



Kansas Register

Bill Graves, Secretary of State

Vol. 12, No. 49 December 9, 1993 Pages 1833-1860

In this issue	Page
Kansas State Treasurer	
Notice of investment rates.....	1834
Department of Administration	
Notice of commencement of negotiations for architectural services.....	1834
Public notice.....	1835
University of Kansas	
Notice to bidders.....	1835
Kansas Arts Commission	
Notice of meeting.....	1835
Pooled Money Investment Board	
Notice of meeting.....	1835
State Historical Society	
Notice of availability of federal funds.....	1835
Employee Award Board	
Notice of meeting.....	1836
Kansas Inc.	
Notice of meeting.....	1836
State Fair Board	
Notice of meeting.....	1836
Kansas Apprenticeship Council	
Notice of meeting.....	1836
Legislative interim committee schedule	1836
Notice to bidders for state purchases	1837
State Board of Mortuary Arts	
Notice of meeting.....	1838
Attorney General	
Opinions No. 93-144 through 93-153.....	1838
State Board of Agriculture—Division of Water Resources	
Notice of hearing on proposed administrative regulations.....	1840
Executive appointments	1840
Department of Health and Environment	
Notice concerning Kansas water pollution control permits.....	1841
Notice of meeting.....	1843
Notice of Bond Sale	
Johnson County.....	1843
Temporary Administrative Regulations	
The Kansas Lottery.....	1844
Permanent Administrative Regulations	
Department of Health and Environment.....	1847
Index to administrative regulations	1853

State of Kansas

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1992 Supp. 75-4210. 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 1993 Session Laws of Kansas, Chapter 207.

Effective 12-13-93 through 12-19-93

Term	Rate
0-90 days	3.02%
3 months	3.16%
6 months	3.35%
12 months	3.67%
24 months	4.27%
36 months	4.54%
48 months	4.93%

Sally Thompson
State Treasurer

Doc. No. 014239

State of Kansas

Department of Administration
Division of Architectural ServicesNotice of Commencement of Negotiations
for Architectural Services

Notice is hereby given of the commencement of negotiations for "on-call" architectural services for the University of Kansas, Lawrence. Interested firms should be capable of assisting university personnel on miscellaneous small architectural projects for two to three years.

Any questions or expressions of interest should be directed to Kelly Conway, Deputy Director, Design and Construction Administration, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before December 24. 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. 014231

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Secretary of State
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Topeka, KS 66612-1594
(913) 296-2236



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

State of Kansas

University of Kansas

Notice to Bidders

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

Monday, December 20, 1993

RFQ 94 0463

Unix workstation

Tuesday, December 21, 1993

RFQ 94 0461

Paper, printing and binding of exhibition catalog

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

Doc. No. 014240

State of Kansas

Kansas Arts Commission

Notice of Meeting

The Kansas Arts Commission will conduct its quarterly business meeting from 9 a.m. to 4:30 p.m. Friday, December 10, at the Wichita Children's Theatre and Dance Center, 201 Lulu, Wichita.

A special feature of this meeting, starting at 1:45 p.m., will be a panel discussion entitled "Institutional Development of Multi-Cultural Organizations," with invited speakers from Wichita-based cultural organizations.

During the business meeting, the commissioners will act upon the recommendations of the advisory panels that have reviewed applications for grants from the fiscal year 1994 Salary Assistance Program and for appointment to the artists' rosters of the Kansas Touring Program and Arts in Education Program.

In other business, the commissioners will act upon applications for partnership grants with youth centers and ratify appointments of persons to other advisory panels.

The commissioners will review the budgets for fiscal years 1994 and 1995. Staff members will report on federal funding and grants to Kansas and on the status of commission programs.

During the lunch break between 11:45 a.m. and 1:45 p.m., the commissioners will tour the Wichita Children's Theatre facility.

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

For more information, contact the Kansas Arts Commission, Jayhawk Tower, 700 S.W. Jackson, Suite 1004, Topeka 66603-3758, (913) 296-3335. Persons with special communication needs may utilize the Kansas Relay Center, 1-800-766-3777.

Dorothy L. Ilgen
Executive Director

Doc. No. 014230

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 65-34,117(b), records of the Division of Accounts and Reports show the unobligated balances are \$3,590,333.25 in the underground petroleum storage tank release trust fund and \$7,897,053.51 in the aboveground petroleum storage tank release trust fund at November 30, 1993.

Susan M. Seltsam
Secretary of Administration

Doc. No. 014235

State of Kansas

Pooled Money Investment Board

Notice of Meeting

The Pooled Money Investment Board will meet at 2 p.m. Wednesday, December 15, in the Office of the State Treasurer, Conference Room 203, Landon State Office Building, 900 S.W. Jackson, Topeka. All meetings of the board are open to the public. For more information, contact Diane Gates at (913) 296-3372.

Sally Thompson
Chairman

Doc. No. 014244

State of Kansas

State Historical Society

Notice of Availability of Federal Funds
for Flood Damaged Historic Properties

The National Park Service and the National Trust for Historical Preservation have announced the availability of federal emergency flood monies for historic properties. The National Park Service will provide \$50,000 in emergency grants for repair of flood damaged historic properties in Kansas through the Historic Preservation Office of the Kansas State Historical Society. Separate grants are available from the National Trust for Historic Preservation for technical assistance.

Applications for funds from the Kansas Preservation Office will be accepted until January 14. Due to the emergency nature of these grants, no matching funds will be needed. Applications will be evaluated by the degree of damage to the historic property and the appropriateness of the measures proposed to address the damage.

For applications, instructions, and complete evaluation information, contact the Kansas Historic Preservation Office, Kansas State Historical Society, 120 W. 10th, Topeka 66612, (913) 296-5052 or (913) 296-4230.

Ramon Powers
Executive Director

Doc. No. 014242

State of Kansas

Employee Award Board

Notice of Meeting

The Employee Award Board will meet at 1 p.m. Thursday, December 16, in the Division of Personnel Services, Room 951-S, Landon State Office Building, 900 S.W. Jackson, Topeka.

Ben Barrett
Chairperson

Doc. No. 014226

State of Kansas

Kansas Inc.

Notice of Meeting

The Kansas Inc. Board of Directors will meet at 10 a.m. Thursday, December 16, at the Human Resources Building, Cessna Aircraft Company, One Cessna Blvd., Wichita. The meeting is open to the public.

Charles R. Warren
President, Kansas Inc.

Doc. No. 014232

State of Kansas

State Fair Board

Notice of Meeting

The State Fair Board will meet at 9 a.m. Monday, December 13, in the board room at the Administration Office on the fairgrounds in Hutchinson. For further information, contact Deana Novak at (316) 669-3612.

Deana Novak
Administrative Officer

Doc. No. 014233

State of Kansas

Kansas Apprenticeship Council

Notice of Meeting

The Kansas Apprenticeship Council will meet from 10 a.m. to noon Friday, December 10, at the Associated General Contractors office, 200 S.W. 33rd, Topeka. The meeting is open to the public.

Joe Dick
Secretary of Human Resources

Doc. No. 014234

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of December 13 through December 26:

Date	Room	Time	Committee	Agenda
Statutory Committees				
December 13	123-S	1:00 p.m.	Legislative Coordinating Council	Legislative matters.
December 13	514-S	9:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review of rules and regulations filed by: SRS; Bd. of Healing Arts; Adjutant General; Dept. of Administration; Dental Bd.; Real Estate Commission; Real Estate Appraisal Bd.; Wildlife and Parks; others as filed.
December 14	313-S	8:30 a.m.	Task Force on the Flood of 1993	<u>14th</u> : Testimony from public officials.
December 15	313-S	8:30 a.m.		<u>15th</u> : Testimony from state and federal agencies.
December 16	313-S	8:30 a.m.		<u>16th</u> : Task force discussion and recommendations.
December 14	531-N	10:00 a.m.	Joint Committee on Special Claims Against the State	Hearings on claims filed to date.
December 15	531-N	9:00 a.m.		
December 16	514-S	10:00 a.m.	Joint Committee on Health Care Decisions for the 1990's	Agenda not available.
December 17	514-S	9:00 a.m.		

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 014236

State of Kansas

**Department of Administration
Division of Purchases**

Notice to Bidders

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

Monday, December 20, 1993

30085

Department of Transportation—Maintenance of highway lighting, Dickinson, Ellsworth, Geary, Ottawa, McPherson and Saline counties

30093

Department of Transportation—Maintenance of highway lighting, Shawnee County

30095

Department of Transportation—Maintenance of highway lighting, Wyandotte County

30096

University of Kansas Medical Center—Ready mix concrete

30097

Department of Transportation—Maintenance of highway lighting, Johnson County

30105

University of Kansas Medical Center—S-VHS videocassettes

97808

Kansas State University—Mobile video camera system

Tuesday, December 21, 1993

30101

University of Kansas—Frozen juice and shelf stable tea and hot chocolate concentrate/dispensers

97770

Emporia State University—Furnish and install kitchen equipment

Wednesday, December 22, 1993

30099

University of Kansas Medical Center—February (1994) meat products

30100

University of Kansas—February (1994) meat products

30103

University of Kansas Medical Center—Sterilizer/compactor bags

97769

Kansas Historical Society and University of Kansas—Acid-free library supplies

97773

Kansas State University—Plain paper copier

97807

Department of Wildlife and Parks—Fuel tanks, various locations

Thursday, December 23, 1993

A-7197

Kansas Neurological Institute—Correct floor movement, Sunflower Building

97726

Wichita State University—Carpet

97779

Kansas Bureau of Investigation—Infrared microscope with video camera/monitor

97780

Department of Transportation—Roofing materials for metal building, Hutchinson

97781

State Board of Agriculture—Workstation DG 530

97782

Department of Administration—4745-210 upgrade

97793

University of Kansas—Paper, printing and binding

97795

University of Kansas Medical Center—Hemodialysis units

97806

University of Kansas, Wichita State University and Hutchinson Correctional Facility—Vans

97809

Emporia State University—Chiller

Wednesday, December 29, 1993

A-7310

Pittsburg State University—Remodeling to Carnie Smith Stadium

Thursday, December 30, 1993

A-6729(b)

University of Kansas—Upgrade emergency lighting

A-7057

Department of Human Resources—Handicapped accessibility, Atchison

30104

University of Kansas Medical Center—Printing of "Bulletin" Magazine

Thursday, February 3, 1994

30058

Department of Social and Rehabilitation Services—Leased facility for Dodge City SRS Area Office

Jack R. Shipman
Director of Purchases

Doc. No. 014241

State of Kansas

Board of Mortuary Arts**Notice of Meeting**

The Kansas State Board of Mortuary Arts will meet Thursday and Friday, January 6-7, at the board's office, 700 S.W. Jackson, Suite 904, Topeka.

The January 6 meeting will begin at 9 a.m. The January 7 meeting will begin with the administering of the funeral director examination at 9 a.m. at the Topeka Downtown Holiday Inn City Centre.

Mack Smith
Executive Secretary

Doc. No. 014228

State of Kansas

Attorney General**Opinion No. 93-144**

State Institutions and Agencies; Historical Property—State Educational Institutions; Management and Operation—Fixing Tuition, Fees and Charges; Student-Activity Fees, Required Used; Constitutionality of Using Mandatory Fees to Fund Political Organizations. Representative Tim Shallenburger, 1st District, Baxter Springs, November 4, 1993.

A state university's mission is to provide broad-based educational experiences, including forums for enlightenment and opportunities to exchange a broad spectrum of thoughts and ideas. A mandatory fee to fund various groups providing such opportunities and to avoid "free-rides" is justified by this important state interest. The fee may be used to support political and ideological speech if such expenditures are nondiscriminatory and are necessarily or reasonably incurred for the purpose of providing such educational experiences and opportunities. The university may not allow use of mandatory fees to fund lobbying efforts, other off-campus activities, or organizations that are too far removed from the university's educational mission. Cited herein: K.S.A. 76-719. JLM

Opinion No. 93-145

Constitution of the State of Kansas—Legislative—Uniform Operation of Laws of a General Nature; Constitutional Amendment to Allow Casinos Only in Locations Where Parimutuel Wagering on Horse and Dog Racing is Authorized.

Amendments to the Constitution of the United States—Amendment 14; Rights and Immunities of Citizens—Citizenship; Privileges or Immunities; Due Process Clause; Equal Protection. Representative Robert Grant, 2nd District, Cherokee, November 9, 1993.

Amending the constitution of the state of Kansas to permit casino gaming and limiting application of the amendment to locations where parimutuel wagering on horse and dog races is adopted and authorized does not violate article 2, section 17 of the Kansas constitution or the Fourteenth Amendment to the United States Constitution. Cited herein: 1993 Substitute for

Senate Concurrent Resolution No. 1608, as amended by senate committee of the whole; Kan. Const., Art. 2, § 17; U.S. Const., Amend. 14. JLM

Opinion No. 93-146

Schools—Organizations, Powers and Finances of Boards of Education—Boards of Education; Authority to Pave and Maintain Roads. Calvin Rider, Attorney for Unified School District No. 266, Maize, November 12, 1993.

A school district does not have the authority to pave county roads or to install traffic signals at an intersection of county roads. A school district likewise does not possess the authority to make a voluntary annual payment to a city, the purpose of which is to provide for the maintenance of streets, utilities, services, easements and rights of way. Cited herein: K.S.A. 72-6761, as amended by L. 1993, ch. 39, § 1; 72-8212. RDS

Opinion No. 93-147

Intoxicating Liquors and Beverages—Licensure and Regulation of Sale of Liquor by the Drink—Cities' Powers to Legislate in the Area. Dan Riley, Assistant Attorney General, Alcoholic Beverage Control, Topeka, November 17, 1993.

Cities may exercise police power to enact non-conflicting ordinary ordinances dealing with health, safety and welfare issues under the Kansas club and drinking establishment act. Because that act is uniform, however, cities may not enact conflicting charter ordinances. By contrast, cities may not adopt police power ordinances under the liquor control act, but may enact charter ordinances, whether or not conflicting, to deal with issues falling under the liquor control act. Cited herein: K.S.A. 41-208; 41-301; 41-302; K.S.A. 1992 Supp. 41-719; 41-2605; K.S.A. 41-2631; K.S.A. 1992 Supp. 41-2637; 41-2641; 41-2642; 41-2649; L. 1987, ch. 182; L. 1949, ch. 242; Kan. Const., art. 12, § 5. JLM

Opinion No. 93-148

Taxation—Judicial Foreclosure and Sale of Real Estate by County—County Sale for Affordable Low Income Housing; Abatement of Taxes; Constitutionality of K.S.A. 1992 Supp. 79-2811. Representative Herman Dillon, 32nd District; R. Wayne Lampson, Wyandotte County Counselor, Kansas City, November 17, 1993.

The sale of real estate subject to foreclosure for unpaid delinquent property taxes to provide low-income housing or for community development or economic development purposes under K.S.A. 1992 Supp. 79-2811 is constitutional if actual notice is given to known parties in interest whose addresses are reasonably ascertainable and a meaningful opportunity to be heard is afforded. When real estate is properly sold under K.S.A. 1992 Supp. 79-2811, the county is authorized to abate any of the delinquent taxes and special assessments in excess of the selling price. The purchaser then takes the real estate free of any abated taxes and assessments, but subject to any other existing encumbrances. Cited herein: K.S.A. 79-2301; 79-2303; K.S.A. 1992 Supp. 79-2401a, as amended by L. 1993, ch. 257, § 1; 79-2801, as amended by L. 1993, ch. 257, § 2,

K.S.A. 79-2803; 79-2804; 79-2804b; K.S.A. 1992 Supp. 79-2811. JLM

Opinion No. 93-149

Amendments to the Constitution of the United States—Amendment I; Freedom of Speech—Residential Anti-Picketing Ordinances. Mike Ward, Butler County Attorney, El Dorado, November 23, 1993.

Butler County Resolution No. 93-983, which prohibits picketing that targets a particular residence, is constitutional under the First Amendment to the United States Constitution because it is content-neutral, narrowly tailored to promote the significant government interest of protecting residential privacy, and allows alternative channels of communication. Cited herein: U.S. Const., Amend. I. MF

Opinion No. 93-150

Counties and County Officers—Hospitals and Related Facilities—Hospital Board; Procedure to Elect Members; Election; Term of Office. William B. Elliott, Graham County Attorney, Hill City, November 24, 1993.

Upon being presented with a valid petition requesting that the manner of selection of the members of the county hospital board be changed from appointment to election, the board of county commissioners is obligated to adopt a resolution establishing the number of members of the county hospital board and the terms of office of such members. Pursuant to subsection (e) of K.S.A. 19-4605, the terms of office for the members of the county hospital board must be established so that a majority of the members of the board are not elected at the same election. Elections of members of the county hospital board are to be conducted on the Tuesday succeeding the first Monday in November of each even-numbered year. However, to meet the requirement of subsection (e)(2) of K.S.A. 19-4605, the board of county commissioners may, by resolution, provide for the election of members of the county hospital board at times other than November of each even-numbered year. As the county commission is the authority which is to provide for the change in the method of selection, a review of the resolution adopted by the county commission is necessary to determine whether the terms of office of those members appointed to the county hospital board are immediately terminated upon approval of the resolution by a majority of the qualified electors voting on the question. Cited herein: K.S.A. 1992 Supp. 19-202, as amended by L. 1993, ch. 250, § 2; K.S.A. 19-4601; 19-4605; 19-4607; 25-101; 25-313; 25-2502; 2987 Supp. 29-4607; L. 1984, ch. 98, § 5; L. 1986, ch. 113, § 1.

Opinion No. 93-151

Public Health—Regulation of Dentists and Dental Hygienists—Dental Hygienists; Practice of Dental Hygiene Defined; Rules and Regulations; Supervision Defined; Issuance of Permits for Dental Screening. Senator Don Sallee, 1st District, Troy, November 24, 1993.

K.A.R. 71-1-16 defines statutory language dealing with local and general anaesthesia as not including the administration of the analgesic nitrous oxide/oxygen. Though not defined in the dental act, the terms local and general anaesthesia were defined by the legislature in the nurse anaesthetist act, a similar subject. K.A.R. 71-1-16 is consistent with those definitions and thus not contrary to legislative intent. The second regulation, K.A.R. 71-1-17, authorizes a dentist to use his discretion to delegate to an assistant so long as the assistant has completed training in the area of administration of nitrous oxide/oxygen. The third regulation, K.A.R. 71-3-3, authorizes dental hygienists, licensed by the board, to administer local anaesthesia and nitrous oxide/oxygen as the terms are interpreted by the board and after the completion of board-approved training in the area. These regulations are, in our judgment, within the technical expertise of the board and its broad statutory authority. We note that the subject of the regulations was not passed as law during the 1992 legislative session when proposed. However, the legislature's non-action creates no legal presumption regarding legislative intent because one is not able to ascertain the reasons for the legislature's failure to become law. Cited herein: K.S.A. 65-1151; 65-1422; 65-1423; 65-1444; 65-1456; 74-1406. GE

Opinion No. 93-152

Constitution of the State of Kansas—Judicial—District Courts; Jurisdiction. Kevin M. Hill, Brown County Attorney, Hiawatha, November 24, 1993.

Acts defined and made punishable within the fish and wildlife conservation code of the Iowa Tribe of Kansas and Nebraska are not crimes or civil wrongs against the state of Kansas. Accordingly, the district courts of the state of Kansas are without jurisdiction to hear and determine causes of action brought under such code. Cited herein: K.S.A. 20-301; 21-3102; 22-2601; Kan. Const., Art. 3, § 6. CN

Opinion No. 93-153

Taxation—Aggregate Tax Levy Limitations—Aggregate Amount Produced by Property Tax Levies Limited. David Ryan, General Counsel, Topeka Metropolitan Transit Authority; Vern Jarboe, Topeka City Attorney, November 30, 1993.

The fact that the Topeka Metropolitan Transit Authority's tax levy was established by charter ordinance does not relieve it from the provisions of the tax lid law, K.S.A. 79-5021 *et seq.*, because the ordinance was passed prior to the enactment of the tax lid law and does not specifically designate the tax lid law as being made inapplicable to the levy. Cited herein: K.S.A. 72-2801; K.S.A. 1992 Supp. 79-5021; 79-5022; 79-5028; K.S.A. 79-5029; 79-5030; K.S.A. 1992 Supp. 79-5036; 79-5038, as amended by L. 1993, ch. 256, § 1; Kan. Const., art. 12, § 5. JLM

Robert T. Stephan
Attorney General

Doc. No. 014229

State of Kansas

**Board of Agriculture
Division of Water Resources**

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted at 8:30 p.m. Tuesday, January 11, at the Halstead High School Auditorium, 520 W. 6th, Halstead, to consider the adoption of proposed changes in existing rules and regulations for the Equus Beds Groundwater Management District No. 2 (GMD #2).

This 30-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. All interested parties may submit written comments prior to the hearing to Mike Dealy, Manager, GMD #2, 313 Spruce, Halstead 67056-1925; or to the Chief Engineer, Division of Water Resources, Kansas State Board of Agriculture, 901 S. Kansas Ave., 2nd Floor, Topeka 66612-1283. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

These regulations are proposed for adoption on a permanent basis. A summary of proposed regulations and their economic impact follows:

K.A.R. 5-22-1. Definitions.

The definition of a standby well has been amended, and definitions have been added for baseflow, baseflow allocation, baseflow node, safe-yield, and stream. This is not expected to result in significant fiscal impact to water users or governmental agencies.

K.A.R. 5-22-2. Well spacing.

This regulation has been amended to require spacing from baseflow nodes. This is not expected to result in a significant fiscal impact to governmental entities or to water users, unless it causes their application to be denied.

K.A.R. 5-22-7. Safe-yield.

This regulation has been amended to require consideration of the baseflow allocation when doing a safe-yield analyses. The aquifer recharge value in McPherson County has been reduced to 0.25 feet per year. This is not expected to result in a significant fiscal impact to governmental entities or to water users, unless it would cause an application to be denied.

K.A.R. 5-22-8. Change applications.

This regulation has been amended to change the title. This is not expected to result in a significant fiscal impact to water users or to governmental agencies.

Copies of the regulations and their economic impact statements may be obtained from the Division of Water Resources, (913) 296-4623, or the Equus Beds Groundwater Management District, (316) 835-2224, at the addresses given above.

Phillip A. Fishburn
Secretary of Agriculture

State of Kansas

Secretary of State

Executive Appointments

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

Complete listings of state agencies, boards and commissions are included in the Kansas Directory, published by the Secretary of State's office.

The following appointments were filed November 29-December 3:

State Representative, 87th District

Michael P. Farmer, 1033 Blackwill, Wichita 67207. Term expires when a successor is elected and qualifies according to law. Succeeds Wanda Fuller, deceased.

**District Judge, 18th Judicial District,
Division 14**

Rebecca L. Pilshaw, 1628 N. Coolidge, Wichita 67203. Term expires when a successor is elected and qualifies according to law. Succeeds Karen Humphreys, resigned.

**District Judge, 29th Judicial District,
Division 2**

Thomas L. Boeding, 501 N. 15th, Kansas City 66102. Term expires when a successor is elected and qualifies according to law. Succeeds William Cook, resigned.

**Kansas Commission on Children,
Youth and Families**

Jolene Grabill, 1262 Collins, Topeka 66604. Serves at the pleasure of the Governor. Succeeds Grace Ketterman, resigned.

**Kansas Development Finance Authority
Board of Directors**

Keith L. Nitcher, 1312 Jonathan Drive, Lawrence 66049. Subject to Senate confirmation. Term expires June 30, 1997. Succeeds Edward Flentje.

Kansas Inc.

Warren B. Schmidgall, Basic Industry Appointee, 7518 Blue Inn Place, Topeka 66614. Subject to Senate confirmation. Term expires June 30, 1997. Succeeds Donald Landoll.

**Kansas Rehabilitation Services
Advisory Council**

Martha Hodgesmith, Kansas Association of Rehabilitation Facilities, 700 S.W. Jackson, Suite 212, Topeka 66603. Term expires October 31, 1995. New position.

Bryce Miller, 2548 S.W. Belle Ave., Topeka 66614. Term expires October 31, 1995. Succeeds Edwina Ware.

Kansas Sentencing Commission

Paul J. Johnson, Office of the District Attorney, Courthouse, Olathe 66061. Term expires July 30, 1995. Succeeds Gregory Waller.

Bill Graves
Secretary of State

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 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-93-127/130

Name and Address of Applicant	Legal Description	Receiving Water
William Pannbacker Route 2, P.O. Box 192 Washington, KS 66968	SW/4, Sec. 33, T2S, R4E, Washington County	Big Blue River Basin

Kansas Permit No. A-BBWS-B010

The feedlot has capacity for approximately 950 cattle and a contributing drainage area of approximately 10 acres. This is a new 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 5.9 acre-feet.

Compliance Schedule: The waste management plan developed by Mueting Engineering and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquid waste and sludges with application to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than four acre-inch per acre per year and settled sludge shall be applied at not greater than 10 tons/ac/year.

Name and Address of Applicant	Legal Description	Receiving Water
Dale Johnson Hog Farm Route 1, Box 94 Haviland, KS 67059	NE/4, Sec. 4, T28S, R17W, Kiowa County	Lower Arkansas River Basin

Kansas Permit No. A-ARKW-S006

The proposed facility will have capacity for approximately 300 swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum requirements.

Compliance Schedule:

- The waste management plan developed by Soil Conservation Service and approved by the department shall be adhered to as a condition of the permit. The plan calls for nutrient analysis of both liquid waste and sludges with application to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than .25 acre-inch per acre per year and solid manure shall be applied at not greater than two tons/ac/year.
- Should the wastewater level in the retention structure infringe on the uppermost 3.0 feet of depth, dewatering equipment shall be obtained capable of pumping at least 50 gallons per minute

and dispersing the wastewater over 40 acres of land suitable for waste application.

Name and Address of Applicant	Legal Description	Receiving Water
Gerald Brown Route 2, Box 44 Fulton, KS 66738	NW/4, Sec. 24, T23S, R25E, Bourbon County	Marais des Cygnes River Basin

Kansas Permit No. A-MCBB-MA18

The existing facility has the capacity for approximately 40 dairy cattle.

Wastewater Control Facilities: Wastewater will be dispersed onto a dedicated grassed disposal area of agricultural land for beneficial use.

Compliance Schedule:

- A mechanism shall be installed and maintained at the discharge of the parlor drain to evenly distribute the parlor waste across the dedicated grassed disposal area.
- The slope and grading of the disposal area shall cause the applied wastewater to flow uniformly over the entire area.

Name and Address of Applicant	Legal Description	Receiving Water
Tom Sheeley Route 1 Allen, KS 66833	SE/4, Sec. 26, T15S, R11E, Lyon County	Marais des Cygnes River Basin

Kansas Permit No. A-MCLY-S006

The proposed expanded facility will have capacity for approximately 980 swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum requirements.

Compliance Schedule:

- A livestock waste management plan for the facility shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit.
- Dewatering equipment shall be obtained within six months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 3,500 gallons per hour and dispersing the wastewater over 53 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the Department.

Public Notice No. KS-EG-93-24/25

In accordance with K.A.R. 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 to continue operation of two salt solution mining wells, within the state of Kansas, for the applicants described below.

Name and Address of Applicant	Well Location
North American Salt Company Well Identification #103 1800 Carey Blvd. Hutchinson, KS 67501	Approximately 550 feet from south line and 1380 feet from east line of Section 17-23S-R5W, Reno County, Kansas (SESWSW)

Kansas Permit No. KS-03-155-142

Description of Facility: This facility is designed for the production of salt by solution mining activities.

(continued)

Name and Address of Applicant
 North American Salt Company
 Well Identification #104
 1800 Carey Blvd.
 Hutchinson, KS 67501

Well Location
 Approximately 585 feet from south line and 1060 feet from east line of Section 17-23S-RW, Reno County, Kansas (SWSESE)

Kansas Permit No. KS-03-155-143
 Description of Facility: This facility is designed for the production of salt by solution mining activities.

Public Notice No. KS-93-112/116

Name and Address of Applicant	Waterway	Type of Discharge
Briggs Jeep-Eagle-Isuzu East Facility 612 Pillsbury Drive Manhattan, KS 66502 Riley County, Kansas	Kansas River via unnamed tributary	Washwater

Kansas Permit No. I-KS38-P006 Fed. Permit No. KS-0089974
 Description of Facility: This facility is an automotive dealership. There is a wash bay for the exterior washing of automobiles. This is a new facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Joco Unified WW Districts Indian Creek MSD No. 1 10881 Lowell, Suite 100 Overland Park, KS 66210 Johnson County, Kansas	Indian Creek	Secondary wastewater treatment facility

Kansas Permit No. M-M027-0001 Fed. Permit No. KS-0055484
 Description of Facility: This facility is designed for the treatment of domestic sewage. This is an existing facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are water quality based. The proposed permit modifies the schedule of compliance on the existing permit. The proposed permit adds 92 days to the deadline for completing a dechlorination project. The change was requested by the permittee based upon delays caused by wet weather/flooding and a strike by iron workers. Kansas administrative regulations restrict comments to only the modifications in the proposed permit.

Name and Address of Applicant	Waterway	Type of Discharge
Johnson County Landfill, Inc. 18181 W. 53rd St. Facility P.O. Box 3220 Attn: Daniel Taylor Shawnee, KS 66203 Johnson County, Kansas	Kansas River via Mill Creek via Hayes Creek	Treated groundwater

Kansas Permit No. I-KS68-P004 Fed. Permit No. KS-0089699
 Description of Facility: The discharge from a spring at the landfill is collected and pumped to a treatment facility consisting of an air stripper before discharge to Hayes Creek. This is a new facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Sedan Limestone Company, Inc. Severy Quarry-Severy P.O. Drawer J Sedan, KS 67361	Verdigris River via Fall River via Salt Creek via Severy City Lake via Dry Creek	Washwater settling pond discharge

Greenwood County, Kansas
 Kansas Permit No. I-VE34-P001 Fed. Permit No. KS-0090263
 Description of Facility: This is a limestone quarrying and crushing operation which occasionally washes rock. The washwater is treated with settling ponds before discharge. This is a new facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Trident NGL, Inc. Cheney Gas Processing Plant-Cheney 10200 Grogans Mill Road The Woodlands, TX 77380 Kingman County, Kansas	South fork of the Ninnescah River via Smoots Creek	Cooling tower blowdown

Kansas Permit No. I-AR20-P003 Fed. Permit No. KS-0088528
 Description of Facility: Cooling tower blowdown is dechlorinated by a stripping unit prior to discharge to Smoots Creek. This is a new facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, or Dorothy Geisler (agricultural permits), Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments postmarked or received on or before January 8 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-93-127/130, KS-EG-93-24/25, KS-93-112/116) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61 (28-46-21 for UIC). Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

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

Robert C. Harder
 Secretary of Health
 and Environment

Doc. No. 014238

(Published in the Kansas Register, December 9, 1993.)

State of Kansas

Department of Health
and Environment

Notice of Meeting

The Department of Health and Environment will meet at 9 a.m. Tuesday, December 28, at the SRS Staff Development Training Center, State Complex West, 300 S.W. Oakley, Topeka. The meeting is open to the public. Telephone hook-ups are provided at the KDHE district offices located in Chanute, Wichita, Dodge City, Hays, Salina and Lawrence; and the Pittsburg Office of Surface Mining. Any person requiring visual or communication aid or assistance, building access assistance or other similar assistance should contact Mary Ann Cummings at (913) 296-0461 immediately so appropriate arrangements can be made. In 1994, open meetings will continue to be held the fourth Tuesday of each month. All meetings in 1994 are scheduled to be held in the Kansas Historical Society Auditorium, 120 W. 10th, Topeka.

The agenda for the December 28 opening meeting includes:

- Secretary's Remarks
- Reports from Division of Health and Division of Environment
- Public Hearing and Adoption of:
 - Article 66. Local Environmental Protection Program
 - New: K.A.R. 28-66-1, 28-66-2, 28-66-3, 28-66-4
- Adoption of:
 - Article 39. Licensure of Adult Care Homes-Nurse Aides, Medication Aides, and Home Health Aides
 - Revocations: K.A.R. 28-39-79, 28-39-80, 28-39-81, 28-39-81a, 28-39-81b.
 - New: K.A.R. 28-39-164, 28-39-165, 28-39-166, 28-39-167, 28-39-168, 28-39-169, 28-39-170, 28-39-171, 28-39-172, 28-39-173, 28-39-174.
 - Article 51. Home Health Agency Licensure
 - Amended: K.A.R. 28-51-100, 28-51-101, 28-51-102, 28-51-103, 28-51-104, 28-51-108, 28-51-110, 28-51-111, 28-51-112
- Other items

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 014237

Statutory Notice of Bond Sale
Johnson County, Kansas
\$9,020,000
Library Bonds, Series 1993C

(Special obligations payable from
unlimited ad valorem taxes)

Sealed Bids

Bids, submitted in a sealed envelope marked "Bond Bid," will be received by the undersigned, director of the Office of Financial Management of Johnson County, Kansas, at the Johnson County Administration Building, 2nd Floor, Suite 2500, 111 S. Cherry, Olathe, KS 66061-3441, until 10 a.m. C.S.T. on Thursday, December 16, 1993, for the purchase of the county's \$9,020,000 principal amount of Library Bonds, Series 1993C. All bids will be publicly opened and acted upon by the Board of County Commissioners of Johnson County, Kansas, immediately thereafter. No oral or auction bids will be considered. No bid of less than the par value of the bonds and accrued interest thereon to the date of delivery of the bonds will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof, will be dated January 1, 1994, will be issued in the principal amount of \$9,020,000, and will become due serially on September 1 in each of the years as follows:

Maturity Schedule

Maturity September 1	Principal Amount
1994	\$ 455,000
1995	455,000
1996	455,000
1997	455,000
1998	450,000
1999	450,000
2000	450,000
2001	450,000
2002	450,000
2003	450,000
2004	450,000
2005	450,000
2006	450,000
2007	450,000
2008	450,000
2009	450,000
2010	450,000
2011	450,000
2012	450,000
2013	450,000

The bonds will bear interest from their date at rates to be determined when the bonds are sold as herein provided, which interest will be payable semiannually on March 1 and September 1 in each year, commencing March 1, 1994.

(continued)

Delivery and Payment

The bonds will be delivered to the successful purchaser properly prepared, executed and registered without cost to the purchaser within approximately 45 days after the date of their sale at such bank or trust company in the continental United States as may be specified by the successful bidder and is acceptable to the county.

Good Faith Deposit

A good faith deposit in the form of a certified or cashier's check in the amount of \$180,400 must accompany each bid for the bonds.

Costs

The county will pay the cost of printing the bonds and the expense of all legal services, including the opinion of Burke, Williams, Sorensen & Garr, bond counsel, approving the legality of the bonds and the exclusion of the interest thereon (with specified minor exceptions) from federal and Kansas gross income taxes.

Assessed Valuation and Indebtedness

For the computation of the debt limitation relating to the bonds, the assessed valuation of the taxable tangible property within the county except such real and personal property that is located within the city limits of the city of Olathe, Kansas, and the city of Bonner Springs, Kansas, as of October 21, 1993, is \$2,864,515,170. The total library bonded indebtedness of the county as of the date of the bonds is \$17,865,000.

Additional Information

A complete notice of bond sale, preliminary official statement and bid forms approved by the county will be mailed to all interested parties. Additional information regarding the bonds may be obtained from the financial advisor, Springsted Incorporated, at (612) 223-3000; or from the county's director of the Office of Financial Management at (913) 764-8484, extension 5534.

Johnson County, Kansas
By Ronald F. Cousino, Director
Office of Financial Management
Johnson County Courthouse
Olathe, KS 66061
(913) 764-8484, extension 5534

Doc. No. 014243

State of Kansas**The Kansas Lottery****Temporary Administrative Regulations****Article 2.—LOTTERY RETAILERS**

111-2-6. Retailer incentive bonus; on-line. (a) On all on-line tickets validated on or after February 5, 1989, in which the prize is the "jackpot prize" offered in the game it represents, the Kansas lottery on-line ticket retailer(s) selling the ticket(s) shall receive or share equally in an incentive bonus of one-half of one percent (.5%) of the amount of winnings paid to the holder(s) of the winning ticket(s). The bonus shall be in addition to compensation specified in K.A.R. 111-

2-4, but in no instance shall the incentive bonus exceed \$25,000.

(b) A "jackpot prize" is the highest prize awarded for correctly matching all the numbers reflected in the prize structure of the specific on-line game it represents. In no instance shall a retailer incentive bonus be paid on individual game prizes of \$500 or less.

(c) Effective on and after January 1, 1994, the bonus provisions involving any on-line "jackpot prize" set forth in subsections (a) and (b) shall cease. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710; effective, T-111-1-12-89, Jan. 11, 1989; amended, T-111-1-16-92, Jan. 16, 1992; amended, T-111-11-24-93, Nov. 19, 1993.)

111-2-28. Failure of electronic funds sweep; fees. Effective on and after January 1, 1994, in addition to the contractual provisions in the contract(s) each retailer has with the Kansas lottery regarding payment by the retailer for lottery tickets, the lottery shall assess a fee of \$50 or 2% of the total amount billed to any retailer, whichever is greater, if there are insufficient funds in the retailer's account to make payment through an authorized electronic funds transfer unless such non-payment is due to a mistake of the lottery, the lottery's agent or the financial institution(s) involved. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8706 and 74-8710; effective, T-111-11-24-93, Nov. 19, 1993.)

111-2-29. Retailer incentive bonus; instant. (a) All lottery retailers certified to sell instant lottery tickets on or before January 1, 1993 through June 30, 1993 are eligible to participate in this retailer incentive bonus program.

(b) Any instant lottery ticket retailer location in which total instant ticket sales increase by 10% or more over the six month period set forth in subsection (a), during the selling period starting January 1, 1994 and ending June 30, 1994, will be entitled to a 1% lump sum bonus on all instant ticket sales achieved over that sales period. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-11-24-93, Nov. 19, 1993.)

Article 4.—INDIVIDUAL GAME RULES**RULES FOR INSTANT GAME NO. 66****"BASKETBALL BUCKS"**

111-4-535. Name of game. The Kansas Lottery shall conduct an instant winner lottery game entitled "Basketball Bucks" commencing on or after December 6, 1993. The specific rules for "Basketball Bucks" are contained in K.A.R. 111-3-1 *et seq.* and 111-4-535 through 111-4-538. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-11-24-93, Nov. 19, 1993.)

111-4-536. Definitions. The following definitions shall apply to the "Basketball Bucks" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in WGI Cap Font 15 with matching captions in WGI Cap Font. A game

symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: 60 - 61 - 62 - 63 - 64 - 65 - 66 - 67 - 68 - 69 - 70 - 71 - 72 - 73 - 74 - 75 - 76 - 77 - 78 - 79 - 80 - 81 - 82 - 83 - 84 - 85 - \$1.00 - \$5.00 - 10.00 - \$500\$ - \$1500 - images of a hoop - a basketball - a whistle - a shirt.

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

Game Symbol	Game Symbol Caption
60	SIXTY
61	SIXONE
62	SIXTWO
63	SIXTHR
64	SIXFOR
65	SIXFIV
66	SIXSIX
67	SIXSEV
68	SIXEGT
69	SIXNIN
70	SEVNTY
71	SEVONE
72	SEVTWO
73	SEVTHR
74	SEVFOR
75	SEVFIV
76	SEVSIX
77	SEVSEV
78	SEVEGT
79	SEVNIN
80	EIGHTY
81	EGTONE
82	EGTTWO
83	EGTTHR
84	EGTFOR
85	EGTFIV
\$1.00	ONES
\$5.00	FIVES
10.00	TENS
\$500\$	FIVE-HUN
\$1500	15-HUN
Image of a hoop	HOOP
Image of a basketball	BALL
Image of a whistle	WHIS
Image of a shirt	SHIRT

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears on the front of each instant ticket and will be covered by latex.

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

is printed in black ink on the bottom right portion of the front of each instant game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of six varying locations among the game symbols. The codes and their meanings are as follows: CC = \$1.00; DD = \$2.00; EE = \$3.00; KK = \$5.00; BB = \$10.00; GG = \$15.00. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-11-24-93, Nov. 19, 1993.)

111-4-537. Determination of instant prize winners. (a) An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. Each ticket contains 3 separate "games" marked "Game 1," "Game 2" and "Game 3." Each "game" has a separate prize box. Totals in one "game" relate to that "game" only and not to either of the other two "games." If the number in the play area entitled "Yours" is greater than the number in the play area entitled "Theirs" for that specific game the player wins the prize shown in the appropriate prize box. A player can win up to three times on a single ticket.

(b) On the play area marked "Free Throw," when the player removes or "scratches off" the removable layer of material he or she will find the image of a hoop, a basketball, a whistle or a shirt. If the player finds an image of a basketball appearing under the "Free Throw" area, he or she wins \$5.00. (Authorized by K.S.A. 74-8710(b), (c) and (i); implementing K.S.A. 74-8710(b), (c) and (i) and 74-8720 (b) and (d); effective, T-111-11-24-93, Nov. 19, 1993.)

111-4-538. Number and value of instant prizes. (a) There will be approximately 2,400,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	208,000	\$ 208,000
2 (\$1 + \$1)	128,000	256,000
3 (\$1 + \$1 + \$1)	72,000	216,000
5	8,000	40,000
5 (Bonus)	40,000	200,000
10	8,000	80,000
10 (\$5 + \$5)	16,000	160,000
15 (\$5 + \$5 + \$5)	8,000	120,000
\$30 (\$10 + \$10 + \$10)	4,000	120,000
500	56	28,000
1500 (\$500 + \$500 + \$500)	3	4,500
1500	5	7,500
	<u>492,064</u>	<u>1,440,000</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. Overall odds are one in 4.88.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 74-8710(b), (c) & (f); implementing 74-8710(b), (c) & (f); and 74-8720; effective, T-111-11-24-93, Nov. 19, 1993.)

(continued)

**RULES FOR INSTANT GAME NO. 67
"DOLLAR DOUBLER"**

111-4-539. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Dollar Doubler" commencing on or after December 6, 1993. The specific rules for the "Dollar Doubler" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-539 through 111-4-542. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-11-24-93; Nov. 19, 1993.)

111-4-540. Definitions. The following definitions shall apply to the "Dollar Doubler" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in WGI Symbol Font 15 with matching symbols in WGI Cap Font. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: \$1.00 - \$5.00 - 10.00 - 20.00 - \$2500 - \$5000 - \$\$.

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

Game Symbol	Game Symbol Caption
\$ 1.00	ONES
\$ 5.00	FIVES
10.00	TENS
20.00	TWENTY
\$2500	25-HUN
\$5000	FIVETHOU
\$\$	DOUBLER

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

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

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of six varying locations among the game symbols. The codes and their meanings are as follows: CC = \$1.00; DD = \$2.00; KK = \$5.00; BB = \$10.00; NN = \$20.00. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-11-24-93, Nov. 19, 1993.)

111-4-541. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three (3) of six (6) game which includes a doubler. If three (3) of the six (6) concealed prize amounts match, the player wins the amount shown. If two (2) of the six (6) concealed prize amounts match and a doubler symbol is found, the player wins double the prize amount. No ticket will be eligible to win more than one prize. Prizes a player may win are as follows:

Get	Win
3 - \$ 1.00	One Dollar
2 - \$ 1.00 + Doubler	Two Dollars
3 - \$ 5.00	Five Dollars
2 - \$ 5.00 + Doubler	Ten Dollars
3 - \$ 10.00	Ten Dollars
3 - \$ 20.00	Twenty Dollars
2 - \$ 20.00 + Doubler	Forty Dollars
3 - \$2500.00	Two Thousand Five Hundred Dollars
2 - \$2500.00 + Doubler	Five Thousand Dollars
3 - \$5000.00	Five Thousand Dollars

(Authorized by K.S.A. 74-8710(b), (c) & (i); implementing K.S.A. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective, T-111-11-24-93, Nov. 19, 1993.)

111-4-542. Number and value of instant prizes.

(a) There will be approximately 2,400,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1's	240,000	\$ 240,000
3 - \$1's (*)	160,000	320,000
3 - \$5's	64,000	320,000
2 - \$5's (*)	16,000	160,000
3 - \$10's	8,000	80,000
3 - \$20's	8,000	160,000
2 - \$20's (*)	3,120	124,800
3 - \$2,500's	4	10,000
2 - \$2,500's (*)	2	10,000
3 - \$5,000's	3	15,000
\$5,000	3	15,000
	<u>499,129</u>	<u>\$1,439,800</u>

(*) denotes doubler

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

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 74-8710(b), (c) & (f); implementing K.S.A. 74-8710(b), (c) & (f); and 74-8720; effective, T-111-11-24-93, Nov. 19, 1993.)

Gregory P. Ziemak
Executive Director

Doc. No. 014225

State of Kansas

Department of Health
and EnvironmentPermanent Administrative
RegulationsArticle 15.—APPLICATION FOR PERMITS;
DOMESTIC WATER SUPPLY**28-15-35. Conditions of certification. (a)**
Definitions.

(1) "Analyst" means a person who performs tests with minimal supervision in those specialties for which that person is qualified by education, training and experience.

(2) "Analyte" means any element, compound or substance for which analysis is performed.

(3) "Approved performance evaluation sample" means an external sample required to be analyzed as a means of assessing analytical proficiency. Studies which offer approved samples may include the EPA water pollution and water supply studies.

(4) "Certification" means the issuance of a document by the secretary attesting to the fact that a laboratory has met the minimum requirements of K.A.R. 28-15-35, 28-15-36, 28-15-36a, and 28-15-37.

(5) "Certified" means a laboratory which meets all of the requirements for certification as defined in K.A.R. 28-15-36 or 28-15-36a.

(6) "Clean Water Act (CWA)" means U.S. public law 92-500 as in effect on October 18, 1972 and amendments thereto, which governs water pollution control programs.

(7) "Conditional certification" means certification issued for:

(A) an additional parameter utilizing a technology not previously inspected by the laboratory certification officer and for which acceptable performance studies, if available, have been successfully analyzed; or

(B) a field laboratory prior to inspection.

(8) "Department" means the Kansas department of health and environment.

(9) "EPA" means the U.S. environmental protection agency.

(10) "Field laboratory" means any Kansas environmental laboratory performing compliance analyses limited to one or more of the following parameters:

(A) chlorine;

(B) dissolved oxygen;

(C) hydrogen ion (pH);

(D) settleable solids;

(E) sulfite;

(F) temperature; or

(G) turbidity.

(11) "Interim certification" means certification based upon state-of-the-art technology for which EPA has not yet given method approval and for which monitoring is required by the department.

(12) "Laboratory" means a single, fixed organizational unit under single management which can be identified as a reporting unit consisting of one or more physical facilities engaged in the receiving, analysis,

and reporting of results of environmental testing. Mobile laboratories are not eligible for certification.

(13) "Laboratory certification officer" means any person determined by the department to have adequate credentials to evaluate laboratories supplemented by successful completion of the EPA drinking water laboratory certification officers' training course.

(14) "Laboratory director" means a person whose functions are to direct technical personnel and evaluate the quality of test procedures performed in the laboratory.

(15) "Laboratory manager" means the person who has the administrative and legal responsibility for the operation of a laboratory.

(16) "Parametric group" means the analyses of related parameters utilizing a single method.

(17) "Provisionally certified" means a laboratory which has deficiencies but has corrective action in progress and can still produce valid data.

(18) "Reciprocity" means department recognition of the validity of certification granted by another state, federal or independent agency in order to issue Kansas certification, based upon the evaluation conducted by that agency.

(19) "Resource Conservation and Recovery Act (RCRA)" means U.S. public law 93-580 as in effect on January 2, 1975 and amendments thereto, which governs solid and hazardous waste programs.

(20) "Safe Drinking Water Act (SDWA)" means U.S. public law 93-523 as in effect on December 16, 1974 and amendments thereto, which governs drinking water programs.

(21) "Secretary" means the secretary of the department.

(22) "Uncertified status" means the loss of certification for a single parameter or parametric group.

(b) Initial application. An initial application shall be made on forms provided by the department. The application shall include the following:

(1) laboratory name and address;

(2) name and address of owner or owners of the laboratory;

(3) the parameters and methods for which approval is being sought;

(4) names of the laboratory director, laboratory manager, or consultant and analytical personnel, with their training and experience; and

(5) the application fees as provided for in K.A.R. 28-15-37.

(c) Completed application forms shall be submitted to the department. The laboratory certification officer shall then determine which parameters or parametric groups may be considered for approval. A statement of fees shall be determined and an on-site review, if applicable, shall be scheduled. Upon determination that the laboratory meets the minimum requirements established in K.A.R. 28-15-36, a certificate shall be issued. To maintain uninterrupted certification, each laboratory shall file an application for renewal at least 60 calendar days before the current application expires.

(continued)

(d) When applications are submitted requesting certification for additional analytes, the expiration date for such additional certification shall be the same date indicated on the certificate currently in effect for that laboratory.

(e) A laboratory certification officer shall conduct on-site evaluations at a frequency established by the secretary, but at a minimum of at least once every three years. On-site evaluations shall be conducted to determine that the laboratory continues to meet the minimum requirements for certification as defined in K.A.R. 28-15-36. Additional on-site evaluations may be conducted at the discretion of the secretary. An on-site evaluation may also be performed to resolve complaints or problems indicated by deficiencies from performance evaluation audits, deficiencies from prior on-site evaluations or when a certified laboratory changes location and/or key personnel.

(f) Scope of certification.

(1) Laboratories may be certified for any of the following: (A) drinking water certification;

(B) wastewater certification;

(C) solid/hazardous waste certification; or

(D) field laboratory certification as required by the SDWA, and CWA. Approval for individual parameters will be granted based upon approved methodology and successful completion of an on-site evaluation.

(2) Interim certification and conditional certification may also be granted for individual parameters or parametric groups.

(3) Certification of field laboratories shall be limited to parameters defined in paragraph (a)(10) of this regulation.

(g) Notification of certification.

(1) A certificate shall be issued by the secretary at the beginning of a certification period to each laboratory satisfactorily meeting all requirements of K.A.R. 28-15-35, 28-15-36, 28-15-36a, and 28-15-37. The parameters or parametric groups for which the laboratory is certified shall be noted.

(2) Downgrade of certification status.

(A) Drinking water certification may be downgraded from certified status to provisional status or from provisional status to uncertified status for the following reasons:

(i) failure to analyze a performance evaluating audit-sample within acceptance limits established by USEPA;

(ii) failure of a certified laboratory to notify the laboratory certification officer in writing within 30 days of changes in laboratory manager or laboratory director; analytical methodology, laboratory location, laboratory name or ownership; or

(iii) failure to satisfy the laboratory certification officer that the laboratory is maintaining the required standard of quality, based upon an on-site evaluation.

Corrective action on deficiencies cited shall be submitted within 30 days.

(B) Wastewater, and Solid/Hazardous waste certification may be downgraded from certified status to uncertified status for the following reasons:

(i) failure to analyze a performance evaluation audit sample within acceptance limits established by the department;

(ii) failure of a certified laboratory to notify the laboratory certification officer in writing within 30 days of changes in laboratory manager or laboratory director, methods which involve a change in technology, or laboratory location; or

(iii) failure to satisfy the laboratory certification of quality, based upon an on-site evaluation.

Corrective action on deficiencies cited shall be submitted within 30 days.

(h) Revocation of certificate. A certificate may be revoked when it is determined that there has been:

(1) failure to maintain compliance with K.A.R. 28-15-35, 28-15-36, 28-15-36a, and 28-15-37;

(2) reporting as official compliance data, any parameter or analytical result for which certification has not been obtained; or

(3) false reporting or other misrepresentations of fact.

(i) The affected laboratory shall be notified in writing of the specific action taken, the reasons for revocation, and the effective date of revocation. Analytical results obtained after a certificate has been revoked or downgraded to uncertified status cannot be submitted as official compliance data in conforming with requirements of K.S.A. 65-163 to 65-171t, inclusive, and K.A.R. 28-15-35, 28-16-28b, 28-16-63 and 28-31-4.

(j) Recertification after revocation.

(1) After revocation, the laboratory may not seek recertification for six months.

(2) Recertification shall not be made until a laboratory has demonstrated to the satisfaction of the secretary that the deficiencies which caused revocation have been corrected.

(3) For recertification a new initial application form shall be submitted.

(k) (1) Establishment of reciprocity for the certification of laboratories located outside the state of Kansas. Laboratories located outside of the state of Kansas, that perform laboratory services in compliance with K.S.A. 65-163 to 65-171t, inclusive, and K.A.R. 28-15-35, 28-16-28b, 28-16-63, and 28-31-4, may be certified by the department, providing that the laboratory is certified by a federal, state or independent agency having equivalent or more stringent standards than those denoted herein.

(2) Each out-of-state laboratory shall submit the following documentation for evaluation by the department:

(A) current certification with a minimum unexpired duration of at least three months from initial application, or if a renewal application, three months beyond the expiration date of the Kansas certificate;

(B) a report of the most recently completed on-site evaluation from the certifying authority. The evaluation shall have been completed within the last three years and shall include the laboratory's response to all deviations;

(C) personnel qualifications;

(D) analytical methods utilized;

(E) standards on which current certification is based; and

(F) any other documentation as deemed by the department to be pertinent.

(3) Documentation shall be accompanied by the appropriate application fee and program review fee.

(4) Laboratories located outside of Kansas shall not be approved as field laboratories.

(5) In lieu of reciprocity, out-of-state laboratories may apply for and receive certification from the department provided that:

(A) the laboratory is located within 25 miles of the Kansas border;

(B) the laboratory is performing laboratory services for their own company facility located within the state of Kansas to comply with K.S.A. 65-163 to 65-171t, inclusive, and K.A.R. 28-15-25, 28-16-28b, 28-16-63, and 28-31-4; and

(C) the laboratory meets all other requirements for certification as denoted herein. (Authorized by and implementing K.S.A. 65-1711, 65-3431; effective, E-79-14, June 23, 1978; effective May 1, 1979; amended May 1, 1983; amended May 1, 1986; amended May 1, 1988; amended Jan. 24, 1994.)

28-15-36. Requirements for certification other than field laboratories. The following requirements shall serve as the basis for certification of environmental laboratories. (a) Personnel requirements. The laboratory shall have personnel to perform all analyses and conduct all quality assurance activities for which the laboratory is to be certified. An individual assuming the duties of more than one position shall meet the more stringent of the two duties' qualifications. Each laboratory shall be certified only after presentation of satisfactory documentation to the department regarding education and work experience of the laboratory manager, laboratory director and analysts.

(1) Laboratory manager. If the legal and administrative responsibilities of the laboratory are not held by the laboratory director, the position of laboratory manager shall be required.

(2) Laboratory director. The laboratory director is responsible for the technical and scientific oversight of the laboratory.

(A) The minimum qualifications for a laboratory director shall be as follows:

(i) a bachelor's degree in the sciences from an accredited institution of higher education. The individual shall have the number of credit hours in the appropriate specialty equivalent to a degree minor, plus two years work experience in the appropriate specialty in a certified environmental laboratory or its equivalent as determined by the laboratory certification officer; or

(ii) completion of a number of credit hours in the appropriate specialty equivalent to a degree minor and six years of analytical laboratory experience.

(B) Persons working in the capacity of laboratory director in a Kansas certified laboratory on the effective date of this regulation may continue to qualify as the laboratory director.

(C) The minimum qualifications requirements for a laboratory director may be waived for municipal and field laboratories performing limited testing.

(3) Consultant.

(A) If a laboratory director is not available, a consultant having the qualifications stated in paragraph (a) (2)(A)(i) of this regulation, may be substituted.

(B) A consultant shall have a valid contract with the certified laboratory.

(C) The consultant shall meet with the certified laboratory on a regular basis and be available at all times for problem solving.

The consultant requirement may be waived for municipal and field laboratories performing limited testing. The position of laboratory manager is required.

(4) Chemist. The chemist performs organic, inorganic, or physical analyses. The minimum qualification for all chemists shall be a bachelor's degree in chemistry or a related field from an accredited institution of higher education.

(5) Chemical analyst. The chemical analyst performs organic, inorganic, or physical analyses under supervision. The minimum qualification for all chemical analysts shall be a high school diploma or its equivalent.

(6) Chemist and chemical analyst. Qualifications for operators of atomic absorption (AA), ion chromatograph (IC), gas chromatograph (GC), gas chromatograph/mass spectrometer (GC/MS), inductively coupled plasma (ICP), inductively coupled plasma/mass spectrometer (ICP/MS), liquid chromatograph (LC), high performance liquid chromatograph (HPLC), and transmission electron microscope (TEM) instruments shall be:

(i) satisfactory completion of a short course in AA, IC, GC, GC/MS, ICP, ICP/MS, LC, HPLC, or TEM offered by an equipment manufacturer, professional organization, university, or other qualified training facility, which may include in-house training;

(ii) six months' experience in the operation of the AA, IC, GC, ICP, LC, HPLC, or TEM;

(iii) twelve months' experience in the operation of the GC/MS, or ICP/MS; and

(iv) after being trained in a methods training course or by any qualified analyst, the person trained shall demonstrate acceptable results in the analysis of applicable quality control samples or performance evaluation samples.

(7) Biologist or microbiologist. The biologist or the microbiologist performs aquatic toxicity tests or microbiological analysis. Minimum qualifications shall be:

(A) a bachelor's degree in biology, microbiology or related field, plus one year analytical experience in a biology, microbiology laboratory or its equivalent; and

(B) a minimum of two weeks' training from a federal, state or academic institution in aquatic toxicity or microbiology testing.

(8) Biology analyst or microbiological analyst. The biology analyst or microbiological analyst performs microbiological or biological tests with minimum supervision. Minimum qualifications for the microbiology analyst or the biology analyst shall be:

(continued)

- (A) a high school diploma or equivalent; and
- (B) training in microbiological or biological analysis acceptable to the laboratory certification officer; and
- (C) a minimum of 30 days on-the-job training.

(9) Data produced by chemistry, biology or microbiology analysts while in the process of obtaining the required training or experience shall be acceptable when reviewed and validated by a fully qualified analyst or laboratory director.

(10) Change of personnel. A certified laboratory shall notify the laboratory certification officer in writing when changes of the laboratory manager, laboratory director or key personnel occur. A personnel form shall be submitted for each new employee in each category. This written notification shall be submitted within 30 days of the change.

(b) Laboratory facilities.

(1) Each facility for chemical analyses shall meet the following requirements.

(A) Each facility shall be clean, air conditioned, and have adequate light and ventilation.

(B) Each laboratory shall have sufficient bench-top area for processing samples and storage. Sufficient bench-top area should be approximately 10 linear feet of usable bench space per analyst. Sufficient floor space should be 150 to 200 square feet per analyst.

(C) Each laboratory shall have adequate provisions for the proper disposal of chemical and biological wastes.

(D) The analytical and sample storage areas shall be isolated from all potential sources of contamination.

(E) Each laboratory shall have a safety plan as part of its standard operating procedure. Where safety practices are included in an approved method, they shall be strictly followed.

(F) Exhaust hoods shall be required for the analysis or handling of trace elements and organics. This includes venting for preparation, extraction and analysis.

(2) Each facility for microbiological examinations shall meet the following requirements.

(A) Work space shall include:

(i) sufficient bench-top area for processing samples;

(ii) storage space for media, glassware, and portable equipment;

(iii) floor space for stationary equipment; and

(iv) an area for cleaning glassware and for sterilizing materials.

(B) Each facility shall be clean, air conditioned, and have adequate lighting at the bench-top.

(C) Each laboratory shall have a safety plan as part of its standing operating procedure. Where safety practices are included in an approved method, they shall be strictly followed.

(D) Each laboratory shall have adequate provisions for the proper disposal of chemical and biological wastes.

(3) Facilities for biological analyses shall meet the following requirements.

(A) Work space shall be adequate to accommodate peak workload. It shall include sufficient bench-top area for processing samples, storage space for reagents, glassware, aquariums and other portable equipment.

There shall be sufficient floor space for stationary equipment and an associated area for cleaning glassware and for preparing materials. Toxicity testing and chemical analyses shall be done in separate areas. Culture maintenance shall be done in a separate room.

(B) Each facility shall be capable of holding a consistent ambient temperature.

(C) Each facility shall be clean, air conditioned, and have adequate lighting at the bench-top.

(c) Laboratory equipment and supplies. All equipment, reagents, and glassware necessary for the satisfactory performance of laboratory analyses shall be on hand for the specific analysis for which the laboratory is to be certified. Equipment and instrumentation used for biomonitoring, shall not be used for other laboratory testing.

(d) Sample collection, handling and preservation. To ensure the quality of environmental analysis, each sample shall be properly collected, handled and preserved. Each laboratory shall ensure that the sample has been properly handled prior to analysis regardless of who has responsibility for sample collection. Each sample collected for compliance purposes shall meet all EPA collection, handling and preservation requirements as prescribed by the regulations promulgated under the clean water act, the safe drinking water act and the resource conservation and recovery act.

(1) When the client has responsibility for sample collection the laboratory shall meet the following requirements.

(A) Sample containers shall be of an EPA-approved type that is compatible with the analysis requested.

(B) Sample preservation shall be in the manner prescribed by EPA-approved methodology for the analysis requested.

(C) The time and date of collection of each sample shall be known by the laboratory to ensure that required EPA holding times have not been exceeded.

(2) When the laboratory has responsibility for sample collection, in addition to the requirements of section (d)(1), the laboratory shall meet the following requirements.

(A) The sample collector shall be trained in sampling procedures. A written sampling protocol with specific sampling instructions shall be available to each sample collector, and for inspection by the laboratory certification officer.

(B) A sample collection form shall be completed. This form shall contain sampling location, date and time of collection, collector's name, method of preservation, and any special remarks concerning the sample.

(C) Upon receipt in the laboratory, each sample shall be labeled so as to be continuously uniquely identified.

(D) Each laboratory shall have available an acceptable chain-of-custody procedure from collection through analysis which can document every person who handles samples.

(E) For each sample that is forwarded to another laboratory for analysis, an appropriate chain of custody form shall be maintained. A copy of each original laboratory report form shall be maintained. The reporting

laboratory shall specify the name of the laboratory performing the analysis.

(e) Analytical methods.

(1) Each drinking water sample analyzed under the safe drinking water act shall be analyzed in accordance with methods and method detection limits approved by the laboratory certification officer as required by the safe drinking water act.

(2) Each environmental water sample analyzed under the clean water act shall be analyzed in accordance with methods approved by the laboratory certification officer as required by the clean water act.

(3) Each solid and hazardous waste sample analyzed under the resource conservation and recovery act shall be analyzed in accordance with methods approved by the laboratory certification officer as required by the resource conservation and recovery act.

(4) Interim methods. Parameters required by the department for compliance with regulatory programs for which there are no EPA-approved methods may be granted interim certification.

(f) Laboratory quality assurance program. Each certified environmental laboratory shall implement and maintain an effective written quality assurance plan to ensure that routinely generated analytical data are scientifically valid and defensible and are of known and acceptable precision and accuracy. The following are the minimum areas that shall be addressed in the quality assurance plan.

(1) Sampling procedures. Sampling equipment, techniques, containers, preservation and holding times shall be defined.

(2) Instrument calibration procedures and frequency. Specific routine procedures for calibrating analytical instruments shall be defined.

(3) Analytical methods.

(A) A list of analytical tests and parameters performed by the laboratory shall be compiled. For each parameter, this list shall include the method reference, method detection limit and, if established, the practical quantitation limit.

(B) A written procedure for conducting analytical tests shall be available.

(4) Internal quality control procedures and frequency of use. Internal quality control procedures shall include the preparation and use of calibration curves, instrument calibration, laboratory calibration check standards, matrix spike and matrix spike duplicate analysis. If the method includes a description of quality control measures, these measures shall be followed. Additionally, it is required to analyze a standard reference once every calendar quarter for every applicable analytical parameter and as a verification for newly prepared standards.

(5) Data reduction and reporting. Procedures for data reduction, and for the conversion of raw data to final concentrations shall be defined. Reporting procedures and format shall be included.

(6) Performance evaluation. The type and frequency of external performance evaluation audits shall be addressed.

(7) Written preventive maintenance procedure and schedules shall be addressed.

(8) Data acceptability. Routine procedures shall be established to determine data precision and accuracy. Quality control data shall be reviewed periodically and shall be available for inspection by the laboratory certification officer.

(9) Corrective action. Details of any measures to be taken when data that are obtained from analytical quality control checks are unacceptable shall be outlined.

(10) The quality assurance plan shall be reviewed, approved and signed annually by the laboratory manager or laboratory director.

(g) Records management. Analytical data shall be reported in units consistent with monitoring agency requirements. A record of each environmental analysis shall be kept by the laboratory for not less than five years or as specified by the safe drinking water act, the clean water act, and the resource conservation and recovery act. One year of the most current records shall be kept on-site and the remaining four years of records may be archived in a secure and easily accessible storage facility. These records shall include final reports, all raw data, data collection sheets, calculations, instrument calibration/tuning, quality assurance data and performance evaluation results. The following information shall also be included:

(1) Date, place and time of sampling and the name of the person who collected the sample.

(2) Identification of the sample.

(3) Date of sample receipt and date and time of analysis.

(4) Person responsible for performing the analysis.

(5) Analytical method used.

(6) Results of analysis.

(7) Laboratory name or place of analysis.

(8) Documentation of appropriate sample disposal.

(h) Performance evaluation. Each laboratory, excluding field laboratories, shall be certified only after obtaining acceptable results from the analysis of approved performance evaluation samples submitted to the laboratory. A minimum of one performance evaluation study, if available, shall be satisfactorily analyzed by an applicant prior to certification. In conjunction with the resolution of complaints or at the discretion of the laboratory certification officer, additional audit samples may be submitted to a certified laboratory to determine the quality of its routine analytical work. Criteria for acceptable performance shall be available from the department. (Authorized by and implementing K.S.A. 65-1711, 65-3431 and 65-3406; effective, E-79-14, June 23, 1978; effective May 1, 1979; amended May 1, 1983; amended May 1, 1986; amended May 1, 1988; amended Jan. 24, 1994.)

28-15-36a. (a) Requirements for certification of field laboratories. Certification of a field laboratory shall be granted only to those laboratories performing environment analyses limited to one or more of the following parameters:

(1) chlorine;

(2) dissolved oxygen;

(continued)

- (3) hydrogen ion (pH);
- (4) settleable solids;
- (5) sulfite;
- (6) temperature; or
- (7) turbidity.

(b) Personnel. Personnel performing analytical procedures in a field laboratory shall meet the following minimum qualifications:

- (1) a high school diploma or equivalent; and
- (2) one month's experience in performing the analyses being considered for approval.

(c) Facilities and equipment.

(1) The following shall be at a fixed location and available to the analyst:

- (A) six linear feet of usable bench space;
- (B) a sink with hot and cold running water;
- (C) adequate electrical sources; and
- (D) a source of laboratory pure water.

(2) Only those items of equipment which are necessary for the performance of the analyses under consideration shall be required to be available.

(d) Analytical methods. Drinking water samples shall be analyzed in accordance with methods approved by the laboratory certification officer as required by the safe drinking water act. Environmental water samples analyzed under the clean water act shall be analyzed in accordance with methods approved by the laboratory certification officer as required by the clean water act.

(e) Sample collection and handling. All samples collected for field laboratory analysis shall be analyzed immediately. Temperature shall be read at the sample site. If field laboratory analyses are not performed immediately, the data reported to the department for that sample shall be clearly identified as exceeding holding time.

(f) Quality assurance plan. Each certified environmental field laboratory shall implement and maintain an effective written quality assurance plan to ensure that routinely generated data are scientifically valid and defensible and are of known and acceptable precision and accuracy.

(g) Data handling.

(1) All records relating to data submitted to the department for regulatory compliance purposes shall be retained by the laboratory for at least five years. This includes any pertinent raw data, calculations, analytical quality control data, sampling data and reports.

(2) The sampling data to be retained shall include:

- (A) date, time and location of sampling and analysis;
- (B) person collecting the sample;
- (C) name of the analyst; and
- (D) type of analysis, method utilized and results.

(Authorized by and implementing K.S.A. 65-1711, 65-3406, and 65-3431; effective Jan. 24, 1994.)

28-15-37. Fees. (a) The environmental laboratory certification fee schedule shall be as follows.

(1) There shall be an application fee of \$150.00 for each type of certificate.

(2) There shall be a program review fee for any out-of-state laboratory of \$75.00 for each type of certification review.

(b) The fees set forth in subsection (a) of this regulation shall be submitted with the appropriate application form provided by the Kansas department of health and environment.

(c) Upon receipt and review of the application, a statement of certification fees shall be calculated and issued to the laboratory, by the department as follows.

(1) For each type of certificate, excluding field laboratory certification, the annual fee shall be \$30.00 for each individual chemical parameter and \$50.00 for parametric groups to a maximum of \$800.00.

(2) The fee for microbiology shall be \$200.00.

(3) The fee for biomonitoring shall be \$200.00.

(4) For field laboratory certification, the fee for each parameter shall be \$90.00.

(d) A fee of \$50.00 shall be assessed for each parameter requested as an additional analyte during the certification period. This fee shall be assessed in addition to any maximum limit.

(e) Fees shall be remitted in full prior to the issuance of the certificate. Fees shall not be refunded except in the case of overpayment. Payment of fees shall be made to the Kansas health and environmental laboratory, laboratory certification, Kansas department of health and environment, Topeka, Kansas, 66620-0001. (Authorized by and implementing K.S.A. 65-156, 65-166a; 65-1,109a; effective, E-79-14, June 23, 1978; effective May 1, 1979; amended May 1, 1986; amended Jan. 24, 1994.)

Article 19.—AMBIENT AIR QUALITY STANDARDS AND AIR POLLUTION CONTROL

28-19-14. Permits required. (a)(1) Each person who proposes to construct, alter, use, or operate any air contaminant emission source that is required to be reported under K.A.R. 28-19-8 and that has a potential contaminant emission rate in excess of the following limitations shall obtain a permit from the department of health and environment before beginning this activity:

(A) Ten tons per year or more of particulate matter;

(B) for agricultural-related activity, 100 tons per year or more of particulate matter, or 25 tons per year or more of particulate matter when a review and approval under the provisions of K.A.R. 28-19-16 or 28-19-17 is required;

(C) ten tons per year or more of sulfur oxides;

(D) ten tons per year or more of carbon monoxide;

(E) ten tons per year or more of volatile organic compounds, excluding methane;

(F) fifty tons per year or more of oxides of nitrogen;

(G) any measurable amount of lead or lead compound; and

(H) any emission sources required to be reported under K.A.R. 28-19-8(b)(9).

(2) The above limitations shall be determined on the basis of net potential contaminant emission rate. Each emission rate shall be the total new potential contaminant emission rate or rates resulting from a particular physical change, from a change in the method of operation of a stationary source or both, minus the sum

of the total potential contaminant emission rate or rates prior to the physical change or change in the method of operation of a stationary source or both.

(b) Application for a permit for the construction, alteration, use or operation of an emission source shall be made on forms provided by the department. Forms shall be sent to the person proposing the activity after that person reports in accordance with K.A.R. 28-19-8. Any applicant may be required to furnish additional relevant information to determine compliance with regulations.

(c) Each completed application shall be reviewed and written notice shall be provided to the applicant that the permit has been approved, given conditional approval or denied, within 180 days of receipt of the completed application. The reasons for denial of each application shall be specified.

(d) Each permit issued for the construction or alteration of a source shall become void if the construction or alteration has not commenced within 18 months after permit issuance, or if the activity required to complete the alteration or construction has been discontinued for 18 months or more.

(e) A permit required for the construction or alteration of a source shall not be issued if the department determines that the air contaminant emissions from the source will interfere with the attainment or maintenance of any ambient air quality standard that has been established under the provisions of the federal clean air act, and amendments to it, or under the provisions of state law.

(f) Subject to the provisions of subsection (i) of this regulation, an operating permit shall be issued by the secretary for any source that is operating, under construction, under purchase contract, or that is being altered on January 1, 1984. These sources shall be considered existing sources for the purpose of initially complying with permit requirements.

(g) Each permit that is issued may be conditioned upon compliance by the owner or operator with any

special restrictions that are deemed necessary to insure compliance with these regulations, or otherwise prevent air pollution. The restrictions may include, but need not be limited to, special requirements concerning methods of operation, emissions limitations or control procedures to be implemented. Each restriction shall be stipulated in writing as part of, or as an attachment to, the permit.

(h) Each permit that is issued may stipulate one or more air contaminant emission sources that are approved to be constructed, altered, used, or operated. The sources shall be located on the same premises, shall be under one ownership, and shall be considered as part of the same industrial grouping as determined by the department. The industrial grouping shall be identified by using the industrial titles and descriptions provided in the "standard industrial classification manual 1987," as published by the U.S. government printing office, stock number 041-001-00314-2, which is adopted by reference.

(i) An operating permit with an expiration date of December 31, 1993 or later shall continue to be valid unless the permit has been revoked, suspended or otherwise been determined invalid or until the date the owner or operator of the source is required to file a reapplication for an operating permit with the department. (Authorized by K.S.A. 65-3005; implementing K.S.A. 65-3005, and K.S.A. 65-3008; effective, E-78-8, Dec. 27, 1972; effective Jan. 1, 1974; amended, T-84-39, Dec. 21, 1983; amended May 1, 1984; amended May 1, 1986; amended May 1, 1987; amended Oct. 16, 1989; amended Jan. 24, 1994.)

28-19-14b. (Authorized by and implementing K.S.A. 65-3005, and K.S.A. 1984 Supp. 65-3008; effective, T-84-39, Dec. 30, 1983; effective May 1, 1984; amended, T-85-29, Nov. 14, 1984; amended May 1, 1985; revoked Jan. 24, 1994.)

Robert C. Harder
Secretary of Health
and Environment

Doc. No. 014227

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. This cumulative index supplements the index found in the 1992 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-2-30	Amended	V. 12, p. 902
1-2-34	New	V. 11, p. 1016
1-2-46	Amended	V. 12, p. 1705
1-2-81	Revoked	V. 11, p. 278
1-5-15	Amended	V. 12, p. 1705
1-5-28	Amended	V. 12, p. 902

1-6-2	Amended	V. 11, p. 278	1-16-2k	Amended	V. 12, p. 722, 865
1-6-22a	New	V. 12, p. 1706	1-16-18	Amended	V. 12, p. 6, 54
1-6-23	Amended	V. 12, p. 1706	1-16-18a	Amended	V. 12, p. 7, 55
1-6-31	Amended	V. 11, p. 1016	1-16-22	Amended	V. 12, p. 865
1-6-32	Amended	V. 11, p. 278	1-18-1a	Amended	V. 12, p. 865
1-7-4	Amended	V. 12, p. 1707	1-21-1	Amended	V. 12, p. 865
1-8-7	Amended	V. 11, p. 1017	1-21-2	Amended	V. 12, p. 866
1-9-4	Amended	V. 11, p. 1017	1-21-3	Revoked	V. 12, p. 866
1-9-5	Amended	V. 12, p. 902	1-21-4	Amended	V. 12, p. 866
1-9-6	Amended	V. 12, p. 1708	1-21-5	Revoked	V. 12, p. 866
1-9-13	Amended	V. 12, p. 1709	1-21-6	Revoked	V. 12, p. 866
1-9-18	Amended	V. 11, p. 1020	1-21-7	Amended	V. 12, p. 866
1-9-19a	Amended	V. 11, p. 279	1-21-8	Revoked	V. 12, p. 866
1-9-21	Amended	V. 12, p. 903	1-21-9	Revoked	V. 12, p. 866
1-9-23	Amended	V. 12, p. 903	1-21-10	Revoked	V. 12, p. 866
1-9-24	New	V. 12, p. 1709, 1779	1-21-11	Revoked	V. 12, p. 866
1-10-6	Amended	V. 12, p. 1709	1-21-12	Amended	V. 12, p. 866
1-13-1a	Amended	V. 12, p. 1817	1-22-1		
1-14-6	Amended	V. 12, p. 1817	1-22-5	Revoked	V. 12, p. 722, 867
1-14-7	Amended	V. 12, p. 1817	1-28-1	Revoked	V. 12, p. 867
1-14-8	Amended	V. 12, p. 1710	1-28-2	Revoked	V. 12, p. 867
1-14-10	Amended	V. 12, p. 1818	1-28-2	Amended	V. 11, p. 1195
1-14-12	New	V. 12, p. 1711	1-45-14	Amended	V. 11, p. 1195
1-16-2	Amended	V. 12, p. 721, 864	1-46-1	Amended	V. 11, p. 1195
1-16-2a	Amended	V. 12, p. 721, 864	1-46-3	Amended	V. 11, p. 1195
1-16-2b	Amended	V. 12, p. 721, 864	1-49-11	New	V. 12, p. 1711
1-16-2d	Amended	V. 12, p. 721, 864			
1-16-2f	Revoked	V. 12, p. 722, 865			

(continued)

1-50-2 Revoked V. 12, p. 867
 AGENCY 2: MUNICIPAL ACCOUNTING BOARD
 Reg. No. Action Register
 2-3-3 Revoked V. 12, p. 887

AGENCY 4: BOARD OF AGRICULTURE
 Reg. No. Action Register
 4-4-900 Amended V. 11, p. 1895
 4-4-923 Amended V. 11, p. 1895
 4-4-924 Amended V. 11, p. 1895
 4-4-931 Amended V. 11, p. 1896
 4-4-932 Amended V. 11, p. 1896
 4-4-933 Amended V. 11, p. 1896
 4-4-934 Amended V. 11, p. 1897
 4-4-935 Amended V. 11, p. 1897
 4-4-956 New V. 11, p. 1897
 4-7-716 Amended V. 11, p. 555
 4-7-719 Amended V. 11, p. 63
 4-8-14a Amended V. 12, p. 1212
 4-8-27 Amended V. 11, p. 555
 4-8-28 Amended V. 12, p. 1212
 4-8-32 Amended V. 12, p. 1213
 4-8-33 Amended V. 11, p. 1898
 4-8-40 Amended V. 11, p. 1898
 4-8-41 New V. 11, p. 555
 4-10-1 Amended V. 11, p. 1898
 4-13-36 Amended V. 11, p. 1899
 4-13-38 Amended V. 11, p. 1899
 4-13-41 Amended V. 11, p. 1900
 4-13-42 Amended V. 11, p. 1900
 4-13-62 Amended V. 11, p. 1900
 4-13-63 Amended V. 11, p. 1901
 4-15-2 Amended V. 11, p. 555
 4-16-1a Amended V. 11, p. 1901
 4-16-1c Amended V. 11, p. 1901
 4-16-7a Amended V. 11, p. 1901
 4-16-300 through
 4-16-305 New V. 11, p. 556, 557
 4-17-1a Amended V. 11, p. 1901
 4-17-1c Amended V. 11, p. 1902
 4-17-5a Amended V. 11, p. 1902
 4-17-300 through
 4-17-305 New V. 11, p. 557, 558

AGENCY 5: BOARD OF AGRICULTURE—DIVISION OF WATER RESOURCES
 Reg. No. Action Register
 5-42-1 Amended V. 11, p. 361
 5-42-3 Amended V. 11, p. 361
 5-45-1 through
 5-45-4 Amended V. 11, p. 361-363
 5-45-6 Amended V. 11, p. 363
 5-45-7 Amended V. 11, p. 363
 5-45-12 Amended V. 11, p. 363
 5-45-13 Amended V. 11, p. 364
 5-45-14 through
 5-45-17 New V. 11, p. 364, 365

AGENCY 7: SECRETARY OF STATE
 Reg. No. Action Register
 7-23-8 New V. 11, p. 1257, 1296
 7-27-1 Amended V. 12, p. 1336
 7-29-1 Revoked V. 12, p. 1336
 7-29-2 Amended V. 12, p. 1336
 7-32-1 Amended V. 11, p. 1117, 1143

AGENCY 14: DEPARTMENT OF REVENUE—DIVISION OF ALCOHOLIC BEVERAGE CONTROL
 Reg. No. Action Register
 14-10-5 Amended V. 11, p. 1929
 14-10-10 Amended V. 11, p. 1930
 14-10-11 Amended V. 11, p. 1930
 14-10-12 Amended V. 11, p. 1931
 14-13-1 Amended V. 11, p. 1931
 14-13-2 Amended V. 11, p. 1932
 14-13-13 Amended V. 11, p. 1933
 14-14-1 Amended V. 11, p. 1934
 14-14-11 Amended V. 11, p. 1711
 14-16-20 Revoked V. 11, p. 1041
 14-19-14 Amended V. 11, p. 1935
 14-19-15 Amended V. 11, p. 1936
 14-20-14 Amended V. 11, p. 1937
 14-20-15 Amended V. 11, p. 1938

14-20-16 Amended V. 11, p. 1938
 14-21-1 Amended V. 11, p. 1939
 14-21-2 Amended V. 11, p. 1940
 14-21-3 Amended V. 11, p. 1941
 14-22-1 Amended V. 11, p. 1941
 14-22-2 Amended V. 11, p. 1942
 14-22-3 Amended V. 11, p. 1943

AGENCY 17: STATE BANKING DEPARTMENT
 Reg. No. Action Register
 17-11-21 Amended V. 12, p. 1176
 17-15-1 Amended V. 12, p. 311
 17-16-8 Amended V. 12, p. 314
 17-21-1 through
 17-21-8 New V. 11, 1040
 17-21-1 Amended V. 12, p. 314
 17-21-2 Amended V. 12, p. 314
 17-22-1 Amended V. 12, p. 1015

AGENCY 19: KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT
 Reg. No. Action Register
 9-1-1 Amended V. 11, p. 714
 19-1-11 Amended V. 11, p. 714
 19-3-2 Amended V. 11, p. 714
 19-4-2 Amended V. 11, p. 715
 19-20-2 Amended V. 11, p. 715
 19-27-2 Amended V. 11, p. 715
 19-29-1a New V. 12, p. 1336
 19-29-2 Amended V. 11, p. 716
 19-29-4 Amended V. 11, p. 717
 19-29-5 New V. 11, p. 717
 19-30-4 Amended V. 11, p. 717
 19-40-3a Amended V. 11, p. 718
 19-40-4 New V. 11, p. 1369
 19-40-5 New V. 11, p. 718
 19-41-1 Amended V. 11, p. 718
 19-60-3 Amended V. 11, p. 719
 19-61-1 Amended V. 11, p. 720
 19-61-2 Amended V. 11, p. 720
 19-61-3 Revoked V. 11, p. 720
 19-62-1 Amended V. 11, p. 721
 19-62-2 Amended V. 11, p. 721
 19-63-2 Amended V. 11, p. 721
 19-63-3 Amended V. 11, p. 721
 19-63-4 Amended V. 11, p. 722
 19-63-6 New V. 11, p. 722

AGENCY 20: CRIME VICTIMS COMPENSATION BOARD
 Reg. No. Action Register
 20-1-1 Amended V. 12, p. 1487
 20-2-3 New V. 12, p. 1487
 20-2-6 New V. 12, p. 1488
 20-2-7 New V. 12, p. 1488
 20-2-8 New V. 12, p. 1488
 20-2-9 New V. 12, p. 1488

AGENCY 21: KANSAS HUMAN RIGHTS COMMISSION
 Reg. No. Action Register
 21-34-1 through
 21-34-21 New V. 11, p. 357-360
 21-34-1 through
 21-34-21 New V. 11, p. 504-507
 21-60-1 through
 21-60-23 New V. 11, p. 1084-1091, 1153-1160
 21-80-1 through
 21-80-10 New V. 11, p. 1764-1766

AGENCY 22: STATE FIRE MARSHAL
 Reg. No. Action Register
 22-1-2 Amended V. 12, p. 444
 22-1-3 New V. 12, p. 444
 22-1-4 New V. 12, p. 444
 22-1-5 New V. 12, p. 445
 22-1-6 New V. 12, p. 445
 22-2-1 Revoked V. 12, p. 445
 22-3-1 Revoked V. 12, p. 445
 22-3-2 Revoked V. 12, p. 445
 22-4-1 Revoked V. 12, p. 445
 22-5-3 Amended V. 12, p. 445
 22-6-8 New V. 12, p. 976
 22-6-10 Revoked V. 12, p. 445
 22-6-17 Revoked V. 12, p. 445

22-7-1 Revoked V. 12, p. 445
 22-7-2 Revoked V. 12, p. 445
 22-7-3 Revoked V. 12, p. 445
 22-7-5 Revoked V. 12, p. 445
 22-7-6 through
 22-7-12 New V. 12, p. 445-447
 22-8-1 Revoked V. 12, p. 448
 22-10-3a Revoked V. 12, p. 448
 22-10-10 Revoked V. 12, p. 448
 22-10-12 Revoked V. 12, p. 448
 22-10-13 Revoked V. 12, p. 448
 22-10-14 Revoked V. 12, p. 448
 22-10-17 Revoked V. 12, p. 448
 22-10-18 New V. 12, p. 448
 22-10-19 New V. 12, p. 448
 22-13-35 Revoked V. 12, p. 449
 22-18-3 Amended V. 12, p. 449
 22-19-1 Amended V. 12, p. 450
 22-19-2 Amended V. 12, p. 450
 22-19-3 Amended V. 12, p. 451
 22-19-4 Revoked V. 12, p. 451
 22-19-5 New V. 12, p. 451
 22-20-1 Revoked V. 12, p. 451
 22-22-1 New V. 12, p. 451

AGENCY 23: DEPARTMENT OF WILDLIFE AND PARKS
 Reg. No. Action Register
 23-4-1 Revoked V. 12, p. 1702
 23-6-8 Revoked V. 12, p. 1702
 23-16-1 Revoked V. 12, p. 1702
 23-19-1 Revoked V. 12, p. 1702

AGENCY 25: STATE GRAIN INSPECTION DEPARTMENT
 Reg. No. Action Register
 25-1-8 Revoked V. 12, p. 1460, 1571
 25-1-15 Amended V. 12, p. 1460, 1571
 25-1-16 Revoked V. 12, p. 1461, 1571
 25-1-17 Revoked V. 12, p. 1461, 1571
 25-2-2 Revoked V. 11, p. 1742
 25-2-5 Revoked V. 11, p. 1742
 25-4-1 Amended V. 11, p. 1643, 1702
 25-4-4 Amended V. 11, p. 164

AGENCY 26: DEPARTMENT ON AGING
 Reg. No. Action Register
 26-5-5 Amended V. 12, p. 1118
 26-5-6 Amended V. 12, p. 1118
 26-8-1 through
 26-8-14 New V. 11, p. 1041-1043
 26-8-1 Amended V. 12, p. 1119, 1150
 26-8-3 Amended V. 12, p. 1120, 1152
 26-8-4 Amended V. 12, p. 1120, 1152
 26-8-7 Amended V. 12, p. 1120, 1152

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT
 Reg. No. Action Register
 28-1-2 Amended V. 12, p. 315
 28-1-18 Amended V. 12, p. 1057
 28-4-350 Amended V. 12, p. 1042
 28-4-351 Amended V. 12, p. 1042
 28-4-352 Amended V. 12, p. 1043
 28-4-353 Amended V. 12, p. 1043
 28-4-353a New V. 12, p. 1045
 28-4-353b New V. 12, p. 1046
 28-4-354 Amended V. 12, p. 1047
 28-4-355 Amended V. 12, p. 1048
 28-4-355a New V. 12, p. 1049
 28-4-355b New V. 12, p. 1049
 28-4-356 Amended V. 12, p. 1051
 28-4-357 Amended V. 12, p. 1053
 28-4-358 Amended V. 12, p. 1054
 28-4-359 Amended V. 12, p. 1054
 28-4-360 Amended V. 12, p. 1057
 28-14-2 Amended V. 11, p. 1797
 28-15-11 Amended V. 12, p. 725
 28-15-12 New V. 11, p. 2007
 28-15-13 Amended V. 12, p. 57
 28-15-14 Amended V. 11, p. 1233
 28-15-15 Revoked V. 11, p. 1236
 28-15-15a New V. 11, p. 1236
 28-15-20 Amended V. 11, p. 1237
 28-15-21 New V. 12, p. 728
 28-16-29 Revoked V. 11, p. 1260
 28-16-36 through
 28-16-61 New V. 11, p. 1260, 1261
 Amended V. 12, p. 1209

66-9-3	Revoked	V. 12, p. 12
66-9-4	Amended	V. 12, p. 12
66-9-5	New	V. 12, p. 12
66-10-1	Amended	V. 12, p. 13
66-10-2	Revoked	V. 12, p. 13
66-10-3	Amended	V. 12, p. 13
66-10-4	Amended	V. 12, p. 13
66-10-5	Amended	V. 12, p. 13
66-10-6	Revoked	V. 12, p. 13
66-10-7	Revoked	V. 12, p. 13
66-10-8	Revoked	V. 12, p. 13
66-10-9	Amended	V. 11, p. 409
66-10-10	Amended	V. 12, p. 13
66-10-10a	New	V. 12, p. 13
66-10-11	Amended	V. 12, p. 14
66-10-12	Amended	V. 12, p. 14
66-11-1	Amended	V. 11, p. 411
66-11-2	Amended	V. 12, p. 14
66-11-3	Amended	V. 12, p. 14
66-12-1	New	V. 11, p. 412
66-13-1	Amended	V. 12, p. 14

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-2-20	Amended	V. 11, p. 1611
68-7-12	Amended	V. 11, p. 1611
68-7-12a	New	V. 12, p. 186
68-7-19	New	V. 12, p. 187
68-11-1	Amended	V. 11, p. 1612
68-12-2	Amended	V. 12, p. 187
68-14-1 through 68-14-7	New	V. 11, p. 665, 666
68-20-18	Amended	V. 12, p. 187
68-20-19	Amended	V. 12, p. 188

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-3-2	Amended	V. 11, p. 1749
69-3-11	Amended	V. 11, p. 1749
69-6-5	Amended	V. 11, p. 1749
69-7-1	Revoked	V. 11, p. 1800
69-7-2	Revoked	V. 11, p. 1800
69-7-3	Revoked	V. 11, p. 1800
69-7-4	Revoked	V. 11, p. 1800
69-7-5	Revoked	V. 11, p. 1800
69-7-7	Revoked	V. 11, p. 1800
69-7-14	Revoked	V. 11, p. 1800
69-7-16	Revoked	V. 11, p. 1800
69-7-22	Revoked	V. 11, p. 1800
69-7-23	Revoked	V. 11, p. 1800
69-7-25	Revoked	V. 11, p. 1800
69-7-26	Revoked	V. 11, p. 1800
69-7-27	Revoked	V. 11, p. 1800
69-11-1	Amended	V. 12, p. 1633
69-12-1 through 69-12-17	New	V. 12, p. 1633-1635

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-16	New	V. 12, p. 439
71-1-17	New	V. 12, p. 439
71-1-18	New	V. 12, p. 1700
71-3-3	Amended	V. 12, p. 532

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-7	Amended	V. 11, p. 847
74-5-2	Amended	V. 12, p. 1039
74-5-103	Amended	V. 11, p. 848
74-5-104	Amended	V. 11, p. 848
74-5-202	Amended	V. 12, p. 1039
74-5-203	Amended	V. 12, p. 1040
74-5-405	Amended	V. 12, p. 1040
74-5-406	Amended	V. 12, p. 1040
74-6-1	Amended	V. 12, p. 1040
74-6-2	Amended	V. 12, p. 1041
74-8-2	Amended	V. 12, p. 1041
74-8-5	Amended	V. 12, p. 1041
74-14-1	New	V. 12, p. 1041
74-14-2	New	V. 12, p. 1041

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 80: KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

Reg. No.	Action	Register
80-8-1 through 80-8-7	New	V. 12, p. 980, 981

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-3-1	Amended	V. 12, p. 788
81-3-3	Amended	V. 12, p. 790
81-3-4	New	V. 12, p. 790
81-5-3	Amended	V. 12, p. 790
81-5-8	Amended	V. 12, p. 791
81-5-9	Amended	V. 12, p. 791
81-5-10	New	V. 12, p. 791
81-7-1	Amended	V. 12, p. 791
81-7-2	New	V. 12, p. 794
81-11-11	Amended	V. 12, p. 794

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-228	Amended	V. 12, p. 147
82-1-232	Amended	V. 12, p. 148
82-3-206	Amended	V. 12, p. 1592
82-3-307	Amended	V. 12, p. 1592
82-3-401	Amended	V. 12, p. 376
82-3-401a	New	V. 12, p. 377
82-4-1	Amended	V. 12, p. 439
82-4-3	Amended	V. 12, p. 440
82-4-6d	Amended	V. 12, p. 441
82-4-8a	Amended	V. 12, p. 441
82-4-20	Amended	V. 12, p. 442
82-4-27a	Amended	V. 12, p. 442
82-4-27c	Amended	V. 11, p. 812
82-4-27e	Amended	V. 11, p. 812
82-4-27g	New	V. 11, p. 812
82-4-29	Amended	V. 12, p. 443
82-4-34	Revoked	V. 12, p. 443
82-4-35a	Amended	V. 12, p. 443
82-4-37	Amended	V. 12, p. 443
82-4-38	Revoked	V. 12, p. 443
82-4-39	Amended	V. 12, p. 443

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-5	Amended	V. 12, p. 1662
86-1-11	Amended	V. 12, p. 1662
86-1-13	Amended	V. 11, p. 1230
86-3-7	Amended	V. 12, p. 1663
86-3-22	Amended	V. 12, p. 1663
86-3-23	New	V. 11, p. 1832
86-3-24	Revoked	V. 12, p. 980
86-3-24	New	V. 11, p. 1832

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-8-2	Amended	V. 11, p. 1675
88-8-9	New	V. 11, p. 1675
88-9-3	Amended	V. 11, p. 1675
88-10-4	Amended	V. 12, p. 631
88-11-5	Amended	V. 12, p. 631
88-13-4	Amended	V. 11, p. 1675
88-13-11	Amended	V. 11, p. 1675
88-18-3	Amended	V. 11, p. 1676
88-18-8	Amended	V. 11, p. 1676
88-19-2	Amended	V. 11, p. 1676
88-19-4	Amended	V. 11, p. 1676
88-20-3	Amended	V. 11, p. 1676
88-20-9	Amended	V. 11, p. 1677
88-21-3	Amended	V. 11, p. 1677
88-21-8	Amended	V. 11, p. 1677
88-22-1 through 88-22-10	New	V. 12, p. 93, 94

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-27d	New	V. 11, p. 765
91-1-30	Amended	V. 12, p. 579
91-1-80	Amended	V. 12, p. 580
91-1-102a	New	V. 12, p. 581
91-1-104b	New	V. 12, p. 582
91-1-104c	New	V. 12, p. 582
91-1-110a	Amended	V. 12, p. 582
91-1-110c	New	V. 12, p. 583
91-1-112c	New	V. 12, p. 583
91-1-112d	New	V. 12, p. 584
91-1-113b	New	V. 12, p. 584
91-5-2	Amended	V. 11, p. 1144

91-5-7	Amended	V. 11, p. 1584
91-12-22	Amended	V. 12, p. 585
91-12-23	Amended	V. 12, p. 589
91-12-24a	Amended	V. 12, p. 590
91-12-27	Amended	V. 12, p. 590
91-12-28	Amended	V. 12, p. 590
91-12-30	Amended	V. 12, p. 591
91-12-33	Amended	V. 12, p. 591
91-12-37	Amended	V. 12, p. 591
91-12-40	Amended	V. 12, p. 592
91-12-41	Amended	V. 12, p. 593
91-12-44	Amended	V. 12, p. 594
91-12-47	Amended	V. 12, p. 595
91-12-51	Amended	V. 12, p. 596
91-12-53	Amended	V. 12, p. 596
91-12-54	Amended	V. 12, p. 597
91-12-55	Amended	V. 12, p. 598
91-12-59	Amended	V. 12, p. 598
91-12-61	Amended	V. 12, p. 598
91-12-64	Amended	V. 12, p. 599
91-12-65	Amended	V. 12, p. 600

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

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

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

AGENCY 98: KANSAS WATER OFFICE

Reg. No.	Action	Register
98-5-2	Amended	V. 12, p. 351
98-5-3	Amended	V. 12, p. 352
98-5-5	Amended	V. 12, p. 353

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-11-1	Amended	V. 12, p. 1704
100-38-1	Amended	V. 12, p. 1704
100-46-6	New	V. 12, p. 679
100-47-1	Amended	V. 12, p. 679
100-49-4	Amended	V. 12, p. 1704
100-49-5	New	V. 11, p. 1084
100-54-6	Amended	V. 12, p. 1704
100-55-6	Amended	V. 12, p. 1704
100-60-3	Revoked	V. 11, p. 2007
100-60-4	Amended	V. 11, p. 2007
100-60-5	Amended	V. 11, p. 2007
100-60-6	Amended	V. 11, p. 2007
100-60-8 through 100-60-14	Amended	V. 11, p. 2008, 2009

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-5-1 through 102-5-12	New	V. 12, p. 189-194

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-3-2	Amended	V. 12, p. 976, 1013
105-3-9	Amended	V. 11, p. 1832
105-5-2	Amended	V. 12, p. 976, 1013
105-5-6	Amended	V. 12, p. 977, 1013
105-5-7	Amended	V. 12, p. 977, 1014
105-5-8	Amended	V. 12, p. 977, 1014
105-5-9	New	V. 12, p. 1014
105-9-5	New	V. 12, p. 1014

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-1-1	Amended	V. 11, p. 131
109-2-5	Amended	V. 12, p. 1015
109-2-8	Amended	V. 12, p. 1016
109-5-1	Amended	V. 12, p. 1018
109-9-5	New	V. 11, p. 133
109-10-2	New	V. 12, p. 1091
109-11-4	Amended	V. 12, p. 1019

(continued)

AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING		
Reg. No.	Action	Register
110-4-1 through 110-4-4	New	V. 11, p. 1176-1178, 1258-1260
110-5-1 through 110-5-6	New	V. 11, p. 1370, 1371, 1703, 1704
110-6-1 through 110-6-6	New	V. 12, p. 1294, 1295, 1489, 1490
110-6-7	New	V. 12, p. 1490
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. 12, p. 1261
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
111-2-21	New	V. 11, p. 1471
111-2-22	New	V. 11, p. 1972
111-2-23	New	V. 12, p. 113
111-2-24	Amended	V. 12, p. 912
111-2-25	New	V. 12, p. 677
111-2-26	New	V. 12, p. 1113
111-2-27	New	V. 12, p. 1370
111-3-1	Amended	V. 10, p. 1210
111-3-6	Amended	V. 12, p. 677
111-3-9	Revoked	V. 11, p. 1793
111-3-10 through 111-3-31	New	V. 7, p. 201-206
111-3-11	Amended	V. 8, p. 299
111-3-12	Amended	V. 10, p. 12
111-3-13	Amended	V. 11, p. 1148
111-3-14	Amended	V. 10, p. 12
111-3-16	Amended	V. 9, p. 1566
111-3-19 through 111-3-22	Amended	V. 9, p. 30
111-3-20	Amended	V. 11, p. 1148
111-3-21	Amended	V. 11, p. 1148
111-3-22	Amended	V. 11, p. 1148
111-3-23	Revoked	V. 10, p. 883
111-3-25	Amended	V. 11, p. 1149
111-3-26	Amended	V. 11, p. 1149
111-3-27	Amended	V. 11, p. 1149
111-3-29	Revoked	V. 11, p. 1149
111-3-31	Amended	V. 8, p. 209
111-3-32	Amended	V. 10, p. 883
111-3-33	New	V. 7, p. 1434
111-4-1 through 111-4-5	Revoked	V. 12, p. 113
111-4-5a	Revoked	V. 12, p. 113
111-4-6 through 111-4-15	Revoked	V. 12, p. 113
111-4-66 through 111-4-77	New	V. 7, p. 207-209
111-4-96 through 111-4-114	New	V. 7, p. 1606-1610
111-4-100	Amended	V. 12, p. 1113
111-4-101	Amended	V. 12, p. 1113
111-4-102	Amended	V. 12, p. 1114
111-4-103	Amended	V. 10, p. 1211
111-4-104	Amended	V. 12, p. 1114
111-4-105	Amended	V. 12, p. 1114
111-4-106	Amended	V. 11, p. 1472
111-4-106a	Amended	V. 11, p. 1149
111-4-107	Amended	V. 11, p. 978
111-4-108	Amended	V. 12, p. 1114
111-4-110	Amended	V. 11, p. 978
111-4-111	Amended	V. 9, p. 1366
111-4-112	Amended	V. 12, p. 1114
111-4-113	Amended	V. 9, p. 1366
111-4-114	Amended	V. 9, p. 1366
111-4-153 through 111-4-160	Revoked	V. 9, p. 1676, 1677
111-4-177 through 111-4-212	Revoked	V. 9, p. 1677, 1678
111-4-213 through 111-4-220	Revoked	V. 10, p. 1213
111-4-217	Amended	V. 9, p. 986
111-4-221 through 111-4-224	Revoked	V. 10, p. 1585
111-4-225 through 111-4-228	Revoked	V. 10, p. 1585
111-4-229 through 111-4-236	Revoked	V. 10, p. 1585, 1586
111-4-237 through 111-4-240	Revoked	V. 11, p. 413
111-4-241 through 111-4-244	Revoked	V. 12, p. 1371
111-4-245 through 111-4-248	Revoked	V. 12, p. 1371
111-4-249 through 111-4-256	Revoked	V. 12, p. 113, 114
111-4-257 through 111-4-286	Revoked	V. 11, p. 413, 414
111-4-287 through 111-4-300	New	V. 10, p. 883-886
111-4-287 through 111-4-290	Revoked	V. 12, p. 1371
111-4-291 through 111-4-300	Revoked	V. 12, p. 114
111-4-301 through 111-4-307	New	V. 10, p. 1015, 1016
111-4-301	Amended	V. 12, p. 1115
111-4-303	Amended	V. 12, p. 1115
111-4-304	Amended	V. 12, p. 1115
111-4-306	Amended	V. 12, p. 1115
111-4-308 through 111-4-320	New	V. 10, p. 1214, 1215
111-4-308	Amended	V. 12, p. 1261
111-4-311	Amended	V. 12, p. 1262
111-4-312	Amended	V. 12, p. 1262
111-4-313	Amended	V. 12, p. 1262
111-4-318 through 111-4-321	Revoked	V. 12, p. 114
111-4-322 through 111-4-331	New	V. 10, p. 1411-1413
111-4-322	Revoked	V. 12, p. 1371
111-4-327 through 111-4-328	Revoked	V. 12, p. 114
111-4-335 through 111-4-336	New	V. 10, p. 1526-1528
111-4-340	Amended	V. 12, p. 1371, 1372
111-4-341	Revoked	V. 11, p. 1473
111-4-341a	Revoked	V. 12, p. 1372
111-4-341b	Amended	V. 12, p. 1372
111-4-341c	New	V. 12, p. 1664
111-4-344	Amended	V. 12, p. 1373
111-4-346 through 111-4-361	New	V. 10, p. 1586-1589
111-4-361	Revoked	V. 12, p. 114
111-4-349 through 111-4-362	Revoked	V. 12, p. 114, 115
111-4-365	Revoked	V. 11, p. 13
111-4-362	Amended	V. 11, p. 13
111-4-366 through 111-4-379	New	V. 11, p. 136-139
111-4-366 through 111-4-369	Revoked	V. 12, p. 1373
111-4-370 through 111-4-380	Revoked	V. 12, p. 1664
111-4-383 through 111-4-387	Revoked	V. 12, p. 1373
111-4-388 through 111-4-400	New	V. 11, p. 478-481
111-4-388	Revoked	V. 12, p. 1373
111-4-391	Revoked	V. 12, p. 1373
111-4-392	Amended	V. 12, p. 520
111-4-394 through 111-4-400	Amended	V. 12, p. 521, 522
111-4-401 through 111-4-404	Revoked	V. 12, p. 1373
111-4-405 through 111-4-413	New	V. 11, p. 756, 757
111-4-405	Amended	V. 12, p. 912
111-4-407	Amended	V. 12, p. 912
111-4-408	Amended	V. 12, p. 912
111-4-409	Amended	V. 11, p. 1473, 1474
111-4-411	Amended	V. 11, p. 1474
111-4-412	Amended	V. 11, p. 1475
111-4-413	Amended	V. 11, p. 1475
111-4-414 through 111-4-428	New	V. 11, p. 981-983
111-4-414	Amended	V. 11, p. 1150
111-4-429 through 111-4-432	Revoked	V. 12, p. 1373
111-4-433 through 111-4-436	Revoked	V. 12, p. 1374
111-4-437 through 111-4-444	New	V. 11, p. 1475-1477
111-4-437	Revoked	V. 12, p. 1374
111-4-440	Revoked	V. 12, p. 1374
111-4-445 through 111-4-453	New	V. 11, p. 1794-1796
111-4-445	Revoked	V. 12, p. 1374
111-4-448	Revoked	V. 12, p. 1664, 1665
111-4-454 through 111-4-465	New	V. 12, p. 316, 317
111-4-466	New	V. 12, p. 316, 317
111-4-473	New	V. 12, p. 316, 317
111-4-473	Revoked	V. 12, p. 1665
111-4-470	Amended	V. 12, p. 522
111-4-474 through 111-4-488	New	V. 12, p. 522-524
111-4-489 through 111-4-492	New	V. 12, p. 861
111-4-493	New	V. 12, p. 525
111-4-496	New	V. 12, p. 913, 914
111-4-497 through 111-4-501	New	V. 12, p. 1115-1118
111-4-512 through 111-4-513	New	V. 12, p. 1374, 1375
111-4-521 through 111-4-522	New	V. 12, p. 1569, 1570
111-4-530	New	V. 12, p. 1665, 1666
111-4-531 through 111-5-1	New	V. 7, p. 209-213
111-5-23	New	V. 7, p. 209-213

111-5-9 through		
111-5-15	Amended	V. 8, p. 210, 211
111-5-11	Amended	V. 9, p. 505
111-5-12	Amended	V. 11, p. 415
111-5-17	Amended	V. 8, p. 211
111-5-18	Amended	V. 10, p. 13
111-5-19	Amended	V. 8, p. 212
111-5-21 through		
111-5-33	New	V. 11, p. 415-418
111-5-22	Amended	V. 11, p. 481
111-5-23	Amended	V. 11, p. 481
111-5-24	Amended	V. 11, p. 983
111-5-25	Amended	V. 11, p. 482
111-5-27	Amended	V. 11, p. 482
111-5-28	Amended	V. 12, p. 317
111-5-34	New	V. 12, p. 318
111-5-35 through		
111-5-38	New	V. 12, p. 526
111-6-1 through		
111-6-15	New	V. 7, p. 213-217
111-6-1	Amended	V. 12, p. 527
111-6-3	Amended	V. 12, p. 527
111-6-4	Amended	V. 10, p. 1413
111-6-5	Amended	V. 12, p. 1262
111-6-6	Amended	V. 11, p. 1973
111-6-7	Amended	V. 11, p. 1477
111-6-7a	New	V. 12, p. 1118
111-6-8	Revoked	V. 12, p. 1263
111-6-9	Amended	V. 10, p. 1217
111-6-11	Revoked	V. 12, p. 1376
111-6-12	Amended	V. 8, p. 212
111-6-13	Amended	V. 8, p. 299
111-6-15	Amended	V. 12, p. 677
111-6-17	Revoked	V. 10, p. 1475
111-7-1 through		
111-7-10	New	V. 7, p. 1192, 1193
111-7-1	Amended	V. 8, p. 212
111-7-3	Amended	V. 11, p. 1796
111-7-3a	New	V. 11, p. 1796
111-7-4	Amended	V. 9, p. 1367
111-7-5	Amended	V. 9, p. 986
111-7-6	Amended	V. 9, p. 987
111-7-9	Amended	V. 12, p. 1263
111-7-11	Amended	V. 10, p. 1475
111-7-12 through		
111-7-32	New	V. 7, p. 1194-1196
111-7-33 through		
111-7-43	New	V. 7, p. 1197, 1198
111-7-33a	New	V. 8, p. 300
111-7-44 through		
111-7-54	New	V. 9, p. 1367-1370
111-7-46	Amended	V. 11, p. 1152
111-7-54	Amended	V. 11, p. 1511
111-7-55 through		
111-7-63	Revoked	V. 10, p. 1217
111-7-60	Amended	V. 10, p. 262
111-7-64 through		
111-7-75	New	V. 11, p. 13, 14
111-7-66	Amended	V. 12, p. 1666
111-7-66a	New	V. 11, p. 1797
111-7-76 through		
111-7-78	New	V. 11, p. 1478-1480
111-7-79	Amended	V. 12, p. 914
111-7-80 through		
111-7-83	New	V. 11, p. 1478-1480
111-7-84 through		
111-7-90	New	V. 12, p. 677, 678
111-7-91 through		
111-7-98	New	V. 12, p. 914
111-7-99 through		
111-7-105	New	V. 12, p. 1376, 1377
111-8-1	New	V. 7, p. 1633
111-8-2	New	V. 7, p. 1633
111-8-3	Amended	V. 10, p. 886
111-8-4	New	V. 7, p. 1714
111-8-4a	New	V. 7, p. 1995

111-8-5 through		
111-8-13	New	V. 7, p. 1634
111-9-1 through		
111-9-12	New	V. 7, p. 1714-1716
111-9-1 through		
111-9-6	Revoked	V. 9, p. 1680
111-9-13 through		
111-9-18	Revoked	V. 9, p. 1680
111-9-25 through		
111-9-30	New	V. 9, p. 699, 700
111-9-31 through		
111-9-36	New	V. 10, p. 262
111-9-37 through		
111-9-48	New	V. 10, p. 1439, 1440
111-9-49 through		
111-9-54	New	V. 12, p. 318, 319
111-9-55 through		
111-9-60	New	V. 12, p. 1263, 1264
111-10-1 through		
111-10-9	New	V. 8, p. 136-138
111-10-7	Amended	V. 8, p. 301

AGENCY 112: KANSAS RACING COMMISSION

Reg. No.	Action	Register
112-4-1	Amended	V. 12, p. 1152, 1369
112-4-4	Amended	V. 11, p. 165
112-4-5	Amended	V. 12, p. 1152
112-4-6	Amended	V. 11, p. 1975, 2011
112-4-8	Amended	V. 11, p. 1975, 2011
112-4-9a	New	V. 11, p. 1976, 2011
112-4-12	Amended	V. 11, p. 1976, 2011
112-4-13	Revoked	V. 11, p. 1976, 2012
112-4-16	Amended	V. 11, p. 1976, 2012
112-4-17	Amended	V. 11, p. 1976, 2012
112-4-18	Amended	V. 11, p. 1977, 2012
112-4-19	Amended	V. 11, p. 1977, 2012
112-4-21a	New	V. 11, p. 1977, 2013
112-4-22	Amended	V. 11, p. 1977, 2013
112-4-23	New	V. 11, p. 1977, 2013
112-4-24	New	V. 12, p. 1153, 1370
112-7-2	Amended	V. 11, p. 1977, 2013
112-7-5 through		
112-7-10	Amended	V. 11, p. 1978-1979, 2013-2015
112-7-13	Amended	V. 11, p. 1980, 2015
112-7-15	Revoked	V. 11, p. 1980, 2016
112-7-15a	New	V. 11, p. 1980, 2016
112-7-15b	New	V. 11, p. 1981, 2017
112-7-16	Amended	V. 11, p. 1981, 2017
112-7-16a	New	V. 11, p. 1982, 2017
112-7-18	Amended	V. 11, p. 1982, 2018
112-7-18a	New	V. 11, p. 1982, 2018
112-7-20	Amended	V. 11, p. 1983, 2018
112-7-21	Amended	V. 11, p. 1983, 2018
112-7-22	Amended	V. 11, p. 1983, 2019
112-7-23	New	V. 11, p. 1984, 2020
112-9-2	Amended	V. 12, p. 975, 1211
112-9-11a	New	V. 11, p. 560
112-9-12 through		
112-9-21	Revoked	V. 11, p. 560, 561
112-9-12a	New	V. 11, p. 561
112-9-13a	New	V. 11, p. 561
112-9-14a	New	V. 11, p. 561
112-9-15a	New	V. 11, p. 562
112-9-16a	New	V. 11, p. 563
112-9-16b	New	V. 11, p. 563
112-9-17a	New	V. 11, p. 564
112-9-18a	Amended	V. 12, p. 355, 378
112-9-19a	New	V. 11, p. 565
112-9-21a	New	V. 11, p. 566
112-9-22	Revoked	V. 11, p. 566
112-9-22a	New	V. 11, p. 566
112-9-30	Amended	V. 12, p. 975, 1211
112-9-39	Revoked	V. 11, p. 568
112-9-39a	Amended	V. 12, p. 356, 378
112-9-40	Revoked	V. 11, p. 568
112-9-40a	Amended	V. 12, p. 356, 379
112-9-41	Revoked	V. 11, p. 570, 754

112-9-41a	Amended	V. 12, p. 358, 380
112-9-42	Amended	V. 12, p. 359, 382
112-9-43	Amended	V. 12, p. 361, 383
112-9-44	New	V. 12, p. 361, 384
112-10-2 through		
112-10-6	Amended	V. 11, p. 1984-1987, 2020-2023
112-10-8	Amended	V. 11, p. 1988, 2023
112-10-9	Revoked	V. 11, p. 1988, 2024
112-10-9a	New	V. 11, p. 1988, 2024
112-10-12	Amended	V. 11, p. 1988, 2024
112-10-32	Amended	V. 11, p. 1989, 2025
112-10-33	Amended	V. 11, p. 1989, 2025
112-10-35	Amended	V. 11, p. 1990, 2026
112-10-36	Revoked	V. 11, p. 165
112-10-36a	New	V. 11, p. 135
112-10-37	Amended	V. 11, p. 1990, 2026
112-11-13	Revoked	V. 11, p. 1990, 2026
112-11-13a	New	V. 11, p. 1991, 2026
112-12-1	New	V. 12, p. 50
112-12-2 through		
112-12-11	Amended	V. 12, p. 50-53
112-12-10	Amended	V. 12, p. 1816
112-17-1 through		
112-17-14	New	V. 11, p. 1612-1617
112-17-15	New	V. 12, p. 1034, 1211
112-18-2 through		
112-18-19	New	V. 11, p. 1512-1516, 1579-1583

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-1-1	Amended	V. 11, p. 599
115-2-1	Amended	V. 11, p. 1329
115-2-2	Amended	V. 11, p. 1330
115-2-3	Amended	V. 11, p. 1330
115-2-4	Amended	V. 11, p. 1330
115-4-1	Amended	V. 12, p. 570
115-4-3	Amended	V. 12, p. 570
115-4-5	Amended	V. 12, p. 571
115-4-6	Amended	V. 12, p. 572
115-4-7	Amended	V. 12, p. 574
115-5-1	Amended	V. 12, p. 1490
115-8-6	Amended	V. 11, p. 1743
115-8-9	Amended	V. 11, p. 1330
115-9-1	Revoked	V. 12, p. 1702
115-11-2	Amended	V. 11, p. 1144
115-15-1	Amended	V. 11, p. 1145
115-15-2	Amended	V. 11, p. 1146
115-16-3	Amended	V. 11, p. 1147
115-17-6	Amended	V. 11, p. 606
115-17-7	Amended	V. 11, p. 606
115-17-9	Amended	V. 11, p. 607
115-17-14	New	V. 11, p. 607
115-17-15	New	V. 12, p. 1702
115-18-4	Amended	V. 12, p. 1491
115-18-8	New	V. 11, p. 608
115-18-12	New	V. 12, p. 1491
115-18-9	New	V. 12, p. 1702
115-18-10	New	V. 12, p. 1702
115-21-3	New	V. 12, p. 1703
115-30-8	Amended	V. 12, p. 1703

AGENCY 116: STATE FAIR BOARD

Reg. No.	Action	Register
116-3-1	New	V. 12, p. 1175
116-3-2	New	V. 12, p. 1175

AGENCY 117: REAL ESTATE APPRAISAL BOARD

Reg. No.	Action	Register
117-1-1	Amended	V. 12, p. 528
117-2-1	Amended	V. 12, p. 528
117-2-4	Amended	V. 12, p. 529
117-3-1	Amended	V. 12, p. 529
117-4-1	Amended	V. 12, p. 1699
117-4-4	Amended	V. 12, p. 530
117-6-1	Amended	V. 12, p. 531
117-6-2	Amended	V. 12, p. 531
117-8-1	Amended	V. 12, p. 531

AGENCY 118: STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-1-1 through		
118-1-4	New	Vol. 11, p. 1119, 1120
118-2-1	New	V. 11, p. 554

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Notice of Meeting	20
Kansas Sentencing Commission	
Notice of Meeting	20
Executive Appointments	
Kansas Apprenticeship Committee	
Notice of Meeting	20
Notice to Bidders for State Purchases	21
Notice of Bond Sale	21
City of Hillsboro	22
	22
	22
	23

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