



Kansas Register

Bill Graves, Secretary of State

Vol. 11, No. 29

July 16, 1992

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State of Kansas

Board of Accountancy

Notice of Meeting

The Board of Accountancy will meet at 9 a.m. Tuesday, July 28, in Conference Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka. Persons interested in agenda items or in attending should contact the board office in Suite 556 of the Landon Building.

Glenda Moore
Executive Director

Doc. No. 012242

State of Kansas

State Employees Health Care Commission

Notice of Meeting

The Kansas State Employees Health Care Commission will meet at 1 p.m. Tuesday, July 28, in Room 452-W, Docking State Office Building, 915 S.W. Harrison, Topeka, to discuss the 1993 Group Health Insurance Program. There will also be a dental pre-bid conference at 9 a.m. July 17 in Room 526-S, State Capitol, Topeka.

Robert C. Harder
Chairman

Doc. No. 012243

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 20 through August 2:

| Date | Room | Time | Committee | Agenda |
|---------|-------|------------|----------------------------------|--|
| July 20 | 514-S | 10:00 a.m. | Legislative Budget Committee | Proposals No. 16-20 (staff reports and conferees). |
| July 21 | 514-S | 9:00 a.m. | | |
| July 22 | 423-S | 10:00 a.m. | Legislative Post Audit | Legislative matters. |
| July 23 | 531-N | 10:00 a.m. | Joint Committee on | Agenda not available. |
| July 24 | 531-N | 9:00 a.m. | Computers and Telecommunications | |

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 012252

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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.

July 27, 1992

RFQ 93 0048

High-resolution geophone strings

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

Doc. No. 012251

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 will then be publicly opened. Interested bidders may call (913) 532-6214 or FAX (913) 532-5632 for additional information.

Monday, July 27, 1992

#30007

Scanning spectrophotometer

William H. Sesler
Director of Purchasing

Doc. No. 012248

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 29,000 cubic yard detention dam, Site 8-26 in Marshall County, will be received by the Vermillion Creek Watershed District No. 70 at King Engineering, Inc., 125 W. 4th, Holton 66436, until 5 p.m. July 27, or hand carried and submitted prior to bid opening. Bids will be opened at 8 p.m. at the Rural Water District Office, 707 Main, Beatrice. A copy of the invitation for bids and plans and specifications can be obtained from the office of King Engineering, Inc., (913) 364-4312, or reviewed at the Soil Conservation District Field Office, East Highway 35, Marysville. A \$25 returnable deposit will be required for each set of plans.

Kenneth F. Kern
Executive Director

Doc. No. 012240

State of Kansas

Social and Rehabilitation Services

Request for Proposals

The Department of Social and Rehabilitation Services is soliciting grant proposals from public agencies or nonprofit organizations or a combination thereof that provide direct services to crime victims to improve their health or well being. This federally funded program is a result of Congress' enactment of Victims of Crime Act, which concluded that crime victims' needs could be adequately addressed only by the federal, state and local governments, along with the private sector, sharing the responsibility of providing assistance. Details of the request for proposals are available from Peggy Baker, Community Resource Development, SRS Youth and Adult Services, (913) 296-7465. Responses are due no later than 5 p.m. August 14.

Carolyn Risley Hill
Commissioner
Youth and Adult Services

Doc. No. 012246

State of Kansas

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210, as amended per 1992 Session Laws of Kansas, Chapter 146. These rates and their uses are defined in K.S.A. 75-4201 (l), 12-1675(b)(c)(d) and K.S.A. 75-4209(a)(1)(B), as amended by the 1992 Legislature.

Effective 7-20-92 to 7-26-92

| Term | Rate |
|-----------|-------|
| 0-90 days | 3.36% |
| 3 months | 3.27% |
| 6 months | 3.35% |
| 12 months | 3.68% |
| 24 months | 4.33% |
| 36 months | 4.99% |
| 48 months | 5.59% |

Sally Thompson
State Treasurer

Doc. No. 012253

State of Kansas

Department on Aging

Notice of Hearings

The Kansas Department on Aging (KDOA) will be conducting two public hearings on proposed amendments to the FY 90-92 Kansas State Plan on Aging. The hearing schedule is as follows:

- Monday, July 27, at 1:30 p.m. in the Great Bend Senior Center, 2005 Kansas Ave., Great Bend
- Friday, July 31, at 10 a.m. in Room 452-W, Docking State Office Building, 915 S.W. Harrison, Topeka

Copies of the proposed amendments are available for review at area agencies on aging or at KDOA, 915 S.W. Harrison, Room 122-S, Topeka, (913) 296-4986 or 1-800-432-3535.

Persons wishing to comment on the proposed amendments should contact George Dugger at KDOA prior to the hearings. KDOA asks that a written copy of the comments be provided at the hearings. Depending upon the number of persons wishing to be heard, the time available for oral presentations may be limited. Written comments will be accepted through July 31.

Joanne E. Hurst
Secretary of Aging

Doc. No. 012245

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 July 28, 1992

Application for Extension of Certificate of Convenience and Necessity:

McFarland Truck Lines, Inc.) Docket No. 147,561 M
P.O. Box 1006)
Austin, MN 55912) MC ID No. 102949

Applicant's Attorney: John Jandera, 2101 S.W. 21st,
P.O. Box 237, Topeka, KS 66601-0237

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

Between all points and places in the state of Kansas.

Application for Extension of Convenience and Necessity:

Moran Truck Line, Inc.) Docket No. 28,298 M
P.O. Box 217)
Moran, KS 66755) MC ID No. 100199

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

General commodities (except household goods, classes A and B explosives and commodities requiring temperature control; restricted, however, to transport no hazardous materials except ammonium nitrate),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Progressive Management,) Docket No. 182,051 M
Inc., dba)
Central Express)
909 E. Wayne)
Salina, KS 67402-1361) MC ID No. 144096

Applicant's Attorney: Eugene Hiatt, 627 S. Topeka
Blvd., Topeka, KS 66603-3294

General commodities (except household goods, classes A and B explosives and all hazardous materials as defined by 49 CFR 172.101 et seq.),

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Propane Transport, Inc.) Docket No. 180,782 M
1734 State Route 131)
Milford, OH 45150) MC ID No. 102111

Applicant's Attorney: Joseph Weiler, 2101 S.W. 21st,
P.O. Box 237, Topeka, KS 66601-0237

Petroleum and petroleum products, fertilizer and fertilizer products and liquified natural gas, in bulk,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Right Cooperative) Docket No. 182,052 M
Association)
P.O. Box 38)
Wright, KS 67882) MC ID No. 100843

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

Hay, grain, feed, feed ingredients, salt, seeds, fertilizer, fertilizer ingredients, building and construction materials, fencing materials, machinery, gasoline, gasohol, diesel fuel and aviation fuel,

Between all points and places in the state of Kansas.

Application for Certificate of Convenience and Necessity:

Frank Spurlock, dba) Docket No. 182,050 M
 G & S Trucking)
 Route 1, Box 15B)
 Dadeville, MO 65635) MC ID No. 132221

Applicant's Attorney: None

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

Application for Certificate of Convenience and Necessity:

Steel Benders, Inc.) Docket No. 180,783 M
 15550 W. 108th)
 Lenexa, KS 66219) MC ID No. 129199

Applicant's Attorney: Joseph Weiler, 2101 S.W. 21st,
 P.O. Box 237, Topeka, KS 66601-0237

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

Applications set for August 11, 1992

Application for Certificate of Convenience and Necessity:

Daren P. Joy, dba) Docket No. 182,053 M
 D J Trucking)
 1273 Buckeye Road)
 Hays, KS 67601) MC ID No. 143700

Applicant's Attorney: None

Hay, cattle and grain,

Between all points in Kansas.

Application for Abandonment of Certificate of Convenience and Necessity:

Purolator Courier Corp.) Docket No. 134,707 M
 3350 W. Bay Shore)
 Palo Alto, CA 95303-0986) MC ID No. 101059

Applicant's Attorney: None

Don Carlile
 Administrator
 Transportation Division

Doc. No. 012247

State of Kansas

Department of Human Resources

Notice of Job Service Substate Resource Distribution Plan

The State Department of Human Resources, Job Service, has received from the Secretary of Labor an allotment of \$6,911,767 for program year 1992 for the delivery of services. In compliance with federal regulations, Job Service is announcing its substate resource distribution plan.

Resources will be distributed to the five service delivery areas (SDA) by a formula using demographic and geographic factors. The plan utilizes four elements, with weights applied to each:

- 1) Total population (1990 Census) 25%
- 2) Total Labor Force 30%
- 3) Number of Employers 30%
- 4) Geographic Area of Responsibility 15%

The resulting substate resource distribution is as follows:

| Program Year 1992 Substate Distributions | |
|--|--------|
| SDA I | 29.11% |
| SDA II | 20.10% |
| SDA III | 18.89% |
| SDA IV | 18.96% |
| SDA V | 12.94% |

Plans for the utilization of these resources have been developed in conjunction with the Private Industry Councils in each of the five service delivery areas. These plans and the resource distribution plan is available for public review and comment. Review and comments on the SDA plans and the substate resource distribution plan may be accomplished by contacting:

SDA I Area Administrator
 Glenn Fondoble
 Kansas Department of Human Resources
 332 E. 8th
 P.O. Box 398
 Hays, KS 67601-0398
 (913) 628-1014

SDA II Area Administrator
 Mike O'Hara
 Kansas Department of Human Resources
 401 S.W. Topeka Blvd.
 Topeka, KS 66603-3182
 (913) 296-0015

SDA III Area Administrator
 Al Rolls
 Kansas Department of Human Resources
 552 State Ave.
 Kansas City, KS 66101-2464
 (913) 281-3000

SDA IV Area Administrator
 Fred Johnson
 Kansas Department of Human Resources
 402 E. 2nd
 P.O. Box 877
 Wichita, KS 67201-0877
 (316) 266-8600

SDA V Area Administrator
 Steve Barnett
 Kansas Department of Human Resources
 200 W. 4th
 Pittsburg, KS 66762-4702
 (316) 232-2620

(continued)

Written comments and/or complaints should be sent to the area administrator responsible for the respective service delivery area. If you are uncertain of your service delivery area designation, contact your nearest Job Service Center. Complaints will be reviewed and responded to within five working days of receipt. If the complaint cannot be resolved within the five-day period, it will be forwarded to the Secretary of Human Resources, who will resolve the complaint within 10 working days of receipt. His decision will be final and not subject to appeal.

Joe Dick
Secretary of Human Resources

Doc. No. 012241

State of Kansas

Secretary of State

Executive Appointments

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

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

The following appointments were filed June 28-July 10:

State Senator, 19th District

Anthony Hensley, 2226 S.E. Virginia, Topeka 66605. Term expires when a successor is elected and qualifies according to law. Succeeds Nancy Parrish, resigned.

Kiowa County Commissioner, 3rd District

Clark Sloan, 110 N. Maple, Route 1, Box 101, Mulinnacle 67109. Term expires when a successor is elected and qualifies according to law. Succeeds Dennis McKinney, resigned.

Kansas Arts Commission

Jill Warford, 209 W. Poplar, Independence 67301. Term expires June 30, 1996. Succeeds Linda Lee.

State Banking Board

Marvin J. Max, Banker Appointee, 9700 Lamar Ave., Overland Park 66207. Subject to Senate confirmation. Term expires April 30, 1995. Succeeds Mark Lair.

State Board of Cosmetology

Patricia A. McClellan, Shop Owner/Operator Appointee, 1813 White Oak Circle, Wichita 67207. Term expires July 1, 1995. Succeeds Joseph McConnell.

Kansas Development Finance Authority

Curtis A. Krizek, Chairman, 3515 W. 64th, Mission Hills 66208. Serves at the pleasure of the Governor. Succeeds Laura Nicholl, resigned.

Kansas Commission on Education Restructuring and Accountability

(Terms expire February 1, 1993.)

Lional Alford, 14233 Northpoint, Wichita 67230.

Tim R. Cruz, 704 Edwards, Garden City 67846.

Anthony Moore, 3106 Longwood, Kansas City 66104.

Meldon Wesley, 409 N. Lincoln, Olathe 66061.

Kansas Film Services Commission

Gretchen V. Budig, 1532 Lilac Lane, Lawrence 66044. Term expires June 30, 1995. Reappointment.

State Board of Healing Arts

Ronald N. Whitmer, D.O., 419 Bradley, Ellsworth 67439. Term expires June 30, 1995. Succeeds Dr. Richard Ulig, resigned.

Kansas Lottery Commission

Ray Morgan, 6815 Flint, Shawnee Mission 66205. Serves at the pleasure of the Governor. Succeeds Duane Nightingale.

Pooled Money Investment Board

Mike Johnston, Secretary of Transportation, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka 66612. Subject to Senate confirmation. Term expires June 30, 1994. New position.

Clayton C. McMurray, 1937 S.W. Arrowhead, Topeka 66604. Subject to Senate confirmation. Term expires June 30, 1996. New position.

Kansas Committee on School District Finance and Quality Performance

Gloria Timmer, Division of the Budget, 1st Floor, State Capitol, Topeka 66612. Serves at the pleasure of the Governor. New position.

Kansas State Employees Health Care Commission

Judy B. Rickerson, 3119 S.W. 31st, Topeka 66614. Serves at the pleasure of the Governor. New position.

R.E. Roberts, 3231 S.W. 33rd, Topeka 66614. Serves at the pleasure of the Governor. New position.

Wichita State University Board of Trustees

Linda Ayala, Realty Title Co., Inc., Occidental Plaza, 300 N. Main, Wichita 67202. Term expires June 30, 1995. Succeeds Daniel Conley.

Bob Knight, 2330 Marigold, Wichita 67204. Term expires June 30, 1995. Reappointment.

Michael C. Oatman, KDFI Radio, P.O. Box 1402, Wichita 67201. Term expires June 30, 1995. Succeeds J.V. Lentell.

Bill Graves
Secretary of State

State of Kansas

Grain Inspection Department**Notice of Meeting**

The Kansas State Grain Inspection Department will conduct its quarterly Grain Advisory Commission meeting at 9 a.m. Friday, July 24, in the conference room of the Dodge City Co-op, 710 W. Trail, Dodge City. The meeting is open to the public.

Lee Hamm
Director

Doc. No. 012238

State of Kansas

Commission on Governmental Standards and Conduct**Advisory Opinion No. 92-18**

Written May 26, 1992, to all interested persons:

Pursuant to K.S.A. 25-4159, the Kansas Commission on Governmental Standards and Conduct takes this opportunity to issue its opinion on the following question: May a candidate as defined by K.S.A. 25-4143 use campaign funds to make donations to state or county central party committees or political action committees?

K.S.A. 25-4157a (a) (b) states:

No moneys received by any candidate or candidate committee of any candidate as a contribution under this act shall be used or be made available for the personal use of the candidate and no such moneys shall be used by such candidate or the candidate committee of such candidate except for legitimate campaign purposes or for expenses of holding political office.

For the purpose of this subsection, expenditures for "personal use" shall include expenditures to defray normal living expenses for the candidate or the candidate's family and expenditures for the personal benefit of the candidate having no direct connection with or effect upon the campaign of the candidate or the holding of public office.

No candidate or candidate committee shall accept from any other candidate committee for any candidate for local, state or national office, any moneys received by such candidate or candidate committee as a campaign contribution.

From this language, it is clear that candidates may not make contributions to one another from campaign funds. In addition, candidates may not use funds except for "legitimate campaign purposes." The question is whether a donation by a candidate campaign fund to a state or county central party committee or political action committee is for "legitimate campaign purposes." In our view, this language was intended to reach expenditures made specifically to support the nomination and election of the candidate and not such

intangible results as might arise from giving money to ones' party or a political action committee.

Thus, it is our opinion that contributions from campaign funds by an ongoing candidate fund to state or county central party committees or political action committees are not permissible.

Advisory Opinion No. 92-19

Written May 26, 1992, to Suzanne Gibbs, Mission Area Chamber of Commerce, Mission.

This opinion is in response to your letter of May 18, 1992, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the local conflict of interests law (K.S.A. 75-4301 *et seq.*).

We understand you request this opinion in your capacity as a city council member of the city of Mission, Kansas. You advise us that you are also the executive director of the Mission Area Chamber of Commerce, which we understand to be exempt from taxation under 501 (c)(6) of the Internal Revenue Code [26 U.S.C. 501 (c)(96)].

You ask if you are required to abstain from action in your capacity as a city council person when a member of the chamber of commerce appears before the city.

We note at the outset that you are generally required to abstain from any action as a city official involving a contract between the Chamber of Commerce itself and the city. Whether you must also abstain concerning member organizations of the chamber is a more difficult question.

K.S.A. 75-4304 and 75-4305 contain certain prohibitions on actions by local governmental officials. The threshold question in applying these sections is whether the official holds a "substantial interest" in a business or is "employed" by a business. "Substantial interest" is defined in great detail in K.S.A. 75-4301a. "Employed" is not defined in the act, but this commission has applied the well recognized common law definition to this term. We note these definitions overlap (see K.S.A. 75-4301(a)(2)).

"Substantial interest" includes several definitions including the holding of a position of officer or director of a business. Specifically exempted from this definition, however, are organizations exempt from taxation by 26 U.S.C. 501(c)(6). Thus, you do not hold a substantial interest in the chamber solely because of your position with the chamber. Assuming, however, that you receive compensation in your position as director in excess of \$2,000 in a calendar year, you do meet the definition of "substantial interest" in K.S.A. 75-4301a(a)(2) in relationship to the chamber and we assume you also meet the common law definition of being an employee of the chamber.

Nonetheless, as it relates to the definition of "employed," you are not an "employee" of the member organizations of the chamber and therefore are not precluded from action in your capacity as a city official in regard to them solely by being an "employee" of the chamber. The more difficult question is whether

(continued)

you are required to abstain due to the receipt of compensation definition contained in K.S.A. 75-4301a(a)(2).

That section states:

If an individual or an individual's spouse, either individually or collectively, has received during the preceding calendar year compensation which is or will be required to be included as taxable income on federal income tax returns of the individual and spouse in an aggregate amount of \$2,000 from any business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.

The issue is whether the chamber is a "combination of businesses" from which you receive your compensation. While it could be argued that the chamber meets this definition, it is our opinion since this is a penal statute that it must be strictly construed and the phrase "combination of businesses" means businesses with interlocking financial interests, not simply a membership organization such as the Chamber of Commerce.

Thus, it is our opinion that you need not abstain from actions in your capacity as a city official concerning matters involving members of the Chamber of Commerce solely because of your interest in the chamber itself.

Advisory Opinion No. 92-20

Written May 25, 1992, to all interested persons:

Pursuant to K.S.A. 46-254, the Kansas Commission on Governmental Standards and Conduct takes this opportunity to issue its opinion on the definition of "household member" and "family member" as those terms are used in Senate Bill 533 which amends K.S.A. 1991 Supp. 46-246a relating to nepotism.

In our opinion, "family member" means (a) spouse, parent, child, or sibling; (b) sibling as denoted by the prefix half; (c) parent, child, or sibling as denoted by the prefix step; (d) foster child; (e) uncle, aunt, nephew, or niece; (f) any parent or child of a preceding or subsequent generation as denoted by the prefix of grand or great; or (g) parent, child or sibling related by marriage as denoted by the suffix of in-law.

"Household member" means a person having legal residence in, or living in, the state officer's or employee's place of residence.

Advisory Opinion No. 92-21

Written June 19, 1992, to Kathy Donner, Lawrence.

This opinion is in response to your letter of May 8, 1992, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state level conflict of interest law (K.S.A. 46-215 *et seq.*).

We understand you request this opinion in your capacity as a state employee with SRS Alcohol and Drug Abuse Section. You advise us that you have licensing duties and serve as a grant consultant. Prior to working for the state you were employed by the Florence Crittenton Services in Topeka as a house parent. This program is both licensed by and receives

grants from SRS, but your job duties do not include any licensing or grant administration concerning this particular program.

You would like to take a part-time job with the Florence Crittenton Services during your tenure as a state employee and ask if this is permissible.

K.S.A. 46-286 is the section of the act most directly in point. That section states:

- (a) No state officer or employee, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position.
- (b) This section shall not apply to appointed or elected members of a state board, council or commission, except that no member of such board, council or commission shall participate in any license, inspection or contract on behalf of their state board, council or commission with any outside organization with which such member of an advisory board, council or commission of any outside organization or of a position of a voluntary or charitable nature if the advisory, voluntary or charitable position is taken without any expectation or acceptance of remuneration other than reimbursement of necessary and actual expenses.

This section clearly contemplates that state employees may hold positions on a part-time basis while a state employee with entities that do business with the state employees' agency, so long as the state employee does not participate in the licensing, regulating, inspecting or contracting with the entity. As we understand the factual situation, you do not participate in any of these activities, and on that understanding you may accept the position you have described.

Advisory Opinion No. 92-22

Written June 19, 1992, to Jay Shelton, Deputy Warden, Norton Correctional Facility, Kansas Department of Corrections, Norton.

This opinion is in response to your letter of June 3, 1992, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*).

We understand you request this opinion in your capacity as the deputy warden of the Norton Correctional Facility. You advise us that you were recently married to an individual who directs the alcohol and drug treatment program which is operated at Norton Correctional Facility. The program is run by the Douglas County Citizens Committee on Alcoholism, Inc. (DCCCA), which is an independent contractor providing these services to Norton Correctional Facility.

You ask how the marriage may affect your job duties at Norton Correctional Facility.

The only section of the act that relates to your situation is K.S.A. 46-233. In applying that section we first note that under K.S.A. 46-229(b) you are deemed to hold a "substantial interest" in your wife's em-

ployer, DCCCA. Thus, you may not participate, as a general rule, in the making of contracts in your capacity as a state employee with DCCCA. We do not believe your participation in contractual compliance review violates this section. However, any recommendations to renew the contract by you would be prohibited.

Advisory Opinion No. 92-23

Written June 19, 1992, to Hans Fischer, Lawrence.

This opinion is in response to your letter of May 7, 1992, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state conflict of interest law.

We understand you request this opinion in your capacity as a project coordinator for the Kansas Department of Administration. During your service to the state you have coordinated two projects involving construction at the El Dorado Correctional Facility and Larned Correctional Mental Health Facility.

You advise us that the architectural firm of Gossen Livingston has offered you employment effective upon completion of your duties as a state employee on the above projects. Gossen Livingston contracted with the state to provide architectural services on these projects. You state that you did not in your capacity as a state employee participate in the making of the architectural contracts between the state and Gossen Livingston.

You ask whether you may accept employment with Gossen Livingston upon completion of your tenure as a state employee.

K.S.A. 46-2333(a) is the only section of the act that relates to your question. That subsection states:

No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed or in whose business such officer or employee or any member of such officer's or employee's immediate family has a substantial interest and no such person or business shall enter into any contract where any state officer or employee, acting in such capacity, is a signatory to, has been substantially involved in the preparation of or is a participant in the making of such contract and is employed by such person or business or such officer or employee or any member of such officer's or employee's immediate family has a substantial interest in such person or business.

Whenever any individual has, within the preceding two years participated as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business for one year following termination of employment as a state officer or employee.

This section clearly prohibits a state officer or employee from accepting certain positions when the state officer or employee "participated in the making of a contract. As we understand the factual situation, you

did not do so. Thus, so long as no modifications or supplements to the initial contracts with the architect were made during the term of your coordination of the contracts, it is our opinion that the above section does not apply and nothing in the conflict act (K.S.A. 46-215 *et seq.*) prohibits you from taking the position you have described. If you participated in the making of any modifications or supplements to the architectural contract, then the prohibitions in K.S.A. 46-233(a) could apply and you should seek further guidance from the commission.

We note that our decision is strictly limited to the application of the above law and we express no opinion on whether some other law outside our jurisdiction may apply to your question. We also refer you to the State Board of Technical Professions on how the ethical considerations of the architectural profession may apply.

Advisory Opinion No. 92-24

Written June 23, 1992, to all interested persons:

On May 26, 1992, this commission issued Opinion No. 92-18 concerning the permissible use of candidate campaign funds and ruled generally that such funds could not be given as donations to party committees and political action committees. Nothing in this opinion or Opinion No. 92-18 precludes a candidate from using his or her own personal funds for contributions to his or her own party committee or a political action committee.

By this opinion, we wish to clarify that candidates may use campaign funds for expenditures to party committees as a "legitimate campaign purpose" when:

- (1) The candidate purchases an identifiable campaign service for his or her own campaign, and;
- (2) The amount is reasonable in relation to the service received.

Some examples of the types of purchases which are permissible from campaign funds include, but are not limited to:

- (1) Purchase of voter registration lists;
- (2) Reimbursement for production of campaign literature;
- (3) Payment for labeling, envelope stuffing, and phone banks at state or county committee headquarters; and
- (4) Payment for voter registration drives within a candidate's district.

In addition, the purchase of tickets at the lowest necessary price for the candidate and his or her immediate family at fundraising and political events is permissible from campaign funds to the extent necessary to allow them to attend.

How these rules apply to specific situations will be the subject of later opinions.

Richard C. Loux
Chairman

Doc. No. 012239

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for items hereinafter listed 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, July 27, 1992

29067

Department of Social and Rehabilitation Services—
Serving legal process

93097

Kansas State University—Frozen strawberries

Tuesday, July 28, 1992

A-6581

University of Kansas—Heat recovery project,
Robinson Gymnasium

29063

University of Kansas Medical Center—
Miscellaneous frozen foods

93111

Kansas State University—Corn

Wednesday, July 29, 1992

93106

University of Kansas—Miscellaneous air filters

Thursday, July 30, 1992

A-6874

University of Kansas—Tuckpoint and clean exterior
walls, Snow Hall

93112

Department of Administration, Division of
Information Systems and Communications—IBM
3084 main storage memory upgrade

Friday, July 31, 1992

29064

University of Kansas Medical Center—Pharmacy
labels

29065

University of Kansas—Printing, binding, and
mailing of "The University of Kansas Law Review"

93119

Department of Revenue—Conversion coated
aluminum

Request for Proposals

Wednesday, July 29, 1992

29066

Court reporting services for the Department of
Administration, Division of Personnel Services

Friday, July 31, 1992

29068

Dental benefits for the Department of
Administration, Health Benefits Administration

Jack R. Shipman
Director of Purchases

Doc. No. 012250

State of Kansas

Department of Commerce
and Housing

Notice of Hearing on Proposed
Administrative Regulations

A public hearing on the proposed rules and regulations for the implementation of the Kansas Enterprise Zone Act, Substitute 1992 House Bill 2681, will be held at 10 a.m. Monday, August 17, in the first floor conference room, Capitol Tower, 400 S.W. 8th, Topeka. The purpose of the hearing is to receive comments regarding the proposed documentation required for designation as a *nonmetropolitan region*, as provided by New Section 4 of the bill. Designation as a nonmetropolitan region will provide for enhanced credits to new and expanding businesses, as provided by New Section 8(b) of the bill.

Following is the complete text of the proposed rules and regulations:

K.A.R. 110-5-1. Definitions. As used in these regulations, and for the purposes of administering the Kansas enterprise zone act, the following definitions apply:

- (a) "City" means the governing body of an incorporated Kansas municipality.
- (b) "County" means the county board of commissioners.
- (c) "County-wide" means within the jurisdiction of a county board of commissioners.
- (d) "Local" means within the jurisdiction of a city.
- (e) "Multi-county unit" means two or more counties making a united application for designation as a nonmetropolitan region.
- (f) "Region" or "regional" means within the combined jurisdiction of all applicants.

K.A.R. 110-5-2. Eligible applicants. Each applicant for designation as a nonmetropolitan region shall be:

- (a) a single county; or
- (b) a multi-county unit.

K.A.R. 110-5-3. Required documentation. Each application for designation of a nonmetropolitan region shall include:

- (a) the name, title, address, and telephone number of a primary contact person for each county making application;
- (b) the name, title, address, and telephone number of a primary contact person for the qualifying regional economic development organization;
- (c) the name, title, address, and telephone number of a primary contact person with designated respon-

sibility to make the required annual report to the secretary of commerce as required by Substitute 1992 HB 2681, Section 6(a);

(d) a list of all incorporated cities within the jurisdiction of each county making application showing the population, according to the most current census data available, of each city;

(e) a resolution by each county represented in the application stating that a regional economic development organization has been established which has a membership representative of:

(1) all geographic areas of the county; and

(2) the manufacturing businesses, non-manufacturing businesses, and retail businesses in the county;

(f) a certified copy of the recorded articles of incorporation of the regional economic development organization;

(g) a certified copy of the by-laws of the regional economic development organization;

(h) a certified copy of a regional strategic plan which shall:

(1) have been developed or updated not more than three years prior to the time of submission;

(2) provide a verifiable statement of assurance that the plan was developed with broad-based citizen participation and input;

(3) have specific goals for regional economic development;

(4) have detailed implementation strategies for each identified goal;

(5) have appropriate criteria to determine the effectiveness of each strategy in attaining the stated goals;

(6) have provisions for monitoring the plan on a regular, on-going basis; and

(7) have provisions for reassessing, reevaluating, and updating the plan at intervals not to exceed three years;

(i) a resolution by each county making application which shall:

(1) state support for the scope of activities identified in the regional strategic plan;

(2) state all regional incentives to be offered;

(3) state all county-wide incentives to be offered;

(4) state a commitment to participate in offering all stated incentives;

(5) give a specific, detailed plan for notifying all eligible businesses in the county of the regional and county-wide incentives available; and

(6) request the designation and approval of a non-metropolitan region;

(j) a resolution from each city within the jurisdiction of each applicant having a population of 2,000 or more, according to the most current census data available, which shall:

(1) state support for the scope of activities identified in the regional strategic plan;

(2) state all regional and county-wide incentives to be offered;

(3) state all local incentives to be offered;

(4) state a commitment to participate in offering all stated incentives;

(5) give a specific, detailed plan for notifying all eligible businesses in the city of the regional, county-wide, and local incentives available;

(6) state consent to participate with the county, or counties, in a nonmetropolitan region; and

(7) request the designation and approval of a non-metropolitan region.

K.A.R. 110-5-4. Quarterly report. On or before January 15, April 15, July 15, and October 15 of each year, the Kansas department of revenue shall be given a list of nonmetropolitan regions including those which have been approved during the prior calendar quarter by the Kansas secretary of commerce.

K.A.R. 110-5-5. Term of designation. Upon approval of the application, a nonmetropolitan region shall be designated for a period of not more than five years. The applicant may apply for renewal of the designation within 60 days prior to the date of expiration.

K.A.R. 110-5-6. Annual report requirements. Each annual report submitted to the secretary pursuant to Substitute 1992 HB 2681, Section 6, shall include:

(a) a list of regional incentives for economic development available in the region during the prior calendar year;

(b) a list of each county making application of any additional county-wide incentives for economic development available in the county during the prior calendar year;

(c) a list for each city within the jurisdiction of each applicant of any additional local incentives for economic development available in the city during the prior calendar year.

(d) the usage of each regional, county-wide, and local incentives for economic development made available in such region during the prior calendar year and showing:

(1) a description of each regional, county-wide, and local incentive;

(2) the number of times each regional, county-wide, and local incentive was used; and

(3) the cost of each regional, county-wide, and local incentive to the authorizing governing body; and

(e) any other information as required by the secretary.

If you will be unable to attend the hearing you may submit written comments. Written comments should be received by the program administrator no later than 5 p.m. Friday, August 14. Comments should be mailed or delivered to the Kansas Department of Commerce and Housing, Community Development Division, Enterprise Zone Program, 400 S.W. 8th, 5th Floor, Topeka 66603-3957.

Carole L. Morgan
Acting Secretary of Commerce

Doc. No. 012236

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 9 a.m. to 4 p.m. Friday, July 17, at Kansas State University, Seaton Hall, Room 133, Manhattan. For further information, contact Richard Hahn at (913) 532-7033.

Richard R. Hahn
Director

Doc. No. 012237

(Published in the Kansas Register, July 16, 1992.)

Notice of Call for Redemption to the holders of

City of Goodland, Kansas
General Obligation Refunding Bonds
Series B, 1986, dated August 15, 1986

Notice is hereby given that pursuant to the provisions of Section 3 of Ordinance Number 1245 adopted August 18, 1986, of the city of Goodland, Sherman County, Kansas (the issuer), that the above mentioned bonds maturing March 1, 1993, and thereafter (the refunded bonds), have been called for redemption and payment on September 1, 1992 (the redemption date), at the principal office of the Kansas State Treasurer (the paying agent).

Table with 3 columns: Maturity Date, Principal Amount, Interest Rate. Rows include dates from March 1, 1993 to March 1, 1995 with corresponding amounts and rates.

On the redemption date there shall become due and payable, upon the presentation and surrender of each such refunded bond, the redemption price thereof equal to 100 percent of the principal amount thereof (PAR), without premium, together with interest accrued to the redemption date. Interest shall cease to accrue on the refunded bonds so called for redemption from and after the redemption date provided such funds for redemption are on deposit with the paying agent.

City of Goodland
Sherman County, Kansas
By Kansas State Treasurer
Topeka, Kansas

Doc. No. 012244

(Published in the Kansas Register, July 16, 1992.)

Notice of Bond Sale
\$375,000 *

City of Pittsburg, Kansas
General Obligation Bonds
Series 1992-B

Sealed Bids

Sealed bids for the purchase of \$375,000 principal amount of General Obligation Bonds, Series 1992-B, of the city hereinafter described, will be received by the undersigned, city clerk of the city of Pittsburg, Kansas, on behalf of the governing body of the city at City Hall, 4th and Pine, Pittsburg, until 2 p.m. C.D.T. Tuesday, July 28, 1992. All bids will be publicly opened and read at 2 p.m. and will be acted upon by the city at 7 p.m. on Tuesday, July 28, 1992. No oral or auction bids will be considered.

Bond Details

The bonds will consist of fully registered bonds without coupons in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated August 15, 1992, and will become due serially on September 1 in the years as follows:

Table with 2 columns: Year, Principal Amount. Rows list years from 1993 to 2002 with principal amounts of \$35,000 to \$40,000.

* Subject to Change

The bonds will bear interest at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning on March 1, 1993.

Place of Payment and Bond Registration

The principal of and interest on the bonds will be payable in lawful money of the United States of America by check or draft of the Kansas State Treasurer, Topeka, Kansas (the paying agent and bond registrar). The principal of the bonds will be payable at maturity or upon earlier redemption to the registered owners upon presentation and surrender of the bonds at the office of the paying agent. Interest on the bonds will be paid by check or draft mailed by the paying agent to the persons in whose names the bonds are registered on the registration books maintained by the bond registrar at the close of business on the record date for such interest, which shall be the 15th day (whether or not a business day) of the calendar month next preceding such interest payment date.

The city will pay for the fees of the bond registrar for registration and transfer of the bonds and will also pay for printing a reasonable supply of registered bond

blanks. Any additional costs or fees that might be incurred in the secondary market, other than fees of the bond registrar, will be the responsibility of the bondholders.

Redemption of Bonds Prior to Maturity

At the option of the city, bonds maturing on September 1, 2000, and thereafter will be subject to redemption and payment prior to maturity on September 1, 1999, and thereafter in whole or in part on any interest payment date (bonds of less than a single maturity to be selected by lot in multiples of \$5,000 principal amount by the paying agent and bond registrar in such equitable manner as it shall designate), at the principal amount thereof, plus accrued interest to the redemption date, without premium.

Whenever the city is to select the bonds for the purpose of redemption, it shall, in the case of bonds in denominations greater than \$5,000, if less than all of the bonds then outstanding are to be called for redemption, treat each \$5,000 of face value of each such fully registered bond as though it were a separate bond of the denomination of \$5,000.

If the city shall elect to call any bond for redemption and payment prior to the maturity thereof, the city shall give written notice of its intention to redeem and pay said bonds on a specified date, the same being described by number and maturity, said notice to be mailed by United States certified mail to the paying agent and bond registrar and to the manager or managers of the underwriting account making the successful bid, each of said notices to be mailed at least 30 days prior to the redemption date. Thereafter, the paying agent and bond registrar will notify the owners of the bonds of the city's redemption call by United States mail, postage prepaid. If any bond be called for redemption and payment as aforesaid, all interest on such bond shall cease from and after the date for which such call is made, provided funds are available for its payment at the price hereinbefore specified.

Conditions of Bids

Proposals will be received on the bonds bearing such rate or rates of interest as may be specified by the bidders, subject to the following conditions: The same rate shall apply to all bonds of the same maturity. Each interest rate specified shall be a multiple of $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. No interest rate shall exceed the index of treasury bonds published by the weekly *MuniWeek*, f/k/a *Credit Markets*, in New York, New York, on the Monday next preceding the day on which the bonds are sold, plus 2 percent. The difference between the highest rate specified and the lowest rate specified shall not exceed 2 percent. No supplemental interest payments will be authorized. No bid of less than the principal amount of the bonds and accrued interest will be considered. Each bid shall specify the total interest cost to the city during the life of the bond issue on the basis of such bid, the premium, if any, offered by the bidder, and the net interest cost to the city on the basis of such bid. Each bid shall also specify the average annual net interest rate to the city on the basis of such bid. Bidders shall specify in the bid form

the prices (exclusive of accrued interest), expressed as a dollar price, at which the bidder intends that each maturity amount of the bonds shall be initially offered to the public (the initial reoffering prices).

Basis of Award

The award of the bonds will be made on the basis of the lowest net interest cost to the city, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the city. If there is any discrepancy between the net interest cost and the average annual net interest rate specified, the specified net interest cost shall govern and the interest rates specified in the bid shall be adjusted accordingly. If two or more proper bids providing for identical amounts for the lowest net interest cost are received, the city shall determine which bid, if any, shall be accepted, and its determination shall be final.

Security for the Bonds

The bonds will be general obligations of the city payable as to both principal and interest in part from special assessments levied upon specially benefited property and, if not so paid, from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the city. The balance of the principal and interest on the bonds is payable from ad valorem taxes which may be levied without limitation upon all the taxable tangible property, real and personal, within the territorial limits of the city.

Internal Revenue Code of 1986

The Internal Revenue Code of 1986 imposes requirements on the city which must be met subsequent to the issuance of the bonds by the city and, as a result, the city will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The city's failure to comply with such requirements could adversely affect the tax-exempt status of the bonds. Purchasers of the bonds should be aware that should the bonds lose their status as tax-exempt obligations as a result of the city's failure to comply with such requirements, the bonds are neither callable nor will the rate of interest on the bonds be adjusted to reflect such circumstances.

The code includes interest on tax-exempt obligations, such as the bonds, in the adjusted current earnings of certain corporations in the calculation of alternative minimum taxable income with certain other adjustments. Furthermore, Section 59A of the code, as added by the Superfund Amendments and Reauthorization Act of 1986, provides for a new environmental tax generally based on corporate alternative minimum taxable income. The amount of the tax is equal to 0.12 percent of the excess of alternative minimum taxable income, without regard to net operating losses and the deduction for this tax, over \$2 million. The environmental tax is imposed whether or not the taxpayer is subject to the alternative minimum tax. The environmental tax may subject certain bondowners to additional taxation for interest earned on the bonds.

(continued)

The code also requires property and casualty insurance companies to reduce the amount of their deductible underwriting losses by a percentage of the amount of tax-exempt interest received or accrued on obligations. With the exception of certain "qualified tax-exempt obligations," the code provides that banks and thrift institutions may not deduct any portion of the interest cost of purchasing or carrying tax-exempt obligations such as the bonds. The city does intend to designate the bonds as "qualified tax-exempt obligations" under Section 265 of the code.

Legal Opinion

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the city, printed on the bonds and delivered to the successful bidder when the bonds are delivered. Said opinion will also state that in the opinion of bond counsel, assuming continued compliance by the city with the provisions of the ordinance authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is excludable from gross income for federal income tax purposes. Interest on the bonds will also be excludable from the computation of Kansas adjusted gross income.

Delivery and Payment

The city will pay for printing the bonds and will deliver the bonds, without cost to the successful bidder, properly prepared, executed and registered, on or about August 27, 1992, at such bank or trust company in the state of Kansas or the greater Kansas City, Missouri, metropolitan area as may be specified by the successful bidder. Delivery elsewhere will be at the expense of the successful bidder. Said bidder will also be furnished with a certified transcript of the proceedings evidencing the authorization and issuance of the bonds and the usual closing documents, including a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity and a certificate regarding the completeness and accuracy of the official statement. Payment for the bonds shall be made in Federal Reserve funds, immediately subject to use by the city. The denominations of the bonds and the names, addresses and Social Security or taxpayer identification numbers of the registered owners shall be submitted in writing by the successful bidder to the city and bond registrar not later than 4 p.m. C.D.T. on August 10, 1992. In the absence of such information, the city will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the city by 4 p.m. C.D.T. on August 10, 1992, a certificate acceptable to the city's bond counsel to the effect that (i) the successful bidder has made a bona fide public offering of the bonds at the initial reoffering prices, and (ii) a substantial amount of the bonds was sold to the public (excluding brokers and other intermediaries) at such initial reoffering prices. Such certificate shall state that (1) it is made on the best knowledge, information and

belief of the successful bidder, and (2) 10 percent or more in par amount of the bonds of each maturity was sold to the public at or below the initial reoffering prices (such amount being sufficient to establish the sale of a "substantial amount" of the bonds).

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States of America in the amount of \$7,500, payable to the order of the city to secure the city from any loss resulting from the failure of the bidder to comply with the terms of the bid. No interest will be paid upon the deposit made by the successful bidder. Said check shall be returned to the bidder if the bid is not accepted. If a bid is accepted, said check shall be held by the city until the bidder shall have complied with all of the terms and conditions of this notice, at which time said check shall, at the option of the city, be returned to the successful bidder or deducted from the purchase price. If a bid is accepted but the city shall fail to deliver the bonds to the bidder in accordance with the terms and conditions of this notice, said check shall be returned to the bidder. If a bid is accepted but the bidder shall default in the performance of any of the terms and conditions of this notice, the proceeds of such check shall be forfeited to the city, and the city reserves the right to pursue any consequential damages as a result of such default.

CUSIP Numbers

CUSIP identification numbers will be printed on the bonds, but neither the failure to print such number on any bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with the terms of this notice. All expenses in relation to the assignment and printing of CUSIP numbers on the bonds will be paid by the city.

Bid Forms

All bids must be made on forms which may be procured from the city clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The city reserves the right to waive irregularities and to reject any or all bids.

Submission of Bids

Bids must be submitted in sealed envelopes addressed to the undersigned city clerk and marked "Proposal for the Purchase of General Obligation Bonds." Bids may be submitted by mail or delivered in person to the undersigned at city hall and must be received by the undersigned prior to 2 p.m. C.D.T. on Tuesday, July 28, 1992.

Date and Delivery of Preliminary and Final Official Statement

The city has authorized the preparation and disbursement of a preliminary official statement containing information relating to the bonds. The preliminary official statement comprises the final official statement required by Rule 15c2-12 of the Securities and Exchange Commission.

The preliminary official statement, when amended to include the interest rates specified by the purchaser and the price or yield at which the purchaser will re-offer the bonds to the public, together with any other information required by law, will constitute a "Final Official Statement" with respect to the bonds as that term is defined in Rule 15c2-12. No more than seven business days after the date of the sale, the city will provide without cost to the purchaser a reasonable number of printed copies of the final official statement and further copies, if desired, will be made available at the purchaser's expense. If the sale of the bonds are awarded to a syndicate, the city will designate the senior managing purchaser of the syndicate as its agent for purposes of distributing copies of the final official statement to each participating purchaser. Any purchaser executing and delivering a bid form with respect to the bonds agrees thereby that if its bid is accepted it shall accept such designation and shall enter into a contractual relationship with all participating purchasers for the purpose of assuring the receipt and distribution by each such participating purchaser of the final official statement.

The city will deliver to the purchaser on the date of delivery of the bonds a certificate executed by the mayor and the city clerk to the effect that the final official statement, as of the date of delivery of the bonds, does not contain any untrue statement of a material fact or omit to state a material fact necessary to make the statements made, in the light of the circumstances in which they are made, not misleading.

Copies of the city's preliminary official statement relating to the bonds may be obtained from the city clerk or the city's financial advisor, Investment Bankers of Kansas City, 1101 Walnut, Suite 900, Kansas City, MO 64106; (816) 421-4440.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property (including motor vehicles) within the city as of August 1, 1991, is \$59,723,431. The total general obligation bonded indebtedness of the city as of the date of the bonds, including the bonds, is \$6,146,173.01, including, as of the date of the bonds, temporary notes outstanding in the principal amount of \$295,000, of which, \$295,000 will be retired out of the proceeds of the bonds herein offered for sale.

Dated June 9, 1992.

*City of Pittsburg, Kansas
 Karen Garman
 City Clerk
 City Hall
 4th and Pine
 Pittsburg, KS 66762
 (316) 231-4100

Doc. No. 012249

(Published in the Kansas Register, July 16, 1992.)

Notice of Bond Sale
\$21,725,000 *
General Obligation Refunding Bonds
Series 1992
of Unified School District 229
Johnson County, Kansas (Blue Valley)

Unified School District 229, Johnson County, Kansas, will receive sealed bids addressed to Diane Harris, district clerk, at the district office, 15020 Metcalf, P.O. Box 23901, Overland Park, KS 66223, (913) 681-4000, until noon C.D.T. on Monday, July 27, 1992, for the purchase of \$21,725,000 * General Obligation Refunding Bonds, Series 1992, of the school district, at which time and place such bids will be publicly opened and read. The bids will be reviewed and acted upon by the Board of Education at a meeting to be held that same evening.

Terms of the Bonds

The bonds will be dated August 1, 1992, and will mature serially on October 1 in the years and in the amounts set forth below. The bonds will consist of fully registered certificated or uncertificated bonds, each in the denomination of \$5,000 or integral multiples thereof not exceeding the principal amount of bonds maturing on the same maturity date. Interest will be payable semiannually on April 1 and October 1, beginning October 1, 1992 (the "Interest Payment Dates").

| Amount | Maturity |
|-------------|----------|
| \$2,395,000 | 10/01/93 |
| 1,875,000 | 10/01/94 |
| 1,045,000 | 10/01/95 |
| 595,000 | 10/01/96 |
| 695,000 | 10/01/97 |
| 740,000 | 10/01/98 |
| 650,000 | 10/01/99 |
| 600,000 | 10/01/00 |
| - - - | 10/01/01 |
| 1,475,000 | 10/01/02 |
| 1,545,000 | 10/01/03 |
| 2,935,000 | 10/01/04 |
| 1,885,000 | 10/01/05 |
| 1,785,000 | 10/01/06 |
| 1,780,000 | 10/10/07 |
| 1,725,000 | 10/01/08 |

* Subject to change as provided under "Adjustment of Issue Size" herein.

Bonds maturing on October 1, 2003, and thereafter will be subject to redemption prior to maturity at the option of the school district, as a whole or in part, on October 1, 2002, or on any interest payment date thereafter, at the redemption price of 100 percent of the principal amount of bonds redeemed plus accrued interest to the redemption date. In the event of partial redemption, the amount of bonds of each maturity to be redeemed will be determined by the school district.

The principal of the bonds will be payable at the principal office of the Kansas State Treasurer (the pay-
 (continued)

ing agent and bond registrar) to the registered owners thereof upon presentation of the bonds for payment and cancellation. Interest on the bonds will be payable to the registered owners appearing on the books maintained by the bond registrar as of the 15th day of the month preceding each interest payment date (the record dates). The fees of the bond registrar for registration and transfer of the bonds will be paid by the school district.

Security

The bonds will be general obligations of the school district, and the principal of and interest thereon will be payable from ad valorem taxes which may be levied without limitation as to rate or amount upon all taxable tangible property within the territorial limits of the school district.

Conditions of Bids

Bids will be received for the bonds bearing such rate or rates of interest as may be specified by the bidder. The same rate shall apply to all bonds of the same maturity. Each interest rate specified will be a multiple of $\frac{1}{8}$ or $\frac{1}{20}$ of 1 percent. The difference between the highest and lowest rates specified in any bid will not exceed 3 percent. No interest rate will exceed the maximum interest rate allowed by Kansas law, said rate being the weekly index of treasury bonds published in *The Bond Buyer* in New York, New York, on July 24, 1992, plus 2 percent. No bid of less than the entire par value of the bonds, except a discount not to exceed 2 percent of the principal amount of the bonds and accrued interest will be considered. The successful bidder will initially reoffer bonds maturing on and after October 1, 2003, at dollar prices equal to or greater than 100 percent of the principal amount of such bonds.

Bid Form and Good Faith Deposit

Bids will be submitted on the official bid form furnished by the school district, and will be addressed to Diane Harris, district clerk, at the district office, 15020 Metcalf, P.O. Box 23901, Overland Park, KS 66223, and will be plainly marked "Bond Bid." Each bid will specify the total interest cost to the school district on the basis of such bid, the premium, if any, the discount, if any, and the net interest cost. Each bid will also certify the issue price for each maturity (see "Certification as to Offering Prices" herein).

Each bid must be accompanied by a certified or cashier's check equal to \$434,500, made payable to Unified School District 229, Johnson County, Kansas. In the event a bidder whose bid is accepted fails to carry out the contract to purchase the bonds, said deposit will be retained by the school district as liquidated damages. The checks of unsuccessful bidders will be returned promptly.

Basis of Award

The school district reserves the right to reject any and/or all of the bids and to waive any irregularities. Following the opening of the bids, the low bidder will be designated by a representative of the district. The low bidder will be the bidder whose bid will result in the lowest "true interest cost" ("TIC" or the "Canadian

Method"), determined as follows: the TIC is the discount rate (expressed as a per annum percentage rate) which when used in computing the present value of all payments of principal and interest to be paid on the bonds, from the payment dates to the date of the bonds, produces an amount equal to the price bid, including premium, if any, but excluding interest accrued to the date of delivery. Payments of principal and interest on the bonds will be based on the principal amounts set forth in this notice and the interest rates specified by each bidder. Present value will be computed on the basis of semiannual compounding and a 360-day year of 12 30-day months. No bidder will be designated as the low bidder or as the successful bidder unless its bid shall be in compliance with the other terms and conditions of this notice. In the event that two or more bidders offer bids at the same lowest TIC, a representative of the district will determine by lot which bidder will be designated as the low bidder.

The bonds, if awarded, will be awarded to the low bidder (hereinafter, the successful bidder) at a meeting of the Board of Education of the district to be held in the evening on July 27, 1992 at the district office. The successful bidder must pay accrued interest, computed on a 360-day year basis, from the date of the bonds to the date of delivery. Bidders are requested to supply an estimate of the TIC for the bonds on the official bid form described in this notice, computed as specified herein on the basis of their respective bids, which shall be considered as informative only and not binding on either the bidder or the board.

Adjustment of Issue Size

The district reserves the right on the date of the award to, in its sole discretion, increase or decrease the total principal amount of the bonds, depending on the interest rates bid and the issue prices specified, in order to properly structure the escrow account for the bonds to be refunded. Principal maturities will be increased or decreased at the discretion of the district. The aggregate size of the issue will be increased or decreased by not more than 15 percent. The successful bidder may not withdraw its bid or change the interest rates bid as a result of any changes made to the principal amount of the bonds as described herein. In the event there is an increase or decrease in the final aggregate principal amount of the bonds or in the principal amount per maturity as described above, the successful bidder will be notified in writing of such increases or decreases. The net production as a percentage of the par amount of bonds generated from the bid of the successful bidder will not be decreased as a result of any change in the aggregate principal amount of the bonds or in the principal amount per maturity.

Legal Opinion

The bonds will be sold subject to the approving legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, bond counsel, which opinion will be furnished and paid for by the school district and printed on the bonds and delivered to the successful bidder when the bonds

are delivered. Said opinion will also include the opinion of bond counsel relating to the exclusion of the interest on the bonds from gross income for federal and Kansas income tax purposes. Reference is made to the preliminary official statement for further discussion of federal and Kansas income tax matters relating to the interest on the bonds.

Delivery of the Bonds

The number and denominations of bonds and names of the registered owners to be shown on the bonds initially delivered must be submitted in writing by the successful bidder to the bond registrar not later than July 30, 1992.

The successful bidder will be furnished with a complete transcript of proceedings evidencing the authorization and issuance of the bonds and the usual closing proofs, which will include a certificate that there is no litigation pending or threatened at the time of delivery of the bonds affecting their validity. Payment for the bonds will be made in Federal Reserve funds or other immediately available funds not later than 10 a.m. C.D.T. on the day of delivery. Delivery of the bonds will be made to the successful bidder on or about August 6, 1992, at such location as may be specified by the successful bidder. The purchase price, including accrued interest from the date of the bonds to the date of delivery, will be paid at delivery or the good faith deposit will be forfeited.

Certification as to Offering Prices

To provide the school district with information necessary for compliance with Section 148 of the Internal Revenue Code of 1986, as amended, the successful bidder will be required to complete, execute and deliver to the district prior to the delivery of the bonds, a certificate regarding the "issue price" of the bonds (as defined in Section 148 of the code), reflecting the initial offering prices (excluding accrued interest and expressed as dollar prices) at which a substantial amount (i.e., 10 percent or more) of the bonds of each maturity have been or are expected to be sold to the public. Such issue prices must also be inserted in the official bid form when a bid for the bonds is submitted. The term "public" excludes bond houses, brokers or similar persons, or organizations acting in the capacity of underwriters or wholesalers. Such certificate shall state that 10 percent or more of the bonds of each maturity have been or are expected to be sold to the public at prices no higher than such initial offering prices. However, such certificate may indicate that the successful bidder will not reoffer the bonds for sale.

CUSIP Identification Numbers

CUSIP identification numbers will be printed on the bonds. All expenses in relation to printing of CUSIP numbers on the bonds and the expenses charged by the CUSIP Service Bureau for the assignment of said numbers shall be the responsibility of and shall be paid for by the school district.

Bond Rating

The school district has applied to Moody's Investors Service, Inc. and Standard & Poor's Corporation for ratings on the bonds.

Preliminary Official Statement and Official Statement

The school district has prepared a preliminary official statement dated July 16, 1992, copies of which may be obtained from the undersigned or the district's financial advisor. The preliminary official statement is in a form "deemed final" by the district for purposes of Rule 15c2-12(b)(1) of the Securities and Exchange Commission. Upon the sale of the bonds, the board will approve the final official statement and will furnish the successful bidder a reasonable number of copies thereof without additional cost. Additional copies may be ordered by the successful bidder at its expense.

Information

Additional copies of this notice of bond sale, the official bid form or further information may be obtained from George K. Baum & Company, Twelve Wyandotte Plaza, Kansas City, MO 64105, (816) 474-1100, the school district's financial advisor.

Dated July 16, 1992.

Unified School District 229
Johnson County, Kansas
By Diane Harris, Clerk
Board of Education

Doc. No. 012254

State of Kansas

Secretary of State

Permanent Administrative Regulations

Article 32.—LAW BOOKS

7-32-1. Delivery fees. The fees for delivery of law books, including shipping and handling, shall be as follows:

- (a) Kansas Statutes Annotated, complete set \$15.00
- (b) Kansas Statutes Annotated, per hard-bound volume..... \$ 3.80
- (c) Supplements to the Kansas Statutes Annotated, complete set or per supplement \$ 4.00
- (d) Session Laws of Kansas..... \$ 4.25
- (e) Permanent Journal of the House or Senate, per volume..... \$ 4.00
- (f) Kansas Administrative Regulations, complete set \$ 5.10
- (g) Kansas Administrative Regulations, per volume or supplement \$ 4.90

(Authorized by and implementing K.S.A. 1991 Supp. 75-436; effective May 1, 1984; amended July 1, 1992; amended, T-7-7-1-92, July 1, 1992; amended Aug. 31, 1992.)

Bill Graves
Secretary of State

Doc. No. 012231

State of Kansas

Department of Education

Permanent Administrative
RegulationsArticle 5.—DRIVER AND TRAFFIC SAFETY
EDUCATION COURSES

91-5-2. Hours of instruction for driver education I. (a) Except as provided in subsection (b), in each approved program, the time provided for classroom instruction shall be at least 30 hours, the amount of behind-the-wheel driving instruction shall average at least six hours for each student and each student shall be provided a minimum of two hours of behind-the-wheel instruction in street or highway traffic conditions, or both. Any program course shall not exceed three hours of classroom instruction and two hours of simulation or one hour of range experience on any one day of instruction. Behind-the-wheel instruction shall not exceed one hour per day except that one instructional period in each program may be extended to a maximum of two hours. Observation time shall be set at a minimum of two hours.

(b)(1) The governing authority of any school that desires to offer an experimental or innovative program in driver education may apply to the state board for approval to offer the program.

(2) Any such application shall be filed with the commissioner of education at least 60 days before the program is to be offered. Each application shall include:

(A) a detailed description of the proposed program;

(B) a statement of the specific goals and objectives of the program;

(C) a description of the procedures to be used to evaluate the program;

(D) an assurance that each instructor will meet the requirements of the state board for teaching driver education; and

(E) such other information as requested by the commissioner.

(c) Upon receipt of an application by the governing authority of any school:

(1) The application and documentation submitted shall be reviewed by the commissioner of education or the commissioner's designee. As deemed necessary, other steps shall be taken by the commissioner of education or the commissioner's designee to determine the qualifications of the application; and

(2) A recommendation to the state board on whether such approval should be issued to the applicant shall be made by the commissioner of education or the commissioner's designee.

(d) The question of whether program approval shall be issued to any applicant shall be decided by the state board. (Authorized by K.S.A. 72-7514; implementing K.S.A. 8-272 and 72-7513; effective Jan. 1, 1966; amended Jan. 1, 1970; amended, E-74-3, Oct. 5, 1973; amended May 1, 1976; amended May 1, 1978; amended May 1, 1979; amended May 1, 1980; amended May 1, 1982; amended Aug. 31, 1992.)

Dr. Lee Droegemueller
Commissioner of Education

Doc. No. 012232

State of Kansas

Department of Wildlife
and ParksPermanent Administrative
Regulations

Article 11.—CONTROLLED SHOOTING AREAS

115-11-2. Controlled shooting areas; operational requirements. (a) Controlled shooting areas shall be posted as follows:

(1) signs shall be made of a durable material approved by the department and shall not be less than 15 inches by 15 inches;

(2) signs shall legibly display the words "controlled shooting area" in block lettering not less than two inches in height; and

(3) signs shall be placed along the boundary of the controlled shooting area, at intervals of not more than 500 feet.

(b) The licensee shall keep the license and a copy of the laws and regulations pertaining to the controlled shooting area posted in a conspicuous and readily available place at the headquarters of the area.

(c) If the license of the controlled shooting area is cancelled or revoked, the licensee shall remove all controlled shooting area signs from the boundary of the area within 30 days of the cancellation or revocation date.

(d) If a licensee fails to renew a controlled shooting area license, all controlled shooting area signs shall be removed from the boundary of the area prior to September 1.

(e) Only those birds released on the controlled shooting area from August 15 through March 31 of the license period shall be credited toward the allowable take on the area.

(f) The licensee shall not take or permit the taking of more than 100 percent of each species of game bird released on the controlled shooting area. Such game bird species shall not be hunted on the area until a release of that game bird species has been made.

(g) The shooting hours for the taking of game birds released on controlled shooting areas shall be from 1/2 hour before sunrise to sunset.

(h) Game birds taken on a controlled shooting area shall be identified during transportation from the area by:

(1) a harvest tag supplied by the licensee which shall be attached to each game bird before transport; or

(2) a written statement issued and signed by the licensee which describes the number and species of game birds being transported.

(i) Unused harvest tags may be retained by a licensee for use in subsequent years. Unused harvest tags shall be destroyed within 30 days following revocation or nonrenewal of the controlled shooting area license.

(j) Except as authorized under Kansas dog training and field trial rules and regulations, only hand-reared mallard ducks may be recaptured by trapping after release.

(k) Hunting during established seasons and in compliance with all laws and rules and regulations governing the hunting activity may occur on a controlled shooting area for wildlife species not included in K.S.A. 1991 Supp. 32-943 or for any wildlife species not included in the license issued for that controlled shooting area. Except, the hunting, shooting or taking of wild migratory waterfowl is prohibited on each controlled shooting area used for the shooting of hand-reared mallard ducks. (Authorized by K.S.A. 1991 Supp. 32-948; implementing K.S.A. 1991 Supp. 32-945, K.S.A. 1991 Supp. 32-946, K.S.A. 1991 Supp. 32-947, and K.S.A. 1991 Supp. 32-948; effective Dec. 4, 1989; amended Aug. 31, 1992.)

**Article 15.—NONGAME, THREATENED
AND ENDANGERED SPECIES**

115-15-1. Threatened and endangered species; general provisions. (a) The following species are endangered within the boundaries of the state of Kansas.

(1) Invertebrates

Flat floater mussel, *Anodonta suborbiculata* Say, 1831

Rabbit's foot mussel, *Quadrula cylindrica cylindrica* (Say, 1817)

Western fanshell mussel, *Cyprogenia aberti* (Conrad, 1850)

Neosho mucket mussel, *Lampsilis rafinesqueana* (Frierson, 1927)

Elktoe mussel, *Alasmidonta marginata* (Say, 1818)

Bleedingtooth mussel, *Venustaconcha pleasi* (Marsh, 1891)

Slender walker snail, *Pomatiopsis lapidaria* (Say, 1817)

Scott riffle beetle, *Optioservus phaeus* (White)

American burying beetle, *Nicrophorus americanus* (Oliver)

(2) Fish

Arkansas River shiner, *Notropis girardi* Hubbs and Ortenburger

Pallid sturgeon, *Scaphirhynchus albus* (Forbes and Richardson)

Sicklefin chub, *Hybopsis meeki* Jordan and Evermann

Speckled chub, *Macrhybopsis aestivalis tetranemus* (Gilbert)

(3) Amphibians

Cave salamander, *Eurycea lucifuga* Rafinesque

Graybelly salamander, *Eurycea multiplicata griseogaster* Moore and Hughes

Grotto salamander, *Typhlotriton spelaeus* Stejneger

(4) Birds

Bald eagle, *Haliaeetus leucocephalus* (Linnaeus)

Black-capped vireo, *Vireo atricapillus* Woodhouse

Eskimo curlew, *Numenius borealis* (Forster)

Least tern, *Sterna antillarum* (Lesson)

Peregrine falcon, *Falco peregrinus* Tunstall

Whooping crane, *Grus americana* (Linnaeus)

(5) Mammals

Black-footed ferret, *Mustela nigripes* (Audubon and Bachman)

Gray myotis, *Myotis grisescens* A.H. Howell

(b) The following species are threatened within the boundaries of the state of Kansas.

(1) Invertebrates

Rock pocketbook mussel, *Arcidens confragosa* (Say, 1829)

Fluted-shell mussel, *Lasmigona costata* (Rafinesque, 1820)

Butterfly mussel, *Ellipsaria lineolata* (Rafinesque, 1820)

Ouachita kidneyshell mussel, *Ptychobranchus occidentalis* (Conrad, 1836)

(2) Fish

Arkansas darter, *Etheostoma cragini* Gilbert

Chestnut lamprey, *Ichthyomyzon castaneus* Girard

Flathead chub, *Hybopsis gracilis* (Richardson)

Hornyhead chub, *Nocomis biguttatus* (Kirtland)

Neosho madtom, *Noturus placidus* Taylor

Redspot chub, *Nocomis asper* Lachner and Jenkins

Silverband shiner, *Notropis shumardi* (Girard)

Blackside darter, *Percina maculata* (Girard)

Sturgeon chub, *Macrhybopsis gelida* (Girard)

Western silvery minnow, *Hybognathus argyritis* (Girard)

(3) Amphibians

Central newt, *Notophthalmus viridescens louisianensis* (Wolterstorff)

Dark-sided salamander, *Eurycea longicauda melanopleura* (Cope)

Eastern narrowmouth toad, *Gastrophryne carolinensis* (Holbrook)

Green frog, *Rana clamitans melanota* (Rafinesque)

Northern spring peeper, *Pseudacris crucifer crucifer* (Wied)

Strecker's chorus frog, *Pseudacris streckeri streckeri* Wright and Wright

Western green toad, *Bufo debilis insidiosus* Girard

(4) Reptiles

Broadhead skink, *Eumeces laticeps* (Schneider)

Checkered garter snake, *Thamnophis marcianus marcianus* (Baird and Girard)

Common map turtle, *Graptemys geographica* (Le Sueur)

New Mexico blind snake, *Leptotyphlops dulcis dissectus* (Cope)

Northern redbelly snake, *Storeria occipitomaculata occipitomaculata* (Storer)

Texas longnose snake, *Rhinocheilus lecontei tessellatus* Garman

Texas night snake, *Hypsiglena torquata jani* (Duges)

Western earth snake, *Virginia valeriae elegans* (Kennicott)

(5) Birds

Piping plover, *Charadrius melodus* Ord

Snowy plover, *Charadrius alexandrinus* Linnaeus

(continued)

White-faced ibis, *Plegadis chihi* (Vieillot)

(6) Mammals

Eastern spotted skunk, *Spilogale putorius interupta* (Rafinesque)

(c) Any threatened or endangered species taken during established trapping seasons, authorized commercial wildlife operations, fishing by hook and line, bait fish seining, or other lawful activity shall not be unlawfully taken if immediately released.

(d) Any threatened or endangered species in possession prior to the effective date of this regulation and not prohibited by previous regulation or the department or national listings may be retained in possession if:

(1) an application of affidavit to that effect has been filed with and approved by the secretary prior to January 1, 1990 that states the circumstances of how the species came into possession; or

(2) possession of the animal has been previously approved by the department. (Authorized by K.S.A. 1991 Supp. 32-960 and K.S.A. 1991 Supp. 32-963; implementing K.S.A. 1991 Supp. 32-960, K.S.A. 1991 Supp. 32-961, K.S.A. 1991 Supp. 32-963, K.S.A. 1991 Supp. 32-1010 and K.S.A. 1991 Supp. 32-1011; effective Oct. 30, 1989; amended Aug. 31, 1992.)

115-15-2. Nongame species; general provisions.

(a) Nongame species in need of conservation in Kansas.

(1) Invertebrates

Cylindrical papershell mussel, *Anodontoides ferussacianus* (I. Lea, 1834)

Snuffbox mussel, *Epioblasma triquetra* (Rafinesque, 1820)

Wartyback mussel, *Quadrula nodulata* (Rafinesque, 1820)

Spike (Lady-finger) mussel, *Elliptio dilatata* (Rafinesque, 1820)

Wabash pigtoe mussel, *Fusconaia flava* (Rafinesque, 1820)

Fat mucket mussel, *Lampsilis radiata conspicua* (Gmelin, 1791)

Yellow sandshell mussel, *Lampsilis teres* (Rafinesque, 1820)

Washboard mussel, *Megaloniais nervosa* (Rafinesque, 1820)

Round pigtoe mussel, *Pleurobema coccineum* (Conrad, 1834)

Squawfoot mussel, *Strophitus undulatus* (Say, 1817)

Fawnsfoot mussel, *Truncilla donaciformis* (I. Lea, 1828)

Deertoe mussel, *Truncilla truncata* (Rafinesque, 1820)

Ozark emerald dragonfly, *Somatochlora ozarkensis*

Bird
Gray petaltail dragonfly, *Tachopteryx thoreyi*

Hagen
Prairie mole cricket, *Gryllotalpa major* Sauss

(2) Fish

Banded darter, *Etheostoma zonale* (Cope)

Banded sculpin, *Cottus carolinae* (Gill)

Black redhorse, *Moxostoma duquesnei* (Le Sueur)

Blue sucker, *Cycleptus elongatus* (Le Sueur)

Blacknose dace, *Rhinichthys atratulus* Hermann

Bluntnose darter, *Etheostoma chlorosomum* (Hay)

Brassy minnow, *Hybognathus hankinsoni* Hubbs

Gravel chub, *Erimystax x-punctata* Hubbs and

Crowe

Greenside darter, *Etheostoma blennioides* Rafinesque

Highfin carpsucker, *Carpoides velifer* (Rafinesque)

Northern hog sucker, *Hypentelium nigricans* (Le Sueur)

Ozark minnow, *Notropis nubilus* (Forbes)

Plains minnow, *Hybognathus placitus* Girard

River darter, *Percina shumardi* (Girard)

River redhorse, *Moxostoma carinatum* (Cope)

River shiner, *Notropis blennioides* (Girard)

Slough darter, *Etheostoma gracile* (Girard)

Speckled darter, *Etheostoma stigmaeum* (Jordan)

Spotfin shiner, *Cyprinella spiloptera* (Cope)

Spotted sucker, *Minytrema melanops* (Rafinesque)

Stippled darter, *Etheostoma punctulatum* (Agassiz)

Tadpole madtom, *Noturus gyrinus* (Mitchill)

Topeka shiner, *Notropis topeka* Gilbert

(3) Amphibians

Red-spotted toad, *Bufo punctatus* Baird and Girard

Northern crawfish frog, *Rana areolata circulosa*
Rice and Davis

(4) Reptiles

Alligator snapping turtle, *Macroclmys temminckii* (Troost)

Rough earth snake, *Virginia striatula* (Linnaeus)

Western hognose snake, *Heterodon nasicus* Baird and Girard

Timber rattlesnake, *Crotalus horridus* Linnaeus

Eastern hognose snake, *Heterodon platirhinos*
Latreille

Glossy snake, *Arizona elegans elegans* Kennicott

(5) Birds

Bobolink, *Dolichonyx oryzivorus* (Linnaeus)

Cerulean warbler, *Dendroica cerulea* (Wilson)

Curve-billed thrasher, *Toxostoma curvirostre* (Swainson)

Ferruginous hawk, *Buteo regalis* (Gray)

Golden eagle, *Aquila chrysaetos* (Linnaeus)

Short-eared owl, *Asio flammeus* (Pontoppidan)

Henslow's sparrow, *Ammodramus henslowii* (Audubon)

Ladder-backed woodpecker, *Picoides scalaris* (Wagler)

Long-billed curlew, *Numenius americanus*
Bechstein

Mountain plover, *Charadrius montanus* Townsend

Chihuahuan raven, *Corvus cryptoleucus* Couch

Black tern, *Chlidonias niger* (Linnaeus)

Black rail, *Laterallus jamaicensis* (Gmelin)

Red-shouldered hawk, *Buteo lineatus* (Gmelin)

Whip-poor-will, *Caprimulgus vociferus* Wilson

Yellow-throated warbler, *Dendroica dominica* (Linnaeus)

(6) Mammals

Eastern chipmunk, *Tamias striatus* (Linnaeus)
Franklin's ground squirrel, *Spermophilus franklinii*

(Sabine)

Pallid bat, *Antrozous pallidus bunkerii* Hibbard
Southern bog lemming, *Synaptomys cooperi* Baird
Southern flying squirrel, *Glaucomys volans volans*

(Linnaeus)

Texas mouse, *Peromyscus attwateri* J.A. Allen
Townsend's big-eared bat, *Plecotus townsendii pallescens* (Miller)

(b) Any nongame species in need of conservation taken during established trapping seasons, authorized commercial wildlife operations, fishing by hook and line, bait fish seining, or other lawful activity shall not be unlawfully taken if immediately released.

(c) Any nongame species in need of conservation in possession prior to the effective date of this regulation and not prohibited by previous regulation of the department or national listings may be retained in possession if:

(1) an application of affidavit to that effect has been filed with and approved by the secretary prior to January 1, 1990, that states the circumstances of how the species came into possession; or

(2) possession of the animal has been previously approved by the department. (Authorized by K.S.A. 1991 Supp. 32-959 and K.S.A. 1991 Supp. 32-963; implementing K.S.A. 1991 Supp. 32-959 and K.S.A. 1991 Supp. 32-1009; effective Oct. 30, 1989; amended Aug. 31, 1992.)

Article 16.—WILDLIFE DAMAGE CONTROL

115-16-3. Nuisance bird control permit; application, provisions and requirements. (a) Nuisance birds shall include the following species:

- (1) yellow-headed blackbird;
- (2) red-winged blackbird;
- (3) bi-colored red-winged blackbird;
- (4) rusty blackbird;
- (5) brewer's blackbird;
- (6) cowbird;
- (7) grackle;
- (8) crow;
- (9) magpie;
- (10) feral pigeon;
- (11) english sparrow; and
- (12) starling.

(b) Nuisance birds may be controlled when found depredating or about to depredate upon ornamental or shade trees, agricultural crops, livestock, or wildlife, or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance.

(c) A nuisance bird control permit shall be required to use any lethal method of control which involves poisons or chemicals for controlling nuisance birds other than feral pigeon, english sparrow or starling.

(d) Any person may apply to the secretary for a nuisance bird control permit. The application shall be on forms provided by the department and each applicant shall provide the following information:

- (1) the name of the applicant;
- (2) the address of the applicant;
- (3) the telephone number of the applicant;
- (4) the location of the nuisance bird problem;
- (5) a description of the problem;
- (6) the species of birds involved;
- (7) the proposed method of control;
- (8) the length of time for which the permit is requested; and

(9) other information as required by the secretary.
(e) Issuance of the permit may be denied by the secretary if:

- (1) the permit application is unclear or incomplete;
- (2) the need for nuisance bird control has not been established; or

(3) use of the poison or chemical would pose inordinate risk to the public, non-target wildlife or the environment.

(f) The permit shall be valid only for the time period specified on the permit, but shall not exceed one year.

(g) A permit may be extended by the secretary upon request and justification by the permittee. However, the combined total of the original and extended time period shall not exceed one year.

(h) The permit shall be valid only for the locations specified in the permit.

(i) In addition to other penalties as prescribed by law, a nuisance bird control permit may be revoked by the secretary if:

- (1) the permit was secured through false representation; or
- (2) the permittee fails to meet permit requirements or violates permit conditions.

(j) A nuisance bird control permit shall not be required to control nuisance bird problems as described in subsection (b) when the control method is non-lethal or when the control method involves use of firearms, bow and arrow or falconry.

(k) Nuisance birds killed and the plumage of nuisance birds killed during nuisance bird control may be possessed, transported and otherwise disposed of or utilized, except that nuisance birds killed and the plumage of nuisance birds killed during the nuisance bird control shall not be sold or offered for sale.

(l) All nuisance bird control activities shall be subject to all federal and state laws and rules and regulations. (Authorized by K.S.A. 1991 Supp. 32-807 and K.S.A. 1991 Supp. 32-955; implementing K.S.A. 1991 Supp. 32-955, K.S.A. 1991 Supp. 32-1002 and K.S.A. 1991 Supp. 32-1003; effective Sept. 10, 1990; amended Aug. 31, 1992.)

Jack Lacey
Secretary of Wildlife
and Parks

Doc. No. 012233

State of Kansas

The Kansas Lottery

Temporary Administrative
Regulations

Article 3.—INSTANT GAME RULES

111-3-13. Ticket Validation Requirements. (a)

Each instant game ticket shall be validated prior to payment of a prize. Submission of a valid winning ticket to and receipt of the ticket by the lottery or one of its authorized retailers shall be the sole method of claiming a prize or prizes.

(b) Besides meeting all other requirements in these rules and those printed on the back of each instant ticket, the following validation requirements shall apply to all tickets for these instant games:

(1) The ticket must have been issued by the Kansas lottery in an authorized manner and must not be counterfeit in whole or in part.

(2) The ticket must be complete and intact and not mutilated, altered, unreadable, reconstructed, or tampered with in any manner.

(3) The ticket must not be blank or partially blank, miscut, misregistered, defective, or printed or produced in error.

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

(5) The ticket must not be stolen nor appear on any list of omitted tickets on file at the Kansas lottery.

(6) Play symbols must appear in the play area. Each play symbol must be exactly as described in specific game rules.

(7) Each play symbol must have a play symbol caption underneath, and each play symbol caption must agree with its play symbol. Each play symbol caption must be exactly as described in specific game rules.

(8) Each of the play symbols and play symbol captions must be present in its entirety, fully legible, right side up, not reversed in any manner, and correspond precisely to the artwork on file at the Kansas lottery.

(9) The ticket must have exactly one ticket validation number, one book-ticket number and one retailer validation code, each of which must be present in its entirety, be fully legible, be exactly as described in K.A.R. 111-3-1, and correspond precisely to the artwork on file at the Kansas lottery. The ticket validation number shall correspond, using the Kansas lottery codes, to the play symbols on the ticket.

(10) The ticket validation number of an apparent winning ticket shall appear on the Kansas lottery's official list of ticket validation numbers of winning tickets and a ticket with that ticket validation number shall not have been paid previously.

(11) The ticket must pass all additional confidential validation tests of the Kansas lottery.

(c) Any ticket not passing all of the validation checks in this paragraph is void and ineligible for any prize. However, the executive director may, solely at his or her option, reimburse the player for the cost of an invalid ticket. In the event that a defective ticket is

purchased, the only responsibility or liability of the Kansas lottery shall be for reimbursement of the cost of the defective ticket. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-89-7, Feb. 26, 1988; amended, T-111-3-14-90, Mar. 2, 1990; amended, T-111-6-19-91, June 14, 1991; amended, T-111-7-1-92, June 26, 1992.)

111-3-20. Method of Entry. Entry into lottery drawings is accomplished by the following steps except where otherwise specified by individual game rules:

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

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

(c) If the ticket is a non-winning ticket, it is eligible for winning the drawing, and the holder of the ticket may enter the drawing by placing it in the receptacle or drum provided by the lottery;

(d) The holder of a non-winning ticket must complete the information form on the back of the ticket in a legible manner;

(e) There is no limit on the number of entries a person may make. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-7-7-88, July 5, 1988; amended, T-111-8-3-88, Aug. 3, 1988; amended, T-111-4-13-89, April 7, 1989; amended, T-111-6-30-89, June 30, 1989; amended, T-111-8-2-91, July 19, 1991; amended, T-111-7-1-92, June 26, 1992.)

111-3-21. Certification of Drawings. (a) All instant ticket drawings except as otherwise specified by individual game rules shall be personally observed by a member of the Kansas lottery division of security designated by the executive director and by an employee of the Kansas lottery designated by the executive director as drawing manager.

(b) Upon completion of the drawings, the designated lottery security person shall issue a report certifying that the ticket selected is valid and that to the best of his or her knowledge the procedures required by these rules were followed in conducting the drawing. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-7-7-88, July 5, 1988; amended, T-111-9-6-88, Sept. 6, 1988; amended, T-111-5-28-91, May 24, 1991; amended, T-111-7-1-92, June 26, 1992.)

111-3-22. Selection of Participants. The following process shall be used for the selection of participants in all drawings conducted pursuant to K.A.R. 111-3-1 *et seq.* unless otherwise specified by individual game rules:

(a) Kansas lottery personnel shall pick up all entries mailed to the lottery on a daily basis.

(b) Lottery personnel shall transport the tickets to a secure area where they will be held until the time designated by the executive director for the drawing for which they are entered. Lottery security personnel shall then be responsible for transporting the tickets

and placing them in the receptacle(s) or drum(s) to be used for the drawing.

(c) The selection process shall be held at the date and time specified in individual game rules. All draws shall be held in a place accessible to the public and be open for public attendance and with lottery security personnel present. All draws shall be video and audio taped.

(d) An individual designated by the executive director shall pick at random the number of tickets specified by the rules and regulations of the drawing from the receptacle(s) or drum(s) using the bare-arm technique. Should the designated individual draw tickets belonging to that designated individual, the tickets shall be disqualified.

(e) The contents of the receptacle(s) or drum(s) shall be mixed thoroughly with a shovel or other means, or rotated a minimum of 10 times to ensure random selection.

(f) If the tickets drawn are determined to be ineligible, they shall be discarded, the receptacle(s) or drum(s) resealed, and another drawn. This procedure will be repeated until valid selections are obtained.

(g) All tickets remaining in the receptacle(s) or drum(s) after valid entries have been selected shall be destroyed.

(h) Valid entries shall be certified and secured in accordance with K.A.R. 111-3-21. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710(b); effective T-89-4, Jan. 21, 1988; amended, T-89-25, May 24, 1988; amended, T-111-7-7-88, July 5, 1988; amended, T-111-4-13-89, April 7, 1989; amended, T-111-6-30-89, June 30, 1989; amended, T-111-12-15-89, Dec. 8, 1989; amended, T-111-5-28-91, May 24, 1991; amended, T-111-7-1-92, June 26, 1992.)

111-3-25. Winner Validation. The following validation requirements shall apply to all drawings conducted pursuant to K.A.R. 111-3-1 *et seq.* unless otherwise specified by individual game rules:

(a) Each ticket entered must be a valid non-winning Kansas instant game lottery ticket from any game specified by the rules and regulations of the drawing;

(b) The information form on the back of each ticket must be filled out in a legible manner.

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

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

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

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

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

(h) Each ticket must have exactly one ticket validation number, one book-ticket number, and two retailer validation codes, each of which must be present in its entirety, be fully legible, be exactly as described

in paragraph (d) above, and correspond precisely to the artwork on file at the Kansas lottery. Each ticket validation number shall correspond to the play symbols on the ticket;

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

(j) Any ticket not passing all the validation checks in this section is void and is not eligible for drawings conducted pursuant to K.A.R. 111-3-1 *et seq.* (Authorized by and implementing K.S.A. 1991 Supp. 74-8710(b); effective, T-111-7-7-88, July 7, 1988; amended, T-111-5-28-91, May 24, 1991; amended, T-111-7-1-92, June 26, 1992.)

111-3-26. Security of Equipment. The drum shall be stored in a locked secure area at all times when not in use. Keys to the secure area shall be under the exclusive control of the Kansas lottery division of security. Prior to use, the drum shall be inspected by the Kansas lottery division of security to ensure it has not been tampered with and is in good working order. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-89-4, Jan. 22, 1988; amended, T-111-7-1-92, June 26, 1992.)

111-3-27. Rights of Participants. Any Kansas instant lottery ticket entered into a drawing conducted pursuant to K.A.R. 111-3-1 *et seq.* is disqualified from any other Kansas lottery prize or eligibility for which that ticket may have been redeemable unless otherwise specified by individual game rules. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710(d); effective, T-111-7-7-88, July 7, 1988; amended, T-111-5-28-91, May 24, 1991; amended, T-111-7-1-92, June 26, 1992.)

111-3-29. (Authorized by and implementing K.S.A. 1989 Supp. 74-8710(b); effective, T-89-4, Jan. 22, 1988; amended, T-111-5-28-91, May 28, 1991; revoked, T-111-7-1-92, June 26, 1992.)

Article 4.—INDIVIDUAL GAME RULES

111-4-106a. "State Fair Grand Prize Drawing." The grand prize winner will be determined in a drawing from all tickets remaining in the receptacle or drum as follows:

(a) At the close of each draw the lottery security official present shall prepare a log of the names and addresses of those winners. The lottery security official or lottery employee shall deposit all entries from the "State Fair Drawing," including the winning entry, into the receptacle or drum for the grand prize drawing.

(b) The receptacle or drum containing the non-winning tickets shall be sealed and rotated a minimum of 10 times or mixed thoroughly with a shovel for two minutes by lottery security personnel to ensure random selection.

(c) The executive director shall designate one individual to participate in the selection process.

(d) The selection of "State Fair Grand Prize Drawing" winner shall be accomplished by the individual designated by the executive director, using a bare arm

(continued)

technique, removing only one ticket from the receptacle or drum in which all entries were placed. The person drawing the ticket shall show the name of the grand prize winner to the security person for verification. The name of the winner shall then be announced to the audience by the person drawing the ticket.

(e) The named person is not required to be present in order to win the "State Fair Grand Prize Drawing" prize described in K.A.R. 111-4-104.

(f) The person whose name has been drawn from the receptacle or drum shall be determined the "State Fair Grand Prize Drawing" winner.

(g) Following the selection of the "State Fair Grand Prize Drawing" winner, additional tickets may be drawn in the same manner as the "State Fair Grand Prize Drawing" and non-monetary prizes donated by sponsors may be awarded.

(h) The winner of a prize at the "State Fair Grand Prize Drawing" shall be given a prize claim form to be completed and returned to the lottery. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-92, July 19, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-1-92, June 26, 1992.)

"KANSAS LOTTERY PROMOTIONAL DRAWINGS"

111-4-414. Name and Location of Drawings. The Kansas lottery shall conduct second chance non-winning ticket drawings entitled "Kansas Lottery Promotional Drawings." The dates of drawings will coincide with the Kansas lottery promotional schedule and shall take place at the lottery's selling location on the dates listed on the following schedule:

| | |
|--|----------------|
| Beef Empire Days, Garden City | June 5 |
| White Eagle Festival, Augusta | June 12 and 13 |
| Tri-State Air Show, Goodland | June 13 and 14 |
| Twin Rivers Festival, Emporia | June 20 |
| Chisholm Trail Festival, Newton | June 27 and 28 |
| Sumner County Wheat Festival, Wellington | July 11 |
| Pratt Air Show, Pratt | July 11 and 12 |
| Franklin County Fair, Ottawa | July 16 |
| Ellis County Fair, Hays | July 22 |
| Dodge City Days, Dodge City | July 24 |
| Inter-State Fair and Rodeo, Coffeyville | Aug. 9 and 10 |
| Five State Free Fair, Liberal | Aug. 14 and 15 |
| Little Balkans Days, Pittsburg | Sept. 5 |
| Railroad Days, Topeka | Sept. 5 |

(Authorized by and implementing K.S.A. 1991 Supp. 74-8710(a); effective, T-111-5-21-92, May 15, 1992; amended, T-111-7-1-92, June 26, 1992.)

RULES FOR INSTANT GAME NO. 46 "Shades of Fun"

111-4-433. Name of Game. The Kansas Lottery shall conduct an instant winner lottery game entitled "Shades of Fun" commencing on July 15, 1992. The specific rules for the "Shades of Fun" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-433 through 111-4-436. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-7-1-92, June 26, 1992.)

111-4-434. Definitions. The following definitions shall apply to the "Shades of Fun" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 pt. Archer. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: \$1.00 - \$2.00 - \$5.00 - 10.00 - 20.00 - 50.00 - \$1000.

(b) "Game symbol captions" are the words or portions of words, letters or numbers printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated with each game symbol is as follows:

| Game Symbol | Game Symbol Caption |
|-------------|---------------------|
| \$1.00 | ONE\$ |
| \$2.00 | TWO\$ |
| \$5.00 | FIVE\$ |
| 10.00 | TEN\$ |
| 20.00 | TWENTY |
| 50.00 | FIFTY |
| \$1000 | ONE-THOU |

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears below the game symbols under the removable covering in the play area on the front of each instant ticket.

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

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of six varying locations among the game symbols. The codes and their meanings are as follows: CC = \$1.00; DD = \$2.00; KK = \$5.00; BB = \$10.00; NN = \$20.00. (Authorized by and implementing K.S.A. 1991 Supp. 74-8710; effective, T-111-7-1-92, June 26, 1992.)

111-4-435. Determination of Instant Prize Winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three (3) of six (6) game. If three (3) of the six (6) concealed prize amounts match, the player wins the amount shown. No ticket will be eligible to win more than one prize. Prizes a player may win are as follows:

| Get | Win |
|---------------|----------------------|
| 3 - \$ 1.00 | One Dollar |
| 3 - \$ 2.00 | Two Dollars |
| 3 - \$ 5.00 | Five Dollars |
| 3 - \$ 10.00 | Ten Dollars |
| 3 - \$ 20.00 | Twenty Dollars |
| 3 - \$ 50.00 | Fifty Dollars |
| 3 - \$1000.00 | One Thousand Dollars |

(Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (i); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective, T-111-7-1-92, June 26, 1992.)

111-4-436. Number and Value of Instant Prizes.

(a) There will be approximately 4,200,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

| Prizes | Expected Number of Prizes in Game | Expected Value in Game |
|---------|-----------------------------------|------------------------|
| \$1 | 280,000 | \$ 280,000 |
| \$2 | 252,000 | \$ 504,000 |
| \$5 | 126,000 | \$ 630,000 |
| \$10 | 35,000 | \$ 350,000 |
| \$20 | 21,000 | \$ 420,000 |
| \$50 | 3,640 | \$ 182,000 |
| \$1,000 | 70 | \$ 70,000 |
| | <u>717,710</u> | <u>\$2,436,000</u> |

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

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1991 Supp. 74-8710(b), (c) & (f); implementing K.S.A. 1991 Supp. 74-8710(b), (c) & (f); and 74-8720; effective, T-111-7-1-92, June 26, 1992.)

Article 6.—ON-LINE GAMES

111-6-1. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 1990 Supp. 74-8701 *et seq.*) and lottery regulations adopted pursuant to the Kansas lottery act are hereby incorporated by reference.

(b) "On-line Game" means a lottery game in which a player selects a combination of numbers or symbols, the type of game and amount of play, and the drawing date(s) by use of a computer. In return for paying the appropriate fee, the player receives a computer-generated ticket with the player's selection printed on it. The Kansas lottery (lottery) will conduct a drawing to determine the winning combination in accordance with the rules of the specific game being played. Each ticket holder whose valid ticket includes a winning combination shall be entitled to a prize if the ticket and a valid claim form are submitted within the specified time period.

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

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

(e) "On-line Ticket" means a computer-generated ticket issued by an on-line terminal to a player as a

receipt for the combination a player had selected. That ticket shall be the only acceptable evidence of the combination of numbers or symbols selected.

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

(g) "Winning Combination" means one or more numbers of symbols randomly selected by the lottery in a public drawing.

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

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

(j) "Executive director" means the executive director of the Kansas lottery or the person designated by the executive director. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; amended, T-111-10-10-90, Sept. 15, 1990; amended, T-111-12-21-90, Dec. 14, 1990; amended, T-111-9-20-91, Sept. 20, 1991; amended, T-111-7-1-92, June 26, 1992.)

111-6-6. Drawings and End of Sales Prior to Drawings. (a) Drawings may be conducted in a location and at days and times designated by the executive director. They shall be open to the public and shall be witnessed by a lottery security official and drawing manager.

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

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

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

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

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

(continued)

equipment in the event the primary drawing equipment malfunctions or fails for any reason.

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

(h) All drawings may be broadcast live on television provided the facilities for such broadcasts are available and operational and can be done at a reasonable cost.

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

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

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

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

(m) Upon completion of the drawing, the persons designated to officially observe the drawing shall issue a signed report to the executive director. This report shall certify that to the best of their knowledge, the procedures required by these rules were followed in selecting the winner at the drawing. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-12-28-89, Dec. 21, 1989; amended, T-111-8-2-91, July 16, 1991; amended, T-111-9-20-91, Sept. 20, 1991; amended, T-111-7-1-92, June 26, 1992.)

Article 7.—CASH LOTTO GAME RULES

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

(a) Cash Lotto is a twice weekly six (6) of thirty-three (33) Lotto game which pays prizes for correctly picking six (6) of six (6) numbers on a pari-mutuel basis with a minimum guaranteed prize of Fifty Thousand Dollars

(\$50,000). Prizes for correctly picking five (5) of six (6) numbers and four (4) of six (6) numbers shall be determined on a pari-mutuel basis with a two dollar (\$2.00) minimum.

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

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

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

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

(e) Starting September 18, 1991, ticket sales will end at approximately 6:45 p.m. central time (CT) on Wednesdays and Saturdays and resume at approximately 7:00 p.m.

(f) Drawings will be conducted twice weekly, on Wednesdays and Saturdays at approximately 6:58 p.m. central time (CT) after the game is closed at approximately 6:45 p.m. central time (CT), and lottery security personnel have verified that the game is closed, under conditions and procedures promulgated by the executive director of the lottery.

(g) It shall be the sole responsibility of the player to verify the accuracy of the game plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the on-line retailer who is acting on behalf of the player in entering the plays. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710, effective, T-89-25, May 31, 1988; amended, T-111-11-2-89, Oct. 27, 1989; amended, T-111-6-7-90, June 1, 1990; amended, T-111-9-20-91, Sept. 13, 1991; amended, T-111-7-1-92, June 26, 1992.)

111-7-46. Game Description; Retail Sale of Tickets. (a) KENO is a two-times-a-week eleven (11) of twenty (20) of sixty (60) lottery game which pays prizes for correctly picking eleven (11) of twenty (20) numbers drawn from a field of sixty (60) numbers with a jackpot prize of fifty thousand dollars (\$50,000.00) and prizes of two thousand dollars (\$2,000) for matching ten (10) winning numbers, two hundred dollars (\$200.00) for matching nine (9) winning numbers cor-

rectly, twenty dollars (\$20) for matching eight (8) winning numbers, five dollars (\$5) for matching seven (7) winning numbers, and ten dollars (\$10) for picking zero (0) winning numbers, subject to the limitations of K.A.R. 111-7-48(d) and (e).

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

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

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

(d) A ticket may not be voided or cancelled by returning the ticket to the selling retailer, including a ticket that is printed in error.

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

(f) It shall be the sole responsibility of the player to verify the accuracy of the game plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the on-line retailer who is acting on behalf of the player in entering the plays. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710, effective, T-111-8-24-90, Aug. 17, 1990; amended, T-111-9-20-91, Sept. 13, 1991; amended, T-111-7-1-92, June 26, 1992.)

111-7-66. Game Description; Drawing. (a) Pick 3 is a daily game in which drawings shall be conducted every day but Sunday in accordance with lottery procedures.

(b) To play Pick 3 a player shall select a set of three single digit numbers from three sets of single digit numbers beginning with zero and progressing by increments of one through the number nine by (1) communicating the numbers to the retailer; (2) marking up to four boards on each play slip and submitting the play slip to the retailer; or (3) requesting a quick pick from the retailer.

(c) The cost of a single ticket shall be either \$.50 per play or \$1.00 per play times the number of plays.

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

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

(f) Ticket sales will end at approximately 6:45 p.m. central time (CT) on each drawing day and resume at approximately 7:00 p.m.

(g) Drawings will be conducted daily except Sundays at approximately 6:55 p.m. central time (CT) immediately after the game is closed, and the lottery security official present has verified that the game is closed, under conditions and procedures promulgated by the executive director of the lottery.

(h) It shall be the sole responsibility of the player to verify the accuracy of the game plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the on-line retailer who is acting on behalf of the player in entering the plays. (Authorized by and implementing K.S.A. 1990 Supp. 74-8710; effective, T-111-12-18-91, Dec. 13, 1991; amended, T-111-7-1-92, June 26, 1992.)

Ralph Decker
Executive Director

Doc. No. 012234

State of Kansas

Human Rights Commission

Temporary Administrative Regulations

Article 60.—DISCRIMINATORY HOUSING PRACTICES

21-60-1. Definitions. (a) "Broker" or "Agent" means any person authorized to perform an action on behalf of another person regarding any matter related to the sale or rental of dwellings, including offers, solicitations or contracts as well as the administration of matters regarding such offers, solicitations or contracts, or any other real estate related transactions.

(b) "Dwelling" means any building, structure or portion thereof, which is occupied as, or designed or intended for occupancy as, a residence by one or more families as well as any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

(c) "Person in the business of selling or renting" means any person who:

(1) within the preceding twelve months, has participated as principal in more than three transactions involving the sale or rental of any dwelling or any interest therein;

(2) within the preceding twelve months, has participated as agent, other than in the sale of his or her

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own personal residence, in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein; or

(3) is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-2. Discriminatory housing practices on the basis of familial status. The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-3. Unlawful refusal to sell or rent or to negotiate for the sale or rental. Unlawful practices under K.S.A. 44-1016(a) include, but are not limited to:

(a) Failing to accept or consider a bona fide offer because of race, religion, color, sex, disability, familial status, national origin or ancestry;

(b) Refusing to sell or rent real property to, or to negotiate for the sale or rental of real property with, any person because of race, religion, color, sex, disability, familial status, national origin or ancestry;

(c) Imposing different sales prices or rental charges for the sale or rental of real property upon any person because of race, religion, color, sex, disability, familial status, national origin or ancestry;

(d) Using different qualification criteria or applications, or sale or rental standards or procedures such as income standards, application requirements, application fees, credit analysis, sale or rental approval procedures or other requirements because of race, religion, color, sex, disability, familial status, national origin or ancestry; or

(e) Evicting tenants because of their race, religion, color, sex, disability, familial status, national origin or ancestry, or because of the race, religion, color, sex, disability, familial status, national origin or ancestry of a tenant's guest. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-4. Discrimination in terms, conditions and privileges and in services and facilities. Unlawful practices under K.S.A. 44-1016(b) include, but are not limited to:

(a) Using different provisions in leases or contracts of sale, such as those relating to rental charges, security deposits, down payment and closing requirements, because of race, religion, color, sex, disability, familial status, national origin or ancestry;

(b) Failing to perform or delaying maintenance or repairs of sale or rental real property because of race,

religion, color, sex, disability, familial status, national origin or ancestry;

(c) Failing to process or accurately communicate an offer for the sale or rental of real property because of race, religion, color, sex, disability, familial status, national origin or ancestry;

(d) Limiting the use of privileges, services or facilities associated with real property because of race, religion, color, sex, disability, familial status, national origin or ancestry of an owner, tenant or a person associated with him or her; and

(e) Denying or limiting services or facilities in connection with the sale or rental of real property because a person failed or refused to provide sexual favors. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-5. Other prohibited sale and rental conduct.

(a) It shall be unlawful because of race, religion, color, sex, disability, familial status, national origin or ancestry for an agent, broker, person in the business of selling or renting or any other person for profit to restrict or attempt to restrict, by word or conduct, the choices of a person seeking, negotiating for, buying or renting real property so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct choices in a community, neighborhood or development.

(b) It shall be unlawful because of race, religion, color, sex, disability, familial status, national origin or ancestry to engage in any conduct relating to the provision of housing or of related services and facilities that otherwise makes unavailable or denies real property to persons.

(c) Prohibited actions under subsection (a), generally referred to as unlawful steering practices, include, but are not limited to:

(1) discouraging any person from inspecting, purchasing or renting real property because of race, religion, color, sex, disability, familial status, national origin or ancestry, or because of the race, religion, color, sex, disability, familial status, national origin or ancestry of persons in a community, neighborhood or development;

(2) discouraging the purchase or rental of real property because of race, religion, color, sex, disability, familial status, national origin or ancestry, by exaggerating drawbacks or failing to inform any person of desirable features of real property or of a community, neighborhood, or development;

(3) Communicating to any prospective purchaser or renter that he or she would not be comfortable or compatible with existing residents of a community, neighborhood or development because of race, religion, color, sex, disability, familial status, national origin or ancestry; and

(4) assigning any person to a particular section of a community, neighborhood or development, or to a particular floor of a building, because of race, religion, color, sex, disability, familial status, national origin or ancestry.

(d) Prohibited sales and rental activities under subsection (b) include, but are not limited to:

(1) discharging or taking other adverse action against an employee, broker or agent because he or she refused to participate in a discriminatory housing practice;

(2) employing codes or other devices to segregate or reject applicants, purchasers or renters;

(3) refusing to take or to show listings of real property in certain areas because of race, religion, color, sex, disability, familial status, national origin or ancestry;

(4) denying or delaying the processing of an application made by a purchaser or renter, or refusing to approve such a person for occupancy in a cooperative or condominium because of race, color, sex, disability, familial status, national origin or ancestry; and

(5) refusing to provide municipal services or property hazard insurance for real property, or providing such services or insurance differently because of race, color, sex, disability, familial status, national origin or ancestry. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-6. Discriminatory advertisements, statements and notices. (a) Unlawful practices under K.S.A. 44-1016(c) include, but are not limited to, all written or oral notices or statements by a person engaged in the sale or rental of real property. Written notices and statements include any applications, flyers, brochures, deeds, signs, banners, posters, billboards or any document used with respect to the sale or rental of real property.

(b) Discriminatory notices, statements and advertisements include, but are not limited to:

(1) using words, phrases, photographs, illustrations, symbols or forms which convey that dwellings are available or not available to a particular group of persons because of race, religion, color, sex, disability, familial status, national origin or ancestry;

(2) expressing to agents, brokers, employees, prospective sellers or renters or any other persons a preference for or limitation on any purchaser or renter because of race, religion, color, sex, disability, familial status, national origin or ancestry;

(3) selecting media or locations for advertising the sale or rental of real property in order to deny particular segments of the housing market information about housing opportunities because of race, religion, color, sex, disability, familial status, national origin or ancestry; and

(4) refusing to publish advertising for the sale or rental of real property or requiring different charges or terms for such advertising because of race, religion, color, sex, disability, familial status, national origin or ancestry. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-7. Discriminatory representations on the availability of real property. (a) It shall be unlawful,

because of race, religion, color, sex, disability, familial status, national origin or ancestry, for a broker, agent, person in the business of selling or renting or other person for profit to provide inaccurate or untrue information about the availability of real property for sale or rental.

(b) Prohibited actions under this act include, but are not limited to:

(1) indicating through words or conduct that real property which is available for inspection, sale, or rental has been sold or rented, because of race, religion, color, sex, disability, familial status, national origin or ancestry;

(2) representing that covenants or other deed, trust or lease provisions which purport to restrict the sale or rental of real property to persons because of race, religion, color, sex, disability, familial status, national origin or ancestry preclude the sale or rental of real property to a person;

(3) enforcing covenants or other deed, trust or lease provisions in order to preclude the sale or rental of real property to any person because of race, religion, color, sex, disability, familial status, national origin or ancestry;

(4) limiting information, by word or conduct, regarding suitably priced real property available for inspection, sale or rental, because of race, religion, color, sex, disability, familial status, national origin or ancestry; and

(5) providing false or inaccurate information regarding the availability of real property for sale or rental to any person, including testers, regardless of whether such person is actually seeking housing, because of race, religion, color, sex, disability, familial status, national origin or ancestry. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-8. Blockbusting. (a) It shall be unlawful, for profit, to induce or attempt to induce a person to sell or rent real property by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, religion, color, sex, familial status, national origin or ancestry or with a disability.

(b) In establishing a discriminatory housing practice under this act it is not necessary that there was in fact profit, as long as profit was a motive for engaging in the blockbusting activity.

(c) Prohibited actions under this act include, but are not limited to:

(1) engaging, for profit, in conduct (including uninvited solicitations for listings) which conveys to a person that a neighborhood is undergoing or is about to undergo a change in the race, religion, color, sex, disability, familial status, national origin or ancestry of persons residing in it, in order to encourage the person to offer real property for sale or rental; and

(2) encouraging, for profit, any person to sell or rent a real property through assertions that the entry or prospective entry of persons of a particular race, re-

(continued)

ligion, color, sex, familial status, national origin or ancestry or with disabilities, can or will result in undesirable consequences for the project, neighborhood or community, such as a lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools or other services or facilities. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-9. Discrimination in the provision of brokerage services. Unlawful practices under K.S.A. 44-1016(f) include, but are not limited to:

(a) Setting different fees for access to or membership in a multiple listing service based on race, religion, color, sex, disability, familial status, national origin or ancestry;

(b) Denying or limiting benefits accruing to members in a real estate brokers' organization because of race, religion, color, sex, disability, familial status, national origin or ancestry;

(c) Imposing different standards or criteria for membership in real estate sales or rental organization based on race, religion, color, sex, disability, familial status, national origin or ancestry; and

(d) Establishing geographic boundaries, office location or residence requirements for access to or membership or participation in any multiple listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting real property because of race, religion, color, sex, disability, familial status, national origin or ancestry. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-10. Discrimination in the making of loans and in the provision of other financial assistance. Unlawful practices under K.S.A. 44-1017(a) include, but are not limited to, failing or refusing to provide to any person, in connection with a residential real estate-related transaction, information regarding the availability of loans or other financial assistance, application requirements, procedures or standards for the review and approval of loans or financial assistance, or providing information which is inaccurate or different from that provided others, because of race, religion, color, sex, disability, familial status, national origin or ancestry. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1017, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-11. Discrimination in the purchasing of loans. (a) It shall be unlawful for any person or entity engaged in purchasing loans or other debts or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate, to refuse to purchase such loans, debts, or securities, or to impose different terms or conditions for such purchases,

because of race, religion, color, sex, disability, familial status, national origin or ancestry.

(b) Unlawful practices under this act include, but are not limited to:

(1) purchasing loans or other debts or securities which relate to or are secured by real property in certain communities or neighborhoods, but not in others, because of the race, religion, color, sex, disability, familial status, national origin or ancestry of one or more persons in such neighborhoods or communities;

(2) pooling or packaging loans or other debts or securities which relate to or which are secured by real property in a different manner because of race, religion, color, sex, disability, familial status, national origin or ancestry; and

(3) imposing or using different terms or conditions on the marketing or sale of securities issued on the basis of loans or other debts or securities which relate to or which are secured by real property because of race, religion, color, sex, disability, familial status, national origin or ancestry.

(c) Any person or entity engaged in the purchasing of loans may consider factors justified by business necessity, including requirements of federal law, and factors relating to a transaction's financial security or to protection against default or reduction of the value of the security. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1017, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-12. Discrimination in the terms and conditions for making available loans or other financial assistance. (a) It shall be unlawful for any person or entity engaged in making loans or providing other financial assistance relating to the purchase, construction, improvement, repair or maintenance of dwellings or in making loans which are secured by residential real estate, to impose different terms or conditions for the availability of such loans or other financial assistance because of race, religion, color, sex, disability, familial status, national origin or ancestry.

(b) Unlawful practices under this act include, but are not limited to:

(1) Using different policies, practices or procedures in evaluating or in determining the creditworthiness of any person in connection with the provision of any loan or other financial assistance for a dwelling, or for any loan or other financial assistance which is secured by residential real estate, because of race, religion, color, sex, disability, familial status, national origin or ancestry; and

(2) Determining the type of loan or other financial assistance to be provided with respect to a dwelling, or fixing the amount, interest rate, duration or other terms for a loan or other financial assistance for a dwelling, or for any loan or other financial assistance which is secured by residential real estate, because of race, religion, color, sex, disability, familial status, national origin or ancestry. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1017, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-13. Unlawful practices in the selling, brokering, or appraising of residential real property. (a) It shall be unlawful for any person or other entity whose business includes engaging in the selling, brokering or appraising of residential real property to discriminate against any person in making available such services, or in the performance of such services, because of race, religion, color, sex, disability, familial status, national origin or ancestry.

(b) For the purpose of this act, the term "appraisal" means an estimate or opinion of the value of a specified residential real property made in a business context in connection with the sale, rental, financing or refinancing of a dwelling, or in connection with any activity that otherwise affects the availability of a residential real estate-related transaction, whether the appraisal is oral or written, or transmitted formally or informally. The appraisal includes all written comments and other documents submitted as support for the estimate or opinion of value.

(c) Practices which are unlawful under this act include, but are not limited to, using an appraisal of residential real property in connection with the sale, rental, or financing of any dwelling where the person knows or reasonably should know that the appraisal improperly takes into consideration race, religion, color, sex, disability, familial status, national origin or ancestry. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1017, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-14. Prohibitions against discrimination because of disability; definitions. (a) "Accessible," when used with respect to the public and common use areas of a building containing covered multifamily dwellings, means that the public or common use areas of the building can be approached, entered, and used by individuals with physical disabilities. The phrase "readily accessible to and usable by" is synonymous with accessible. A public or common use area that complies with the appropriate requirements of K.S.A. 1991 Supp. 44-1016(h)(4) or a comparable standard, is "accessible" within the meaning of this act.

(b) "Accessible route," when used with respect to the public and common areas of a building containing covered multifamily dwellings, means a continuous unobstructed path connecting accessible elements and spaces in a building or within a site that can be negotiated by a person with a severe disability using a wheelchair and that is also safe for and usable by people with other disabilities. Interior accessible routes may include corridors, floors, ramps, elevators and lifts. Exterior accessible routes may include parking access aisles, curb ramps, walks, ramps and lifts. A route that complies with the appropriate requirements of K.S.A. 1991 Supp. 44-1016(h)(4) is an "accessible route."

(c) "Building" means a structure, facility or the portion thereof that contains or serves one or more dwelling units.

(d) "Building entrance on an accessible route" means an accessible entrance to a building that is con-

nected by an accessible route within the boundary of the site to public transportation stops, to accessible parking and passenger loading zones, and to public streets or sidewalks, if available. A building entrance that complies with the appropriate requirements of K.S.A. 1991 Supp. 44-1016(h)(4) or a comparable standard complies with the requirements of this act.

(e) "Common use areas" means rooms, spaces or elements inside or outside of a building that are made available for the use of residents of a building or the guests thereof. These areas include hallways, lounges, lobbies, laundry rooms, refuse rooms, mail rooms, recreational areas and passageways among and between buildings.

(f) "Controlled substance" means any drug or other substance, or immediate precursor included in the definition in section 102 of the Controlled Substances Act (21 USC 802 1970).

(g) "Dwelling unit" means a single unit of residence for a family or one or more persons, including but not limited to, a single family home and an apartment unit within an apartment building. The term dwelling unit also includes other types of dwellings in which sleeping accommodations are provided but in which toilet or cooking facilities are shared by occupants of more than one room or portion of the dwelling, including, but not limited to, dormitory rooms, sleeping rooms and sleeping accommodations in shelters intended for occupancy as a residence for homeless persons.

(h) "Entrance" means any access point to a building used by residents for the purpose of entering.

(i) "Exterior" means all areas of the premises outside of an individual dwelling unit.

(j) "First occupancy" means a building that has never before been used for any purpose.

(k) "Ground floor" means a floor of a building with a building entrance on an accessible route. A building may have more than one ground floor.

(l) "Interior" means the spaces, parts, components or elements inside of an individual dwelling unit.

(m) "Modification" means any change to the public or common use areas of a building or any change to a dwelling unit.

(n) "Premises" means the interior or exterior spaces, parts, components or elements of a building, including individual dwelling units and the public and common use areas of a building.

(o) "Public use areas" means rooms or spaces of a building that are made available to the general public. Public use areas may be provided at a building that is privately or publicly owned.

(p) "Site" means a parcel of land bounded by a property line or a designated portion of a public right of way. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-15. Permissible inquiries under K.S.A. 44-1016(h). K.S.A. 44-1016(h) does not prohibit the following inquiries, provided these inquiries are made of all applicants, whether or not they have disabilities:

(continued)

(a) Inquiry into an applicant's ability to meet the requirements of ownership or tenancy;

(b) Inquiry to determine whether an applicant is qualified for a dwelling available only to persons with disabilities or to persons with a particular type of disability;

(c) Inquiry to determine whether an applicant for a dwelling is qualified for a priority available to persons with a particular type of disability;

(d) Inquiring whether an applicant for a dwelling is a current illegal abuser or addict of a controlled substance; and

(e) Inquiring whether an applicant has been convicted of the illegal manufacture or distribution of a controlled substance. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-16. Reasonable modifications of existing premises. (a) It shall be unlawful for any person to refuse to permit, at the expense of a disabled person, reasonable modifications of existing premises occupied or to be occupied by a disabled person, of the proposed modifications may be necessary to afford the disabled person full enjoyment of the premises of a dwelling.

(b) In the case of a rental, the landlord may, where it is reasonable to do so, condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.

(c) The landlord may not increase for disabled persons any customarily required security deposit. However, where it is necessary in order to ensure with reasonable certainty that funds will be available to pay for the restorations at the end of the tenancy, the landlord may negotiate as part of such a restoration agreement a provision requiring that the tenant pay into an interest bearing escrow account, over a reasonable period, a reasonable amount of money not to exceed the cost of the restorations. The interest in any such account shall accrue to the benefit of the tenant.

(d) A landlord may condition permission for a modification on the renter providing a reasonable description of the proposed modifications as well as reasonable assurances that the work will be done in a workmanlike manner and that any required building permits will be obtained. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-17. Design and construction requirements.

(a) On or after July 1, 1992, covered multifamily residential real property designed and constructed for first occupancy after January 1, 1992 shall have at least one building entrance on an accessible route, unless it is impractical to do so because of the terrain or unusual characteristics of the site. For purposes of this paragraph, covered multifamily residential real property shall be deemed to be designed and constructed for first occupancy on or before January 1, 1992, if the covered multi-family residential real property is oc-

cupied by that date or if the last building permit or renewal thereof for the covered multifamily residential real property is issued by a State, county or local government on or before January 1, 1992. The burden of establishing impracticality because of terrain or unusual site characteristics is on the person or persons who designed or constructed the housing facility.

(b) Compliance with a duly enacted law of the State of Kansas or unit of local government that includes the requirements of paragraph (h) of K.S.A. 44-1016 satisfies the requirements of this act.

(c) The State of Kansas or unit of general local government may review and approve newly constructed multifamily residential real property for the purpose of making determinations as to whether the requirements of paragraph (h) of K.S.A. 44-1016 are met.

(d) Determinations of compliance or noncompliance by the State of Kansas or a unit of general local government under paragraph (c) are not conclusive in proceedings under this act. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016; as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-18. State and federal elderly housing programs. The provisions regarding familial status in this act shall not apply to housing provided under any Federal or State program that the Secretary of the United States Department of Housing and Urban Development determines is specifically designed and operated to assist elderly persons, as defined in the State or Federal program. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, 44-1018, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-19. 62 or over housing. The provisions regarding familial status in this act shall not apply to housing intended for, and solely occupied by, persons 62 years of age or older. Housing satisfies the requirements of this act even though:

(a) There are persons residing in such housing on January 1, 1992, who are under 62 years of age, provided that all new occupants are persons 62 years of age or older;

(b) There are unoccupied units, provided that such units are reserved for occupancy by persons 62 years of age or over;

(c) There are units occupied by employees of the housing units (and family members residing in the same unit) who are under 62 years of age, provided, they perform substantial duties directly related to the management or maintenance of the housing. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, 44-1018, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-20. 55 or over housing. (a) The provisions regarding familial status shall not apply to housing intended and operated for occupancy by at least one person 55 years of age or older per unit, provided that the housing satisfies the requirements of subpara-

graphs (b)(1) or (b)(2) and the requirements of subsection (c).

(b)(1) The housing facility has significant facilities and services specifically designed to meet the physical and social needs of older persons. "Significant facilities and services specifically designed to meet the physical or social need of older persons" means, but is not limited to:

- (A) social and recreational programs;
- (B) continuing education;
- (C) information and counseling;
- (D) recreational, homemaker, outside maintenance and referral services;
- (E) an accessible physical environment;
- (F) emergency and preventive health care or programs;
- (G) congregate dining facilities;
- (H) transportation to facilitate access to social services; and
- (I) services designed to encourage and assist residents to use the services and facilities available to them (the housing facility need not have all of these features to qualify for the exemption under this subparagraph); or

(2) It is not practicable to provide significant facilities and services designed to meet the physical and social needs of older persons and the housing facility is necessary to provide important housing opportunities for older persons. In order to satisfy this subparagraph (b)(2), the owner or manager of the housing facility must demonstrate through credible and objective evidence that the provision of significant facilities and services designed to meet the physical or social needs of older persons would result in depriving older persons in the relevant geographic area of needed or desired housing. The following factors, among others, are relevant in meeting the requirements of subparagraph (b)(2):

- (A) whether the owner or manager of the housing facility has endeavored to provide significant facilities and services designed by the owner or a contractual third party to meet the physical or social needs of older persons. Demonstrating that such services and facilities are expensive to provide is not alone sufficient to demonstrate that the provision of such services is not practicable;
 - (B) the amount of rent charged, if the dwellings are rented, or the price of the dwellings, if they are offered for sale;
 - (C) the income range of the residents of the housing facility;
 - (D) the demand for housing for older persons in the relevant geographic area;
 - (E) the range of housing choices for older persons within the relevant geographic area;
 - (F) the availability of other similarly priced housing for older persons in the relevant geographic area; and
 - (G) the vacancy rate of the housing facility.
- (3) If similarly priced housing for older persons with significant facilities and services is reasonably available in the relevant geographic area, then the housing fa-

cility does not meet the requirements of this subsection (2).

(c)(1) On and after July 1, 1992, at least 80% of the units in the housing facility are occupied by a least one person 55 years of age or older per unit, except that a newly constructed housing facility designed and constructed for first occupancy after January 1, 1992, need not comply with this subsection (c)(1) until 25% of the units in the facility are occupied; and

(2) The owner or manager of a housing facility publishes and adheres to policies and procedures which demonstrate an intent by the owner or manager to provide housing for persons 55 years of age or older. The following factors, among others, are relevant in determining whether the owner or manager of a housing facility has complied with the requirements of paragraph (c)(2):

- (A) the manner in which the housing facility is described to prospective residents;
- (B) the nature of any advertising designed to attract prospective residents;
- (C) age verification procedures;
- (D) lease provisions;
- (E) written rules and regulations; and
- (F) actual practices of the owner or manager in enforcing relevant lease provisions and relevant rules or regulations.

(3) Effective July 1, 1992, housing satisfies the requirements of this section even though:

- (A) On January 1, 1992, under 80% of the occupied units in the housing facility are occupied by at least one person 55 years of age or older per unit, provided that at least 80% of the units that are occupied by new occupants after January 1, 1992 are occupied by at least one person 55 years of age or older;
- (B) there are unoccupied units, provided that least 80% of such units are reserved for occupancy by at least one person 55 years of age or over; or
- (C) there are units occupied by employees of the housing (and family members residing in the same unit) who are under 55 years of age, provided they perform substantial duties directly related to the management or maintenance of the housing. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1016, 44-1018, as amended by 1992 H.B. 3164, §2 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-21. Prohibited interference, coercion or intimidation. Conduct made unlawful under K.S.A. 1991 Supp. 44-1027 includes, but is not limited to, the following:

- (a) Coercing a person either orally, in writing or by other means to deny or limit the benefits provided a person in connection with the sale or rental of real property, or in connection with a residential real estate-related transaction, because of race, religion, color, sex, disability, familial status, national origin or ancestry;
- (b) Threatening, intimidating or interfering with persons in their enjoyment of real property because of the race, religion, color, sex, disability, familial status,

(continued)

national origin or ancestry of such persons, or of visitors or associates of such persons;

(c) Threatening an employee or agent with dismissal or an adverse employment action, or taking such adverse employment action, for any effort to assist a person seeking access to the sale or rental of real property or seeking access to any residential real estate-related transaction, because of the race, religion, color, sex, disability, familial status, national origin or ancestry of that person or of any person associated with that person;

(d) Intimidating or threatening any person because that person is engaging in activities designed to make other persons aware of, or to encourage such other persons to exercise, rights granted or protected by this act; and

(e) Retaliating against any person because that person has made a complaint, testified, assisted, or participated in any manner in a proceeding under the act. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1027, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-22. Complaints alleging unlawful housing practices. (a) The procedures under this act for investigation and conciliation of complaints will be conducted in accordance with K.A.R. Sections 21-41, 21-42 and 21-43 to the extent these procedures are in compliance with K.S.A. 1991 Supp. 44-1019 and 44-1020. Unless referred to an appropriate local agency pursuant to K.S.A. 1991 Supp. 44-1019(c), the Commission shall commence investigation of the allegations of the complaint with 30 days after receipt of the complaint.

(b) Hearings shall be conducted in accordance with the provisions of the Kansas Administrative Procedure act and K.A.R. Section 21-45. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1019, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

21-60-23. Conciliation and conciliation agreements. (a) During the period beginning with the filing of the complaint and ending with either the serving of a notice of hearing under the provisions of K.S.A. 1991 Supp. 44-1019 or the dismissal of the complaint by the Commission, the Commission shall, to the extent feasible, attempt to conciliate the complaint.

(b) Where the aggrieved person has commenced a civil action under an act of Congress or a State law seeking relief with respect to the alleged discriminatory housing practice, and the trial in the action has commenced, the Commission shall terminate conciliation unless the court specifically requests assistance from the Commission.

(c) Conciliation agreements shall be made public, unless the aggrieved person and respondent request nondisclosure and the Commission determines that disclosure of a conciliation agreement is not required. The Commission may make public tabulated descriptions of the results of all conciliation efforts. (Authorized by K.S.A. 1991 Supp. 44-1004; implementing K.S.A. 1991 Supp. 44-1019, as amended by 1992 H.B. 3164, § 1 and 6, effective July 1, 1992; effective, T-21-7-1-92, July 1, 1992.)

Michael Brungardt
Executive Director

Doc. No. 012235

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 |
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| 1-2-30 | New | V. 11, p. 278 |
| 1-2-34 | New | V. 11, p. 1016 |
| 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 |
| 1-6-31 | Amended | V. 11, p. 1016 |
| 1-6-32 | Amended | V. 11, p. 278 |
| 1-8-7 | Amended | V. 11, p. 1017 |
| 1-9-4 | Amended | V. 11, p. 1017 |
| 1-9-5 | Amended | V. 11, p. 1019 |

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| 1-9-7a | Amended | V. 10, p. 382, 760 |
| 1-9-18 | Amended | V. 11, p. 1020 |
| 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 |

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| 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 | | |
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| 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 |
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| 5-45-17 | New | V. 11, p. 45, 364, 365 |

AGENCY 7: SECRETARY OF STATE

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| 7-30-1 | Amended | V. 10, p. 728 |
| 7-32-1 | Amended | V. 11, p. 1117 |
| 7-32-2 | New | V. 10, p. 728 |

AGENCY 9: ANIMAL HEALTH DEPARTMENT

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|------------------------|---------|----------------------|
| 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 |
|----------|---------|----------------|
| 14-16-20 | Revoked | V. 11, p. 1041 |
| 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

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|-------------------------|---------|----------------|
| 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 |
| 17-21-1 through 17-21-8 | New | v. 11, 1040 |

AGENCY 19: KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 19-1-1 | Amended | V. 11, p. 714 |
| 19-1-11 | Amended | V. 11, p. 714 |
| 19-3-2 | Amended | V. 11, p. 714 |
| 19-4-2 | Amended | V. 11, p. 715 |
| 19-20-2 | Amended | V. 11, p. 715 |
| 19-27-2 | Amended | V. 11, p. 715 |
| 19-29-2 | Amended | V. 11, p. 716 |
| 19-29-4 | Amended | V. 11, p. 717 |
| 19-29-5 | New | V. 11, p. 717 |
| 19-30-4 | Amended | V. 11, p. 717 |
| 19-40-3a | Amended | V. 11, p. 718 |
| 19-40-5 | New | V. 11, p. 718 |
| 19-41-1 | Amended | V. 11, p. 718 |

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| 19-60-3 | Amended | V. 11, p. 719 |
| 19-61-1 | Amended | V. 11, p. 720 |
| 19-61-2 | Amended | V. 11, p. 720 |
| 19-61-3 | Revoked | V. 11, p. 720 |
| 19-62-1 | Amended | V. 11, p. 721 |
| 19-62-2 | Amended | V. 11, p. 721 |
| 19-63-2 | Amended | V. 11, p. 721 |
| 19-63-3 | Amended | V. 11, p. 721 |
| 19-63-4 | Amended | V. 11, p. 722 |
| 19-63-6 | New | V. 11, p. 722 |

AGENCY 21: KANSAS HUMAN RIGHTS COMMISSION

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| 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 |
| 21-60-1 through 21-60-23 | New | V. 11, p. 1084-1091 |

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS

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| 23-3-16 | Revoked | V. 10, p. 916 |
| 23-8-24 | Revoked | V. 10, p. 916 |
| 23-12-1 | Revoked | V. 10, p. 916 |
| 23-12-8 | Revoked | V. 10, p. 916 |
| 23-12-11 | Revoked | V. 10, p. 917 |
| 23-21-1 through 23-21-14 | Revoked | V. 10, p. 1441 |

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT

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| 25-4-1 | Amended | V. 10, p. 405 |
| 25-4-4 | Amended | V. 11, p. 164 |

AGENCY 26: DEPARTMENT ON AGING

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| 26-8-1 through 26-8-14 | New | V. 11, p. 1041-1043 |

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

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| 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 |
| 28-19-73 | 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, 758-764 |
| 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 |
| 28-53-1 | Amended | V. 11, p. 846 |
| 28-53-2 | Amended | V. 11, p. 846 |
| 28-59-1 through 28-59-8 | New | V. 10, p. 111-113 |

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

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| 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 |
| 30-4-72 | Amended | V. 11, p. 1010, 1044 |
| 30-4-90 | Amended | V. 11, p. 1044 |
| 30-4-101 | Amended | V. 11, p. 1011, 1045 |
| 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. 984 |
| 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 |
| 30-5-80 | New | V. 11, p. 989 |
| 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 |
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| 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 |
| 30-6-72 | Amended | V. 11, p. 1012, 1046 |
| 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. 11, p. 1012, 1046 |
| 30-6-106 | Amended | V. 11, p. 1013 |
| 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. 11, p. 1015, 1047 |
| 30-6-150 | New | V. 11, p. 1016, 1048 |
| 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 |
| 30-7-100 through 30-7-104 | New | V. 11, p. 990-992 |
| 30-9-13 | Revoked | V. 11, p. 992 |

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| 30-9-18 | | | 30-61-5 | New | V. 10, p. 1391 | 44-12-701 | Revoked | V. 11, p. 321 |
| through | | | 30-61-6 | New | V. 10, p. 1391 | 44-12-901 | Amended | V. 11, p. 321 |
| 30-9-22 | Revoked | V. 11, p. 992 | 30-61-10 | New | V. 10, p. 1391 | 44-12-902 | Amended | V. 11, p. 322 |
| 30-10-1a | Amended | V. 11, p. 205 | 30-61-15 | New | V. 10, p. 1391 | 44-12-1001 | Amended | V. 11, p. 322 |
| 30-10-1b | Amended | V. 11, p. 376 | 30-61-16 | New | V. 10, p. 1392 | 44-12-1002 | Amended | V. 11, p. 322 |
| 30-10-7 | Amended | V. 10, p. 354 | AGENCY 36: DEPARTMENT OF TRANSPORTATION | | | 44-12-1101 | Amended | V. 11, p. 322 |
| 30-10-11 | Amended | V. 11, p. 376 | Reg. No. | Action | Register | 44-12-1201 | Amended | V. 11, p. 322 |
| 30-10-15a | Amended | V. 10, p. 708 | 36-1-1 | Amended | V. 10, p. 88 | 44-12-1202 | Amended | V. 11, p. 322 |
| 30-10-15b | Amended | V. 10, p. 1372 | 36-1-28 | | | 44-12-1301 | Amended | V. 11, p. 323 |
| 30-10-16 | Revoked | V. 10, p. 709 | through | | | 44-12-1302 | Amended | V. 11, p. 323 |
| 30-10-17 | Amended | V. 10, p. 1373 | 36-1-34 | New | V. 10, p. 88-91 | 44-12-1303 | Amended | V. 11, p. 323 |
| 30-10-18 | Amended | V. 11, p. 378 | 36-1-30 | | | 44-12-1304 | Revoked | V. 11, p. 323 |
| 30-10-19 | Amended | V. 10, p. 1376 | through | | | 44-12-1306 | Amended | V. 11, p. 323 |
| 30-10-23a | Amended | V. 11, p. 379 | 36-13-30 | | | 44-12-1307 | Amended | V. 11, p. 324 |
| 30-10-23b | Amended | V. 11, p. 380 | 36-13-34 | Amended | V. 11, p. 657-662 | 44-13-101 | Amended | V. 11, p. 324 |
| 30-10-24 | Amended | V. 10, p. 1377 | 36-13-36 | Revoked | V. 11, p. 663 | 44-13-101a | Amended | V. 11, p. 325 |
| 30-10-25 | Amended | V. 10, p. 1378 | 36-13-37 | Amended | V. 11, p. 663 | 44-13-103 | Amended | V. 11, p. 325 |
| 30-10-27 | Amended | V. 10, p. 1379 | 36-13-38 | New | V. 11, p. 664 | 44-13-104 | Amended | V. 11, p. 325 |
| 30-10-29 | Amended | V. 10, p. 1379 | 36-13-39 | New | V. 11, p. 664 | 44-13-106 | Amended | V. 11, p. 325 |
| 30-10-30 | Revoked | V. 10, p. 355 | AGENCY 40: KANSAS INSURANCE DEPARTMENT | | | 44-13-115 | Revoked | V. 11, p. 325 |
| 30-10-200 | Amended | V. 11, p. 207 | Reg. No. | Action | Register | 44-13-201 | Amended | V. 11, p. 325 |
| 30-10-207 | Amended | V. 10, p. 1200 | 40-1-28 | Amended | V. 10, p. 1582 | 44-13-201b | New | V. 11, p. 326 |
| 30-10-208 | Amended | V. 10, p. 1200 | 40-1-38 | New | V. 10, p. 1693 | 44-13-202 | Amended | V. 11, p. 327 |
| 30-10-210 | through | | 40-2-15 | Amended | V. 10, p. 1693 | 44-13-203 | Amended | V. 11, p. 327 |
| 30-10-226 | New | V. 10, p. 48-57 | 40-2-20 | New | V. 10, p. 259, 383 | 44-13-203 | Revoked | V. 11, p. 327 |
| 30-10-210 | Amended | V. 11, p. 209 | 40-2-21 | New | V. 10, p. 1583 | 44-13-302a | New | V. 11, p. 327 |
| 30-10-211 | Amended | V. 10, p. 1203 | 40-3-22 | Amended | V. 10, p. 1693 | 44-13-303 | Revoked | V. 11, p. 328 |
| 30-10-212 | Amended | V. 11, p. 210 | 40-3-46 | New | V. 10, p. 381 | 44-13-304 | Amended | V. 11, p. 328 |
| 30-10-213 | Amended | V. 10, p. 1204 | 40-3-47 | New | V. 10, p. 381 | 44-13-401 | Amended | V. 11, p. 328 |
| 30-10-214 | Amended | V. 10, p. 1230 | 40-3-48 | New | V. 10, p. 1584 | 44-13-402 | Amended | V. 11, p. 328 |
| 30-10-215 | Amended | V. 10, p. 1206 | 40-4-35 | Amended | V. 11, p. 82 | 44-13-403 | Amended | V. 11, p. 328 |
| 30-10-217 | Amended | V. 11, p. 210 | 40-4-37 | Amended | V. 10, p. 1695 | 44-13-404 | Amended | V. 11, p. 330 |
| 30-10-218 | Amended | V. 10, p. 1207 | AGENCY 44: DEPARTMENT OF CORRECTIONS | | | 44-13-405 | Revoked | V. 11, p. 331 |
| 30-10-219 | Amended | V. 11, p. 211 | Reg. No. | Action | Register | 44-13-405a | Amended | V. 11, p. 331 |
| 30-10-220 | Amended | V. 10, p. 1208 | 44-6-106 | Amended | V. 10, p. 1195 | 44-13-406 | Amended | V. 11, p. 331 |
| 30-10-221 | Amended | V. 10, p. 1208 | 44-6-108 | Amended | V. 10, p. 1195 | 44-13-407 | Revoked | V. 11, p. 332 |
| 30-10-226 | Revoked | V. 10, p. 1209 | 44-6-114c | Amended | V. 10, p. 1196 | 44-13-408 | Amended | V. 11, p. 332 |
| 30-22-1 | Amended | V. 10, p. 1380 | 44-6-120 | Amended | V. 11, p. 230 | 44-13-501 | Amended | V. 11, p. 332 |
| 30-22-2 | Amended | V. 10, p. 1380 | 44-6-124 | Amended | V. 11, p. 230 | 44-13-502 | Revoked | V. 11, p. 332 |
| 30-22-5 | Amended | V. 10, p. 1381 | 44-6-125 | Amended | V. 11, p. 231 | 44-13-502a | New | V. 11, p. 332 |
| 30-22-6 | Amended | V. 10, p. 1381 | 44-6-126 | Amended | V. 10, p. 1197 | 44-13-503 | Revoked | V. 11, p. 332 |
| 30-22-11 | through | | 44-6-133 | Amended | V. 10, p. 1197 | 44-13-504 | Revoked | V. 11, p. 333 |
| 30-22-28 | Revoked | V. 10, p. 1381 | 44-6-134 | Amended | V. 10, p. 1197 | 44-13-506 | Amended | V. 11, p. 333 |
| 30-41-1 | Amended | V. 10, p. 710 | 44-6-135 | Amended | V. 11, p. 231 | 44-13-507 | Amended | V. 11, p. 333 |
| 30-41-7a | Amended | V. 10, p. 711 | 44-6-142 | Amended | V. 10, p. 1198 | 44-13-601 | Amended | V. 11, p. 333 |
| 30-41-7i | New | V. 10, p. 711 | 44-7-113 | Amended | V. 11, p. 316 | 44-13-603 | Amended | V. 11, p. 333 |
| 30-41-20 | New | V. 10, p. 711 | 44-7-115 | New | V. 11, p. 316 | 44-13-610 | Amended | V. 11, p. 333 |
| 30-46-13 | Amended | V. 10, p. 1381 | 44-12-101 | Amended | V. 11, p. 316 | 44-13-701 | Amended | V. 11, p. 333 |
| 30-46-14 | Revoked | V. 10, p. 1381 | 44-12-102 | Amended | V. 11, p. 316 | 44-13-702 | Amended | V. 11, p. 334 |
| 30-46-15 | Amended | V. 10, p. 1381 | 44-12-104 | Amended | V. 11, p. 316 | 44-13-703 | Amended | V. 11, p. 334 |
| 30-60-1 | New | V. 10, p. 1381 | 44-12-105 | Amended | V. 11, p. 317 | 44-13-704 | Amended | V. 11, p. 334 |
| 30-60-2 | New | V. 10, p. 1381 | 44-12-201 | Amended | V. 11, p. 317 | 44-13-705 | Amended | V. 11, p. 334 |
| 30-60-5 | New | V. 10, p. 1382 | 44-12-202 | Amended | V. 11, p. 317 | 44-13-706 | Amended | V. 11, p. 334 |
| 30-60-6 | New | V. 10, p. 1382 | 44-12-204 | Amended | V. 11, p. 317 | 44-13-707 | Amended | V. 11, p. 335 |
| 30-60-7 | New | V. 10, p. 1383 | 44-12-205 | Amended | V. 11, p. 317 | 44-15-101 | Amended | V. 11, p. 335 |
| 30-60-10 | New | V. 10, p. 1383 | 44-12-208 | Amended | V. 11, p. 317 | 44-15-102 | Amended | V. 11, p. 335 |
| 30-60-11 | New | V. 10, p. 1383 | 44-12-209 | Amended | V. 11, p. 317 | 44-15-105a | New | V. 11, p. 336 |
| 30-60-12 | New | V. 10, p. 1384 | 44-12-209 | Amended | V. 11, p. 317 | 44-16-104 | Amended | V. 11, p. 337 |
| 30-60-17 | New | V. 10, p. 1384 | 44-12-301 | Amended | V. 11, p. 317 | AGENCY 51: DEPARTMENT OF HUMAN RESOURCES— DIVISION OF WORKERS' COMPENSATION | | |
| 30-60-18 | New | V. 10, p. 1384 | 44-12-307 | Amended | V. 11, p. 317 | Reg. No. | Action | Register |
| 30-60-19 | New | V. 10, p. 1384 | 44-12-308 | Amended | V. 11, p. 317 | 51-24-1 | Amended | V. 11, p. 212 |
| 30-60-25 | New | V. 10, p. 1385 | 44-12-309 | Amended | V. 11, p. 317 | 51-24-4 | Amended | V. 11, p. 212 |
| 30-60-26 | New | V. 10, p. 1385 | 44-12-312 | Amended | V. 11, p. 317 | 51-24-8 | New | V. 11, p. 213 |
| 30-60-27 | New | V. 10, p. 1385 | 44-12-313 | Amended | V. 11, p. 318 | 51-24-9 | New | V. 11, p. 213 |
| 30-60-28 | New | V. 10, p. 1386 | 44-12-314 | Amended | V. 11, p. 318 | 51-24-10 | New | V. 11, p. 214 |
| 30-60-40 | New | V. 10, p. 1386 | 44-12-315 | Amended | V. 11, p. 318 | AGENCY 60: BOARD OF NURSING | | |
| 30-60-41 | New | V. 10, p. 1386 | 44-12-316 | Revoked | V. 11, p. 318 | Reg. No. | Action | Register |
| 30-60-45 | New | V. 10, p. 1386 | 44-12-317 | Amended | V. 11, p. 318 | 60-3-105 | Amended | V. 10, p. 1040 |
| 30-60-46 | New | V. 10, p. 1386 | 44-12-319 | Amended | V. 11, p. 318 | 60-3-106 | Amended | V. 10, p. 1040 |
| 30-60-47 | New | V. 10, p. 1386 | 44-12-321 | Amended | V. 11, p. 318 | 60-4-101 | Amended | V. 11, p. 83 |
| 30-60-50 | New | V. 10, p. 1387 | 44-12-323 | Amended | V. 11, p. 318 | 60-8-101 | Amended | V. 10, p. 496 |
| 30-60-55 | New | V. 10, p. 1387 | 44-12-324 | Amended | V. 11, p. 319 | 60-9-101 | Revoked | V. 10, p. 1040 |
| 30-60-60 | New | V. 10, p. 1388 | 44-12-325 | Amended | V. 11, p. 319 | 60-9-102 | Revoked | V. 10, p. 1040 |
| 30-60-61 | New | V. 10, p. 1389 | 44-12-326 | Amended | V. 11, p. 319 | 60-9-103 | Revoked | V. 10, p. 1041 |
| 30-60-62 | New | V. 10, p. 1389 | 44-12-328 | New | V. 11, p. 319 | 60-9-104 | Revoked | V. 11, p. 83 |
| 30-60-70 | New | V. 10, p. 1389 | 44-12-401 | Amended | V. 11, p. 319 | 60-9-105 | Amended | V. 11, p. 83 |
| 30-60-71 | New | V. 10, p. 1390 | 44-12-501 | Amended | V. 11, p. 319 | 60-9-106 | New | V. 10, p. 1041 |
| 30-60-72 | New | V. 10, p. 1390 | 44-12-502 | Amended | V. 11, p. 319 | 60-9-107 | New | V. 11, p. 83 |
| 30-60-73 | New | V. 10, p. 1390 | 44-12-503 | Amended | V. 11, p. 319 | 60-9-109 | New | V. 10, p. 1041 |
| 30-60-74 | New | V. 10, p. 1390 | 44-12-505b | New | V. 11, p. 320 | 60-11-103 | Amended | V. 11, p. 84 |
| 30-60-75 | New | V. 10, p. 1390 | 44-12-601 | Amended | V. 11, p. 320 | 60-11-110 | Revoked | V. 10, p. 1042 |
| 30-60-76 | New | V. 10, p. 1390 | 44-12-602 | Amended | V. 11, p. 321 | | | |
| 30-61-1 | New | V. 10, p. 1391 | | | | | | |
| 30-61-2 | New | V. 10, p. 1391 | | | | | | |

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| 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 |

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 |
| 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 |
| 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 |

| | | |
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| 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 74: BOARD OF ACCOUNTANCY

| Reg. No. | Action | Register |
|----------|---------|---------------|
| 74-2-7 | Amended | V. 10, p. 840 |
| 74-4-6 | Amended | V. 10, p. 841 |
| 74-4-7 | Amended | V. 11, p. 847 |
| 74-5-2 | Amended | V. 11, p. 847 |
| 74-5-103 | Amended | V. 11, p. 848 |
| 74-5-104 | Amended | V. 11, p. 848 |
| 74-5-202 | Amended | V. 11, p. 849 |
| 74-5-203 | Amended | V. 11, p. 849 |
| 74-5-403 | Amended | V. 10, p. 842 |

**AGENCY 75: CONSUMER CREDIT
COMMISSIONER**

| Reg. No. | Action | Register |
|----------|---------|----------------|
| 75-6-24 | Amended | V. 11, p. 908 |
| 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. 11, p. 810 |
| 82-4-2 | Amended | V. 10, p. 1121 |
| 82-4-3 | Amended | V. 11, p. 810 |
| 82-4-6a | Amended | V. 10, p. 1122 |

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|----------|---------|----------------|
| 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. 11, p. 811 |
| 82-4-27 | Amended | V. 10, p. 1123 |
| 82-4-27a | Amended | V. 10, p. 1124 |
| 82-4-27c | Amended | V. 11, p. 812 |
| 82-4-27e | Amended | V. 11, p. 812 |
| 82-4-27g | New | V. 11, p. 812 |

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 |
|-----------|---------|--------------------|
| 91-1-27d | New | V. 11, p. 765 |
| 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 |
| 91-12-23 | Amended | V. 11, p. 765 |
| 91-12-25 | Amended | V. 10, p. 1055 |
| 91-12-51 | Amended | V. 10, p. 1056 |
| 91-12-61 | Amended | V. 11, p. 766 |
| 91-12-73 | Amended | V. 10, p. 1056 |
| 91-31-7 | Amended | V. 10, p. 686 |
| 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 |

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| 99-30-4 | Amended | V. 10, p. 1323 | 111-4-66 | | | 111-4-362 | | |
| 99-30-5 | Amended | V. 10, p. 1323 | through | | | through | New | V. 10, p. 1723 |
| 99-30-6 | Amended | V. 10, p. 1323 | 111-4-77 | New | V. 7, p. 207-209 | 111-4-365 | Amended | V. 11, p. 13 |
| 99-31-3 | Amended | V. 10, p. 1323 | 111-4-96 | | | 111-4-362 | | |
| 99-31-4 | Amended | V. 10, p. 1323 | through | | | 111-4-366 | | |
| 99-32-1 | | | 111-4-114 | New | V. 7, p. 1606-1610 | through | | |
| through | | | 111-4-100 | Amended | V. 11, p. 976 | 111-4-379 | New | V. 11, p. 136-139 |
| 99-32-6 | Revoked | V. 10, p. 1323 | 111-4-101 | Amended | V. 11, p. 976 | 111-4-380 | | |
| AGENCY 100: BOARD OF HEALING ARTS | | | 111-4-102 | Amended | V. 11, p. 976 | through | | |
| Reg. No. | Action | Register | 111-4-103 | Amended | V. 10, p. 1211 | 111-4-383 | New | V. 11, p. 477, 478 |
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| 100-11-1 | Amended | V. 11, p. 1039, 1117 | 111-4-105 | Amended | V. 11, p. 977 | through | | |
| 100-49-5 | New | V. 11, p. 1084 | 111-4-106 | Amended | V. 11, p. 977 | 111-4-387 | New | V. 11, p. 414 |
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| 109-1-1 | Amended | V. 11, p. 131 | 111-4-108 | Amended | V. 11, p. 978 | 111-4-400 | New | V. 11, p. 478-481 |
| 109-2-7 | Amended | V. 10, p. 1789 | 111-4-110 | Amended | V. 11, p. 978 | 111-4-401 | | |
| 109-5-1 | Amended | V. 10, p. 1789 | 111-4-111 | Amended | V. 9, p. 1366 | through | | |
| 109-5-4 | New | V. 10, p. 1790 | 111-4-112 | Amended | V. 11, p. 978 | 111-4-404 | New | V. 11, p. 980, 981 |
| 109-7-1 | Amended | V. 10, p. 1790 | 111-4-113 | Amended | V. 9, p. 1366 | 111-4-405 | | |
| 109-8-1 | Amended | V. 10, p. 1791 | 111-4-114 | Amended | V. 9, p. 1366 | through | | |
| 109-9-1 | Amended | V. 10, p. 1791 | 111-4-153 | | | 111-4-413 | New | V. 11, p. 756, 757 |
| 109-9-4 | Amended | V. 10, p. 1791 | through | | | 111-4-414 | | |
| 109-9-5 | New | V. 11, p. 133 | 111-4-160 | Revoked | V. 9, p. 1676, 1677 | through | | |
| 109-11-2 | Amended | V. 10, p. 1792 | 111-4-177 | | | 111-4-428 | New | V. 11, p. 981-983 |
| 109-11-6 | Amended | V. 10, p. 1792 | through | | | 111-4-429 | | |
| 109-11-9 | New | V. 10, p. 1792 | 111-4-212 | Revoked | V. 9, p. 1677, 1678 | 111-4-432 | New | V. 11, p. 1118 |
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| 110-4-1 | | | 111-4-217 | Amended | V. 9, p. 986 | through | | |
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| 111-1-5 | Amended | V. 8, p. 586 | 111-4-228 | Revoked | V. 10, p. 1585 | 111-5-12 | Amended | V. 11, p. 415 |
| 111-2-1 | Amended | V. 7, p. 1995 | through | | | 111-5-17 | Amended | V. 8, p. 211 |
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| 111-2-2a | Revoked | V. 9, p. 1675 | through | | | 111-5-19 | Amended | V. 8, p. 212 |
| 111-2-6 | Amended | V. 11, p. 136 | 111-4-236 | Revoked | V. 10, p. 1585, 1586 | 111-5-21 | | |
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| 111-2-14 | New | V. 9, p. 30 | through | | | 111-5-22 | Amended | V. 11, p. 481 |
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| 111-2-19 | Revoked | V. 11, p. 413 | through | | | 111-5-28 | Amended | V. 11, p. 483 |
| 111-2-20 | New | V. 11, p. 199 | 111-4-248 | New | V. 10, p. 200 | 111-6-1 | | |
| 111-3-1 | Amended | V. 10, p. 1210 | 111-4-248 | | | through | | |
| 111-3-9 | Amended | V. 8, p. 1085 | 111-4-249 | | | 111-6-15 | New | V. 7, p. 213-217 |
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| 111-3-11 | Amended | V. 8, p. 299 | through | | | 111-6-5 | Amended | V. 10, p. 14 |
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| 111-3-20 | Amended | V. 10, p. 1211 | 111-4-301 | | | 111-7-10 | New | V. 7, p. 1192, 1193 |
| 111-3-21 | Amended | V. 10, p. 882 | through | | | 111-7-1 | Amended | V. 8, p. 212 |
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| 111-4-1 | Amended | V. 8, p. 134 | 111-4-311 | Amended | V. 10, p. 1472 | 111-7-32 | New | V. 7, p. 1194-1196 |
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| 117-2-4 | New | V. 10, p. 912, 952 |
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| 119-1-2 | New | V. 10, p. 264 |
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