



Kansas Register

Bill Graves, Secretary of State

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State of Kansas

Attorney General

Opinion No. 92-56

State Departments; Public Officers and Employees—Public Officers and Employees; Open Public Meetings—Authorized Subjects for Discussion in Executive Session; Inclusion of Persons in Executive Sessions; Attorney-Client Privileged Communications. Meredith Williams, Executive Secretary, Kansas Public Employees Retirement System, Topeka, April 23, 1992.

Bodies subject to the Kansas open meetings act, K.S.A. 75-4317 *et seq.*, may conduct executive sessions pursuant to the terms and limitations established by K.S.A. 75-4319. Such bodies may include in some executive sessions those individuals whom the body determines will assist with the executive session discussion. Mere observers may not attend executive sessions. Moreover, K.S.A. 75-4319(b)(2) may only be used to close meetings if the attorney for the body is present, if persons other than the client and the attorney and his or her agents are excluded from the executive session, and if the communication in the executive session is privileged in nature. More than one attorney may be present in an executive session called pursuant to K.S.A. 75-4319(b)(2) if the attorneys represent the public body and the communication in executive session is privileged in nature. Cited herein: K.S.A. 60-246; 74-4903; 75-4317; 75-4319. TMN

Opinion No. 92-57

Public Health—Secretary of Health and Environment, Activities; General Powers and Functions—Reporting to Local Health Authority as to Infectious or Contagious Diseases; Confidentiality of Information; Disclosure.

Procedure, Civil—Rules of Evidence; Privileges—Physician-Patient Privilege; Confidentiality of Information; Disclosure. Timothy J. Chambers, Reno County Attorney, Hutchinson, April 23, 1992.

A county health department may not be required to disclose information regarding an individual's treatment for venereal disease when such information is intended to be used by the state as evidence in a prosecution for indecent liberties with a child. Cited herein: K.S.A. 1991 Supp. 38-1514; K.S.A. 38-1554; K.S.A. 1991 Supp. 60-427; K.S.A. 65-118; 65-427; K.A.R. 28-1-2. CN

Opinion No. 92-58

Elections—Primary Elections—Fees of Candidates; Reimbursement. David Heger, Miami County Counselor, Paola, April 28, 1992.

A county election officer may not reimburse to an individual whose candidacy has been terminated pursuant to K.S.A. 19-826 the fee paid pursuant to K.S.A. 1991 Supp. 25-206. Cited herein: K.S.A. 19-801b; 19-826; K.S.A. 1991 Supp. 25-206; 25-208. RDS

Robert T. Stephan
Attorney General

Doc. No. 011968

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Bill Graves
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(913) 296-2236



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State of Kansas

**Department of Revenue
Division of Vehicles**

**Notice of Proposed Establishment of
New Vehicle Dealer**

In accordance with K.S.A. 1991 Supp. 8-2430, notice is hereby given of the proposed establishment of a new motor vehicle dealer for the Jeep-Eagle line-make of motor vehicle. The proposed establishment will be at 276 W. State St., Phillipsburg. The proposed opening date is May 1, 1992. The names of vehicle dealer-operators are Robert Douglas Kaup, M. Diane Kaup, and Foster D. Matteson.

By publication and separate personal notice where required, existing new motor vehicle dealers in new motor vehicles of the same line-make, with standing, are given 30 days from this date of publication in the Kansas Register to file a petition or complaint with the Director of Motor Vehicles protesting such proposed establishment. Such petitions or complaints must be directed to the Kansas Department of Revenue, Director of Motor Vehicles, 1st Floor, Docking State Office Building, 915 S.W. Harrison, Topeka 66612.

Betty McBride
Director of Motor Vehicles

Doc. No. 011963

State of Kansas

Kansas Water Office

Notice of Hearings

The Kansas Water Office has scheduled two formal public hearings on the fiscal year 1994 working draft Kansas Water Plan.

The first hearing will be at 1 p.m. Tuesday, June 2, at the Hays Public Library, 1205 Main (basement). The second hearing will be at 1 p.m. Thursday, June 4, in the Old Supreme Court Chamber (Room 313-S), State Capitol, Topeka.

The working draft will have one proposed policy subsection for public review and comment for FY 1994. This proposal would emphasize the continued identification of valuable and vulnerable water resources and the role of state and local government in this effort.

All groups and individuals with an interest and concern for the state's water resources are encouraged to attend one or both of the public hearings. Written comments are invited. Those attending the hearings may present their comments in writing or orally.

The FY 1994 working draft of the Kansas Water Plan will be sent to individuals and organizations currently on the Kansas Water Office mailing list by May 18. A copy of the draft also may be obtained by contacting the Kansas Water Office, 109 S.W. 9th, Topeka 66612-1249, (913) 296-3185.

Stephen A. Hurst
Director

Doc. No. 011974

State of Kansas

State Conservation Commission

Notice of Meeting

The State Conservation Commission will meet at 9:30 a.m. Monday, May 18, at the State Conservation Commission, Conference Room 500, 109 S.W. 9th, Topeka. A copy of the agenda may be obtained by contacting Donna Meader at (913) 296-3600.

Kenneth F. Kern
Executive Director

Doc. No. 011955

State of Kansas

Secretary of State

Usury Rate for May

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 May 1, 1992, through May 31, 1992, is 10.33 percent.

Bill Graves
Secretary of State

Doc. No. 011953

State of Kansas

**State Employees
Health Care Commission**

Public Notice

The State Employees Health Care Commission intends to issue a request for proposals on May 15 for its insured indemnity medical and prescription drug plans and HMO plans. The deadline for receipt of the proposals is 5 p.m. June 26.

There are presently 37,600 employees and 7,895 retirees participating in the various health plans. The 1992 premium for this plan is expected to exceed \$132,000,000. The plan has been substantially strengthened over the last few years by lessening adverse selection and including a managed care component in the indemnity program. As a result, the claims experience has become much more predictable. The estimated claims loss ratio for 1991 was 81.1 percent for the indemnity plan.

If you are interested in a copy of the RFP, please forward your request to Dave Charay, Health Benefits Administration, State of Kansas, 900 S.W. Jackson, Room 553-South, Topeka 66612, (913) 296-7483, FAX: (913) 296-2664.

Susan Seltsam
Secretary of Administration

Doc. No. 011960

State of Kansas

**Kansas Agricultural Value-Added
Processing Center**

Notice of Leadership Council Meeting

The Leadership Council of the Kansas Agricultural Value-Added Processing Center will meet from 1:30 to 4 p.m. Friday, May 8, at the Ramada Inn, 1950 S. Range, Colby. For further information, contact Richard Hahn at (913) 532-7033.

Richard R. Hahn
Director

Doc. No. 011956

State of Kansas

Kansas Arts Commission

Notice of Meeting

The Kansas Arts Commission will conduct its quarterly business meeting from 9 a.m. to 4 p.m. Friday, May 15, at the Baker Arts Center, 614 N. Pershing, Liberal. The commission is scheduled to award grants for a total of \$541,000 in four major grant categories to non-profit arts, cultural and community organizations across Kansas. The grants will support arts programs, events and activities during fiscal year 1993 (July 1, 1992-June 30, 1993).

The amounts to be granted are based upon recommendations from funding advisory panels that met in April. The panelists were Kansans knowledgeable in the arts, education and administration.

The commission also will award Arts In Education grants to schools and arts organizations across Kansas.

Special grant applications will be considered from the Salina Art Center to support the Kansas Reciprocal Arts Touring Exhibition Service (KRATES), the Mulvane Art Museum to support the "Kansas Selects Kansas" exhibition, the Kansas State University Extension Service to support the Rural Arts Program, the Kansas State Historical Society to support the Folk Arts Program, and the Mid-America Arts Alliance to support regional arts programming.

The commissioners also will review the budgets for fiscal years 1992 and 1993 and discuss federal funding for arts programs in Kansas.

Meetings of the Kansas Arts Commission, a state agency, and of its funding advisory panels are open to public observation.

For more information, contact the Kansas Arts Commission, Jayhawk Tower, 700 Jackson, Suite 1004, Topeka 66603-3742, (913) 296-3335.

Dorothy L. Ilgen
Executive Director

Doc. No. 011976

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for items 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, May 18, 1992

20141

Distillation system

20146

Database system

William H. Sesler
Director of Purchasing

Doc. No. 011957

State of Kansas

Board of Education

**Notice of Hearing on Proposed
Administrative Regulations**

The State Board of Education will conduct a public hearing at 1:30 p.m. Tuesday, June 9, in the board room of the State Education Building, 120 S.E. 10th, Topeka, to consider amendments to K.A.R. 91-5-2. The following is a summary of the substance of the proposed regulation and a summary of its anticipated economic impact.

K.A.R. 91-5-2 concerns the requirements for approval of driver education programs. The proposed revisions would authorize the approval of innovative driver education programs. This would allow flexibility in the provision of driver education instruction. The other changes are for editorial purposes only. There will be no economic impact upon the Kansas State Department of Education or upon other governmental agencies, private businesses or individuals.

A copy of the proposed regulation and complete economic impact statement may be obtained by contacting the secretary of the State Board of Education at the address indicated above.

All interested persons will be given a reasonable opportunity to present their views or arguments, either orally or in writing, in regard to the proposed regulation. In addition, the period of public notice hereby provided constitutes a public comment period for the purpose of receiving written public comments on the proposed regulation. Such written comments may be submitted to the secretary of the board. The hearing shall be conducted in compliance with the public hearing procedures of the board.

Dr. Lee Droegemueller
Commissioner of Education

Doc. No. 011959

State of Kansas

**Division of Services for the Blind
Advisory Committee**

Notice of Meeting

The Division of Services for the Blind Advisory Committee will meet from 10 a.m. to noon Friday, May 29, in the Rehabilitation Center for the Blind conference room, 2516 W. 6th, Topeka.

Richard A. Schutz
Director

Doc. No. 011947

State of Kansas

**Department of Revenue
Division of Taxation**

Public Notice

The Kansas Department of Revenue has received an inquiry regarding the application of the Kansas retailers' sales tax to the Kansas Cigarette Excise tax.

K.S.A. 79-3302 levies a tax ". . . on cigarettes sold, distributed, conveyed or given away in this state, and to collect such tax from the wholesaler or retailer cigarette dealer, who first sells, distributes or conveys the cigarettes in the state of Kansas."

K.S.A. 79-3603(a) imposes a sales tax upon "the gross receipts received from the sale of tangible personal property at retail within this state";

It is the department's position that the incident of the cigarette tax falls upon the consumer of the cigarettes, and that the "wholesaler or retailer cigarette dealer, who first sells, distributes or conveys the cigarettes in the state of Kansas" is responsible for collecting said tax.

Since it is the consumer of the cigarettes upon whom the cigarette tax is levied, the cigarette excise should not be part of the gross receipts received from the sale of tangible personal property at retail within the state when the cigarette excise tax is separately stated on the sales ticket or invoice. Thus, retailers should not collect Kansas retailers' sales tax on that portion of the sale of cigarettes which represents the cigarette excise tax, when the cigarette excise tax is separately stated on the sales ticket or invoice. Conversely, when the cigarette excise tax is not separately stated on the sales ticket or invoice, the total sales price of the cigarettes, to include the cigarette excise tax, is subject to Kansas retailers' sales tax.

Currently, the cigarette excise tax is \$.24 on each 20 cigarettes or fractional part thereof, or \$.30 on each 25 cigarettes sold, distributed, or conveyed in Kansas.

Further information can be obtained from the Kansas Department of Revenue, Taxpayer Assistance Bureau, Docking State Office Building, 915 S.W. Harrison, Topeka 66625, (913) 296-0222.

Alisa M. Dotson
Director of Taxation

Doc. No. 011966

State of Kansas

**Department of Revenue
Division of Taxation**

Public Notice

The Kansas Department of Revenue has received several inquiries regarding the sales tax treatment of labor services performed in drain cleaning, chimney sweeping, septic tank cleaning, and air-duct cleaning.

K.S.A. 79-3603(q) imposes a sales tax ". . . upon the gross receipts received for the service of repairing, servicing, altering or maintaining tangible personal property, . . . The tax imposed by this subsection shall be applicable to the services of repairing, servicing, altering or maintaining an item of tangible personal property which has been and is fastened to, connected with or built into real property."

In 1984, the Kansas Court of Appeals case of *R & R Janitor Service, 9 Kan. App. 2d 500 (1984)*, regarded the taxability of certain cleaning services.

The court stated in part:

. . . R & R Janitor Service performed various cleaning services such as vacuuming, dusting, cleaning bathrooms, washing windows, and emptying trash.

. . . we find that a requirement in an ordinance of a duty "to maintain" does not impose a duty of keeping syphons clean, since "to maintain" is to keep in repair or replace. Janitor work is not maintenance under a statute designating a fund for "purchasing, constructing, repairing and maintaining buildings for public school purposes; maintenance meaning holding, keeping, or preserving them in their existing state or condition." The Nevada court held provisions in a contract for "repair and maintenance" did not require parties to keep alleys clean, but did require keeping the alley's surfaces in their original condition.

. . . cleaning services do not constitute "servicing . . . or maintaining an item of tangible personal property which has been fastened to, connected with or built into real property" within the meaning of that statute.

Accordingly, the services of drain cleaning, chimney sweeping, septic tank cleaning, and air-duct cleaning are *not* currently subject to the sales tax.

Further information can be obtained from the Kansas Department of Revenue, Taxpayer Assistance Bureau, Docking State Office Building, 915 S.W. Harrison, Topeka 66625-0001, (913) 296-0222.

Alisa M. Dotson
Director of Taxation

Doc. No. 011965

State of Kansas

Department of Revenue
Division of Taxation

Public Notice

Effective May 1, 1992, the Director of Taxation will require all newspaper companies to collect, report and remit Kansas retailers' sales tax imposed upon the sale of all newspapers sold to and by all newspaper carriers. All persons carrying and delivering newspapers for newspaper companies will be denied a sales tax registration certificate.

The Director of Taxation has taken this action pursuant to K.S.A. 79-3604, which provides:

... Whenever the director of taxation shall determine that in the retail sale of any tangible personal property or services because of the nature of the operation of the business including the turnover of independent contractors, the lack of a place of business in which to display a registration certificate or keep records, the lack of adequate records or because such retailers are minors or transients there is a likelihood that the state will lose tax funds due to the difficulty of policing such business operations, the director shall refuse to issue a registration certificate to such person and it shall be the duty of the vendor to such person to collect the full amount of the tax imposed by this act and to make a return and payment of the tax to the director of taxation in like manner as that provided for the making of returns and the payment of taxes by retailers under the provisions of this act.

This newspaper carriers are the newspaper company's delivery agents. Under K.S.A. 79-3604, newspaper carriers should not collect and remit the sales tax. The responsibility of collecting and remitting the sales tax to Kansas is upon the newspaper company.

In addition to the 4.25 percent state sales tax collected and remitted on the retail selling price of the newspapers, any applicable local sales taxes must be collected and remitted based upon the business location of the newspaper company.

Kansas retail stores are allowed to purchase newspapers from the newspaper companies, exempt from the sales tax for the purpose of resale. Kansas retailer stores shall collect and remit the sales tax imposed upon the gross receipts from the sales of any other items within the store. The local sales tax is based upon the business location of the retail store.

The gross receipts from the sales of newspapers sold through Kansas coin-operated machines are subject to the state and local sales tax, based upon the location of the newspaper dispensing machine.

Further information can be obtained from the Kansas Department of Revenue, Taxpayer Assistance Bureau, Docking State Office Building, 915 S.W. Harrison, Topeka 66625-0001, (913) 296-0222.

Alisa M. Dotson
Director of Taxation

Doc. No. 011967

State of Kansas

University of Kansas

Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Purchasing Office, Lawrence, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (913) 864-3416 or FAX (913) 864-3454 for additional information.

May 18, 1992

RFQ 92 1101

Peripherals and enhancements for Unix workstations

RFQ 92 1102

Cavity dumper system

RFQ 92 1117

13 personal computers, 386SX/25

Gene Puckett, L.C.P.M.
Director of Purchasing

Doc. No. 011958

State of Kansas

Department of Revenue
Division of Taxation

Public Notice

Questions and answers concerning sales and compensating tax liability arising from the rental of aircraft, flight instruction, crop dusting and interstate and/or foreign commerce are as follows:

1. When an aircraft is rented and flown by a customer who furnishes his own oil and gas (normally referred to as "dry rental") what sales tax is due?

Answer: Both the state sales tax rate of 4.25 percent and any applicable local sales tax, based on the location of the lessor. K.A.R. 92-19-55 provides that sales tax shall be imposed on the total gross receipts received from the rental or leasing of tangible personal property. K.A.R. 92-21-17 provides that local sales tax for leases and rentals occur at the place of business of the lessor, unless the lessor or a common carrier deliver the aircraft to an out-of-state destination.

2. When an aircraft is rented by a customer and the owner furnishes oil and gas ("wet rental") and collects sales tax upon the gross rental receipts, may the owner purchase the oil, gas, and repair parts to be furnished, without paying sales tax on the purchase price?

Answer: The retailer (lessor of the aircraft) may purchase the aircraft, gas, oil, and repair parts exempt from sales tax by giving the supplier thereof a Kansas Resale Exemption Certificate, provided the aircraft is exclusively used for rental/leases or resale purposes. K.A.R. 92-19-55(c) provides in part that "purchases of tangible personal property by a person who uses the property part of the time and leases it out part of the time shall be taxable."

3. When an aircraft is used by the owner or an employee of the owner to give dual flying instruction,

for which instruction charge of \$16.00 per hour is made and the cost breakdown is as follows: instruction, \$4.50; gas and oil, \$3.00; parts, \$.50; aircraft depreciation, \$4.00; and profit, \$4.00, what items are subject to sales tax, and who is liable for the tax?

Answer: In this situation, the owner is providing a nontaxable service (the rental of the aircraft is incidental to the rendering of the flight instruction). Thus, the owner is deemed to be the consumer of all oil and gas. The owner should remit sales tax on the cost of these goods to him (not their retail price) and report said tax on line 2 of the state and local retail sales tax return, if the sales tax was not paid at time of purchase.

In this situation, the owner could not have purchased the aircraft exempt from sales tax because he is considered the consumer. There is no resale, rental or lease of the aircraft which would allow the owner to have presented a Kansas Resale Exemption Certificate at the time of the sale. Additionally, the repair parts are subject to sales tax on the same basis.

K.A.R. 92-19-55(c) cited above prevents the owner from purchasing the aircraft, repair parts, oil and gas exempt from sales tax even when he leases the aircraft. In order for the aircraft, repair parts, oil and gas to be exempt, the aircraft must be used exclusively for resale, rental or lease purposes.

4. When an aircraft is used to carry freight or passengers in interstate commerce under an FAA part 135, air taxi certificate, is the fare taxable? If not, are the gas, oil and repair parts taxable?

Answer: The air fare is not subject to sales tax, as transportation charges in and of themselves are not subject to sales tax, pursuant to K.S.A. 79-3602(g). The aircraft oil, gas, and repairs are exempt from sales tax pursuant to K.S.A. 79-3606(g) when the aircraft is used exclusively in interstate commerce.

5. Is it necessary to collect sales tax upon the charges or air fare for intrastate transportation? If not, are the gas, oil, and repair parts taxable?

Answer: The air fare is not subject to sales tax. If the aircraft operator is a licensed or certified carrier of person or property in interstate/foreign commerce, as contemplated by K.S.A. 79-3606(g), the gas, oil, and repair parts used in what would be an intrastate flight are not subject to sales tax. The application of the principals laid down in *United Parcel Service, Inc. v. Harold A. Arnold*, 218 Kan. 102., would dictate that the aircraft need not ever leave the state of Kansas. A licensed or certified carrier of person or property engaged in interstate/foreign commerce is exempt on his purchases of aircraft, repair parts, modification and replacement parts, and sales of services whether the aircraft ever leaves the state or not.

6. Is sales tax due upon hangar rentals?

Answer: No. Real property sales/rentals are not subject to sales tax.

7. Operator B rents an airplane from Operator A. Operator B rents the plane to his customer and charges his customer sales tax upon the gross rental receipts. Is Operator A required to collect sales tax from Op-

erator B when the plane is rented to Operator B for this purpose?

Answer: No. Operator B should provide Operator A with a Kansas Resale Exemption Certificate, pursuant to K.S.A. 92-19-27a.

8. When the owner of an aircraft has entered into a written agreement with the federal government to perform a service of delivering mail in interstate commerce under FAA part 135, air taxi certificate, are the gas, oil and aircraft repair parts used in performing the service taxable?

Answer: No. Same answer as #5 above.

9. When the owner of an aircraft has entered into a written agreement with an educational institution conducting R.O.T.C. pilot training courses to provide instruction training, are the costs to the instructor for oil, gas, aircraft depreciation, and repair parts taxable?

Answer: Yes, the owner is providing a nontaxable service (the rental of the aircraft is incidental to the rendering of the flight instruction). Thus, the owner is deemed to be the consumer of all oil, gas, repair parts and any other tangible personal property purchased. The owner should remit sales tax on the cost of these goods to him (not their retail price), and report said tax on line 2 of the state and local retail sales tax return.

10. When an owner of an aircraft leases the plane to the federal government or to an educational institution for use primarily in nonsectarian programs sponsored by such institution, are the gross rental receipts taxable?

Answer: No, pursuant to K.S.A. 79-3606(b) & (c).

11. When diesel fuel is used in a crop spraying or dusting formula, is it subject to sales tax?

Answer: No. Diesel fuel used in a crop spraying or dusting formula by aerial applicators for spraying crops in connection with the commercial or agricultural production of fruit, vegetables, feeds, seeds, seedlings, or plants for resale is exempt from sales tax pursuant to K.S.A. 79-3606(m).

12. Are aerial crop spraying and dusting services subject to sales tax?

Answer: No. Aerial crop spraying is a nontaxable service.

13. When the sales tax has been paid upon an aircraft and upon the gas, oil and repair parts by the aircraft owner and it is used by him or his employee(s) to give dual instruction, are the instruction charges subject to sales tax?

Answer: No.

14. When gasoline is sold to a customer for use in an airplane and motor fuel tax is not collected, is the sale subject to sale tax?

Answer: Yes, unless the sale is exempted under K.S.A. 79-3606.

Further information can be obtained from the Kansas Department of Revenue, Taxpayer Assistance Bureau, Docking State Office Building, 915 S.W. Harrison, Topeka 66612, (913) 296-0222.

Alisa M. Dotson
Director of Taxation

Doc. No. 011964

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 May 19, 1992

Renoticed Application for Certificate of Convenience and Necessity:

Retta N. Slep, dba) Docket No. 180,745 M
Discount Auto Body Repair)
Main Street)
Moscow, KS 67952) MC ID No. 142158

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement motor vehicles, trailers, recreational vehicles, golf carts, campers, pickup toppers, boats and motorcycles,

Between all points and places in Cheyenne, Sherman, Wallace, Greeley, Hamilton, Stanton, Morton, Rawlins, Thomas, Logan, Wichita, Kearny, Grant, Stevens, Scott, Finney, Haskell, Seward, Decatur, Sheridan, Gove, Lane, Gray, Meade, Norton, Graham, Trego, Ness, Hodgeman, Ford, Clark, Phillips, Rooks, Ellis, Rush, Pawnee, Edwards, Kiowa, Comanche, Smith, Osborne, Russell, Barton, Stafford, Pratt, Barber, Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, Sedgwick and Sumner counties, Kansas.

Also,

Between points and places in the above named counties, on the one hand, and points and places in the state of Kansas, on the other hand.

Application for Certificate of Convenience and Necessity:

Ralph Estrada, dba) Docket No. 180,758 M
BJ's Landscaping and)
Excavating Co.)
904 S.W. Warren)
Topeka, KS 66606-1883) MC ID No. 139357

Applicant's Attorney: None

Machinery, feed, feed ingredients, flour, food, building materials, landscaping and nursery supplies and stock,

Between all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Flying J Cattle) Docket No. 180,759 M
Company, Inc.)
Route 1, Box 40)
Aline, OK 73716) MC ID No. 142483

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Grain, feed, feed ingredients, fertilizer, fertilizer ingredients, livestock, salt, seed, building and construction materials, and machinery (restricted against the transportation of hazardous materials),

Between all points and places in Kansas.

Renoticed Application for Certificate of Convenience and Necessity:

Guymon Express, Inc.) Docket No. 178,276 M
P.O. Box 1195)
Guymon, OK 73942) MC ID No. 120133

Applicant's Attorney: John Jandera, 2101 S.W. 21st, P.O. Box 237, Topeka, KS 66604-0237

Grain, feed, feed ingredients, dry fertilizer and salt,

Between points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Lewis Cooperative Company) Docket No. 180,752 M
P.O. Box 128)
Lewis, KS 67552) MC ID No. 110774

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

Hay, grain, dry feed, dry feed ingredients, salt, seeds, fertilizer including anhydrous ammonia and ammonium nitrate, fertilizer ingredients, building and construction materials, fencing materials, machinery, gasoline, diesel fuel, gasohol and aviation fuel,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Tim Hayes, dba) Docket No. 180,756 M
D. C. Commodities)
2214 Andrew)
Dodge City, KS 67801) MC ID No. 144084

Applicant's Attorney: None

Grain, livestock, feed, feed ingredients and dry salt,

Between all points and places in the state of Kansas.

Application for Transfer of Certificate of Convenience and Necessity:

Joy Janet Hight, dba) Docket No. 60,095 M
 Bruce's Body Shop)
 410 N. 6th)
 Marysville, KS 66508) MC ID No. 100614
 To:
 Bruce's Body Shop, Inc.
 410 N. 6th
 Marysville, KS 66508

Applicant's Attorney: David Anderson, 201 N. Kansas Ave., Frankfort, KS 66427

Wrecked, disabled, repossessed and replacement motor vehicles and trailers and farm machinery,

Between all points and places in Marshall County, Kansas, on the one hand, and all points and places in Jewell, Mitchell, Lincoln, Republic, Cloud, Ottawa, Saline, Washington, Clay, Dickinson, Marion, Marshall, Riley, Geary, Morris, Chase, Nemaha, Pottawatomie, Wabaunsee, Lyon, Brown, Jackson, Shawnee, Osage, Doniphan, Atchison, Jefferson, Douglas and Leavenworth counties, Kansas, on the other.

Application for Certificate of Convenience and Necessity:

Scrib's House Moving, Inc.) Docket No. 180,755 M
 P.O. Box 2)
 David City, NE 68632) MC ID No. 144083

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

Houses, buildings and fertilizer tanks,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Terry Salmans, dba) Docket No. 180,754 M
 Salmans Trucking)
 Route 1, Box 42-A)
 Hanston, KS 67849) MC ID No. 144497

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

Livestock, hay, grain, dry feed, dry feed ingredients, dry fertilizer, salt, seeds, building and construction materials, fencing materials and machinery,

Between all points and places in Cheyenne, Sherman, Wallace, Greeley, Hamilton, Stanton, Morton, Rawlins, Thomas, Logan, Wichita, Scott, Kearny, Finney, Grant, Haskell, Stevens, Seward, Decatur, Sheridan, Gove, Lane, Gray, Meade, Norton, Graham, Trego, Ness, Hodgeman, Ford, Clark, Phillips, Rooks, Ellis, Rush, Pawnee, Edwards, Kiowa, Comanche, Smith, Osborne, Russell, Barton, Stafford, Pratt, Barber, Jewell, Mitchell, Lincoln, Ellsworth, Rice, Reno, Kingman, Harper, Republic, Cloud, Ottawa, Saline, McPherson, Harvey, Sedgwick, Sumner, Washington, Marshall, Clay, Riley, Dickinson, Geary, Morris, Marion, Butler and Cowley counties, Kansas.

Also,

Between points and places in the above-described counties, on the one hand, and points and places in the state of Kansas, on the other hand.

Application for Abandonment of Certificate of Convenience and Necessity:

Triplett, Inc.) Docket No. 84,407 M
 549 N. Ohio)
 Salina, KS 67401) MC ID No. 100915

Applicant's Attorney: None

Application for Extension of Certificate of Convenience and Necessity:

John Walmsley, dba) Docket No. 133,735 M
 Walmsley Trucking)
 929 Argyle)
 Minneapolis, KS 67467) MC ID No. 121996

Applicant's Attorney: John Jandera, 2101 S.W. 21st, P.O. Box 237, Topeka, KS 66604-0237

Dry bulk commodities,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

D. L. Williams Wood) Docket No. 180,757 M
 Products, Inc.)
 P.O. Drawer 818)
 Hillsboro, TX 76645) MC ID No. 123785

Applicant's Attorney: William Barker, 3401 Harrison, Topeka, KS 66611

Building and construction materials, lumber, and wood products (restricted against the transportation of bulk materials and hazardous materials),

Between all points and places in Kansas.

Application for Certificate of Convenience and Necessity:

Jerry D. Bell, dba) Docket No. 180,760 M
 Bell Trucking)
 P.O. Box 124)
 Kepner Avenue)
 Alexander, KS 67513) MC ID No. 144085

Applicant's Attorney: None

Livestock, seed, farm machinery, grain, fertilizer, feed, feed ingredients,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Quicksilver Enterprises, Inc.) Docket No. 180,761 M
 5918 Broadmoor)
 Shawnee Mission, KS 66202) MC ID No. 131351

(continued)

Applicant's Attorney: Joseph Weiler, 2102 S.W. 21st,
P.O. Box 237, Topeka, KS 66601-0237

Passengers and their baggage,

Between points and places in the state of Kansas.

Don Carlile
Administrator
Transportation Division

Doc. No. 011962

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. C.D.T. on the date indicated and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, May 18, 1992

28947

Fort Hays State University—Refuse collection services

92060

Department of Transportation—Preassembled radio equipment shelters, various locations

92061

Kansas State University—Centrifuge, hybridization oven, balance, sample concentrator

92124

Fort Hays State University—Teaching equipment

Tuesday, May 19, 1992

A-6691

Winfield State Hospital and Training Center—Exit ramps, Treatment Building

A-6835

Larned State Hospital—Life safety code improvements, electrified locks and controls

28913

Statewide—Canned goods

28937

Statewide—1993 calendars

28938

Statewide—Graduated compression stockings

28943

Department of Wildlife and Parks—Heavy equipment work, Marais des Cygnes and LaCygne Wildlife Areas

28944

Statewide—Dairy products

28949

University of Kansas Medical Center—Radiopharmaceuticals and RIA kits

92071

Kansas State University—Shaker, balances, ovens, pH meter, grinding mill, furnace

92072

Department of Administration, DISC—VM/CMS REXX compiler/library software

92073

University of Kansas Medical Center—Printer, bubble jet

92074

Kansas State University—Furnish and install boiler, Hays

92075

Norton Correctional Facility—Furnish and install doors and windows

92086

Department of Transportation, DISC—Barcode scanner and software

92087

Emporia State University and Department of Transportation—Forklift, Emporia and Garden City

92092

University of Kansas Medical Center—Imagesetting system

92093

Department of Transportation—Aggregate, various locations

92094

Department of Administration, DISC—Natural change control software package

92095

University of Kansas—Computer room A/C unit

92139

Fort Hays State University—Professional video/audio equipment

Wednesday, May 20, 1992

A-6200(d)

Osawatomie State Hospital—Relighting of old Main Building

28942

Department of Administration—Central Motor Pool—Vehicle preventive maintenance service, Wichita

92103

Kansas State University—Refrigerant recovery systems

92104

Kansas State University—CNC milling machine

92109

Kansas State university—Fume hood

92110

Kansas State University—Rotary containment chute

92111

Kansas State University—Furnish and install roof system, Garden City

92112

Larned Correctional Mental Health Facility—Buffalo grass

Thursday, May 21, 1992

A-6854(a)

Department of Human Resources—Computer room modifications

A-6641

Pittsburg State University—Direct burial steam line replacement near Axe Library/Bookstore

28931

Emporia State University—Service contract for direct digital control system

28951

University of Kansas Medical Center—Cardiac catheter supplies (interventional)

28952

University of Kansas Medical Center—Cardiac catheter supplies (diagnostic)

92122

Kansas State University-Salina—Milling machine

92123

Youth Center at Atchison—Dorm furniture

92138

Wichita State University—UV/VIS HPLC

92140

Department of Transportation—Motor graders, various locations

92141

Department of Corrections—Ophthalmic exam equipment, El Dorado

92142

Department of Wildlife and Parks—Caps and embroidered emblems

Friday, May 22, 1992

28939

University of Kansas Medical Center—July (1992) meat products

28940

University of Kansas—July (1992) meat products

92146

Kansas State University—UNIX workstation and SCSI drives

92147

University of Kansas Medical Center—Anesthesia machines

92148

Department of Transportation—Flashing light trailer, various locations

92155

Department of Transportation—Water tank, Chanute

92156

Department of Transportation—Fuel tank, Hutchinson

92157

Wichita State University—MX workstation (DEC 5000/240)

**Request for Proposals
Monday, May 18, 1992**

28946

Assistance in the analysis and investigation of Arkansas Louisiana tariff application for the Citizens Utility Ratepayer Board

Jack R. Shipman
Director of Purchases

Doc. No. 011973

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 1991 Supp. 65-34,117(b), records of the Division of Accounts and Reports show the unobligated balance in the petroleum storage tank release trust fund is \$4,584,324.71 at April 30, 1992.

Susan Seltsam
Secretary of Administration

Doc. No. 011975

State of Kansas

**Department of Health
and Environment**

**Notice Concerning Kansas
Water Pollution Control Permits**

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Public Notice No. KS-92-106

Name and Address	Legal Description	Receiving Water
Walker Stone Company, Inc. PF Quarry-Grandview Plaza Box 563 Chapman, KS 67431 Geary County, Kansas Kansas Permit No. I-SH13-P001	Smoky Hill River via unnamed tributary	Quarry pit dewatering and uncontaminated stormwater
Description of Facility: This facility is engaged in a limestone crushing operation with no washing. This is a new facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).		Fed. Permit No. KS-0088510

Public Notice No. KS-PT-92-4

Name and Address of Applicant	POTW	Discharge Type
DeWeze Manufacturing, Inc. Route 2, Box 78 Harper, KS 67058 Harper County, Kansas Kansas Permit No. P-AR40-0001	Harper MWWTF	Process wastewater
Description of Facility: This facility manufactures hay handling farm equipment, OEM hydraulic kits and commercial mowers. This		(continued)

facility utilizes a conversion coating (phosphating) operation to prepare steel for painting. Some paint stripping does occur very infrequently, but no stripping wastes are discharged to the city sewer.

Public Notice No. KS-EG-92-29/33

Tentative permits have been prepared for the re-permitting of five salt-solution wells which will operate as individual mining wells, within the state of Kansas, for the applicant described below.

Description: The wells listed below are designed for the production of salt by solution mining activities. All wells are located in Reno County and are operated by North American Salt Company, 1800 Carey Blvd., Hutchinson, KS 67501.

Well Number Permit Number	Location
Well Number 85 Kansas Permit No. KS-03-155-067	SWNESE 17-23-5W 1510' fsl and 1050' fel of SE/4
Well Number 86 Kansas Permit No. KS-03-155-068	SWNESE 17-23-5W 1810' fsl and 1060' fel of SE/4
Well Number 96 Kansas Permit No. KS-03-155-069	NWSWSE 17-23-5W 1200' fsl and 2100' fel of SE/4
Well Number 97 Kansas Permit No. KS-03-155-070	NESWSE 17-23-5W 1200' fsl and 1650' fel of SE/4
Well Number 107 Kansas Permit No. KS-03-155-071	SESWSW 17-23-5W 300' fsl and 1750' fel of SE/4

Public Notice No. KS-AG-92-40

Name and Address of Applicant	Legal Description	Receiving Water
Charles N. and Martha T. Stone Stone Farms Route 1, Box 1640 Chetopa, KS 67336 Kansas Permit No. A-NECK-P011	SW/4 Section 27, Township 34S, Range 22E, Cherokee County	Neosho River Basin

The proposed facility will have capacity for approximately 33,000 turkeys.

Wastewater Control Facilities: Wastewater will be impounded for subsequent disposal upon agricultural land. Storage capabilities will provide in excess of minimum requirements.

Compliance Schedule: None, existing control adequate.

Written comments on the proposed determinations may be submitted to Bethel Spotts or Angela Buie (agricultural permits), Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to June 5 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-92-106, KS-PT-92-4, and KS-EG-92-29/33, KS-AG-92-40) and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public

interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Azzie Young
Secretary of Health
and Environment

Doc. No. 011971

State of Kansas

Department of Health
and Environment

Notice Concerning Proposed
Permit Action

The Secretary of Health and Environment is proposing to issue an air emission source construction permit in accordance with K.A.R. 28-19-14 (permits required) to Schoenhofer Bros., Inc., Parsons, to install and operate woodworking machinery at a shop located at 1831 Southern Blvd., Parsons.

Written materials, including the permit application and information relating to the application submitted by Schoenhofer Bros., draft permit, permit summary and analysis by KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through June 4 by contacting Lynn Ranabargar, KDHE, 1500 W. 7th, Chantute, (316) 431-2390. This material also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to Eugene Sallee, KDHE, (913) 296-1575.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to its issuance. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before June 4.

Azzie Young
Secretary of Health
and Environment

Doc. No. 011972

State of Kansas

Social and Rehabilitation Services

Request for Proposals

Kansas Rehabilitation Services is requesting grant proposals for model community-based vocational rehabilitation services to assist persons with head injury to prepare for, engage in, and retain integrated competitive employment and independent living. Individuals to receive these grant services must be KRS determined eligible clients.

One project will be funded at a minimum of \$60,000 and a maximum not to exceed \$100,000. Funding is available for one year. Contingent upon availability of KRS funds and successful performance by the grantee, second year funding is planned with conversion to fee for service reimbursement after the second year.

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

Glen Yancey
Acting Commissioner
Kansas Rehabilitation Services

Doc. No. 011961

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permit

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

Public Notice No. KS-92-105

Name and Address	Waterway	Type of Discharge
City of Park City 6125 N. Hydraulic Wichita, KS 67219	Little Arkansas River via main branch Chisholm Creek	Secondary wastewater treatment facility

Sedgwick County, Kansas
Kansas Permit No. M-LA19-0001 Fed. Permit No. KS-0117269

Description of Facility: This facility is designed for the treatment of domestic sewage. This is a new facility, replacing the current facility. Proposed effluent limitations are pursuant to Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and are water quality limited.

The city of Park City has requested a public hearing be held to accept additional comments for review before issuance of the final permit. A public hearing has been scheduled for 7 p.m. Wednesday, June 10, in the City Hall, 6110 N. Hydraulic, Park City.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to June 5 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-92-105) and the name of applicant as listed when preparing comments.

Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Azzie Young
Secretary of Health and Environment

Doc. No. 011970

State of Kansas

Department of Health and Environment

Notice of Hearing

The Kansas Department of Health and Environment has prepared a draft national pollutant discharge elimination system permit for a new wastewater treatment facility for the city of Park City located in Sedgwick County. The new treatment facility is designed for 1.08 MGD and will be located about 1.5 miles downstream of the existing wastewater facility on the main branch of Chisholm Creek. The draft permit is included in Public Notice No. KS-92-105, dated May 6 through June 5, 1992.

The city of Park City has requested a public hearing to discuss the proposed permit and facility. In conformance with state regulation 28-16-61, a public hearing has been scheduled for 7 p.m. Wednesday, June 10, at City Hall, 6110 N. Hydraulic, Park City.

The Secretary of Health and Environment will make a final permit decision after consideration of all comments received and of all requirements of state statutes and regulations.

Azzie Young
Secretary of Health and Environment

Doc. No. 011969

State of Kansas

**Kansas Commission on Governmental
Standards and Conduct**

**Permanent Administrative
Regulations**

Article 1.—GENERAL PROVISIONS

19-1-1. Definitions. (a) "Advisory opinion" means a formal opinion issued by the commission as provided by relevant law.

(b) "Chairperson" means the chairperson of the commission appointed by the governor, or in the event of the chairperson's absence, the vice-chairperson or any other commissioner as may be designated by the remaining members of the commission.

(c) "Commission" means the Kansas commission on governmental standards and conduct created by relevant law, or as the context indicates, any lesser number of members.

(d) "Commission's attorney" means an attorney employed by the commission to assist the commission in carrying out the provisions of relevant law.

(e) "Executive director" means the executive director appointed by the commission.

(f) "Formal record" means all the filings and submittals in a matter or proceeding and all notices or agency orders initiating the matter or proceeding. If a hearing is held, the formal record shall include:

- (1) The designation of the presiding member;
- (2) The transcript of hearing if one is kept;
- (3) All exhibits received in evidence;
- (4) All exhibits offered but not received in evidence;
- (5) All offers of proofs, motions, stipulations, subpoenas, proofs of service, and the corresponding determinations made by the commission;
- (6) Certifications to the commission; and
- (7) Anything else upon which action of the presiding member or commission may be based will constitute a formal record. This does not include any proposed testimony or exhibits or the work product of the commission or its staff not offered or received in evidence.

(g) "Hearing commissioners" means the commissioners designated by the chairperson to conduct a pre-hearing, hearing or rehearing, or to proceed with any matter before the commission.

(h) "Party" means the complainant, respondent, and any other person authorized by the commission to intervene in any proceeding.

(i) "Petitioner" means a person seeking relief, including an advisory opinion, and not otherwise designated in this section.

(j) "Pleading" means any application, complaint, petition, answer, reply, or other similar document filed with the commission.

(k) "Presiding member" means the chairperson or any member of the commission, duly designated to preside at hearings, conferences, or other proceedings.

(l) "Relevant law" means K.S.A. 25-4142 et seq. and K.S.A. 46-215 et seq., including related amendments, supplemental legislation, and rules and regulations. In addition, in the context of requests for advisory opin-

ions and related matters, "relevant law" shall include K.S.A. 75-4301 et seq., including related amendments, supplemental legislation, and rules and regulations.

(m) "Respondent" means any person against whom a complaint has been filed alleging an unlawful practice within the meaning of relevant law.

(n) "Treasurer" means an acting treasurer duly appointed under relevant law, and the treasurer of record at any particular point in time irrespective of whether the individual still serves as the treasurer. Only individuals, as opposed to non-natural persons, may serve as treasurers. (Authorized by K.S.A. 1991 Supp. 25-4119a and 46-253; implementing K.S.A. 1991 Supp. 25-4143 and K.S.A. 46-215; effective, E-76-52, Oct. 24, 1975; effective, E-77-20, May 1, 1976; amended, E-77-47, Sept. 30, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended May 1, 1982; amended June 22, 1992.)

19-1-11. Commission decisions. Except as otherwise provided by relevant law, all orders, opinions, or findings of fact issued by the commission shall be signed by the chairperson. The decision of any committee of hearing commissioners shall be by majority vote. A concurring vote of five members of the commission shall be required for any decision of the commission as a whole. (Authorized by and implementing K.S.A. 1991 Supp. 25-4119a and 46-253; effective, E-76-52, Oct. 24, 1975; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended May 1, 1982; amended June 22, 1992.)

Article 3.—INVESTIGATIONS

19-3-2. Reviews and audits. (a) Reviews and audits may be conducted by the executive director of any matter which is required to be reported or filed under the provisions of relevant law. Such reviews and audits shall employ generally accepted auditing standards and provisions as adapted to relevant law. Such reviews and audits may include:

- (1) identification of persons required to file statements, reports or other documents;
- (2) desk review of filed statements, reports and other documents;
- (3) review or confirmation of receipts, expenditures, gifts, honoraria or payments; and
- (4) audits of records and accounts required to be maintained or to be made available to the commission.

(b) If at the conclusion of any review or audit there appear to be material errors or omissions in any statement, report or other document, such action as is provided by relevant law shall be taken by the executive director in order to assure their correction. This action shall be reported by the executive director to the commission. A report on each completed audit shall be prepared by the executive director for the commission. A copy of the memorandum shall be issued by the commission to the person audited. (Authorized by and implementing K.S.A. 1991 Supp. 25-4119a, 46-253; effective, E-76-52, Oct. 24, 1975; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended June 22, 1992.)

Article 4.—NONCOMPLIANCE WITH FILING PROVISIONS

19-4-2. Notice on other statements, reports, or documents. As soon as practicable, notice may be filed by the executive director as provided in K.A.R. 19-1-8 on any person who has failed to file on the appropriate date any other statement, report or document required by relevant law. Notice may also be served on any person whose statement, report, or other document or amendments contains material errors or omissions. This notice may include a statement of the right or duty of the person served to amend the statement, report, or other document. In addition, the notice may state that the person may request a hearing under the same circumstances as those set forth in K.A.R. 19-4-1 (c). (Authorized by K.S.A. 1991 Supp. 25-4119a and 46-253; implementing K.S.A. 1991 Supp. 25-4152 and 46-280; effective, E-76-52, Oct. 24, 1975; effective, E-77-20, May 1, 1976; amended, E-77-47, Sept. 30, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended May 1, 1982; amended June 22, 1992.)

Article 20.—CAMPAIGN FINANCE ACT; GENERAL PROVISIONS

19-20-2. Definitions. (a) The term "act," unless the context requires otherwise, means K.S.A. 25-4142 et seq., including related amendments, supplemental legislation, and rules and regulations.

(b) "In-kind contribution" means a contribution of goods, services, or anything of value to a candidate, candidate committee, party committee, or any representative of them without charge or provision of such items at a charge to the recipient of less than the fair market value. "In-kind contribution" also means the use of any goods, services, or anything of value, or the spending of any money, for the benefit of any candidate, candidate committee, party committee, or political committee when the use or expenditure is made in cooperation with or with the consent of the candidate, committee, or representative of them.

(c) "Session" means both the regular and special sessions of the legislature. Regular session includes the time period commencing January 2 through final adjournment. (Authorized by K.S.A. 1991 Supp. 25-4119a; implementing K.S.A. 1991 Supp. 25-4143 and K.S.A. 1991 Supp. 25-4153a; effective, E-76-56, Nov. 26, 1975; effective, E-77-20, May 1, 1976; effective, Feb. 15, 1977; amended May 1, 1980; amended May 1, 1982; amended May 1, 1983; amended June 22, 1992.)

Article 27.—ACCOUNTS AND RECORDS

19-27-2. Contributions and other receipts. (a) Each treasurer shall maintain a complete record of all contributions as follows:

(1) A detailed account of all contributions, including tickets or admissions to testimonials or other political events which include:

(A) The full name and address of the person making the contribution;

(B) The occupation of each individual contributor who contributes more than \$150, or if the individual

contributor is not employed, then the occupation of the contributor's spouse;

(C) A description of the contribution as cash, check, in-kind, loan (including rate of interest, term, guarantor, and endorser);

(D) The date received;

(E) The amount; and

(F) The cumulative amount given by the contributor which is allocable to the primary or general election period.

(2) The date, the amount, and a description of each contribution of ten dollars (\$10) or less for which the name and address of the contributor is not known, subject to the limitations of K.S.A. 25-4154;

(3) The aggregate total of all contributions received as the proceeds from the sale of political materials and the date of each sale and a description of the materials sold;

(b) Each treasurer shall keep an account of all other receipts, including:

(1) The full name and mailing address of a person making the payment;

(2) A description of the receipt reflecting whether it is a rebate, refund, or other miscellaneous receipt;

(3) The date received; and

(4) The amount of the receipt.

(c) Each treasurer shall either:

(1) Photocopy each contribution (or "other receipt") in the form of a check, money order or similar instrument in the amount of fifty dollars (\$50) or more and shall keep all deposit slips with the photocopies of the checks to which they relate; or

(2) In the alternative, each treasurer shall, at the request of the commission, arrange with a depository or other person to provide the commission with these photocopies at the treasurer's expense. In addition, when necessary, each treasurer shall arrange with his or her depository to permit the commission access to the depository's records of any contributions (or "other receipt") in the form of a check, money order or similar instrument at the treasurer's expense.

(d) Cash and in-kind contributions and other cash and in-kind receipts in an amount of ten dollars (\$10) or more shall be accounted for by written receipt, the original of which shall be kept by the treasurer. These receipts shall include the full name and address of the person making the contribution or payment, the date and the amount. Each receipt shall be signed by the treasurer or the treasurer's agent. If the contribution is an in-kind contribution, a complete description shall be attached to the receipt.

(e) All treasurers or committees that maintain a payroll deduction, dues, checkoff or comparable system for political contributions shall keep sufficient supporting documentation to fully substantiate each contribution or transfer to the committee. (Authorized by K.S.A. 1991 Supp. 25-4119a; implementing K.S.A. 25-4147, K.S.A. 1991 Supp. 25-4148 and 25-4148a; effective, E-76-56, Nov. 26, 1975; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended, E-77-29, June 3, 1976; amended, E-77-47, Sept. 30, 1976; amended,

(continued)

E-79-24, Sept. 21, 1978; amended May 1, 1979; amended May 1, 1980; amended May 1, 1981; amended May 1, 1982; amended June 22, 1992.)

Article 29.—RECEIPTS AND EXPENDITURES REPORT

19-29-2. Contents of receipts and expenditures report. (a) General. Each receipts and expenditures report shall contain:

- (1) the full name and address of the candidate, party committee, or political committee;
- (2) in the case of candidates, the office sought, and in the case of committees, a designation as to type;
- (3) the period covered by the report;
- (4) a designation, when applicable, that the report is an amended or a termination report; and
- (5) a declaration as to completeness and accuracy, signed by the treasurer.

(b) Summary section. Each report shall contain a summary section for the reporting period which shall include:

- (1) cash on hand at the beginning of the period;
- (2) total contributions and receipts, except in-kind contributions;
- (3) total cash available during the period;
- (4) total expenditures and other disbursements;
- (5) cash on hand at the close of the period;
- (6) total in-kind contributions; and
- (7) the total of other obligations.

(c) Supporting schedules.

(1) General. Each report shall contain the supporting schedules required by this subsection. For the purpose of subsection (c):

(A) The term "date" means the month, day and year.

(B) The term "name" means the full name of the person indicated.

(C) The term "address" means the street address or rural route, the city, state and zip code.

Each accompanying schedule shall include the name of the candidate or committee on whose behalf the report is filed. When the name is used more than once, the same name shall appear throughout the schedule. Whenever additional sheets are necessary to list the information required by any supporting schedule, each page of that schedule shall contain a space, completed by the treasurer, to indicate the subtotal for that page.

(2) "Monetary contributions and receipts" schedule. Monetary contributions and receipts shall be listed on an accompanying schedule. This schedule shall include:

(A) A date column, which shall state the date when the contribution was received by the treasurer or the treasurer's authorized agent, whichever occurs first;

(B) a name and address column, which shall state the name and address for each contributor. This column shall also be used to show the name of the candidate or committee to whom funds are dedicated whenever a treasurer receives a contribution which is dedicated in whole or in part for use or transfer to another candidate or committee.

(C) An occupation of contributor column, which shall state the occupation of each individual contributor who contributes more than \$150, or if the individual contributor is not employed, the occupation of the contributor's spouse. If the contribution is from a political action committee, this column shall also be used to describe the political committee by including the name of the organization affiliated or connected with the committee or the trade, profession, or primary interest of the contributors.

(D) A description column, which shall state whether the contribution or receipt is in the form of a loan, cash, check or other. If the contribution is a loan, the interest rate and the name and address of any guarantors or endorsers shall be noted in this column.

(E) a column which states the amount of the cash, check, loan or other receipt;

(F) a total amount space in which the aggregate amount of monetary contributions and other receipts received during the reporting period shall be shown; this amount shall be carried forward to the summary page.

(G) itemized monetary contributions and receipts. Each monetary contribution or receipt over \$50 received during the reporting period shall be itemized. In addition, each contribution or receipt of more than \$10 received during the reporting period for which the name and address of the donor is unknown shall be disclosed on this schedule; and

(H) unitemized monetary contributions and receipts. The aggregate total of all contributions and receipts of \$50 or less received during the reporting period for which the name and address of the donor is known shall be reported as unitemized contributions or receipts. Receipts during the reporting period from the sale of political materials shall also be reported. The proceeds from the sale of tickets or admissions to testimonial events, except those required to be itemized, shall be reported on this schedule. Contributions of \$10 or less received during the election period for which the name and address of the donor is unknown shall be disclosed on this schedule.

(3) "In-kind contributions" schedule. All in-kind contributions shall be listed on this accompanying schedule. This schedule shall include:

(A) A date column, which shall state the date the in-kind contribution was received by the treasurer or the treasurer's authorized agent, whichever occurs first;

(B) a name, address and occupation of contributor column, which shall state the name and address of each in-kind contributor, as well as the occupation of each individual contributor who contributes more than \$150, or, if the individual contributor is unemployed, the occupation of the contributor's spouse;

(C) a description column, which shall briefly describe the goods or services provided. When a treasurer receives a contribution which is dedicated in whole or in part for use or transfer to another candidate or committee, the name of the candidate or committee to whom the goods or services are dedicated shall be included in this column as well.

(D) a value of in-kind contributions column, which shall state the fair market value of the contribution;

(E) a total amount space in which the aggregate value of itemized and unitemized in-kind contributions shall be shown. This value shall be carried forward to the summary page.

(F) itemized in-kind contributions. Each in-kind contribution having a value of more than \$50 received during the reporting period shall be itemized.

(G) unitemized in-kind contributions. The aggregate total of in-kind contributions from any one contributor having a value of \$50 or less received during the reporting period; disclosed.

(4) an "Expenditure and disbursements" schedule. All expenditures and disbursements to any person shall be listed on this accompanying schedule. This schedule shall include:

(A) a date column that shall state the date or dates the payee was actually paid during the reporting period;

(B) a name column that shall state the name of the person to whom the payment was made;

(C) a purpose of expenditure column that shall reflect the nature of the expenditure; when an expenditure is made by payment to an advertising agency, public relations firm, or political consultants for disbursement to vendors, the report shall show in detail the name of each vendor and the information required on this schedule with regard to each expenditure. Whenever a treasurer makes a disbursement which constitutes a contribution to another candidate or committee and when it is made up in whole or in part of dedicated funds, the treasurer shall disclose the names and addresses of those persons who dedicated the funds. The treasurer shall, in transferring any of these contributions, report the same information to the recipient.

(D) an amount column that shall reflect the aggregate amount of payment to the payee on the date of the entry;

(E) a total amount space in which the total amount of itemized and unitemized expenditures and disbursements during the reporting period shall be shown; this amount shall be carried forward to the summary page.

(F) itemized expenditures and disbursements; each expenditure or disbursement over \$50 made during the reporting period shall be itemized; and

(G) unitemized expenditures and disbursements; the aggregate total of all expenditures and disbursements of \$50 or less made during the reporting period shall be disclosed.

(5) "Other transactions" schedule. All other reportable financial transactions made during the reporting period shall be disclosed with reasonable specificity.

(A) Accounts and loans payable. All accounts and loans outstanding at the close of a reporting period shall be disclosed. This disclosure shall include:

- (i) the date the debts or loans were contracted;
- (ii) the person to whom the debt or loan is owned;
- (iii) a description of the goods or services subject to debt or a description of the principal amount and terms of the loan; and

(iv) the amount outstanding at the close of the reporting period.

(B) loans receivable. All loans receivable outstanding at the close of the reporting period shall be disclosed. This disclosure shall include:

- (i) the date the loan agreement was completed;
- (ii) the person to whom the funds were loaned;
- (iii) the principal amount and terms of the loan; and
- (iv) the amount outstanding at the close of the reporting period. (Authorized by K.S.A. 1991 Supp. 25-4119a; implementing K.S.A. 1991 Supp. 25-4148 and 25-4148a; effective, E-76-56, Nov. 26, 1975; effective E-77-29, June 3, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended May 1, 1982; amended May 1, 1983; amended May 1, 1987; amended June 22, 1992.)

19-29-4. Termination reports and reports of debts and obligations. (a) Before any committee may be dissolved or the position of any treasurer terminated, a termination report shall be filed with the secretary of state, local election officer or both. A termination report may not be filed until the disbursement of all residual funds and the discharge of all remaining debts and obligations. These and all other transactions from the date of the last report shall be disclosed on the termination report. Any report required by K.S.A. 25-4148 may serve as a termination report if the requirements described in this subsection are met.

(b) The position of treasurer may not be terminated until a termination report is filed. In addition, the position of treasurer shall not be deemed terminated to the extent of any report provided for by K.S.A. 25-4148(d) or (e) is required or to the extent necessary for the maintenance and preservation of records.

(c) A treasurer shall continue to file a report each January 10 as required by K.S.A. 25-4148 so long as any residual funds or outstanding debts or obligations remain. (Authorized by K.S.A. 1991 Supp. 25-4119a; implementing K.S.A. 25-4155 and K.S.A. 1991 Supp. 25-4157; effective, E-79-24, Sept. 21, 1978; effective May 1, 1979; amended May 1, 1980; amended May 1, 1981; amended May 1, 1982; amended June 22, 1992.)

19-29-5. Computer generated campaign reports. Reports prepared on computer will be acceptable, provided that:

- (1) Each computer generated page contains all information required in K.S.A. 25-4148;
- (2) Print-outs are legible, clear black on white paper;
- (3) Each page is on 8½" × 11" paper;
- (4) Each page is numbered;
- (5) Each report includes the commission's prescribed front page summary sheet; and
- (6) The type is no smaller than pica (10 characters per inch). (Authorized by K.S.A. 1991 Supp. 24-4119a; implementing K.S.A. 25-4151; effective June 22, 1992.)

Article 30.—CONTRIBUTION LIMITATIONS

19-30-4. Change in office sought. When during an election period a candidate decides to seek state or local office other than that originally anticipated or sought in the preceding election, all contributions received during the election period shall be attributed to

(continued)

the individual's contributions limits for the office finally sought. In the situation where an individual is a candidate with a deficit from a prior election year and during the primary election period decides to seek state office with a lower contribution limitation, the candidate may accept contributions up to the higher contribution limitation until the earlier debts are paid off, but shall not accept any further contributions from any person which exceeds the lower contribution limitation for the office finally sought. (Authorized by K.S.A. 1991 Supp. 25-4119a; implementing K.S.A. 25-4153; effective, E-77-20, May 1, 1976; amended, E-77-47, Sept. 30, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended May 1, 1982; amended June 22, 1992.)

Article 40.—STATE CONFLICT OF INTEREST PROVISIONS

19-40-3a. Definitions. Incorporated by reference are the definitions of "express" and "apparent" contained in K.S.A. 46-215 et seq. (a) "Bona fide personal or business entertaining or gifts" means entertainment or gifts provided to state officers or employees or their spouses which are based solely on a business or personal relationship totally unrelated to the state officer or employee's duties as such. The following factors, among others, will be taken into consideration in determining whether a specific entertainment or gift falls within this definition:

- (1) The intent of the parties;
- (2) The length of time a business or personal relationship has existed;
- (3) The topics of discussion;
- (4) The setting;
- (5) The persons attending;
- (6) Whether the person providing the entertainment or gift is reimbursed by an organization by which they are employed; and
- (7) Whether the person providing the entertainment or gift, or his or her principal, deducts or could deduct the expenditures as a business expense.

(b) "Gift" means the transfer of money or anything of value unless legal consideration of a reasonably equal or greater value is received in return.

(1) The value of a gift shall be the fair market value or a reasonable estimate thereof. Where a transfer is made for less than reasonable consideration, the amount by which the value of the transfer exceeds the value of the consideration shall be deemed a gift.

(2) Exceptions. For the purposes of K.S.A. 1991 Supp. 46-237, except when a particular course of official action is to be followed as a condition thereon, "Gift" does not include:

- (A) goods or services which are provided to a state agency which does not license, inspect nor regulate the giver and are used to benefit the state as a whole;
- (B) goods, services or discounts which are provided to a state agency to be used for advertising and promoting the products of the state;
- (C) goods, services or discounts which are provided by federal or state agencies;

(D) a rebate, discount or promotional item available to any individual or governmental agency;

(E) the provision of hospitality in the form of recreation, food and beverage, except when provided to a state officer or employee which licenses, inspects or regulates the giver;

(F) any bona fide personal or business gift or entertainment; or

(G) any contribution reported in compliance with the campaign finance act.

(c) Hospitality. "Hospitality in the form of recreation, food and beverage" means the provision of recreation and consumption of food and beverage in the company of the donor or the donor's authorized agent. The provision of recreation, food and beverage in any other manner constitutes a gift.

(d) Honoraria. For the purposes of K.S.A. 1991 Supp. 46-237(f) "honoraria" means any amount paid to a state officer or employee for giving a speech when the primary reason the state officer or employee was invited to give the speech was his or her position in state government. In determining the primary reason, factors to be considered include:

(1) The importance of position in state government of the state officer or employee. Thus, if a person is in a major policy making position, it is likely that the acceptance of honoraria is prohibited;

(2) Whether the grantor of the honoraria has a special interest concerning the duties of the state officer or employee; and

(3) Whether the speech deals with scientific or technical data within the area of expertise of the state officer or employee's knowledge, as opposed to whether the speech deals with aspects of the duties of the state officer or employee. (Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-237; effective May 1, 1984; amended June 22, 1992.)

19-40-5. Contract. The term "contract" as defined by K.S.A. 46-231 shall exclude agreements to pay membership dues to a person or business when the primary occupation of the person or business is to provide publications and educational material to the agency or promote state interests. (Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-233; effective June 22, 1992.)

Article 41.—STATEMENT OF SUBSTANTIAL INTERESTS

19-41-1. Definitions. For the purposes of this article, the following words and phrases are defined below. (a) "Blind trust" means a trust established by a state officer or state employee or the individual's spouse for the purpose of divestiture of all control and knowledge of assets.

(b) "Combination of businesses" means any two or more businesses owned or controlled directly by the same interests.

(c) "Description of interests" means the type of ownership interest held, including common stock, preferred stock, stock option and limited partnership.

(d) "Equitable interest" means an actual beneficial ownership, though legal title may not be shown on public, partnership or corporate records.

(e) "General counsel" means any attorney for a state agency to whom the agency turns for legal advice concerning the general operation of the agency. This definition shall include any private attorney hired on a contract basis to give legal advice, as well as any in-house counsel for the state agency who is the chief legal counsel for the agency. The definition shall not include any attorney assigned to an agency by the attorney general from the attorney general's staff to serve as the the agency's primary legal advisor, unless the attorney is budgeted for by a separate agency or division, has permanent offices within the agency or division, or unless the individual falls under any other provision of K.S.A. 1991 Supp. 46-247. The definition shall not apply to any private attorney who is retained solely to handle specific litigation for an agency. Any in-house counsel other than the head of the legal division of a specific agency shall not be required to file unless the individual falls under any other provision of K.S.A. 1991 Supp. 46-247.

(f) "Members of state councils, commissions and boards" means members of state authorities, compacts and committees or similar state agencies who receive compensation from the state when such member is engaged in performing a function or duty for such council, commission, board, authority, compact or committee or similar state agency. Excluded from this definition are entities of the judicial branch or any member of a board, council or commission who is appointed by the supreme court or who is elected or appointed to exercise duties pertaining to functions of the judicial branch, when such person is engaged in performing a function or duty for the judicial branch.

(g) "Other business interest" means any endeavor which produces income, including appraisals, consulting, authorships, inventing or the sale of goods and services. It is unnecessary, for the purposes of this definition, that the interest have a formal business name or formal business structure.

(h) "Ownership interest" means a legal or equitable interest in any business or combination of businesses.

(i) "Trust" means a trust in which any state officer or employee or the individual's spouse has a present or future interest which exceeds five percent of the value of the trust or exceeds five thousand dollars, whichever is less, but does not include blind trusts.

(j) "Type of business" means the nature of the business activity in which the entity engages, including construction, retailing and manufacturing. (Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-229, 46-247; effective, E-77-7, March 19, 1976; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1983; amended May 1, 1984; amended June 22, 1992.)

Article 60.—LOBBYING REGULATION PROVISIONS

19-60-3. Definitions. The following words and phrases mean: (a) "Bona fide personal or business entertaining or gifts" means entertainment or gifts provided to state officers or employees, or their spouses, which are based solely on a business or personal re-

lationship totally unrelated to the state officer or employee's duties. The following factors, among others, shall be taken into consideration in determining whether a specific entertainment or gift falls within this definition:

- (1) the intent of the parties;
- (2) the length of time a business or personal relationship has existed;
- (3) the topics of discussion;
- (4) the setting;
- (5) the persons attending;
- (6) whether the person providing the entertainment or gift is reimbursed by an organization which engages in lobbying; and
- (7) whether the person providing the entertainment or gift, or the person's principal, deducts or could deduct the expenditures as lobbying expenditures.

(b) "Employer" means a person:

- (1) who employs another person to a considerable degree for the purpose of lobbying;
- (2) who formally appoints a person as the primary representative of an organization or of other persons to lobby in person on state-owned or leased property; or
- (3) on whose behalf a person otherwise registers or is required to register as a lobbyist. If a lobbyist has more than one employer, those provisions of Articles 60, 61, 62, and 63 of these regulations which relate to employers shall apply independently to each of the lobbyist's employers.

(c) "Expenditure" means a payment or a contract to pay for:

- (1) providing hospitality in the form of recreation, food and beverage to any state officer, state employee or spouse, except bona fide personal or business entertaining;
- (2) giving any entertainment, gift, honoraria or payment to any state officer, state employee or spouse, except bona fide personal or business gifts, entertainment, honoraria or payments;
- (3) producing and communicating lobbying information to any state officer or employee by any person other than an individual; or
- (4) producing and disseminating mass media communications, letter-writing campaigns and similar transactions which explicitly promote or oppose a clearly identified legislative matter, or rule and regulation, and which urge or request the recipient to communicate directly with state officers or employees regarding that matter.

A person shall be considered to have made an expenditure if the person does so directly or if another person does so on the person's behalf. In addition, in the case of membership organizations, associations, or similar entities, the entity is deemed to make any expenditure associated with membership events when the entity plays an integral role initiating, planning, or operating such membership events.

(5) The term expenditure shall not mean a payment or contract which is:

- (A) made for the preparation of proposals, position papers and similar documents;
- (B) made to employ another to lobby on one's behalf;

(continued)

(C) made for personal travel and subsistence of an individual engaged in lobbying;

(D) reported in compliance with the campaign finance act;

(E) made in association with any news story, commentary, or editorial distributed in the ordinary course of business by a broadcasting station, newspaper or other periodical publication; or

(F) made for contributions to membership organizations, associations or similar entities where the funds are used to make expenditures attributable to the entity or its representatives.

(d) (1) "Gift" means the transfer of money or anything of value without receiving legal consideration of a reasonably equal or greater value in return. The value of a gift shall be the fair market value or a reasonable estimate thereof. Where a transfer is made for less than reasonable consideration, the amount by which the value of the transfer exceeds the value of the consideration received shall be deemed a gift.

(2) The term "gift" shall not include:

(A) the provision of hospitality in the form of recreation, food and beverage;

(B) any bona fide personal or business gift or entertainment; or

(C) any contribution reported in compliance with the campaign finance act.

(e) "Hospitality in the form of recreation, food and beverage" means the provision of recreation and consumption of food and beverage to a state officer or employee while the state officer or employee is in the company of the donor or the donor's authorized agent. The provision of recreation, food and beverage in any other manner to a state officer or employee constitutes reportable entertainment. In addition, any provision of recreation, food and beverage which is conditioned upon a state officer or employee embarking upon a course of official action constitutes an illegal gift for the purposes of these rules and regulations. (Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-237 and 46-271; effective, E-77-7, March 19, 1976; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended June 22, 1992.)

Article 61.—LOBBYING

19-61-1. Legislative matters. (a) General. Promoting or opposing in any manner action or nonaction by the legislature on any legislative matter constitutes lobbying.

Legislative matters include any bills, resolutions, nominations, or other issues or proposals pending before the legislature or any committee, subcommittee, or council thereof. An issue or proposal is pending before any such body if it is being directly considered by such body, if it has been communicated to such body or a member thereof even if not directly considered by it, or if it is an issue subject to continuing review by any such body.

(1) Any communication which is intended to advocate action or nonaction by the legislature on a legislative matter, including communications with other persons with the intent that such persons communicate with legislators in regard thereto, constitutes lobbying.

(2) The provision of entertainment, recreation or gifts to any state officer or employee involved in action or nonaction by the legislature on any legislative matter, except those provided as bona fide personal or business entertainment, recreation or gifts, constitutes lobbying.

The fact that a particular activity constitutes "lobbying" does not necessarily mean that an individual must register as a lobbyist. See K.A.R. 19-62 on the issue of registration.

(b) Exceptions. The communication of factual material which is not intended to promote or oppose action or nonaction on a legislative matter and which is not accompanied by active advocacy does not constitute lobbying. (Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-225; effective, E-77-7, March 19, 1976; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended June 22, 1992.)

19-61-2. Agency rules and regulations. (a) General. Promoting or opposing in any manner the adoption or nonadoption of any rule and regulation by any state agency constitutes lobbying.

"Rules and regulations" means such rules and regulations as are required by law to be filed with the secretary of state and does not include those adopted by the judicial branch or any court.

(1) Any communication which is intended to advocate action or nonaction by any state agency on the adoption or nonadoption of any rule and regulation, including communications with other persons with the intent that such other person communicate with agency personnel in regard thereto, constitutes lobbying.

(2) The provision of entertainment, recreation or gifts, except those provided as bona fide personal or business entertainment, recreation or gifts, to any state officer or employee when the state officer or employee is involved in the adoption or nonadoption of rules and regulations and when provided in a situation where it can reasonably be attributed to contemplated or completed rules and regulations constitutes lobbying.

The fact that a particular activity constitutes "lobbying" does not necessarily mean that an individual must register as a lobbyist. See K.A.R. 19-62 on the issue of registration.

(b) Exceptions. The communication of factual material which is not intended to promote or oppose the adoption or nonadoption of rules and regulations and which is unaccompanied by active advocacy does not constitute lobbying. In addition, the preparation of proposed or recommended rules and regulations or the monitoring of the adoption process does not constitute lobbying. (Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-225; effective, E-77-7, March 19, 1976; effective, E-77-29, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended June 22, 1992.)

19-61-3. (Authorized by K.S.A. 1976 Supp. 46-253; effective, E-77-7, March 19, 1976; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; revoked June 22, 1992.)

Article 62.—LOBBYIST REGISTRATION

19-62-1. Who must register. (a) Employed lobbyists. Each person whose employment is, to a considerable degree, for the purpose of lobbying shall register as a lobbyist. A person is employed if the person receives compensation for or in direct relation to lobbying regardless of the technical legal definition of the relationship between the principal and the lobbyist. An executive of an organization who as part of the executive's duties only incidentally lobbies shall not be required to register under this subsection. However, where a person is employed to a considerable degree for the purpose of lobbying, it is irrelevant that the lobbying employment is not a substantial amount of the person's overall business. In determining whether an individual is employed to a considerable degree to lobby, that portion of the employment which relates to preparation for lobbying shall be taken into consideration.

(b) Appointed lobbyists. Any person formally appointed as the primary representative of an organization or of another person to lobby on state-owned or leased property shall register as a lobbyist regardless of whether the person receives compensation for lobbying. Formal appointment as a primary representative may be indicated by election to a specific office or designation, including a specific post where the members of the organization or appointing person recognize such election or designation to include the right or duty to lobby as its primary representative on state-owned or leased property. Generally, where an organization or other person has an employed lobbyist, members lobbying on behalf of the organization shall not be deemed the primary representative of the organization or other person for the purposes of this registration provision. Where an appointment is made in conjunction with an employment status as set out in subsection (a) of this section, the provisions of that subsection shall control as to whether the employed person must register as a lobbyist.

(c) Persons making lobbying expenditures. Any person who makes "expenditures" for lobbying as defined in K.A.R. 19-60-3(c), in an aggregate amount of \$100 or more in any calendar year shall register as a lobbyist.

(d) Exceptions to the rules governing who must register.

(1) Those persons covered by K.S.A. 1991 Supp. 46-222(b) shall not be required to register as lobbyists.

(2) When an individual accepts a limited number of bona fide invitations from a state agency or subdivision thereof to appear before it for the purpose of providing information to such agency, the individual shall not be required to register as a lobbyist under subsections (a) and (b) of this section solely on account of such appearances. However, subsection (c) of this regulation applies to such situations. (Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-265; effective, E-77-7, March 19, 1976; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended June 22, 1992.)

19-62-2. When and where to register. Every person required to register as a lobbyist shall register with the secretary of state on a form prescribed and provided

by the commission. The registration shall be filed prior to lobbying in any calendar year. Whenever any new lobbying position is accepted by a registered lobbyist, the lobbyist shall file an additional registration in the same manner as the original. (Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-265; effective, E-77-7, March 19, 1976; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended June 22, 1992.)

Article 63.—LOBBYIST REPORTING PROVISIONS

19-63-2. When to report. (a) Reporting periods. Each lobbyist shall report all expenditures, allocable to that period by the 10th day of the month a report is due.

(b) Allocation of expenditures. Each expenditure shall be allocated to the reporting period in which the debt is incurred.

(c) Entertainment, gifts, honoraria and payments. Entertainment, gifts, honoraria and payments shall be allocated to the reporting period in which accepted by the state officer or employee. When entertainment, a gift, honoraria or payment is composed of separate transfers deferred over more than one reporting period, the total value thereof shall be allocated to the reporting period in which the state officer or employee accepts the initial transfer. (Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-268, 46-269; effective, E-77-7, March 19, 1976; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended May 1, 1984; amended June 22, 1992.)

19-63-3. What to report. (a) Expenditures. When any lobbyist's total expenditures for the reporting period exceed \$100, the lobbyist shall report the aggregate amount of all individual expenditures of \$2 and over made by the lobbyist and by the lobbyist's employer, if the lobbyist is the lobbyist most directly connected. The individual expenditures shall be reported according to the following categories:

(1) expenditures for hospitality provided in the form of food and beverage;

(2) expenditures for entertainment, gifts, honoraria or payments to state officers and employees;

(3) expenditures for mass media communications;

(4) expenditures for recreation provided as hospitality;

(5) expenditures for communication for the purpose of influencing legislative or executive action; and

(6) other reportable expenditures.

A lobbyist shall be considered most directly connected with an expenditure if the lobbyist incurs the debt, regardless of how the actual payment is made. The name and address of the lobbyist's employer shall be listed for all reportable expenditures.

(b) Entertainment, gifts, honoraria and payments. Entertainment, gifts, honoraria and payments made by the lobbyist's employer shall be reported by the lobbyist if, by themselves or in combination with entertainment, gifts, honoraria or payments made by the lobbyist, the reporting threshold is exceeded and if the lobbyist is the lobbyist of the employer most directly connected therewith. A lobbyist shall be considered

(continued)

most directly connected with entertainment, a gift, honoraria or payment if the lobbyist reaches the agreement for its acceptance, regardless of how the underlying debt is paid. (Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-269; effective, E-77-7, March 19, 1976; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended May 1, 1980; amended May 1, 1984; amended June 22, 1992.)

19-63-4. Material errors or omissions. The following shall be considered material errors or omissions on any report required by this article:

- (a) Failure to use the form prescribed by the commission;
- (b) incomplete identification of the person filing;
- (c) failure to show the correct period covered;
- (d) failure to sign or date the statement;
- (e) illegibility;
- (f) inadequate or omitted address;
- (g) inadequate or omitted description or purpose of statement;
- (h) incorrect or omitted expenditures or no check mark in the box indicating \$100 or less was spent;
- (i) failure to report any reportable expenditure;
- (j) incomplete identification of the person or employer on whose behalf the report is filed; and
- (k) any other error or omission which leads to less than full disclosure as required by this regulation. (Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-280; effective, E-77-20, May 1, 1976; effective Feb. 15, 1977; amended June 22, 1992.)

19-63-6. Lobbyist's records. Records in support of every report or statement filed shall be maintained and preserved by the lobbyist for a period of five years from the date of the filing of the report or statement and may be inspected by and under conditions determined by the commission. At a minimum, each lobbyist shall maintain the following records: (a) A detailed account of all lobbying expenditures, including:

- (1) the full name and address of the person to whom the payment is made;
- (2) the purpose of the expenditure;
- (3) the date of the expenditure, including both the date of contracting and the date of payment; and
- (4) the amount of the expenditure;
- (b) a bill, statement, contract or other documentation of the agreement between the parties; and
- (c) the check or other instrument by which payment was made. (Authorized by K.S.A. 1991 Supp. 46-253; implementing K.S.A. 1991 Supp. 46-269; effective June 22, 1992.)

R.C. "Pete" Loux
Chairman

Doc. No. 011946

State of Kansas

Real Estate Appraisal Board

Permanent Administrative Regulations

Article 7.—FEES

117-7-1. Fees. The following fees shall be submitted to the commission:

- (a) for application for certification or licensure, \$50;
- (b) for original certification or licensure, an amount, based on an annual amount of \$200, prorated to the nearest whole month for the period of time from the date of issuance of the certificate or license until its expiration;
- (c) for renewal of a certificate or license, \$200;
- (d) for late renewal of a certificate or license, an additional \$50;
- (e) except as provided in subsection (h), for approval of a course of instruction to meet any portion of the education requirements of K.A.R. 117-2-1, 117-3-1 or 117-4-1, a fee of \$100;
- (f) except as provided in subsection (h), for approval of a course of instruction to meet the continuing education requirements of K.A.R. 117-6-1, a fee of \$50;
- (g) except as provided in subsection (h), for renewal of any course of instruction, a fee of \$25; and
- (h) for approval or renewal of any course of instruction which is endorsed by the appraisal qualifications board, a fee of \$10. (Authorized by and implementing K.S.A. 1991 Supp. 58-4107, as amended by 1992 SB 515, Sec. 3; effective Jan. 21, 1991; amended, T-117-6-10-91, June 10, 1991; amended Aug. 5, 1991; amended, T-117-4-22-92, April 22, 1992; amended June 22, 1992.)

Jean Duncan
Administrative Officer

Doc. No. 011949

State of Kansas

Kansas Racing Commission

Temporary Administrative Regulations

Article 18.—SIMULCASTING LICENSES

112-18-2. Application procedure for simulcasting applicant. (a) Any qualified organization licensee, as defined by 1992 SB 383, Sec. 2 may apply to the commission for a simulcasting license to display horse races or greyhound races, or both, on which parimutuel wagering is permitted.

(b) If the organization licensee is conducting races at a racetrack facility that is owned by a facility owner licensee, both licensees shall join in the application. Each application shall be verified under oath by the authorized officer or officers of the applicants, and all copies shall be manually signed in ink.

(c) Each application shall be completed in a form approved by the commission.

(d) Each application and any attached documents required by these regulations shall be submitted as a

single package. An original and six copies of the application and documents shall be filed with the executive director at the commission offices.

(e) For the 1992 calendar year, each application for a simulcasting license shall be filed at a time established by the commission to facilitate the development of a simulcasting schedule for the initial year of implementation. Beginning with the 1993 calendar year, each application for a simulcast license shall be filed at least 45 days before the beginning of the calendar year.

(f) Each simulcasting license shall be granted only upon the condition that the holder and each of its officers, directors, employees and agents shall accept, observe and enforce the regulations of the commission.

(g) Each simulcasting license shall expire at midnight on December 31 of the calendar year for which it was granted.

(h) The receipt of a simulcasting license does not vest in the simulcasting licensee any right to a subsequent simulcasting license. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18.3. Application form for simulcasting applicant. (a) Each application for a simulcasting license shall contain the following:

(1) the name of the applicant or applicants, their business address or addresses and their telephone number or numbers;

(2) the name, address and telephone number of any individual who assisted the applicant or applicants in preparing their application;

(3) the written approval for the proposed simulcasting schedule from the recognized horsemen's group or the recognized greyhound owners' group, or both, as appropriate;

(4) for the 1992 calendar year, the proposed schedule of simulcast races or programs that the applicant or applicants plan to simulcast into the facility for as much of the calendar year as the respective horsemen's group and greyhound owners' group have approved. Beginning with the 1993 calendar year, the application shall state the proposed simulcasting schedule as approved by the respective horsemen's group and greyhound owners' group for the entire calendar year when it is filed with the commission;

(5) for the 1992 calendar year, the proposed schedule of races or programs that the applicant or applicants plan to simulcast from the racetrack facility to any other racetrack facility, intertrack wagering facility or off-track wagering facility, and a list of such facilities for as much of the calendar year as the respective horsemen's group and greyhound owners' group have approved. Beginning with the 1993 calendar year, the application shall state the proposed simulcasting schedule as approved by the respective horsemen's group and greyhound owners' group for the entire calendar year when it is filed with the commission;

(6) certification that the applicant or applicants will comply with any provisions of the interstate horse racing act of 1978 (15 U.S.C. 3001, *et seq.*) as in effect

December 31, 1991, and submit documentation of the compliance;

(7) certification that the applicant or applicants will comply with the 80% threshold requirement of 1992 SB 383 for a live racing program if the applicant conducts fewer than 10 live horse races during any day or 13 live greyhound races during any performance;

(8) one copy of each contract or agreement that the applicant has executed or proposes to execute and any modification or proposed modification of each contract or agreement with regard to the simulcasting license or races or wagering on the simulcast races. If the contract or agreement is an oral one, a written statement explaining the substance of the oral agreement shall be included;

(9) the names and addresses of the parties to each contract or agreement identified in subsection (8) and any relationship of the parties to the applicant, the partners, associates, officers, directors and principal owners either through family, business association or other control;

(10) any plan to participate in a combined wagering pool, including the following information:

(A) the time and date of the races or programs for which combined pooling is planned;

(B) a description of the totalisator services to be used by the guest facility and host facility;

(C) a description of the backup communication device or procedure that would be used to communicate wagering information between the guest facility and host facility if the totalisator system or data line telephone system fails;

(D) a description of the data line or telephone line communication system to be used by the guest facility and the host facility;

(E) a description of the wagers that the applicant or applicants intend to offer on the races; and

(F) a description of the takeout rates requested for the combined wagering pool;

(11) a description of each special racing event that the applicant or applicants plan to simulcast;

(12) a statement describing how the granting of a simulcasting license to the applicant or applicants will enhance the breeding, owning and training industries for horses or greyhounds; and

(13) a description of the impact the proposed simulcasting will have on live racing and purses at the applicant or applicants' racetrack facility.

(b) Each application shall describe, and the commission may consider in determining whether to grant or deny the application:

(1) the financial stability of the applicant or applicants and the effect simulcasting will have on the economic viability of the applicant or applicants;

(2) the operating experience of the applicant or applicants;

(3) the regulatory compliance and conduct of the applicant or applicants; and

(4) the impact of the applicant or applicants' proposed simulcasting on live racing and on purses at the racetrack facility. (Authorized by K.S.A. 1991 Supp.

(continued)

74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-4. Special racing events. As used in these racing regulations, unless the context otherwise requires, special racing events are: (a) the breeders cup races;

- (b) the breeders crown races;
- (c) the breeders classic races;
- (d) any event of the triple crown;
- (e) the greyhound race of champions;
- (f) any race with a purse in excess of \$100,000; or
- (g) any grade I or II horse race. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-5. Report of expenses and allocation of purse monies between horses and greyhounds. Within 48 hours of the completion of any simulcast race or program, each simulcasting licensee shall report in writing the simulcast expenses and revenues to the inspector of parimutuels or his designee. Each report shall detail those expenses incurred by the licensee that are directly related to the simulcast race or program. Each report shall itemize the monies available for purses and how they will be allocated between horses and greyhounds. Each report of expenses and allocation of purse monies shall be subject to audit by the commission. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-6. Expenses. (a) For simulcasting, expenses shall include:

- (1) the actual amount paid by a simulcasting licensee to a racetrack for the use of its simulcast race or program;
- (2) the actual amount paid by a simulcasting licensee for a decoder to descramble a simulcast signal received from a satellite. If a decoder is used for more than one race or program, the expense shall be prorated;
- (3) the actual cost of installation for data lines for the purpose of combined wagering pools, prorated over a one-year period beginning with the first race or program in which the licensee participates in a combined wagering pool;
- (4) the actual amount paid by the licensee for accounting services, wire transfer or like services approved by the executive director for the reconciliation of accounts, if the licensee participates in a combined wagering pool;
- (5) the actual cost of a facsimile machine to be located in the totalisator room for the purpose of backup communication and manual merging, depreciated over not fewer than three years, and prorated when the licensee participates in a combined wagering pool;
- (6) the actual cost of one satellite receiving dish for receiving simulcast races, depreciated over not fewer than five years, and prorated;
- (7) the actual costs paid by the simulcasting licensee for long distance telephone service, for any dial-up computer phone lines and calls, for long distance telephone service for facsimile transmissions necessary for a combined wagering pool or for calls to the send-

ing or host track's stewards' or judges' stand, mutuel room, totalisator room or track management offices as part of a simulcast race or program;

(8) the actual cost paid by a simulcasting licensee for totalisator interface fees for a simulcast race or program;

(9) the actual cost paid by a simulcasting licensee for additional video fees incurred to provide patron information for a simulcast race or program;

(10) the actual cost paid by the simulcasting licensee to the racing form or like entity to acquire information on past performance lines; and

(11) other costs, if the commission grants prior approval for the costs.

(b) Expenses claimed by the licensee shall not exceed the revenues received by the licensee for a simulcast race or program. No licensee shall carryover expenses from one simulcast race or program to a future simulcast race or program. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-7. Changes to approved simulcasting schedule. Any simulcasting licensee may apply to the commission or the executive director for changes in its approved simulcasting schedule. Each application for change in schedule shall be submitted 24 hours before the proposed simulcast race or program that is subject of the change. Each application shall state the reasons for the proposed change and shall include approval from the respective greyhound owners' group or recognized horsemen's group, or both, as appropriate. Each condition of a simulcasting license shall apply to any change in the simulcasting schedule. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-8. Fee for simulcasting race or performance. There shall be no additional race day fee for simulcast races or programs conducted on the same day as live races. Each simulcast race or program displayed on a day when live races are not conducted shall constitute a race day, and each simulcasting licensee shall pay a license fee for the simulcasting race day that is identical to the license fee it pays for a live racing day. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing K.S.A. 1991 Supp. 74-8813(g), as amended by 1992 SB 383, Sec. 5; effective, T-112-4-27-92, April 27, 1992.)

112-18-9. Duties of receiving facility. (a) A simulcasting licensee that conducts parimutuel wagering on a simulcast race or program acts as a receiving facility on those dates. Each receiving facility shall provide:

(1) communication facilities, which include all wire, radio, optical, satellite or other electromagnetic systems used to receive audio and visual transmissions between the sending racetrack, host facility and the receiving facility; and

(2) two voice communication systems between the receiving facility and the sending racetrack or host facility providing timely voice contact between the stew-

ards or racing judges and the mutuel departments at each racetrack or facility.

(b) Before the beginning of the transmission of the first simulcast race or program of each day, each receiving facility shall initiate a test program of its receiver, decoder and data communication to ensure proper operation of the system. If a test program run under this subsection is unsuccessful or indicates a malfunction of any component of the receiving system, the licensee shall not conduct parimutuel wagering on a simulcast race or program until a successful test program is completed.

(c) After each simulcast race or program, each receiving facility shall provide the reports of its parimutuel operations as required by K.A.R. 112-9-8 for both simulcast and live races. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-10. Duties of sending racetrack. (a) A simulcasting licensee that simulcasts races conducted by the licensee acts as a sending racetrack on the dates the races or program are conducted and simulcast.

(b) Each sending racetrack shall be responsible for the content of the simulcast and shall use all reasonable efforts to present a simulcast which offers the viewers an exemplary depiction of the performance, continuity of programming between racing events, and, if it is also acting as the host facility for a combined wagering pool, a periodic display of wagering information.

(c) Each sending racetrack shall provide transmission equipment of acceptable broadcast quality that does not interfere with the closed-circuit television system of the receiving location.

(d) Each simulcast shall be encrypted using a time displacement decoding algorithm encryption system or an equivalent encryption system approved by the commission.

(e) Unless otherwise permitted by the commission, each simulcast must contain in its video content:

- (1) the date;
- (2) a digital display of the actual time of day at the sending racetrack;
- (3) the name of the sending racetrack;
- (4) the number of the race being displayed; and
- (5) any other relevant information available to patrons at the host racetrack.

(f) Before the beginning of the transmission of the first simulcast race or program of each day, each sending racetrack shall initiate a test program of its transmitter, encryption equipment and data communication to ensure proper operation of the system. If a test program run under this subsection is unsuccessful or indicates a malfunction of any component of the sending racetrack's system, the simulcasting licensee shall not transmit any races until a successful test program is completed. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-11. Emergency procedures. (a) No simulcasting licensee shall accept wagers on a simulcast race until it is receiving both the audio and video signals from the sending racetrack.

(b) If the simulcasting licensee loses the audio or video signal from the sending racetrack, it immediately shall notify the sending racetrack of the lost signal.

(c) If the audio or video signal is lost, the simulcasting licensee shall establish a telephone linkup between the sending racetrack's announcer and the simulcasting licensee's public address system. The licensee may continue to accept wagers with the telephone linkup while attempting to reestablish the audio or video signal, or until post time for the simulcast race.

(d) If both the audio and video signals are lost and the telephone linkup cannot be established, the simulcasting licensee shall cease accepting wagers and immediately order a refund of all monies wagered into the pools for that race. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-12. Combined wagering pools, general provisions. (a) With the prior approval of the commission, parimutuel pools offered by a simulcasting licensee that participates in a simulcast may be combined with corresponding wagering pools offered by the other racetracks or facilities that participate in the simulcast to form a combined wagering pool.

(b) Each contract governing participation in a combined wagering pool shall be submitted to the commission for approval in accordance with K.A.R. 112-18-3(a)(8).

(c) In determining whether to approve an interstate combined wagering pool that does not include the sending racetrack, the commission shall consider, and may approve, the use of a wager that is not used at the sending racetrack.

(d) Any wager that has been approved for the use of the simulcasting licensee may be offered, although types of pools that require more races than those included in the simulcast may not become part of the combined wagering pool.

(e) The content and format of the visual display of racing and wagering information at facilities in other racing jurisdictions in an interstate combined wagering pool need not be identical to the information required to be displayed by these racing regulations. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-13. Formation of combined wagering pool. (a) Wagering data shall be transmitted through one of the methods authorized by this paragraph in the following order of preference:

- (1) via a dedicated leased line data circuit;
- (2) via a dial-up data circuit;
- (3) via telecopy or facsimile machine on a separate telephone line; or
- (4) by voice via cellular or dial-up telephone.

(b) Each guest and host facility shall have adequate equipment to transmit the wagering data by any of the methods listed in paragraph (a) of this regulation.

(c) Except as otherwise provided in this paragraph, the odds and prices for a combined wagering pool shall be calculated in accordance with the laws of the ju-

(continued)

jurisdiction where the host facility is located. In determining the amount distributable to the wagerers, each simulcasting licensee shall use the total takeout required in the jurisdiction where the host facility is located except as provided in 1992 SB 383, Sec. 2(j)(2). The simulcasting licensee may use the net pool pricing method for determining the payoff prices.

(d) Each simulcasting licensee shall ensure that the necessary records are maintained regarding the amounts wagered at its racetrack for accounting, auditing and reporting purposes. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-14. Distribution of combined wagering pools. (a) Each wager is made at the point of sale in the state where the wager is placed.

(b) Each payoff attributable to the simulcasting licensee shall be based on the actual winnings indicated by the totalisator wagering data.

(c) Each total takeout applicable to the wagers received in this state for a combined wagering pool shall be distributed in accordance with the Kansas parimutuel racing act. Each gain or loss caused by a difference in takeout totals shall be part of the simulcasting licensee's revenue or expense from the interstate simulcast.

(d) Each surcharge or other withholding, other than the takeout authorized by law, shall be applied only in the jurisdiction imposing the surcharge or withholding. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2 and K.S.A. 1991 Supp. 74-8823, as amended by 1992 SB 383, Sec. 10; effective, T-112-4-27-92, April 27, 1992.)

112-18-15. Breakage, interstate combined wagering pool. The ratio of each simulcasting licensee's allocation of the breakage to the total breakage in an interstate combined wagering pool shall be equal to the ratio of the dollars contributed to the combined wagering pool from the simulcasting licensee to the total amount of the combined wagering pool. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-16. Report to commission, combined wagering pool. Each simulcasting licensee participating in a combined wagering pool shall submit to the commission a report on the pool not later than the close of the next business day after the date of the race or program for which the pool was formed. Each report shall contain:

- (1) the total amount of the combined wagering pool;
- (2) the total amount of the combined wagering pool generated by wagers received in this state;
- (3) the total winnings for the combined wagering pool;
- (4) the total winnings attributable to wagers received in this state;
- (5) the total commission derived from the combined wagering pool; and
- (6) the total commission derived from the simulcasting licensee's share of the combined wagering pool.

(Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-17. Manual merge. (a) If the guest facility's computer system fails to adequately transmit wagering data to the host facility, the host facility may manually merge the pools if a manual merge will not endanger the pools at the host facility.

(b) To merge the pools manually, each guest facility's parimutuel representative shall notify the host facility via telecopy or facsimile machine of the total amount in the pool, the total dollars on winning wagers and the total dollars on the losing wagers in the pool. For purposes of declaring the race official, the stewards or racing judges at the sending racetrack and the presiding steward or racing judge at both the host facility, if different from the sending racetrack, and guest location shall be notified when the procedure is complete. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-18. Failure to merge. (a) Except as otherwise provided by this regulation, if it becomes impossible to successfully merge a guest facility's wagers in the combined wagering pool, each simulcasting licensee shall make an announcement to the patrons explaining the circumstances and shall refund the monies that were not successfully merged into the combined wagering pool.

(b) Each contract for combined wagering pools entered into by a simulcasting licensee shall contain a provision stating that the simulcasting licensee is not liable for any measures taken which may result in a guest facility's wagers not being accepted into a combined wagering pool formed by the licensee if for any reason:

- (1) it becomes impossible to successfully merge the wagers placed in another state in the combined wagering pool formed by the simulcasting licensee; or
- (2) the commission's or simulcasting licensee's representative determines that attempting to transfer pool data from the guest facility will endanger the simulcasting licensee's wagering pool. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

112-18-19. Responsibility for the accuracy of transmitted wagering data. The accuracy of all transmitted wagering data shall be the responsibility of the host facility. Responsibility will shift to a guest facility if the transmission of incorrect data would have been detected had the guest facility properly confirmed the transmitted check sum. (Authorized by K.S.A. 1991 Supp. 74-8804; implementing 1992 SB 383, Sec. 2; effective, T-112-4-27-92, April 27, 1992.)

Dana Nelson
Executive Director

Doc. No. 011950

State of Kansas

Secretary of State

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

In Testimony Whereof, I have hereunto subscribed my name and affixed my official seal.

Bill Graves
Secretary of State

(Published in the Kansas Register, May 7, 1992.)

SENATE BILL No. 679

AN ACT relating to insurance; concerning the merger of Armed Forces Cooperative Insuring Association into Armed Forces Insurance Exchange; amending K.S.A. 17-6704 and repealing the existing section.

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

New Section 1. As used in this act:

(a) "Armed Forces Cooperative Insuring Association" means the association organized as an unincorporated cooperative association operating within the federal enclave of Ft. Leavenworth, Kansas.

(b) "Armed Forces Insurance Exchange" means the unincorporated reciprocal exchange operating in Leavenworth, Kansas, under the laws of the state of Kansas.

(c) "Armed Forces Insurance Corporation" means the attorney-in-fact for Armed Forces Insurance Exchange, incorporated under the laws of the state of Kansas.

(d) "Insurance entity" means the Armed Forces Cooperative Insuring Association or Armed Forces Insurance Exchange, or both.

(e) "Merger" means the union of two or more insurance entities into a single insurance entity which is one of the insurance entities uniting.

New Sec. 2. (a) Armed Forces Cooperative Insuring Association may, with the approval of the commissioner of insurance, merge with Armed Forces Insurance Exchange as provided by this act, the surviving insurance entity to be Armed Forces Insurance Exchange.

(b) By virtue of such merger, all in force policies of Armed Forces Cooperative Insuring Association shall be assumed by Armed Forces Insurance Exchange and may be rewritten in the name of the surviving insurance entity upon expiration.

(c) Business assumed in any state or territory of the United States where Armed Forces Insurance Exchange is not legally authorized to do business under the laws of such state or territory shall not violate, for the purposes of this act, the provisions of K.S.A. 40-214 and amendments thereto provided such business is not renewed upon its expiration or the entity obtains authorization from such state or territory to transact or continue such business.

New Sec. 3. (a) The board of directors of Armed Forces Cooperative Insuring Association and the board of directors of Armed Forces Insurance Corporation shall enter into a written agreement on behalf of their respective insurance entities for the merger of such insurance entities, prescribing the terms and conditions of the merger, which shall include the method of carrying the merger into effect, the name of the surviving insurance entity and such other provisions as are deemed advisable.

(b) Upon approval of such agreement by the boards of directors of both Armed Forces Cooperative Insuring Association and Armed Forces Insurance Corporation, at meetings called for the purpose of considering such agreement, each board of directors shall by resolution direct that the agreement be submitted to the commissioner of insurance of this state for approval.

New Sec. 4. (a) No merger under this act shall occur unless, in advance of the proposed merger, the following information has been filed with the commissioner of insurance: (1) The agreement of merger; (2) a verified schedule by the actuaries of the insurance entities interested in merging, showing that the legal reserves for the subscribers of each insurance entity as of December 31 of the

preceding year are not less than the amount that would be required of a Kansas domestic reciprocal or interinsurance exchange; (3) a pro forma financial statement showing that, upon approval of the merger by the commissioner of insurance, the surviving insurance entity will continue to satisfy the financial requirements to transact all of the line or lines of insurance in all jurisdictions where it is presently authorized to transact business; and (4) any other information which may be requested by the commissioner of insurance.

(b) After notice and a hearing in accordance with the Kansas administrative procedure act, the commissioner of insurance shall approve the merger unless the commissioner of insurance determines that any one of the following exist or would result from the merger, in which event the commissioner of insurance shall disapprove the merger: (1) The insurance entities proposing to merge have not complied with the provisions of this act; (2) the merger of the two insurance entities is not in the best interests of the subscribers of Armed Forces Insurance Exchange; (3) after the merger, Armed Forces Insurance Exchange would be in violation of any of the laws of this state; or (4) the effect of the merger would be to substantially lessen competition in insurance in this state.

(c) The parties proposing to merge under this act shall bear all costs associated with the hearing required by this section.

New Sec. 5. (a) Nothing contained in this act shall be construed to enlarge the powers of any insurance entity or to authorize any insurance entity to transact any kind of insurance business which it is not presently authorized to transact in this state or any other state or territory of the United States.

(b) No merger under this act shall be subject to the provisions of K.S.A. 40-3304 and amendments thereto.

Sec. 6. K.S.A. 17-6704 is hereby amended to read as follows: 17-6704. (a) The term "joint-stock association", as used in this section, includes any association of the kind commonly known as joint-stock association or joint-stock company and any unincorporated association, trust or enterprise having outstanding shares of stock or other evidences of financial or beneficial interest therein, whether formed by agreement or under statutory authority or otherwise, but does not include a corporation. The term "stockholder", as used in this section, includes every member of such joint-stock association or holder of a share of stock or other evidence of financial or beneficial interest therein.

(b) Any one or more corporations of this state may merge or consolidate with one or more joint-stock associations, except a joint-stock association formed under the laws of a state which forbids such merger or consolidation. Such corporation or corporations and any such joint-stock association or associations may merge into a single corporation, which may be any one of such corporations, or they may consolidate into a new corporation formed by the consolidation, which shall be a corporation of this state, pursuant to an agreement of merger or consolidation, as the case may be, complying and approved in accordance with this section. The surviving constituent corporation or the new corporation may be organized for profit or not organized for profit and may be a stock corporation or a nonstock corporation.

(c) Each such corporation and joint-stock association shall enter into a written agreement of merger or consolidation. The agreement shall state: (1) The terms and conditions of the merger or consolidation; (2) the mode of carrying the same into effect; (3) the manner of converting the shares of stock of each stock corporation, the interests of members of each nonstock corporation, and the shares, memberships or financial or beneficial interests in each of the joint-stock associations into shares or other securities of a stock corporation surviving or resulting from such merger or consolidation, or into shares or other securities of any other corporation, or into cash or other consideration, or of converting the shares of stock of each stock corporation, the interest of members of each nonstock corporation and the shares, memberships or financial or beneficial interests in each of the joint-stock associations into membership interests of a nonstock corporation surviving or resulting from such merger or consolidation or into cash or other property, as the case may be; and (4) such other details or provisions as are deemed desirable, including, without limiting the generality of the foregoing, a provision for the payment of cash in lieu of the issuance of fractional shares

(continued)

of the surviving or resulting corporation. There shall also be set forth in the agreement such other matters or provisions as shall then be required to be set forth in articles of incorporation by the laws of this state and that can be stated in the case of such merger or consolidation. Any of the terms of the agreement of merger or consolidation may be made dependent upon facts ascertainable outside of such agreement, provided that the manner in which such facts shall operate upon the terms of the agreement is clearly and expressly set forth in the agreement of merger or consolidation.

(d) The agreement shall be adopted, approved, executed and acknowledged by each of the corporations in the same manner as is provided in K.S.A. 17-6701, and amendments thereto, and in the case of the joint-stock associations in accordance with their articles of association or other instrument containing the provisions by which they are organized or regulated or in accordance with the laws of the state under which they are formed, as the case may be. The agreement shall be filed and recorded and shall become effective for all purposes of the laws of this state when and as provided in K.S.A. 17-6701, and amendments thereto, with respect to the merger or consolidation of corporations of this state. In lieu of filing and recording the agreement of merger or consolidation, the surviving or resulting corporation may file a certificate of merger or consolidation, executed in accordance with K.S.A. 17-6003, and amendments thereto, which states:

(1) The name and state of domicile of each of the constituent entities;

(2) that an agreement of merger or consolidation has been approved, adopted, certified, executed and acknowledged by each of the constituent entities in accordance with this subsection;

(3) the name of the surviving or resulting corporation;

(4) in the case of a merger, such amendments or changes in the articles of incorporation of the surviving corporation as are desired to be effected by the merger or, if no such amendments or changes are desired, a statement that the articles of incorporation of the surviving corporation shall be its articles of incorporation;

(5) in the case of a consolidation, that the articles of incorporation of the resulting corporation shall be as is set forth in an attachment to the certificate;

(6) that the executed agreement of consolidation or merger is on file at the principal place of business of the surviving corporation and the address thereof; and

(7) that a copy of the agreement of consolidation or merger will be furnished by the surviving corporation, on request and without cost, to any stockholder of any constituent entity.

(e) The provisions of subsections (d) and (e) of K.S.A. 17-6701, 17-6709 through 17-6712, and 17-7103, and amendments thereto, shall apply, insofar as they are applicable, to mergers or consolidations between corporations and joint-stock associations; and the word "corporation" where applicable, as used in those sections, shall be deemed to include joint-stock associations as defined herein. The personal liability, if any, of any stockholder of a joint-stock association existing at the time of such merger or consolidation shall not thereby be extinguished, shall remain personal to such stockholder and shall not become the liability of any subsequent transferee of any share of stock in such surviving or resulting corporation or of any other stockholder of such surviving or resulting corporation.

(f) Nothing in this section shall be deemed to authorize the merger of a charitable nonstock corporation into a stock corporation, if the charitable status of such nonstock corporation would thereby be lost or impaired, but a stock corporation may be merged into a charitable nonstock corporation which shall continue as the surviving corporation.

(g) A merger of Armed Forces Cooperative Insuring Association into Armed Forces Insurance Exchange, with Armed Forces Insurance Exchange being the survivor in such merger, shall be a valid merger under the General Corporation Code of the state of Kansas upon a filing of the merger agreement with the secretary of state.

Sec. 7. K.S.A. 17-6704 is hereby repealed.

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

(Published in the Kansas Register, May 7, 1992.)

HOUSE BILL No. 2719

AN ACT concerning alcoholic liquor; amending K.S.A. 1991 Supp. 41-102, 41-308a, 41-308b, 41-310, 41-311 and 41-2623 and repealing the existing sections.

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

Section 1. K.S.A. 1991 Supp. 41-102 is hereby amended to read as follows: 41-102. As used in this act, unless the context clearly requires otherwise:

(a) "Alcohol" means the product of distillation of any fermented liquid, whether rectified or diluted, whatever its origin, and includes synthetic ethyl alcohol but does not include denatured alcohol or wood alcohol.

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

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

(d) "Caterer" has the meaning provided by K.S.A. 41-2601 and amendments thereto.

(e) "Cereal malt beverage" has the meaning provided by K.S.A. 41-2701 and amendments thereto.

(f) "Club" has the meaning provided by K.S.A. 41-2601 and amendments thereto.

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

(h) "Distributor" means the person importing or causing to be imported into the state, or purchasing or causing to be purchased within the state, alcoholic liquor for sale or resale to retailers licensed under this act or cereal malt beverage for sale or resale to retailers licensed under K.S.A. 41-2702 and amendments thereto.

(i) "Domestic beer" means beer which contains not more than 8% alcohol by weight and which is manufactured from agricultural products grown in this state.

(j) "Domestic table wine" means wine which contains not more than 14% alcohol by volume and which is manufactured without rectification or fortification from agricultural products grown in this state.

(k) "Drinking establishment" has the meaning provided by K.S.A. 41-2601 and amendments thereto.

(l) "Farm winery" means a winery licensed by the director to manufacture, store and sell domestic table wine.

(m) "Manufacture" means to distill, rectify, ferment, brew, make, mix, concoct, process, blend, bottle or fill an original package with any alcoholic liquor, beer or cereal malt beverage.

(n) (1) "Manufacturer" means every brewer, fermenter, distiller, rectifier, wine maker, blender, processor, bottler or person who fills or refills an original package and others engaged in brewing, fermenting, distilling, rectifying or bottling alcoholic liquor, beer or cereal malt beverage.

(2) "Manufacturer" does not include a microbrewery or a farm winery.

(o) "Microbrewery" means a brewery licensed by the director to manufacture, store and sell domestic beer.

(p) "Minor" means any person under 21 years of age.

(q) "Nonbeverage user" means any manufacturer of any of the products set forth and described in K.S.A. 41-501 and amendments thereto, when the products contain alcohol or wine, and all laboratories using alcohol for nonbeverage purposes.

(r) "Original package" means any bottle, flask, jug, can, cask, barrel, keg, hogshead or other receptacle or container whatsoever, used, corked or capped, sealed and labeled by the manufacturer of alcoholic liquor, to contain and to convey any alcoholic liquor.

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

(t) "Primary American source of supply" means the manufacturer, the owner of alcoholic liquor at the time it becomes a marketable product or the manufacturer's or owner's exclusive agent who, if the alcoholic liquor cannot be secured directly from such manufacturer

or owner by American wholesalers, is the source closest to such manufacturer or owner in the channel of commerce from which the product can be secured by American wholesalers.

(u) (1) "Retailer" means a person who sells at retail, or offers for sale at retail, alcoholic liquors.

(2) "Retailer" does not include a microbrewery or a farm winery.

(v) "Sale" means any transfer, exchange or barter in any manner or by any means whatsoever for a consideration and includes all sales made by any person, whether principal, proprietor, agent, servant or employee.

(w) "Salesperson" means any natural person who:

(1) Procures or seeks to procure an order, bargain, contract or agreement for the sale of alcoholic liquor or cereal malt beverage; or

(2) is engaged in promoting the sale of alcoholic liquor or cereal malt beverage, or in promoting the business of any person, firm or corporation engaged in the manufacturing and selling of alcoholic liquor or cereal malt beverage, whether the seller resides within the state of Kansas and sells to licensed buyers within the state of Kansas, or whether the seller resides without the state of Kansas and sells to licensed buyers within the state of Kansas.

(x) "Secretary" means the secretary of revenue.

(y) (1) "Sell at retail" and "sale at retail" refer to and mean sales for use or consumption and not for resale in any form and sales to clubs, licensed drinking establishments, licensed caterers or holders of temporary permits.

(2) "Sell at retail" and "sale at retail" do not refer to or mean sales by a distributor, a microbrewery, a farm winery, a licensed club, a licensed drinking establishment, a licensed caterer or a holder of a temporary permit.

(z) "To sell" includes to solicit or receive an order for, to keep or expose for sale and to keep with intent to sell.

(aa) "Spirits" means any beverage which contains alcohol obtained by distillation, mixed with water or other substance in solution, and includes brandy, rum, whiskey, gin or other spirituous liquors, and such liquors when rectified, blended or otherwise mixed with alcohol or other substances.

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

(cc) "Temporary permit" has the meaning provided by K.S.A. 41-2601 and amendments thereto.

(dd) "Wine" means any alcoholic beverage obtained by the normal alcoholic fermentation of the juice of sound, ripe grapes, fruits, berries or other agricultural products, including such beverages containing added alcohol or spirits or containing sugar added for the purpose of correcting natural deficiencies.

Sec. 2. K.S.A. 1991 Supp. 41-308a is hereby amended to read as follows: 41-308a. (a) A farm winery license shall allow:

(1) The manufacture of domestic table wine and the storage thereof;

(2) the sale of wine, manufactured by the licensee, to licensed wine distributors, retailers, clubs, drinking establishments and caterers;

(3) the sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee;

(4) the serving on the licensed premises of samples of wine manufactured by the licensee or imported under subsection (e) (f), if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments; and

(5) if the licensee is also licensed as a club or drinking establishment, the sale of domestic wine and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act.

(b) Upon application and payment of the fee prescribed by K.S.A. 41-310 and amendments thereto by a farm winery licensee, the director may issue not to exceed two winery outlet licenses to the farm winery licensee. A winery outlet license shall allow:

(1) The sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of wine manufactured by the licensee; and

(2) the serving on the licensed premises of samples of wine manufactured by the licensee or imported under subsection (f), if the

premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments.

(c) Not less than 60% of the products utilized in the manufacture of domestic table wine by a farm winery shall be grown in Kansas except when a lesser proportion is authorized by the director based upon the director's findings and judgment. The label of domestic wine shall indicate that a majority of the products utilized in the manufacture of the wine at such winery were grown in Kansas.

(e) (d) A farm winery having a capacity of 50,000 gallons per year or more which sells wine to any distributor shall be required to comply with all provisions of article 4 of chapter 41 of the Kansas Statutes Annotated and of K.S.A. 41-701 through 41-705 and 41-709, and amendments thereto, in the same manner and subject to the same penalties as a manufacturer.

(d) (e) A farm winery or winery outlet may sell domestic wine in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day except Sunday and between 12 noon and 6 p.m. on Sunday. If authorized by subsection (a), a farm winery may serve samples of domestic wine and wine imported under subsection (e) (f) and serve and sell domestic wine and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor. If authorized by subsection (b), a winery outlet may serve samples of domestic wine and wine imported under subsection (f) at any time when the winery outlet is authorized to sell domestic wine.

(e) (f) The director may issue to the Kansas state fair or any bona fide group of grape growers or wine makers a permit to import into this state small quantities of wines. Such wine shall be used only for bona fide educational and scientific tasting programs and shall not be resold. Such wine shall not be subject to the tax imposed by K.S.A. 41-501 and amendments thereto. The permit shall specifically identify the brand and type of wine to be imported, the quantity to be imported, the tasting programs for which the wine is to be used and the times and locations of such programs. The secretary shall adopt rules and regulations governing the importation of wine pursuant to this subsection and the conduct of tasting programs for which such wine is imported.

(f) (g) A farm winery license or winery outlet license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

(g) (h) No farm winery or winery outlet shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premise supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; or

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony.

(h) (i) Whenever a farm winery or winery outlet licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and order forfeiture of all fees paid for the license, after a hearing before the director for that purpose in accordance with the provisions of the Kansas administrative procedure act.

(i) (j) This section shall be part of and supplemental to the Kansas liquor control act.

Sec. 3. K.S.A. 1991 Supp. 41-308b is hereby amended to read as follows: 41-308b. (a) A microbrewery license shall allow:

(1) The manufacture of not less than 100 nor more than 5,000 barrels of domestic beer during the license year and the storage thereof;

(2) the sale to beer distributors of beer manufactured by the licensee;

(3) the sale, on the licensed premises in the original unopened container to consumers for consumption off the licensed premises, of beer manufactured by the licensee;

(4) the serving on the licensed premises of samples of beer manufactured by the licensee, if the premises are located in a county where the sale of alcoholic liquor is permitted by law in licensed drinking establishments; and

(continued)

(5) if the licensee is also licensed as a club or drinking establishment, the sale of domestic beer and other alcoholic liquor for consumption on the licensed premises as authorized by the club and drinking establishment act; and

(6) if the licensee is also licensed as a caterer, the sale of domestic beer and other alcoholic liquor for consumption on unlicensed premises as authorized by the club and drinking establishment act.

(b) Not less than 50% of the products utilized in the manufacture of domestic beer by a microbrewery shall be grown in Kansas except when a greater proportion of products grown outside this state is authorized by the director based upon findings that such products are not available in this state. The label of each container of domestic beer shall clearly set forth the proportion of the products utilized in the manufacture of the beer which was from agricultural products grown in Kansas.

(c) A microbrewery may sell domestic beer in the original unopened container to consumers for consumption off the licensed premises at any time between 6 a.m. and 12 midnight on any day except Sunday and between 12 noon and 6 p.m. on Sunday. If authorized by subsection (a), a microbrewery may serve samples of domestic beer and serve and sell domestic beer and other alcoholic liquor for consumption on the licensed premises at any time when a club or drinking establishment is authorized to serve and sell alcoholic liquor.

(d) A microbrewery license shall apply only to the premises described in the application and in the license issued and only one location shall be described in the license.

(e) No microbrewery shall:

(1) Employ any person under the age of 18 years in connection with the manufacture, sale or serving of any alcoholic liquor;

(2) permit any employee of the licensee who is under the age of 21 years to work on the licensed premises at any time when not under the on-premise supervision of either the licensee or an employee of the licensee who is 21 years of age or over;

(3) employ any person under 21 years of age in connection with mixing or dispensing alcoholic liquor; or

(4) employ any person in connection with the manufacture or sale of alcoholic liquor if the person has been convicted of a felony.

(f) Whenever a microbrewery licensee is convicted of a violation of the Kansas liquor control act, the director may revoke the licensee's license and all fees paid for the license in accordance with the Kansas administrative procedure act.

Sec. 4. K.S.A. 1991 Supp. 41-310 is hereby amended to read as follows: 41-310. (a) At the time application is made to the director for a license of any class, the applicant shall pay the fee provided by this section.

(b) The annual fee for a manufacturer's license to manufacture alcohol and spirits shall be \$2,500.

(c) The annual fee for a manufacturer's license to manufacture beer and cereal malt beverage shall be:

(1) For 1 to 100 barrel daily capacity or any part thereof, \$200.

(2) For 100 to 150 barrel daily capacity, \$400.

(3) For 150 to 200 barrel daily capacity, \$700.

(4) For 200 to 300 barrel daily capacity, \$1,000.

(5) For 300 to 400 barrel daily capacity, \$1,300.

(6) For 400 to 500 barrel daily capacity, \$1,400.

(7) For 500 or more barrel daily capacity, \$1,600.

As used in this subsection, "daily capacity" means the average daily barrel production for the previous 12 months of manufacturing operation. If no basis for comparison exists, the licensee shall pay in advance for the first year's operation a fee of \$1,000.

(d) The annual fee for a manufacturer's license to manufacture wine shall be \$500.

(e) The annual fee for a microbrewery license or a farm winery license shall be \$250.

The annual fee for a winery outlet license shall be \$50.

(f) The annual fee for a spirits distributor's license for the first and each additional distributing place of business operated in this state by the licensee and wholesaling and jobbing spirits shall be \$1,000.

(g) The annual fee for a wine distributor's license for the first and each additional distributing place of business operated in this state by the licensee and wholesaling and jobbing wine shall be \$1,000.

(h) The annual fee for a beer distributor's license, for the first and each additional wholesale distributing place of business operated in this state by the licensee and wholesaling or jobbing beer and cereal malt beverage shall be \$1,000.

(i) The annual fee for a nonbeverage user's license shall be:

(1) For class 1, \$10.

(2) For class 2, \$50.

(3) For class 3, \$100.

(4) For class 4, \$200.

(5) For class 5, \$500.

(j) In addition to the license fees prescribed by subsections (b), (c), (d), (f), (g), (h) and (i):

(1) Any city in which the licensed premises are located may levy and collect an annual occupation or license tax on the licensee in an amount not exceeding the amount of the annual license fee required to be paid under this act to obtain the license, but no city shall impose an occupation or privilege tax on the licensee in excess of that amount; and

(2) any township in which the licensed premises are located may levy and collect an annual occupation or license tax on the licensee in an amount not exceeding the amount of the annual license fee required to be paid under this act to obtain the license, but no township shall impose an occupation or privilege tax on the licensee in excess of that amount; the township board of the township is authorized to fix and impose the tax and the tax shall be paid by the licensee to the township treasurer, who shall issue a receipt therefor to the licensee and shall cause the tax paid to be placed in the general fund of the township.

(k) The annual fee for a retailer's license shall be \$250.

(l) In addition to the license fee prescribed by subsection (k):

(1) Any city in which the licensed premises are located shall levy and collect an annual occupation or license tax on the licensee in an amount not less than \$100 nor more than \$300, but no other occupation or excise tax or license fee shall be levied by any city against or collected from the licensee; and

(2) any township in which the licensed premises are located shall levy and collect an annual occupation or license tax on the licensee in an amount not less than \$100 nor more than \$300; the township board of the township is authorized to fix and impose the tax and the tax shall be paid by the licensee to the township treasurer, who shall issue a receipt therefor to the licensee and shall cause the tax paid to be placed in the general fund of the township.

(m) The license year for a license shall commence on the date the license is issued by the director and shall end one year after that date.

Sec. 5. K.S.A. 1991 Supp. 41-311 is hereby amended to read as follows: 41-311. (a) No license of any kind shall be issued pursuant to the liquor control act to a person:

(1) Who has not been a citizen of the United States for at least 10 years, except that the spouse of a deceased retail licensee may receive and renew a retail license notwithstanding the provisions of this subsection (a)(1) if such spouse is otherwise qualified to hold a retail license and is a United States citizen or becomes a United States citizen within one year after the deceased licensee's death;

(2) who has been convicted of a felony under the laws of this state, any other state or the United States;

(3) who has had a license revoked for cause under the provisions of this act or who has had any license issued under the cereal malt beverage laws of any state revoked for cause except that a license may be issued to a person whose license was revoked for the conviction of a misdemeanor at any time after the lapse of 10 years following the date of the revocation;

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

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

(6) who is not at least 21 years of age;

(7) who, other than as a member of the governing body of a city or county, appoints or supervises any law enforcement officer, who is a law enforcement official or who is an employee of the director;

(8) who intends to carry on the business authorized by the license as agent of another;

(9) who at the time of application for renewal of any license issued under this act would not be eligible for the license upon a first application, except as provided by subsection (a)(12);

(10) who is the holder of a valid and existing license issued under article 27 of chapter 41 of the Kansas Statutes Annotated unless the person agrees to and does surrender the license to the officer issuing the same upon the issuance to the person of a license under this act, except that a retailer licensed pursuant to K.S.A. 41-2702 and amendments thereto shall be eligible to receive a retailer's license under the Kansas liquor control act;

(11) who does not own the premises for which a license is sought, or does not have a written lease thereon for at least $\frac{3}{4}$ of the period for which the license is to be issued; or

(12) whose spouse would be ineligible to receive a license under this act for any reason other than citizenship, residence requirements or age, except that this subsection (a)(12) shall not apply in determining eligibility for a renewal license.

(b) No retailer's license shall be issued to:

(1) A person who is not a resident of this state;

(2) a person who has not been a resident of this state for at least four years immediately preceding the date of application;

(3) a person who has beneficial interest in the manufacture, preparation or wholesaling of alcoholic beverages;

(4) a person ~~or copartnership or association~~ who has beneficial interest in any other retail establishment licensed under this act;

(5) a copartnership, unless all of the copartners are qualified to obtain a license; ~~or~~

(6) a corporation; or

(7) *a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.*

(c) No manufacturer's license shall be issued to:

(1) A corporation, if any officer or director thereof, or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a manufacturer's license for any reason other than citizenship and residence requirements;

(2) a copartnership, unless all of the copartners shall have been residents of this state for at least five years immediately preceding the date of application and unless all the members of the copartnership would be eligible to receive a manufacturer's license under this act;

(3) *a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license;*

(4) an individual who is not a resident of this state; or

(4) (5) an individual who has not been a resident of this state for at least five years immediately preceding the date of application.

(d) No distributor's license shall be issued to:

(1) A corporation, if any officer, director or stockholder of the corporation would be ineligible to receive a distributor's license for any reason. It shall be unlawful for any stockholder of a corporation licensed as a distributor to transfer any stock in the corporation to any person who would be ineligible to receive a distributor's license for any reason, and any such transfer shall be null and void, except that: (A) If any stockholder owning stock in the corporation dies and an heir or devisee to whom stock of the corporation descends by descent and distribution or by will is ineligible to receive a distributor's license, the legal representatives of the deceased stockholder's estate and the ineligible heir or devisee shall have 14 months from the date of the death of the stockholder within which to sell the stock to a person eligible to receive a distributor's license, any such sale by a legal representative to be made in accordance with the provisions of the probate code; or (B) if the stock in any such corporation is the subject of any trust and any trustee or beneficiary of the trust who is 21 years of age or older is ineligible to receive a distributor's license, the trustee, within 14 months after the effective date of the trust, shall sell the stock to a person eligible to receive a distributor's license and hold and disburse the proceeds in accordance with the terms of the trust. If any legal representatives, heirs, devisees or trustees fail, refuse or neglect to sell any stock as required by this subsection, the stock shall revert to and become

the property of the corporation, and the corporation shall pay to the legal representatives, heirs, devisees or trustees the book value of the stock. During the period of 14 months prescribed by this subsection, the corporation shall not be denied a distributor's license or have its distributor's license revoked if the corporation meets all of the other requirements necessary to have a distributor's license;

(2) a copartnership, unless all of the copartners are eligible to receive a distributor's license;

(3) *a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license;*

(4) an individual who is not a resident of this state; or

(4) (5) an individual who has not been a resident of this state for at least 10 years immediately preceding the date of application, except that:

(A) A wholesaler of cereal malt beverages properly licensed on September 1, 1948, shall be eligible for a beer distributor's license; and

(B) a person who has been a resident of the state for at least five years immediately preceding the date of application shall be eligible for a beer distributor's license.

(e) No nonbeverage user's license shall be issued to a corporation, if any officer, manager or director of the corporation or any stockholder owning in the aggregate more than 25% of the stock of the corporation would be ineligible to receive a nonbeverage user's license for any reason other than citizenship and residence requirements.

(f) No microbrewery license or farm winery license shall be issued to a:

(1) Person who is not a resident of this state;

(2) person who has not been a resident of this state for at least four years immediately preceding the date of application;

(3) person who has beneficial interest in the manufacture, preparation or wholesaling of alcoholic beverages other than that produced by such brewery or winery;

(4) person, copartnership or association which has beneficial interest in any retailer licensed under this act or under K.S.A. 41-2702 and amendments thereto;

(5) copartnership, unless all of the copartners are qualified to obtain a license; ~~or~~

(6) corporation, unless stockholders owning in the aggregate 50% or more of the stock of the corporation would be eligible to receive such license and all other stockholders would be eligible to receive such license except for reason of citizenship or residency; or

(7) *a trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) shall not apply in determining whether a beneficiary would be eligible for a license.*

(g) *The provisions of subsections (b)(1), (b)(2), (c)(3), (c)(4), (d)(3), (d)(4), (f)(1) and (f)(2) shall not apply in determining eligibility for the 10th, or a subsequent, consecutive renewal of a license if the applicant has appointed a citizen of the United States who is a resident of Kansas as the applicant's agent and filed with the director a duly authenticated copy of a duly executed power of attorney, authorizing the agent to accept service of process from the director and the courts of this state and to exercise full authority, control and responsibility for the conduct of all business and transactions within the state relative to alcoholic liquor and the business licensed. The agent must be satisfactory to and approved by the director, except that the director shall not approve as an agent any person who:*

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

(2) *has had a license issued under the alcoholic liquor or cereal malt beverage laws of this or any other state revoked for cause, except that a person may be appointed as an agent if the person's license was revoked for the conviction of a misdemeanor and 10 years have lapsed since the date of the revocation;*

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

(continued)

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

(5) is less than 21 years of age.

Sec. 6. K.S.A. 1991 Supp. 41-2623 is hereby amended to read as follows: 41-2623. (a) No license shall be issued under the provisions of this act to:

(1) Any person described in subsection (a)(1), (2), (4), (5), (6), (7), (8), (9) or (12) of K.S.A. 41-311 and amendments thereto, except that the provisions of subsection (a)(7) of such section shall not apply to nor prohibit the issuance of a license for a class A club to an officer of a post home of a congressionally chartered service or fraternal organization; or a benevolent association or society thereof.

(2) A person who has had the person's license revoked for cause under the provisions of this act.

(3) A person who has not been a resident of this state for a period of at least one year immediately preceding the date of application.

(4) A person who has a beneficial interest in the manufacture, preparation or wholesaling or the retail sale of alcoholic liquors or a beneficial interest in any other club, drinking establishment or caterer licensed hereunder, except that:

(A) A license for premises located in a hotel may be granted to a person who has a beneficial interest in one or more other clubs or drinking establishments licensed hereunder if such other clubs or establishments are located in hotels.

(B) A license for a club or drinking establishment which is a restaurant may be issued to a person who has a beneficial interest in other clubs or drinking establishments which are restaurants.

(C) A caterer's license may be issued to a person who has a beneficial interest in a club or drinking establishment and a license for a club or drinking establishment may be issued to a person who has a beneficial interest in a caterer.

(D) A license for a class A club may be granted to an organization of which an officer, director or board member is a distributor or retailer licensed under the liquor control act if such distributor or retailer sells no alcoholic liquor to such club.

(E) On and after January 1, 1988, a license for a class B club or drinking establishment may be granted to a person who has a beneficial interest in a microbrewery or farm winery licensed pursuant to the Kansas liquor control act.

(5) A copartnership, unless all of the copartners are qualified to obtain a license.

(6) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation would be ineligible to receive a license hereunder for any reason other than citizenship and residence requirements.

(7) A corporation, if any officer, manager or director thereof, or any stockholder owning in the aggregate more than 5% of the common or preferred stock of such corporation, has been an officer, manager or director, or a stockholder owning in the aggregate more than 5% of the common or preferred stock, of a corporation which:

(A) Has had a license revoked under the provisions of the club and drinking establishment act; or

(B) has been convicted of a violation of the club and drinking establishment act or the cereal malt beverage laws of this state.

(8) A corporation organized under the laws of any state other than this state.

(9) A trust, if any grantor, beneficiary or trustee would be ineligible to receive a license under this act for any reason, except that the provisions of subsection (a)(6) of K.S.A. 41-311 and amendments thereto shall not apply in determining whether a beneficiary would be eligible for a license.

(b) No club or drinking establishment license shall be issued under the provisions of the club and drinking establishment act to:

(1) A person described in subsection (a)(11) of K.S.A. 41-311 and amendments thereto.

(2) A person who is not a resident of the county in which the premises sought to be licensed are located.

Sec. 7. K.S.A. 1991 Supp. 41-102, 41-308a, 41-308b, 41-310, 41-311 and 41-2623 are hereby repealed.

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

(Published in the Kansas Register, May 7, 1992.)

SENATE BILL No. 547

AN ACT making and concerning appropriations for the fiscal year ending June 30, 1992, for the Larned state hospital, Osawatomie state hospital, Rainbow mental health facility, Topeka state hospital, department of corrections, Kansas racing commission, department of commerce, department of social and rehabilitation services, state board of indigents' defense services, Kansas animal health department, Kansas wheat commission, state board of agriculture, Kansas neurological institute, Parsons state hospital and training center, Winfield state hospital and training center, public broadcasting commission, state fair board, department of revenue, Kansas lottery, department of education and secretary of state; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

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

Section 1. For the fiscal year ending June 30, 1992, appropriations are hereby made, restrictions and limitations are hereby imposed, and transfers, fees, receipts, disbursements and acts incidental to the foregoing are hereby directed or authorized as provided in this act.

Sec. 2.

LARNED STATE HOSPITAL

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditure \$12,359

(b) The expenditure limitation established by section 4(b) of chapter 11 of the 1991 Session Laws of Kansas on the title XIX fund is hereby increased from \$7,635,266 to \$7,995,357.

(c) The expenditure limitation established by section 4(b) of chapter 11 of the 1991 Session Laws of Kansas on the Larned state hospital fee fund is hereby decreased from \$1,550,702 to \$1,406,384.

Sec. 3.

OSAWATOMIE STATE HOSPITAL

(a) The expenditure limitation established by section 5(b) of chapter 11 of the 1991 Session Laws of Kansas on the title XIX fund is hereby increased from \$6,923,341 to \$7,047,097.

(b) On the effective date of this act, of the \$11,671,044 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 5(a) of chapter 11 of the 1991 Session Laws of Kansas from the state general fund in the operating expenditures account, the sum of \$1,230,535 is hereby lapsed.

(c) The expenditure limitation established by section 5(b) of chapter 11 of the 1991 Session Laws of Kansas on the Osawatomie state hospital fee fund is hereby increased from \$1,951,610 to \$3,182,145.

Sec. 4.

RAINBOW MENTAL HEALTH FACILITY

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures \$38,494

(b) The expenditure limitation established by section 7(b) of chapter 11 of the 1991 Session Laws of Kansas on the title XIX fund is hereby increased from \$2,841,298 to \$2,877,105.

(c) The expenditure limitation established by section 7(b) of chapter 11 of the 1991 Session Laws of Kansas on the Rainbow mental health facility fee fund is hereby decreased from \$325,603 to \$305,820.

Sec. 5.

TOPEKA STATE HOSPITAL

(a) There is appropriated for the above agency from the state general fund the following:

Operating expenditures \$175,000

(b) The expenditure limitation established by section 8(b) of chapter 11 of the 1991 Session Laws of Kansas on the title XIX fund is hereby increased from \$7,534,446 to \$7,759,714.

(c) The expenditure limitation established by section 8(b) of chapter 11 of the 1991 Session Laws of Kansas on the Topeka state hospital fee fund is hereby decreased from \$4,792,645 to \$4,483,481.

Sec. 6.

DEPARTMENT OF CORRECTIONS

(a) There is appropriated for the above agency from the state general fund the following:

Other operating expenditures \$462,060

(b) There is appropriated for the above agency from the following special revenue fund all moneys now or hereafter lawfully credited

to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Victim notification fund No limit

(c) On the effective date of this act, of the \$11,310,574 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 23 of the 1991 Session Laws of Kansas from the state general fund in the inmate programs account, the sum of \$462,060 is hereby lapsed.

Sec. 7.

KANSAS RACING COMMISSION

(a) The expenditure limitation established by the state finance council on the state racing fund is hereby decreased from \$1,959,635 to \$1,750,305.

Sec. 8.

DEPARTMENT OF COMMERCE

(a) The expenditure limitation established by the state finance council on the low-income housing tax credit fee fund is hereby increased from \$62,419 to \$122,706.

(b) There is appropriated for the above agency from the following special revenue fund all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

EDA grant fund No limit

(c) On the effective date of this act, the expenditure limitation established by section 24(b) of chapter 30 of the 1991 Session Laws of Kansas on the state economic development initiatives fund is hereby increased from \$8,020,504 to \$8,180,504.

(d) On the effective date of this act, the expenditure limitation established by section 24(b) of chapter 30 of the 1991 Session Laws of Kansas on the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$8,020,504 to \$8,180,504.

(e) On the effective date of this act, the expenditure limitation established by section 24(b) of chapter 30 of the 1991 Session Laws of Kansas on the state operations (including official hospitality) subaccount of the Kansas economic development endowment account of the state economic development initiatives fund is hereby increased from \$4,325,504 to \$4,385,504.

(f) In addition to the purposes for which expenditures may be made from the Kansas economic development endowment account of the state economic development initiatives fund for the fiscal year ending June 30, 1992, expenditures may be made by the above agency for the following, subject to the expenditure limitation prescribed therefor:

Tourist attraction development grants \$100,000

Sec. 9.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

(a) There is appropriated for the above agency from the state general fund the following:

Kansas City workshop for the blind	\$2,000
Additional grant support for Kansas advocacy and protective services	325
Kansas guardianship program	9,404
Alcohol and drug abuse services grants	43,111
Mental health and retardation services aid and assistance	378,525
Youth services aid and assistance	1,062,878
Long term care litigation injunction costs	80,000
Medical assistance for pharmaceuticals	172,250
State match for federal challenge grant	191,000
Total	\$1,939,493

(b) On the effective date of this act, of the \$70,116,207 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 11 of the 1991 Session Laws of Kansas from the state general fund in the state operations account, the sum of \$2,122,536 is hereby lapsed.

(c) On the effective date of this act, of the \$86,799,389 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 11 of the 1991 Session Laws of Kansas from the state general fund in the medical assistance for long-term care account, the sum of \$3,797,873 is hereby lapsed.

(d) On the effective date of this act, of the \$105,713,078 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 11 of the 1991 Session Laws of Kansas from the state general fund in the other medical assistance account, the sum of \$3,651,868 is hereby lapsed.

(e) On the effective date of this act, of the \$1,921,115 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 11 of the 1991 Session Laws of Kansas from the state general fund in the vocational rehabilitation aid and assistance account, the sum of \$93,539 is hereby lapsed.

(f) On the effective date of this act, of the \$65,665,859 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 11 of the 1991 Session Laws of Kansas from the state general fund in the cash assistance account, the sum of \$1,350,071 is hereby lapsed.

(g) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 11 of the 1991 Session Laws of Kansas on the vocational rehabilitation special revenue fund is hereby increased from \$521,742 to \$574,771.

(h) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 11 of the 1991 Session Laws of Kansas on the charitable institutional commodity program fund is hereby increased from \$59,323 to \$422,937.

(i) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 11 of the 1991 Session Laws of Kansas on the social services block grant—federal fund is hereby increased from \$28,265,434 to \$29,258,243.

(j) On the effective date of this act, the expenditure limitation established by section 2(l) of chapter 30 of the 1991 Session Laws of Kansas on the community services block grant—federal fund is hereby increased from \$2,941,652 to \$2,949,438.

(k) On the effective date of this act, the expenditure limitation established by the state finance council on the vocational rehabilitation of disabled persons fund—federal is hereby increased from \$17,115,524 to \$17,716,967.

(l) On the effective date of this act, the expenditure limitation established by the state finance council on the rehabilitation program—social security—federal fund is hereby increased from \$875,545 to \$1,296,431.

(m) On the effective date of this act, the expenditure limitation established by the state finance council on the department of energy training and technical assistance—federal fund is hereby increased from \$143,842 to \$219,395.

(n) On the effective date of this act, the expenditure limitation established by the state finance council on the vocational rehabilitation—client assistance project—federal fund is hereby increased from \$68,070 to \$83,004.

(o) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 11 of the 1991 Session Laws of Kansas on the mental health services and management block grant—federal fund is hereby increased from \$2,299,302 to \$2,447,578.

(p) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 11 of the 1991 Session Laws of Kansas on the rehabilitation services—title III—federal fund is hereby increased from \$100,173 to \$140,351.

(q) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 11 of the 1991 Session Laws of Kansas on the vocational rehabilitation supported employment—title VI(C)—federal fund is hereby increased from \$250,000 to \$302,500.

(r) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 11 of the 1991 Session Laws of Kansas on the drug abuse fund—department of social and rehabilitation services—federal fund is hereby increased from \$648,341 to \$821,273.

(s) On the effective date of this act, the expenditure limitation established by the state finance council on the family and children trust fund is hereby increased from \$246,704 to \$249,646.

(t) On the effective date of this act, of the \$880,211 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 2(a) of chapter 11 of the 1991 Session Laws of Kansas from the state general fund in the adult services aid and assistance account, the sum of \$13,255 is hereby lapsed.

(u) On the effective date of this act, the expenditure limitation established by the state finance council on the child abuse and neglect program fund—federal is hereby increased from \$273,263 to \$282,143.

(continued)

(v) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 11 of the 1991 Session Laws of Kansas on the oil overcharge-weatherization fund is hereby increased from \$2,000,000 to \$2,301,614.

(w) On the effective date of this act, the expenditure limitation established by the state finance council on the vocational rehabilitation—independent living program—federal fund is hereby increased from \$566,131 to \$587,069.

(x) On the effective date of this act, the expenditure limitation established by the state finance council on the state operations account of the social services clearing fund is hereby increased from \$163,545,926 to \$175,144,994.

(y) On the effective date of this act, the expenditure limitation established by the state finance council on the salaries and wages account of the social services clearing fund is hereby increased from \$109,178,370 to \$111,904,704.

(z) On the effective date of this act, the expenditure limitation established by the state finance council on the other operating expenditures account of the social services clearing fund is hereby increased from \$54,367,556 to \$63,240,290.

(aa) On the effective date of this act, the position limitation established by the state finance council for the above agency is hereby increased from 3,373.2 to 3,383.2.

(bb) In addition to the purposes for which expenditures may be made from the social welfare fund for the fiscal year ending June 30, 1992, expenditures may be made by the above agency from the social welfare fund for fiscal year 1992 for the purpose of paying certain expenditures incurred by the state youth centers as specified by the secretary, except that such expenditures for this purpose from the social welfare fund shall not exceed \$163,000.

(cc) On the effective date of this act, the expenditure limitation established by section 2(b) of chapter 11 of the 1991 Session Laws of Kansas on the vocational rehabilitation—client assistance project—federal fund is hereby increased from \$68,070 to No limit.

Sec. 10.

STATE BOARD OF INDIGENTS' DEFENSE SERVICES

(a) There is appropriated for the above agency from the state general fund the following:

Assigned counsel \$408,434

Sec. 11.

KANSAS ANIMAL HEALTH DEPARTMENT

(a) There is appropriated for the above agency from the state general fund the following:

Animal disease control program \$20,000

(b) On the effective date of this act, of the \$59,224 appropriated for the above agency for the fiscal year ending June 30, 1992, by section 3(a) of chapter 18 of the 1991 Session Laws of Kansas from the state general fund in the administration program account, the sum of \$20,336 is hereby lapsed.

(c) On the effective date of this act, the livestock commissioner shall certify to the director of accounts and reports the amount of moneys credited to the animal disease control fund that is attributable to moneys received under K.S.A. 47-1721, and amendments thereto and, upon receipt of such certification, the director of accounts and reports shall transfer the amount certified from the animal disease control fund to the animal dealers fee fund.

Sec. 12.

KANSAS WHEAT COMMISSION

(a) On the effective date of this act, the director of accounts and reports shall transfer \$300,000 from the Kansas wheat commission fund to the Kansas wheat commission emergency fund.

Sec. 13.

STATE BOARD OF AGRICULTURE

(a) There is appropriated for the above agency from the following special revenue fund all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Geographic information system fee fund No limit

(b) On the effective date of this act, the expenditure limitation established by section 36(b) of chapter 30 of the 1991 Session Laws of Kansas on the economic development fund is hereby increased from \$225,000 to \$231,650.

(c) On the effective date of this act, the director of accounts and

reports shall transfer \$6,650 from the Kansas economic development endowment account of the state economic development initiatives fund of the department of commerce to the economic development fund of the state board of agriculture.

(d) On the effective date of this act, the expenditure limitation established by section 36(b) of chapter 30 of the 1991 Session Laws of Kansas on the federal pesticide enforcement fund is hereby increased from \$255,617 to \$278,620.

Sec. 14.

KANSAS NEUROLOGICAL INSTITUTE

(a) The expenditure limitation established by section 3(b) of chapter 11 of the 1991 Session Laws of Kansas on the Kansas neurological institute fee fund is hereby increased from \$715,906 to \$732,578.

Sec. 15.

PARSONS STATE HOSPITAL AND TRAINING CENTER

(a) The expenditure limitation established by section 6(b) of chapter 11 of the 1991 Session Laws of Kansas on the Parson state hospital and training center fee fund is hereby increased from \$642,777 to \$670,123.

Sec. 16.

WINFIELD STATE HOSPITAL AND TRAINING CENTER

(a) The expenditure limitation established by section 16(d) of chapter 30 of the 1991 Session Laws of Kansas on the Winfield state hospital fee fund is hereby increased from \$1,190,684 to \$1,312,288.

Sec. 17.

PUBLIC BROADCASTING COMMISSION

(a) There is appropriated for the above agency from the state general fund the following:

Operating grant for radio station KANZ-FM at Pierceville \$8,000
Operations 6,000
Total \$11,000

Sec. 18.

STATE FAIR BOARD

(a) There is appropriated for the above agency from the state general fund the following:

Roof repair \$46,340

(b) On the effective date of this act, any unencumbered balance in the allocation made to the state fair board by the state finance council on June 27, 1990, is hereby lapsed.

(c) On the effective date of this act, the expenditure limitation established by section 5(a) of chapter 18 of the 1991 Session Laws of Kansas on the official hospitality account of the state fair fee fund is hereby increased from \$1,000 to \$2,000.

Sec. 19.

DEPARTMENT OF REVENUE

(a) There is appropriated for the above agency from the following special revenue fund all moneys now or hereafter lawfully credited to and available in such fund, except that expenditures other than refunds authorized by law shall not exceed the following:

Local report fee fund \$1,181

(b) On the effective date of this act, the expenditure limitation established by section 3(b) of chapter 21 of the 1991 Session Laws of Kansas on the aid to counties for reappraisal—EDIF fund is hereby increased from \$3,000,000 to \$3,318,077.

(c) Expenditures may be made by the above agency for fiscal year 1992 from the aid to counties for reappraisal—EDIF fund of the above agency for the purpose of paying the costs of education and training programs offered to train county appraisers and their staffs.

Sec. 20.

KANSAS LOTTERY

(a) On the effective date of this act, the expenditure limitation established by the state finance council on the lottery operating fund is hereby decreased from \$9,034,181 to \$8,764,878.

(b) On the effective date of this act, the expenditure limitation established by the state finance council on the salaries and wages account of the lottery operating fund is hereby decreased from \$3,285,624 to \$3,105,991.

(c) On the effective date of this act, the expenditure limitation established by section 4(a) of chapter 21 of the 1991 Session Laws of Kansas on the other operating expenditures account of the lottery operating fund is hereby decreased from \$5,753,557 to \$5,658,887.

(d) On or before June 30, 1992, the director of accounts and reports shall transfer the sum of \$2,400,000 from the lottery operating fund to the state gaming revenues fund.

Sec. 21.

DEPARTMENT OF EDUCATION

(a) There is appropriated from the above agency from the state general fund the following:

Community college credit hour state aid.....	\$1,500,000
Community college out-district state aid entitlement.....	500,000
Total.....	\$2,000,000

(b) All moneys received by the state board of education during the fiscal year ending June 30, 1992, pursuant to K.S.A. 72-7052 and amendments thereto, shall be deposited in the state treasury and shall be credited to the state school equalization aid account of the state general fund of the department of education.

Sec. 22.

SECRETARY OF STATE

(a) No moneys appropriated from the state general fund or any special revenue fund for the fiscal year ending June 30, 1992, by

this act or in any appropriation act of the 1991 regular session of the legislature or in any other appropriation act of the 1992 regular session of the legislature for the secretary of state shall be expended for purchasing or otherwise acquiring any computer hardware or peripherals for transfer to the Kansas racing commission.

Sec. 23. *Appeals to exceed position limitations.* The limitations imposed by this act on the number of full-time and regular part-time positions equated to full-time, excluding seasonal and temporary positions, paid from appropriations for fiscal year 1992 made in this act or in any appropriation act of the 1991 regular session of the legislature or in any other appropriation act of the 1992 regular session of the legislature may be exceeded upon approval of the state finance council.

Sec. 24. *Appeals to exceed limitations.* Upon written application to the governor and approval of the state finance council, expenditures from special revenue funds may exceed the amounts specified in this act.

Sec. 25. *Effective date.* This act shall take effect and be in force from and after its publication in the Kansas register.

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 ADMINISTRATION

Reg. No.	Action	Register
1-2-30	New	V. 11, p. 278
1-2-81	Revoked	V. 11, p. 278
1-5-15	Amended	V. 10, p. 1688
1-5-27	Revoked	V. 10, p. 1688
1-5-28	Amended	V. 10, p. 1688
1-5-30	Amended	V. 10, p. 1689
1-6-2	Amended	V. 11, p. 278
1-6-29	Amended	V. 10, p. 1689
1-6-32	Amended	V. 11, p. 278
1-9-4	Amended	V. 10, p. 1690
1-9-5	Amended	V. 10, p. 1691
1-9-7a	Amended	V. 10, p. 382, 760
1-9-19a	Amended	V. 11, p. 279
1-9-21	Amended	V. 10, p. 1692
1-16-18	Amended	V. 10, p. 1470, 1497
1-17-1	Amended	V. 10, p. 1471
1-17-2	Amended	V. 10, p. 1471
1-17-2a	Amended	V. 10, p. 1471
1-45-16	Amended	V. 10, p. 1692
1-49-1	Amended	V. 10, p. 1472

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. 11, p. 555
4-7-717	Amended	V. 10, p. 1320
4-7-719	Amended	V. 11, p. 63
4-7-722	Amended	V. 10, p. 1320
4-8-14	Revoked	V. 10, p. 1320
4-8-14a	New	V. 10, p. 1320
4-8-27	Amended	V. 11, p. 555
4-8-30	Amended	V. 10, p. 1321
4-8-39	Amended	V. 10, p. 1321
4-8-40	Amended	V. 10, p. 1321

4-8-41	New	V. 11, p. 555
4-13-28	New	V. 10, p. 1321
4-15-2	Amended	V. 11, p. 555
4-16-300 through 4-16-305	New	V. 11, p. 556, 557
4-17-300 through 4-17-305	New	V. 11, p. 557, 558
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
5-40-1	Amended	V. 11, p. 15, 40
5-42-1	Amended	V. 11, p. 40, 361
5-42-3	Amended	V. 11, p. 361
5-44-1 through 5-44-6	New	V. 11, p. 15-17, 40-42
5-45-1 through 5-45-4	Amended	V. 11, p. 42-44, 361-363
5-45-6	Amended	V. 11, p. 44, 363
5-45-7	Amended	V. 11, p. 44, 363
5-45-12	Amended	V. 11, p. 44, 363
5-45-13	Amended	V. 11, p. 45, 364
5-45-14 through 5-45-17	New	V. 11, p. 45, 364, 365

AGENCY 7: SECRETARY 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

Reg. No.	Action	Register
9-13-1 through 9-13-3	Revoked	V. 10, p. 1821, 1822
9-13-4	Revoked	V. 10, p. 257
9-18-1	Amended	V. 10, p. 1822
9-19-1 through 9-19-11	New	V. 10, p. 1822-1827
9-20-1	New	V. 10, p. 1827
9-20-2	New	V. 10, p. 1828
9-20-3	New	V. 10, p. 1828
9-21-1	New	V. 10, p. 1828
9-21-2	New	V. 10, p. 1829
9-21-3	New	V. 10, p. 1829
9-22-1	New	V. 10, p. 1829
9-22-2	New	V. 10, p. 1830
9-22-3	New	V. 10, p. 1830

9-23-1	New	V. 10, p. 1830
9-23-2	New	V. 10, p. 1831
9-23-3	New	V. 10, p. 1831
9-24-1	New	V. 10, p. 1831
9-24-2	New	V. 10, p. 1832
9-24-3	New	V. 10, p. 1832

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 17: STATE BANKING DEPARTMENT

Reg. No.	Action	Register
17-11-17	Amended	V. 10, p. 1768
17-11-18	Amended	V. 10, p. 1768
17-11-21	Amended	V. 10, p. 1768
17-12-1	Amended	V. 10, p. 1768
17-12-2	Amended	V. 10, p. 1769
17-14-1	Amended	V. 10, p. 1769
17-15-1	Amended	V. 10, p. 1769
17-16-1	Amended	V. 10, p. 1772
17-16-2	Amended	V. 10, p. 1772
17-16-3	Amended	V. 10, p. 1772
17-16-5	Amended	V. 10, p. 1773
17-16-6	Amended	V. 10, p. 1773
17-16-8	Amended	V. 10, p. 1773
17-16-9	Amended	V. 10, p. 1773
17-18-4	Amended	V. 10, p. 1773
17-20-1	New	V. 10, p. 1773

AGENCY 21: KANSAS HUMAN RIGHTS COMMISSION

Reg. No.	Action	Register
21-34-1 through 21-34-21	New	V. 11, p. 357-360
21-34-1 through 21-34-21	New	V. 11, p. 504-507

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
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

(continued)

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

Reg. No.	Action	Register
25-4-1	Amended	V. 10, p. 405
25-4-4	Amended	V. 11, p. 164

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-8-1 through 26-8-14	New	V. 10, p. 1285-1287

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-4-405	Amended	V. 10, p. 257
28-4-530	New	V. 10, p. 1246
28-4-531	New	V. 10, p. 1246
28-17-6	Amended	V. 10, p. 1246
28-17-12	Amended	V. 10, p. 1246
28-19-17	Amended	V. 11, p. 608
28-19-17a through 28-19-17l	Amended	V. 11, p. 608, 609
28-19-17m through 28-19-17q	New	V. 11, p. 609, 610
28-19-19	Amended	V. 11, p. 610
28-19-61	Amended	V. 10, p. 1246
28-19-62	Amended	V. 10, p. 1250
18-19-73	Amended	V. 11, p. 612
28-19-76	New	V. 10, p. 1251
28-19-77	New	V. 10, p. 1252
28-19-78	New	V. 10, p. 1254
28-29-28 through 28-29-36	New	V. 11, p. 614-620
28-31-8a	Revoked	V. 11, p. 232
28-31-10a	New	V. 11, p. 232
28-35-147	Amended	V. 11, p. 130
28-36-30	Amended	V. 10, p. 1655
28-39-77	Amended	V. 10, p. 1655
28-53-1 through 28-53-5	New	V. 10, p. 199
28-59-1 through 28-59-8	New	V. 10, p. 111-113

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-2-16	Amended	V. 10, p. 1353
30-4-34	Amended	V. 10, p. 956
30-4-41	Amended	V. 10, p. 1648
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
30-4-112	Amended	V. 10, p. 1648
30-4-113	Amended	V. 10, p. 693
30-4-120	Amended	V. 10, p. 343
30-4-130	Amended	V. 10, p. 961
30-4-140	Amended	V. 11, p. 365
30-5-58	Amended	V. 11, p. 365
30-5-59	Amended	V. 11, p. 371
30-5-64	Amended	V. 11, p. 372
30-5-65	Amended	V. 11, p. 372
30-5-70	Amended	V. 11, p. 372
30-5-77	Amended	V. 10, p. 1291
30-5-78	New	V. 10, p. 1364
30-5-79	New	V. 10, p. 1364
30-5-81	Amended	V. 10, p. 699
30-5-86	Amended	V. 10, p. 699
30-5-88	Amended	V. 10, p. 700
30-5-92	Amended	V. 10, p. 344
30-5-94	Amended	V. 10, p. 345
30-5-95	Amended	V. 11, p. 205
30-5-101	Amended	V. 10, p. 1365
30-5-103	Amended	V. 10, p. 1365
30-5-104	Amended	V. 10, p. 701
30-5-110	Amended	V. 11, p. 373
30-5-112	Amended	V. 10, p. 963
30-5-113	Amended	V. 10, p. 963
30-5-114	Amended	V. 10, p. 1365

30-5-115	Amended	V. 10, p. 963
30-5-116	Amended	V. 10, p. 1496, 1649
30-5-116a	Amended	V. 10, p. 1496, 1649
30-5-151	Amended	V. 10, p. 963
30-5-152	Amended	V. 10, p. 963
30-5-154	Amended	V. 10, p. 963
30-5-156	Amended	V. 10, p. 963
30-5-157	Amended	V. 10, p. 964
30-5-159	Amended	V. 10, p. 964
30-5-160	Amended	V. 10, p. 964
30-5-161	Amended	V. 10, p. 964
30-5-162	Amended	V. 10, p. 964
30-5-163	Amended	V. 10, p. 964
30-5-164	Amended	V. 10, p. 964
30-5-166	Amended	V. 10, p. 964
30-5-167	Amended	V. 10, p. 964
30-5-168	Amended	V. 10, p. 964
30-5-169	Amended	V. 10, p. 964
30-5-170	Amended	V. 10, p. 965
30-5-171	Amended	V. 10, p. 965
30-6-53	Amended	V. 10, p. 1366
30-6-55	Amended	V. 11, p. 374
30-6-56	Amended	V. 11, p. 374
30-6-65	Amended	V. 10, p. 1650
30-6-74	Revoked	V. 10, p. 1366
30-6-77	Amended	V. 10, p. 701
30-6-82	New	V. 10, p. 702
30-6-86	Amended	V. 10, p. 348
30-6-94	New	V. 10, p. 1651
30-6-103	Amended	V. 10, p. 1651
30-6-106	Amended	V. 10, p. 1651
30-6-107	Amended	V. 10, p. 705
30-6-111	Amended	V. 10, p. 351
30-6-112	Amended	V. 10, p. 1653
30-6-113	Amended	V. 10, p. 706
30-7-65	Amended	V. 10, p. 707
30-7-75	Amended	V. 10, p. 708
30-7-76	Amended	V. 10, p. 1654
30-7-77	Amended	V. 10, p. 1655
30-7-78	Amended	V. 10, p. 1655
30-10-1a	Amended	V. 11, p. 205
30-10-1b	Amended	V. 11, p. 376
30-10-7	Amended	V. 10, p. 354
30-10-11	Amended	V. 11, p. 376
30-10-15a	Amended	V. 10, p. 708
30-10-15b	Amended	V. 10, p. 1372
30-10-16	Revoked	V. 10, p. 709
30-10-17	Amended	V. 10, p. 1373
30-10-18	Amended	V. 11, p. 378
30-10-19	Amended	V. 10, p. 1376
30-10-23a	Amended	V. 11, p. 379
30-10-23b	Amended	V. 11, p. 380
30-10-24	Amended	V. 10, p. 1377
30-10-25	Amended	V. 10, p. 1378
30-10-27	Amended	V. 10, p. 1379
30-10-29	Amended	V. 10, p. 1379
30-10-30	Revoked	V. 10, p. 355
30-10-200	Amended	V. 11, p. 207
30-10-207	Amended	V. 10, p. 1200
30-10-208	Amended	V. 10, p. 1200
30-10-210		
30-10-226 through 30-10-226	New	V. 10, p. 48-57
30-10-210	Amended	V. 11, p. 209
30-10-211	Amended	V. 10, p. 1203
30-10-212	Amended	V. 11, p. 210
30-10-213	Amended	V. 10, p. 1204
30-10-214	Amended	V. 10, p. 1230
30-10-215	Amended	V. 10, p. 1206
30-10-217	Amended	V. 11, p. 210
30-10-218	Amended	V. 10, p. 1207
30-10-219	Amended	V. 11, p. 211
30-10-220	Amended	V. 10, p. 1208
30-10-221	Amended	V. 10, p. 1208
30-10-226	Revoked	V. 10, p. 1209
30-22-1	Amended	V. 10, p. 1380
30-22-2	Amended	V. 10, p. 1380
30-22-5	Amended	V. 10, p. 1381
30-22-6	Amended	V. 10, p. 1381
30-22-11 through 30-22-28	Revoked	V. 10, p. 1381
30-41-1	Amended	V. 10, p. 710
30-41-7a	Amended	V. 10, p. 711
30-41-7i	New	V. 10, p. 711
30-41-20	New	V. 10, p. 711

30-46-13	Amended	V. 10, p. 1381
30-46-14	Revoked	V. 10, p. 1381
30-46-15	Amended	V. 10, p. 1381
30-60-1	New	V. 10, p. 1381
30-60-2	New	V. 10, p. 1381
30-60-5	New	V. 10, p. 1382
30-60-6	New	V. 10, p. 1382
30-60-7	New	V. 10, p. 1383
30-60-10	New	V. 10, p. 1383
30-60-11	New	V. 10, p. 1383
30-60-12	New	V. 10, p. 1384
30-60-17	New	V. 10, p. 1384
30-60-18	New	V. 10, p. 1384
30-60-19	New	V. 10, p. 1384
30-60-25	New	V. 10, p. 1385
30-60-26	New	V. 10, p. 1385
30-60-27	New	V. 10, p. 1385
30-60-28	New	V. 10, p. 1386
30-60-40	New	V. 10, p. 1386
30-60-41	New	V. 10, p. 1386
30-60-45	New	V. 10, p. 1386
30-60-46	New	V. 10, p. 1386
30-60-47	New	V. 10, p. 1386
30-60-50	New	V. 10, p. 1387
30-60-55	New	V. 10, p. 1387
30-60-60	New	V. 10, p. 1388
30-60-61	New	V. 10, p. 1389
30-60-62	New	V. 10, p. 1389
30-60-70	New	V. 10, p. 1389
30-60-71	New	V. 10, p. 1390
30-60-72	New	V. 10, p. 1390
30-60-73	New	V. 10, p. 1390
30-60-74	New	V. 10, p. 1390
30-60-75	New	V. 10, p. 1390
30-60-76	New	V. 10, p. 1390
30-61-1	New	V. 10, p. 1391
30-61-2	New	V. 10, p. 1391
30-61-5	New	V. 10, p. 1391
30-61-6	New	V. 10, p. 1391
30-61-10	New	V. 10, p. 1391
30-61-15	New	V. 10, p. 1391
30-61-16	New	V. 10, p. 1392

AGENCY 36: DEPARTMENT OF TRANSPORTATION

Reg. No.	Action	Register
36-1-1	Amended	V. 10, p. 88
36-1-28 through 36-1-34	New	V. 10, p. 88-91
36-13-30 through 36-13-34	Amended	V. 11, p. 657-662
36-13-36	Revoked	V. 11, p. 663
36-13-37	Amended	V. 11, p. 663
36-13-38	New	V. 11, p. 664
36-13-39	New	V. 11, p. 664

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-1-28	Amended	V. 10, p. 1582
40-1-38	New	V. 10, p. 1693
40-2-15	Amended	V. 10, p. 1693
40-2-20	New	V. 10, p. 259, 383
40-2-21	New	V. 10, p. 1583
40-3-22	Amended	V. 10, p. 1693
40-3-46	New	V. 10, p. 381
40-3-47	New	V. 10, p. 381
40-3-48	New	V. 10, p. 1584
40-4-35	Amended	V. 11, p. 82
40-4-37	Amended	V. 10, p. 1695

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-106	Amended	V. 10, p. 1195
44-6-108	Amended	V. 10, p. 1195
44-6-114c	Amended	V. 10, p. 1196
44-6-120	Amended	V. 11, p. 230
44-6-124	Amended	V. 11, p. 230
44-6-125	Amended	V. 11, p. 231
44-6-126	Amended	V. 10, p. 1197
44-6-133	Amended	V. 10, p. 1197
44-6-134	Amended	V. 10, p. 1197
44-6-135	Amended	V. 11, p. 231
44-6-142	Amended	V. 10, p. 1198

44-7-113 Amended V. 11, p. 316
 44-7-115 New V. 11, p. 316
 44-12-101 Amended V. 11, p. 316
 44-12-102 Amended V. 11, p. 316
 44-12-104 Amended V. 11, p. 316
 44-12-105 Amended V. 11, p. 317
 44-12-201 Amended V. 11, p. 317
 44-12-202 Amended V. 11, p. 317
 44-12-204 Amended V. 11, p. 317
 44-12-205 Amended V. 11, p. 317
 44-12-208 Amended V. 11, p. 317
 44-12-209 Amended V. 11, p. 317
 44-12-209 Amended V. 11, p. 317
 44-12-301 Amended V. 11, p. 317
 44-12-307 Amended V. 11, p. 317
 44-12-308 Amended V. 11, p. 317
 44-12-309 Amended V. 11, p. 317
 44-12-312 Amended V. 11, p. 317
 44-12-313 Amended V. 11, p. 318
 44-12-314 Amended V. 11, p. 318
 44-12-315 Amended V. 11, p. 318
 44-12-316 Revoked V. 11, p. 318
 44-12-317 Amended V. 11, p. 318
 44-12-319 Amended V. 11, p. 318
 44-12-321 Amended V. 11, p. 318
 44-12-323 Amended V. 11, p. 318
 44-12-324 Amended V. 11, p. 319
 44-12-325 Amended V. 11, p. 319
 44-12-326 Amended V. 11, p. 319
 44-12-328 New V. 11, p. 319
 44-12-401 Amended V. 11, p. 319
 44-12-501 Amended V. 11, p. 319
 44-12-502 Amended V. 1, p. 319
 44-12-503 Amended V. 11, p. 319
 44-12-505b New V. 11, p. 320
 44-12-601 Amended V. 11, p. 320
 44-12-602 Amended V. 11, p. 321
 44-12-701 Revoked V. 11, p. 321
 44-12-901 Amended V. 11, p. 321
 44-12-902 Amended V. 11, p. 322
 44-12-1001 Amended V. 11, p. 322
 44-12-1002 Amended V. 11, p. 322
 44-12-1101 Amended V. 11, p. 322
 44-12-1201 Amended V. 11, p. 322
 44-12-1202 Amended V. 11, p. 322
 44-12-1301 Amended V. 11, p. 323
 44-12-1302 Amended V. 11, p. 323
 44-12-1303 Amended V. 11, p. 323
 44-12-1304 Revoked V. 11, p. 323
 44-12-1306 Amended V. 11, p. 323
 44-12-1307 Amended V. 11, p. 324
 44-13-101 Amended V. 11, p. 324
 44-13-101a Amended V. 11, p. 325
 44-13-103 Amended V. 11, p. 325
 44-13-104 Amended V. 11, p. 325
 44-13-106 Amended V. 11, p. 325
 44-13-115 Revoked V. 11, p. 325
 44-13-201 Amended V. 11, p. 325
 44-13-201b New V. 11, p. 326
 44-13-202 Amended V. 11, p. 327
 44-13-203 Amended V. 11, p. 327
 44-13-301 Revoked V. 11, p. 327
 44-13-302 Revoked V. 11, p. 327
 44-13-302a New V. 11, p. 327
 44-13-303 Revoked V. 11, p. 328
 44-13-304 Amended V. 11, p. 328
 44-13-401 Amended V. 11, p. 328
 44-13-402 Amended V. 11, p. 328
 44-13-403 Amended V. 11, p. 328
 44-13-404 Amended V. 11, p. 330
 44-13-405 Revoked V. 11, p. 331
 44-13-405a Amended V. 11, p. 331
 44-13-406 Amended V. 11, p. 331
 44-13-407 Revoked V. 11, p. 332
 44-13-408 Amended V. 11, p. 332
 44-13-501 Amended V. 11, p. 332
 44-13-502 Revoked V. 11, p. 332
 44-13-502a New V. 11, p. 332
 44-13-503 Revoked V. 11, p. 332
 44-13-504 Revoked V. 11, p. 333
 44-13-506 Amended V. 11, p. 333
 44-13-507 Amended V. 11, p. 333
 44-13-601 Amended V. 11, p. 333
 44-13-603 Amended V. 11, p. 333
 44-13-610 Amended V. 11, p. 333
 44-13-701 Amended V. 11, p. 333

44-13-702 Amended V. 11, p. 334
 44-13-703 Amended V. 11, p. 334
 44-13-704 Amended V. 11, p. 334
 44-13-705 Amended V. 11, p. 334
 44-13-706 Amended V. 11, p. 334
 44-13-707 Amended V. 11, p. 335
 44-15-101 Amended V. 11, p. 335
 44-15-102 Amended V. 11, p. 335
 44-15-105a New V. 11, p. 336
 44-16-104 Amended V. 11, p. 337

65-6-8 Revoked V. 11, p. 473
 65-6-11 Revoked V. 11, p. 474
 65-6-12 Revoked V. 11, p. 474
 65-6-16 Revoked V. 11, p. 474
 65-6-25 Revoked V. 11, p. 474
 65-6-30 Revoked V. 11, p. 474
 65-6-33 Revoked V. 11, p. 474
 65-6-36 Revoked V. 11, p. 474
 65-6-37 Revoked V. 11, p. 474
 65-7-1 Revoked V. 11, p. 474
 65-7-2 Revoked V. 11, p. 474
 65-7-4 Revoked V. 11, p. 474
 65-7-8 Revoked V. 11, p. 474
 65-7-9 Revoked V. 11, p. 474
 65-7-11 Revoked V. 11, p. 474
 65-7-12 Revoked V. 11, p. 474
 65-7-13 Revoked V. 11, p. 474
 65-7-14 Revoked V. 11, p. 474

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

Reg. No.	Action	Register
51-24-1	Amended	V. 11, p. 212
51-24-4	Amended	V. 11, p. 212
51-24-8	New	V. 11, p. 213
51-24-9	New	V. 11, p. 213
51-24-10	New	V. 11, p. 214

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-3-105	Amended	V. 10, p. 1040
60-3-106	Amended	V. 10, p. 1040
60-4-101	Amended	V. 11, p. 83
60-8-101	Amended	V. 10, p. 496
60-9-101	Revoked	V. 10, p. 1040
60-9-102	Revoked	V. 10, p. 1040
60-9-103	Revoked	V. 10, p. 1041
60-9-104	Revoked	V. 11, p. 83
60-9-105	Amended	V. 11, p. 83
60-9-106	New	V. 10, p. 1041
60-9-107	New	V. 11, p. 83
60-9-109	New	V. 10, p. 1041
60-11-103	Amended	V. 11, p. 84
60-11-110	Revoked	V. 10, p. 1042
60-11-111	Revoked	V. 10, p. 1042
60-11-112	New	V. 10, p. 1042
60-11-113	New	V. 10, p. 1042, 1497
60-11-114	New	V. 11, p. 85
60-11-116	New	V. 10, p. 1042
60-11-117	New	V. 10, p. 1042
60-11-118	New	V. 10, p. 1042
60-11-119	New	V. 10, p. 1043
60-12-101	Revoked	V. 10, p. 1043
60-12-102	Revoked	V. 10, p. 1043
60-12-103	Revoked	V. 10, p. 1043
60-12-105	New	V. 11, p. 85
60-12-106	New	V. 10, p. 1043
60-12-109	New	V. 10, p. 1043
60-13-101	Amended	V. 10, p. 496
60-13-105	Revoked	V. 10, p. 1044
60-13-106	Revoked	V. 10, p. 1044
60-13-107	Revoked	V. 10, p. 1044
60-13-108	Revoked	V. 10, p. 1044
60-13-110	New	V. 10, p. 1044
60-13-111	New	V. 10, p. 1044
60-13-112	New	V. 10, p. 1044
60-13-113	New	V. 11, p. 85
60-13-115	New	V. 10, p. 1044
60-15-101	Amended	V. 10, p. 1045
60-15-102	Amended	V. 10, p. 1045
60-15-103	Amended	V. 10, p. 1046
60-15-104	Amended	V. 10, p. 1046

65-8-1 through 65-8-4 New V. 11, p. 474, 475
 65-9-1 through 65-9-5 New V. 11, p. 475, 476
 65-10-1 New V. 11, p. 476
 65-10-2 New V. 11, p. 477
 65-10-3 New V. 11, p. 477
 65-11-1 New V. 11, p. 477
 65-11-2 New V. 11, p. 477
 65-11-3 New V. 11, p. 477

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 11, p. 406
66-6-3	Amended	V. 11, p. 407
66-6-4	Amended	V. 11, p. 407
66-6-6 through 66-6-9	Amended	V. 11, p. 408
66-7-1	Amended	V. 11, p. 408
66-7-2	Amended	V. 11, p. 408
66-8-1 through 66-8-6	Amended	V. 11, p. 409
66-9-1 through 66-9-4	Amended	V. 11, p. 409, 410
66-10-1 through 66-10-12	Amended	V. 11, p. 410, 411
66-11-1	Amended	V. 11, p. 411
66-11-2	Amended	V. 11, p. 412
66-11-3	Amended	V. 11, p. 412
66-12-1	New	V. 11, p. 412
66-13-1	New	V. 11, p. 412

AGENCY 67: BOARD OF HEARING AID EXAMINERS

Reg. No.	Action	Register
67-3-4	New	V. 10, p. 887

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-7-10	Amended	V. 10, p. 1082
68-9-1	Amended	V. 10, p. 1083
68-11-1	Amended	V. 10, p. 216
68-14-1 through 68-14-7	New	V. 11, p. 665, 666
68-20-15a	Amended	V. 10, p. 1084
68-20-18	Amended	V. 10, p. 1084
68-20-19	Amended	V. 10, p. 1085

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-1-1	Amended	V. 10, p. 1698
63-1-3	Amended	V. 10, p. 1698
63-1-12	Amended	V. 10, p. 1699
63-3-11	Amended	V. 10, p. 1700
63-3-17	Amended	V. 10, p. 1700
63-3-19	Amended	V. 10, p. 1700
63-3-20	Amended	V. 11, p. 133
63-3-21	New	V. 11, p. 133
63-4-1	Amended	V. 10, p. 1701
63-6-1	Amended	V. 10, p. 1701

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-1 through 65-4-5	New	V. 11, p. 470, 471
65-5-1 through 65-5-8	New	V. 11, p. 472, 473

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-2-7	Amended	V. 10, p. 840
74-4-6	Amended	V. 10, p. 841
74-5-2	Amended	V. 10, p. 841
74-5-403	Amended	V. 10, p. 842

(continued)

**AGENCY 75: CONSUMER CREDIT
COMMISSIONER**

Reg. No.	Action	Register
75-6-26	Amended	V. 10, p. 1353

**AGENCY 81: OFFICE OF THE
SECURITIES COMMISSIONER**

Reg. No.	Action	Register
81-2-1	Amended	V. 10, p. 1242
81-3-1	Amended	V. 10, p. 1242
81-3-2	Amended	V. 10, p. 1244
81-4-1	Amended	V. 10, p. 1245, 1316
81-4-2	New	V. 10, p. 172
81-4-3	New	V. 10, p. 1440
81-5-8	Amended	V. 10, p. 1245
81-5-9	New	V. 10, p. 1440
81-6-1	Amended	V. 10, p. 173

**AGENCY 82: STATE CORPORATION
COMMISSION**

Reg. No.	Action	Register
82-3-101	Amended	V. 10, p. 887
82-3-103	Amended	V. 11, p. 38
82-3-106	Amended	V. 11, p. 38
82-3-307	Amended	V. 10, p. 976
82-3-600	Amended	V. 10, p. 890
82-3-600b	New	V. 10, p. 890
82-3-601	Revoked	V. 10, p. 891
82-3-601a	New	V. 10, p. 891
82-3-601b	New	V. 10, p. 891
82-3-602	Amended	V. 10, p. 891
82-3-605	New	V. 10, p. 892
82-4-1	Amended	V. 10, p. 1121
82-4-2	Amended	V. 10, p. 1121
82-4-3	Amended	V. 10, p. 1122
82-4-6a	Amended	V. 10, p. 1122
82-4-6b	Revoked	V. 10, p. 1122
82-4-6d	Amended	V. 10, p. 1122
82-4-19a	Revoked	V. 10, p. 1123
82-4-20	Amended	V. 10, p. 1123
82-4-27	Amended	V. 10, p. 1123
82-4-27a	Amended	V. 10, p. 1124
82-4-27c	Amended	V. 10, p. 1124

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-4	Amended	V. 10, p. 1466
86-1-5	Amended	V. 10, p. 531
86-1-11	Amended	V. 10, p. 1466
86-3-10	Amended	V. 10, p. 1467
86-3-21	Amended	V. 10, p. 1467

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-2-1	Amended	V. 10, p. 1467
88-2-2	Amended	V. 10, p. 1467
88-2-3	Amended	V. 10, p. 1467
88-2-4	Amended	V. 10, p. 1468
88-3-1	Amended	V. 10, p. 1468
88-3-2	Amended	V. 10, p. 1508
88-3-3	Amended	V. 10, p. 1469
88-3-5	Amended	V. 10, p. 1469
88-3-8	Amended	V. 10, p. 1469
88-3-9	Amended	V. 10, p. 1469
88-3-10	Amended	V. 10, p. 1469
88-3-11	Amended	V. 10, p. 1469
88-3-12	Amended	V. 10, p. 1470

**AGENCY 91: DEPARTMENT OF
EDUCATION**

Reg. No.	Action	Register
91-1-68	Revoked	V. 10, p. 1046
91-1-68a	New	V. 10, p. 1046
91-1-68b	New	V. 10, p. 1047
91-1-68c	New	V. 10, p. 1048
91-1-68d	New	V. 10, p. 1049
91-1-69	Revoked	V. 10, p. 1050
91-1-101b	Amended	V. 10, p. 1050
91-1-112a	Amended	V. 10, p. 1051
91-1-150	Amended	V. 10, p. 1051
91-10-1	Revoked	V. 10, p. 1051
91-10-1a	New	V. 10, p. 1052
91-12-22	Amended	V. 10, p. 1052
91-12-25	Amended	V. 10, p. 1055
91-12-51	Amended	V. 10, p. 1056
91-12-73	Amended	V. 10, p. 1056
91-31-7	Amended	V. 10, p. 686

Reg. No.	Action	Register
91-35-1 through 91-35-4	New	V. 10, p. 909, 910
91-37-1 through 91-37-4	New	V. 10, p. 910, 911

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-12-112	New	V. 11, p. 559
92-51-34	Amended	V. 11, p. 559
92-52-9	Amended	V. 11, p. 559
92-52-9a	New	V. 11, p. 560
92-55-2a	New	V. 10, p. 531, 587

**AGENCY 93: DEPARTMENT OF REVENUE—
DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-5-1	New	V. 11, p. 554

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

Reg. No.	Action	Register
99-8-8	Amended	V. 10, p. 1322
99-8-9	Amended	V. 10, p. 1322
99-25-1	Amended	V. 10, p. 1322
99-25-2	Amended	V. 10, p. 1322
99-25-3	Amended	V. 10, p. 1322
99-30-2	Amended	V. 10, p. 1322
99-30-3	Amended	V. 10, p. 1323
99-30-4	Amended	V. 10, p. 1323
99-30-5	Amended	V. 10, p. 1323
99-30-6	Amended	V. 10, p. 1323
99-31-3	Amended	V. 10, p. 1323
99-31-4	Amended	V. 10, p. 1323
99-32-1 through 99-32-6	Revoked	V. 10, p. 1323

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-10a-4	Amended	V. 10, p. 653
100-11-1	Amended	V. 10, p. 653

**AGENCY 109: BOARD OF EMERGENCY
MEDICAL SERVICES**

Reg. No.	Action	Register
109-1-1	Amended	V. 11, p. 131
109-2-7	Amended	V. 10, p. 1789
109-5-1	Amended	V. 10, p. 1789
109-5-4	New	V. 10, p. 1790
109-7-1	Amended	V. 10, p. 1790
109-8-1	Amended	V. 10, p. 1791
109-9-1	Amended	V. 10, p. 1791
109-9-4	Amended	V. 10, p. 1791
109-9-5	New	V. 11, p. 133
109-11-2	Amended	V. 10, p. 1792
109-11-6	Amended	V. 10, p. 1792
109-11-9	New	V. 10, p. 1792

AGENCY 110: DEPARTMENT OF COMMERCE

Reg. No.	Action	Register
110-4-1 through 110-4-4	New	V. 11, p. 502-504

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-2	Amended	V. 9, p. 1675
111-2-2a	Revoked	V. 9, p. 1675
111-2-6	Amended	V. 11, p. 136
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881
111-2-14	New	V. 9, p. 30
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	Revoked	V. 11, p. 413
111-2-19	Revoked	V. 11, p. 413
111-2-20	New	V. 11, p. 199
111-3-1	Amended	V. 10, p. 1210
111-3-9	Amended	V. 8, p. 1085

Reg. No.	Action	Register
111-3-10 through 111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 8, p. 299
111-3-12	Amended	V. 10, p. 12
111-3-13	Amended	V. 10, p. 1014
111-3-14	Amended	V. 10, p. 12
111-3-16	Amended	V. 9, p. 1566
111-3-19 through 111-3-22	Amended	V. 9, p. 30
111-3-20	Amended	V. 10, p. 1211
111-3-21	Amended	V. 10, p. 882
111-3-22	Amended	V. 10, p. 882
111-3-23	Revoked	V. 10, p. 883
111-3-25	Amended	V. 10, p. 883
111-3-27	Amended	V. 10, p. 883
111-3-29	Amended	V. 10, p. 883
111-3-31	Amended	V. 8, p. 209
111-3-32	Amended	V. 10, p. 883
111-3-33	New	V. 7, p. 1434
111-4-1	Amended	V. 8, p. 134
111-4-2	Amended	V. 7, p. 1063
111-4-4	Amended	V. 7, p. 1063
111-4-6	Amended	V. 7, p. 1434
111-4-7	Amended	V. 7, p. 1945
111-4-8	Amended	V. 7, p. 1064
111-4-12	Amended	V. 7, p. 1190
111-4-66 through 111-4-77	New	V. 7, p. 207-209
111-4-96 through 111-4-114	New	V. 7, p. 1606-1610
111-4-100	Amended	V. 10, p. 1211
111-4-101	Amended	V. 10, p. 1211
111-4-102	Amended	V. 10, p. 1211
111-4-103	Amended	V. 10, p. 1211
111-4-104	Amended	V. 10, p. 1212
111-4-105	Amended	V. 10, p. 1410
111-4-106	Amended	V. 10, p. 1212
111-4-106a	Amended	V. 10, p. 1213
111-4-107	Amended	V. 9, p. 1366
111-4-108	Amended	V. 10, p. 1213
111-4-111	Amended	V. 9, p. 1366
111-4-113	Amended	V. 9, p. 1366
111-4-114	Amended	V. 9, p. 1366
111-4-153 through 111-4-160	Revoked	V. 9, p. 1676, 1677
111-4-177 through 111-4-212	Revoked	V. 9, p. 1677, 1678
111-4-213 through 111-4-220	Revoked	V. 10, p. 1213
111-4-217	Amended	V. 9, p. 986
111-4-221 through 111-4-224	Revoked	V. 10, p. 1585
111-4-225 through 111-4-228	Revoked	V. 10, p. 1585
111-4-229 through 111-4-236	Revoked	V. 10, p. 1585, 1586
111-4-237 through 111-4-240	Revoked	V. 11, p. 413
111-4-241 through 111-4-244	New	V. 9, p. 1812
111-4-245 through 111-4-248	New	V. 10, p. 200
111-4-249 through 111-4-252	New	V. 9, p. 1813
111-4-253 through 111-4-256	New	V. 10, p. 530
111-4-257 through 111-4-286	Revoked	V. 11, p. 413, 414

111-4-287 through
 111-4-300 New V. 10, p. 883-886
 111-4-301 through
 111-4-307 New V. 10, p. 1015, 1016
 111-4-308 through
 111-4-320 New V. 10, p. 1214, 1215
 111-4-308 Amended V. 10, p. 1472
 111-4-311 Amended V. 10, p. 1472
 111-4-312 Amended V. 10, p. 1472
 111-4-322 through
 111-4-331 New V. 10, p. 1411-1413
 111-4-332 through
 111-4-335 New V. 10, p. 1473
 111-4-336 through
 111-4-345 New V. 10, p. 1526-1528
 111-4-346 through
 111-4-361 New V. 10, p. 1586-1589
 111-4-362 through
 111-4-365 New V. 10, p. 1723
 111-4-362 Amended V. 11, p. 13
 111-4-366 through
 111-4-379 New V. 11, p. 136-139
 111-4-380 through
 111-4-383 New V. 11, p. 477, 478
 111-4-384 through
 111-4-387 New V. 11, p. 414
 111-4-388 through
 111-4-400 New V. 11, p. 478-481
 111-5-1 through
 111-5-23 New V. 7, p. 209-213
 111-5-9 through
 111-5-15 Amended V. 8, p. 210, 211
 111-5-11 Amended V. 9, p. 505
 111-5-12 Amended V. 11, p. 415
 111-5-17 Amended V. 8, p. 211
 111-5-18 Amended V. 10, p. 13
 111-5-19 Amended V. 8, p. 212
 111-5-21 through
 111-5-33 New V. 11, p. 415-418
 111-5-22 Amended V. 11, p. 481
 111-5-23 Amended V. 11, p. 481
 111-5-24 Amended V. 11, p. 482
 111-5-25 Amended V. 11, p. 482
 111-5-27 Amended V. 11, p. 482
 111-5-28 Amended V. 11, p. 483
 111-6-1 through
 111-6-15 New V. 7, p. 213-217
 111-6-1 Amended V. 10, p. 1474
 111-6-3 Amended V. 9, p. 200
 111-6-4 Amended V. 10, p. 1413
 111-6-5 Amended V. 10, p. 14
 111-6-6 Amended V. 10, p. 1474
 111-6-9 Amended V. 10, p. 1217
 111-6-12 Amended V. 8, p. 212
 111-6-13 Amended V. 8, p. 299
 111-6-17 Revoked V. 10, p. 1475
 111-7-1 through
 111-7-10 New V. 7, p. 1192, 1193
 111-7-1 Amended V. 8, p. 212
 111-7-3 Amended V. 10, p. 1475
 111-7-4 Amended V. 9, p. 1367
 111-7-5 Amended V. 9, p. 986
 111-7-6 Amended V. 9, p. 987
 111-7-9 Amended V. 9, p. 1569
 111-7-11 Amended V. 10, p. 1475

111-7-12 through
 111-7-32 New V. 7, p. 1194-1196
 111-7-33 through
 111-7-43 New V. 7, p. 1197, 1198
 111-7-33a New V. 8, p. 300
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 111-8-4 New V. 7, p. 1714
 111-8-4a New V. 7, p. 1995
 111-8-5 through
 111-8-13 New V. 7, p. 1634
 111-9-1 through
 111-9-12 New V. 7, p. 1714-1716
 111-9-1 through
 111-9-6 Revoked V. 9, p. 1680
 111-9-13 through
 111-9-18 Revoked V. 9, p. 1680
 111-9-25 through
 111-9-30 New V. 9, p. 699, 700
 111-9-31 through
 111-9-36 New V. 10, p. 262
 111-9-37 through
 111-9-48 New V. 10, p. 1439, 1440
 111-10-1 through
 111-10-9 New V. 8, p. 136-138
 111-10-7 Amended V. 8, p. 301

AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-4-1	Amended	V. 11, p. 36, 86
112-4-4	Amended	V. 11, p. 165
112-4-14b	New	V. 10, p. 162
112-4-21	New	V. 10, p. 162
112-6-1 through		
112-6-5	Amended	V. 10, p. 163-165
112-6-8	Amended	V. 10, p. 165
112-7-6	Amended	V. 10, p. 165
112-8-3	Amended	V. 10, p. 166
112-8-4	Amended	V. 10, p. 167
112-8-5	Amended	V. 10, p. 167
112-8-8	Amended	V. 10, p. 168
112-8-10	Amended	V. 10, p. 168
112-9-11a	New	V. 11, p. 560
112-9-12 through		
112-9-21	Revoked	V. 11, p. 560, 561
112-9-12a	New	V. 11, p. 561
112-9-13a	New	V. 11, p. 561
112-9-14a	New	V. 11, p. 561
112-9-15a	New	V. 11, p. 562
112-9-16a	New	V. 11, p. 563
112-9-16b	New	V. 11, p. 563
112-9-17a	New	V. 11, p. 564
112-9-18a	New	V. 11, p. 564
112-9-19a	New	V. 11, p. 565
112-9-21a	New	V. 11, p. 566
112-9-22	Revoked	V. 11, p. 566
112-9-22a	New	V. 11, p. 566

112-9-39 Revoked V. 11, p. 568
 112-9-39a New V. 11, p. 568
 112-9-40 Revoked V. 11, p. 568
 112-9-40a New V. 11, p. 568
 112-9-41 Revoked V. 11, p. 570
 112-9-41a New V. 11, p. 570
 112-9-42 New V. 11, p. 571
 112-9-43 New V. 11, p. 573
 112-10-34 Amended V. 10, p. 169
 112-10-35 Amended V. 10, p. 170
 112-10-36 Revoked V. 11, p. 165
 112-10-36a New V. 11, p. 37, 135
 112-11-21 Amended V. 10, p. 263, 531
 112-12-12 Amended V. 10, p. 170
 112-13-2 Amended V. 10, p. 170
 112-13-4 New V. 10, p. 171
 112-13-5 New V. 10, p. 171
 112-16-1 through
 112-16-14 New V. 10, p. 1316-1318

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	Amended	V. 11, p. 599
115-2-1	Amended	V. 11, p. 600
115-2-3	Amended	V. 11, p. 601
115-4-1	Amended	V. 10, p. 458
115-4-3	Amended	V. 11, p. 601
115-4-5	Amended	V. 11, p. 602
115-4-6	Amended	V. 11, p. 603
115-4-7	Amended	V. 11, p. 605
115-4-11	Amended	V. 10, p. 461
115-4-12	New	V. 10, p. 461
115-7-1	Amended	V. 10, p. 1820
115-8-9	Amended	V. 10, p. 1820
115-12-3	New	V. 10, p. 1821
115-13-1 through		
115-13-5	New	V. 10, p. 917-919
115-14-1 through		
115-14-10	New	V. 10, p. 1441-1443
115-17-6	Amended	V. 11, p. 606
115-17-7	Amended	V. 11, p. 606
115-17-9	Amended	V. 11, p. 607
115-17-10 through		
115-17-13	New	V. 10, p. 461, 462
115-17-14	New	V. 11, p. 607
115-18-8	New	V. 11, p. 608
115-20-3	Amended	V. 10, p. 1821
115-20-4	New	V. 10, p. 1821

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 10, p. 911, 951
117-2-1	Amended	V. 10, p. 911, 952
117-2-2	Amended	V. 10, p. 912, 952
117-2-3	New	V. 10, p. 912, 952
117-2-4	New	V. 10, p. 912, 952
117-3-1	Amended	V. 10, p. 912, 953
117-3-2	Amended	V. 10, p. 913, 953
117-3-3	New	V. 10, p. 913, 953
117-3-4	New	V. 10, p. 913, 953
117-4-1 through		
117-4-4	New	V. 10, p. 913, 914, 954
117-6-1	Amended	V. 10, p. 914, 954
117-6-2	Amended	V. 10, p. 915, 955
117-6-3	Amended	V. 10, p. 915, 955
117-7-1	Amended	V. 11, p. 657
117-8-1	New	V. 10, p. 916, 956
117-9-1	New	V. 10, p. 916, 956
117-7-1	Amended	V. 11, p. 657

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-2-1	New	V. 11, p. 554

AGENCY 119: KANSAS DEVELOPMENT FINANCE AUTHORITY

Reg. No.	Action	Register
119-1-1	New	V. 10, p. 263
119-1-2	New	V. 10, p. 264
119-1-3	New	V. 10, p. 264

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