, amended Aug. 6, 1990.)

**14-6-4. Labels on containers of beer and cereal malt beverage.** (a) Each original package of beer and cereal malt beverage offered for sale in this state shall bear a label setting forth in plain and legible print in the English language, and in the manner permitted by federal laws and regulations with respect to the labeling of beer:

(1) The word "beer" or "ale" or the name listed in subsection (c) of K.S.A. 1989 supp. 41-102;

(2) The number of fluid ounces contained therein;

(3) The name of the beer or cereal malt beverage manufacturer or importer. If the name of the importer on the label and on the federal, approved label is not the same as the supplier wanting to post the brand or item, a letter of authority or other documentation from the importer shall be submitted;

(4) A statement that the contents contain no more than 3.2% alcohol by weight; except that any kind or brand of cereal malt beverage that contains less than  $\frac{1}{2}$  of 1% of alcohol by volume, may show a statement that the contents contain less than 0.5% alcohol by volume; and

(5) Any additional information required by other laws and regulations.

(b) Prior to the shipment of any beer into the state, each label shall be submitted in duplicate to the director, accompanied by a federal label approval form when applicable. (Authorized by K.S.A. 41-211; implementing K.S.A. 41-211, 41-706; effective Jan. 1, 1966; amended May 1, 1985; amended Oct. 1, 1988; amended Aug. 6, 1990.)

#### Article 7.—TAX; TAX STAMPS

**14-7-4. Alcoholic liquor and cereal malt beverage; payment of tax; bond required.** (a) The tax on alcoholic liquor and cereal malt beverage, as levied by the act and payable by a distributor, shall be paid by the distributor on or before the 15th day of the calendar month succeeding the month in which the distributor acquires possession of any alcoholic liquor upon which the tax has not been paid. The payment shall be by check and shall be accompanied by a report to the director, upon forms to be furnished by the director. The report shall show separately the exact total amount, in gallons or in fractions of gallons, of the following types of alcoholic beverages received by the distributor during the preceding month:

(1) Wine containing 14% or less of alcohol by volume;

(2) Wine containing more than 14% of alcohol by volume;

(3) Alcohol and spirits;

(4) Beer, containing more than 3.2% alcohol by weight; and

(5) Cereal malt beverages, containing 3.2% or less alcohol by weight.

(b) Any sheriff who possesses alcoholic liquor, except beer, that is to be sold under an order of a court which has jurisdiction and upon which the tax has not been paid, shall file a report that provides the description and the amount of all alcoholic liquor to be sold. The report shall be filed on forms furnished by the director. The tax due and owing upon the liquor shall be paid out of the money received by the sheriff at the sale. The tax shall be remitted with the report, by cash, certified check, bank draft, post office or express money order.

(c)(1) Each licensed distributor shall furnish a bond payable to the director for the term of the license of the distributor. The bond shall be in a penal sum fixed and in a form approved by the director, shall be executed by the distributor as principal and by a corporate surety authorized to do business in the state of Kansas as surety and shall be conditioned upon the payment of the tax and penalties imposed by the act and this regulation upon such distributor.

(2) Any distributor may furnish, in lieu of this required bond, one or more certificates of deposit, corporate stock certificates, revenue bonds, or similar forms of collateral in the required amount. The collateral shall be deposited in an escrow account to be held by any recognized professional escrow agent. The escrow agreement shall be submitted upon a form provided by the director. All escrow agreements shall be subject to the director's approval.

(3) The amount of the bond shall be fixed by the director as follows:

(A) Each licensed spirits distributor shall furnish a bond equivalent in amount to the distributor's estimated highest monthly tax liability. However, the total amount of the bond shall not be less than \$15,000.

(B) Each licensed wine distributor shall furnish a bond equivalent to the distributor's estimated highest monthly tax liability. However, the total amount of the bond shall not be less than \$5,000.

(C) Each licensed beer distributor shall furnish a bond equivalent to the distributor's estimated highest monthly

tax liability. However, the total amount of the bond shall not be less than \$5,000.

(d) A licensed distributor shall not accept any money from a manufacturer or another distributor to be used for the payment of the tax on alcoholic liquor. A distributor or manufacturer shall not advance any money to a licensed distributor for the purpose of paying that tax. (Authorized by K.S.A. 1989 Supp. 41-210; implementing K.S.A. 1989 Supp. 41-409, 41-502, 41-317; effective Jan. 1, 1966; amended Jan. 1, 1968; amended Jan. 1, 1973; amended Jan. 1, 1974; amended May 1, 1984; amended May 1, 1985; amended Oct. 1, 1988; amended Aug. 6, 1990.)

#### Article 10.—TRADE PRACTICES

**14-10-5. Definitions.** As used in this article of these regulations, unless the context clearly requires otherwise, the following words and phrases shall have the meanings ascribed to them in this regulation:

(a) "Caterer" means a person licensed pursuant to Article 22 of these regulations.

(b) "Club" means the premises or person licensed pursuant to Articles 19 or 20 of these regulations.

(c) "Director" means the director of the division of alcoholic beverage control of the department of revenue.

(d) "Distributor" means those persons licensed by the director, pursuant to K.S.A. 1989 Supp. 41-306, 41-306a, and 41-307, to sell or offer for sale alcoholic liquor, spirits, wine, beer or cereal malt beverage to any person authorized by law to sell alcoholic liquor, spirits, wine, beer or cereal malt beverage at retail.

(e) "Drinking establishment" means the premises or person licensed pursuant to Article 21 of these regulations.

(f) "Industry member" means any distributor, manufacturer or supplier, or any agent, salesperson or representative thereof.

(g) "Manufacturer" means every brewer, fermenter, distiller, rectifier, wine maker, blender, processor, bottler, person or other entity who fills or refills an original package or is engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquor, beer or cereal malt beverage. A "manufacturer" shall also mean:

(1) A corporate subsidiary of any manufacturer which markets alcoholic liquor through a subsidiary; and

(2) an American distributor of alcoholic liquor manufactured, produced or bottled in a foreign country. A "manufacturer" shall not include a farm winery or a microbrewery.

(h) "Person" means any natural person, corporation, association or partnership.

(i) "Retailer" means a person licensed by the director to sell at retail, or offer for sale at retail, alcoholic liquor for consumption off the licensed premises of the retailer.

(j) "Supplier" means a manufacturer of alcoholic liquor or cereal malt beverage or an agent of such a manufacturer, other than a salesperson.

(k) This regulation shall take effect on or after October 1, 1988. (Authorized by and implementing K.S.A. 1989 Supp. 41-703; effective, T-89-2, Jan. 7, 1988; effective Oct. 1, 1988; amended Aug. 6, 1990.)

#### Article 13.—RETAIL LIQUOR DEALER

**14-13-1. Definitions.** As used in this article of these regulations, unless the context clearly requires otherwise, the following words and phrases shall have the meanings ascribed to them in this regulation:

(a) "Alcoholic liquor" means alcohol, spirits, wine, beer and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed as a beverage by a human being. Alcoholic liquor shall not include cereal malt beverage.

(b) "Beer" means a beverage containing more than 3.2% alcohol by weight, obtained by alcoholic fermentation of an infusion or concoction of barley or other grain, malt and hops in water. The term beer includes beer, ale, stout, lager beer, porter and similar beverages having such an alcoholic content.

(c) "Beneficial interest" means any ownership interest by a person or that person's spouse in a business, corporation, partnership, business trust, association or other form of business organization which exceeds 5% of the outstanding shares of that corporation or a similar holding in any other form of business organization.

(d) "Bulk wine" means wine which is sold to a club either by a retailer or a distributor in barrels, casks or bulk containers which individually exceed 20 liters.

(e) "Caterer" means a person licensed pursuant to Article 22 of these regulations.

(f) "Cereal malt beverage" means any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but does not include any liquor which is more than 3.2% alcohol by weight.

(g) "Church" means a building owned or leased by a religious organization and used exclusively as a place for religious worship and other activities ordinarily conducted by a religious organization.

(h) "Club" means the premises or person licensed pursuant to Articles 19 or 20 of these regulations.

(i) "Director" means the director of the division of alcoholic beverage control of the department of revenue.

(j) "Distributor" means those persons licensed by the director, pursuant to K.S.A. 1989 Supp. 41-306, 41-306a, and 41-307, to sell or offer for sale alcoholic liquor, spirits, wine, beer or cereal malt beverage to any person authorized by law to sell alcoholic liquor, spirits, wine, beer or cereal malt beverage at retail.

(k) "Drinking establishment" means the premises or person which has been licensed pursuant to Article 21 of these regulations.

(1) "Licensed premises" means those areas described in an application for a retailer's license which are under the control of the applicant and which are intended as the area in which alcoholic liquor is to be sold for consumption off the licensed premises or stored for later sale.

(m) "Morals charge" means a charge made in an indictment, information or a complaint alleging crimes which involve:

- (1) Prostitution;
- (2) procuring any person;
- (3) solicitation of a child under 18 years of age for any immoral act involving sex;
- (4) possession or sale of narcotics, marijuana, amphetamines or barbiturates;

(continued)

- (5) rape;
  - (6) incest;
  - (7) gambling;
  - (8) illegal cohabitation;
  - (9) adultery;
  - (10) bigamy; or
  - (11) a crime against nature.
- (n) "Person" means any natural person, corporation, association or partnership.
- (o) "Retailer" means a person licensed by the director to sell at retail, or offer for sale at retail, alcoholic liquor for consumption off the licensed premises of the retailer.
- (p) "Spirits" means any beverage that contains alcohol obtained by distillation, mixed with water or other substances in solution. The term "spirits" includes brandy, rum, whiskey, gin or other spirituous liquors, and liquors when rectified, blended or otherwise mixed with alcohol or other substances.
- (q) "Wine" means any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products, including those beverages containing added alcohol or spirits or containing sugar added for the purpose of correcting natural deficiencies. (Authorized by K.S.A. 1989 Supp. 41-210; implementing K.S.A. 1989 Supp. 41-102; effective May 1, 1988; amended Aug. 6, 1990.)

**14-13-2. Application for retail liquor license, contents, conditions and restrictions on issuance of license.**

(a) A retailer's license shall be issued by the director to each applicant who is determined by the director to have satisfied the requirements of the liquor control act and article 13 of these regulations.

(b) Each application for a retailer's license shall be made upon forms prepared by the director and shall contain all information the director deems necessary. Each application for a retailer's license shall be accompanied by the following documents and all other documents the director deems necessary:

(1) If a partnership, a copy of the partnership agreement;

(2) a copy of a written lease, with at least nine months remaining in its term from the date the license is issued, or proof of ownership of the premises sought to be licensed.

(3) a certified statement from the applicant that the licensed premises are located:

(A) In an area where the zoning regulations of either the city, township or county allow the operation of a retail liquor store; or

(B) in an area where no zoning regulations have been adopted;

(4) the registration fee in the form of a certified check, cashier's check, money order or cash. Personal or business checks shall not be accepted;

(5) the license fee in the form of a certified check, cashier's check, money order or cash. Personal or business checks shall not be accepted.

(6) a bond in the sum of \$2,000, with corporate sureties, conditioned on the retailer's compliance with the provisions of these regulations, the liquor control act and payment of all taxes, fines and forfeitures assessed by the director against the retailer;

(7) a copy of the notice given to the city clerk, if the licensed premises are located within an incorporated city, or the clerk of the township board of trustees in which the licensed premises are located, if the licensed premises are located outside an incorporated city; and

(8) a description of the licensed premises. The description shall state the location of the licensed premises, the approximate dimensions of the licensed premises and enough detail to identify the licensed premises.

(A) Subject to the prior approval of the director, the licensed premises may include:

(i) Those areas outside the main sales area which are within 100 meters of the main sales area and located upon property which is subject to the applicant's legal control; or

(ii) a detached storage area used exclusively for storage of alcoholic liquor by the retailer. The storage area shall be located within 100 meters of the licensed premises.

(B) The licensed premises shall not include:

(i) An inside entrance or opening which connects directly with any other place of business or with a residence; or

(ii) any premises which are located within 200 feet of any public or parochial school, college or church, unless such premises were licensed at the time the school, college or church was established.

(c) An individual or partnership shall not be issued a retailer's license if any individual, partner or spouse of that individual or partner:

(1) Has been convicted of a felony under the laws of this state, any other state or the United States;

(2) has been convicted of being the keeper or is keeping a house of prostitution or has forfeited bond to appear in court to answer charges of being a keeper of a house of prostitution;

(3) has been convicted of being a proprietor of a gambling house, pandering or any other crime opposed to decency and morality or has forfeited bond to appear in court to answer charges for any of those crimes;

(4) is not at least 21 years of age. This shall not apply to the spouse of the individual or partner;

(5) (A) Appoints or supervises any law enforcement officer, other than as a member of the governing body of a city or county;

(B) is a law enforcement official; or

(C) is an employee of the director;

(6) intends to act as the agent of another in exercising control of the license;

(7) at the time of application for renewal of the license issued by the director would be ineligible for the license upon a first application. This shall not apply if the individual's or partner's spouse is ineligible upon the application for renewal;

(8) has had any license or permit issued by the director revoked;

(9) has a beneficial interest in:

(A) A license allowing the manufacture, preparation or wholesale of alcoholic liquors;

(B) any club, drinking establishment or caterer licensed by the director;

(C) another retail liquor store licensed by the director; or



(D) a license allowing the manufacture, preparation or wholesale of cereal malt beverages.

(10) has been a citizen of the United States for less than 10 years. This shall not apply to the spouse of the individual or partner;

(11) has been a resident of the State of Kansas for less than four years immediately preceding the date of application. This shall not apply to the spouse of the individual or partner; and

(12) is employed in the capacity of an officer or a manager, or in connection with the mixing, serving, selling and dispensing of alcoholic liquor for a club, drinking establishment or caterer which is licensed by the director. This shall not apply to a retail licensee who is also any officer, director or board member of a class A club if the retail licensee does not sell alcoholic liquor to the class A club.

(d) An application for a license may be rejected by the director if:

(1) The applicant or any individual of a partnership have previously owned or operated any type of retail liquor, club, drinking establishment or caterer's license, and at the time the previous license was surrendered, the licensee had been ordered to appear and show cause why the license should not be revoked or suspended;

(2) the application is for premises which were the subject of the order to appear and show cause as set forth in paragraph (1), above, and it appears that the new application for a license is an attempt to avoid any possible remedial action taken by the director against the former licensee;

(3) the applicant or any individual of a partnership have previously owned or operated any type of retail liquor, club, drinking establishment or caterer's license, and at the time the previous license was surrendered, the licensee was delinquent in payment of any excise or enforcement tax, fees or fines to the state of Kansas; or

(4) the applicant or any individual of a partnership is currently delinquent in payment of any excise or enforcement tax, fees or fines to the State of Kansas; or

(5) the application is for premises which were subject of the delinquent taxes as set forth in paragraph (3), above, and it appears that the new application for a license is an attempt to avoid payment of the tax.

(e) For the purpose of determining qualification under subsections (c) and (d) of this regulation, any person who leases premises to a retailer upon terms which result in the lessor having a beneficial interest in the retailer's business shall be deemed to be a partner in the retailer's business if the lessor receives as rent, in whole or in part, a percentage of the retailer's gross receipts or profits from the sale of alcoholic liquor. Percentage rent provisions that exclude alcoholic liquor sales shall be subject to review and approval by the director. (Authorized by K.S.A. 1989 Supp. 41-210; implementing K.S.A. 1989 Supp. 41-211; 41-301; 41-315; 41-710; K.S.A. 1989 Supp. 41-711; K.S.A. 1989 Supp. 41-310; K.S.A. 1989 Supp. 41-311; 41-312; K.S.A. 1989 Supp. 41-317; K.S.A. 1989 Supp. 41-703; effective May 1, 1988; amended Aug. 6, 1990.)

**14-13-4. Retailer must pay city or township license tax and purchase a federal retail stamp before making sales.** (a) A retailer shall not sell or offer for sale any

alcoholic liquor until the retailer has paid the annual occupation or license tax imposed by the city or township in which the licensed premises are located.

(b) A retailer shall purchase from the United States bureau of alcohol, tobacco and firearms a federal retail tax stamp or, if applicable, a federal wholesale tax stamp and shall display that stamp, or proof of payment for the stamp, in public view on the licensed premises. (Authorized by K.S.A. 1989 Supp. 41-210; implementing K.S.A. 1989 Supp. 41-310; effective May 1, 1988; amended Aug. 6, 1990.)

**14-13-9. Transactions prohibited, agreements and deliveries by retailer for sale or resale off licensed premises, registration of vehicle.** (a) Except as provided in subsection (c) of this regulation, each retailer shall sell and deliver alcoholic liquor only upon the licensed premises of the retailer for consumption off of the licensed premises.

(b) A retailer shall not sell any alcoholic liquor upon the following days or at the following times:

(1) During the hours the polls are open on any national, state, county or city election day, including primary elections;

(2) on Sunday;

(3) on Memorial Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day; and

(4) on any other day of the year prior to nine o'clock a.m. or after eleven o'clock p.m.

(c) Any retailer may sell and deliver alcoholic liquor to a club, drinking establishment or caterer if:

(1) All deliveries of alcoholic liquor are made to the licensed premises of a club or drinking establishment and to the principal place of business of a caterer;

(2) all deliveries are made by a registered employee of the retailer;

(3) all deliveries are made in a registered vehicle of the retailer;

(4) the retailer provides a sales slip or voucher for each item delivered as required by K.A.R. 14-13-10;

(5) the retailer receives payment for all deliveries prior to or at the time of the deliveries;

(6) the retailer has first obtained a federal wholesale basic permit and displays a sign on the licensed premises that states the retailer is a "Wholesale Liquor Dealer Under Federal Law"; and

(7) all deliveries of alcoholic liquor are made on those days and during those hours that a retailer may sell alcoholic liquor as provided in subsection (b) of this regulation;

(8) all deliveries originate from the licensed premises of the retailer.

(d) Each retailer who desires to transport alcoholic liquor shall register each vehicle to be used for such purpose with the director, upon forms provided by the director and shall maintain in each vehicle an identification card issued by the director. The cost for each card shall be \$5.00. The registered delivery vehicle may have displayed upon the front door panels of the vehicle the retail licensee's business name, address and phone number in plain block lettering. Letters or figures in the sign shall not be more than four inches high or three inches wide.

(continued)

If more than one line is used, the lines shall be not more than one inch apart.

(e) Any retailer may sell alcoholic liquor to a temporary permit holder if:

(1) Sales are made only upon the licensed premises of the retailer;

(2) no deliveries are made to a temporary permit holder or an event sponsor; and

(3) the retailer provides a sales slip or voucher as required by K.A.R. 14-13-10.

(f) Except as otherwise provided in this regulation, a retailer shall not engage, directly or indirectly, in any conspiracy, transaction or agreement having as its object the sale or resale, away from or off of the licensed premises, of any alcoholic liquor owned, sold or delivered by that retailer. Retailers shall not sell or deliver any alcoholic liquor to any person with knowledge of, or with reasonable cause to believe, that the person to whom the liquor is sold or delivered has acquired the same for the purpose of peddling or reselling the alcoholic liquor in violation of these regulations, the liquor control act or the club and drinking establishment act.

(g) Retailers shall not engage, directly or indirectly, in any conspiracy, transaction or agreement having as its object the sale, resale or delivery of alcoholic liquor before the legal opening hour or after the legal closing hour or on any day when sales are prohibited.

(h) All alcoholic liquor of a retail licensee shall be stored upon the licensed premises of the licensee. Alcoholic liquor shall not be stored upon the licensed premises after the sale thereof.

(i) A retailer shall not sell any alcoholic liquor at less than the acquisition cost of the alcoholic liquor. This shall not apply to those retailers who have received a permit from the director to close out an item of alcoholic liquor, sell a damaged or deteriorated product or sell a retailer's inventory pursuant to a court order. (Authorized by K.S.A. 1989 Supp. 41-210; implementing K.S.A. 1989 Supp. 41-308, K.S.A. 41-712, effective May 1, 1988; amended Aug. 6, 1990.)

**14-13-11. Retail advertising signs.** (a) A retailer shall have one sign on the licensed premises. The sign shall be located on the corner of an exterior window or on the entrance door. The sign shall contain only the business name of the retailer, the license number and the words "Retail Liquor Store" in letters no more than four inches high or three inches wide.

(b) A retailer who is authorized by the Kansas lottery commission to sell lottery devices may display in the windows of the licensed premises an authorized lottery sales sign or decal as approved by the Director. Only one sign or decal may be displayed in each window or set of windows which face north, south, east or west. In no event shall more than four signs or decals be displayed.

(c) Other than the sign authorized by subsections (a) and (b) of this regulation, a retailer shall not place or permit the placing of any object on or within the front windows of the licensed premises which obstructs vision into the interior of the licensed premises. The placing of transparent, tinted, window shades or other devices on the front windows of a licensed premises to shield against the morning or afternoon sun, if the shades or other

device do not obstruct vision into the interior of the licensed premises, shall not be prohibited by this regulation.

(d) A retailer located in a shopping plaza or mall may list the retail liquor store on a shopping plaza or mall directory. Any listing on a shopping plaza or mall directory shall first be approved by the director. A request for approval of such a listing shall be submitted to the director with a diagram of the listing and a diagram of the location of the directory. (Authorized by K.S.A. 1989 Supp. 41-210; implementing K.S.A. 1989 Supp. 41-308; K.S.A. 41-715; effective May 1, 1988; amended Aug. 6, 1990.)

#### Article 14.—MANUFACTURERS; DISTRIBUTORS; NONBEVERAGE USERS; FARM WINERIES; MICROBREWERIES

**14-14-7. Sales and transfers of alcoholic liquor by distributors authorized, export permits.** (a) A distributor may sell any alcoholic liquor pursuant to the issued license to the licensed premise of:

- (1) A distributor;
- (2) a retailer; or to
- (3) a military installation.

(b) A distributor may sell bulk wine and deliver to the licensed premise of a:

- (1) Club;
- (2) drinking establishment; or
- (3) caterer.

(c) A distributor may transfer any alcoholic liquor to another of the distributor's licensed premises. Transfers of alcoholic liquor between a distributor's licensed premises shall be evidenced by proper withdrawal and receiving tickets which shall be subject to inspection by the director.

(d)(1) Export permits may be issued by the director for the shipping of merchandise back to manufacturers when:

- (A) Non-posted items are shipped into Kansas in error;
- (B) merchandise in inventory is unsaleable and the supplier wants the merchandise returned rather than destroyed;

(C) the distributor does not wish to retain excess merchandise received in error; or

(D) issuing such a permit is deemed appropriate by the director.

(2) Requests to return merchandise shall be submitted to the director on forms prescribed by the director. Each request shall include:

(A) The total number of containers or cases in the shipment;

(B) the name, address and license number of the distributor;

(C) the justification for issuing a permit; and

(D) the name, address and license number of the supplier.

(3) If a distributor has received non-posted merchandise, a request for an export permit shall be submitted within five days of receipt of the merchandise.

(4) At the time of an export shipment, the distributor shall forward to the director:

(A) a copy of the invoice signed by the distributor's agent;



(B) a copy of the bill of lading signed by the carrier's agent; and

(C) an affidavit of proof of claim for credit for a refund on the gallonage tax.

(5) An export permit shall not be issued, or alcoholic liquor consigned, to any person or corporation in another state who is not authorized by that state to receive alcoholic liquor. All shipments shall be made by carrier, common carrier or private carrier.

(e) This regulation shall take effect on or after October 1, 1988. (Authorized by K.S.A. 1989 Supp. 41-210; implementing K.S.A. 41-211, 41-801, K.S.A. 1989 Supp. 41-306, 41-306a, 41-307, 41-408, 41-701, 41-709; effective T-89-2, Jan. 7, 1988; effective October 1, 1988; amended Aug. 6, 1990.)

**14-14-14. Transportation of alcoholic liquor and cereal malt beverage by distributors.** Alcoholic liquor and cereal malt beverage purchased from and delivered by a distributor shall be delivered to the premises licensed to receive such purchase. (Authorized by K.S.A. 1989 Supp. 41-210; implementing K.S.A. 1989 Supp. 41-306, 41-306a, 41-307; effective Aug. 6, 1990.)

#### Article 19.—CLASS A CLUBS

**14-19-14. Definitions.** As used in this article of these regulations, unless the context clearly requires otherwise, the following words and phrases shall have the meanings ascribed to them in this regulation:

(a) "Alcoholic liquor" means alcohol, spirits, wine, beer and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed as a beverage by a human being. Alcoholic liquor shall not include any cereal malt beverage.

(b) "Beer" means beverage containing more than 3.2% alcohol by weight, obtained by alcoholic fermentation of an infusion or concoction of barley or other grain, malt and hops in water. The term beer includes beer, ale, stout, lager beer, porter and similar beverages having such an alcoholic content.

(c) "Beneficial interest" means any ownership interest by a person or that person's spouse in a business, corporation, partnership, business trust, association or other form of business organization which exceeds 5% of the outstanding shares of that corporation or a similar holding in any other form of business organization.

(d) "Bulk wine" means wine that is sold to a club either by a retailer or a distributor in barrels, casks or bulk containers which individually exceed 20 liters.

(e) "Cereal malt beverage" means any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but does not include any liquor which is more than 3.2% alcohol by weight.

(f) "Director" means the director of the division of alcoholic beverage control of the department of revenue.

(g) "Distributor" means those persons licensed by the director, pursuant to K.S.A. 1989 Supp. 41-306, 41-306a, and 41-307, to sell or offer for sale alcoholic liquor, spirits, wine, beer or cereal malt beverage to any person authorized by law to sell alcoholic liquor, spirits, wine, beer or cereal malt beverage at retail.

(h) "Licensed premises" means those areas described in an application for a club license that are under the control of the applicant and that are intended as the area in which alcoholic liquor or cereal malt beverages are to be served pursuant to the applicant's license.

(i) "Manager" means the manager or assistant manager, or both, of any licensed club who is in charge of the daily operations of the licensed club. A manager shall be deemed to be employed in connection with the dispensing, selling, mixing or serving of alcoholic liquor.

(j) "Member" means an individual who is a corporate stockholder, partner, trust beneficiary or associate and members of the individual's family as provided in the class A club's organizing documents.

(k) "Morals charge" means a charge made in an indictment, information or a complaint alleging crimes which involve:

- (1) prostitution;
- (2) procuring any person;
- (3) solicitation of a child under 18 years of age for any immoral act involving sex;
- (4) possession or sale of narcotics, marijuana, amphetamines or barbiturates;
- (5) rape;
- (6) incest;
- (7) gambling;
- (8) illegal cohabitation;
- (9) adultery;
- (10) bigamy; or
- (11) a crime against nature.

(l) "Nonprofit fraternal club" means a nonprofit corporation, partnership, business trust or association that:

(1) is a fraternal beneficiary society, order or association operating under the lodge system which provides for the payment of life, sickness, accident or other benefits to its members or their dependents; or

(2) is organized for the exclusive benefit of the members of a fraternity operating under the lodge system.

(m) "Nonprofit social club" means a nonprofit corporation, partnership, business trust or association that:

(1) is organized and operated exclusively for the pleasure, recreation and other nonprofitable use of its shareholders, partners, beneficiaries or members; and

(2) shall not distribute any of its net earnings to any shareholder, partner, beneficiary or member.

(n) "Nonprofit war veterans club" means a nonprofit corporation, partnership, business trust or association that:

(1) is a post or organization of war veterans, an auxiliary unit or society of a post or organization of war veterans or a trust or foundation for a post or organization of war veterans;

(2) requires that 75% of its shareholders, partners, beneficiaries or members be war veterans and substantially all its other members are veterans, widows of veterans or widowers of veterans; and

(3) shall not distribute any of its net earnings to any shareholder, partner, beneficiary or member.

(o) "Person" means any natural person, corporation, association or partnership.

(p) "Retailer" means a person licensed by the director to sell at retail, or offer for sale at retail, alcoholic liquor for consumption off the licensed premises of the retailer.

(continued)

(q) "Spirits" means any beverage that contains alcohol obtained by distillation, mixed with water or other substances in solution. The term "spirits" includes brandy, rum, whiskey, gin or other spirituous liquors, and liquors when rectified, blended or otherwise mixed with alcohol or other substances.

(r) "Wine" means any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products, including beverages containing added alcohol or spirits or containing sugar added for the purpose of correcting natural deficiencies. (Authorized by K.S.A. 1989 Supp. 41-2634; implementing K.S.A. 1989 Supp. 41-2601, K.S.A. 1989 Supp. 41-2634; effective, T-88-22, July 1, 1987; effective May 1, 1988; amended Aug. 6, 1990.)

**14-19-17. Issuance of license.** (a) An annual class A club license shall be issued to each applicant determined by the director to have satisfied the requirements of the club and drinking establishment act and this article of these regulations.

(b) An application for a license may be rejected by the director if:

(1) the applicant's officers, directors, partners, registered agent, managers or owners have previously owned or operated under any type of retail liquor, club, drinking establishment or caterer's license, and at the time the previous license was surrendered, the licensee had been ordered to appear and show cause why the license should not be revoked or suspended;

(2) the application is for premises which were the subject of the order to appear and show cause as set forth in paragraph (1), above, and it appears that the new application for a license is an attempt to avoid any possible remedial action taken by the director against the former licensee;

(3) the applicant's officers, directors, partners, registered agent, managers or owners, are currently delinquent in payment of any excise or enforcement tax, fees or fines to the State of Kansas; or

(4) the applicant's officers, directors, partners, registered agent, managers or owners have previously owned or operated any retail liquor club, drinking establishment or caterer's license, and at the time the previous license was surrendered, the licensee was delinquent in payment of any excise or enforcement tax, fees or fines to the State of Kansas; or

(5) the application is for premises which were the subject of the delinquent taxes as set forth in paragraph (3), above, and it appears that the new application for a license is an attempt to avoid payment of the tax. (Authorized by K.S.A. 1989 Supp. 41-2634; 79-41a03; implementing K.S.A. 1989 Supp. 41-2623 and 79-41a03; effective, T-88-22, July 1, 1987; effective May 1, 1988; amended Aug. 6, 1990.)

#### Article 20.—CLASS B CLUBS

**14-20-14. Definitions.** As used in this article of these regulations, unless the context clearly requires otherwise, the following words and phrases shall have the meanings ascribed to them in this regulation:

(a) "Alcoholic liquor" means alcohol, spirits, wine, beer and every liquid or solid, patented or not, containing

alcohol, spirits, wine or beer and capable of being consumed as a beverage by a human being. Alcoholic liquor shall not include any cereal malt beverage.

(b) "Beer" means a beverage containing more than 3.2% alcohol by weight, obtained by alcoholic fermentation or an infusion or concoction of barley or other grain, malt and hops in water. The term beer includes beer, ale, stout, lager beer, porter and similar beverages having such an alcoholic content.

(c) "Beneficial interest" means any ownership interest by a person or that person's spouse in a business, corporation, partnership, business trust, association or other form of business organization which exceeds 5% of the outstanding shares of that corporation or a similar holding in any other form of business organization.

(d) "Bulk wine" means wine which is sold to a club either by a retailer or a distributor in barrels, casks or bulk containers which individually exceed 20 liters.

(e) "Cereal malt beverage" means any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but does not include any liquor which is more than 34.2% alcohol by weight.

(f) "Director" means the director of the division of alcoholic beverage control of the department of revenue.

(g) "Distributor" means those persons licensed by the director, pursuant to K.S.A. 1989 Supp. 41-306, 41-306a and 41-307, to sell or offer for sale alcoholic liquor, spirits, wine, beer or cereal malt beverage to any person authorized by law to sell alcoholic liquor, spirits, wine, beer or cereal malt beverage at retail.

(h) "Food service establishment" has the meaning provided by K.S.A. 36-501 and amendments thereto.

(i) "Licensed premises" means those areas described in an application for a club license that are under the control of the applicant and that are intended as the area in which alcoholic liquor or cereal malt beverages are to be served pursuant to the applicant's license.

(j) "Manager" means the manager or assistant manager, or both, of any licensed club who is in charge of the daily operations of the licensed club. A manager shall be deemed to be employed in connection with the dispensing, selling, mixing or serving of alcoholic liquor.

(k) "Member" means any individual who has been accepted into membership by a licensed class B club, as provided in the club's organizing documents, and that individual's spouse.

(l) "Morals Charge" means a charge made in an indictment, information or a complaint alleging crimes which involve:

- (1) prostitution;
- (2) procuring any person;
- (3) solicitation of a child under 18 years of age for any immoral act involving sex;
- (4) possession or sale of narcotics, marijuana, amphetamines or barbiturates;
- (5) rape;
- (6) incest;
- (7) gambling;
- (8) illegal cohabitation;
- (9) adultery;
- (10) bigamy; or
- (11) a crime against nature.

(m) "Person" means any natural person, corporation, association or partnership.

(n) "Retailer" means a person licensed by the director to sell at retail, or offer for sale at retail, alcoholic liquor for consumption off the licensed premises of the retailer.

(o) "Restaurant" means:

(1) In the case of a club, a licensed food service establishment which, as determined by the director, derives from sales of food for consumption on the licensed club premises not less than 50% of its gross receipts from all sales of food and beverages on such premises in a 12-month period;

(2) in the case of a drinking establishment subject to a food sales requirement under K.S.A. 1989 Supp. 41-2642 and amendments thereto, a licensed food service establishment which, as determined by the director, derives from sales of food for consumption on the licensed drinking establishment premises not less than 30% of its gross receipts from all sales of food and beverages on such premises in a 12-month period; and

(3) in the case of a drinking establishment subject to no food sales requirement under K.S.A. 1989 Supp. 41-2642 and amendments thereto, a licensed food service establishment.

(p) "Spirits" means any beverage that contains alcohol obtained by distillation, mixed with water or other substances in solution. The term "spirits" includes brandy, rum, whisky, gin or other spirituous liquors, and liquors when rectified, blended or otherwise mixed with alcohol or other substances.

(q) "Wine" means any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products, including similar beverages containing added alcohol or spirits or containing sugar added for the purpose of correcting natural deficiencies. (Authorized by K.S.A. 1989 Supp. 41-2634; implementing K.S.A. 1989 Supp. 41-2601; effective, T-88-22, July 1, 1987; effective May 1, 1988; amended Aug. 6, 1990.)

**14-20-17. Issuance of license.** (a) An annual class B club license shall be issued to each applicant who is determined by the director to have satisfied the requirements of the club and drinking establishment act and this article of these regulations.

(b) An application for a license may be rejected by the director if:

(1) the applicant's officers, directors, partners, registered agent, managers or owners have previously owned or operated any retail liquor, club, drinking establishment or caterer's license, and at the time the previous license was surrendered, the licensee had been ordered to appear and show cause why the license should not be revoked or suspended;

(2) the application is for premises which were the subject of the order to appear and show cause as set forth in paragraph (1), above, and it appears that the new application for a license is an attempt to avoid any possible remedial action taken by the director against the former licensee;

(3) the applicant's officers, directors, partners, registered agent, managers or owners, are currently delinquent

in payment of any excise or enforcement tax, fees or fines to the State of Kansas; or

(4) the applicant's officers, directors, partners, registered agent, managers or owners have previously owned or operated any retail liquor club, drinking establishment or caterer's license, and at the time the previous license was surrendered, the licensee was delinquent in payment of any excise or enforcement tax, fees or fines to the State of Kansas; or

(5) the application is for premises which were the subject of the delinquent taxes as set forth in paragraph (3), above, and it appears that the new application for a license is an attempt to avoid payment of the tax. (Authorized by K.S.A. 1989 Supp. 41-2634; 79-41a03; implementing K.S.A. Supp. 41-2623; K.S.A. 79-41a03; effective, T-88-22, July 1, 1987; effective May 1, 1988; amended Aug. 6, 1990.)

## Article 21.—DRINKING ESTABLISHMENTS

**14-21-1. Definitions.** As used in this article of these regulations, unless the context clearly requires otherwise, the following words and phrases shall have the meanings ascribed to them in this regulation:

(a) "Alcoholic liquor" means alcohol, spirits, wine, beer and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed as a beverage by a human being. Alcoholic liquor shall not include any cereal malt beverage.

(b) "Beer" means a beverage, containing more than 3.2% alcohol by weight, obtained by alcoholic fermentation of an infusion or concoction of barley or other grain, malt and hops in water. The term beer includes beer, ale, stout, lager beer, porter and similar beverages having such an alcoholic content.

(c) "Beneficial interest" means any ownership interest by a person or that person's spouse in a business, corporation, partnership, business trust, association or other form of business organization which exceeds 5% of the outstanding shares of that corporation or similar holding in any other form of business organization.

(d) "Bulk Wine" means wine that is sold to a drinking establishment either by a retailer or a distributor in barrels, casks or bulk containers which individually exceed 20 liters.

(e) "Cereal malt beverage" means any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but does not include any liquor which is more than 3.2% alcohol by weight.

(f) "Director" means the director of alcoholic beverage control of the department of revenue.

(g) "Distributor" means those persons licensed by the director, pursuant to K.S.A. 1989 Supp. 41-306, 41-306a, and 41-307, to sell or offer for sale alcoholic liquor, spirits, wine, beer or cereal malt beverage to any person authorized by law to sell alcoholic liquor, spirits, wine, beer or cereal malt beverage at retail.

(h) "Food service establishment" has the meaning provided by K.S.A. 36-501 and amendments thereto.

(i) "Licensed premises" means those areas described in an application for a drinking establishment license that are under the control of the applicant and that are in-

(continued)

tended as the area in which alcoholic liquor or cereal malt beverages are to be served pursuant to the applicant's license.

(j) "Manager" means the manager or assistant manager, or both, of any licensed drinking establishment who is in charge of the daily operations of the licensed drinking establishment. A manager shall be deemed to be employed in connection with the dispensing, selling, mixing or serving of alcoholic liquor.

(k) "Morals charge" means any charge made in an indictment, information or a complaint alleging crimes which involve:

- (1) prostitution;
- (2) procuring any person;
- (3) solicitation of a child under 18 years of age for any immoral act involving sex;
- (4) possession or sale of narcotics, marijuana, amphetamines or barbiturates;
- (5) rape;
- (6) incest;
- (7) gambling;
- (8) illegal cohabitation;
- (9) adultery;
- (10) bigamy; or
- (11) a crime against nature.

(l) "Person" means any natural person, corporation, partnership or association. "Person" shall not mean the state of Kansas, any city in the state of Kansas or any county in the state of Kansas.

(m) "Restaurant" means:

(1) In the case of a club, a licensed food service establishment which, as determined by the director, derives from sales of food for consumption on the licensed club premises not less than 50% of its gross receipts from all sales of food and beverages on such premises in a 12-month period;

(2) in the case of a drinking establishment subject to a food sales requirement under K.S.A. Supp. 41-2642 and amendments thereto, a licensed food service establishment which, as determined by the director, derives from sales of food for consumption on the licensed drinking establishment premises not less than 30% of its gross receipts from all sales of food and beverages on such premises in a 12-month period; and

(3) in the case of a drinking establishment subject to no food sales requirement under K.S.A. 1989 Supp. 41-2642 and amendments thereto, a licensed food service establishment.

(n) "Retailer" means a person licensed by the director to sell at retail, or offer for sale at retail, alcoholic liquor for consumption off the licensed premises of the retailer.

(o) "Spirits" means any beverage that contains alcohol obtained by distillation, mixed with water or other substances in solution. The term "spirits" includes brandy, rum, whiskey, gin or other spirituous liquors, and liquors when rectified, blended or otherwise mixed with alcohol or other substances.

(p) "Wine" means any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products, including those beverages containing added alcohol or spirits or containing sugar added for the purpose of cor-

recting natural deficiencies. (Authorized by K.S.A. 1989 Supp. 41-2634; implementing K.S.A. 1989 Supp. 41-2601; effective, T-88-22, July 1, 1987; effective May 1, 1988; amended Aug. 6, 1990.)

**14-21-4. Issuance of License.** (a) An annual drinking establishment license shall be issued to each applicant determined by the director to have satisfied the requirements of the club and drinking establishment act and this article of these regulations.

(b) An application for a license may be rejected by the director if:

(1) the applicant, officers, directors, partners, registered agent, trustees, managers, or owners have previously owned or operated any retail liquor club, drinking establishment or caterer's license, and at the time the previous license was surrendered, the licensee had been ordered to appear and show cause why the license should not be revoked or suspended;

(2) the application is for premises which were the subject of the order to appear and show cause as set forth in paragraph (1) above, and it appears that the new application for a license is an attempt to avoid any possible remedial action taken by the director against the former licensee;

(3) the applicant's officers, directors, partners, registered agent, managers or owners, are currently delinquent in payment of any excise or enforcement tax, fees or fines to the State of Kansas; or

(4) the applicant, officers, directors, partners, registered agent, trustees, managers or owners have previously owned or operated any type of retail liquor club, drinking establishment or caterer's license, and at the time the previous license was surrendered, the licensee was delinquent in payment of any excise or enforcement tax, fees or fines to the State of Kansas; or

(5) the application is for premises which were the subject of the delinquent taxes as set forth in paragraph (3), above, and it appears that the new application for a license is an attempt to avoid payment of the tax. (Authorized by K.S.A. 1989 Supp. 41-2634; 79-41a03; implementing K.S.A. 1989 Supp. 41-2623; 79-41a07; effective, T-88-22, July 1, 1987; effective May 1, 1988; amended Aug. 6, 1990.)

**14-21-6. Change of drinking establishment status.** (a) If a licensee desires to change the status of its license from a drinking establishment to either a class A or class B club, the licensee shall make application, at least 45 days prior to the desired date of the change, for the type of license sought and shall voluntarily cancel the current license upon the issuance of the new type license. The licensee shall receive a refund for the license voluntarily canceled as required by K.A.R. 14-21-7.

(b) If a drinking establishment fails an audit conducted by the director or the secretary to establish that at least 30% of its gross receipts are derived from the sale of food, then that drinking establishment's license as a drinking establishment shall be canceled. The drinking establishment licensee shall have 10 days from the receipt of its notice of cancellation to make application to become a class B club. On the tenth day after receipt of notice of cancellation, the drinking establishment license will be

canceled and the drinking establishment shall begin conducting business as a class B club pending the processing of the application for said class B club license. If the application for a class B club license is denied or if the applicant fails to process its application within 30 days, then the applicant shall discontinue operations under the club and drinking establishment act and surrender its license to the director. This provision shall not apply to any drinking establishment located in a county that has eliminated this requirement.

(c) If one of the drinking establishments owned by a licensee which holds multiple licenses pursuant to the provisions of K.A.R. 14-21-8, fails an audit conducted by the director or the secretary to establish that at least 30% of its gross receipts are derived from the sale of food, then that drinking establishment's license as a drinking establishment shall be canceled. The licensee shall have 10 days from receipt of notice of cancellation to advise the director, in writing, of its intent to sell the drinking establishment and the date upon which the sale will be effective. If the effective sale date is within 30 days of the delivery of the licensee's notice of intent to sell, then the license shall be canceled on the effective date of the sale. If the licensee fails to give the notice of intent to sell or the effective date is longer than 30 days from the receipt of the licensee's notice of intent to sell, the licensee's license shall be canceled 40 days from the date the licensee receives the director's notice of cancellation and the licensee shall discontinue operations under the club and drinking establishment act and surrender its license to the director. This provision shall not apply to any drinking establishment located in a county that has eliminated this requirement. (Authorized by K.S.A. 1989 Supp. 41-2634; implementing K.S.A. 1989 Supp. 41-2601, 41-2623; effective, T-88-22, July 1, 1987; effective May 1, 1988; amended Aug. 6, 1990.)

#### Article 22.—CATERER

**14-22-1. Definitions.** As used in this article of these regulations, unless the context clearly requires otherwise, the following words and phrases shall have the meanings ascribed to them in this regulation:

(a) "Alcoholic liquor" means alcohol, spirits, wine, beer and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed as a beverage by a human being. Alcoholic liquor shall not include any cereal malt beverage.

(b) "Beer" means beverage containing more than 3.2% alcohol by weight, obtained by alcoholic fermentation of an infusion or concoction of barley or other grain, malt and hops in water. The term beer includes beer, ale, stout, lager beer, porter and similar beverages having such alcoholic content.

(c) "Beneficial interest" means any ownership interest by a person or that person's spouse in a business, corporation, partnership, business trust, association or other form of business organization which exceeds 5% of the outstanding shares of that corporation or a similar holding in any other form of business organization.

(d) "Bulk wine" means wine that is sold to a caterer either by a retailer or a distributor in barrels, casks or bulk containers which individually exceed 20 liters.

(e) "Cereal malt beverage" means any fermented but undistilled liquor brewed or made from malt or from a mixture of malt or malt substitute, but does not include any liquor which is more than 3.2% alcohol by weight.

(f) "Director" means the director of alcoholic beverage control of the department of revenue.

(g) "Distributor" means those persons licensed by the director, pursuant to K.S.A. 1989 Supp. 41-306, 41-306a, and 41-307, to sell or offer for sale alcoholic liquor, spirits, wine, beer or cereal malt beverage to any person authorized by law to sell alcoholic liquor, spirits, wine, beer or cereal malt beverage at retail.

(h) "Event" means any occasion at which a licensed caterer will offer for sale, sell and serve alcoholic liquor to the general public in conjunction with the sale and service of food.

(i) "Licensed premises" means those areas described in an application for a club license which are under the control of the applicant and which are intended as the area in which alcoholic liquor or cereal malt beverages are to be served pursuant to the applicant's license.

(j) "Morals charge" means a charge made in an indictment, information or a complaint alleging crimes which involve:

- (1) prostitution;
- (2) procuring any person;
- (3) solicitation of a child under 18 years of age for any immoral act involving sex;
- (4) possession or sale of narcotics, marijuana, amphetamines or barbiturates;
- (5) rape;
- (6) incest;
- (7) gambling;
- (8) illegal cohabitation;
- (9) adultery;
- (10) bigamy; or
- (11) a crime against nature.

(k) "Organization" means any nonprofit charitable organization that conducts charitable activities in the state.

(l) "Permitted premises" means those areas described in the notification of an event that are under the control of the caterer that are intended as the areas in which alcoholic liquor may be served to the public.

(m) "Person" means any natural person, corporation, or partnership.

(n) "Principal place of business" means the place from which a caterer will conduct its business, other than events, which is described in the caterer's application.

(o) "Retailer" means a person licensed by the director to sell at retail, or offer for sale at retail, alcoholic liquor for consumption off the licensed premises of the retailer.

(p) "Spirits" means any beverage that contains alcohol obtained by distillation, mixed with water or other substances in solution. The term "spirits" includes brandy, rum, whiskey, gin or other spirituous liquors, and liquors when rectified, blended or otherwise mixed with alcohol or other substances.

(q) "Sponsor" means the person or organization which contracts with a caterer to conduct an event.

(r) "Wine" means any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products,

(continued)



including those beverages containing added alcohol or spirits or containing sugar added for the purpose of correcting natural deficiencies. (Authorized by K.S.A. 1989 Supp. 41-2634; implementing K.S.A. 1989 Supp. 41-2601; effective, T-88-22, July 1, 1987; effective May 1, 1988; amended Aug. 6, 1990.)

**14-22-4. Issuance of license.** (a) An annual caterer's license shall be issued to each applicant determined by the director to have satisfied the requirements of the club and drinking establishment act and this article of these regulations.

(b) An application for a license may be rejected by the director if:

(1) the applicant, officers, directors, partners, registered agents, trustees, managers or owners have previously owned or operated any type of retail liquor club, drinking establishment or caterer's license, and at the time the previous license was surrendered, the licensee had been ordered to appear and show cause why the license should not be revoked or suspended;

(2) the application is for premises which were the subject of the order to appear and show cause as set forth in paragraph (1) above, and it appears that the new application for a license is an attempt to avoid any possible remedial action taken by the director against the former licensee;

(3) the applicant's officers, directors, partners, registered agent, managers or owners, are currently delinquent in payment of any excise or enforcement tax, fees or fines to the State of Kansas; or

(4) the applicant, officers, directors, partners, registered agent, trustees, managers or owners have previously owned or operated any type of retail liquor club, drinking establishment or caterer's license, and at the time the previous license was surrendered, the licensee was delinquent in payment of any excise or enforcement tax, fees or fines to the State of Kansas; or

(5) the application is for premises which were the subject of the delinquent taxes as set forth in paragraph (3), above, and it appears that the new application for a license is an attempt to avoid payment of the tax. (Authorized by K.S.A. 1989 Supp. 41-2634; K.S.A. 79-41a03; implementing K.S.A. 1989 Supp. 41-2605, 41-2623; K.S.A. 79-41a07; effective, T-88-22, July 1, 1987; effective May 1, 1988; amended Aug. 6, 1990.)

**14-22-12. Storage of liquor.** (a) At the time of application for a caterer's license, each caterer shall inform the director as to the location of the liquor storage area that the caterer plans to use at its principal place of business. A caterer shall not store its liquor in any place other than the principal place of business of the caterer unless the caterer has received prior approval from the director. For each event, the caterer shall make a record of the amount of unused alcoholic liquor and its disposition and keep the record with those records required by K.A.R. 14-22-10(g).

(b) Each caterer holding a license as a drinking establishment shall keep all alcoholic liquor intended for use at catered functions in separate storage facilities from that intended for use in the drinking establishment. (Authorized by and implenting K.S.A. 1989 Supp. 41-2634 effective, T-88-22, July 1, 1987; effective May 1, 1988; amended Aug. 6, 1990.)

**Article 22.—TEMPORARY PERMITS**

**14-23-14.** (Authorized by K.S.A. 1989 Supp. 41-2634; implementing K.S.A. 1989 Supp. 41-2611; effective, T-88-22, July 1, 1987; effective May 1, 1988; revoked, Aug. 6, 1990.)

Tom Hanna  
Director, Division of  
Alcoholic Beverage Control

Doc. No. 009375

**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. This cumulative index supplements the index found in the 1989 Index Supplement to the *Kansas Administrative Regulations*.

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1-5-19b	Amended
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1-5-19c	Amended
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30-5-67	Amended	V. 9, p. 457
30-5-68	Amended	V. 9, p. 940
30-5-70	Amended	V. 9, p. 457
30-5-71	Amended	V. 9, p. 940
30-5-73	Amended	V. 9, p. 459
30-5-76	New	V. 8, p. 717
30-5-81	Amended	V. 9, p. 940
30-5-81a	Amended	V. 9, p. 459
30-5-81b	Amended	V. 9, p. 940
30-5-81d	Revoked	V. 8, p. 718
30-5-81q	Revoked	V. 8, p. 718
30-5-81r	Revoked	V. 8, p. 718
30-5-81s	Revoked	V. 8, p. 718
30-5-81t	Amended	V. 8, p. 718
30-5-81u	New	V. 8, p. 718
30-5-81v	New	V. 8, p. 718
30-5-82	Amended	V. 9, p. 459
30-5-84	Revoked	V. 8, p. 1662
30-5-84a	Revoked	V. 8, p. 1662
30-5-86	Amended	V. 9, p. 940

(continued)



30-5-87	Amended	V. 9, p. 940
30-5-88	Amended	V. 9, p. 941
30-5-89	Amended	V. 9, p. 118
30-5-90	Revoked	V. 9, p. 941
30-5-92	Amended	V. 9, p. 941
30-5-94	Amended	V. 9, p. 460
30-5-95	Amended	V. 8, p. 719
30-5-100	Amended	V. 9, p. 941
30-5-101	Amended	V. 9, p. 119
30-5-103	Amended	V. 9, p. 119
30-5-104	Amended	V. 9, p. 941
30-5-108	Amended	V. 8, p. 719
30-5-110	Amended	V. 9, p. 941
30-5-111	Amended	V. 9, p. 460
30-5-112	Amended	V. 9, p. 461
30-5-113	Amended	V. 9, p. 941
30-5-113a	Amended	V. 9, p. 941
30-5-114	Amended	V. 9, p. 461
30-5-115	Amended	V. 9, p. 941
30-5-115a	New	V. 8, p. 719
30-5-116	Amended	V. 9, p. 941
30-5-116a	New	V. 8, p. 720
30-5-117	New	V. 9, p. 941
30-5-117a	New	V. 9, p. 942
30-5-150	New	V. 9, p. 461
30-5-151	New	V. 9, p. 462
30-5-152	New	V. 9, p. 462
30-5-154	through	
30-5-172	New	V. 9, p. 462-464
30-6-35	Amended	V. 8, p. 720
30-6-41	Amended	V. 9, p. 195
30-6-53	Amended	V. 8, p. 720
30-6-55	Amended	V. 8, p. 1662
30-6-56	Amended	V. 8, p. 720
30-6-57	Revoked	V. 8, p. 1182
30-6-58	Revoked	V. 8, p. 1182
30-6-63	Amended	V. 8, p. 1182
30-6-65	Amended	V. 9, p. 544
30-6-73	Amended	V. 8, p. 1182
30-6-73	Amended	V. 8, p. 1754
30-6-74	Amended	V. 9, p. 195
30-6-77	Amended	V. 8, p. 721
30-6-77	Amended	V. 9, p. 545
30-6-79	Amended	V. 9, p. 195
30-6-86	Amended	V. 8, p. 721
30-6-103	Amended	V. 9, p. 546
30-6-106	Amended	V. 9, p. 195
30-6-109	Amended	V. 8, p. 721
30-6-110	Amended	V. 8, p. 1663
30-6-111	Amended	V. 9, p. 197
30-6-112	Amended	V. 8, p. 1663
30-6-113	Amended	V. 8, p. 1183
30-7-26	through	
30-7-63	Revoked	V. 8, p. 721
30-7-64	through	
30-7-78	New	V. 8, p. 721-724
30-7-68	Amended	V. 8, p. 1663
30-7-79	New	V. 9, p. 942
30-9-13	New	V. 8, p. 1663
30-9-18	through	
30-9-22	New	V. 8, p. 1663, 1664
30-10-1b	Amended	V. 8, p. 1664
30-10-2	Amended	V. 8, p. 1664
30-10-3	Amended	V. 8, p. 1664
30-10-4	Amended	V. 8, p. 1664
30-10-11	Amended	V. 8, p. 1664
30-10-15a	Amended	V. 8, p. 1664
30-10-15b	Amended	V. 8, p. 1664
30-10-17	Amended	V. 8, p. 1665
30-10-18	Amended	V. 8, p. 1665
30-10-19	Amended	V. 8, p. 1665
30-10-21	Amended	V. 8, p. 1665
30-10-21	Amended	V. 9, p. 546
30-10-25	Amended	V. 8, p. 1665
30-10-28	Amended	V. 8, p. 1665
30-10-29	Amended	V. 8, p. 1665
30-10-30	New	V. 8, p. 1665
30-22-31	Amended	V. 8, p. 1665
30-22-32	Amended	V. 8, p. 1666
30-22-33	New	V. 9, p. 942
30-46-10	Amended	V. 8, p. 1666
30-46-17	Amended	V. 8, p. 1666

30-51-1	through	
30-51-5	Revoked	V. 9, p. 198

AGENCY 33: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
33-1-4	through	
33-1-17	Revoked	V. 8, p. 1525
33-1-19	Revoked	V. 8, p. 1525
33-1-21	Revoked	V. 9, p. 167
33-2-4	Revoked	V. 8, p. 1733
33-3-2	Revoked	V. 9, p. 386
33-3-3	Revoked	V. 8, p. 1733
33-3-4	Revoked	V. 9, p. 386
33-4-5	Revoked	V. 8, p. 1525
33-4-7	through	
33-4-10	Revoked	V. 8, p. 1525

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-16-1	Amended	V. 8, p. 1162

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 8, p. 452
40-1-34	Amended	V. 8, p. 798
40-1-37	New	V. 8, p. 798
40-2-12	Amended	V. 8, p. 452
40-3-5	Amended	V. 8, p. 454
40-3-35	Amended	V. 9, p. 303
40-3-42	New	V. 8, p. 1323
40-3-43	New	V. 8, p. 1139
40-3-43	New	V. 8, p. 1184
40-3-44	New	V. 8, p. 454
40-3-45	New	V. 8, p. 1006
40-4-35	Amended	V. 8, p. 515
40-4-35	Amended	V. 8, p. 558
40-4-35a	Amended	V. 9, p. 30
40-4-35a	Amended	V. 9, p. 303
40-4-38	New	V. 8, p. 455
40-4-39	New	V. 9, p. 303
40-5-108	Amended	V. 8, p. 800
40-7-7	Amended	V. 8, p. 455
40-7-11	Amended	V. 9, p. 304
40-7-13	Amended	V. 8, p. 455
40-7-20	Revoked	V. 8, p. 455
40-7-20a	New	V. 8, p. 455
40-7-21	Amended	V. 8, p. 457
40-7-21	Amended	V. 8, p. 516
40-7-22	through	
40-7-25	New	V. 9, p. 304
40-14-1	Amended	V. 9, p. 304
40-14-4	Amended	V. 9, p. 304

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-7-114	New	V. 9, p. 577
44-8-115	New	V. 9, p. 577
44-8-116	New	V. 9, p. 577
44-9-103	Amended	V. 9, p. 123
44-9-104	Amended	V. 9, p. 123
44-11-111	Amended	V. 9, p. 950
44-11-112	Amended	V. 9, p. 80
44-11-113	Amended	V. 9, p. 80
44-11-114	Amended	V. 9, p. 80
44-11-116	Revoked	V. 9, p. 81
44-11-121	Amended	V. 9, p. 81
44-11-122	Amended	V. 9, p. 81
44-11-123	Amended	V. 9, p. 950
44-11-126	Revoked	V. 9, p. 81
44-11-128	Revoked	V. 9, p. 81
44-11-129	through	
44-11-135	New	V. 9, p. 81, 82

AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-49-1	Amended	V. 9, p. 706

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—

DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-2-21	Amended	V. 9, p. 704

AGENCY 51: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF WORKERS' COMPENSATION

Reg. No.	Action	Register
51-24-4	Amended	V. 8, p. 1493
51-24-5	Amended	V. 8, p. 1493

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-11-104a	Amended	V. 9, p. 406

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-3	Amended	V. 9, p. 170
63-1-4	Amended	V. 9, p. 170
63-1-6	Amended	V. 8, p. 712
63-1-12	Amended	V. 8, p. 713
63-2-14	Amended	V. 8, p. 713
63-6-3	Amended	V. 8, p. 713
63-6-6	Amended	V. 8, p. 714
63-6-7	Revoked	V. 8, p. 714
63-6-8	Revoked	V. 8, p. 714

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-10-9	Amended	V. 9, p. 257

AGENCY 67: BOARD OF HEARING AID EXAMINERS

Reg. No.	Action	Register
67-5-3	Amended	V. 9, p. 625
67-5-4	Amended	V. 9, p. 625

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 9, p. 383
68-1-2	Amended	V. 8, p. 252
68-2-12a	Amended	V. 9, p. 383
68-5-11	Revoked	V. 8, p. 252
68-7-11	Amended	V. 8, p. 252
68-7-12	Amended	V. 8, p. 253
68-9-1	Amended	V. 9, p. 384
68-20-1	Amended	V. 8, p. 254
68-20-16	Amended	V. 8, p. 255
68-20-20	Amended	V. 9, p. 384

AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS

Reg. No.	Action	Register
70-5-1	Amended	V. 8, p. 750

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-2-1	through	
71-2-7	Amended	V. 8, p. 161, 162
71-2-9	Amended	V. 8, p. 162
71-2-11	Amended	V. 8, p. 163
71-2-12	Amended	V. 8, p. 163
71-2-13	Revoked	V. 8, p. 163
71-4-1	Amended	V. 8, p. 163

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-5-202	Amended	V. 8, p. 493
74-5-203	Amended	V. 8, p. 493
74-6-2	Amended	V. 8, p. 1069
74-12-1	Amended	V. 8, p. 1590
74-13-1	New	V. 9, p. 232
74-13-2	New	V. 9, p. 232

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-24	Amended	V. 9, p. 893
75-6-26	Amended	V. 9, p. 825

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-2	Amended	V. 8, p. 1704
81-3-2	Amended	V. 9, p. 83

81-5-6 Amended V. 8, p. 1704  
 81-5-6 Amended V. 9, p. 83

**AGENCY 82: STATE CORPORATION COMMISSION**

Reg. No.	Action	Register
82-1-201	Amended	V. 9, p. 894
82-1-202	Amended	V. 9, p. 895
82-1-204	Amended	V. 9, p. 895
82-1-205	Amended	V. 9, p. 896
82-1-206	Amended	V. 9, p. 896
82-1-207	Amended	V. 9, p. 896
82-11-1 through		
82-11-9	New	V. 8, p. 377-383
82-11-3	Amended	V. 9, p. 298
82-11-4	Amended	V. 9, p. 298
82-11-10	New	V. 9, p. 302

**AGENCY 84: PUBLIC EMPLOYEES RELATIONS BOARD**

Reg. No.	Action	Register
84-1-1	Amended	V. 9, p. 943
84-1-2	Amended	V. 9, p. 943
84-1-3	New	V. 9, p. 943
84-1-4	New	V. 9, p. 943
84-2-1 through		
84-2-7	Amended	V. 9, p. 943-945
84-2-9	Amended	V. 9, p. 945
84-2-11 through		
84-2-15	Amended	V. 9, p. 945-947
84-3-1 through		
84-3-6	Amended	V. 9, p. 948
84-4-1 through		
84-4-5	Amended	V. 9, p. 948, 949
84-4-7	Amended	V. 9, p. 949
84-5-1	Amended	V. 9, p. 950

**AGENCY 85: ABSTRACTERS' BOARD OF EXAMINERS**

Reg. No.	Action	Register
85-4-1	Amended	V. 8, p. 1448
85-6-1	Amended	V. 8, p. 1448
85-7-1	Amended	V. 8, p. 1448

**AGENCY 86: REAL ESTATE COMMISSION**

Reg. No.	Action	Register
86-1-10	Amended	V. 9, p. 835
86-1-13	Amended	V. 8, p. 1753

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-20-1 through		
88-20-11	New	V. 9, p. 165-167
88-21-1 through		
88-21-10	New	V. 8, p. 1834, 1835

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-27b	Amended	V. 8, p. 94
91-1-32	Amended	V. 8, p. 94
91-1-32a	Revoked	V. 8, p. 94
91-1-33	Amended	V. 8, p. 94
91-1-38	Revoked	V. 8, p. 95
91-1-58	Amended	V. 8, p. 95
91-1-60	Amended	V. 8, p. 95
91-1-79	Amended	V. 8, p. 95
91-1-85	Amended	V. 8, p. 95
91-1-92	Amended	V. 8, p. 96
91-1-107a	Amended	V. 8, p. 96
91-1-128a	Amended	V. 8, p. 98
91-1-129a	Amended	V. 8, p. 98
91-1-131	Amended	V. 8, p. 99
91-1-132a	Amended	V. 8, p. 100
91-1-149	New	V. 8, p. 101
91-1-150	New	V. 8, p. 101
91-12-22	Amended	V. 8, p. 1755
91-12-23	Amended	V. 8, p. 1758
91-12-25	Amended	V. 8, p. 1759
91-12-32	Amended	V. 8, p. 1760
91-12-34	Amended	V. 8, p. 1760

91-12-38 Amended V. 8, p. 1760  
 91-12-40 Amended V. 8, p. 1761  
 91-12-41 Amended V. 8, p. 1762  
 91-12-42 Amended V. 8, p. 1763  
 91-12-44 Amended V. 8, p. 1763

91-12-51 through  
 91-12-63 Amended V. 8, p. 1764-1770  
 91-12-65 Amended V. 8, p. 1771  
 91-12-70 Amended V. 8, p. 1771  
 91-12-73 New V. 8, p. 1771  
 91-16-30 New V. 8, p. 423  
 91-19-1 Amended V. 8, p. 101  
 91-19-2 Amended V. 8, p. 101  
 91-19-6 Amended V. 8, p. 102  
 91-31-1 Amended V. 8, p. 102  
 91-31-2 Amended V. 8, p. 102  
 91-31-3 Amended V. 8, p. 1361  
 91-31-4a New V. 8, p. 1362  
 91-31-7 Amended V. 8, p. 103  
 91-31-11 Revoked V. 8, p. 1362  
 91-31-12a Amended V. 8, p. 104  
 91-31-12h Amended V. 8, p. 1362  
 91-31-13 Amended V. 8, p. 104  
 91-31-14 New V. 8, p. 105  
 91-31-14a Amended V. 8, p. 105  
 91-33-1 Amended V. 8, p. 105  
 91-33-3 Amended V. 8, p. 1363  
 91-33-5 Amended V. 8, p. 106  
 91-33-8 Amended V. 8, p. 1364  
 91-33-9 Revoked V. 8, p. 1364  
 91-34-1 Amended V. 8, p. 106  
 91-34-2 Amended V. 8, p. 106  
 91-34-3 Amended V. 8, p. 107  
 91-34-6 Revoked V. 8, p. 1364  
 91-34-7 Amended V. 8, p. 1364  
 91-34-13 Amended V. 8, p. 1365

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-9-6	Revoked	V. 8, p. 751
92-9-6a	New	V. 8, p. 751
92-51-42	New	V. 9, p. 35
92-52-10	Revoked	V. 9, p. 35
92-52-12	New	V. 9, p. 35
92-56-1 through		
92-56-5	New	V. 8, p. 1324, 1325

**AGENCY 98: KANSAS WATER OFFICE**

Reg. No.	Action	Register
98-6-1 through		
98-6-4	New	V. 8, p. 1121, 1122

**AGENCY 99: BOARD OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES**

Reg. No.	Action	Register
99-25-1	Amended	V. 8, p. 1005
99-25-3	Amended	V. 8, p. 1005
99-31-1	Amended	V. 8, p. 132

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-11-1	Amended	V. 8, p. 654
100-11-1	Amended	V. 8, p. 1069
100-38-1	Amended	V. 8, p. 1558
100-38-1	Amended	V. 8, p. 1806
100-49-4	Amended	V. 9, p. 108
100-49-4	Amended	V. 9, p. 257
100-54-4	Amended	V. 8, p. 1558
100-54-4	Amended	V. 8, p. 1806
100-55-4	Amended	V. 8, p. 1558
100-55-4	Amended	V. 8, p. 1806
100-60-1	Amended	V. 8, p. 1558
100-60-1	Amended	V. 8, p. 1806
100-60-15	New	V. 8, p. 1558
100-60-15	Amended	V. 8, p. 1806

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-1-7	Amended	V. 8, p. 906
102-1-13	Amended	V. 9, p. 624
102-1-15	Amended	V. 8, p. 906
102-2-1a	Amended	V. 8, p. 204
102-2-3	Amended	V. 8, p. 1470

102-2-3 Amended V. 8, p. 1591  
 102-3-1 New V. 8, p. 1526  
 102-3-1 New V. 8, p. 1591  
 102-3-3 through  
 102-3-13 New V. 8, p. 1526-1531  
 102-3-3 through  
 102-3-13 New V. 8, p. 1591-1596  
 102-4-1 New V. 8, p. 204  
 102-4-1 New V. 8, p. 335  
 102-4-3 through  
 102-4-11 New V. 8, p. 205-209  
 102-4-3 through  
 102-4-11 New V. 8, p. 335-339

**AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES**

Reg. No.	Action	Register
105-3-2	Amended	V. 8, p. 1366
105-5-6	Amended	V. 8, p. 1366
105-5-7	Amended	V. 8, p. 1367
105-5-8	Amended	V. 8, p. 1367
105-7-5	Amended	V. 8, p. 1367
105-8-4	Amended	V. 8, p. 1367
105-10-1	Amended	V. 8, p. 1070
105-10-1	Amended	V. 8, p. 1367

**AGENCY 109: EMERGENCY MEDICAL SERVICES BOARD**

Reg. No.	Action	Register
109-1-1	Amended	V. 8, p. 873
109-2-1	Amended	V. 8, p. 874
109-2-2	Amended	V. 8, p. 874
109-2-4	Amended	V. 8, p. 874
109-2-5 through		
109-2-9	Amended	V. 8, p. 874-877
109-2-10	Revoked	V. 8, p. 877
109-2-11	Amended	V. 8, p. 877
109-2-12	Amended	V. 8, p. 878
109-3-1	New	V. 8, p. 879
109-4-1	Amended	V. 8, p. 879
109-4-2	Amended	V. 8, p. 880
109-4-3	Amended	V. 8, p. 880
109-5-1	Amended	V. 8, p. 881
109-5-2	Amended	V. 8, p. 881
109-5-3	Amended	V. 8, p. 881
109-6-1	Amended	V. 8, p. 1731
109-7-1	New	V. 8, p. 1731
109-8-1	New	V. 8, p. 882
109-9-1	New	V. 8, p. 882
109-9-2	New	V. 8, p. 882
109-9-4	New	V. 8, p. 882
109-10-1	New	V. 8, p. 883
109-11-1 through		
109-11-8	New	V. 8, p. 883-885
109-12-1	New	V. 8, p. 885
109-12-2	New	V. 8, p. 886

**AGENCY 110: DEPARTMENT OF COMMERCE**

Reg. No.	Action	Register
110-3-1 through		
110-3-11	New	V. 8, p. 28-30

**AGENCY 111: THE KANSAS LOTTERY**

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-2-2a	New	V. 9, p. 199
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-5	Revoked	V. 8, p. 1085
111-2-6	New	V. 8, p. 134
111-2-7	Amended	V. 8, p. 586
111-2-8 through		
111-2-12	Revoked	V. 8, p. 1666
111-2-13	New	V. 8, p. 1666
111-2-14	New	V. 9, p. 30
111-3-1	Amended	V. 9, p. 199

(continued)

111-3-3	Revoked	V. 7, p. 1062	111-4-100	Amended	V. 8, p. 1396	111-7-11	New	V. 7, p. 1224
111-3-4	Revoked	V. 7, p. 1062	111-4-101	Amended	V. 8, p. 1328	111-7-12		
111-3-7	Revoked	V. 7, p. 1714	111-4-102	Amended	V. 8, p. 1396	through		
111-3-9	Amended	V. 8, p. 1085	111-4-104	Amended	V. 8, p. 1396	111-7-32	New	V. 7, p. 1194-1196
111-3-10			111-4-105	Amended	V. 8, p. 1396	111-7-12		
through			111-4-107	Amended	V. 8, p. 1397	through		
111-3-31	New	V. 7, p. 201-206	111-4-115			111-7-27	Revoked	V. 7, p. 1436, 1437
111-3-10	Revoked	V. 7, p. 1062	through			111-7-28		
111-3-11	Amended	V. 8, p. 299	111-4-118	Revoked	V. 8, p. 1667	through		
111-3-12	Amended	V. 9, p. 503	111-4-118a	Revoked	V. 8, p. 1667	111-7-32	Revoked	V. 8, p. 34
111-3-13	Amended	V. 7, p. 1062	111-4-119			111-7-32a	Revoked	V. 8, p. 1330
111-3-14	Amended	V. 9, p. 697	through			111-7-32b	Revoked	V. 8, p. 1330
111-3-14a	Revoked	V. 9, p. 30	111-4-125	Revoked	V. 8, p. 1667	111-7-33		
111-3-16	Amended	V. 7, p. 1309	111-4-126			through		
111-3-17	Revoked	V. 7, p. 1714	through			111-7-43	New	V. 7, p. 1197, 1198
111-3-19			111-4-129	Revoked	V. 8, p. 1667, 1668	111-7-33	Revoked	V. 7, p. 1437
through			111-4-130			111-7-33a	New	V. 8, p. 300
111-3-22	Amended	V. 9, p. 30	through			111-7-34a	Revoked	V. 8, p. 1330
111-3-20	Amended	V. 8, p. 1085	111-4-137	Revoked	V. 9, p. 32	111-7-37a	Revoked	V. 8, p. 1330
111-3-21	Amended	V. 7, p. 1606	111-4-138			111-7-34		
111-3-22	Amended	V. 8, p. 1085	through			through		
111-3-22a	Revoked	V. 9, p. 31	111-4-152	Revoked	V. 8, p. 1668	111-7-42	Revoked	V. 9, p. 34, 35
111-3-24	Revoked	V. 9, p. 31	111-4-153			111-7-43	Revoked	V. 8, p. 212
111-3-25	New	V. 7, p. 1310	through			111-8-1	New	V. 7, p. 1633
111-3-27	New	V. 7, p. 1310	111-4-160	New	V. 8, p. 970, 971	111-8-2	New	V. 7, p. 1633
111-3-30	Revoked	V. 7, p. 1310	111-4-160	Amended	V. 8, p. 1329	111-8-3	Amended	V. 9, p. 505
111-3-31	Amended	V. 8, p. 209	111-4-161			111-8-4	New	V. 7, p. 1714
111-3-32	New	V. 7, p. 931	through			111-8-4a	New	V. 7, p. 1995
111-3-33	New	V. 7, p. 1434	111-4-176	Revoked	V. 8, p. 1668, 1669	111-8-5		
111-4-1	Amended	V. 8, p. 134	111-4-177			through		
111-4-2	Amended	V. 7, p. 1063	through			111-8-13	New	V. 7, p. 1634
111-4-4	Amended	V. 7, p. 1063	111-4-180	New	V. 8, p. 1086, 1087	111-9-1		
111-4-6	Amended	V. 7, p. 1434	111-4-181			through		
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111-4-8	Amended	V. 7, p. 1064	111-4-184	New	V. 8, p. 1329	111-9-13		
111-4-12	Amended	V. 7, p. 1190	111-4-185			through		
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through			111-4-196			111-9-30	New	V. 9, p. 699, 700
111-4-40	Revoked	V. 7, p. 206, 207	through			111-10-1		
111-4-41	Revoked	V. 7, p. 1435	111-4-203	New	V. 9, p. 32-34	through		
111-4-42	Revoked	V. 7, p. 1435	111-4-201	Amended	V. 9, p. 232	111-10-9	New	V. 8, p. 136-138
111-4-43	Revoked	V. 7, p. 207	111-4-205	New	V. 9, p. 504	111-10-7	Amended	V. 8, p. 301
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through			111-4-208	New	V. 9, p. 504			
111-4-64	Revoked	V. 7, p. 207	111-4-209	New	V. 9, p. 698			
111-4-66			111-4-210	New	V. 9, p. 698			
through			111-4-211	New	V. 9, p. 699			
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through			through					
111-4-71	Revoked	V. 9, p. 31	111-4-220	New	V. 9, p. 728, 729			
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111-4-72	Revoked	V. 9, p. 31	111-5-23	New	V. 7, p. 209-213			
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111-4-73a	Revoked	V. 8, p. 134	through					
111-4-74	Revoked	V. 9, p. 31	111-5-8	Revoked	V. 9, p. 34			
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111-4-76	Revoked	V. 9, p. 31	through					
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111-4-77a	Revoked	V. 9, p. 32	111-5-11	Amended	V. 9, p. 505			
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111-4-87	Revoked	V. 8, p. 13	through					
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AGENCY 112: KANSAS RACING COMMISSION

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112-4-4	Amended	V. 8, p. 1245
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112-4-10	Amended	V. 8, p. 1288
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112-7-22	New	V. 8, p. 593, 594
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112-7-22	New	V. 8, p. 641-648
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112-8-12	New	V. 8, p. 263-267
112-8-3	New	V. 8, p. 596
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112-8-9	New	V. 8, p. 596
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112-9-38	New	V. 8, p. 726-737
112-9-5	Amended	V. 9, p. 155
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112-10-2 through		
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112-10-2 through		
112-10-12	New	V. 8, p. 737-740
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112-10-37	New	V. 8, p. 1246-1248
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112-10-37	Amended	V. 8, p. 1289
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112-11-19	New	V. 8, p. 594, 595

112-11-1 through		
112-11-19	New	V. 8, p. 648-653
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115-2-3	New	V. 8, p. 1733
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115-3-1	New	V. 8, p. 1185
115-3-2	Amended	V. 8, p. 1733
115-3-2	Amended	V. 9, p. 35
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115-4-8	New	V. 8, p. 1477
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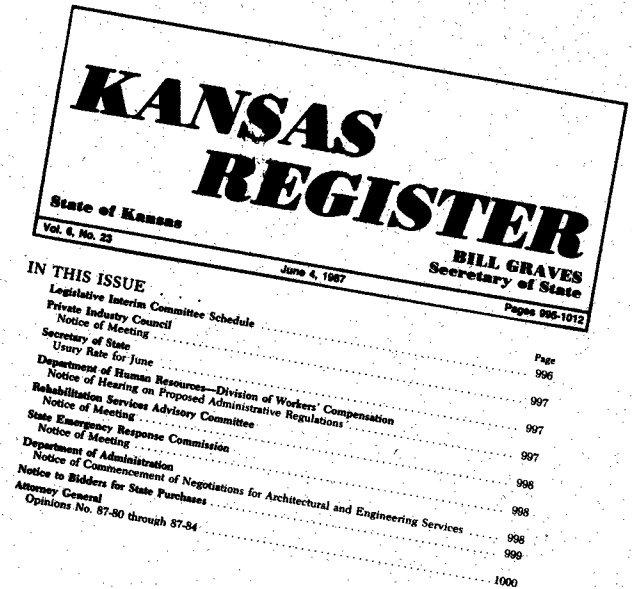
115-4-10	New	V. 8, p. 1477
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115-8-20	New	V. 8, p. 1523
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115-9-5	New	V. 8, p. 1524
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115-15-1	New	V. 8, p. 1357
115-15-2	New	V. 8, p. 1357
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115-18-5	New	V. 8, p. 1359, 1360
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115-30-1	New	V. 8, p. 1361

AGENCY 116: STATE FAIR BOARD

Reg. No.	Action	Register
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116-1-2	New	V. 8, p. 1326
116-2-1	New	V. 8, p. 1326

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