



Kansas Register

Bill Graves, Secretary of State

Vol. 11, No. 35 August 27, 1992 Pages 1307-1354

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State of Kansas

Kansas Apprenticeship Council

Notice of Meeting

The Kansas Apprenticeship Council will meet from 10:30 a.m. to noon Friday, September 4, in the lower level conference room, 1309 Topeka Blvd., Topeka. The meeting is open to the public.

Joe Dick
Secretary of Human Resources

Doc. No. 012406

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 8-31-92 to 9-6-92

Term	Rate
0-90 days	3.34%
3 months	3.12%
6 months	3.28%
12 months	3.47%
24 months	4.08%
36 months	4.64%
48 months	5.24%

Sally Thompson
State Treasurer

Doc. No. 012412

State of Kansas

Secretary of State

Notice of Places and Dates of Voter Registration

In compliance with the provisions of K.S.A. 25-2310, 25-2311, 25-2313, 25-2316c and 25-2323, as amended by 1992 Session Laws of Kansas, Chapter 281, the books for registration of voters will be open at the following places at the time specified:

- Office of the Kansas Secretary of State, second floor, State Capitol, Topeka, from 8 a.m. to 5 p.m. every business day.
- Industrial Building, exhibit spaces IB-193 and IB-194, Kansas State Fairgrounds, Hutchinson, from 1 p.m. to 9 p.m. Friday, September 11; from 9 a.m. to 9 p.m. Saturday, September 12 through Saturday, September 19; and from 9 a.m. to 8 p.m. Sunday, September 20.

If you are a citizen of the United States and are age 18 or older, or if you will be 18 by November 3, 1992, you must register before you can vote. Registration closes 14 days prior to every election.

If you have moved, changed your name or failed to vote in any general election since you registered to vote, you might need to re-register. If any of these events have taken place, you should contact your county election officer to determine your status and update your registration.

To register to vote, you may apply in person, by telephone, or by mail to the Secretary of State or your county election officer. Application forms will be provided by the county election officer upon request in person or in writing by an individual applicant. The application shall be signed by the applicant under penalty of perjury.

Bill Graves
Secretary of State

Doc. No. 012393

The Kansas Register (ISSN No. 0744-2254) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$60 (Kansas residents must include \$3.54 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Second class postage paid at Topeka, KS.

Postmaster. Send change of address form to Kansas Register, Secretary of State, State Capitol, Topeka, KS 66612-1594.

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PUBLISHED BY
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Secretary of State
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Topeka, KS 66612-1594
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Register Office:
235-N, State Capitol
(913) 296-3489

State of Kansas

Board of Education

Request for Proposals

Pursuant to Section 204 of P.L. 99-603, the Immigrant Reform and Control Act of 1986, the Kansas State Board of Education is requesting proposals from eligible organizations to provide educational services authorized under the act. Public and non-profit organizations can apply. The intent of the act is to provide educational services for adult eligible legalized aliens (ELA) who are not enrolled in elementary or secondary school. Funds can be expended by approved agencies for the following purposes:

- service authorized under Section 607 of the Emergency Immigration Education Act and the Adult Education Act;
- acquiring skills in the use of the English language;
- acquiring citizenship skills;
- ancillary costs associated with transportation and child care; and
- cost, direct or indirect, related to administration of this grant.

Applications are due by September 20. Application packets, which include a copy of the act, application forms, state guidelines, a calendar, and the criteria and process for application screening, are available from the KSBE Adult Education Unit, 120 S.E. 10th, Topeka, (913) 296-3191.

Dr. Lee Droegemueller
Commissioner of Education

Doc. No. 012415

State of Kansas

Department of Revenue
Division of Alcoholic Beverage Control

Notice of Hearing on Proposed
Administrative Regulations

A public hearing has been scheduled for 9 a.m. Tuesday, October 6, in the fourth floor conference room in the Docking State Office Building, 915 S.W. Harrison, Topeka, to consider amendments to the regulations listed below. Interested parties may attend and present their views by written or oral testimony.

This 30-day notice of the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations. Written comments may be sent to Robert A. Engler, Director, Division of Alcoholic Beverage Control, 512 W. 6th, 2nd Floor, Topeka 66603-3150.

Complete copies of the proposed regulations and the economic impact statement may be obtained at the Division of Alcoholic Beverage Control office between 8 a.m. and 5 p.m. Monday through Friday.

The affected regulations are not mandated by federal law as a requirement for participating in, or implementing a federally subsidized or assisted program.

The promulgation of the affected regulations, with one exception, will have no significant economic impact on the Alcoholic Beverage Control Division, any other state agency, the alcoholic beverage industry or the consuming public. The proposed permanent amendment to K.A.R. 14-14-11 will expand a distributor's ability to offer quantity discounts to retail liquor stores, in addition to cereal malt beverage retailers. It is anticipated that there will be some effect on those retailers who are unable to take advantage of the pricing opportunity associated with quantity discounting.

Temporary approval of the proposed changes is necessary to comply with the statutory changes requiring the director of ABC to approve certain alcoholic beverage promotions.

Article 10—Trade Practices

The proposed amendments are being made to comply with existing statutes or statutory changes of the 1992 Legislature. (14-10-5; 14-10-10; 14-10-11; 14-10-12)

Article 13—Retail Liquor Dealer

The proposed amendments are being made to reflect statutory changes by the 1992 Legislature. (14-13-1; 14-13-2; 14-13-13)

Article 14—Manufacturers; Distributors; Nonbeverage Users; Farm Wineries; Microbreweries

The proposed amendment is being made to reflect statutory change (14-14-1) and to remove language which has been determined to exceed the authority of the agency (14-14-11).

Article 19—Class A Clubs

The proposed amendments are being made to reflect statutory changes, define certain terms, and clarify existing language. (14-19-14; 14-19-15)

Article 20—Class B Clubs

The proposed amendments are being made to reflect statutory changes, define certain terms, and clarify existing language. (14-20-14; 14-20-15; 14-20-16)

Article 21—Drinking Establishments

The proposed amendments are being made to reflect statutory changes, define certain terms, and clarify existing language. (14-21-1; 14-21-2; 14-21-3)

Article 22—Caterers

The proposed amendments are being made to reflect statutory changes, define certain terms, and clarify existing language. (14-22-1; 14-22-2; 14-22-3)

Robert A. Engler
Director, Division of
Alcoholic Beverage Control

Doc. No. 012398

State of Kansas

Kansas Commission on Children, Youth and Families

Notice of Meeting

The Kansas Commission on Children, Youth and Families will meet from 9 a.m. to noon Friday, September 11, at Social and Rehabilitation Services Staff Development, Feldman Building, Room B, 300 S.W. Oakley, State Complex West, Topeka.

Robert Harder
Chairman

Doc. No. 012397

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

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

Tuesday, September 8, 1992

28841 Supp.

University of Kansas Medical Center—Coagulation reagents and supplies

29140

Department of Wildlife and Parks—Rip rap rock, Cheney State Park

29149

Statewide—High speed printer ribbons

29150

Department of Transportation—Shop towel services, various locations

93545

Kansas State University—IBM RS/6000 model 530H, printers and software

93584

Fort Hays State University—Brass musical instruments

Wednesday, September 9, 1992

29087

University of Kansas Medical Center—Two-way radio equipment

29142

Department of Transportation—Grader and snow plow blades

29143

University of Kansas Medical Center—Cell cultures

29147

Statewide—Office supplies

93571

Kansas State University—Corn

Thursday, September 10, 1992

29151

University of Kansas Medical Center—Frozen yogurt

93547

University of Kansas—Professional A/V equipment

Friday, September 11, 1992

93568

Kansas State University—YAG laser system

93569

University of Kansas—HPLC system

93570

Department of Human Resources—Safety sampling meters

93581

Department of Transportation—Steel posts, various locations

93582

Department of Transportation—Exhaust reel with accessories, Wamego

93583

University of Kansas—Trailer

93585

University of Kansas Medical Center—Carpet

Monday, September 14, 1992

93572

Department of Social and Rehabilitation Services—Microcomputers—Mac SE

Request for Proposals

Wednesday, September 9, 1992

29081 (Rebid)

Psychiatric consultation for the Department of Social and Rehabilitation Services

Wednesday, September 16, 1992

29148

Plant growth chambers, growth rooms and tissue culture rooms for Kansas State University

Thursday, September 17, 1992

29152

Needs analysis for the Office of Judicial Administration

CORRECTION

Friday, September 8, 1992

29138

Imaging system for the Department of Revenue (This appeared in the August 20, 1992, Kansas Register as an item for bid and should have been a request for proposal.)

Jack R. Shipman
Director of Purchases

Doc. No. 012411

State of Kansas

Attorney General

Opinion No. 92-106

Personal and Real Property—Public Buildings; Handicapped Accessibility Standards—Architectural Accessibility Standards Act. Robert J. Watson, City Attorney, Overland Park, August 17, 1992.

Renovations, alterations or construction of government buildings may be accomplished by using either uniform federal accessibility standards (UFAS) or Americans with Disabilities Act accessibility guidelines (ADAAG) standards. The reference to 28 C.F.R. part 36 in section 7 of 1992 House Bill No. 2602 as the only standard was a technical error. Local building code officials are not required to investigate complaints about accessibility in public buildings. The enforcement authority of the local building code officials is limited to denying the application for a building permit for the construction or alteration of a building. Since 1992 House Bill No. 2602 states that all public buildings and facilities shall conform to federal regulations (28 C.F.R. part 36) and no state regulations have been drafted regarding the design and occupancy standard, we must infer that the legislature meant for the federal regulations and interpretations to apply in determining whether a facility is subject to the new construction standards. Unless the landlord-tenant contract provides otherwise, the tenant is not responsible for making other areas included in the path of travel accessible if such is not within the tenant's control. Cited herein: K.S.A. 58-1301, as amended by L. 1992, ch. 208, § 1; K.S.A. 1991 Supp. 58-1305, as amended by L. 1992, ch. 208, § 7; 28 C.F.R. parts 35, 36. MJS

Opinion No. 92-107

Labor and Industries—Employment Security Law—Penalties for Violation of Act; Repayment of Benefits Ineligible to Receive; Interest.

Crimes and Punishments; Classification of Crimes and Penalties—Sentencing—Authorized Dispositions; Restitution. Joe Dick, Secretary, Department of Human Resources, Topeka, August 17, 1992.

When a person is convicted of theft for obtaining unemployment compensation for which he is ineligible, the trial court may not order interest pursuant to K.S.A. 1991 Supp. 44-719(b)(2) as part of restitution. Cited herein: K.S.A. 21-3701; K.S.A. 1991 Supp. 21-4603, as amended by L. 1992, ch. 239, § 237; 21-4610; 22-3717; 44-719. SP

Opinion No. 92-108

Wildlife, Parks and Recreation—Boating and Water Activities; General Provisions—Definitions; Vessel; Sail Board. Representative Mark Parkinson, 14th District, Olathe, August 17, 1992.

A sail board is a watercraft propelled by wind action upon a sail for navigation on the water and accordingly falls within the meaning of the term "vessel" as defined by K.S.A. 1992 Supp. 32-1102(a). Cited herein: K.S.A. 1991 Supp. 32-1102; 32-1110; 32-1111; 32-1119; 32-1126; 32-1128; 32-1129; 32-1131; 32-1135. CN

Opinion No. 92-109

Schools—Teachers' Contracts; Supplemental Contracts—Supplemental Contracts of Employment Authorized; Continuation of Teachers' Contracts; Primary Contracts; Part-Time Employment. Senator Doug Walker, 12th District, Osawatimie, August 17, 1992.

The hiring practices of Allen County Community College acknowledge that once a teacher has been employed for the time established in K.S.A. 72-5445, as amended by L. 1992, ch. 185, § 7, the primary contract for 12 hours of teaching is subject to the teachers' continuing contract law, K.S.A. 72-5410 *et seq.*, and the teachers' due process, K.S.A. 72-5436 *et seq.* Termination of a supplemental contract regarding coaching duties does not affect the primary contract of employment of the teacher, as the teacher is permitted to continue the part-time employment as a teacher. Under such circumstances, the hiring practices of Allen County Community College do not violate the teachers' continuing contract law or the teachers' due process. Cited herein: K.S.A. 1991 Supp. 71-201; K.S.A. 72-5410; 72-5411, as amended by L. 1992, ch. 20, § 1; 72-5412a; K.S.A. 1991 Supp. 72-5413; K.S.A. 72-5436; 72-5437, as amended by L. 1992, ch. 20, § 2; 72-5445, as amended by L. 1992, ch. 185, § 7. RDS

Opinion No. 92-110

Counties and County Officers—County Commissioners—Sale of County Property; Use of Trade-Ins. Brad L. Jones, Coffey County Attorney, Burlington, August 17, 1992.

A board of county commissioners may use the trade-in procedure when disposing of property which does not exceed \$50,000 in value. Cited herein: K.S.A. 1991 Supp. 19-101a, as amended by L. 1992, ch. 133, § 13; K.S.A. 19-101c; K.S.A. 1991 Supp. 19-211; K.S.A. 19-212; L. 1987, ch. 96, § 1. MJS

Opinion No. 92-111

Public Health—Solid and Hazardous Waste; Solid Waste—Restriction or Prohibition Against Solid Waste Generated Outside Solid Waste Disposal Plan Area; Tonnage Fee on Solid Waste Generated Outside State; Special Charge on Solid Waste Generated Outside Solid Waste Disposal Plan Area. Senator Richard L. Bond, 8th District, Overland Park, August 18, 1992.

Because the legislative means chosen to accomplish a legitimate public purpose (*i.e.* minimizing the accumulation of solid waste) discriminates against articles of commerce (*i.e.* solid waste), L. 1992, ch. 316, new sections 10, 11 and 12 must be characterized as economic protectionist measures which impermissibly burden interstate commerce. In our opinion, the state of Kansas would not be able to establish that L. 1992, ch. 316, new sections 10, 11 and 12 further public health, safety and welfare concerns that cannot be adequately served by nondiscriminatory alternatives. Cited herein: K.S.A. 65-3401; L. 1992, ch. 316, §§ 10, 11, 12. CN

Robert T. Stephan
Attorney General

Doc. No. 012400

State of Kansas

**Department of Administration
Division of Architectural Services**

**Notice of Commencement of Negotiations
for Architectural Services**

Notice is hereby given of the commencement of negotiations for architectural services for a campus-wide facilities audit of Emporia State University and development of a transition plan as required by the Americans with Disabilities Act.

Any questions or expressions of interest should be directed to Gerald R. Carter, AIA, Deputy Director of Planning & Project Management, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before September 11. An original and five copies of the SF 255 form (plus attachments as required) should be submitted with letters of interest.

J. David DeBusman
Director, Division of
Architectural Services

Doc. No. 012402

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas county will be received at the office of the Chief of Construction and Maintenance, KDOT, Topeka, until 10 a.m. C.D.T. September 17 and then publicly opened:

District Five—Southcentral

Harvey—135-40 K-5065-01—I-135, beginning at the south junction of I-135 and U.S. 50, then north to the junction of I-135 and K-15, 4.43 miles, bituminous overlay. (State Funds)

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

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

the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the project may be examined at the office of the respective county clerk or at the Kansas Department of Transportation district office responsible for the work.

Michael L. Johnston
Secretary of Transportation

Doc. No. 012399

State of Kansas

Department of Transportation

**Disadvantaged Businesses Utilization
Program Policy Statement**

It is the policy of the Kansas Department of Transportation that disadvantaged businesses, as defined in 49 Code of Federal Regulations, Part 23, shall have the maximum opportunity to participate in the performance of KDOT contracts that are financed in whole or in part with federal funds. In this regard, KDOT is committed to provide all necessary and reasonable steps in accordance with 49 CFR, Part 23 to ensure that such businesses will be utilized to the maximum extent feasible.

To administer this program, a KDOT External EEO Officer shall be designated who will be responsible for developing, managing and implementing the DBE program on a daily basis. The program objective will be to meet or exceed the established DBE program goals.

Contract goals will be established monthly on individual projects having practical and feasible DBE subcontracting possibilities.

Overall goals will be established on an annual basis and will be based on the following factors:

1. A projection of the number of DBEs available to compete for subcontracts.
2. A projection of the number and type of federal aid contracts to be let for bid.
3. An analysis of the past year's performance and capabilities of the active DBEs.

The overall DBE goal for federal fiscal year 1993 (October 1, 1992 to September 30, 1993) shall be 10 percent. Comments, for informational purposes only, will be accepted from the general public in relation to these goals for 45 days following the date of publication of this notice.

Verbal or written comments may be directed to Sandra E. Greenwell, Administrative Officer, Kansas Department of Transportation, Office of Engineering Support, 7th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka 66612, (913) 296-7940.

Michael Johnston
Secretary of Transportation

Doc. No. 012382

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, KDOT, Topeka, until 10 a.m. C.S.T. September 17 and then publicly opened:

District One—Northeast

Atchison—3C-2870-01—County road, 2.0 miles south and 0.5 mile west of Muscotah, 0.1 mile, grading and bridge. (Federal Funds)

Johnson—35-46 K-3361-02—I-35, construction engineering and construction on Quivira Road south of 91st Street, 0.6 mile, grading and surfacing. (State Funds)

Johnson—46-U-1263-01—Leawood and Mission Road at Indian Creek, grading and bridge. (Federal Funds)

Leavenworth—73-52 K-4246-01—U.S. 73, Salt Creek bridge 15, 3.7 miles northwest of the junction of K-92, bridge replacement. (State Funds)

Lyon—35-56 K-2633-03—I-35, from the Kansas Turnpike Authority (KTA) east to the east junction of U.S. 50, 5.8 miles, pavement reconstruction. (Federal Funds)

Riley—24-81 U-1415-01—U.S. 24 and K-177 and Kimball in Manhattan, traffic signal. (Federal Funds)

Shawnee—89 U-1403-01—Three intersections in Topeka: 3rd Street and Kansas, 8th Street and Quincy, and 21st Street and California, traffic signals. (Federal Funds)

District Two—Northcentral

Dickinson—21 C-2812-01—County road, 3.9 miles west of Woodbine, then east, 0.3 mile, grading, surfacing and bridge. (Federal Funds)

Ellis—26 C-2917-01—County road, 0.3 mile north of Munjor, grading, surfacing and bridge. (Federal Funds)

Morris—64 C-2703-01—County road, 0.7 mile east and 7.8 miles south of Dwight, then north, 0.2 mile, bridge. (Federal Funds)

Washington—9-101 K-4025-01—K-9, Dry Creek bridge 13, 0.6 mile east of the Cloud-Washington county line, bridge replacement. (Federal Funds)

Washington—101 C-2914-01—County road, 3.0 miles north and 2.5 miles east of Greenleaf, 0.3 mile, grading and bridge. (Federal Funds)

District Four—Southeast

Crawford—19 U-1410-01—Intersection of Jefferson and Joplin in Pittsburg, traffic signal. (Federal Funds)

Coffey—75-16 K-4347-01—U.S. 75, from the Woodson-Coffey county line north to 0.6 mile north of the north junction of K-57, 4.6 miles, surfacing and bridge. (Federal Funds)

Linn—54 C-2867-01—County road, 2 miles south and 1 mile east of Goodrich, 0.2 mile, grading and bridge. (Federal Funds)

Neosho—67 C-0876-01—County road, 1.0 mile east of St. Paul, then east, 0.2 mile, bridge replacement. (Federal Funds)

Neosho—67 C-2704-01—County road, 3.0 miles south and 1.2 miles east of Stark, then east, 0.2 mile, grading and bridge. (Federal Funds)

District Five—Southcentral

Rice—80 C-2785-01—County road, 3.0 miles west of Lyons and 1.2 miles south of U.S. 56, then south, 0.2 mile, grading and bridge. (Federal Funds)

Rice—80 C-2935-01—County road, 6.0 miles south and 4.8 miles east of Lyons, 0.2 mile, grading and bridge. (Federal Funds)

Rice—56-80 K-4762-01—U.S. 56, Cow Creek bridge 6, 10.1 miles east of the Barton-Rice county line, bridge painting. (State Funds)

Sedgwick—87 C-2176-01—County road, 0.6 mile north of Cheney, then east, 0.2 mile, bridge replacement. (Federal Funds)

Sedgwick—87 C-2177-01—County road, 1.0 mile south and 1.5 miles east of Cheney, then east, 0.2 mile, bridge replacement. (Federal Funds)

Stafford—50-93 K-4758-01—U.S. 50, Rattlesnake Creek bridge 5, 10.9 miles east of the Edwards-Stafford county line, bridge painting. (State Funds)

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

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

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

Michael L. Johnston
Secretary of Transportation

(Published in the Kansas Register, August 27, 1992.)

**Pratt Community College, Pratt, Kansas
Summary Notice of Bond Sale
\$1,880,000***
General Obligation Bonds, Series 1992
(general obligation bonds payable from
unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale and preliminary official statement dated August 25, 1992, sealed bids will be received by the secretary of Pratt Community College, Pratt, Kansas (the issuer), on behalf of the governing body at the main campus, Highway 61, Pratt, KS 67124, until 11 a.m. C.D.T. on September 10, 1992, for the purchase of \$1,880,000* principal amount of General Obligation Bonds, Series 1992. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated September 1, 1992, and will become due semiannually on June 1 and December 1 in the years as follows:

Date	Principal Amount
06/1/93	\$ 40,000
12/1/93	40,000
06/1/94	40,000
12/1/94	40,000
06/1/95	45,000
12/1/95	45,000
06/1/96	50,000
12/1/96	45,000
06/1/97	50,000
12/1/97	50,000
06/1/98	55,000
12/1/98	50,000
06/1/99	55,000
12/1/99	55,000
06/1/00	60,000
12/1/00	60,000
06/1/01	60,000
12/1/01	60,000
06/1/02	65,000
12/1/02	65,000
06/1/03	70,000
12/1/03	70,000
06/1/04	70,000
12/1/04	75,000
06/1/05	75,000
12/1/05	75,000
06/1/06	80,000
12/1/06	80,000
06/1/07	85,000
12/1/07	85,000
06/1/08	85,000

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

***Principal Amounts Subject to Change**

The issuer reserves the right to modify the total amount of the bonds and the amount of any maturity in order to properly structure the escrow account for the obligations to be refunded based on the interest rates submitted by the successful bidder. The successful bidder will be notified of the modification to the amounts, if any, within 24 hours of the bid opening.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

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 \$37,900 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on September 29, 1992, at such bank or trust company in the contiguous United States of America as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1991 is \$79,433,917. The only general obligation indebtedness of the issuer will be the bonds being sold.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Gilmore & Bell, a Professional Corporation, Wichita, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder as and when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from Charles A. Ray, Dean of Finance and Operations, (316) 672-2724; or from the financial advisors, BANK IV Kansas, N.A., 534 S. Kansas Ave., Topeka, KS 66603, Attention: David Brant, (913) 295-3543; and Ranson Capital Corporation, 120 S. Market, Suite 450, Wichita, KS 67202, Attention: Jeffrey K. Ray, (316) 262-4955.

Dated August 25, 1992.

Pratt Community College
Pratt, Kansas

Doc. No. 012407

(Published in the Kansas Register, August 27, 1992.)

Notice of Bond Sale
\$4,843,280
Leavenworth County, Kansas
General Obligation Bonds
Series 1992
(U.S. Highway 24-40 Project)

Sealed Bids

Sealed bids for the purchase of \$4,843,280 principal amount of General Obligation Bonds, Series 1992 (U.S. Highway 24-40 Project), of the county hereinafter described, will be received by the undersigned, county clerk of Leavenworth County, Kansas, on behalf of the governing body of the county at Leavenworth County Courthouse until 10 a.m. C.D.T. on Thursday, September 10, 1992. All bids will be publicly opened and read at said time and place and will be acted upon by the county immediately thereafter. 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 October 1, 1992, and will become due serially on October 1 in the years as follows:

Year	Principal Amount
1993	\$218,280
1994	680,000
1995	725,000
1996	755,000
1997	785,000
1998	820,000
1999	860,000

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 April 1 and October 1 in each year, beginning on October 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 county 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 in-

curred 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 county, bonds maturing on October 1, 1998, and thereafter will be subject to redemption and payment prior to maturity on October 1, 1997, 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 county 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 county shall elect to call any bond for redemption and payment prior to the maturity thereof, the county 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 registered or certified mail addressed 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 county'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 1/8 or 1/20 of 1 percent. No interest rate shall exceed the index of treasury bonds published by *The Bond Buyer*, successor to *MuniWeek*, 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 county 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 county on the basis of such bid. Each bid shall also specify the average annual net interest rate to the county on the basis of such bid. Bidders shall specify

(continued)

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 county, which will be determined by subtracting the amount of the premium bid, if any, from the total interest cost to the county. 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 county 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 county payable as to both principal and interest 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 county.

Internal Revenue Code of 1986

The internal revenue code of 1986 imposes requirements on the county which must be met subsequent to the issuance of the bonds by the county and, as a result, the county will and does hereby covenant that it will diligently undertake those steps necessary to maintain the tax-exempt status of the bonds. The county'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 county'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 adjustment. 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.

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 such obligations. With the exception of certain "qual-

ified 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 county does not 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 county, 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 county with the provisions of the resolution authorizing the issuance of the bonds and the code, under existing law, the interest on the bonds is exempt from federal income taxation. Interest on the bonds will also be excluded from the computation of Kansas adjusted gross income.

Delivery and Payment

The county 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 October 5, 1992, at such bank or trust company in the state of Kansas or Kansas City, Missouri, metropolitan area as may be specified by the successful bidder. Delivery elsewhere will be at the bidder's expense. 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 county. 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 county and bond registrar not later than 5 p.m. C.D.T. on September 25, 1992. In the absence of such information, the county will deliver bonds in the denomination of each maturity registered in the name of the successful bidder.

The successful bidder shall furnish the county by 5 p.m. C.D.T. on September 25, 1992, a certificate acceptable to the county'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 \$96,865.00, payable to the order of the county to secure the county 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 county 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 county, be returned to the successful bidder or deducted from the purchase price. If a bid is accepted but the county 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 county, and the county 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 county.

Bond Ratings

The outstanding general obligation bonds of the county are rated "A1" by Moody's Investors Service, and the county has applied for rating on the bonds herein offered for sale.

Bid Forms

All bids must be made on forms which may be procured from the county clerk. No additions or alterations in such forms shall be made and any erasures may cause rejection of any bid. The county 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 county 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 Leavenworth County Courthouse and must be received by the undersigned prior to 10 a.m. C.D.T. on Thursday, September 10, 1992.

Date and Delivery of Preliminary and Final Official Statement

The county 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 reoffer 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 county will provide without cost to the purchaser such 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 county 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 county will deliver to the purchaser on the date of delivery of the bonds a certificate executed by the chairman and the county 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 county's preliminary official statement relating to the bonds may be obtained from the county clerk or the county's financial advisor, Dougherty, Dawkins, Strand & Bigelow Incorporated, 1050 17th Street, Suite 1400, Denver, CO 80265, (303) 534-5577.

Assessed Valuation and Indebtedness

The total assessed valuation of the taxable tangible property within the county for the year 1992 is \$200,621,116. The total general obligation bonded indebtedness of the county as of the date of the bonds, including the bonds, is \$6,858,280, as described in the county's preliminary official statement relating to said notes, copies of which may be obtained from the county clerk or the financial advisor. In accordance with the financial advisor's agreement with the county, the financial advisor will be submitting a bid or participating in a group submitting a bid for the purchase of the bonds.

Dated August 27, 1992.

Leavenworth County, Kansas
Linda A. Scheer
County Clerk
Leavenworth County Courthouse
4th and Walnut
Leavenworth, KS 66048
(913) 684-0404

Doc. No. 012414

NOTICE OF REDEMPTION

**Geary County, Kansas
Single Family Mortgage
Revenue Bonds 1980 Series A**

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980 \$340,000 principal amount of the bonds are called for redemption October 1, 1992 at the redemption price of 100% of the principal amount being redeemed plus accrued interest thereon to the redemption date. This notice was first published on Thursday, August 27, 1992 in the Kansas Register and The Bond Buyer.

The serial numbers of the bearer bonds to be redeemed are as follows: (NOTE: Coupons due October 1, 1992 should be presented in the normal manner. Coupons due April 1, 1993 and all subsequent coupons must be attached to bonds called for redemption).

Bearer Bonds

Due April 1, 1994 (CUSIP 368342 AN1)

188 191

Due April 1, 2011 (CUSIP 368342 AP6)

219 255 377 577 670 672 868 901
910 911 1351 1575 1924 1945 1946

The serial numbers of the registered bonds to be partially or fully redeemed in the amount described below are as follows:

Registered Bonds

Due April 1, 1993 (CUSIP 368342 AM3)

Registered Bond Number	Amount Called
R141	\$ 5,000

Due April 1, 2011 (CUSIP 368342 AP6)

Registered Bond Number	Amount Called	Registered Bond Number	Amount Called
R111	\$ 5,000	R143	\$ 100,000
R118	5,000	R144	95,000
R138	5,000	R145	15,000
R142	5,000	R146	20,000

Payment of the redemption price of the bearer bonds and the registered bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza Kansas City, Kansas 66101. To avoid a 20% backup withholding required by the Interest and Dividend Tax Compliance Act of 1983, bondholders should submit Certified Taxpayer Identification Numbers on I.R.S. Form W-9 when presenting their securities for redemption.

Notice is hereby given that on and after October 1, 1992, interest on the bonds hereby called for redemption shall cease to accrue.

 **Security Bank of Kansas City**
Kansas City, Kansas, *Trustee*

Dated: August 27, 1992

Doc. No. 012403

NOTICE OF REDEMPTION

**Riley County, Kansas
Single Family Mortgage Revenue
Bonds
1980 Series A**

Notice is hereby given that, pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980 \$500,000 principal amount of the bonds are called for redemption October 1, 1992 at the redemption price of 100% of the principal amount being redeemed plus accrued interest thereon to the redemption date. This notice was first published on Thursday, August 27, 1992 in the Kansas Register and The Bond Buyer.

The serial numbers of the bearer bonds to be redeemed are as follows: (NOTE: Coupons due October 1, 1992 should be presented in the normal manner. Coupons due April 1, 1993 and all subsequent coupons must be attached to bonds called for redemption).

Bearer Bonds

CUSIP	Maturity	Certificate
766642 AM4	April 1, 1993	244
766642 AN2	April 1, 1994	286 302
766642 AP7	April 1, 2011	329 467 495 607 648 840 1178 1340 1696 1909 1927 2289 2616

The serial numbers of the registered bond to be partially or fully redeemed in the amounts described below are as follows:

Registered Bonds

Due April 1, 2011 (CUSIP 766642 AP7)

Bond No.	Amt. Called	Bond No.	Amt. Called
226	\$ 50,000	233	\$ 50,000
227	45,000	234	30,000
228	50,000	235	20,000
229	50,000	236	20,000
230	25,000	237	20,000
231	30,000	238	10,000
232	20,000		

Payment of the redemption price of the bearer bonds and the registered bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, Kansas 66101. To avoid a 20% backup withholding required by the Interest and Dividend Tax Compliance Act of 1983, bondholders should submit Certified Taxpayer Identification Numbers on I.R.S. Form W-9 when presenting their securities for redemption.

Notice is hereby given that on and after October 1, 1992, interest on the bonds hereby called on redemption shall cease to accrue.

 **Security Bank of Kansas City**
Kansas City, Kansas, *Trustee*

Dated: August 27, 1992

Doc. No. 012404

**NOTICE OF REDEMPTION
SEDGWICK COUNTY, KANSAS**

**Single Family Mortgage Revenue Bonds
(Multiple Originators and Servicers)**

1980 Series A

Due April 1, 1993/1995 and April 1, 2011

NOTICE IS HEREBY GIVEN that, pursuant to Section 3.01 of the Indenture dated as of April 1, 1980, and as amended by the First Supplemental Trust Indenture, dated as of September 1, 1986, \$2,050,000 principal of Bonds has been drawn pro-rata among maturities and by lot within each maturity, for redemption at par on October 1, 1992.

Coupon Bonds of \$5,000 Denominations, called in full, bearing CUSIP No. 815618 and Suffix:

AM5	1611	1951	3870	4603	5071	6284	7158	7738	8295	8877	9439	9823	10217
1305	1618	AQ6	3888	4610	5198	6324	7193	7782	8416	8878	9458	9912	10226
1325	1643	2485	3921	4648	5219	6436	7214	7784	8472	8882	9487	9931	10294
1342	1681	2504	3934	4694	5363	6438	7235	7802	8498	8887	9503	9940	10300
1379	1695	2537	3976	4716	5672	6441	7239	7866	8505	8894	9507	9951	10322
1386	1700	2563	4230	4735	5846	6455	7271	7872	8512	8898	9546	9954	10335
1398	AP8	2616	4242	4823	5909	6545	7273	7890	8537	9001	9613	10046	10374
1422	1810	2764	4243	4891	5934	6616	7287	7904	8552	9064	9614	10051	10389
1441	1860	3037	4251	4895	5965	6819	7296	7905	8557	9065	9643	10061	10392
1443	1876	3045	4397	4964	5967	6825	7320	7910	8560	9215	9673	10076	10393
AN3	1879	3282	4404	5012	5968	6827	7331	7952	8598	9216	9679	10080	10409
1493	1885	3306	4407	5015	6046	6931	7362	8032	8602	9237	9714	10096	10413
1533	1887	3308	4428	5035	6092	6962	7365	8051	8632	9262	9717	10103	10464
1574	1928	3471	4454	5052	6113	6967	7418	8119	8725	9373	9777	10112	10492
1590	1929	3832	4474	5054	6185	6970	7421	8226	8737	9387	9778	10130	10493
1595	1937	3843	4498	5056	6261	7129	7568	8251	8867	9413	9816	10137	

The serial numbers of the Registered Bonds, bearing CUSIP No. 815618, to be redeemed in whole or in part, and the principal amount to be redeemed are as follows:

<u>Bond Number</u>	<u>Par Amount</u>	<u>Amount Called</u>	<u>Suffix</u>	<u>Bond Number</u>	<u>Par Amount</u>	<u>Amount Called</u>	<u>Suffix</u>
R489	\$10,000	\$10,000	AP8	R414	\$500,000	\$500,000	AQ6
R172	5,000	5,000	AQ6	R422	100,000	100,000	AQ6
R189	10,000	5,000	AQ6	R423	100,000	100,000	AQ6
R202	5,000	5,000	AQ6	R424	100,000	100,000	AQ6
R223	5,000	5,000	AQ6	R431	5,000	5,000	AQ6
R294	25,000	15,000	AQ6	R436	5,000	5,000	AQ6
R300	5,000	5,000	AQ6	R446	15,000	10,000	AQ6
R315	10,000	5,000	AQ6	R447	65,000	35,000	AQ6
R329	5,000	5,000	AQ6	R483	15,000	5,000	AQ6
R333	5,000	5,000	AQ6	R486	15,000	10,000	AQ6
R401	20,000	20,000	AQ6				

Coupons Bonds with the October 1, 1992, and all subsequent coupons attached and all Registered Bonds should be presented to one of the offices of the Paying Agents:

BY HAND DELIVERY:

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

Morgan Guaranty Trust Company of New York
Attention: Corporate Trust Department
30 West Broadway-12th Floor
New York, New York 10015

BY MAIL:

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

Southwest National Bank of Wichita
Attention: Corporate Trust Department
P.O. Box 1401
Wichita, Kansas 67201

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

To assure prompt payment of the redemption price, bond certificates should be sent, unendorsed, approximately two weeks before October 1, 1992, to one of the above given addresses. The method of delivery of the Bonds for payment is at the election and risk of the holder but, if sent by mail, insured, registered or certified mail, return receipt requested, is recommended.

Interest on the Bonds or portions of Bonds called for redemption will cease to accrue on October 1, 1992.

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

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

August 28, 1992

(Published in the Kansas Register, August 27, 1992.)

**Notice of Redemption
City of Marion
Kansas Industrial Revenue Bonds
Series A, 1976
(Elgin House Apartments)**

Notice is hereby given that pursuant to Section 3 of Ordinance No. 909 of the city of Marion, Kansas, First National Bank and Trust, Salina, as trustee and paying agent, will redeem on October 1, 1992, for the city all of the principal amount of the Series A, 1976 Industrial Revenue Bonds of the city of Marion (Elgin House Apartments) at a price equal to the principal amount thereof plus accrued interest thereon to October 1, 1992, plus a premium of 4 percent.

Bonds to be redeemed are numbered 191 through and including number 275 and are in the denomination of \$1,000 each.

On October 1, 1992, the bonds described above will be due and payable at the First National Bank and Trust, 2090 S. Ohio, P.O. Box 800, Salina, KS 67402-0800.

Bonds should be surrendered with all unmatured interest coupons attached. After October 1, 1992, interest on the aforesaid bonds will cease to accrue.

First National Bank and Trust
Trustee and Paying Agent

Doc. No. 012392

(Published in the Kansas Register, August 27, 1992.)

**Notice of Redemption
Shawnee County, Kansas
GNMA Collateralized
Home Mortgage Revenue Bonds
1987 Series A**

Notice is hereby given that \$420,000 principal amount of bonds, as listed below, are called for redemption on October 1, 1992, at the price of 100 percent of the principal amount being redeemed plus accrued interest thereon to the redemption date. The outstanding amount for this issue remaining after this call is \$6,777,306.84.

Registered bond numbers to be redeemed are as follows:

Cusip	Bond Number	Current Amount	Called Amount	Amount Remaining
820558-AJ-3	CIR139	10,000	5,000	5,000
820558-AK-0	CIR801	40,000	10,000	30,000
820558-AL-8	CIR1378	20,000	5,000	15,000
820558-AM-6	CIR185	5,000	5,000	-0-
	CIR986	50,000	5,000	45,000
	CIR1483	35,000	5,000	30,000
820558-AN-4	CIR210	5,000	5,000	-0-
820558-AP-9	CIR1433	60,000	10,000	50,000
820558-AQ-7	CIR1443	15,000	5,000	10,000
	CIR1459	15,000	5,000	10,000
	CIR1478	25,000	5,000	20,000
820558-AS-3	CIR296	10,000	5,000	5,000
	CIR299	10,000	5,000	5,000

	CIR1410	10,000	5,000	5,000
820558-AT-1	CIR313	5,000	5,000	-0-
	CIR1261	40,000	5,000	35,000
820558-AU-8	CIR1381	20,000	5,000	15,000
	CIR1477	15,000	5,000	10,000
820558-AV-6	CIR362	10,000	5,000	5,000
	CIR1339	5,000	5,000	-0-
	CIR1479	45,000	5,000	40,000
820558-AX-2	CIR396	5,000	5,000	-0-
	CIR405	10,000	5,000	5,000
	CIR408	10,000	5,000	5,000
	CIR415	25,000	5,000	20,000
	CIR1350	5,000	5,000	-0-
820558-AZ-7	CIR1426	85,000	15,000	70,000
	CIR1480	85,000	5,000	80,000
820558-BA-1	CIR471	10,000	5,000	5,000
820558-BB-9	CIR761	5,000	5,000	-0-
	CIR807	10,000	5,000	5,000
	CIR833	5,000	5,000	-0-
	CIR1441	15,000	5,000	10,000
	CIR1462	25,000	5,000	20,000
820558-BD-5	CIR540	5,000	5,000	-0-
	CIR550	10,000	10,000	-0-
	CIR1267	15,000	5,000	10,000
	CIR1488	15,000	5,000	10,000
820558-BE-3	CIR717	15,000	5,000	10,000
	CIR754	5,000	5,000	-0-
	CIR923	10,000	5,000	5,000
	CIR1040	5,000	5,000	-0-
	CIR1048	20,000	5,000	15,000
	CIR1291	5,000	5,000	-0-
	CIR1332	10,000	5,000	5,000
	CIR1333	15,000	5,000	10,000
	CIR1348	5,000	5,000	-0-
	CIR1415	80,000	5,000	75,000
	CIR1437	65,000	10,000	55,000
	CIR1465	15,000	10,000	5,000
	CIR1481	1,825,000	115,000	1,710,000
	CIR1492	5,000	5,000	-0-
	CIR1497	5,000	5,000	-0-
	CIR1517	40,000	5,000	35,000
	CIR1518	45,000	5,000	40,000

Registered bonds are to be presented to Merchants National Bank of Topeka. On October 1, 1992, all bonds designated for redemption will become due and payable upon presentation thereof at the address given below. On and after October 1, 1992, interest on the principal amount called for redemption shall cease to accrue. The bonds, along with IRS form W-9 (verification of taxpayer identification number), may be presented for payment in person or by mail at the Merchants National Bank of Topeka, Attn: Corporate Trust, P.O. Box 178, Topeka, KS 66601-0178.

Shawnee County, Kansas

Doc. No. 012413

(Published in the Kansas Register, August 27, 1992.)

**Notice of Call for Redemption
to the Registered Owners of
Montgomery County, Kansas
Sales Tax Revenue Bonds
Series 1988, Dated October 1, 1988**

Notice is hereby given that pursuant to the provisions of Article III of Resolution No. 88-152 of Montgomery County, Kansas, the above mentioned bonds maturing October 1, 1993, and thereafter, have been called for redemption and payment on October 1, 1992, at the principal corporate trust office of Citizens National Bank, Independence, Kansas (the bond registrar and paying agent).

Maturity Date	Principal Amount	Interest Rate	CUSIP Nos.
10-1-1993*	940,000	6.650%	613313AE5
10-1-1994*	1,015,000	6.750%	613313AF2
10-1-1995*	1,090,000	6.850%	613313AG0

On such redemption date there shall become due and payable, upon the presentation and surrender of each such bond, the redemption price thereof equal to 100 percent of the principal amount of each bond, together with interest accrued to the redemption date. Interest shall cease to accrue on the bonds called for redemption from and after October 1, 1992, provided such funds for redemption are on deposit with the paying agent.

Montgomery County, Kansas
By: Citizens National Bank
Independence, Kansas
as Escrow Trustee

Doc. No. 012389

(Published in the Kansas Register, August 27, 1992.)

**Notice of Redemption
Rural Water District No. 4
Saline County, Kansas
Waterwork Utility Taxable Revenue Bonds
Series A, 1987**

Notice is hereby given pursuant to Section 3 of a resolution dated October 7, 1987, of Rural Water District No. 4, Saline County, Kansas, that the district has called for redemption all of the outstanding bonds of the above issue maturing in the year 1993 and thereafter at a redemption price of 100 percent of the principal amount thereof, plus accrued interest thereon to October 1, 1992. The bonds to be redeemed are described as follows:

Amount	Maturity Date	Interest Rate
10,000	10-1-1993	10.25%
10,000	10-1-1994	10.50%
10,000	10-1-1995	10.75%
110,000	10-1-2002	11.00%

From and after October 1, 1992, interest shall cease to accrue and be payable on the bonds identified and described herein.

On October 1, 1992, the bonds as specifically identified herein shall be due and payable and must be surrendered for payment at the principal office of the paying agent, Office of the State Treasurer, 900 S.W. Jackson, Suite 201, Topeka, KS 66612-1235.

To avoid a 20 percent backup withholding required by the Interest and Dividend Tax Act of 1983, bondholders should submit certified taxpayer identification numbers on IRS Form W-9 when presenting their securities for redemption.

Dated August 5, 1992.

Rural Water District No. 4
Saline County, Kansas

Doc. No. 012390

(Published in the Kansas Register, August 27, 1992.)

**Notice of Redemption
Rural Water District No. 1
Sedgwick County, Kansas
Waterworks Utility Revenue Bonds
Series 1986**

Notice is hereby given pursuant to Section 3 of a resolution dated March 18, 1986, of Rural Water District No. 1, Sedgwick County, Kansas, that the district has called for redemption all of the outstanding bonds of the above issue maturing in the year 1993 and thereafter at a redemption price of 103 percent of the principal amount thereof, plus accrued interest thereon to October 1, 1992. The bonds to be redeemed are described as follows:

Amount	Maturity Date	Interest Rate
4,000	10-1-1993	8.5%
4,000	10-1-1994	8.5%
4,000	10-1-1995	8.5%
4,000	10-1-1996	8.5%
73,000	10-1-2006	8.5%

From and after October 1, 1992, interest shall cease to accrue and be payable on the bonds identified and described herein.

On October 1, 1992, the bonds as specifically identified herein shall be due and payable and must be surrendered for payment at the principal office of the paying agent, Office of the State Treasurer, 900 S.W. Jackson, Suite 201, Topeka, KS 66612-1235.

To avoid a 20 percent backup withholding required by the Interest and Dividend Tax Act of 1983, bondholders should submit certified taxpayer identification numbers on IRS Form W-9 when presenting their securities for redemption.

Dated July 28, 1992.

Rural Water District No. 1
Sedgwick County, Kansas

Doc. No. 012391

(Published in the Kansas Register, August 27, 1992.)

Notice of Redemption
City of Dodge City, Kansas
Industrial Revenue Bonds, Series A, 1974
(Ervin Enterprises, Inc., Tenant;
Sunflower Telephone Company, Inc., Sub-tenant)
Dated October 1, 1974
CUSIP Not Assigned

Notice is hereby given pursuant to the provisions of Ordinance No. 2087 adopted by the city of Dodge City, Kansas, on September 16, 1974, that all outstanding bonds of the referenced industrial bond issue will be redeemed on October 1, 1992 (the redemption date), at a redemption price of 103 percent of the principal amount thereof together with accrued interest to the redemption date.

The bonds to be called are in bearer form with a par value of \$5,000 each. The bond numbers, interest rate per annum, and maturity date of the bonds are:

Bond Numbers (Inclusive)	Interest Rate Per Annum	Maturity Date
82-90	8 ¹ / ₄ %	10/01/93
91-100	8 ¹ / ₄ %	10/01/94

The bonds shall be payable upon presentation and surrender thereof, with all interest coupons appertaining thereto maturing after October 1, 1992, attached, at the principal office of Union National Bank, Attention: Special Services, P.O. Box 637, 150 N. Main, Wichita, KS 67202. The method of presentation and delivery of such bonds for redemption is at the option and risk of the owners of each bond. If mail is used, insured, registered mail, return receipt requested, is suggested.

The coupons representing the interest payable October 1, 1992, may be detached and presented for payment in the usual manner. Interest on all bonds called for redemption will cease to accrue on and after October 1, 1992.

Under the provision of the Interest and Dividend Tax Compliance Act of 1983, paying agents making payment of principal on corporate securities are obligated to withhold 20 percent of the payment of principal to holders who have failed to provide the paying agent with a valid taxpayer identification number. Holders of the above described securities will avoid such withholding by providing a certified taxpayer identification number when presenting securities for payment.

Dated August 31, 1992.

Union National Bank of Wichita
Trustee

Doc. No. 012388

State of Kansas

Grain Inspection Department

**Notice of Hearing on Proposed
Administrative Regulations**

The Kansas State Grain Inspection Department will conduct a public hearing at 10 a.m. Monday, October 5, in the conference room of the Kansas State Grain Inspection Department, Suite 800, 700 Jackson, Topeka, regarding adoption of amended K.A.R. 25-4-1 as a temporary regulation and as a permanent regulation. The temporary regulation, if adopted, will become effective upon approval by the State Rules and Regulations Board and filing with the Secretary of State.

The Grain Inspection Department proposes to delete the charge for one holiday. In addition, it would add fees for the articulate carlot inspections and stowage exams; warehouse sample lot inspections, truck lot; and oils for grains other than wheat, NMR method. It would move aflatoxin from the AMA to the U.S. Grain Standards Act, and delete services under the AMA that the department has never provided.

The National Sun Industries is building a sunflower oil seed crushing plant in Caruso, Kansas. The Kansas State Grain Inspection Department purchased a nuclear magnetic resonance analyzer and equipment to provide oil analysis to the industry. The approximate cost for the equipment was \$35,000. The department estimates 4,000 oil analyses per year, or annual revenue of \$23,000.

The analysis fee will be borne by the grain industry and the producers. The oil results will be beneficial to the farmer/producers, as premiums and discounts are based on the oil seed content. The state of Kansas will benefit, as National Sun Industries estimates it will employ 50 to 60 people.

The Federal Grain Inspection Service moved the aflatoxin testing from under the Agricultural Marketing Act to under the U.S. Grain Standards Act. This is only an organizational restructuring and will have no fiscal impact.

The articulate carlot developed by the Santa Fe Railroad is still in its initial stages. Presently the railroad has three articulate cars with no immediate plans to build more. Two are being used for research and one for promotional purposes. The fiscal impact will be minimal unless more are built in the future.

All interested parties may submit written comments during the 30-day notice period prior to the hearing to the Director, Kansas State Grain Inspection Department, P.O. Box 1918, Topeka 66601-1918. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulation during the hearing.

Copies of the full text of the regulation and economic impact statement may be obtained by contacting the director of Kansas State Grain Inspection Department at the address above, (913) 296-3451.

Lee Ham
Director

Doc. No. 012416

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of August 31 through September 13:

Date	Room	Time	Committee	Agenda
September 3	514-S	10:00 a.m.	Joint Committee on State	Agenda not available.
September 4	514-S	9:00 a.m.	Building Construction	
September 9	519-S	10:00 a.m.	Joint Committee on Economic	9th: Presentations on
September 10	519-S	9:00 a.m.	Development	biotechnology—sector analysis. 10th: Presentations on capital availability for businesses in Kansas.
September 9	514-S	9:00 a.m.	Legislative Coordinating Council	Legislative matters.
September 10	531-N	10:00 a.m.	Joint Committee on Special	Hearing on claims filed to
September 11	531-N 531-N	9:00 a.m.	Claims Against the State	date.
September 10	514-S	10:00 a.m.	Legislative Budget Committee	Agenda not yet approved, but plans are to take up all proposals except No. 17— KanWork.
September 11	514-S	9:00 a.m.		

Emil Lutz
Director, Division of
Legislative Administrative Services

Doc. No. 012405

State of Kansas

Office of Judicial Administration

Court of Appeals Docket

(Note: Dates and times of arguments are subject to change.)

Kansas Court of Appeals
Court of Appeals Courtroom, 3rd Floor, Old Sedgwick County Courthouse
510 N. Main, Wichita, Kansas

Thursday, September 10, 1992

Before Briscoe, C.J.; Davis and Rulon, JJ.

2:00 p.m.

Case No.	Case Name	Attorneys	County
67,414	State of Kansas, Appellee,	County Attorney Attorney General	Allen
	v. James R. Bartlett, Appellant.	Robert V. Talkington	
67,383	David R. Baumann, Appellant,	Joseph Seiwert	Harvey
	v. Excel Industries, Inc., Appellee.	Anne M. Hull	
	Summary Calendar—No Oral Argument		
67,727	In the Interest of M.T.H.	Kevin B. Johnson E. Jolene Rooney Traci Hartenstein	Sedgwick

(continued)

67,271	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Carey L. Conaway, Appellant.	Wendy Slayton	
67,334	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Joseph Sauls, Jr., Appellant.	Lucille Marino	
67,943	Greg Wylie, Appellant,	Greg Wylie, <i>pro se</i>	Sedgwick
	v.		
	Richard Marron, Appellee.		

Friday, September 11, 1992

Before Briscoe, C.J.; Brazil and Davis, JJ.

9:00 a.m.

Case No.	Case Name	Attorneys	County
66,887	In the Matter of the Marriage of Kathleen Patry and Douglas E. Patry.	Rachael K. Pirner Jon D. Graves	Sedgwick
67,786	Kathleen Southard, Appellant, v. Department of SRS, <i>et al.</i> , Appellees.	Kathleen Southard, <i>pro se</i> Stephen J. Jones Joel P. Hesse	Sedgwick

Summary Calendar—No Oral Argument

67,377	State of Kansas, Appellee, v. Roger D. Tucker, Appellant.	Debra Byrd Wagner Attorney General Garry L. Howard	Sedgwick
67,588	State of Kansas, Appellee, v. Truman Edward Dye, Appellant.	County Attorney Attorney General Elizabeth Sterns	Finney
67,330	State of Kansas, Appellee, v. Earl Lipsey, Appellant.	Debra Byrd Wagner Attorney General Lucille Marino	Sedgwick
66,893	State of Kansas, Appellee, v. George E. Anziana, Jr., Appellant.	Debra Byrd Wagner Attorney General Rebecca Woodman	Sedgwick

Before Briscoe, C.J.; Brazil and Rulon, JJ.

10:00 a.m.

66,812	State of Kansas, Appellee, v. Leslie Tyrone Jackson, Appellant.	Debra Byrd Wagner Attorney General Rebecca Woodman	Sedgwick
67,368	State of Kansas, Appellee, v. Brian Van Cauwenbergh, Appellant.	County Attorney Attorney General Jessica R. Kunen	Sumner

Summary Calendar—No Oral Argument

67,893	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Donald J. Stephens, Appellant.	Reid Nelson	
67,247	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Ninad Sharma, <i>et al.</i> , Appellants.	Michael B. Brewer	
67,799	Steve Burgess, Appellee,	Michael K. Ramsey	Finney
	v.		
	Jack and Judy Stroud, Appellants.	Jon R. Craig	
67,191	State of Kansas, Appellee,	Debra Byrd Wagner Attorney General	Sedgwick
	v.		
	Rodney Nicks, Appellant.	Robert E. Durrett	

Before Davis, P.J.; Brazil and Rulon, JJ.

11:00 a.m.

67,323 SC	Perry Selle, Appellant,	Kiehl Rathbun	Sedgwick
	v.		
	The Boeing Co., Inc., Appellee.	Brian C. Wright	
67,461	Michael Pickens, Appellee,	Craig A. Shultz	Sedgwick
	v.		
	Allstate Insurance Co., Appellant.	D. Lee McMaster	

Summary Calendar—No Oral Argument

67,535	Berlin Falls, Appellee,	Gerald W. Scott John G. Atherton	Coffey
	v.		
	Rosemary Scott, Appellant.	Michael C. Helbert	
67,465	State of Kansas, Appellee,	County Attorney Attorney General	Butler
	v.		
	Kelley M. Pitts, Appellant.	Kiehl Rathbun	
67,540	State of Kansas, Appellee,	County Attorney Attorney General	Cowley
	v.		
	Michael P. Burns, Appellant.	Reid Nelson	
67,469	In the Interest of V.C.W.	Gerald J. Domitrovic Paul J. Mohr Sheila C. Maksimowicz	Sedgwick

Kansas Court of Appeals
Court of Appeals Courtroom, 2nd Floor, Kansas Judicial Center
Topeka, Kansas

Thursday, September 10, 1992

Before Lewis, P.J.; Gernon and Pierron, JJ.

1:30 p.m.

Case No.	Case Name	Attorneys	County
67,404	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	James R. Young, Appellant.	Kathleen Levy	

(continued)

67,475	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Floweree J. Jackson, Appellant.	Rebecca Woodman	
67,402	Carl E. Rhoades, Appellant,	J. Patrick Lawless	Johnson
	v.		
	State of Kansas, Appellee.	Attorney General District Attorney	

Summary Calendar—No Oral Argument

67,180	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Donald K. Rand, Appellant.	Elizabeth Sterns	
67,477	State of Kansas, Appellee,	District Attorney Attorney General	Johnson
	v.		
	Reginald K. Malone, Appellant.	J. Patrick Lawless	
67,478	State of Kansas, Appellee,	County Attorney Attorney General	Reno
	v.		
	Gilbert Matson, Appellant.	Rick Kittel	

Friday, September 11, 1992

Before Larson, P.J.; Lewis and Pierron, JJ.

9:30 a.m.

Case No.	Case Name	Attorneys	County
67,805	Francis Wishteyah, Appellant,	Charles J. Cavenee	Leavenworth
	v.		
	Kansas Parole Board, Appellee.	Attorney General Jon Fleenor	
67,471	State of Kansas, Appellee,	County Attorney Attorney General	Leavenworth
	v.		
	Carl R. McQuiller, Appellant.	John C. Humpage	

Summary Calendar—No Oral Argument

66,817	State of Kansas, Appellee,	County Attorney Attorney General	Jackson
	v.		
	Marvin E. Turley, Appellant.	J. Patrick Lawless	
67,782	James Tersiner, Appellant,	William E. Metcalf	Anderson
	v.		
	Michael Gretencord, Appellee.	Brian G. Boos	
67,650	Donald and Nancy Hoffman, Appellants,	Margaret A. Gatewood	Shawnee
	v.		
	Robert and Linda Kemper, Appellees.	James R. McEntire	
67,215	Jacinta Behne, Appellant,	Mark Doty	Shawnee
	v.		
	Benjamin Brunson, Appellee.	James O. Schwinn	

Before Larson, P.J.; Gernon and Lewis, JJ.

11:00 a.m.

67,526	State of Kansas, Appellee,	District Attorney Attorney General	Wyandotte
	v.		
	Albert E. Flowers, Appellant.	Steven Zinn	

67,543	State of Kansas, Appellee, v. Ray L. Haskett, Appellant.	County Attorney Attorney General Eric W. Godderz	Republic
Summary Calendar—No Oral Argument			
67,571	Gary and Debbie Nida, Appellants, v. American Rock Crusher Co., et al. Appellees.	Thomas T. O'Neill Frank C. Weidling	Wyandotte
66,732	In the Matter of the Marriage of Joseph R. Potter and George Pearl Potter.	Rosie M. Quinn Keith C. Sevedge Karen L. Shelor	Wyandotte
67,054	State of Kansas, Appellee, v. Daniel Price, Appellant.	District Attorney Attorney General Thomas L. Boeding	Wyandotte
67,800	In the Interest of M.D. and J.D.	John A. Reynolds County Attorney Robert A. Thompson Jack Sheahon Donald Reinsch	Saline

Before Larson, P.J.; Gernon and Pierron, JJ.

1:30 p.m.

67,918	Robert Leroy, Appellant, v. Ash Grove Portland Lime & Cement Co., et al., Appellees.	Edwin H. Bideau III James R. Shetlar Keith L. Mark	Neosho
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Summary Calendar—No Oral Argument

67,244	State of Kansas, Appellee, v. Wilburn Ray Lynn, Appellant.	County Attorney Attorney General Wendy Slayton	Saline
66,708	State of Kansas, Appellee, v. Saymoung Suady, Appellant.	District Attorney Attorney General Lucille Marino	Douglas
67,455	State of Kansas, Appellee, v. Jeffrey A. Johnson, Appellant.	County Attorney Attorney General Jack Sheahon	Saline
67,327	Rosa Sparks, Appellee, v. IBP, Inc., et al., Appellants.	David O. Alegria Michael C. Helbert Gary M. Korte	Lyon
67,303	Joe Buddy Myers, Appellant, v. State of Kansas, Appellee.	Wendy Slayton Attorney General County Attorney	Riley

Carol G. Green
Clerk of the Appellate Courts

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permit

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below.

The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Public Notice No. KS-AG-92-69

Name and Address of Applicant	Legal Description	Receiving Water
Ford County Feedyard, Inc. Highway 154 Ford, KS 67842	N/2 Section 29, Township 27S, Range 22W, Ford County	Upper Arkansas River Basin
Kansas Permit No. A-UAFO-C009 Fed. Permit No. KS-0115657		

The feedlot has capacity for approximately 39,000 cattle with expansion planned for an additional 2,200 cattle and a contributing drainage area of approximately 226 acres. This is an expansion of an existing facility.

Runoff Control Facilities: Feedlot runoff is impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of 167 acre-feet.

Compliance Schedule: None, existing and proposed controls adequate.

Written comments on the proposed determinations may be submitted to Angela Buie, Permit Clerk, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments received prior to September 26 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate application number and the name of applicant as listed when preparing comments.

If no objections are received, the Secretary of Health and Environment will issue the final determination. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information, are on file and may be inspected at the Division of Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday

through Friday. The documents are available upon request at the copying cost assessed by the department. Additional copies of this public notice also may be obtained at the Division of Environment.

Azzie Young
Secretary of Health
and Environment

Doc. No. 012410

State of Kansas

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment will conduct a public hearing at 10 a.m. Monday, September 28, in Room 108, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of new permanent rules and regulations, K.A.R. 28-61-1 through 28-61-10, which administer the speech-language pathologist and audiologist licensure requirements of K.S.A. 65-6501 et seq.

These proposed new regulations delineate the qualifications for licensure, establish the application procedures for obtaining and renewing a license and a temporary license, establish qualifications for speech-language pathology and audiology assistants, and establish licensure fees.

The economic impact of these regulations include fees borne by applicants for a license or license renewal, and possible costs for a temporary license, late renewal, reinstatement, equivalency validation or translation of a foreign transcript. No other costs are foreseen for the department, other governmental agencies or units, private citizens or consumers.

A complete copy of the proposed regulations and a complete economic impact statement may be obtained by contacting Claire Casselman, Health Occupations Credentialing, Kansas Department of Health and Environment, Suite 901, Landon State Office Building, 900 S.W. Jackson, Topeka 66612-1290, (913) 296-6647.

The time period between the publication of this notice and the scheduled hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations.

All interested parties may submit comments prior to the hearing to the address above. All interested parties also will be given a reasonable opportunity at the hearing to present their views orally or in writing concerning the adoption of the proposed regulations. Following the hearing, all written and oral comments submitted will be considered by the secretary prior to adoption.

Azzie Young
Secretary of Health
and Environment

Doc. No. 012409

State of Kansas

Department of Health and Environment

Notice Concerning Proposed Permit Action

The Secretary of Health and Environment is proposing to issue an air emission source construction/conditional operating permit in accordance with K.A.R. 28-19-14 (permits required) to Walker Stone Co., Inc., to install and operate a portable rock crusher initially located at SE 1/4, Sec. 2, T11S, R5E, in Geary County.

Written materials, including the permit application and information relating to the application submitted by Walker Stone Co., Inc., draft permit, permit summary and analysis by KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through September 24 by contacting Pat Simpson at the KDHE office, 808 W. 24th, Lawrence 66046, (913) 842-4600. This material also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to Ward A. Burns, KDHE, (913) 296-1581.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to its issuance. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before September 24.

Azzie Young
Secretary of Health
and Environment

Doc. No. 012408

State of Kansas

Department of Wildlife and Parks

Permanent Administrative Regulations

Article 2.—FEES, REGISTRATIONS AND OTHER CHARGES

115-2-1. Amount of fees. On and after January 1, 1993, the following fees shall be in effect:

HUNTING LICENSES AND PERMITS	
Resident hunting license	13.00
Nonresident hunting license	60.00
Nonresident junior hunting license (under 16 years of age)	30.00
Resident big game hunting permit:	
General resident; elk permit	100.00
Landowner/tenant; elk permit	50.00
General resident; deer permit	30.00
Landowner/tenant; deer permit	15.00
Hunt-on-your-land; deer permit	10.00
General resident; antelope permit	40.00

Landowner/tenant; antelope permit	20.00
Hunt-on-your-land; antelope permit	10.00
General resident; turkey permit	20.00
Landowner/tenant; turkey permit	10.00
Hunt-on-your-land; turkey permit	10.00
Game tag:	
Second and subsequent deer tag	10.00
Second and subsequent turkey tag	10.00
Nonresident big game hunting permit:	
Nonresident landowner; antelope permit	60.00
Nonresident landowner; elk permit	250.00
Nonresident; turkey permit	30.00
Nonresident landowner; deer permit	50.00
Nonresident; deer permit	200.00
Nonresident; turkey permit	30.00
48-hour waterfowl hunting permit	20.00
Field trial permit; game birds	20.00
Lifetime hunting license	240.00
or eight quarterly installment payments of	35.00
Migratory waterfowl habitat stamp	3.00
Special dark goose hunting permit	5.00
FISHING LICENSES	
Resident fishing license	13.00
Nonresident fishing license	30.00
24-hour fishing license	3.00
Lifetime fishing license	240.00
or eight quarterly installment payments of	35.00
Five-day nonresident fishing license	13.00
Institutional group fishing license	100.00
COMBINATION HUNTING AND FISHING LICENSES AND PERMITS	
Resident combination hunting and fishing license	26.00
Resident lifetime combination hunting and fishing license	440.00
or eight quarterly installment payments of	60.00
Nonresident combination hunting and fishing license	90.00
Handicapped combination hunting and fishing permit	3.00
FURHARVESTER LICENSES	
Resident furharvester license	15.00
Resident junior furharvester license	7.50
Nonresident furharvester license	250.00
Resident fur dealer license	100.00
Nonresident fur dealer license	200.00
Field trial permit; furbearing animals	20.00
COMMERCIAL LICENSES AND PERMITS	
Controlled shooting area hunting license	13.00
Resident mussel fishing license	75.00
Nonresident mussel fishing license	400.00
Mussel dealer permit	200.00
Missouri river fishing permit	25.00
Game breeder permit	10.00
Controlled shooting area operator license	200.00
Commercial dog training permit	20.00
Commercial guide permit	50.00
Associate guide permit	25.00
Commercial fish bait permit	20.00
COLLECTION, SCIENTIFIC, IMPORTATION, REHABILITATION, AND DAMAGE CONTROL PERMITS	
Scientific, educational or exhibition permit	10.00
Raptor propagation permit	0
Rehabilitation permit	0
Wildlife damage control permit	0
Wildlife importation permit	10.00
Threatened or endangered species—special permits	0
FALCONRY	
Apprentice permit	100.00
General permit	200.00
Master permit	300.00
Testing fee	50.00
MISCELLANEOUS FEES	
Duplicate license, permit, stamp and other issues of the department	5.00
Special departmental services, materials or supplies	At cost

(continued)

Vendor bond

For bond amounts of \$5,000 & less	50.00
For bond amounts of \$5,000 & more	50.00
plus \$6.00 per additional \$1,000.00 coverage or any fraction thereof.	

(Authorized by and implementing K.S.A. 1991 Supp. 32-988; effective Dec. 4, 1989; amended Sept. 10, 1990; amended Jan. 1, 1991; amended June 8, 1992; amended Oct. 12, 1992.)

115-2-2. Motor vehicle permit fees. (a) On and after January 1, 1993, the following motor vehicle permit fees shall be in effect for state parks and for other areas requiring a motor vehicle permit:

One-day temporary motor vehicle permit	2.50
Annual motor vehicle permit	20.00
Additional motor vehicle permit	5.00

(b) Each one-day temporary motor vehicle permit shall expire at noon on the day following its effective date, except a one-day temporary motor vehicle permit shall expire at 2:00 p.m. on Sundays and on Memorial day, Independence day and Labor day when the Sunday or the listed holiday is the day following the effective date of the one-day temporary motor vehicle permit. (Authorized by and implementing K.S.A. 1991 Supp. 32-808, 32-901; effective Jan. 22, 1990; amended Oct. 12, 1992.)

115-2-3. Other fees and charges. (a) On and after January 1, 1993, the following fees and charges shall be in effect for state parks and for other designated areas for which the fees and charges are required:

Camping—per camping unit:	
Annual camping permit	35.00
Overnight camping permit	2.50
Thirty-day camping permit	90.00
with utilities	240.00
Cabin Camping permit, per night	25.00
Utilities—per night, per unit, including electricity, water or sewer hook-up, or any combination thereof	
Youth group camping permit in designated areas—per night	2.50
Camping reservation charge:	
Single camping site	5.00
Group camping site	10.00
Rent-a-camp: equipment rental charge—per night	10.00
Private boat dock—annual	10.00
Boat dock and watercraft towing	10.00
Private cabin sites—annual	100.00
Club or organization cabin sites—annual	150.00
Special event permits	25.00

(b) Each overnight camping permit and youth group camping permit shall be valid only for the state park or other area for which it is purchased.

(c) Each annual camping permit shall expire on December 31 of the year for which it is issued.

(d) Each thirty-day camping permit or each private boat dock rental, private cabin site rental and club or organizational cabin site rental shall expire on the date specified in the permit.

(e) Each overnight camping permit, youth group camping permit and cabin camping permit shall expire at noon on the day following its effective date, except, an overnight camping permit, youth group camping permit or cabin camping permit shall expire at 2:00 p.m. on Sundays and on Memorial day, Independence

day and Labor day when the Sunday or the listed holiday is the day following its effective date.

(f) Camping and utility fees are due at the time of camp site occupancy and by noon of any subsequent days of camp site occupancy. (Authorized by and implementing K.S.A. 1991 Supp. 32-807, 32-988; effective Jan. 22, 1990; amended Jan. 28, 1991; amended June 8, 1992; amended Oct. 12, 1992.)

115-2-4. Boat fees. On and after January 1, 1993, the following boating fees shall be in effect:

Testing or demonstration boat registration	30.00
Additional registration	5.00
Vessel registration:	
Vessel under 16 feet in length	15.00
Vessel 16 feet in length and over	18.00
Water event permit	25.00
Duplicate registration, certificate or permit	5.00
Special services, materials or supplies	at cost

(Authorized by and implementing K.S.A. 1991 Supp. 32-1172; effective Aug. 1, 1990; amended Oct. 12, 1992.)

Article 8.—DEPARTMENT LANDS AND WATERS

115-8-9. Camping. (a) Camping shall be allowed only in designated areas on department lands and waters and shall be subject to provisions or restrictions as established by posted notice.

(b) All campers and camping units are limited to a stay of not more than 14 consecutive days in a campground unless otherwise established by posted notice or as otherwise authorized by the department.

(c) Upon completing 14 consecutive days in a campground, each person and all property of each person shall be absent from that campground for not less than 5 days.

(d) One extended camping stay of not more than 14 additional consecutive days at the same campground may be granted through a written permit issued by the department if vacant camping sites are available. Upon completing 28 consecutive days at the same campground, each person and all property of each person shall be absent from the department-managed area for not less than 5 days.

(e) Except as authorized by the department, camping units shall not be left unoccupied in a campground in excess of 24 hours.

(f) Except as authorized by the department, vehicles or other property shall not be left unattended upon department lands or waters in excess of 24 hours.

(g) Except as authorized by the department, any property unoccupied or unattended in excess of 48 hours or property abandoned upon department lands or waters shall be subject to removal by the department. (Authorized by K.S.A. 1991 Supp. 32-807; implementing K.S.A. 1991 Supp. 32-807, 32-1015; effective March 19, 1990; amended Feb. 10, 1992; amended Oct. 12, 1992.)

Jack Lacey
Secretary of Wildlife
and Parks

Doc. No. 012395

State of Kansas

Kansas Racing Commission

Temporary Administrative
RegulationsArticle 4.—OCCUPATION AND
CONCESSIONAIRE LICENSES

112-4-1. Occupation licenses. (a) Before engaging in the following occupations at a racetrack facility, each person shall pay the required fee and secure the appropriate license or licenses from the commission:

- (1) Administration;
- (2) administrative support;
- (3) admission/parking attendant;
- (4) announcer;
- (5) apprentice jockey;
- (6) assistant racing secretary;
- (7) assistant starter;
- (8) assistant trainer;
- (9) authorized agent;
- (10) blacksmith/plater/farrier;
- (11) breed registry;
- (12) brakeman;
- (13) chart writer;
- (14) clerk of scales;
- (15) clocker/assistant clocker;
- (16) colors attendant;
- (17) concession employee;
- (18) concession operator;
- (19) director of racing;
- (20) director of security;
- (21) driver;
- (22) exercise person;
- (23) general manager/assistant general manager;
- (24) groom/hot walker;
- (25) horseman's bookkeeper;
- (26) horseman/kennel representative;
- (27) identifier;
- (28) jockey;
- (29) jockey agent;
- (30) jockey guild manager/representative;
- (31) jockey room attendant;
- (32) kennel helper;
- (33) kennel master;
- (34) kennel owner;
- (35) lead out;
- (36) lure operator;
- (37) maintenance;
- (38) medical attendant;
- (39) mutuel employee;
- (40) mutuel manager;
- (41) official;
- (42) outrider;
- (43) owner, horse/greyhound;
- (44) owner/assistant trainer;
- (45) owner/trainer;
- (46) owner/trainer/driver;
- (47) owner by open claim;
- (48) paddock attendant;
- (49) paddock judge;
- (50) patrol judge;

- (51) photo finish operator;
- (52) pony person;
- (53) practicing veterinarian;
- (54) practicing veterinary technician or assistant;
- (55) program manager;
- (56) promotion manager;
- (57) racing judge;
- (58) racing secretary;
- (59) security;
- (60) selection sheet operator;
- (61) service provider;
- (62) starter;
- (63) steward;
- (64) testing technician;
- (65) timer;
- (66) totalisator employee;
- (67) track superintendent;
- (68) trainer;
- (69) valet;
- (70) video operator; and
- (71) any other personnel designated by the commission.

(b) Each applicant for an occupation license shall apply in writing on the application form approved and furnished by the commission.

(c) Each applicant for an occupation license acting as an employer shall submit proof of compliance with the workers compensation act of the state of Kansas, K.S.A. 44-501 et seq.

(d) Each person who is appointed by an owner to act as an authorized agent shall secure an occupation license. Each authorized agent agreement form shall be filed with the commission. Each authorized agent shall perform for the owner only the duties that are subject of the authorized agent agreement form. Each authorized agent shall notify the commission in writing when the authorized agent agreement is terminated.

(e) Each applicant for an occupation license shall not knowingly provide false information on any occupation license application form.

(f) Each applicant for an occupation license shall not fail to disclose any material fact on any occupation license application form.

(g) No person shall alter or attempt to alter any information contained on an occupation license badge.

(h) Each person who loses an occupation license shall immediately:

(1) notify the commission office at the racetrack facility;

(2) secure a duplicate license; and

(3) pay the required fee.

(i) Each required fee shall be paid when the occupation license is issued. Each occupation license issued by the commission shall be valid for the period commencing January 1 and terminating December 31 of the calendar year in which the occupation license is issued.

(j) Any applicant may be required to submit with the application at least two complete sets of fingerprint cards approved by the commission. If the fingerprints are not acceptable for processing, each applicant shall be required to resubmit fingerprint cards.

(continued)

(k) Each applicant for an occupation license must be at least 16 years old. However, this provision shall not preclude dependent children under the age of 16 from working for a parent or guardian when the parent or guardian is licensed as a kennel owner, trainer or assistant trainer and approval has been obtained from the organization licensee. Each licensed trainer at a horse or greyhound racetrack facility or assistant trainer at a horse racetrack facility shall be at least 18 years of age. Each racing official, security employee and mutuel employee shall be at least 18 years of age.

(l) Each employer at a racetrack facility shall ensure that every employee is properly licensed and shall immediately notify the commission office at the racetrack facility and the organization licensee when a licensee's employment status changes or when an employee is terminated. Each employer shall make an effort to secure the employee's occupation license and, if the license is secured, shall deliver the license to the commission office at the racetrack facility. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2, and 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 9, 1989; amended, T-112-12-30-91, Dec. 30, 1991; amended Feb. 24, 1992; amended, T-112-8-13-92, Aug. 13, 1992.)

112-4-5. License identification requirements. (a) Each license applicant shall provide identifying personal information including the following:

- (1) Full name;
- (2) permanent address, including zip code;
- (3) type of license;
- (4) date of application; and
- (5) date of birth.

(b) Each license shall be color-coded to identify the occupation and the individual's eligibility to enter restricted areas. While present in restricted areas of the racetrack facility, each license holder, except jockeys riding in a race and other licensees approved by the stewards or racing judges, shall attach the current license to an outer garment in a prominent position. (Authorized by K.S.A. 1991 Supp. 74-8804(p), as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 9, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-4-6. License subject to conditions and agreements. (a) Each license issued to a licensee by the commission shall remain the property of the commission.

(b) Possession of a license shall not confer any right upon the holder to employment at a racetrack facility.

(c) Each licensee shall immediately return the occupation license to the commission office at the racetrack facility when the employment requiring a commission license is terminated. (Authorized by

K.S.A. 1991 Supp. 74-8804(p), as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-4-8. Examinations. (a) Any applicant for an occupation license may be required to demonstrate knowledge, qualifications and proficiency related to the license for which application is made through an examination approved by the commission or its designee.

(b) Unless otherwise authorized by the stewards or racing judges, any unsuccessful license examination applicant may be retested at 30 days following the first failure and six months following the second failure. Applicants failing the examination on the third attempt shall be ineligible for licensure for that license during that calendar year. (Authorized by K.S.A. 1991 Supp. 74-8804(p), as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 9, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-4-9a. Financial responsibility, licensee. Any commission licensee who purchases food, shelter, medications, transportation, veterinary services, supplies, or like things, for use in the licensee's racing operation and who fails to pay for the services or goods or writes a bad check at a licensed racing facility for one hundred dollars or more shall be guilty of conduct detrimental to the best interests of racing and may be subject to license suspension or revocation. The burden to prove that debts are owed is on the person bringing the charges. This racing regulation does not obligate the commission to collect debts owed by licensees. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992.)

112-4-12. Qualifications for apprentice jockey. (a) Any person who has ridden fewer than 40 winners or who has ridden for less than three years since first being licensed in any racing jurisdiction, and who otherwise meets the license qualifications of a jockey, may qualify as an apprentice jockey if the applicant completes satisfactory rides in at least two races under the observation of the stewards. Any apprentice jockey may be granted an apprentice certificate issued by the stewards and filed with the commission in replacement of a traditional apprentice contract.

(b) Each contract and transfer of contract shall be approved by the stewards and filed with the commission. Each contract employer shall not have any interest in the earnings of an apprentice jockey. Racetrack or commission officials and their licensed assistants and employees shall not directly or indirectly buy or sell any contract upon any jockey or apprentice jockey for themselves or any other person.

(c) In thoroughbred races, each apprentice jockey shall ride with a five-pound weight allowance beginning with the apprentice jockey's first mount. Each apprentice jockey's five-pound weight allowance shall:

(1) Continue for a one-year period beginning on the date of the apprentice jockey's fifth winning mount;

(2) continue for a second one-year period beginning on the date the initial one-year period expires if the apprentice jockey has not accumulated a total of 40 winning mounts from the date of the apprentice jockey's first winning mount; and

(3) then terminate:

(A) Upon the expiration of the second one-year period; or

(B) during the second one-year period when the apprentice jockey accumulates a total of 40 winning mounts from the date of the apprentice jockey's first winning mount, whichever first occurs.

(d) Only the results from thoroughbred races at authorized race meetings in the United States, Canada or Mexico that are reported in the daily racing form or other recognized racing publications approved by the commission shall be considered in determining license eligibility for apprentice jockeys.

(e) If an apprentice jockey is unable to ride for a period of 14 consecutive days or more after the date of the apprentice jockey's fifth winning mount because of service in the armed forces of the United States or because of physical disability, the time during which the apprentice weight allowance may be claimed may be extended by the commission for a period not to exceed the period the apprentice jockey was unable to ride. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-4-13. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; implementing K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; revoked, T-112-8-13-92, Aug. 13, 1992.)

112-4-16. Qualifications for license as a horse owner. (a) Each applicant for a horse owner license shall:

(1) Own a record of a properly registered race horse that the horse owner licensee applicant intends to race in Kansas;

(2) have the race horse in the care of a licensed trainer; and

(3) have an interest in the race horse as part owner or lessee or managing owner of a corporation, syndicate or partnership that is the legal owner of the race horse; or

(4) intend to claim a horse by open claim as authorized by K.A.R. 112-7-15. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989;

effective April 10, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-4-17. Horse ownership by lease. Any leased horse may be raced if a completed lease form that includes the information required by the commission is attached to the registration certificate and is on file with the racing secretary. Each lessor and lessee shall be licensed as a horse owner. Each lease arrangement shall not be made for the purpose of avoiding insurance requirements or commission regulations. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-4-18. Greyhound ownership by lease. Any leased greyhound may be raced if a completed lease form that includes the information required by the commission is attached to the registration certificate and is on file with the director of racing. Each lessor and lessee shall be licensed as a greyhound owner. No lease arrangement shall be made for the purpose of avoiding insurance requirements or commission regulations. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-4-19. Horse or greyhound ownership by corporation, partnership, syndicate or other association or entity. (a) If the legal owner of any horse or greyhound is a corporation, partnership, syndicate or other association or entity, each shareholder or partner shall be licensed as a horse or greyhound owner unless the stewards, racing judges or the commission determine upon a showing of just cause that the best interests of racing dictate that not all shareholders or partners should be licensed.

(b) Each corporation, partnership, syndicate, or other association or entity that owns a horse or greyhound at a racetrack facility shall file the following information with the commission:

(1) Organizational documents for the entity identifying each shareholder by name and mailing address including zip code;

(2) relative proportion of ownership interest;

(3) terms of sale with contingencies, arrangements or leases;

(4) documents declaring to whom winnings are payable and under what name the horse or greyhound shall be run; and

(5) the name and address including zip code of each licensed person or persons who assumes all responsibilities as owner of the horse or greyhound.

(c) No part owner of any horse or greyhound shall assign an ownership interest without the written consent of the other partners. The assignor shall file each written consent with the commission.

(continued)

(d) Each corporation, partnership, syndicate or other association or entity that owns a horse or greyhound shall register annually the information required by the regulations and pay the required fee or fees for the appropriate entity. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 2, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-4-21a. Kennel owner license. (a) Each applicant for a kennel owner license shall:

(1) be the owner or partial owner of a kennel registered pursuant to K.A.R. 112-4-21; and

(2) have a current kennel contract with an organization licensee. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992.)

112-4-22. Licensing required. The applicant shall complete each license procedure required by the commission before the applicant assumes any duties at a racetrack facility except as follows. Any trainer may apply for a 30 day temporary license on behalf of an absentee horse owner and pay the required application fees. Each horse owned by a temporary owner shall be permitted only one start during the 30 day period. Each absentee horse owner shall complete the licensing procedure before the temporary license expires. No organization licensee shall pay purse money to the horse owner until the owner secures a permanent horse owner's license. If the permanent horse owner's license is not secured within 30 days, the trainer and absentee owner shall be penalized by the commission. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-1-19-89, Jan. 19, 1989; effective April 10, 1989; amended, T-112-8-22-89, Aug. 22, 1989; amended Oct. 9, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-4-23. Conduct. No person shall: (a) engage in any conduct which by its nature is unsportsmanlike or detrimental to the best interests of racing;

(b) willfully ignore, refuse to comply or interfere with verbal or written orders of a racing official, employee or commission representative in the performance of official duties; or

(c) threaten, use abusive or profane language when addressing a racing official, employee or commission representative. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2 and 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-8-13-92, Aug. 13, 1992.)

Article 7.—RULES FOR RACING

112-7-2. Ownership. (a) The legal ownership of each horse, and the name of each owner that is printed

on the official program for the horse, shall conform to the ownership declaration on the horse's certificate of registration, eligibility certificate or lease agreement on file with the organization licensee. Each stable name shall be registered with the commission as the owner or owners. If the owner is a syndicate, corporation, partnership or other association or entity, the horseowner whose name is printed on the official program shall be the responsible manager owner, officer or partner who assumes all responsibilities of the owner.

(b) Each horse owned in whole or in part or under the care and control of an individual who is excluded from a racetrack or who has a suspended license shall be ineligible to enter or to start in any race. The horse's eligibility may be reinstated when the individual's penalty terminates or when the horse is transferred through a bona fide sale to an owner approved by the stewards. Each individual who is excluded from a racetrack or who has a suspended license, whether acting as an agent or otherwise, shall not be qualified to subscribe for, to enter or to run any horse in any race either in the individual's own name or in the name of any other person until the termination of the penalty. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-5. Horses sold or transferred with engagements. (a) Each racing secretary shall require any licensee to provide evidence of any sale or transfer when a horse is sold or transferred with its engagements, and the failure to produce evidence shall render the horse ineligible to start in any race.

(b) No person shall transfer or receive the transfer of a horse or engagement of a horse for the purpose of avoiding any disqualification.

(c) Each sale or transfer of a horse located at a racetrack facility shall not be final until approved by the stewards. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-6. Registration and eligibility. (a) No person shall enter or start a horse in a race unless:

(1) the horse is duly registered with and approved by the registry offices of:

(A) the jockey club, if a thoroughbred;

(B) the American quarter horse association, if a quarter horse;

(C) the Appaloosa horse club, if an Appaloosa;

(D) the Arabian horse club registry of America, if an Arabian;

(E) the American paint horse association, if a paint;

(F) the pinto horse association of America, inc., if a pinto;

(G) the American trotter's association, if a standard-bred; or

(H) any successors to any of the registries named in subparagraphs (A) through (G) or other registry recognized by the commission;

(2) the horse's registration certificate, showing the tattoo number of the horse, is filed with the racing secretary by entry time for the race. In stakes races, the registration certificate shall be filed not less than two hours prior to the scheduled post time for the race, except as provided in subparagraph (b) (10) of this regulation;

(3) the horse is in the care of a licensed trainer and owned by an owner licensed by scratch time, except that for the first ten days of a race meeting or for stakes races, an owner must be licensed by one hour before first post on the day of the race;

(4) at the time of entry, the horse is eligible under the conditions of the race as specified by the racing secretary and remains eligible until the race; and

(5) if the horse's name is changed, its new name is registered with the appropriate registry listed in subsection (a), paragraph (1) (A) through (G) of this regulation. Both the horse's previous name and new name shall be stated in every entry list until the horse has run three races. Both names shall be printed in the official programs for those three races.

(b) No person shall enter or start a horse in a race if:

(1) the horse is suspended;

(2) the horse is on the steward's list, starter's list or veterinarian's list;

(3) the certificate reflecting a negative Coggins test, performed upon the horse within the immediate past 12 months, has not been submitted to the racing secretary;

(4) the identification markings of the horse do not agree with the identification as set forth on the registration certificate to the extent that a correction is required from the appropriate breed registry, unless the permission of the stewards and the identifier are given;

(5) the horse has not been lip-tattooed by a commission-approved tattooer;

(6) the entry of the horse is not in the name of the true owner;

(7) the horse has drawn into the field or has started in a race on the same day;

(8) the horse's age, as determined by an examination of its teeth by the official veterinarian, does not correspond to the age shown on its registration certificate;

(9) the horse's certificate of registration reflects an unknown sire or dam; or

(10) an ownership transfer for a horse is being forwarded to a breed registry.

(c) No person shall start a horse in any race unless it has been properly entered in the race. Any horse that is improperly entered shall not be entitled to any part of the purse. However, once the "official" sign is posted, this regulation shall not affect the wagering on the race.

(d) Each trainer shall be responsible for the eligibility of horses entered by the trainer or an authorized agent of the trainer.

(e) Any nomination or entry of a horse or the transfer of any nomination or entry may be refused by the organization licensee for reasonable cause. (Authorized

by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-1-23-89, Feb. 23, 1989; effective June 19, 1989; amended March 25, 1991; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-7. Entries. (a) Each horse entered for the first time at a race meeting shall be identified by its name, color, sex, age and the name of its sire or sires and dam as registered. For every other race, each horse shall be identified by its name, color, sex and age.

(b) Each nomination and entry shall be made in writing and signed by the owner or trainer of the horse, or the owner's authorized agent. Each organization licensee shall provide forms upon which entries, scratches and declarations are to be made for all races.

(1) Only each steward, racing secretary and secretary's designee shall be authorized to receive entries, scratches and declarations.

(2) Any entry may be made by telephone, facsimile or telegraph, but each entry shall be confirmed in writing one hour before post time of the first race on the day of the race for which the horse is entered.

(3) In a stakes race, the closing of nominations, entries, interim payments and declarations shall be in accordance with the conditions published by the organization licensee sponsoring the race.

(4) Each signed entry blank shall be prima facie evidence that the contents of the entry blank express the desire and intent of the person making the entry.

(c) Each nominator shall be liable for entrance money or stakes. A mistake in the entry of a horse when eligible shall not release the subscriber or the subscriber's transfer from liability for stakes or entrance money. Entrance money or stakes shall not be refunded because of the death of a horse or because of its failure to start a race.

(d) No person shall:

(1) enter in the person's name a horse of which the person is not the actual owner;

(2) enter or cause to be entered or start a horse that the person knows or believes to be ineligible or disqualified;

(3) enter a horse in more than one race on any day, except stakes races; or

(4) enter a horse in a race if it is wholly or partly owned by, trained by, or under the management of an unlicensed person, a person whose license is under suspension, or a person who acts in concert with or under the control of a person whose license is under suspension.

(e) Each entry from an unlicensed person or a person whose license is suspended and each entry of an ineligible horse is void, and any money paid for the entry shall be paid to the purse of the race.

(f) Except for decisions regarding disqualification for interference during the running of the race, each dispute, claim and objection relating to the race and the interpretation of commission regulations shall be decided by the stewards or, upon review, by the commission. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-

(continued)

2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-8. Coupled entries. (a) Not more than two horses of the same licensed ownership or interest shall be entered and started in a race, except in stakes races and races that are conditioned for horses eligible for specified stakes.

(b) No owner or trainer shall enter more than two horses in an overnight event. Two horses shall not start to the exclusion of a single horse.

(c) Horses trained by a public stable trainer shall not be coupled with horses trained by another public stable trainer unless the horses are owned by the same person or are coupled as a field for wagering purposes.

(d) All horses owned wholly or in part or trained by the same person or the person's spouse and entered and started in a race except as noted in subsection (a) shall be coupled and run as an entry.

(e) If two or more horses are coupled as an entry only for the reason that the horses are trained by the same trainer, any organization licensee may run the horses as separate interests, and the provisions of subsections (a) through (d) above shall not govern. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-9. Loss of entries. Each person who alleges loss of an entry or declaration for a stakes race shall provide satisfactory proof to the racing secretary that it was mailed, facsimiled or telegraphed within a reasonable time before the designated time for closing, or it shall not be considered received. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-10. Closing of entries and drawing of post positions. (a) No entry or declaration for a stakes race shall be considered if received after the hour designated for closing. If an hour for closing is not designated, any entry or declaration may be mailed, facsimiled or telegraphed before midnight of the day designated for closing, if the entry or declaration complies with every other condition of the race.

(b) Each drawing of entries for post positions shall be governed by the following procedures.

(1) If entries exceed the permitted number of starters, the number of starters shall be reduced to the proper number by the preferred date system. The date system may be used for the entire race or for each division of the race at the option of the organization licensee.

(2) The racing secretary shall select an owner or a trainer who is present in the entry office to draw the entry sheets and post position numbers in public view within a reasonable time following each closing of entries. Each entry shall be drawn from its approved receptacle before the number ball is released from the number box.

(3) In divided and split races, the starters in the separate divisions shall be selected by the preferred date system. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-13. Declarations and scratches. (a) Each declaration and scratch shall be made in writing and signed by the owner or trainer of the horse or the owner's authorized agent. Each organization licensee shall provide forms on which scratches and declarations shall be made.

(1) No horse shall be scratched without permission of the stewards.

(2) Each scratch shall be made before the scratch time set by the organization licensee, except as provided in subsections (c) through (h) of this regulation.

(3) If a scratch reduces the number of horses in the race, each horse left in the race shall move into the lower numbered post positions before any horse is drawn from the also eligible list.

(b) If a scratch reduces the number of horses in the race below the number designated for the race, the designated number of horses shall be maintained by the drawing of lots from the also eligible list after the scratch has occurred, and each horse drawn by this procedure shall be required to race.

(c) Each scratch from an early-closing stakes race shall be made not less than one hour before post time of the race. Any steward or animal health officer, acting with the approval of the stewards, may scratch a horse at any time before post time of the race.

(d) If a horse is not named through the entry box at the usual time of closing in a stakes race, that horse shall be scratched from the race.

(e) Any nomination of a horse to a stakes race may be altered or withdrawn at any time before the closing time for nominations.

(f) Despite paragraph (a) (2) of this regulation, the stewards may permit the withdrawal of any horse after it has left the paddock for any reason that they determine to be in the best interests of racing.

(g) The stewards may declare a horse a nonstarter for any occurrence before the running of a race.

(h) If any horse is so unruly in the saddling paddock that the identifier cannot read the tattoo number to properly identify the horse, or if any trainer or assistant is uncooperative in the effort to identify the horse, the horse may be scratched by order of the stewards.

(i) Each declaration of a horse out of an engagement shall be irrevocable. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-15. (Authorized by and implementing K.S.A. 1988 Supp. 74-8804; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; revoked, T-112-8-13-92, Aug. 13, 1992.)

112-7-15a. Claiming. (a) Except as otherwise provided by these racing regulations, in a claiming race, each horse shall be subject to a claim for its entered price by:

(1) a licensed owner who has a horse registered to race at the current race meeting or the owner's authorized agent; or

(2) a person licensed as an owner by open claim.

(b) No owner shall make a claim directly or indirectly for the owner's own horse.

(c) The filing of claims shall be supervised by a steward or a designee of the stewards.

(d) Each claim shall be made in writing on a form and in an envelope that are provided by the organization licensee and approved by the commission. Each form and envelope shall be fully executed, and the information appearing on them shall be true and correct. Each horse's name shall be written as it appears on the official program.

(e) Each person making a claim shall be responsible for determining the age and sex of the horse.

(f) Each claim shall be deposited in a locked box provided by the racing secretary not later than 10 minutes before post time of the race in which the horse being claimed is to start. No person shall place money or other consideration in the claim box.

(g) Before the deadline for filing claims, no person shall open the box in which the claims are deposited or reveal any information regarding any claim.

(h) After the deadline for filing claims, a steward or a designee of the stewards shall open the box, examine the claims and notify the stewards of any successful claim. The racing secretary and "horsemen's bookkeeper" then shall be notified of the claim to determine whether the appropriate amount is on deposit with the "horsemen's bookkeeper" and to debit the claimant's account for the amount of the claim and applicable fees.

(i) If more than one claim is filed for the same horse, the successful claimant shall be determined by lot under the supervision of the steward or steward's designee.

(j) Each title to a horse that is claimed shall be vested in the successful claimant when the stall door of the starting gate opens in front of the horse. This provision shall apply regardless of any subsequent injury to the horse during or after the race.

(k) On the day it is claimed, each claimed horse shall run in the interest of and for the account of the owner from whom the horse was claimed.

(l) Except as otherwise provided by this regulation, each claim that is filed in accordance with these provisions is irrevocable.

(m) If the stewards excuse a horse before it is a starter, each claim for the horse shall be invalid.

(n) If the stewards declare a claiming race a "no race," each claim filed for that race shall be invalid.

(o) To file a valid claim, each person shall deposit with the "horsemen's bookkeeper" cash, a money order, a certified check or a cashier's check in an amount equal to the sum of the claim and all transfer fees. With the prior written approval of the organization

licensee, a person may deposit a personal check with the horsemen's bookkeeper" to satisfy the claim and transfer fees. Each organization licensee shall guarantee and be liable for any insufficient funds related to a personal check that it has approved for this purpose.

(p) Each person who files a claim shall not exhaust the person's account with the "horsemen's bookkeeper" during the two-hour period after the claim was filed.

(q) After the claiming race, each horse that has been claimed shall be taken to the area designated by the organization licensee for delivery to the claimant, unless the horse is designated for testing.

(r) No person shall refuse to deliver a claimed horse.

(s) Each engagement of a claimed horse automatically shall transfer to the new owner. Each claimed horse shall be ineligible to enter a future race unless the entry is made on behalf of the new owner.

(t) Without written authorization from a steward or the stewards' designee, no claimed horse shall be delivered to a successful claimant.

(u) Each claimed horse that has been designated for post-race testing shall remain the responsibility of its trainer until after the collection of the test specimen. After the required test procedures are completed, the trainer shall deliver the claimed horse to the successful claimant.

(v) During the 30-day period after a person claims a horse:

(1) the claimant shall not sell or transfer any ownership interest in the claimed horse by any method except a claiming race;

(2) the claimed horse shall be ineligible to enter a claiming race, including a starter handicap, for a price less than 25 percent more than the price at which the horse was claimed; and

(3) the claimed horse shall be ineligible to start in a race outside this state, except to fulfill a previously committed stakes engagement.

(w) If a horse is claimed at a recognized race meeting governed by the rules of another racing jurisdiction, the claiming rules of the jurisdiction where the horse was claimed shall be recognized in Kansas. However, while the horse races in Kansas, this regulation shall apply. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992.)

112-7-15b. Claiming, vacated stable. (a) Except as otherwise provided by this regulation, each owner whose stable is vacated by the sale or removal of horses from the racetrack facility shall lose any right to claim horses at the race meeting.

(b) Each owner whose stable is vacated by claims shall be entitled to make claims until the later of:

(1) the end of the race meeting at which the stable was vacated; or

(2) the 31st race day after the date the stable was vacated.

(c) Each owner whose stable was vacated and who intends to make a claim at a subsequent race meeting

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shall file with the claim a certificate from the stewards who presided at the race meeting at which the stable was vacated.

(d) Any owner whose stable was vacated because of fire or like event may be permitted by the stewards to claim horses in accordance with this regulation. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992.)

112-7-16. Invalid or void claims and prohibitions on claims. (a) Each claim shall be invalid if:

(1) The name of the horse to be claimed is erroneously spelled or is not specified in the space provided on the claim form;

(2) the claimant does not have at least the amount of the claim and any applicable state sales tax on deposit or credited with the "horsemen's bookkeeper";

(3) the claim form does not specify the designated price as printed in the official program, is not signed, does not fully indicate the name of the party making the claim or is otherwise incorrectly completed; or

(4) the claim envelope is inaccurate.

(b) If a claim is voided by the stewards, the horse claimed shall be returned to the original owner who, in turn, shall refund all of the claim money to the unsuccessful claimant.

(c) No person or racing interest shall:

(1) claim more than one horse from any one race;

(2) claim their own horse or cause the horse to be claimed, directly or indirectly, for their own account;

(3) refuse to deliver a claimed horse to the successful claimant;

(4) remove any horse that has been entered in a claiming race from the race track facility where it has been entered to race, or fail or refuse to comply with any rule or any condition of the race meeting for the purpose of avoiding or preventing a claim for the horse;

(5) offer or enter into an agreement to claim or not to claim or attempt to prevent another person from claiming any horse in a claiming race;

(6) attempt to intimidate or prevent anyone from running a horse in any claiming race;

(7) claim horses owned or trained by the claimant's trainer's spouse, child, sibling, parent, mother-in-law or father-in-law;

(8) claim a horse from an owner whose horse is trained by the claimant's trainer;

(9) if a trainer, claim a horse from an owner for whom the trainer trains;

(10) enter or allow to be entered any horse against which any claim is held, either by mortgage or lien of any kind, without having filed the written consent of the holder of the mortgage or lien with the racing secretary and "horsemen's bookkeeper" before the entry; or

(11) leave a horse that is claimed in the care or custody of the owner from whom the horse was claimed.

(d) If the stewards have reasonable doubt about the validity of a claim, the claimant shall be required by the stewards to execute an affidavit stating that the

claimant is claiming the horse for the claimant's own account or as an authorized agent, and not for any other person.

(e) Each claimant shall be solely responsible for determining the true age and sex of a claimed horse, and mistakes in the regard printed in the official program or elsewhere shall not be considered a basis for invalidating the claim.

(f) Not later than 24 hours after the race is run, written protest of a claim may be submitted to the stewards who shall investigate the matter as quickly as possible. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-16a. Disclosure of mare in foal. (a) A mare or filly that has been serviced may be entered in a claiming race if:

(1) the owner files with the racing secretary a certificate from a licensed veterinarian that is dated no earlier than 40 days after the date the mare or filly was last serviced and that states the mare or filly is not in foal; or

(2) before entering the mare or filly, the owner:

(A) files with the racing secretary a statement disclosing the servicing of the mare or filly, which shall be posted in the office of the racing secretary;

(B) files with the racing secretary a signed statement agreeing to deliver without cost to a successful claimant the valid stallion service certificate regarding the servicing of the mare or filly; and

(C) makes all payments due for the stallion service or for any resulting live foal.

(b) Any successful claimant of a mare or filly in a claiming race may file with the stewards, not more than 30 days after the date of the claim, a petition to rescind the claim if:

(1) the claimant learns the mare or filly is in foal; and

(2) the owner of the mare or filly has not complied with subsection (a) of this regulation. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992.)

112-7-18. Jockeys. (a) Each jockey engaged to ride in a race shall report to the jockey room at least one hour before post time of the first race and shall weigh out at the appointed time. After reporting to the jockey room, the jockey shall not leave it except to ride in a race until all of that jockey's riding engagements have been fulfilled, unless the jockey has permission from the stewards.

(b) Only jockeys, jockey attendants, racing officials, commission representatives, security officers on duty and organization employees performing required duties may enter the jockey room from one hour before post time for the first race until after the last race subject to the following exception. Only with the permission of the stewards or the commission may any other person enter the jockey room at the time identified in this subsection.

(c) Each jockey mount fee for a horse in the race shall be on deposit with the "horsemen's bookkeeper" before the time for weighing out. Failure to deposit the minimum fee shall be cause for disciplinary action and cause for the stewards to scratch the horse for which the fee is to be deposited. Each organization licensee shall assume the obligation to pay the jockey fee when it is earned by the engaged jockey. The jockey mount fee shall be earned when the jockey is weighed out by the clerk of scales unless a jockey who is capable of riding elects to take himself off the horse without proper cause in the opinion of the stewards.

(d) No jockey who is engaged for a certain race or for a specified time shall not fail or refuse to abide by the agreement unless the jockey is excused by the stewards.

(e) Without the permission of the owner or trainer, no jockey shall weigh out if the jockey weighs more than two pounds over the weight assigned to the horse. Under no circumstances shall the overweight exceed seven pounds. In such case no jockey mount fee is due the overweight jockey.

(f) When directed by the stewards, each jockey shall report to the stewards for film review.

(g) Each jockey shall give a best effort to win in any race in which the jockey is riding. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-18a. Jockey agent. (a) Any jockey agent may represent a jockey if the jockey agent is registered with the stewards and licensed by the commission as a jockey agent. No jockey agent shall represent more than two jockeys and one apprentice jockey at the same time.

(b) No jockey agent shall give to anyone, directly or indirectly, any information or advice on races, commonly known as "touting," for personal gain.

(c) Each jockey agent shall maintain a record of all engagements made for the jockeys they represent. The record shall specify first and second calls in each race. The officials may require that the jockey agent file the first and second calls with the racing secretary and display their record of engagements.

(d) Any trainer or owner may demand from a jockey or jockey agent written confirmation of an engagement. Each jockey shall be bound by agreements made on the jockey's behalf by the jockey's agent.

(e) Each conflicting claim for the services of a jockey shall be decided by the stewards.

(f) Each jockey agent immediately shall notify the stewards in writing if the jockey agent no longer represents a jockey. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992.)

112-7-20. Safety helmets required; physical examination required. Each person who is mounted on a race horse within the enclosure or riding in a race

shall wear a properly fastened safety helmet. Any other person mounted on any horse may be required by the stewards to wear a safety helmet within the enclosure. Each person who is mounted on a race horse within the enclosure shall have on file at the racetrack commission office a record of physical examination, including vision and hearing tests, conducted by a person licensed to practice medicine and surgery within the year immediately preceding. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-21. Paddock to post. (a) Each horse in a race shall carry a conspicuous saddle-cloth number and a head number corresponding to the horse's number on the official program. In the case of a coupled entry, each horse making up the entry shall bear the same number as the first part of the entry and also a distinguishing letter immediately following the number on the head and saddle-cloth. In the case of a field, the horses comprising the field shall bear an individual number or a particular number immediately followed by a distinguishing letter.

(b) Each trainer shall have the entered horse in the paddock not less than 15 minutes before post time. The trainer shall attend the horse in the paddock and be present to supervise its saddling unless the trainer has obtained the permission of a steward to send an assistant trainer or another trainer as a substitute. Each horse shall be saddled in the paddock unless permission has been granted by the stewards to saddle elsewhere.

(c) Each blanket and bandage except any bandage that will be worn during a race shall be removed immediately upon arrival in the paddock. If weather conditions dictate, blankets may be worn after saddling with the permission of the paddock judge.

(d) The stewards may permit a horse to be led directly to the post and to be excused from the post parade.

(e) Each lead pony and each rider shall be permitted to enter the saddling paddock or walking ring only after the stewards have given permission.

(f) Each post parade shall not last longer than 14 minutes after the horses enter the racetrack, except in cases of unavoidable delay. When the horses reach the post, they shall be started without unnecessary delay.

(g) After the horses enter the racetrack, no jockey shall dismount and no horse shall be entitled to the care of an attendant without the permission of the stewards or the starter. Each horse shall be free of all hands other than those of the jockey, lead pony rider, assistant starter or header before the field is dispatched by the starter. In case of accident to a jockey or to the horse or equipment, any steward or any starter may permit the affected jockey to dismount and the horse to be cared for during the delay and also may permit any other jockeys to dismount and any other horses to be attended during the delay.

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(h) Each horse shall carry its assigned weight from paddock to post and from post to finish. If a jockey is thrown on the way from the paddock to the post, the horse shall be remounted, and if reasonably possible returned to where the jockey was thrown and shall proceed over the route of the parade to the post.

(i) If the jockey sustains an injury on the way to the post that requires substitution of another jockey, the horse shall be returned to the paddock. Another jockey shall mount and then ride the horse over any uncompleted portion of the exact route of the parade to the starting point.

(j) If a horse leaves the course while proceeding from paddock to post, the horse shall return to the course at the nearest practical point where it left the course. It shall then complete its parade to the post from the point at which it left the course.

(k) No person shall willfully delay the arrival of a horse at the post.

(l) Only the jockey shall be permitted to strike a horse to assist in starting. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-22. Post to finish. (a) No horse shall be permitted to start unless it has been tattooed and fully identified.

(b) Each horse shall take a position in numerical order from the inside rail. The order shall be determined by post positions.

(c) Each horse shall be a starter after the doors of the starting gate in front of it open when the official starter dispatches the horses.

(d) Each horse shall be ridden past the finish line in every race and shall carry the assigned weights from the post to finish, unless disqualified.

(e) Each horse that leaves the course during a race shall be disqualified.

(f) The following rules shall apply to the running of a race.

(1) In a straightaway race, each jockey shall maintain the horse as nearly as possible in the lane in which it starts.

(2) Each jockey shall make a best effort to control and guide the mount in such a manner as not to cause a foul.

(3) No jockey shall willfully strike or touch another jockey or another jockey's horse or equipment during a race for the purpose of interfering with the horse or jockey. No jockey shall strike the jockey's horse on or about the head.

(4) Any rider may be fined or suspended, or both, by the stewards for willful fouling or careless riding. The nature and seriousness of the offense shall be considered by the stewards.

(5) Any jockey whose horse has been disqualified or who unnecessarily causes the horse to change or shorten its stride for the purpose of losing a race may be fined or suspended.

(g) The stewards shall be vested with the discretion to determine the propriety and nature of a disquali-

fication and whether it applies to any other part of an entry. The stewards' decision shall be final.

(1) To determine the disqualification of a horse in any race, the stewards may either place the horse behind the horse or horses with which they believe it interfered, they may place it last or they may unplace it.

(2) When a horse of one ownership or interest is coupled with a horse or horses of the same or another ownership or interest, the disqualification of one shall not necessarily affect the placing of the other.

(h) Each jockey shall give the best effort in races. Any instructions or advice to jockeys to ride or handle their mounts except for the purpose of winning shall be prohibited and shall subject each person giving or following those instructions or advice to disciplinary action by the stewards and the commission. If two horses run in one interest in any race, each horse shall be ridden to give its best effort.

(i) Only the owner, trainer or jockey alleged to be aggrieved shall make a protest relating to the running of the race. Each protest shall be made to the stewards, the outrider if designated by the stewards or the clerk of scales before or immediately after weighing in. Any owner, trainer or jockey who makes a frivolous protest may be fined or suspended.

(j) No person shall help a jockey remove the equipment that is to be included in the jockey's weight from the jockey's horse unless the stewards give permission.

(k) No person shall throw any covering over any horse at the place of dismounting until the jockey has removed the equipment that is to be included in the jockey's weight.

(l) Each dead heat shall be governed in the following manner.

(1) If two or more horses run a dead heat, the dead heat shall not be run off.

(2) Each horse shall be considered a winner in a dead heat for first place.

(3) If two or more horses finish in a dead heat and a protest is filed and allowed against a horse that finished in front of the dead heat, the horses that ran the dead heat shall be deemed to have run from the higher position.

(4) Owners of horses that finish in a dead heat for any position shall divide equally all money and other prizes. If no agreement is reached as to which of them shall receive an indivisible prize, they shall draw lots for it in the presence of one or more of the stewards.

(m) If a race is run by all of the horses at the wrong weights or over a wrong distance, and if a protest is filed and allowed before the flashing of the "official" sign on the totalisator board, the stewards shall declare the race no contest.

(n) Each of the following procedures shall apply if any horse is disabled or otherwise is unable to finish a race.

(1) The horse shall be dismounted, unsaddled and removed from the racetrack without passing the stand. The horse shall not be destroyed on the racetrack or in the presence of the public without the permission of the stewards.

(2) If a bone is broken and the horse is disabled, the horse shall remain on the racetrack until the horse ambulance arrives and removes it.

(3) If destruction of the horse is necessary, the animal health officer shall destroy the horse by use of an intravenous injection out of the vision of the public. If destruction in the view of the public is necessary, an ambulance screen shall be made available by the organization licensee.

(4) If a horse is disabled, a drug test for prohibited substances shall be performed on the horse. If destruction of the horse is necessary, a postmortem examination may be performed upon order of the stewards at the expense of the owner. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-7-23. Workouts. (a) Each licensee exercising a horse shall, upon the request of the clocker or assistant clockers, correctly state the distance over which the horse is to be worked and the point on the racetrack where the workout will start. The licensee shall identify the horse if requested to do so. The clocker or assistant clocker shall file with the stewards a daily report listing the date, track condition, name of each horse worked and the time and distance for each workout.

(b) Each licensee shall secure permission from a steward before exercising a horse on the racetrack between races.

(c) If a horse is warming up or exercising on the racetrack, a public announcement shall be made that states the horse's name and explains its presence on the racetrack.

(d) If a horse has not raced in 45 days, it shall not start any race before it completes one workout. If a horse has never raced or has not raced within the last 12 months, it shall not start any race before it completes two workouts. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; effective, T-112-8-13-92, Aug. 13, 1992.)

Article 10.—ANIMAL HEALTH

112-10-2. Assistant animal health officers. (a) Each assistant animal health officer employed by the commission shall be licensed to practice veterinary medicine in the state of Kansas.

(b) No assistant animal health officer shall treat or prescribe medication for any horse located at a racetrack facility or registered to race at a racetrack facility except in an emergency. Each assistant animal health officer who treats or prescribes medication for a horse in an emergency shall immediately file a complete report of the circumstances and veterinary procedure with the stewards and the animal health officer.

(c) No owner or trainer shall employ or pay any compensation to an assistant animal health officer, directly or indirectly, while the assistant animal health officer is employed by the commission.

(d) Assistant animal health officers shall:

(1) supervise practicing veterinarians at the racetrack facility and recommend to the stewards or the commission the discipline to be imposed upon each practicing veterinarian who violates commission regulations;

(2) determine whether each horse is sound to race, and, if the horse is unsound, place any horse on the veterinarian's list and remove any horse from the veterinarian's list when in an assistant animal health officer's discretion the placement or removal is proper. Each horse shall remain on the veterinarian's list a minimum of four days. No horse shall be entered in a race before its name is removed from the veterinarian's list;

(3) establish a procedure for and supervise the collection of urine, blood or other specimens from horses, as designated an assistant animal health officer, the stewards or commission and maintain identification records for the specimens as required by the commission;

(4) supervise the procedure for witnessing, sealing and delivering each test specimen to the official test laboratory;

(5) report immediately the name and tattoo number of each horse at a racetrack facility that dies or is humanely destroyed and the reason for the death to the animal health officer;

(6) be at the racing secretary's or stewards' office to report to the racing secretary or stewards on an assistant animal health officer's inspection of horses and the horses' conditions before scratch time on each race day at the time designated by the stewards;

(7) with the permission of the stewards, scratch a horse at any time before the horse enters the starting gate;

(8) direct a horse to be isolated or declare the horse ineligible to race if it has symptoms of chronic unsoundness. If a horse is declared ineligible to race, an assistant animal health officer shall report the fact to the stewards who shall write a formal ruling against the horse and write the reason for the ruling on the horse's registration papers;

(9) accompany and observe each field of horses from the time the horses enter the paddock to be saddled for the race until they are dispatched from the starting gate;

(10) inspect horses in the paddock after the finish of each race;

(11) in an emergency, treat or humanely destroy any horse that is so seriously injured that an assistant animal health officer believes the action is necessary. Each horse owner, if present, and trainer at the racetrack facility shall consent to an assistant animal health officer's humane destruction of a seriously injured horse; and

(12) perform other duties prescribed by the animal health officer, the stewards or the commission. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8806, 74-8810, as amended by L. 1992, Ch. 27, Sec. 4, and L. 1992, Ch. 286, Sec. 3; effective, T-112-3-31-89, March 31,

(continued)

1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-10-3. Practicing veterinarians. (a) Each practicing veterinarian at a racetrack facility shall be licensed to practice veterinary medicine in the state of Kansas and shall secure an occupation license in accordance with the racing act and commission regulations. Before an occupation license issues, each practicing veterinarian shall meet with the animal health officer to verify that the practicing veterinarian has reviewed these racing regulations and is informed about existing medication practice. Each practicing veterinarian, the animal health officer and each assistant animal health officer shall be the only individuals who may administer veterinary treatment, medicine or medication to any horse at the racetrack facility or to any horse registered to race at the racetrack facility. Recognized feed supplements, oral tonics or substances approved by the animal health officer shall not be subject to this regulation.

(b) Each practicing veterinarian at a racetrack facility who treats a horse for any contagious or communicable disease shall report the fact immediately in writing to the animal health officer or assistant animal health officers on a form approved by the animal health officer.

(c) Each practicing veterinarian who treats a horse at a racetrack facility shall record the treatment in a log that has been approved by the animal health officer. Each practicing veterinarian shall deliver the log by 10:00 a.m. of the day after the treatment to the assistant animal health officers' office at the racetrack facility. Each log shall be the practicing veterinarian's commission report.

(d) Each practicing veterinarian at a racetrack facility also shall maintain a treatment record on each horse the practicing veterinarian treats during a race meeting. The records shall be compiled in a form similar to the treatment record ordinarily maintained by the practicing veterinarian in private practice. Each practicing veterinarian shall promptly surrender the treatment records to the commission upon its request. Information to be recorded in the treatment record shall include but not be limited to the:

- (1) name and location of the horse treated;
- (2) name of the trainer;
- (3) nature of the condition treated or probable diagnosis;
- (4) nature of the treatment and medication administered; and
- (5) date and hour of treatment.

(e) No veterinarian shall deliver to another individual at a racetrack facility a syringe or injectable medication except upon written authorization of the animal health officer or assistant animal health officer.

(f) No practicing veterinarian who treats a horse at a racetrack facility shall wager on the outcome of any race in which the treated horse starts.

(g) Each practicing veterinarian shall comply with the rules and standards of the Kansas board of veterinary examiners.

(h) Each drug or medication at a racetrack facility shall be in a container bearing a veterinarian's pre-

scription or in the original container bearing the manufacturer's label with the serial or lot number. Each practicing veterinarian shall use only disposable syringes and needles to medicate horses. No veterinarian shall abandon a drug or medication or equipment for administering the drug or medication. All equipment for administering the drug or medication shall be destroyed before it is discarded. All drugs, medication or equipment shall be disposed of in a manner which is environmentally safe. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8810, as amended by L. 1992, Ch. 27, Sec. 4, and L. 1992, Ch. 286, Sec. 3, 74-8816, as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-10-4. Drugs or medication. (a) No individual shall administer any drug or medication to any horse entered in a race before the race in which the horse is to run and continuing until after the race is run except as authorized in these racing regulations.

(b) If the official test laboratory reports a positive test for any drug, its metabolites or any substance foreign to the natural horse, the animal health officer shall classify the test in accordance with the following classifications:

(1) class one: drugs which have the highest potential for affecting performance and which have no generally accepted use in the racing horse. These include, but are not limited to:

(A) opiates, opium derivatives, synthetic opiates and psychoactive drugs which are classified by Pub. L. No. 91-513 as in effect August 1, 1992, as schedule I or schedule II drugs only;

(B) amphetamines and amphetamine-like drugs which are classified by Pub. L. No. 91-513 as in effect August 1, 1992, as schedule I and schedule II drugs only. They do not include drugs which are listed in schedule II and some additional lower schedule III, IV and V;

(C) miscellaneous agents including but not limited to apomorphine, nikethamide, mazindol, pemoline and pentylenetetrazol; and

(D) substances which are not naturally occurring and have no recognized therapeutic value and which impede testing procedures.

(2) class two: drugs which have less potential to affect performance and which are not generally accepted as therapeutic agents in racing horses, except that therapeutic agents that have a high abuse potential are included. Drugs in this class include, but are not limited to: opiates which are classified by Pub. L. No. 91-513 as in effect August 1, 1992, from schedules III, IV and V, catecholamines, psychotropic drugs, central nervous system and cardiovascular stimulants and depressants and muscle blocking agents. Local anesthetics, because of high potential for use as nerve blocking agents, are included in this class.

(3) class three: drugs which are classified by Pub. L. No. 91-513 as in effect August 1, 1992, found in schedules III, IV and V, and non-scheduled drugs

which may or may not have generally accepted use in the racing horse, but the pharmacology or use patterns of which include lower scheduled or non-scheduled opioids, bronchodilators and other drugs with primary effects on the autonomic nervous system, procaine from procaine penicillin, antihistamines with mild sedative properties, the high ceiling diuretics and anabolic steroids are included in this group.

(4) class four: therapeutic medications which would be expected to have less chance of affecting performance than drugs in class three. These include, but are not limited to, corticosteroids, mineralcorticoids, non-steroidal antiinflammatory drugs, including phenylbutazone and oxyphenbutazone at plasma concentrations exceeding 5 micrograms per milliliter or less if detected in a horse that is not permitted such medication or is not identified as having been treated with such medication, less potent diuretics, antihistamines without prominent central nervous system depressant effects, skeletal muscle relaxants, expectorants and mucolytics, hemostatics, cardiac glycosides and antiarrhythmics, topical anesthetics, antidiarrheals, hemorrhelogs, anticonvulsants, non-opioid drugs with a mild analgesic effect and drugs affecting the autonomic nervous system which do not have prominent central nervous system, cardiovascular or respiratory effects and naturally occurring substances that appear in unusual levels or that may interfere with or impede testing procedures.

(5) class five: category of therapeutic medications for which levels have been established by regulation. Also included in this class are miscellaneous agents such as dimethylsulfoxide and other medications as determined by the commission and any recurring substance that may have an undetermined effect or that cannot be identified by recognized analytical methods.

(c) The animal health officer's classification of the positive test shall be reported to the stewards and executive director.

(d) The finding of a class one positive shall result in a penalty of:

- (1) a disqualification of the animal and a redistribution of the purse;
- (2) a return of any trophy or other award delivered to the owner or owners;
- (3) a fine of up to \$5,000;
- (4) a revocation or a suspension of a license for a period of up to five years; or
- (5) a combination of the above.

(e) The finding of a class two positive shall result in a penalty of:

- (1) a disqualification of the animal and redistribution of the purse;
- (2) a return of any trophy or other award delivered to the owner or owners;
- (3) a fine of up to \$2500;
- (4) a suspension of up to one year; or
- (5) a combination of the above.

(f) The finding of a class three positive shall result in a penalty of:

- (1) a disqualification of the animal and redistribution of the purse;

(2) a return of any trophy or other award delivered to the owner or owners;

(3) a fine of up to \$1500;

(4) a suspension of up to six months; or

(5) any combination of the above.

(g) The finding of a class four positive shall result in a penalty of:

(1) a disqualification of the animal and redistribution of the purse;

(2) a return of any trophy or other award delivered to the owner or owners;

(3) a fine of up to \$1000;

(4) a suspension of up to 60 days; or

(5) any combination of the above.

(h) The finding of a class five positive may result in a penalty of:

(1) a disqualification of the animal and redistribution of the purse;

(2) a return of any trophy or other award delivered to the owner or owners;

(3) a suspension of up to 15 days;

(4) a fine of up to \$500;

(5) a warning; or

(6) any combination of the above. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8811; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended March 19, 1990; amended, T-112-8-13-92, Aug. 13, 1992.)

112-10-5. Authorized medication. (a) Furosemide may be administered to any horse that is entered in a race meeting subject to the requirements of these racing regulations. Except upon the instructions of the animal health officer or assistant animal health officers to remove the horse from the veterinarian's list or to facilitate the collection of a post race urine sample, the administration of furosemide shall be permitted only upon the following conditions:

(1) The animal health officer or assistant animal health officer shall place the horse's name on the bleeder list;

(2) the furosemide shall be administered at a location approved by the assistant animal health officer and at least four hours before post time for the race in which each horse is entered;

(3) furosemide shall only be administered to horses three years old or older: by a practicing veterinarian designated by the trainer to administer the furosemide to each horse under the supervision of the animal health officer or assistant animal health officer;

(4) each dose of furosemide administered shall not exceed 250 milligrams;

(5) after furosemide is administered to each horse, it shall remain under the care, custody and control of the trainer or the designated representative until it is time for each horse to be removed to the saddling paddock; and

(6) each owner shall pay all expenses resulting from the administration of furosemide. Costs shall include but not be limited to:

(A) administration;

(continued)

- (B) injection;
- (C) blood testing;
- (D) laryngoscopic examination;
- (E) custody; and
- (F) security.

(b) Phenylbutazone may be administered to any horse that is entered in a race meeting subject to the requirements set out in the following subsections.

(1) Each trainer shall file a request to administer phenylbutazone with the assistant animal health officer. Each request shall be recorded on a form approved by the animal health officer, and each trainer shall secure written approval of the request from the assistant animal health officer before the horse is entered in a race.

(2) When approved, phenylbutazone shall be administered:

(A) at least 24 hours before the scheduled post time for the race in which the horse is entered; and

(B) in a dose that shall not cause a test sample taken from the horse after the race to exceed a level of 5 micrograms of drug substance or its metabolites or analogs per milliliter of blood plasma.

(3) When authorized, phenylbutazone shall be administered only to horses three years of age or older.

(4) No other nonsteroidal anti-inflammatory drug shall not be authorized. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8811; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-10-6. Bleeder list. (a) Subject to the requirements of these racing regulations, furosemide may be administered to any horse that is entered in a race and that has its name on the bleeder list. Any horse's name may be placed on the bleeder list of the following conditions are met:

(1) the animal health officer or assistant animal health officer observes a horse shed blood from one or both nostrils during or following exercise or a race; or

(2) a laryngoscopic examination conducted by a practicing veterinarian employed by the horse's owner or the owner's agent and conducted under the observation of the animal health officer or assistant animal health officer determines that a horse is a certified bleeder; and

(3) each owner or the owner's agent files a bleeder certificate for the horse in the racing secretary's office, if the certificate is from a jurisdiction that uses bleeder qualification criteria satisfactory to the assistant animal health officer. Each certificate shall bear the signature of the racing commission official in the state of origin.

(b) Each owner shall receive a bleeder certificate signed by the animal health officer or assistant animal health officer if the owner's horse's name is placed on the bleeder list. Each horse's name shall be removed from the bleeder list only by the animal health officer or assistant animal health officer who shall notify the stewards in writing of the reason for removal.

(c) Each bleeder list shall be current and shall be posted in the racing secretary's office.

(d) Each horse that has a bleeder certificate and is racing after the administration of furosemide shall be subject to the following restrictions:

(1) The first time a horse is observed bleeding, its name shall be placed on the bleeder list, and it shall remain there for 10 days or until the animal health officer or assistant animal health officer removes it;

(2) the second time a horse is observed bleeding, its name shall be placed on the bleeder list, and it shall remain there for 28 days or until the animal health officer or assistant animal health officer removes it; and

(3) the third time a horse is observed bleeding, the horse shall be barred from parimutuel racing in Kansas. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8806, 74-8811; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-10-8. Testing. (a) The stewards may require any horse entered in a race to submit to a blood test or other pre-race test. No horse shall be eligible to start in a race until the owner or trainer complies with the required test procedure.

(b) A blood, urine or other sample shall be taken from the winner of each race and from each other horse designated by the stewards.

(c) Each blood, urine or other sample specimen shall be taken under the supervision of the animal health officer or assistant animal health officer. Each sample shall be taken in the test barn unless approved otherwise by the animal health officer or assistant animal health officer.

(d) After each horse enters the test barn, it shall be cooled out for a minimum of 30 minutes before the sample is taken.

(e) Each trainer, or authorized representative of the trainer, shall witness and confirm the taking of test samples and shall sign the confirmation card.

(f) A trainer or owner may waive the right to witness the collection of a test sample from a racing animal if the trainer's authorized representative witnessing the collection of the test sample is less than 18 years of age. The trainer shall execute a voluntary and knowing waiver of the right to witness the collection of the test sample prior to the time of collection. Each trainer waiving the right to witness the collection of a test sample from a racing animal is estopped from later claiming any defect in the process of collecting and identifying the test sample.

(g) When any horse has been in the test barn for more than one and one-half hours, the assistant animal health officer may take a blood sample in lieu of a urine sample and submit the blood plasma from the sample to the test laboratory for testing.

(h) Each test sample shall remain in the custody of the animal health officer or assistant animal health officer from the time it is secured until it is delivered for shipment to the test laboratory.

(i) No person shall tamper with, adulterate, add to, break the seal of, remove or otherwise attempt to alter or violate any test sample taken, except that preservatives or additives necessary for analysis of the sample may be added by the commission-approved test laboratory.

(j) The commission may direct the test laboratory or the animal health officer and assistant animal health officer to retain and preserve test samples for future analysis.

(k) The fact that purse money has been paid before the issuance of a laboratory report shall not be deemed a finding that no prohibited substance has been administered to the horse earning the purse money in violation of these racing regulations. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8806, 74-8810, as amended by L. 1992, Ch. 27, Sec. 4, and L. 1992, Ch. 286, Sec. 3, and 74-8811; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-10-9. (Authorized by and implementing K.S.A. 1988 Supp. 74-8811; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; revoked, T-112-8-13-92, Aug. 13, 1992.)

112-10-9a. Split samples. (a) The animal health officer or assistant animal health officer shall determine, based upon the written standards of the official test laboratory, in their sole discretion whether there is sufficient quantity of each test sample to divide it into two portions for testing. If sufficient quantity of urine is not available for a split sample, the assistant animal health officer shall collect a blood sample for the purpose of providing a sample for the trainer pursuant to this rule.

(b) If a test sample is divided into two portions for testing, no provision of these racing regulations shall prevent the commission or the executive director from ordering both test sample portions to be delivered to the official test laboratory for initial testing.

(c) When the quantity of the test sample permits the splitting of the sample, each first portion shall be submitted by the commission to the official test laboratory for initial testing for prohibited substances.

(d) When the quantity of the test sample permits and when the trainer or owner files a written request with the racing judges for the testing of a split sample, the commission shall submit the second portion of the test sample to a test laboratory approved by the commission. Each written request for the testing of a split sample shall be filed in the commission office at the racetrack facility within 48 hours after the trainer or owner receives notice of a positive report on a test sample taken from the horse.

(e) Each person who requests testing of the second portion of a sample shall pay all costs for the transportation and testing of the sample.

(f) The freezing, storage and safeguarding of each portion of a test sample shall remain the responsibility of the animal health officer and the assistant animal health officer.

(g) The test results on the second portion of a sample shall not prevent disqualification of the horse. The results of the first test are prima facie evidence that the horse competed with the drug or medication in its system.

(h) No provision of these racing regulations shall create vested procedural rights that may be relied upon by any licensee for the purpose of excluding testing evidence that is competent and probative. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8811; effective, T-112-8-13-92, Aug. 13, 1992.)

112-10-12. Postmortem examination. (a) Each racing horse that dies or suffers a breakdown while training or racing at a racetrack facility and is destroyed shall undergo a postmortem examination. Each postmortem examination shall be sufficiently comprehensive to identify the injury or medical condition causing the death and shall be conducted at a time and place approved by the assistant animal health officer.

(b) The assistant animal health officer may require any other horse that dies at a racetrack facility to undergo a postmortem examination.

(c) Each postmortem examination shall be conducted by a practicing veterinarian employed by the owner or trainer.

(d) The assistant animal health officer may attend the postmortem examination.

(e) The assistant animal health officer may secure test samples, including tissue and other specimens during the postmortem examination and, if secured, shall send them to the official test laboratory or a diagnostic laboratory for testing and consultation. When practical, the assistant animal health officer shall secure the test samples for the detection of prohibited substances before the horse is destroyed.

(f) Each owner shall pay the expenses of the practicing veterinarian employed by the owner or trainer to conduct the postmortem examination.

(g) Each practicing veterinarian shall file a report detailing each postmortem examination on a form approved by the animal health officer with the assistant animal health officer within 72 hours of the horse's death. Each owner of a horse upon which a postmortem examination is conducted shall receive a copy of the report upon request.

(h) Each owner and trainer shall comply with each provision for postmortem examination contained in these racing regulations as a condition of the owner's and trainer's occupation license. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2, and 74-8806; effective, T-112-3-31-89, March 31, 1989; effective June 26, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-10-32. Assistant animal health officer, greyhound. (a) Each assistant animal health officer employed by the commission shall be licensed to practice veterinary medicine in the state of Kansas.

(continued)

(b) No assistant animal health officer shall treat or prescribe medication for any greyhound located at a racetrack facility or registered to race at a racetrack facility except in an emergency. Each assistant animal health officer who treats or prescribes medication for a greyhound in an emergency shall promptly file a complete report of the circumstances and veterinary procedure with the racing judges and the animal health officer.

(c) No kennel owner or trainer shall employ or pay any compensation to an assistant animal health officer, directly or indirectly, while the assistant animal health officer is functioning in that capacity at the racetrack as an employee of the commission.

(d) An assistant animal health officer shall:

(1) Supervise practicing veterinarians at the racetrack facility and recommend to the racing judges or the commission the discipline to be imposed upon each practicing veterinarian who violates commission regulations;

(2) place any greyhound on the veterinarian's list where it shall remain a minimum of three calendar days when in an assistant animal health officer's discretion the placement is proper;

(3) remove any greyhound from the veterinarian's list when in an assistant animal health officer's discretion the removal is proper. No greyhound shall be entered in a race before its name is removed from the veterinarian's list;

(4) establish a procedure for, supervise the collection of and maintain identification records for urine, blood or other specimens from greyhounds, as designated by an assistant animal health officer, the racing judges or the commission;

(5) supervise the procedure for witnessing, sealing and delivering each test specimen to the official test laboratory;

(6) report immediately to the animal health officer the name, tattoo number and reason for death of each greyhound that dies or is euthanized at a racetrack facility;

(7) with the permission of the racing judge, scratch each greyhound determined not sound to race at any time before the greyhound enters the starting box;

(8) treat or euthanize any greyhound that is so seriously injured that an assistant animal health officer believes the action is necessary. Each kennel owner or trainer at a racetrack facility shall execute and deliver a written waiver and consent to an assistant animal health officer before the greyhound is treated or euthanized; and

(9) perform other duties prescribed by the animal health officer, the racing judges or the commission. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8806, 74-8810, as amended by L. 1992, Ch. 27, Sec. 4, and L. 1992, Ch. 286, Sec. 3; effective, T-112-8-22-89; effective Aug. 28, 1989; effective Oct. 9, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-10-33. Practicing veterinarians, greyhound.

(a) Each practicing veterinarian at a racetrack facility

shall be licensed to practice veterinary medicine in the state of Kansas and shall secure an occupation license in accordance with the Kansas parimutuel racing act and commission regulations. Before an occupation license issues, each practicing veterinarian shall meet with the animal health officer to verify that the practicing veterinarian has reviewed these racing regulations and is informed about existing medication practice.

(b) Each practicing veterinarian at a racetrack facility who treats a greyhound for any contagious or communicable disease shall report the fact immediately in writing to the animal health officer or assistant animal health officers on a form approved by the animal health officer.

(c) No practicing veterinarian who treats a greyhound at a racetrack facility shall wager on the outcome of any race in which the treated greyhound starts.

(d) Each practicing veterinarian shall comply with the rules and standards of the Kansas board of veterinary examiners.

(e) Each drug or medication at a racetrack facility shall be in a container bearing a veterinarian's prescription or in the original container bearing the manufacturer's label with the serial or lot number. Each practicing veterinarian shall use only disposable syringes and needles to medicate greyhounds. No veterinarian shall abandon a drug or medication or equipment for administering the drug or medication. All equipment for administering the drug or medication shall be destroyed before it is discarded. All drugs, medications or equipment shall be disposed of in a manner which is environmentally safe.

(f) Only a veterinarian employed by or licensed by the commission may possess procaine on a racetrack facility. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8810, as amended by L. 1992, Ch. 27, Sec. 4, and L. 1992, Ch. 286, Sec. 3, and 74-8816; as amended by L. 1992, Ch. 286, Sec. 8; effective, T-112-8-22-89, Aug. 22, 1989; effective Oct. 9, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

112-10-35. Testing. (a) Each racing greyhound entered in a race may be submitted to a urine, blood or other pre-race test. No greyhound shall be eligible to start in a race until the owner or trainer complies with any required test procedure.

(b) A blood, urine or other test sample shall be taken under the supervision of the animal health officer or assistant animal health officer from the winner of every race and from any other greyhound designated by the racing judges.

(c) Each test sample shall be taken in a collection area or in the paddock area unless otherwise approved by the animal health officer or assistant animal health officer.

(d) Each trainer, kennel owner or authorized representative of the trainer or kennel owner may witness and confirm the taking of each test sample. Each trainer, kennel owner and authorized representative

witnessing the collection shall sign the confirmation card.

(e) A trainer or kennel owner may waive the right to witness the collection of a test sample from a racing animal if the trainer's authorized representative witnessing the collection of the test sample is less than 18 years of age. The trainer shall execute a voluntary and knowing waiver of the right to witness the collection of the test sample prior to the time of collection. Each trainer waiving the right to witness the collection of a test sample from a racing animal is estopped from later claiming any defect in the process of collecting and identifying the test sample.

(f) If a urine sample is not obtained within a reasonable time, the assistant animal health officer may take a blood sample from the brachiocephalic vein in lieu of a urine sample and submit the blood plasma from the blood sample to the official test laboratory for testing.

(g) Each test sample shall remain in the custody of the animal health officer or assistant animal health officer from the time it is taken until it is delivered for shipment to the official test laboratory.

(h) No person shall tamper with, adulterate, add to, break the seal of, remove or otherwise attempt to alter or violate any test sample taken.

(i) The commission may direct the official test laboratory or the animal health officer and assistant animal health officer to retain and preserve test samples for future analysis.

(j) The payment of purse money prior to the issuance of an official test laboratory report shall not constitute a finding that no prohibited substance has been administered in violation of these racing regulations to the greyhound earning the purse money. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 1991 Supp. 74-8806, 74-8810, as amended by L. 1992, Ch. 27, Sec. 4, and L. 1992, Ch. 286, Sec. 3, and 74-8811; effective, T-112-8-22-89, Aug. 22, 1989; effective Oct. 9, 1989; amended March 25, 1991; amended, T-112-8-13-92, Aug. 13, 1992.)

112-10-37. Postmortem examination. (a) An assistant animal health officer may order a postmortem examination for each greyhound that dies at a racetrack facility.

(b) The postmortem examination shall be conducted by a practicing veterinarian employed by the kennel owner or by the School for Veterinary Medicine at Kansas State University.

(c) The assistant animal health officer may attend the postmortem examination.

(d) The assistant animal health officer may secure test samples, including tissue and other specimens during the postmortem examination. If secured, the assistant animal health officer shall send the samples to the official test laboratory or a diagnostic laboratory for testing and consultation. When practical, the assistant animal health officer shall secure the test samples for the detection of prohibited substances before the greyhound is euthanized.

(e) Each kennel owner shall pay the expenses of the practicing veterinarian employed by the kennel owner to conduct the postmortem examination.

(f) Each kennel owner and trainer shall comply with each provision for postmortem examination contained in these racing regulations as a condition of the kennel owner's and trainer's license. (Authorized by K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2; implementing K.S.A. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2, and 74-8806; effective, T-112-8-22-89, Aug. 22, 1989; effective Oct. 9, 1989; amended, T-112-8-13-92, Aug. 13, 1992.)

Article 11.—SECURITY AND SAFETY

112-11-13. (Authorized by K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3, and implementing K.S.A. 1987 Supp. 74-8804, as amended by L. 1988, Ch. 315, Sec. 3; K.S.A. 1987 Supp. 74-8816, as amended by L. 1988, Ch. 316, Sec. 4; effective, T-112-2-23-89, Feb. 23, 1989; effective June 19, 1989; revoked, T-112-8-13-92, Aug. 13, 1992.)

112-11-13a. Controlled substance and alcohol testing. (a) If directed by a steward, racing judge, the executive director, or a commission employee with law enforcement powers under K.S.A. 1991 Supp. 74-8807, and upon reasonable suspicion of intoxication or impairment while actively engaged in employment, each occupation licensee whose work may involve health or safety of the licensee, other licensees or racing animals shall submit to a breath or a urine test, or both. Each occupation licensee shall not have a blood alcohol content of .05 percent or more. No occupation licensee's urine test shall indicate the presence of any controlled substance as defined by K.S.A. 1991 Supp. 65-4101.

(b) Each licensee whose breath test indicates a blood alcohol content of .05 percent or more shall be suspended by the stewards or racing judges in accordance with the provisions of K.S.A. 1991 Supp. 74-8816(h).

(c) Each licensee whose urine test indicates the presence of a controlled substance shall be suspended by the stewards or racing judges in accordance with the provisions of K.S.A. 1991 Supp. 74-8816(h).

(d) Each licensee who refuses to submit to a breath or urine test, or both, shall be suspended by the stewards or racing judges in accordance with the provisions of K.S.A. 1991 Supp. 74-8816(h).

(e) Suspensions authorized by this regulation shall not be subject to the stay provisions of K.A.R. 112-16-11.

(f) Information elicited in the process of breath or urine testing shall be treated as confidential, except as necessary for any administrative or judicial proceeding. (Authorized by and implementing K.S.A. 1991 Supp. 74-8804, as amended by L. 1992, Ch. 27, Sec. 3, and L. 1992, Ch. 286, Sec. 2, effective, T-112-8-13-92, Aug. 13, 1992.)

Dana Nelson
Executive Director

Doc. No. 012396

INDEX TO ADMINISTRATIVE REGULATIONS

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1-5-27	Revoked	V. 10, p. 1688
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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
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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
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1-45-14	New	V. 11, p. 1195
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1-49-1	Amended	V. 10, p. 1472

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4-7-716	Amended	V. 11, p. 555
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4-8-40	Amended	V. 10, p. 1321
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4-16-305	New	V. 11, p. 556, 557
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4-17-305	New	V. 11, p. 557, 558
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30-60-25	New	V. 10, p. 1385
30-60-26	New	V. 10, p. 1385
30-60-27	New	V. 10, p. 1385
30-60-28	New	V. 10, p. 1386
30-60-40	New	V. 10, p. 1386
30-60-41	New	V. 10, p. 1386
30-60-45	New	V. 10, p. 1386
30-60-46	New	V. 10, p. 1386
30-60-47	New	V. 10, p. 1386
30-60-50	New	V. 10, p. 1387
30-60-55	New	V. 10, p. 1387
30-60-60	New	V. 10, p. 1388
30-60-61	New	V. 10, p. 1389
30-60-62	New	V. 10, p. 1389
30-60-70	New	V. 10, p. 1389
30-60-71	New	V. 10, p. 1390
30-60-72	New	V. 10, p. 1390
30-60-73	New	V. 10, p. 1390
30-60-74	New	V. 10, p. 1390
30-60-75	New	V. 10, p. 1390
30-60-76	New	V. 10, p. 1390
30-61-1	New	V. 10, p. 1391
30-61-2	New	V. 10, p. 1391
30-61-5	New	V. 10, p. 1391
30-61-6	New	V. 10, p. 1391
30-61-10	New	V. 10, p. 1391
30-61-15	New	V. 10, p. 1391
30-61-16	New	V. 10, p. 1392

AGENCY 36: DEPARTMENT OF TRANSPORTATION

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

AGENCY 40: KANSAS INSURANCE DEPARTMENT

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

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-6-106	Amended	V. 10, p. 1195
44-6-108	Amended	V. 10, p. 1195

(continued)

44-6-114c	Amended	V. 10, p. 1196
44-6-120	Amended	V. 11, p. 230
44-6-124	Amended	V. 11, p. 230
44-6-125	Amended	V. 11, p. 231
44-6-126	Amended	V. 10, p. 1197
44-6-133	Amended	V. 10, p. 1197
44-6-134	Amended	V. 10, p. 1197
44-6-135	Amended	V. 11, p. 231
44-6-142	Amended	V. 10, p. 1198
44-7-113	Amended	V. 11, p. 316
44-7-115	New	V. 11, p. 316
44-12-101	Amended	V. 11, p. 316
44-12-102	Amended	V. 11, p. 316
44-12-104	Amended	V. 11, p. 316
44-12-105	Amended	V. 11, p. 317
44-12-201	Amended	V. 11, p. 317
44-12-202	Amended	V. 11, p. 317
44-12-204	Amended	V. 11, p. 317
44-12-205	Amended	V. 11, p. 317
44-12-208	Amended	V. 11, p. 317
44-12-209	Amended	V. 11, p. 317
44-12-209	Amended	V. 11, p. 317
44-12-301	Amended	V. 11, p. 317
44-12-307	Amended	V. 11, p. 317
44-12-308	Amended	V. 11, p. 317
44-12-309	Amended	V. 11, p. 317
44-12-312	Amended	V. 11, p. 317
44-12-313	Amended	V. 11, p. 318
44-12-314	Amended	V. 11, p. 318
44-12-315	Amended	V. 11, p. 318
44-12-316	Revoked	V. 11, p. 318
44-12-317	Amended	V. 11, p. 318
44-12-319	Amended	V. 11, p. 318
44-12-321	Amended	V. 11, p. 318
44-12-323	Amended	V. 11, p. 318
44-12-324	Amended	V. 11, p. 319
44-12-325	Amended	V. 11, p. 319
44-12-326	Amended	V. 11, p. 319
44-12-328	New	V. 11, p. 319
44-12-401	Amended	V. 11, p. 319
44-12-501	Amended	V. 11, p. 319
44-12-502	Amended	V. 1, p. 319
44-12-503	Amended	V. 11, p. 319
44-12-505b	New	V. 11, p. 320
44-12-601	Amended	V. 11, p. 320
44-12-602	Amended	V. 11, p. 321
44-12-701	Revoked	V. 11, p. 321
44-12-901	Amended	V. 11, p. 321
44-12-902	Amended	V. 11, p. 322
44-12-1001	Amended	V. 11, p. 322
44-12-1002	Amended	V. 11, p. 322
44-12-1101	Amended	V. 11, p. 322
44-12-1201	Amended	V. 11, p. 322
44-12-1202	Amended	V. 11, p. 322
44-12-1301	Amended	V. 11, p. 323
44-12-1302	Amended	V. 11, p. 323
44-12-1303	Amended	V. 11, p. 323
44-12-1304	Revoked	V. 11, p. 323
44-12-1306	Amended	V. 11, p. 323
44-12-1307	Amended	V. 11, p. 324
44-13-101	Amended	V. 11, p. 324
44-13-101a	Amended	V. 11, p. 325
44-13-103	Amended	V. 11, p. 325
44-13-104	Amended	V. 11, p. 325
44-13-106	Amended	V. 11, p. 325
44-13-115	Revoked	V. 11, p. 325
44-13-201	Amended	V. 11, p. 325
44-13-201b	New	V. 11, p. 326
44-13-202	Amended	V. 11, p. 327
44-13-203	Amended	V. 11, p. 327
44-13-301	Revoked	V. 11, p. 327
44-13-302	Revoked	V. 11, p. 327
44-13-302a	New	V. 11, p. 327
44-13-303	Revoked	V. 11, p. 328
44-13-304	Amended	V. 11, p. 328
44-13-401	Amended	V. 11, p. 328
44-13-402	Amended	V. 11, p. 328
44-13-403	Amended	V. 11, p. 328
44-13-404	Amended	V. 11, p. 330
44-13-405	Revoked	V. 11, p. 331
44-13-405a	Amended	V. 11, p. 331
44-13-406	Amended	V. 11, p. 331
44-13-407	Revoked	V. 11, p. 332
44-13-408	Amended	V. 11, p. 332
44-13-501	Amended	V. 11, p. 332
44-13-502	Revoked	V. 11, p. 332

44-13-502a	New	V. 11, p. 332
44-13-503	Revoked	V. 11, p. 332
44-13-504	Revoked	V. 11, p. 333
44-13-506	Amended	V. 11, p. 333
44-13-507	Amended	V. 11, p. 333
44-13-601	Amended	V. 11, p. 333
44-13-603	Amended	V. 11, p. 333
44-13-610	Amended	V. 11, p. 333
44-13-701	Amended	V. 11, p. 333
44-13-702	Amended	V. 11, p. 334
44-13-703	Amended	V. 11, p. 334
44-13-704	Amended	V. 11, p. 334
44-13-705	Amended	V. 11, p. 334
44-13-706	Amended	V. 11, p. 334
44-13-707	Amended	V. 11, p. 335
44-15-101	Amended	V. 11, p. 335
44-15-102	Amended	V. 11, p. 335
44-15-105a	New	V. 11, p. 336
44-16-104	Amended	V. 11, p. 337

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

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

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-3-105	Amended	V. 10, p. 1040
60-3-106	Amended	V. 10, p. 1040
60-4-101	Amended	V. 11, p. 83
60-4-103	Amended	V. 11, p. 1193
60-8-101	Amended	V. 10, p. 496
60-9-101	Revoked	V. 10, p. 1040
60-9-102	Revoked	V. 10, p. 1040
60-9-103	Revoked	V. 10, p. 1193
60-9-104	Revoked	V. 11, p. 83
60-9-105	Amended	V. 11, p. 83
60-9-106	New	V. 10, p. 1041
60-9-107	New	V. 11, p. 83
60-9-109	New	V. 10, p. 1041
60-11-103	Amended	V. 11, p. 1193
60-11-110	Revoked	V. 10, p. 1042
60-11-111	Revoked	V. 10, p. 1042
60-11-112	New	V. 10, p. 1042
60-11-113	New	V. 10, p. 1042, 1497
60-11-114	New	V. 11, p. 85
60-11-116	New	V. 10, p. 1042
60-11-117	New	V. 10, p. 1042
60-11-118	New	V. 10, p. 1042
60-11-119	New	V. 10, p. 1043
60-12-101	Revoked	V. 10, p. 1043
60-12-102	Revoked	V. 10, p. 1043
60-12-103	Revoked	V. 10, p. 1043
60-12-105	New	V. 11, p. 85
60-12-106	New	V. 10, p. 1043
60-12-109	New	V. 10, p. 1043
60-13-101	Amended	V. 10, p. 496
60-13-105	Revoked	V. 10, p. 1044
60-13-106	Revoked	V. 10, p. 1044
60-13-107	Revoked	V. 10, p. 1044
60-13-108	Revoked	V. 10, p. 1044
60-13-110	New	V. 10, p. 1044
60-13-111	New	V. 10, p. 1044
60-13-112	New	V. 10, p. 1044
60-13-113	New	V. 11, p. 85
60-13-115	New	V. 10, p. 1044
60-15-101	Amended	V. 10, p. 1045
60-15-102	Amended	V. 10, p. 1045
60-15-103	Amended	V. 10, p. 1046
60-15-104	Amended	V. 10, p. 1046

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
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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
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
75-6-11	Amended	V. 11, p. 1176
75-6-24	Amended	V. 11, p. 908
75-6-26	Amended	V. 11, p. 1176

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
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
86-1-13	Amended	V. 11, p. 1230
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
91-5-2	Amended	V. 11, p. 1144
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
99-30-4	Amended	V. 10, p. 1323
99-30-5	Amended	V. 10, p. 1323
99-30-6	Amended	V. 10, p. 1323
99-31-3	Amended	V. 10, p. 1323
99-31-4	Amended	V. 10, p. 1323
99-32-1	through	
99-32-6	Revoked	V. 10, p. 1323

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-10a-4	Amended	V. 10, p. 653
100-11-1	Amended	V. 11, p. 1039, 1117
100-49-5	New	V. 11, p. 1084

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

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

AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING

Reg. No.	Action	Register
110-4-1		
through		V. 11, p. 1176-1178,
110-4-4	New	1258-1260

AGENCY 111: THE KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 8, p. 586
111-2-1	Amended	V. 7, p. 1995
111-2-2	Amended	V. 9, p. 1675
111-2-2a	Revoked	V. 9, p. 1675
111-2-6	Amended	V. 11, p. 136
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881
111-2-14	New	V. 9, p. 30
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	Revoked	V. 11, p. 413
111-2-19	Revoked	V. 11, p. 413
111-2-20	New	V. 11, p. 199
111-3-1	Amended	V. 10, p. 1210
111-3-9	Amended	V. 8, p. 1085
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111-3-31	New	V. 7, p. 201-206
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