

# Kansas Register

Bill Graves, Secretary of State

Vol. 10, No. 40 October 3, 1991 Pages 1453-1480

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### State Banking Board

### Notice of Meeting

The State Banking Board will meet at 9:30 a.m. Monday, October 21, in the conference room of the State Bank 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.

Frank D. Dunnick State Bank Commissioner

Doc. No. 011151

State of Kansas

### Kansas Judicial Council

### Notice of Meetings

The Kansas Judicial Council and its advisory committees will meet according to the following schedule at the Kansas Judicial Center, 301 W. 10th, Topeka.

Date	Committee	Time	Location
Oct. 10	Probate Law	9:30 a.m.	Court of Appeals Courtroom
Oct. 10	Technology	9:30 a.m.	Judicial Center, Room 259
Oct. 18	Criminal Law	9:30 a.m.	Judicial Center, Room 259
Oct. 18	PIK	9:30 a.m.	Court of Appeals Courtroom
Nov. 1	Iudicial Council	9:00 a.m.	Wichita
Nov. 8	Probate Law	9:30 a.m.	Judicial Center, Room 259
Nov. 22	Criminal Law	9:30 a.m.	Judicial Center, Room 259

Justice Kay McFarland Chairman

Doc. No. 011156

### State of Kansas

### Wildlife and Parks Commission

### Notice of Meeting

The Kansas Wildlife and Parks Commission will meet for a tour of Fort Riley at 1 p.m. Thursday, October 10. Any member of the public interested in attending the tour should meet at the Days Inn, 1024 S. Washington, Junction City, at 1 p.m. on that date. After the tour, the commission will proceed to the Geary County Fish and Game Association headquarters for a falconry demonstration and dinner. Any member of the public who wishes to attend should contact Commissioner Kathy Brown George at (913) 235-7652 for directions.

A previously announced public hearing will be conducted at 7 p.m. to consider the adoption of K.A.R. 115-7-1, Fishing; legal equipment, methods of taking and other provisions; and K.A.R. 115-25-10, Deer; special firearms season, bag limits, permits and applications. The commission will also receive a briefing on recreational access from departmental staff.

At 9 a.m. Friday, October 11, the commission will tour the Milford Fish Hatchery and Milford Conservation Education Center. All members of the public are invited and encouraged to attend the tour and the public hearing.

James Holderman Chairman

Doc. No. 011149

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### **State Conservation Commission**

### Notice of Meeting

The State Conservation Commission will meet at 9:30 a.m. Monday, October 14, in Conference Room 500, State Conservation Commission office, 109 S.W. 9th, Topeka. A copy of the agenda may be obtained by contacting Donna Meader at the address above, (913) 296-3600.

Kenneth F. Kern Executive Director

Doc. No. 011143

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 or FAX (913) 532-5632 for additional information.

Monday, October 14, 1991 #20035 Dry fertilizer applicator

William H. Sesler Director of Purchasing

Doc. No. 011137

State of Kansas

### **State Conservation Commission**

### Notice to Contractors

Sealed bids for the construction of a 34,000 and a 39,000 cubic yard detention dam, Site 7-31B and Site 4-1 in Marshall County, will be received by the Vermillion Creek Watershed District No. 70 at King Engineering, Inc., 125 W. 4th, Holton 66436, until 5 p.m. October 6, or hand carried and submitted prior to bid opening. Bids for Site 7-31B will be opened at 7 p.m. and for Site 4-1 at 7:30 p.m. October 16 at the Rural Water District Office, 707 Main, Beattie.

A copy of the invitation for bids and plans and specifications can be obtained from the office of King Engineering, Inc., (913) 364-4312, or reviewed at the Soil Conservation Service Field Office, East Highway 36, Marysville.

Kenneth F. Kern Executive Director State of Kansas

### State Conservation Commission

### Notice to Contractors

Sealed bids for the construction of a 30,175 and a 35,000 cubic yard detention dam, Site 109 in Pottawatomie County and Site 121 in Jackson County, will be received by Kenneth Kerwin of the Cross Creek Watershed, Box 454, Rossville 66533, (913) 771-3875, or hand carried and submitted prior to the bid opening at 10:30 a.m. October 26 at the office of Dennis G. Hall, 104 W. Pottawatomie, Rossville. A copy of the invitation for bids and the plans and specifications can be obtained by calling in advance to Dennis G. Hall, (913) 584-6164.

Kenneth F. Kern Executive Director

Doc. No. 011142

State of Kansas

### Department of Administration Division of Architectural Services

### Notice of Commencement of Negotiations for Architectural/Engineering and Testing Services

Notice is hereby given of the commencement of negotiations for architectural/engineering and testing services for Cambridge parking facility and emergency entrance at the University of Kansas Medical Center, Kansas City, Kansas. Services shall include testing in order to determine the present condition of the facilities, recommending solutions and preparing details for the necessary repairs, preparing cost estimates of corrective work, prioritizing recommendations for determination of bid packages as funds are available, and making recommendations for preventive maintenance.

Presently, the above "condition survey" is all that is funded. If construction funds are appropriated, these services may be extended to construction documents and administration.

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Deputy Director, Planning & Project Management, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before October 18. An original and four copies of the SF 255 form (plus attachments as required) should be submitted with letters of interest.

Edward A. Martin, AIA Director, Division of Architectural Services

Doc. No. 011133

### Legislature

### Interim Committee Schedule

The following committee meetings have been scheduled during the period of October 7-18:

Date	Room	Time	Committee	Agenda
October 7	123-S	9:00 a.m.	Legislative Coordinating Council Subcommittee on Budget and Administration of the Legislature	Legislative matters.
October 7	123-S	1:30 p.m.	Legislative Coordinating Council	Legislative matters.
October 8	514-S	9:00 a.m.	Legislative Budget Committee	Staff reports and conferees re: Dept. on Aging meal sites, SRS disproportionate share and multi-year budgeting; committee review of bill drafts; Proposal No. 16, staff reports; Proposal No. 17, State Treasurer, Dept. of Revenue, KBA, staff report and committee discussion.
October 8 October 9	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Transportation	Proposal No. 22—Kansas Motor Fuel Marketing Act. Proposal No. 23—Motor Vehicle Dealer Plates.
October 9 October 10	313-S 313-S	10:00 a.m. 9:00 a.m.	Special Committee on Children's Initiatives	Continuation of discussion of strategies; review of descriptive data.
October 9	522-8	9:00 a.m.	Subcommittee on Apportionment	Agenda not available.
October 10 October 11	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Education	Committee deliberations, Proposals No. 6, 7, and 8.
October 13 October 14 October 15	Ramada Inn Ramada Inn 531-N	9:00 a.m.	Legislative Educational Planning Committee Conference	Attendance at meals by invitation. Agenda not available.
October 14 October 15	On tour — and Gare	Dodge City den City	Joint Committee on Arts and Cultural Resources	Tour of arts and cultural organizations.
October 15 October 16 (Note Date	123-S 123-S Change)	9:00 a.m. 9:00 a.m.	Special Committee on Ways and Means/Appropriations	Hearings on Proposal No. 25—Efficiency in State Government.
October 16 October 17	514-S 514-S	10:00 a.m. 9:00-a.m.	Joint Committee on Economic Development	Presentations on implementation of two-way interactive video and other telecommunications technologies by educational institutions, state agencies, and other governmental units.
October 16	522-S	9:00 a.m.	Apportionment Subcommittee	Agenda not available.
October 16	521-S	9:00 a.m.	SRS Task Force Mental Health and Retardation Subcommittee	Conferees and committee discussion re: Developmental Disabilities Conference; autism and children's mental health issues.
October 16 October 17	529-S 529-S	10:00 a.m. 9:00 a.m.	SRS Task Force Finance Subcommittee	Agenda not available.

Director of Legislative Administrative Services

Interim Agenda/Hearings	
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October 16 October 17	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Assessment and Taxation	16th: Hearings on P. No. 3—Local Consol finalizing committee on Proposals No. 2 17th: Hearings on P. No. 3—Local Consol (continued).	lidation; reports and 4. roposal
October 17 October 18	123-S 123-S	10:00 a.m. 9:00 a.m.	Joint Committee on KPERS Investment Practices	Agenda not availabl	<b>e.</b>
October 17 October 18	521-S 521-S	10:00 a.m. 9:00 a.m.	SRS Task Force Prevention Subcommittee	Agenda not availabl	<b>e.</b>
October 18	313-S	10:00 a.m.	Special Committee on Children's Initiatives	Agenda not availabl	<b>e.</b>
					Emil Lutz

Doc. No. 011146

# State of Kansas State Corporation Commission

### Notice of Motor Carrier Hearings

Applications set for hearing are to be heard on the date indicated before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, at 9:30 a.m. 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 Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission."

# Applications set for October 15, 1991 Application for Certificate of Convenience and Necessity:

Donald F. Brungardt, dba ) Docket No. 177,579 M
DFB Trucking )
419 Birch )
Solomon, KS 67480 ) MC ID No. 141707

Applicant's Attorney: None

General commodities (except classes A and B explosives, household goods and hazardous materials),
Between all points and places in Kansas.

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# Application for Certificate of Convenience and Necessity:

Missouri-Nebraska Express, ) Docket No. 177,591 M Inc. ) 5310 St. Joseph Ave. ) St. Joseph, MO 64505 ) MC ID No. 107212

Applicant's Attorney: John Jandera, 2101 S.W. 21st, P.O. Box 237, Topeka, KS 66604-3174

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

Between all points and places in Kansas.

# Application for Extension of Certificate of Convenience and Necessity:

L & L Trucking, Inc. ) Docket No. 152,481 M Route 2 ) Kingman, KS 67068 ) MC ID No. 125969

Applicant's Attorney: Bradford Williams, 227 N. Main, P.O. Box 204, Kingman, KS 67068

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

Between all points in Pratt, Reno, Barber, Kingman, Harper, Sedgwick, Sumner, Cowley, Ford, Seward, Finney and Ellis counties, Kansas.

> Don Carlile Administrator Transportation Division

### Division of Services for the Blind Advisory Committee

### Notice of Meeting

The Division of Services for the Blind Advisory Committee will meet at 10 a.m. Friday, November 1, in the Rehabilitation Center for the Blind conference room, 2516 W. 6th, Topeka.

Richard A. Schutz Director

Doc. No. 011134

State of Kansas

### Secretary of State

### Usury Rate for October

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate executed during the period of October 1, 1991, through October 31, 1991, is 10.40 percent.

Bill Graves Secretary of State

Doc. No. 011140

State of Kansas

### State Corporation Commission

### **Public Notice**

Koch Gathering System, Incorporated, in Docket No. 113,566-R, has filed an application to extend its certificate of convenience by constructing a common carrier pipeline for intrastate transportation of crude petroleum in Finney, Gray, Haskell and Kearney counties. This carrier presently holds authority to operate in 29 counties in Kansas.

The commission is now accepting petitions and/or protests from interested parties stating their position in this matter. All pleadings should be filed with Martha Cooper, Assistant General Counsel, State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka 66604-4027, on or before October 24. A copy of the pleading should be served on the attorney for the applicant, Donna F. Bohn, Koch Industries, Inc., P.O. Box 2256, Wichita 67201.

At the end of this protest period, the commission will review all pleadings to determine if a public hearing is necessary or desirable or if this matter may be decided without public hearing.

Don Carlile Administrator Transportation Division State of Kansas

# Department of Health and Environment

# Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 3 p.m. Monday, November 4, in Room 1051, Landon State Building, 900 S.W. Jackson, Topeka, to consider the adoption of a permanent rule and regulation of the Kansás Department of Health and Environment. The regulation is proposed for adoption on a permanent basis. The proposed regulation follows:

K.A.R. 28-36-30. Fees. The food service establishment license fee shall be \$40. The food service establishment license application fee shall be \$90.

This regulation amends existing regulations that established three classifications for food service establishments with a fee schedule for each classification. The proposed regulation will establish a uniform license fee and license application fee for all food service establishments.

The existing fee structure is:

		2.0	Application F	ee	License Fee
Class	I		\$ 30.00	K.	\$ 30.00
Class	$\mathbf{II}$		\$ 60.00		\$ 35.00
Class	Ш		\$ 90.00		\$ 40.00

The proposed fee structure would be:

Application	Fee	License 1	Fee
\$ 90.00		\$ 40.00	)

It is anticipated this proposed fee change would increase the current annual revenue by \$25,000; thus, the annual revenue would increase from approximately \$680,000 to \$705,000.

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 regulation. All interested parties may submit written comments prior to the hearing to the Kansas Department of Health and Environment, Bureau of Environmental Health Services, Attention Stephen Paige, 109 S.W. 9th, Suite 604, Topeka 66612-1274. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation 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.

Following the hearing, all written and oral comments submitted by interested parties will be considered as the basis for making changes in these proposals.

Azzie Young Secretary of Health and Environment

Doc. No. 011153

### 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, KDOT, Topeka, until 10 a.m. C.D.T. October 17, 1991, and then publicly opened:

### District One—Northeast

Atchison—3 C-2740-01—County road, 5.7 miles south and 4.0 miles east of Atchison, then east, 0.1 mile, grading and bridge. (Federal Funds)

Douglas—23 C-2718-01—County road, 0.3 mile north of Lone Star Lake, then north, 0.2 mile, grading, surfacing and bridge. (Federal Funds)

Johnson—46 U-1306-01—Somerset Drive, from 83rd to Belinder in Prairie Village, 1.1 miles, grading and surfacing. (Federal Funds)

Marshall—36-58 K-4315-01—U.S. 36, Center Street and 20th Street in Marysville, intersection improvement. (State Funds)

Shawnee—40-89 K-3994-01—U.S. 40, intersection of U.S. 40 and Croco Road east of Topeka, intersection improvement. (State Funds)

Shawnee—40-89 K-3995-01—U.S. 40, intersection of U.S. 40 and Croco Road east of Topeka, traffic signal. (Federal Funds)

Wabaunsee—4-99 K-2375-01—K-4, Lake Wabaunsee Spillway bridge 39, 5 miles east of the west junction of K-99, bridge replacement. (Federal Funds)

Wabaunsee—70-99 K-4476-01—I-70, Spring Creek bridge, 15 2.4 miles east of K-185, bridge repair. (State Funds)

Wabaunsee—70-99 K-4479-01—I-70, Dry Creek bridges 31 and 32 east of K-30, 0.1 mile, bridge repair. (State Funds)

### District Two—Northcentral

Clay—14 C-2784-01—County road, 1.0 mile east and 3.0 miles north of Green, then north, 0.3 mile, grading and bridge. (Federal Funds)

Jewell—45 C-2632-01—County road, 1.0 mile east and 2.0 miles north of Esbon, then north, 0.5 mile, grading, surfacing and bridge. (Federal Funds)

Republic—148-79 K-4003-01—K-148, Elk Creek bridge 38, 13.8 miles northeast of U.S. 81, bridge replacement. (Federal Funds)

Saline—70-85 K-4508-01—I-70, FAS 1050 bridge 71, 7.5 miles east of K-143, bridge overlay. (State Funds)

Washington—148-101 K-4515-01—K-148, Peats Creek bridge 31, 11 miles east of the Cloud/Republic county line, bridge overlay. (State Funds)

### District Three-Northwest

Decatur—36-20 K-3623-01—U.S. 36, intersection of U.S. 36 and Penn Street in Oberlin, 0.1 mile, intersection improvement. (State Funds)

Decatur—83-20 K-3698-01—U.S. 83, from Sappa Street north to 250 feet north of Columbia Street in Oberlin, 0.2 mile, pavement reconstruction. (State Funds)

Gove—32 C-2770-01—4th Street in Gove, 0.5 mile, grading and surfacing. (Federal Funds)

Norton—69 C-2788-01—County road, 1.0 mile north and 2.0 miles east of Almena, then north, 0.1 mile, grading and bridge. (Federal Funds)

### District Four-Southeast

Bourbon—65-6 K-4002-01—K-65, Opossum Creek bridge 47, 10.0 miles east of K-3, bridge replacement. (Federal Funds)

### District Five—Southcentral

Kiowa—54-49 K-3180-01—K-154, east to the junction of U.S. 183, 7.0 miles, recycling. (Federal Funds)

Pawnee—73 C-2548-01—County road, 6.0 miles west of Larned at K-156, then south, 0.7 mile, grading, surfacing and bridge. (Federal Funds)

### District Six—Southwest

Finney—83-28 K-4676-01—U.S. 83, Arkansas River bridge 4, 0.7 mile south of the south junction of U.S. 50, bridge repair. (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 project may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Michael L. Johnston Secretary of Transportation

### Social and Rehabilitation Services

### Request for Proposals

Kansas Rehabilitation Services is requesting proposals for job placement services to enhance the employment opportunities for individuals with disabilities in Atchison, Brown, Doniphan, Douglas, Jackson, Jefferson and Leavenworth counties. Proposed projects must address a variety of employment related services such as resume preparation, job seeking skills, industrial evaluations, job clubs, placement plan development, job placement, employer incentives, and the Americans with Disabilities Act.

A total not to exceed \$36,000 is available to fund grant awards for nine months. The closing date for

receipt of proposals is November 15.

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

Glen Yancey
Acting Commissioner
Kansas Rehabilitation Services

Doc. No. 011144

State of Kansas

### Department of Administration Division of Purchases

### Notice to Bidders

Sealed bids for the purchase of 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. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

### Tuesday, October 15, 1991

A-6749

Emporia State University—Transformer replacement and new electrical distribution, Beach Hall

A-6768

Emporia State University—North Morse Hall substation replacement

27394

Statewide—Automotive shock absorbers 28582

Department of Social and Rehabilitation Services-HVAC maintenance, Wichita

28600

Department of Wildlife and Parks—Aggregate, Northwest Kansas

Wednesday, October 16, 1991

27289

Pittsburg State University—Electric and electronic typewriter maintenance

27338

Department of Transportation—Vehicles 89933

Larned State Hospital—Grass seed

89934

Kansas State University—Anemometer system 89941

Larned State Hospital—Nursery stock 89998

Kansas State University—Soybean meal

Thursday, October 17, 1991

A-6435

Osawatomie State Hospital—Pavement overlay, Adair Complex

89950

Department of Transportation—Compression testing machine for concrete, Salina 89951

Department of Wildlife and Parks—386/33 microcomputers, Pratt

89952

University of Kansas Medical Center—Image intensifier system

89964

Kansas State University—486/33 MHZ COMPAQ 486L

Friday, October 18, 1991

27186 (Supp.)

Statewide—Coarse and industrial papers 89980

Department of Transportation—Asphaltic concrete mix, various locations

89983

University of Kansas—Composition and preparation of camera ready pages 89995

University of Kansas—YAG laser/dye cell system 89996

Kansas State University-Salina—486/33 MHZ microcomputers

89997

University of Kansas—Furnish and install chain link fence

Tuesday, October 22, 1991 89981

Department of Corrections—IBM AS/400 upgrade and peripherals

Thursday, October 24, 1991 A-6445

Parsons State Hospital and Training Center— Renovation of Oak Cottage, Spruce basement, and various restrooms

Monday, November 4, 1991

Youth Center at Atchison-Farmland lease

Request for Proposals

Friday, October 25, 1991

28599

Consultant services for Kansas wildlife viewing guide for the Department of Wildlife and Parks, Pratt

Leo E. Vogel Acting Director of Purchases

Doc. No. 011152

Vol. 10, No. 40, October 3, 1991

### Social and Rehabilitation Services

# Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9 a.m. Tuesday, November 5, in the SRS Staff Development conference room, 300 S.W. Oakley, Topeka, to consider the adoption of proposed changes in existing rules and regulations and the adoption of new regulations on a permanent basis. 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 regulations. All interested parties may submit written comments prior to the hearing to the Secretary of Social and Rehabilitation Services, Room 603-N, Docking State Office Building, 915 Harrison, 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.

These regulations are proposed for adoption and are scheduled to become effective January 2, 1992. A summary of proposed regulations and their economic im-

pact follows.

The phrase "Federal Mandate" following an item indicates that the change is required by federal policy. Optional changes in regulations related to federal programs are subject to approval by the U.S. Department of Health and Human Services.

### Article 4.—PUBLIC ASSISTANCE PROGRAM

**30-4-41. Assistance planning.** This regulation is being amended to expand the definition of an essential person to include non-deprived children of an AFDC eligible minor parent.

Economic Impact: None.

30-4-112. Income exempt from consideration as income and as a cash asset. This regulation is being amended to add an exemption for federal major disaster and emergency assistance and comparable assistance provided by state or local government or by a disaster assistance organization in conjunction with a presidentially declared disaster. (Federal Mandate.) Economic Impact: None.

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

30-5-116. Scope of rehabilitation services. This regulation is being amended to adopt on a permanent basis the temporary change which added coverage of long-term head injury rehabilitation rendered by a head injury rehabilitation facility.

Economic Impact: Estimated expenditure of \$422,600 (\$174,280 state general funds) funded through the appropriation for the waiver for the head-injured.

30-5-116a. Reimbursement for rehabilitation services. This regulation is being amended to adopt on a permanent basis the temporary change which added

long-term head injury rehabilitation to the services paid pursuant to a negotiated contract.

Economic Impact: See the economic impact statement for K.A.R. 30-5-116.

### Article 6.—MEDICAL ASSISTANCE PROGRAM— CLIENTS' ELIGIBILITY FOR PARTICIPATION

30-6-65. Automatic eligibles. This regulation is being amended to clarify that all of the general eligibility requirements of K.A.R. 30-6-50 are applicable.

Economic Impact: None.

This regulation is being further amended to provide medical assistance to persons who are ineligible for ADC because of the provisions of K.A.R. 30-4-55(d), 30-4-63(e), 30-4-64(e), or 30-4-140(d). Penalties regarding cooperation with child support enforcement, work-related requirements, and ADC fraud disqualification do not affect an individual's eligibility for medical assistance. (Federal Mandate.)

Economic Impact: None.

30-6-94. Medical assistance (non-title XIX) determined eligibles; eligibility factors specific to persons living in nursing facilities for mental health (NF-MH). The secretary is proposing to adopt on a permanent basis a new regulation to reference clients in NF-MH arrangements as a separate coverage group. The text of the regulation is set forth below:

30-6-94. Medical assistance (non-title XIX) determined eligibles; eligibility factors specific to persons living in nursing facilities for mental health (NF-MH). (a) To be eligible for participation in the medical assistance program under this provision, the individual

shall:

(1) Meet the general eligibility requirements of K.A.R. 30-6-50;

(2) be age 21 or older and under age 65;

(3) be otherwise eligible for medicaid (title XIX) except for the individual's living arrangement; and

(4) not meet the provisions of K.A.R. 30-6-60(b) or

K.A.R. 30-6-81(b).

(b) Eligibility shall be determined based on the financial eligibility standards and methodologies applicable to persons in institutional arrangements. The effective date of this regulation shall be January 2, 1992.

Economic Impact: None.

30-6-103. Determined eligibles; protected income levels. This regulation is being amended to increase the one, two and three-person protected income levels for persons in independent living. The one-person level is increasing from \$407 to \$425, the two-person level from \$460 to \$466, and the three-person level from \$465 to \$470. The increase in the one-person level is based on an anticipated 4.5 percent cost of living adjustment in the Supplement Security Income (SSI) program which will become effective January 1, 1992. The increase in the two and three-person levels is based on the increase in the AFDC standards which took effect on July 1, 1991. (Federal Mandate.)

Economic Impact: The change in the one-person level is not expected to have any discernible economic impact. This is due to the relatively small number of

households affected by a change in the one-person protected income level. These households are primarily non-institutionalized adults who receive Social Security benefits and children living with a caretaker other than a parent. The primary source of income for these children is also Social Security benefits. As the one-person protected income level is being increased by 4.5 percent, this matches the 4.5 percent Social Security cost-of-living adjustment. Therefore, neither the client nor the department is benefited or disadvantaged by this change.

The increase in the two and three-person protected income level will affect approximately 4,588 households and result in an increase in expenditures of approximately \$154,057 (\$63,548 state general funds) in fiscal year 1992 or \$308,113 (\$127,097 state general funds) on an annualized basis.

30-6-106. General rules for consideration of resources, including real property, personal property, and income. This regulation is being amended to increase the maximum income allowance a community spouse can receive from an institutional spouse to \$1,725 per month. This increase reflects a projected 15 percent increase in the consumer price index from Sep-

tember 1988 to September 1991. (Federal Mandate.) Economic Impact: Estimated increased expenditures

of \$18,900 (\$7,796 state general funds).

This regulation is being further amended to increase the amount of the minimum and maximum property allowances a community spouse may have to \$13,800 and \$69,000 respectively. These increases reflect a projected 15 percent increase in the consumer price index from September 1988 to September 1991. (Federal Mandate.)

Economic Impact: None.

30-6-112. Income exempt from consideration as income and as a cash asset. This regulation is being amended to add an exemption for both non-SSI and SSI medical programs regarding federal major disaster and emergency assistance and comparable assistance provided by state or local government or be a disaster assistance organization in conjunction with a presidentially declared disaster. Such assistance had previously been exempted for SSI purposes. (Federal Mandate.)

Economic Impact: None.

# Article 7.—COMPLAINTS, APPEALS AND FAIR HEARINGS

30-7-76. Transcripts. This regulation is being amended to clarify that the party requesting review of the hearing officer's decision shall pay for the transcript.

Economic Impact: None.

30-7-77. Rehearing. This regulation is being amended to make technical changes.

Economic Impact: None.

30-7-78. State appeals committee. This regulation is being amended to make technical changes.

Economic Impact: None.

Copies of the regulations and their economic impact statements may be obtained from the Office of the Secretary, Room 603-N, Docking State Office Building, Topeka 66612, (913) 296-3969.

The public is invited to this meeting. Telephone hook-ups are provided at the following locations of Social and Rehabilitation Services offices: Chanute, Emporia, Garden City, Hays, Hutchinson, Kansas City, Lawrence, Manhattan, Olathe, Salina, Topeka (area office), and Wichita.

Donna L. Whiteman Secretary of Social and Rehabilitation Services

Doc. No. 011135

State of Kansas

### Attorney General

### Opinion No. 91-113

Bonds and Warrants—General Bond Law—Local Legislative Powers; Financing; Issuance of Bonds. Brad L. Jones, Coffey County Attorney, Burlington, September 20, 1991.

Coffey County may not issue its general obligation bonds to finance industrial development facilities pursuant to home rule resolution no. 263. The county must follow the procedure set forth in *Blevins v. Hiebert*, 247 Kan. 1 (1990), if it wishes to issue bonds pursuant to home rule legislation. REF

### Opinion No. 91-114

State Departments; Public Officers and Employees—Public Officers and Employees; Conflict of Interest—Governmental Ethics Applicable to Local Governmental Subdivisions; Making or Participating in Certain Contracts Prohibited; Member of Board of Education. Senator Eric R. Yost, 30th District, Wichita, September 20, 1991.

A member of the board of education for a unified school district does not make or participate in the making of a contract when casting a vote on a resolution urging the legislature to adopt or defeat proposed legislation. Therefore, such action does not constitute a statutory conflict of interest. Further, a member of the board is not prohibited by the conflict of interest statutes from voting on matters affecting students attending schools in the district despite the fact that children of the member of the board may be among those students affected. Cited herein: K.S.A. 1990 Supp. 25-4302; 25-4320, as amended by L. 1991, ch. 104, § 2; K.S.A. 25-4329; 75-4301 (repealed, L. 1990, ch. 306, § 24); K.S.A. 1990 Supp. 75-4301a; 75-4303a; 75-4304. RDS

### Opinion No. 91-115

State Institutions and Agencies; Historical Property—State Educational Institutions; Management and Operation—Reduced-Service Program for Faculty Members; Effect of Older Workers Benefit Protection Act. Ted D. Ayres, General Counsel, Kansas Board of Regents, Topeka, September 23, 1991.

K.S.A. 76-746, the reduced-service program for Regents institutions' faculty members, discriminates against faculty members 65 years of age and older. Since it does not meet the "equal benefit or equal cost" test and is not consistent with the purposes of the age discrimination in employment act (ADEA), it is not excepted from the act pursuant to the older workers benefit protection act and would be found to violate the ADEA. Cited herein: K.S.A. 1990 Supp. 74-4925, as amended by L. 1991, ch. 237, § 2; K.S.A. 76-746; K.A.R. 88-12-1; 29 U.S.C. §§ 621, 623; 29 C.F.R. § 1625.10. JLM

### Opinion No. 91-116

Public Records, Documents and Information—Records Open to Public—Certain Records not Required to be Open; Ability of Agent for State to Contractually Close Record not Otherwise Closed by Law.

Legislature—Legislative Post Audit—Additional Financial-Compliance or Performance Audits Authorized at Direction of Post Audit Committee; Persons Subject to Audit; Access to Records, Limitations. Barbara Hinton, Acting Legislative Post Auditor, Topeka, September 23, 1991.

K.S.A. 1990 Supp. 46-1101 gives the legislative post auditor access to otherwise confidential or private records; K.S.A. 1990 Supp. 46-1106 requires the post auditor to comply with any "duty of confidentiality imposed by law." The Kansas open records act (KORA), K.S.A. 45-215 et seq., requires public records to be disclosed upon request unless a law permits or requires closure of a specific public record. The record in question is a contract which was in part made by a public agency. It therefore meets the definition of a public record, and is subject to the KORA. The only provision we have located that permits or requires closure of the questioned portions of the public record is in the contract itself. Public records may not be closed by contract unless a law permits or requires closure of the specific record. As no such law has been located, with regard to the specific portions of the record in question, it is our opinion that a contractual term attempting to close this information is void as against stated public policy. Such a term must therefore be severed from the otherwise legal portions of the agreement, and disclosure of the questioned portions of the record may occur. Disclosure of other records or matters must be examined on a case by case basis to determine if there is a legal duty to disclose such records or matters. Absent a mandatory disclosure requirement, an agreement not to disclose creates a duty which Post Audit must respect, pursuant to K.S.A. 1990 Supp. 46-1106(g). Cited herein: K.S.A. 45-215; 45-216; 45-217; K.S.A. 1990 Supp. 45-221, as amended by L. 1991, ch. 149, § 12; K.S.A. 46-1101; K.S.A. 1990 Supp. 46-1106; 46-1108; 46-1114. TMN

Robert T. Stephan Attorney General (Published in the Kansas Register, October 3, 1991.)

### Notice of Redemption City of Liberal, Kansas Waterworks Revenue Bonds

(No CUSIP numbers assigned)

Notice is hereby given that pursuant to Ordinance No. 3511 of the city of Liberal, Kansas, that it is intended that all of the city's outstanding Waterworks Revenue Bonds, Series 1980-B, of the city of Liberal, Kansas, maturing on and after December 1, 1992, be redeemed and prepaid on December 1, 1991 (the redemption date), on or prior to their respective maturities at a redemption price equal to the par value of the principal amount thereof plus accrued interest to the redemption date, plus a premium of 3 percent of the principal thereof.

Bond Numbers	Maturity Date	Principal Amount	Interest Rate
26-33	12/1/92	\$40,000	9%
34-42	12/1/93	45,000	9%
43-52	12/1/94	50,000	9.25%
53-63	12/1/95	55,000	9.25%
64-75	12/1/96	60,000	9.25%
76-88	12/1/97	65,000	9.50%
89-102	12/1/98	70,000	9.50%

On December 1, 1991, provided that funds are on hand to pay the specified redemption price, all the 1980-B bonds will be due and payable at the principal office of the Kansas State Treasurer. From and after December 1, 1991, all interest on the 1980-B bonds will cease to accrue.

Said 1980-B bonds, together with all unmatured interest coupons attached thereto, must be presented for payment to the Kansas State Treasurer, 900 S.W. Jackson, Suite 201, Topeka, KS 66612. The method of presentation and delivery of each bond is at the option and risk of the owners thereof. If forwarded by mail, it is suggested that the bonds be sent via insured, registered mail, return receipt requested.

Under the provisions of the Interest Dividend Tax Compliance act of 1979, paying agents making payments of interest or principal on corporate securities or making payments of principal on municipal securities may be obligated to withhold 20 percent tax remittances to individuals who fail to furnish the paying agent with a valid taxpayer identification number. Holders of the 1980-B bonds who wish to avoid the imposition of this tax should submit certified taxpayer identification numbers when presenting their bonds for payment.

Dated Sepember 16, 1991.

City of Liberal, Kansas By: Larry Koochel, Mayor Attest: Debra S. Giskie, City Clerk

Doc. No. 011155

(Published in the Kansas Register, October 3, 1991.)

# NOTICE OF REDEMPTION RENO COUNTY, KANSAS

Single Family Mortgage Revenue Bonds, 1979 Series A

Serial Bonds Due November 1991-1999, and Term Bonds Due November 1, 2010

NOTICE IS HEREBY GIVEN that pursuant to Section 4.01 of the Indenture dated as of November 1, 1979, and as amended by the First Supplemental Indenture dated as of July 1, 1987, \$585,000 principal amount of the Bonds, as listed below, are called for redemption on November 1, 1991, at the redemption price of 100% of the principal amount being redeemed plus accrued interest thereon to the redemption date:

The serial numbers of the Coupon Bonds to be redeemed in full, bearing CUSIP No. 759753 and Suffix:

<u>AN6</u>	AQ9	<b>AS5</b>	909	<u><b>AV8</b></u>	1317	1417	1681	1920	2204	2575	2804	3107	3367	3584	3721	3884
466	647	781	961	1166	1341	1453	1691	1939	2298	2605	2830	3182	3381	3604	3748	3922
491	662	818	;	1171	1352	1457	1761	1941	2392	2620	2847	3231	3424	3673	3787	
<u>AP1</u>	AR7	846	<u>AU0</u>	1208	1354	1504	1847	1995	2393	2731	2870	3266	3459	3683	3796	
536			1026													
569			1029													4 (A. 3)
576	757	887	1093	1299	1412	1594	1876	2178	2570	2782	2996	3344	3564	3714	3872	. "

The serial numbers of the Registered Bonds to be redeemed in whole or in part are:

Bond Number	Par Value	Amount Called	CUSIP Number	Bond Number	Par Value	Amount Called	CUSIP Number
R109	\$15,000	\$ 5,000	759753AQ9	R225	\$20,000	\$20,000	759753AW6
R222	10,000	5,000	759753AU0	R249	5,000	5,000	759753AW6
R153	20,000	20,000	759753AW6	R264	20,000	5.000	759753AW6
R182	10.000	5.000	759753AW6				

On November 1, 1991, all Bonds designated for redemption will become due and payable upon presentation thereof to one of the offices of the Paying Agents.

Coupon Bonds with the current coupon and all subsequent coupons attached should be presented to one of the offices of the Paying Agents:

### **BY HAND:**

Continental Bank, National Association 230 South Clark – 19th Floor Chicago, Illinois 60697

### BY MAIL:

Kansas State Bank and Trust Company Attention: Trust Department 123 North Market Street P.O. Box 427 Wichita, Kansas 67201

### BY MAIL:

Continental Bank, National Association Attn: Corporate Trust Operations 231 South LaSalle Street, 19th Floor Chicago, Illinois 60697

> Marine Midland Bank, N.A. 140 Broadway – 12th Floor Coupon Paying Department New York, New York 10010

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before November 1, 1991 to the above address. Sending certificates by registered mail is suggested.

Where a fully Registered Bond is redeemed in part, a new fully Registered Bond for the unredeemed portion will be issued and returned without charge. While registered bondholders have the option of presenting Bonds to any of the above-mentioned Paying Agents, there will be delay in the issuance of Bonds for any unredeemed portion unless such presentment is made to the principal Paying Agent in Chicago at the above given address.

Interest on the Bonds called for redemption will cease to accrue on November 1, 1991.

To avoid a 20% backup withholding tax required by the Interest and Dividend Tax Compliance Act of 1983, holders must submit a properly completed IRS Form W-9 with their Bonds, unless such form has been previously provided.

By: Continental Bank, National Association
Trustee for Reno County, Kansas

September 26, 1991

(Published in the Kansas Register, October 3, 1991.)

# NOTICE OF DEFEASANCE AND REDEMPTION OF ALL THE REMAINING BONDS RENO COUNTY, KANSAS

Single Family Mortgage Revenue Bonds, 1979 Series A

NOTICE IS HEREBY GIVEN that, pursuant to Section 403 of the Trust Indenture between Reno County, Kansas, as Issuer (the "Issuer"), and Continental Bank, National Association (formerly, Continental Illinois National Bank and Trust Company of Chicago), as trustee (the "Trustee"), dated as of November 1, 1979, as amended (the "Indenture"), the Issuer shall, on or before November 1, 1991, deposit with the Trustee, in trust, certain direct obligations of the United States of America or obligations the principal of and interest on which is fully guaranteed by the United States of America, maturing as to principal and interest in such amounts and at such times as will insure the availability of sufficient moneys to pay the principal of, premium, if any, and interest to the redemption or maturity thereof of ALL outstanding Reno County, Kansas Single Family Mortgage Revenue Bonds, 1979 Series A (the "Bonds") and that, on or after November 1, 1991, the Bonds and coupons will be defeased and deemed to have been paid in accordance with Article XIII of the Indenture and that, except as described in the following paragraph, ALL Bonds bearing CUSIP 759753 and suffixes AN6, AP1, AQ9, AR7, AS5, AT3, AU0, AV8, AW6 and AX4 are hereby called for optional redemption on November 1, 1991 (the "Redemption Date") at a redemption price of 103% of the principal amount thereof and accrued interest to the Redemption Date.

HOLDERS OF BONDS MATURING ON NOVEMBER 1 IN THE YEARS 1992 TO 1999, INCLUSIVE, AND NOVEMBER 1, 2010 ARE ADVISED THAT, PURSUANT TO SECTION 401 OF THE INDENTURE, CERTAIN BONDS OF SUCH MATURITIES HAVE BEEN PREVIOUSLY CALLED FOR REDEMPTION ON NOVEMBER 1, 1991 AT A PRICE OF 100% OF THE PRINCIPAL AMOUNT THEREOF, PLUS ACCRUED INTEREST TO SAID DATE PURSUANT TO A SEPARATE NOTICE OF REDEMPTION DATED SEPTEMBER 26, 1991, WHICH NOTICE OF REDEMPTION IDENTIFIES THE SPECIFIC BOND SERIAL NUMBERS SUBJECT TO SAID REDEMPTION. BONDS WITH BOND SERIAL NUMBERS IDENTIFIED IN THE SEPTEMBER 26, 1991 NOTICE ARE NOT SUBJECT THE REDEMPTION DESCRIBED IN THIS NOTICE, BUT REMAIN SUBJECT TO REDEMPTION AT A REDEMPTION PRICE OF 100% OF THE PRINCIPAL AMOUNT THEREOF PLUS ACCRUED INTEREST TO THE REDEMPTION DATE AS DESCRIBED IN SAID SEPTEMBER 26, 1991 NOTICE.

Coupon Bonds with the November 1, 1991 and all subsequent coupons attached and all Registered Bonds should be presented to one of the offices of the Paying Agents:

### BY HAND DELIVERY:

Continental Bank, National Association Attention: Corporate Trust Department 230 South Clark Street, 19th Floor Chicago, Illinois 60697

### BY MAIL:

Kansas State Bank and Trust Company Attention: Trust Department 123 North Market Street P.O. Box 427 Wichita, Kansas 67201

### BY MAIL:

Continental Bank, National Association Attention: Corporate Trust Department 231 South LaSalle Street, 19th Floor Chicago, Illinois 60697

Marine Midland Bank, N.A.
Attention: Coupon Paying Department
140 Broadway, 12th Floor
New York, New York 10010

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before the Redemption Date of November 1, 1991 to one of the above given addresses. The method of delivery of the Bonds for payment is at the election and risk of the holder but, if sent by mail, insured, registered or certified mail, return receipt requested, is recommended.

On or after the Redemption Date, no interest shall accrue on the Bonds.

This notice is given in conformity with the provisions of the Bonds and the Indenture providing for their issuance and the owners of said Bonds are hereby notified and requested to present such Bonds for redemption and payment as provided above. The Bonds which have been called for redemption will be paid from funds irrevocably deposited for this purpose in a Defeasance Account established with Continental Bank, National Association, as Trustee for the Bonds.

To avoid a 20% backup withholding tax required by the Interest and Dividend Tax Compliance Act of 1983, holders must submit a properly completed IRS Form W-9 with their Bonds, unless such form has been previously provided.

By: Continental Bank, National Association Trustee for Reno County, Kansas

October 3, 1991

(Published in the Kansas Register, October 3, 1991.)

Corrected Notice of Redemption (Originally published August 29, 1991) City of Topeka, Kansas Multi Family Housing Revenue Bonds Drury Place Project Series A 1984

Notice is hereby given that the remaining \$1,760,000 principal amount of bonds are called for redemption on October 25, 1991, at the price of 101.5 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date. This is a full call.

Cusip #	Amount	Maturity Date
890610AK4	\$ 20,000	11-1-91
890610AL2	\$ 20,000	11-1-92
890610AM0	\$ 25,000	11-1-93
890610AN8	\$ 25,000	11-1-94
890610AP3	\$ 30,000	11-1-95
890610AQ1	\$ 30,000	11-1-96
890610AR9	\$1,610,000	11-1-97

On October 25, 1991, all bonds outstanding are designated for redemption and will become due and payable upon presentation thereof at the address given below. On and after October 25, 1991, interest on the principal amount called for redemption shall cease to accrue. The bonds, along with IRS form W-9 (verification of taxpayer identification number), may be presented for payment in person or by mail at the Merchants National Bank of Topeka, Attn: Corporate Trust, 800 S.W. Jackson, Topeka, KS 66612.

City of Topeka, Kansas

Doc. No. 011136

(Published in the Kansas Register, October 3, 1991.)

Notice of Redemption to the holders of City of Kansas City, Kansas Special Improvement District Bonds Series W, No. 39 Dated November 1, 1981

Notice is hereby given that all of the above-mentioned bonds of the city of Kansas City, Kansas, maturing November 1, 1991, and thereafter have been called for redemption on November 1, 1991. The maturity dates, bond numbers, principal amounts and interest rates of the bonds to be redeemed are as follows:

Maturity	Bond Number	Principal Amount	Interest Rate
11/1/1992	<i>#76-79</i>	\$20,000	10.00%
11/1/1993	#80-82	15,000	10.00
11/1/1994	#83-85	15,000	10.00
11/1/1995	#86-87	10,000	10.00
11/1/1996	#88-89	10,000	10.00
11/1/1997	#90	5,000	10.00
11/1/1998	#91	5,000	10.00
11/1/1999	#92	5,000	10.00
11/1/2000	#93	5,000	10.00
11/1/2001	#94	5,000	10.00

On such date, each of the aforesaid bonds shall become due and payable at a redemption price equal to 100 percent of the principal amount thereof, plus accrued interest thereto to November 1, 1991. Interest on such bonds will cease to accrue from such date. The bonds so called for redemption should be presented for payment and redemption at the Office of the Kansas State Treasurer, Topeka, Kansas, acting as the paying agent, on and after November 1, 1991.

Nancy L. Zielke Director of Finance/Budget Director City of Kansas City, Kansas

Doc. No. 011145

State of Kansas

### Kansas Real Estate Commission

Permanent Administrative Regulations

# Article 1.—EXAMINATION AND REGISTRATION

- **86-1-4.** Renewal of license. (a) All original licenses shall be issued for the period of time remaining until the expiration date determined by the schedule contained in K.A.R. 86-1-3.
- (b) The effective date of each renewed license shall be the calendar day following the expiration date. The renewal date shall be the due date of the renewal application, which is the last calendar day of the month preceding the license expiration date. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 1990 Supp. 58-3045; effective January 1, 1986; amended, E-81-18, July 16, 1980; amended May 1, 1981; amended, T-87-32, Nov. 19, 1986; amended May 1, 1987; amended Nov. 18, 1991.)
- **86-1-11.** Minimum curricula and standards for course. (a) Each school offering a course approved by the commission under subsection (a) of K.S.A. 58-3046a, and amendments thereto, shall use a course syllabus provided by the commission and shall register such course under the fitle "Principles of Real Estate."

(b) Each school offering a course approved by the commission under subsection (b) of K.S.A. 58-3046a, and amendments thereto, shall use a course syllabus provided by the commission and shall register the course under the title "Broker Pro-License Course"

- course under the title "Broker Pre-License Course." (c) The 12 hours of additional instruction required by subsections (c), (d)(2) and (e)(2) of K.S.A. 58-3064a, and amendments thereto, shall consist of courses approved by the commission and may include instruction in:
  - (1) real estate finance;
  - (2) real estate law;
  - (3) real estate appraisal;
  - (4) real estate investment; and

(5) real estate management. Courses dealing with other subject matter may be approved by the commission. Total instruction time of approved courses shall be not less than three hours.

Any licensee may receive a maximum of three hours credit during any renewal period for real estate appraisal courses designated as such by the commission

and taken after January 1, 1992.

(d) Instruction required by subsection (d) of K.S.A. 58-3046a, and amendments thereto, shall include 30 hours of instruction designated by the commission as required hours and 20 hours elected by the licensee from courses approved by the commission pursuant to

subsection (c).

(e) The 30 hours of instruction designated as required hours under subsection (d) and the 30 hours of instruction required by subsection (e) of K.S.A. 58-3046a, and amendments thereto, shall consist of a course registered under the title "Salesperson's Post-License Course" and schools offering the course shall use a course syllabus provided by the commission. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 1990 Supp. 58-3046a, as amended by 1991 SB 194, Sec. 2; effective, T-86-31, Sept. 24, 1985; effective May 1, 1986; amended, T-87-32, Nov. 19, 1986; amended May 1, 1987; amended May 1, 1988; amended Sept. 26, 1988; amended Nov. 18, 1991.)

# Article 3.—PERSONS HOLDING LICENSES; DUTIES

**86-3-10.** Retention of records. Each broker shall retain in the broker's files for a period of at least three years true copies of all records relating to the broker's real estate business, including:

(a) contracts;

(b) closing statements:

(c) correspondence; and

(d) records required by K.A.R. 86-3-18. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 1990 Supp. 58-3061(e), as amended by 1991 SB 194, Sec. 4; effective Jan. 1, 1966; amended, E-81-18, July 16, 1980; amended May 1, 1981; amended Nov. 18, 1991.)

**86-3-21.** Trust account exemption. To request exemption from the requirement to maintain a trust account provided by subsection (f)(D) of K.S.A. 58-3061, and amendments thereto, a broker shall complete a request form obtained from the commission. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 1990 Supp. 58-3061(f), as amended by 1991 SB 194, Sec. 4; effective, T-87-32, Nov. 19, 1986; effective May 1, 1987; amended Nov. 18, 1991.)

E.W. Yockers Director

Doc. No. 011154

State of Kansas

### **Board of Regents**

# Permanent Administrative Regulations

# Article 2.—PROCEDURES FOR DETERMINING RESIDENCE FOR FEE PURPOSES

88-2-1. Residence classification. (a) At the beginning of each term or semester, the registrar of each institution governed by the state board of regents shall determine the residence status for fee purposes of each student who enrolls in the institution for that term or semester. If the registrar determines that the original residency classification of any student was incorrect, the registrar may, at any time, give written notice of reclassification to that student, together with a statement of any additional fees owed by or any refund due to that student for any terms or semesters, and the same shall be due and payable immediately.

(b) Any residency determination by an agent duly designated by a registrar to make such determination shall, for all purposes of these regulations, be deemed to be the residency determination of that registrar. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1,

1972; amended Nov. 18, 1991.)

**88-2-2.** Appeals. (a) Each student who is classified as a nonresident for fee purposes upon enrollment and who disagrees with that classification shall be entitled to an appeal if the student files a written appeal thereon with the registrar within 30 days of notification of classification. Any student who is classified as a resident for fee purposes at the time of enrollment, who subsequently is reclassified a nonresident for such purposes, and who disagrees with that reclassification, may make an appeal provided the student files a written appeal thereon with the registrar within 30 days of notification of reclassification.

(b) Each registrar's office shall provide on request a standard appeal form. The payment in full of fees as originally assessed shall be a condition to the right to maintain an appeal from residency classification or

reclassification.

(c) If a student fails to file an appeal in the time and manner provided in this regulation, the classification or reclassification determined by the registrar shall, upon expiration of the appeal period, become final. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended Nov. 18, 1991.)

88-2-3. Residence committee. Each institution governed by the state board of regents shall establish a committee of at least three members to act as an appellate body to hear and determine appeals concerning the status of students as residents or nonresidents of Kansas for fee purposes. Members of the residence committee shall be appointed by the chancellor or president of each institution under a procedure established by the chancellor or president. The procedure shall be

consistent with state law and the regulations of the state board of regents. Committee members shall serve at the pleasure of the chancellor or president.

(b) The residence committee shall elect its own chair who shall be eligible to vote in all cases. The registrar shall meet with the university residence committee but shall not be a member of the committee. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended Nov. 18, 1991.)

**88-2-4.** Decisions of residence committee. (a) Subject to the provisions of K.S.A. 77-601, et seq., decisions of the residence committee shall not be subject to further administrative review by any officer or committee of the university or by the state board of regents.

(b) If the residence committee determines that the appealing student was entitled to be classified as a Kansas resident for fee purposes, an amount equal to the difference between resident fees for the term or semester involved and the nonresident fees paid by the student for that term or semester shall be refunded

to the student immediately.

(c) The residence committee may seek advice, through the executive officer of the state board of regents, from the attorney general upon legal questions involved in any case pending before it. Opinions rendered by the attorney general to the executive officer shall be distributed among the registrars of all institutions governed by the state board of regents. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended Nov. 18, 1993.)

# Article 3.—GUIDELINES FOR THE DETERMINATION OF RESIDENCY FOR FEE PURPOSES

**88-3-1.** Student information. Whenever a question arises concerning a person's residence classification for fee purposes, that person shall be provided with a copy of information substantially as set forth in this regulation, together with K.A.R. 88-3-2 to 88-3-9 inclusive.

'Carefully read the information, statute and regulations which follow. Then, if you believe you should be eligible for resident classification for fee purposes, complete the attached application for residence classification and submit it to the registrar within 30 days of your notification of classification as a nonresident for fee purposes. When an appeal is made by a student from a determination that the student is a nonresident, the student must pay nonresident fees at the time designated for payment of fees. If the student is found to be a resident, the difference between resident and nonresident fees will be refunded. Subject to the provisions of K.S.A. 77-601, et seq., decisions of the residence committee shall not be subject to further administrative review by any officer or committee of the university, or by the state board of regents."

Responsibility

"The responsibility of enrolling under proper residence classification for fee purposes is placed on the

student. If there is any possible question of residence classification under the regulations of the state board of regents, it is the duty of the student when registering and paying fees to raise the question with the registrar. If a student enrolls incorrectly as a resident of Kansas and it is determined at a later date the student was a nonresident for fee purposes, the student shall be required to pay the nonresident fee for all terms during which the student was incorrectly registered." (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended May 1, 1986; amended Nov. 18, 1991.)

**88-3-2.** Definition of "residence" for fee purposes. (a) Except as otherwise provided in the rules and regulations of the state board of regents, "residence" means a person's place of habitation, to which, whenever the person is absent, the person has the intention of returning. A person shall not be considered a resident of Kansas unless that person is in continuous physical residence and intends to make Kansas a permanent home, not only while in attendance at an educational institution, but indefinitely thereafter as well.

(b) The factors which, while not conclusive, will be given probative value in support of a claim for resident status include, but are not limited, to the following:

- (1) continuous presence in Kansas during periods when not enrolled as a student;
  - (2) employment in Kansas;

(3) payment of Kansas state income taxes;

- (4) reliance on Kansas sources for financial support; (5) commitment to an education program which indicates an intent to remain permanently in Kansas;
- (6) acceptance of an offer of permanent employment in Kansas;
- (7) admission to a licensed practicing profession in Kansas; or
- (8) ownership of a home in Kansas. No factor shall be considered in support of a claim for resident status unless the factor has existed for at least one year prior to enrollment or re-enrollment.
- (c) The following circumstances, standing alone, ordinarily will not constitute sufficient evidence of a change to Kansas residence:

(1) voting or registration for voting in Kansas;

(2) employment in any position normally filled by a student;

(3) lease of living quarters in Kansas;

- (4) a statement of intention to acquire residence in Kansas;
  - (5) residence in Kansas of the student's spouse;

(6) vehicle registration in Kansas;

- (7) acquisition of a Kansas driver's license;
- (8) payment of Kansas personal property taxes; or (9) continuous enrollment in a postsecondary edu-

cational institution in Kansas.

(d) If a person is continuously enrolled for a full academic program as defined by the institution where enrolled, it will be presumed that the student is in Kansas for educational purposes and the burden will be on the student to prove otherwise.

- (e) Maintenance of ties with another state or country, including financial support, voting, payment of personal property taxes, registering a vehicle or securing a driver's license in that state or country, may be considered sufficient evidence that residence in the other state or country has been retained. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended May 1, 1986; amended Nov. 18, 1991.)
- 88-3-3. Definition of "12 months." The phrase "12 months prior to enrollment for any term or session," as used in K.S.A. 76-729, means a continuous 365-day period immediately prior to the first day of classes for a specified term or session. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended Nov. 18, 1991.)
- 88-3-5. Six-months extension privilege. Students who are classified as residents by reason of their parents being residents of Kansas shall, when their parents change their residence to another state, be accorded the resident fee privilege for six months after that change. (Authorized by K.S.A. 76-730; implemening K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended Nov. 18, 1991.)
- 88-3-8. Military personnel. (a) Active United States military personnel and their dependent spouses and children shall be accorded the resident fee privilege while enrolled in any institution governed by the state board of regents if such personnel are assigned full-time to a duty-station in Kansas and are living in Kansas.
- (b) If a service person otherwise meeting the requirements of subsection (a) is reassigned from Kansas to a duty-station outside the United States, the resident fee privilege shall be extended to the service person's spouse and dependent children so long as they continue to reside in Kansas and the service person remains outside the United States.
- (c) This regulation shall not be construed to prevent a service person from acquiring or retaining a bona fide residence in Kansas. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729, 76-730; effective, E-71-35, Aug. 20, 1971; effective Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended May 1, 1986; amended Nov. 18, 1991.)
- **88-3-9.** Institutional personnel. Any employees of institutions governed by the state board of regents, classified and unclassified, on a regular payroll appointment for .4 time or more, and the employee's dependent spouse and children shall be accorded the resident fee privilege. The provisions of this regulation shall not apply to seasonal, temporary or hourly employees. (Authorized by K.S.A. 76-730; implementing K.S.A. 76-729; effective, E-71-35, Aug. 20, 1971; effec-

tive Jan. 1, 1972; amended, E-76-50, Oct. 10, 1975; amended, E-77-5, March 19, 1976; amended Feb. 15, 1977; amended Nov. 18, 1991.)

88-3-10. Kansas high school graduates. (a) The resident fee privilege shall be granted to any person graduating from a Kansas high school accredited by the state board of education who:

(1) Qualifies for admission and begins classes at any institution governed by the state board of regents

within six months of high school graduation;

(2) was a Kansas resident for fee purposes at the time of graduation from high school or within 12 months prior to graduation from high school; and

(3) provides an official copy of that person's high school transcript to the university of enrollment.

(b) This resident fee privilege shall be granted even if the student is not otherwise qualified for this privilege due to the current residence of the student's parents or guardians.

(c) This privilege shall be granted as long as the student remains continuously enrolled at any institu-

tion govened by the state board of regents.

- (d) Each person seeking the resident fee privilege pursuant to the provisions of these rules shall be responsible for providing such information necessary to verify graduation from a Kansas high school and resident status at or 12 months prior to graduation from high school. (Authorized by and implementing K.S.A. 76-729, as amended by 1991 S.B. 21, Sec. 2, and K.S.A. 76-730; effective, T-88-30, Aug. 19, 1987; effective May 1, 1988; amended Nov. 18, 1991.)
- 88-3-11. Recruited or transferred employees. (a) The resident fee privilege shall be granted to any person who has been a domiciliary resident of the state of Kansas for less than 12 months and whose current domiciliary residence was established to accept or retain fulltime employment in the state of Kansas. The resident fee privilege shall also be granted to the spouse and dependent children of that person.

(b) Any person seeking the resident fee privilege pursuant to the provisions of this regulation shall provide a statement from the employer in support of the

claim which shall:

(1) Be notarized;

- (2) be signed by the personnel director of the employer, and:
  - (A) the owner;

(B) a partner; or

(C) the chief executive officer of the employer;

(3) indicate whether residence in Kansas was established as the result of a job transfer or recruitment;

(4) indicate the date of initial employment in Kansas in case of a job transfer;

(5) indicate the date of hire in the case of an employment recruitment;

(6) set forth the nature of the position in Kansas and the number of hours the individual is expected to work during the next 12 months; and

(7) set forth the expected length of employment in

Kansas.

(c) An individual who is self-employed shall not be (continued)

considered eligible for the resident fee privilege under this regulation.

(d) Military personnel shall be considered pursuant to K.A.R. 88-3-8 and not pursuant to the provisions of this regulation.

- (e) Each person seeking the resident fee privilege pursuant to the provisions of this regulation shall be responsible for providing information necessary to indicate that the establishment of residence in the state of Kansas was solely as a result of accepting, upon recruitment by an employer, or retaining, upon a transfer request by an employer, full-time employment in the state of Kansas.
- (f) The resident fee privilege extended by this regulation shall continue for a maximum of 12 months. (Authorized by and implementing K.S.A. 76-729 and K.S.A. 76-730; effective, T-88-30, Aug. 19, 1987; effective May 1, 1988; amended Nov. 18, 1991.)

88-3-12. Discharged or retired from active military duty in Kansas. (a) The resident fee privilege shall be granted to each person:

(1) Who has been a domiciliary resident of Kansas for less than 12 months;

(2) who was present in the state in active military service prior to becoming a domiciliary resident of the state;

(3) who was present in the state for a period of not less than two years sometime during the person's ten-

ure in the active military service; and

- (4) whose current domiciliary residence was established within 30 days of the date of discharge or retirement from active military service under honorable conditions. The resident fee privilege shall also be granted to the spouse and dependent children of that person.
- (b) Each person seeking the resident fee privilege according to this regulation shall be responsible for providing information necessary to indicate domiciliary residence in Kansas and shall provide a statement in support of the claim that shall:

(1) Be notarized;

be signed by an appropriate military officer;

- (3) indicate the date of discharge or retirement from active military service and whether the discharge or retirement was under honorable conditions;
- (4) indicate the date of initial presence in Kansas; and
- (5) indicate the dates of all active duty service in Kansas.
- (c) The resident fee privilege extended by this regulation shall continue for a maximum of 12 months. (Authorized by K.S.A. 76-730, implementing K.S.A. 76-729, as amended by 1991 S.B. 21, Sec. 2; effective, Nov. 14, 1988; amended Nov. 18, 1991.)

Ted Ayres General Counsel

Doc. No. 011132

State of Kansas

### Department of Administration

### Permanent Administrative Regulations

### Article 16.—TRAVEL REIMBURSEMENT

1-16-18. Subsistence allowance; rates. (a) General provisions.

(1) Except as otherwise specifically provided by law, subsistence allowances for in-state and out-of-state travel shall be paid on the basis of a quarter-day rate for meal expenses and the actual cost of lodging expenses incurred, within the lodging expense limits set forth in this regulation. The subsistence rates for meal expenses shall be paid on a per diem basis at the appropriate rate for any fraction of a quarter-day in which the official travel begins and for each full quarter-day thereafter. For purposes of this regulation, a day shall commence at 12:01 a.m. No quarter-day allowance shall be paid for any fractional quarter-day in which the traveler returns to the traveler's official station or domicile. As used in this regulation, "international travel" means travel outside the fifty states and the District of Columbia.

(2) Reimbursement for lodging shall be made on the basis of actual single-rate lodging expenses incurred, including taxes, and shall be supported by the original official receipt of the lodging place or other suitable evidential matter. Reimbursement for lodging expenses shall be limited to the lodging place's lowest available rate for normal single occupancy on the day or days

the lodging expense was incurred.

(3) Subject to the approval of the secretary of administration, the director of accounts and reports may designate any city in a state bordering or near Kansas as a "border city." All meals allowances and lodging expense limitations shall be at the appropriate in-state rate for travel by state personnel to a border city.

(b) Meals allowance. The quarter-day meals allow-

ance shall be:

(1	) In-state	\$5.00
(2	2) Out-of-state	\$5.75
(3	Designated high cost geographic area—     out-of-state	• • •
(4	) Borough of Manhattan and the District of	\$6.50
	Columbia	\$8.50
(5	i) International Travel	\$8.50

An exception to the quarter-day meal allowance for international travel may be made at the option of each agency, by claiming actual expenses subject to a daily limitation of \$66 for meals.

(c) Lodging expense limitations. The lodging expense limitations shall be:

In-state, exclusive of designated high cost	
geographic areas	\$ 46.00
In-state, designated high cost geographic area	\$ 58.00
Out-of-state, exclusive of designated high cost	
geographic areas	\$ 70.00
Out of state, designated high cost geographic	
area	\$102.00
Borough of Manhattan and the District of	
Columbia	\$112.00
International Travel	actual

Specific exceptions to the dollar limitation on lodging expenses may be made pursuant to provisions in K.S.A. 75-3207a and amendments thereto.

(d) If the cost of meals is included within the cost of registration fees or other fees and charges paid by the agency or supplied without cost by another party, the meal expenses shall be reduced as follows:

(1) In-State Travel:	Amount
For each breakfast provided	\$ 4.50
For each lunch provided	\$ 5.50
For each dinner provided	\$10.00
(2) Out-of-State Travel:	
For each breakfast provided	\$ 5.50
For each lunch provided	\$ 6.50
<ul> <li>For each dinner provided</li> </ul>	\$11.00
(3) Travel to High Cost Geographic Areas	
For each breakfast provided	\$ 6.25
For each lunch provided	\$ 7.25
For each dinner provided	\$12.50
(4) Travel to Borough of Manhattan, the	
District of Columbia and International Travel:	
For each breakfast provided	\$ 8.00
For each lunch provided	\$ 9.00
For each dinner provided	\$17.00
Authorized by and implementing K.S.A. 75-32	207a; ef-

fective, E-80-10, July 11, 1979; effective May 1, 1980; amended, E-81-14, June 12, 1980; amended May 1, 1981; amended, E-82-14, July 1, 1981; amended May 1, 1982; amended, T-84-20, July 26, 1983; amended May 1, 1984; amended May 1, 1985; amended, T-87-26, Oct. 1, 1986; amended May 1, 1987; amended, T-89-1, Jan. 7, 1988; amended Oct. 1, 1988; amended July 1, 1990; amended, T-1-8-14-90, May 1, 1990; amended Oct. 8, 1990; amended, T-1-9-26-91, Oct. 1, 1991; amended Nov. 18, 1991.)

# Article 17.—USE OF STATE-OWNED OR OPERATED MOTOR VEHICLES ON OFFICIAL STATE BUSINESS

1-17-1. Use of state-owned or operated motor vehicles on official state business; applicability; definitions. (a) The rules and regulations in this article shall apply, except as may be expressly indicated, to the use, charges for use, or reimbursement for use, of all motor vehicles owned, leased or operated by an agency, officer, or employee of the state when on official state business.

(b) For the purpose of these rules and regulations, the following terms shall have the meanings described.

(1) "State-owned or operated motor vehicles" means all motor vehicles, including privately-owned motor vehicles, authorized for use on official state business.

(2) "State-owned or leased motor vehicles" means only those motor vehicles owned or directly leased by the state or its agencies and specifically excludes privately-owned motor vehicles.

(3) "Official state business" means the pursuit of a goal, obligation, function, or duty imposed upon a state agency or performed on behalf of a state agency.

(4) "Secretary" means the secretary of

administration.

(5) "Motor pool" means the central motor pool or any branch thereof established pursuant to K.S.A. 75-4602 et seq. and any amendments thereto. (Authorized by K.S.A. 75-4608; implementing K.S.A. 75-4604; ef-

fective, E-74-4, Nov. 2, 1973; effective May 1, 1975; amended May 1, 1979; amended Nov. 18, 1991.)

1-17-2. Same; use of state-owned or leased motor vehicles. (a) State-owned or leased motor vehicles shall only be used for official state business and shall only be operated by a person who has a valid driver's license and who is:

(1) an officer or employee of the state of Kansas;

or

(2) any other person who has been approved by the secretary or the secretary's designee to operate a state-owned or leased motor vehicle while engaged in official state business.

(b) Only employees of the state or a person or persons reasonably engaged in and accompanying a state employee or other person approved under subsection (a) on official state business shall be allowed to ride in a state-owned or leased motor vehicle. (Authorized by and implementing K.S.A. 75-4608; effective, E-74-4, Nov. 2, 1973; effective, E-76-17, March 27, 1975; effective May 1, 1975; amended May 1, 1976; amended Nov. 18, 1991.)

1-17-2a. State-owned or leased vehicles; travel from employee's residence to his or her official work station. (a) (1) State-owned or leased motor vehicles shall not be used to commute between the employee's residence and the employee's official work station, except:

(A) when parking the vehicle at the official work station overnight subjects the vehicle to a high risk of

vandalism;

(B) when the vehicle is used by an official or employee who is regularly called to duty after normal work hours in connection with law enforcement activities or dealing with emergencies which result from an act of God; or

(C) for trip vehicles assigned to the traveler, on the evening of the work day immediately preceding the date of travel or the evening of the workday in which

travel is completed.

(2) When the state-owned or leased motor vehicle is authorized to be used for travel to an employee's place of residence under paragraphs (1)(A) and (1)(B), the "reasonable distance" one-way between the employee's official work station and residence shall not exceed 10 miles unless the 10-mile limitation is specifically exempted by the secretary or the secretary's designee. For trip vehicles assigned to a traveler under paragraph (1)(C), "reasonable distance" shall be based on a determination that driving the vehicle home will not increase the total one-way trip mileage between the official work station and the destination by more than 10 miles.

(b) This regulation shall not apply to:

(1) an employee whose residence has been designated as the official work station because over 50% of the employee's work time involves direct travel from his or her residence; or

(2) state-owned or leased motor vehicles acquired or assigned for use in the state vanpool program. (Authorized by and implementing K.S.A. 75-4608; effective

Sunday

Sunday

Sept. 8

Sept. 29

May 1, 1981; amended, T-87-17, July 1, 1986; amended May 1, 1987, amended Nov. 18, 1991.)

### Article 49.—PERSONAL CONDUCT; CERTAIN BUILDINGS AND GROUNDS

**1-49-1.** Stairs, halls and porticos. (a) No person shall climb upon or hang over any rotunda, hall or portico, railing, or stair railing located in or upon any of the following properties:

(1) the statehouse;

(2) the Kansas judicial center;

(3) Docking state office building, 915 Harrison;

(4) Landon state office building, 900 SW Jackson;

(5) the memorial building, 120 W 10th;

(6) Forbes office building #740;

(7) the division of printing plant, 201 NW MacVicar; or

(8) the state office building located at 3440 S.E. 10th

Street, in Topeka.

(b) No person shall run up or down the halls or stairways, or crowd, push, or shove any other person upon the stairways of any of the buildings listed in subsection (a). (Authorized by K.S.A. 75-3706, 75-4505; implementing K.S.A. 75-4505, 75-3762; effective Jan. 1, 1966; amended May 1, 1978; amended May 1, 1979; amended Nov. 18, 1991.)

James R. Cobler Secretary of Administration

Doc. No. 011131

### State of Kansas

### The Kansas Lottery

# Temporary Administrative Regulations

### Article 4.—INDIVIDUAL GAME RULES

**111-4-308.** Name of Drawing. The Kansas lottery shall conduct a series of drawings, entitled Heartland Park "Winners' Circle Drawings." The dates of the drawings shall coincide with the 1991 racing season at Heartland Park, 1805 SW 71st, Topeka, Kansas 66619. The dates and events at which the drawings shall take place are as follows:

Sunday August 4 Sunday Sept. 8 Sunday Sept. 29

"ARCA Wendy's Big Classic 100"

"Superbike Challenge"
"NHRA Heartland Nationals"

Rules applicable to the "Winners' Circle Drawings" are contained in K.A.R. 111-3-1 et seq. and 111-4-308 through 111-4-317. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-8-2-91, July

19, 1991; amended, T-111-9-20-91, Sept. 13, 1991.)

111-4-311. Prizes. The winners selected at the "Winners' Circle Drawings" conducted pursuant to K.A.R. 111-4-308 et seq. shall receive the following prizes:

Sunday

(barisites)

Jan San

August 4

1st ticket drawn—Hawaiian Vacation September 12 through September 19, 1991, which includes but is not limited to:

 Round trip air fare for two from KC to Kauai, Hawaii and return

 Round trip transportation from airport to Hawaii to hotel and return

 Six nights at the Westin Kauai Hotel

Hospitality desk and services

Welcome reception with hors d'oeuvres

Deluxe breakfast buffet four mornings

Professional tour escort

2nd through 11th tickets drawn—\$100 each

1st through 10th tickets drawn—\$100 each

Five tickets shall be drawn, one at a drawing prior to each race finals involving the following classes: "Top Fuel," "Funny Car," "Pro Stock," "Top Alcohol Dragster" and

"Top Alcohol Funny Car." Prizes shall be determined by the winner's speed in each of the five classes with the winning dollar amount representing the actual speed of the winner with the minimum and maximum dollar amounts as

follows:

Class	Minimum Maximum  Dollar Amount Dollar Amount
Top Fuel	250 350
Funny Car	250 350
Pro Stock	150 250
Top Alcohol Dragster	200 300
Top Alcohol Funny Car	200 300
A11	

All prize awards are subject to lottery validation, setoffs and deductions provided by law. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-8-2-91, July 19, 1991; amended, T-111-9-20-91, Sept. 13, 1991.)

111-4-312. Entry into Drawing. Entry into the "Winners' Circle Drawing" is accomplished by the process detailed in the following subparagraphs:

(a) Obtain a valid Kansas instant lottery ticket;

(b) Determine if the ticket is a winning ticket in accordance with any instant game rules. If the ticket is a winning ticket, it is not eligible for "Winners' Circle Drawings" and shall be redeemed in accordance with the instant game rules;

(c) If the ticket is a valid non-winning ticket, the ticket is eligible for winning the drawing and the holder of the ticket may enter the "Winners' Circle

Drawings."

(d) The holder c the non-winning ticket must complete the information form on the back of the ticket in a legible manner and sign it. Unsigned tickets shall not be considered valid entries in any drawing conducted by the lottery;

(e) The holder of the ticket need not be present to win at the time of the "Winners' Circle Drawings";

(f) There is no limit to the number of entries a participant may make.

(g) For the events occurring on September 29, 1991, the drums shall open 8:00 a.m. immediately preceding the final racing events identified in K.A.R. 111-4-311.

(h) The holder of the non-winning ticket must take each non-winning ticket with the information form on

the back completed to the location of either drum at the "Winners' Circle Drawings" and place it in the

receptacle or drum provided by the lottery.

(i) On Sunday, September 29, 1991, the Kansas lottery will sponsor its third "Winners' Circle Drawing." Players enter this drawing by placing non-winning tickets into either of two drums located inside the admission gate at Heartland Park. One drum will be located inside the admission gate in the concession area on the west side of the track, and the second will be near the pit area. Five tickets will be drawn from the combined contents of the two drums. Following validation by lottery security personnel the winners' names shall be announced.

(j) Prior to each Heartland Park drawing for prizes on September 29, 1991, set forth in K.A.R. 111-4-311 or 111-4-317, the contents of the drums shall be combined under the supervision of lottery security personnel present, and the drawings shall be from the drums containing all the tickets. It shall be held on the track in front of the Heartland Park tower. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710(b); effective, T-111-8-2-91, July 19, 1991; amended, T-111-8-2-91, Aug. 23, 1991; amended, T-111-9-20-91, Sept. 13, 1991.)

## RULES FOR INSTANT GAME NO. 37 "\$100,000 BIRTHDAY GAME"

**111-4-332.** Name of Game. The Kansas Lottery shall conduct an instant winner lottery game entitled "\$100,000 Birthday Game" commencing on October 3, 1991. The specific rules for the "\$100,000 Birthday Game" game are contained in K.A.R. 111-3-1 et seq. and 111-4-332 through 111-4-335. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-9-20-91, Sept. 13, 1991.)

111-4-333. Definitions. The following definitions shall apply to the "\$100,000 Birthday Game" instant

lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 pt. Archer. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: FREE—4FREE—\$2.00—\$4.00—\$4.00—\$4.00—\$4.00—\$4.00—\$4.00\$.

(b) "Game symbol captions" are the words or portions of words printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated

with each game symbol is as follows:

Game Symbol	Game Symbol Caption	
FREE	TICKET	
4FREE	TICKETS	
\$2.00	TWO\$	
\$4.00	FOUR\$	
14.00	FOURTN	
40.00	FORTY	
\$400\$	FOUR-HUN	

(c) "Ticket validation number" means a unique

number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears under the "Void If Removed" spot on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the bottom right portion of

the front of each instant game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of six varying locations among the game symbols. The codes and their meanings are as follows: AA = FREE; YY = 4FREE; DD = \$2.00; JJ = \$4.00; LL = \$14.00. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-9-20-91, Sept. 13, 1991.)

111-4-334. Determination of Instant Prize Winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three (3) of six (6) game. If three (3) of the six (6) concealed prize amounts match, the player wins the amount shown. No ticket will be eligible to win more than one prize. Prizes a player may win are as follows:

Get	Win
3—FREE	TICKET
3—4FREE	4 TICKĖTS
3—\$2.00	Two Dollars
3-\$4.00	Four Dollars
3—14.00	Fourteen Dollars
3-\$40.00	Forty Dollars
3_\$400.00	Four Hundred Dollars

(Authorized by K.S.A. 1990 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1990 Supp. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective, T-111-9-20-91, Sept. 13, 1991.)

111-4-335. Number and Value of Instant Prizes.
(a) There will be approximately 3,600,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

	<b>Expected Number of</b>	Expected
<b>Prizes</b>		Value in Game
FREE	432,000	-0-
4FREE	72,000	-0-
\$ 2.00	168,000	\$ 336,000
4.00	144,000	576,000

		1/41
14.00	24,000	336,000
40.00	1,200	48,000
400.00	120	48,000
	<u>\$841,320</u>	\$1,344,000
Reserve—"Birthday show prizes	Game" television	180,000
		\$1,524,000

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1990 Supp. 74-8710(b), (c) & (f); implementing 74-8710(b), (c) & (f); and 74-8720; effective, T-111-9-20-91, Sept. 13, 1991.)

### Article 6.—ON-LINE GAMES

- 111-6-1. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 1990 Supp. 74-8701 et seq.) and lottery regulations adopted pursuant to the Kansas lottery act are hereby incorporated by reference.
- (b) "On-line Game" means a lottery game in which a player selects a combination of numbers or symbols, the type of game and amount of play, and the drawing date(s) by use of a computer. In return for paying the appropriate fee, the player receives a computer-generated ticket with the player's selection printed on it. The Kansas lottery (lottery) will conduct a drawing to determine the winning combination in accordance with the rules of the specific game being played. Each ticket holder whose valid ticket includes a winning combination shall be entitled to a prize if the ticket and a valid claim form are submitted within the specified time period.

(c) "On-line Retailer" means a person or business authorized by the Lottery to sell on-line tickets.

(d) "On-line Terminal (OLT)" means the computer hardware by which an on-line retailer or player enters the combination selected by the player and by which on-line tickets are generated and claims are validated.

(e) "On-line Ticket" means a computer-generated ticket issued by an on-line terminal to a player as a receipt for the combination a player had selected. That ticket shall be the only acceptable evidence of the com-

bination of numbers or symbols selected.

(f) "Drawing" means the procedure determined by the Director by which the lottery selects the winning combination in accordance with the rules of the game. Drawings are open to the public, and are required to be witnessed by a lottery security officer, a drawing manager and a representative of an independent certified public accounting firm (auditor). Furthermore, the equipment used in any drawing must be inspected by the lottery security official present and the auditor before the the drawing. All drawings and inspections are required to be recorded on both video and audio

(g) "Winning Combination" means one or more

numbers of symbols randomly selected by the lottery in a public drawing.

(h) "Validation" means the process of determining whether an on-line ticket presented for payment is a

winning ticket.

(i) "Ticket Holder" or "holder" means the person who has possession of an unsigned ticket or the person whose signature appears in the area upon a ticket des-

ignated for signature.

- (j) "Executive director" means the executive director of the Kansas lottery or the person designated by the executive director. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; amended, T-111-10-10-90, Sept. 15, 1990; amended, T-111-12-21-90, Dec. 14, 1990, amended, T-111-9-20-91, Sept. 13, 1991.)
- 111-6-6. Drawings and End of Sales Prior to Drawings. (a) Drawings may be conducted in a location and at days and times designated by the executive director. They shall be open to the public and shall be witnessed by a lottery security official, draw manager and an independent certified public accountant (auditor).

(b) For each type of on-line game, the executive director shall establish a time prior to the drawing for

the end of sales.

(c) The executive director shall designate a lottery security official who shall insure that security standards established by rules and regulations and drawing procedures are met. The designated security official at each drawing shall have final authority on any decisions concerning the drawing a each drawing site.

(d) The executive director shall designate a drawing manager who shall oversee each drawing. The drawing manager shall be responsible for conducting the drawing in compliance with the lottery's drawing procedures. The lottery security official, drawing manager and the auditor shall attest whether the drawing was conducted in accordance with proper drawing procedures at the end of each drawing.

(e) Should the lottery security official, the draw manager or the auditor be unable to attend the drawing, the executive director shall designate a

replacement.

(f) The executive director shall designate the type of equipment to be used and shall establish procedures to randomly select the winning combination for each type of on-line game. Drawing procedures shall include provisions for the substitution of backup drawing equipment in the event the primary drawing equipment malfunctions or fails for any reason.

(g) The equipment used to determine the winning combination shall not be electronically or otherwise connected to the central computer or to any tapes, discs, files, etc., generated or produced by the central computer. The equipment shall be tested prior to each drawing to assure proper operation and lack of tampering or fraud. Drawings shall not be held until all pre-inspection checks are completed.

(h) All drawings may be broadcast live on television provided the facilities for such broadcasts are available

and operational and can be done at a reasonable cost.

(i) The executive director shall establish procedures governing the conduct of drawings for each type of on-line game. The procedures shall include provisions for deviations which include but are not limited to: (1) malfunction of the drawing equipment before determination of the winning combination; (2) video and/ or audio malfunctions during the drawing; (3) fouled drawing; (4) delayed drawing; and (5) other equipment, facility and/or personnel difficulties.

(j) In the event a deviation occurs, the drawing will be completed under lottery supervision. The drawing may be videotaped for later broadcast if broadcast time is available. The winning combination will be provided to the television network for dissemination to the

(k) If, during any live-broadcast drawing for a game, a mechanical failure or operator error causes an interruption in the selection of all numbers or symbols, a "foul" shall be called by the auditor. Any number drawn prior to a "foul" being called will stand and be deemed official after passing inspection and certification by the drawing manager and the auditor.

(I) The executive director shall delay payment of all prizes if any evidence exists or there are grounds for suspicion that tampering or fraud has occurred. Payment shall be made after an investigation is completed and the drawing approved by the drawing manager. If the drawing is not approved, it shall be void and another drawing will be conducted to determine the

actual winner.

(m) Upon completion of the drawing, the persons designated to officially observe the drawing shall issue a signed report to the executive director. This report shall certify that to the best of their knowledge, the procedures required by these rules were followed in selecting the winner at the drawing. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-12-28-89, Dec. 21, 1989; amended, T-111-8-2-91, July 19, 1991; amended, T-111-9-20-91, Sept. 13, 1991.)

111-6-17. On-Line Drawings. (Authorized by and implementing K.S.A. 1987 Supp. 74-8710; effective, T-89-25, May 31, 1988; revoked, Sept. 13, 1991.)

### 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). 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 thirtythree (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 tick-

ets that are printed in error.

(e) Starting September 18, 1991, ticket sales will end at approximately 6:45 p.m. central time (CT) on Wednesdays and Saturdays and resume at approxi-

mately 7:00 p.m.

(f) Drawings will be conducted twice weekly, on Wednesdays and Saturdays at approximately 6:58 p.m. central time (CT) after the game is closed at approximately 6:45 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. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710, effective, T-89-25, May 31, 1988; amended, T-111-11-2-89, Oct. 27, 1989; amended, T-111-6-7-90, June 1, 1990; amended, T-111-9-20-91, Sept. 13, 1991.)
- 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 6:45 p.m. the day of the drawing.

(d) A player may purchase only the same numbers on the same boards for multiple drawings. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; ef-

fective, T-111-6-17-88, June 17, 1988; amended, T-111-6-7-90, June 1, 1990; amended, T-111-9-20-91, Sept. 13, 1991.)

111-7-46. Game Description; Retail Sale of Tickets (a) KENO is a two-times-a-week eleven (11) of twenty (20) of sixty (60) lottery game which pays prizes for correctly picking eleven (11) of twenty (20) numbers drawn from a field of sixty (60) numbers with a jackpot prize of fifty thousand dollars (\$50,000.00) and prizes of two thousand dollars (\$2,000) for matching ten (10) winning numbers, two hundred dollars (\$200.00) for matching nine (9) winning numbers correctly, twenty dollars (\$20) for matching eight (8) winning numbers, five dollars (\$5) for matching seven (7) winning numbers, and ten dollars (\$10) for picking zero (0) winning numbers, subject to the limitations of K.A.R. 111-7-48(d) and (e).

(b) To play KENO, a player shall select a set of eleven (11) different numbers between one (01) and sixty (60), for input into a terminal. Tickets may be purchased from any retailer operating an on-line terminal. When purchased from a retailer, the player may select a set of numbers by: (1) marking a play slip with eleven (11) numbers and submitting the play slip to the retailer; or (2) requesting a quick pick from the

retailer.

The retailer will then issue a ticket from the terminal containing the selected set of numbers, constituting a game play. Should a player submit a play slip on which the play slip is marked to indicate number selections and the play slip also indicates quick pick, the system shall follow the player's indicated number selections 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 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 or of numbers

selected.

(d) A ticket may not be voided or cancelled by returning the ticket to the selling retailer, including a

ticket that is printed in error.

(e) Drawings will be conducted two times a week, on Wednesdays and Saturdays between 6:45 p.m. and 7:05 p.m. central time (CT) pursuant to K.A.R. 111-7-44 through 111-7-54; with sales to be suspended between 6:45 p.m. and 7:05 p.m. on draw days; after the auditor has verified that the game is closed; under conditions and procedures promulgated by the executive director of the lottery.

(f) 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. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710, effective, T-111-8-24-90, Aug. 17, 1990; amended, T-111-9-20-91, Sept. 13, 1991.)

111-7-54. Multi-Draw. (a) In addition to a single play for a \$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 the number two, three or four 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 play 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 6:45 p.m. the

day of the drawing.

(d) A player may purchase only the same numbers on the board for multiple drawings. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-8-24-90, Aug. 17, 1990; amended, T-111-9-20-91, Sept. 13, 1991.)

Ralph Decker Executive Director

Doc. No. 011138

### State of Kansas

### Secretary of State

### **Executive Appointments**

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

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

The following appointments were filed September 23-27:

### Comanche County Commissioner, 3rd District

**Billy J. Bayne,** Protection 67127. Term expires when a successor is elected and qualifies according to law. Succeeds Gary Moore, resigned.

### **Board of Accountancy**

**Dennis L. Phelps**, 608 N. Broadway, Wichita 67214. Term expires July 31, 1994. Succeeds Richard Dodson.

### Advisory Council on Aging

Marge Zakoura-Vaughn, 1033 Eastern, Wichita 67207. Term expires June 30, 1994. Succeeds Ben Foster.

### **Education Commission of the States**

Ladislado Hernandez, 1136 S. Summit, El Dorado 67042. Term expires April 30, 1993. Succeeds Michael Meacham.

### Kansas Film Services Commission

Rep. Kathleen Sebelius, 224 Greenwood, Topeka 66606. Term expires January 11, 1993. Appointed by the Speaker of the House.

### State Highway Advisory Commission

Vic Amino, District 1, P.O. Box 1127, Kansas City 66111. Term expires January 31, 1992. Succeeds William W. Martin, deceased.

Advisory Committee on Juvenile Offender Programs

(Members serve at the pleasure of the Governor.)

Terry Campbell, 503 S. 3rd, Leavenworth 66048. James E. Copple, 6512 Aberdeen, Wichita 67206.

Nathan Day, Youth Center at Topeka, 1440 N.W.

25th, Topeka 66618.

Kay Farley, Court Services, Kansas Judicial Center, 301 W. 10th, Topeka 66612.

Jerry Jones, Department of Education, 120 S.E. 10th, Topeka 66612.

Eric Mims, Youth Center at Topeka, 1440 N.W. 25th, Topeka 66618.

Glendell Shaffer, 1548 N. Lorraine, Wichita 67214.

Ronald E. Sharp, Prison Fellowship U.S.A., 6100 Martway, Suite 1, Mission 66202.

Gary Stotts, Secretary of Corrections, 4th Floor, Landon State Office Building, 900 S.W. Jackson, Topeka 66612.

### Kansas Public Broadcasting Commission

Sen. Sheila Frahm, 985 S. Range, Colby 67701. Term expires January 11, 1993. Appointed by the President of the Senate.

### Kansas Sentencing Commission

Sister Therese Bangert, Public Member Appointee, 118 N.W. Fillmore, Topeka 66606. Term expires July 30, 1993. Succeeds Allen Flowers.

Wendell Betts, Private Defense Counsel Appointee, 3737 S.E. Howard Drive, Topeka 66605. Term expires July 30, 1993. Succeeds Shelly Bloomer.

Ernestine Freeman, Public Member Appointee, 2808 E. 22nd North, Wichita 67219. Term expires July 30, 1993. Succeeds David Meneley.

Norma J. McGill, Community Corrections Appointee, 3549 Twilight Drive, Topeka 66614. Term expires July 30, 1993. Succeeds John Burchill.

Maritza Segarra, Public Defender Appointee, 812 Vattier, Manhattan 66502. Term expires July 30, 1993. Succeeds Jillian Waesche.

Gregory L. Waller, District Attorney Appointee, 15200 E. Zimmerly, Wichita 67230. Term expires July 30, 1993. Succeeds Paul J. Morrison.

> Bill Graves Secretary of State

### 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 1991 Supplement to the Kansas Administrative Regulations.

### AGENCY 1: DEPARTMENT OF

		TIMATION
Reg. No.	Action	Register
1-9-7a	Amended	V. 10, p. 382, 760

### **AGENCY 4: BOARD OF**

AGRICULTURE		
Reg. No.	Action	Register
4-3-47	Amended	V. 10, p. 1319
4-3-49	Amended	V. 10, p. 1319
4-7-2	Amended	V. 10, p. 1319
4-7-510	Amended	V. 10, p. 1319
4-7-513	Amended	V. 10, p. 1319
4-7-530	New	V. 10, p. 1319
4-7-531	New	V. 10, p. 1319
4-7-532	New .	V. 10, p. 1319
4-7-533	New	V. 10, p. 1320
4-7-716	Amended	V. 10, p. 1320
4-7-717	Amended	V. 10, p. 1320
4-7-722	Amended	V. 10, p. 1320
4-8-14	Revoked	V. 10, p. 1320
4-8-14a	New	V. 10, p. 1320
4-8-30	Amended	V. 10, p. 1321
4-8-39	Amended	V. 10, p. 1321
4-8-40	Amended	V. 10, p. 1321
4-13-28	New	V. 10, p. 1321
4-33-1	Amended	V. 10, p. 1315, 1321
4-33-2	New	V. 10, p. 1315, 1321

### AGENCY 5: BOARD OF AGRICULTURE-DIVISION OF WATER RESOURCES

Reg. No.	Action	Register
5-23-3	Amended	V. 10, p. 1194
5-23-4a	New	V. 10, p. 1195
5-24-2	Amended	V. 10, p. 976
5-24-5	Amended	V. 10, p. 977

AGEN	ICY 7: SECRETA	ARY OF STATE
Reg. No.	Action	Register
7-30-1	Amended	V. 10, p. 728
7-32-1	Amended	V. 10, p. 728
7-32-2	New	V. 10, p. 728

### **AGENCY 9: ANIMAL HEALTH** DEPARTMENT

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9-13-1		
through		the state of the state of
9-13-3	Revoked	V. 10, p. 1011
9-13-4	Revoked	V. 10, p. 257
9-18-1	Amended	V. 10, p. 1011
9-19-1	New	V. 10, p. 1011

### AGENCY 14: DEPARTMENT OF REVENUE-DIVISION OF ALCOHOLIC **BEVERAGE CONTROL**

Reg. No.	Action	Register
14-19-24	Amended	V. 10, p. 689
14-19-36	Amended	V. 10, p. 689
14-20-25	Amended	V. 10, p. 689
14-20-26	Amended	V. 10, p. 690
14-21-9	Amended	V. 10, p. 690
14-22-6	Amended	V. 10, p. 690
14-22-9	Amended	V. 10, p. 691
14-23-4	Amended	V. 10, p. 691

### **AGENCY 23: DEPARTMENT OF** WILDLIFE AND PARKS

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23-3-16	Revoked	V. 10, p. 916
23-8-24	Revoked	V. 10, p. 916
23-12-1	Revoked	V. 10, p. 916
23-12-8	Revoked	V. 10, p. 916
23-12-11	Revoked	V. 10, p. 917

# 23-21-1

### through 23-21-14 Revoked V. 10, p. 1441

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AGENCY 26:	DEPAR	TMEN	T ON	AGING
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26-8-14 Nev	ν .	V.	10.	1285-12

### V. 10, p. 1285-1287 **AGENCY 28: DEPARTMENT OF HEALTH** AND ENVIRONMENT

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28-4-531	New	V. 10, p. 1246
28-17-6	Amended	V. 10, p. 1246
28-17-12	Amended	V. 10, p. 1246
28-19-61	Amended	V. 10, p. 1246
28-19-62	Amended	V. 10, p. 1250
28-19-76	New	V. 10, p. 1251
28-19-77	New	V. 10, p. 1252
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### V. 10, p. 111-113 AGENCY 30: SOCIAL AND REHABILITATION SERVICES

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30-4-34	Amended	V. 10, p. 956
30-4-41	Amended	V. 10, p. 692
30-4-63	Amended	V. 10, p. 1353
30-4-64	Amended	V. 10, p. 1355
30-4-90	Amended	V. 10, p. 1356
30-4-101	Amended	V. 10, p. 1357
30-4-111	Amended	V. 10, p. 341
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	20 4 112	Amended	V. 10, p. 693	30-22-1	Amended	V. 10, p. 1380	60-8-101	Amended	V. 10, p. 496
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	30-5-58	Amended	V. 10, p. 1358	30-22-6	Amended	V. 10, p. 1381	60-9-103	Amended	V. 10, p. 1041
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	30-5-79	New	V. 10, p. 1364	30-41-1	Amended	V. 10, p. 710	60-11-103	Amended ,	V. 10, p. 1041
2	30-5-81	Amended	V. 10, p. 699	30-41-7a	Amended	V. 10, p. 711	60-11-110	Revoked	V. 10, p. 1042
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	30-5-88	Amended	V. 10, p. 700	30-41-20	New	V. 10, p. 711	60-11-112	New	V. 10, p. 1042
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	30-5-95	Amended	V. 10, p. 346	30-46-15	Amended	V. 10, p. 1381	60-11-117	New	V. 10, p. 1042
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,-	30-5-151	Amended	V. 10, p. 963	30-60-17	New	V. 10, p. 1384	60-13-101	Amended Revoked	V. 10, p. 1044
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	30-6-74	Revoked	V. 10, p. 1366	30-60-72	New	V. 10, p. 1390			OF PHARMACY
	30-6-77	Amended	V. 10, p. 701	30-60-73	New	V. 10, p. 1390	Reg. No.	Action	Register
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	30-6-86	Amended	V. 10, p. 348	30-60-75	New	V. 10, p. 1390	68-9-1	Amended	V. 10, p. 1083
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	30-10-15a	Amended	V. 10, p. 708	Reg. No.	Action	Register			
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	99-31-3 99-31-4 99-32-1 through 99-32-6 AGENCY 1	Amended Amended Amended Revoked	V. 10, p. 1323 V. 10, p. 1323 V. 10, p. 1323 V. 10, p. 1323 V. 10, p. 1323 V.10, p. 1323 F HEALING ARTS Register V. 10, p. 653	111-4-103 111-4-104 111-4-105 111-4-106 111-4-107 111-4-108 111-4-111 111-4-113 111-4-114	Amended Amended Amended Amended Amended Amended Amended Amended Amended	V. 10, p. 1211 V. 10, p. 1212 V. 10, p. 1410 V. 10, p. 1212 V. 10, p. 1213 V. 9, p. 1366 V. 10, p. 1213 V. 9, p. 1366 V. 9, p. 1366	111-6-12 111-6-13 111-6-17 111-7-1 through 111-7-10 111-7-3 111-7-4 111-7-5 111-7-6 111-7-9	Amended New New Amended Amended Amended Amended Amended Amended	V. 8, p. 212 V. 8, p. 299 V. 7, p. 1191 V. 7, p. 1192, 1193 V. 8, p. 212 V. 9, p. 986 V. 9, p. 1367 V. 9, p. 986 V. 9, p. 987 V. 9, p. 1569
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	99-31-3 99-31-4 99-32-1 through 99-32-6 AGENCY 1 Reg. No. 100-10a-4 100-11-1 AGENCY	Amended Amended Amended Revoked 100: BOARD O Action Amended Amended (102: BEHAVI REGULATORY	V. 10, p. 1323 V. 10, p. 1323 F HEALING ARTS Register V. 10, p. 653 V. 10, p. 653 ORAL SCIENCES	111-4-103 111-4-104 111-4-105 111-4-106 111-4-106 111-4-108 111-4-111 111-4-113 111-4-114 111-4-153 through 111-4-160	Amended Amended Amended Amended Amended Amended Amended Amended Amended Amended	V. 10, p. 1211 V. 10, p. 1212 V. 10, p. 1410 V. 10, p. 1212 V. 10, p. 1213 V. 9, p. 1366 V. 10, p. 1213 V. 9, p. 1366	111-6-12 111-6-13 111-6-17 111-7-1 through 111-7-10 111-7-3 111-7-5 111-7-6 111-7-9 111-7-11 111-7-12 through	Amended New Amended Amended Amended Amended Amended Amended Amended	V. 8, p. 212 V. 8, p. 299 V. 7, p. 1191 V. 7, p. 1192, 1193 V. 8, p. 212 V. 9, p. 986 V. 9, p. 1367 V. 9, p. 986 V. 9, p. 987 V. 9, p. 987 V. 9, p. 1569 V. 9, p. 987
	99-31-3 99-31-4 99-32-1 through 99-32-6 AGENCY 1 Reg. No. 100-10a-4 100-11-1 AGENCY	Amended Amended Amended Revoked 100: BOARD O Action Amended Amended (102: BEHAVI REGULATORY Action	V. 10, p. 1323 V. 10, p. 1323 V. 10, p. 1323 V. 10, p. 1323 V. 10, p. 1323 V.10, p. 1323 F HEALING ARTS Register V. 10, p. 653 V. 10, p. 653 ORAL SCIENCES	111-4-103 111-4-104 111-4-105 111-4-106a 111-4-107 111-4-108 111-4-111 111-4-113 111-4-114 111-4-153 through 111-4-160 111-4-177 through 111-4-212	Amended Amended Amended Amended Amended Amended Amended Amended Amended Amended	V. 10, p. 1211 V. 10, p. 1212 V. 10, p. 1410 V. 10, p. 1212 V. 10, p. 1213 V. 9, p. 1366 V. 10, p. 1213 V. 9, p. 1366 V. 9, p. 1366 V. 9, p. 1366	111-6-12 111-6-13 111-6-17 111-7-1 through 111-7-10 111-7-3 111-7-3 111-7-6 111-7-6 111-7-11 111-7-12 through 111-7-32	Amended New New Amended Amended Amended Amended Amended Amended	V. 8, p. 212 V. 8, p. 299 V. 7, p. 1191 V. 7, p. 1192, 1193 V. 8, p. 212 V. 9, p. 986 V. 9, p. 1367 V. 9, p. 986 V. 9, p. 987 V. 9, p. 1569
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	99-31-3 99-31-4 99-32-1 through 99-32-6 AGENCY 1 Reg. No. 100-10a-4 100-11-1 AGENCY 102-2-1a 102-2-2a 102-2-4a 102-2-7 102-2-8 102-2-12	Amended Amended Amended Revoked 100: BOARD O Action Amended Amended (102: BEHAVI REGULATORY Action Amended	V. 10, p. 1323  V.10, p. 1323  F HEALING ARTS Register V. 10, p. 653 V. 10, p. 653 V. 10, p. 653  ORAL SCIENCES BOARD  Register V. 10, p. 32 V. 10, p. 34 V. 10, p. 34 V. 10, p. 36 V. 10, p. 36 V. 10, p. 36 V. 10, p. 36	111-4-103 111-4-104 111-4-106 111-4-106 111-4-107 111-4-108 111-4-113 111-4-113 111-4-113 111-4-153 through 111-4-160 111-4-177 through 111-4-212 111-4-213 through 111-4-212 111-4-213 through	Amended Amended Amended Amended Amended Amended Amended Amended Amended Revoked	V. 10, p. 1211 V. 10, p. 1212 V. 10, p. 1410 V. 10, p. 1212 V. 10, p. 1213 V. 9, p. 1366 V. 10, p. 1213 V. 9, p. 1366	111-6-12 111-6-13 111-6-17 111-7-1 through 111-7-10 111-7-3 111-7-3 111-7-6 111-7-6 111-7-9 111-7-11 111-7-12 through 111-7-33 through 111-7-43 111-7-43 111-7-44 through	Amended New  New Amended Amended Amended Amended Amended Amended Amended Amended Amended New New New	V. 8, p. 212 V. 8, p. 299 V. 7, p. 1191 V. 7, p. 1192, 1193 V. 8, p. 212 V. 9, p. 986 V. 9, p. 1367 V. 9, p. 986 V. 9, p. 1569 V. 9, p. 1569 V. 9, p. 987 V. 7, p. 1194-1196 V. 7, p. 1194-1196 V. 7, p. 1197, 1198 V. 8, p. 300
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