

Kansas Register

Ron Thornburgh, Secretary of State

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State of Kansas

Social and Rehabilitation Services**Request for Proposals**

The Kansas Youth Authority, the Department of Social and Rehabilitation Services and the Kansas Advisory Group for Juvenile Justice and Delinquency Prevention are soliciting grant proposals for the following three RFPs from interested units of local government, or their designated public or private not-for-profit agencies, that will help communities in developing local delinquency prevention/intervention programs that will reduce youth involvement in the juvenile justice system.

1. State Challenge Activities: The purpose of this project is to promote collaborative community efforts designed to create comprehensive community strategic plans which will reduce delinquency behaviors. Communities have been asked to develop a plan that addresses known risk factors and incorporates a risk-focused model of delinquency prevention/intervention.

Recent OJJDP studies indicate that a broad range of agencies and organizations are required to participate in a process to eliminate juvenile delinquency. County commissioners, public defenders, juvenile judges, law enforcement, juvenile corrections agencies, local social service agencies, other treatment providers, community leaders and community volunteers are required to oversee the development and implementation of any plan for a region served.

2. Title II/JJDP Formula Grant: The purpose of this project is to fund projects to assist local communities to promote improvements in the juvenile justice system and facilitate the most effective allocation of resources; to promote community-based alternatives for each stage of a child's contact with the juvenile justice system, emphasizing options which are least restrictive and promoting positive ties with the child's family, school and commu-

nity; and to promote programs which prevent or preclude minor, serious and violent delinquency prevention.

Complete application kits for these are available from the Youth Center Operations Division, 300 S.W. Oakley, West Hall, Topeka, 66606, (913) 296-8142 or 296-6670. Application deadline is 5 p.m. February 3.

3. Title V/Delinquency Prevention: The purpose of this program is to fund projects to assist local communities in developing and implementing delinquency prevention projects as part of a systems strategy. Application for this funding is a two-part process. Part one calls for various levels of government within a community to develop a plan that addresses known risk factors and incorporates a risk-focused model of delinquency prevention/intervention. The plan would incorporate local government officials, local providers and concerned citizens working together to oversee the development and implementation of the plan. The plan would show the global benefits to units of local government and the county as a whole. Part two of the program is the development of a program that is a beneficial part of the delinquency prevention plan. For example, a county and city prevention plan might have a component for truancy prevention, the funding then would go to that program through the unit of local government to help pay for a program providing truancy prevention services. Title V grants are intended for units of local government and/or their designees.

A complete application kit is available from the Youth Center Operations Division, 300 S.W. Oakley, West Hall, Topeka, 66606, (913) 296-8134. Application deadline is 5 p.m. March 3.

For further information, contact Allison Price at (913) 296-8142.

Rochelle Chronister
Secretary of Social and
Rehabilitation Services

Doc. No. 018511

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State of Kansas

Department of Wildlife and Parks

Notice to Bidders

The marina concession contract at Lovewell State Park is currently open for bid. Interested individuals or parties should contact Allen Stoops, Purchasing Agent, Operations Office, Kansas Department of Wildlife and Parks, 512 S.E. 25th Ave., Pratt, 67124, (316) 672-5911, to obtain a bid packet. Questions concerning the concession contract should be directed to Rick Cleveland, Lovewell State Park Manager, (913) 753-4971. Final bids are due by 5 p.m. Monday, January 20.

Steven A. Williams
Secretary of Wildlife and Parks

Doc. No. 018515

State of Kansas

Department of Administration
Division of Architectural Services

Notice of Commencement of Negotiations for Architectural/Engineering Services

Notice is hereby given of the commencement of negotiations for architectural/engineering services for the addition to Durland Hall at Kansas State University. Durland Hall is home to the College of Engineering. This addition will be the second major addition for the complex since its original construction in the mid 1970s. It will house major elements of the Department of Civil Engineering and Bio-Agricultural Engineering as well as the Fiedler Engineering Library. Some renovation of the existing spaces occupied by these departments in Durland and Seaton Halls also will be required as part of this project. The estimated construction cost is \$9,300,000.

A summation of the program will be available for review. Contact Ned Gatewood, Associate University Architect, (913) 532-6377, or Jerry Carter, Director/University Architect, with questions or to schedule visits to the facility.

If interested, an original and six copies of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (913) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes by 5 p.m. January 3.

Thaine Hoffman, AIA
Director, Division of Architectural Services

Doc. No. 018522

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 1995 Supp. 75-4210, as amended by 1996 Senate Bill No. 476. These rates and their uses are defined in K.S.A. 1995 Supp. 12-1675(b)(c)(d), and K.S.A. 1995 Supp. 75-4201(l) and 75-4209(a)(1)(B), as amended by 1996 Senate Bill 476.

Effective 12-23-96 through 12-29-96	Term	Rate
	0-90 days	5.23%
	3 months	5.02%
	6 months	5.26%
	9 months	5.41%
	12 months	5.50%
	18 months	5.67%
	24 months	5.73%
	36 months	5.89%
	48 months	6.01%

William E. Lewis
Chairman

Doc. No. 018509

State of Kansas

Department of Administration
Division of Architectural Services

Notice of Commencement of Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for "on-call" engineering services for Emporia State University. The selected firm will provide services for small projects at the university.

For information regarding the scope of services, contact Mark Runge, Director of Facilities Management, Emporia State University, (316) 341-5331.

If interested, an original and six copies of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 625 Polk, Topeka, 66603, (913) 233-9367. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes by 5 p.m. January 3.

Thaine Hoffman, AIA
Director, Division of Architectural Services

Doc. No. 018502

State of Kansas

University of Kansas Medical Center

Notice to Bidders

Sealed bids for the items listed below will be received by the University of Kansas Medical Center, Purchasing Department, 3901 Rainbow Blvd., Kansas City, KS 66160-7162, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call Peggy Davis at (913) 588-1115 for additional information.

Tuesday, January 7, 1997

727071

Floor finish and stripper

727072

Refrigerated table top centrifuge and accessories

Barbara Lockhart
Purchasing Director

Doc. No. 018521

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

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

Monday, December 30, 1996

31588

Statewide—Examination gloves—Supplemental items

32064 Rebid

Kansas Correctional Industries—Metal containers (quarts through fives)

32193

Department of Social and Rehabilitation Services, Kansas Industries for the Blind—New laser printer electrophotographic cartridges

32215

University of Kansas Medical Center—Fine paper

05226

Kansas Bureau of Investigation—Night vision scope

Tuesday, December 31, 1996

32200

University of Kansas—Yogurt (chilled)

05223

Department of Health and Environment—Petri dishes

05224

Department of Transportation—Moist cabinet-test cement, concrete

Friday, January 3, 1997

32189

Department of Corrections—Application development services

32219

Pittsburg State University—Refuse collection services

05205

Department of Wildlife and Parks—Cessna aircraft repair

05206

Department of Social and Rehabilitation Services—Ethernet cards

05207

Hutchinson Correctional Facility—Light fixtures and poles

05208

Emporia State University—Unix workstations

05209

Kansas State University—2.1 GB disk drives, Sun compatible

05210

Kansas State University—Mainframe computer system

05211

Department of Social and Rehabilitation Services—Cotton fringe for dustmops

05225

Department of Health and Environment—Eagle Raptor NT software, installation and support

Monday, January 6, 1997

32207

Department of Transportation—Glass beads for traffic line paint, statewide

32208

Statewide—Plastic bags for infectious waste

32221

Kansas State Library—Library furniture, Farrell Library

Tuesday, January 7, 1997

32209

Statewide—Automotive filters (oil, fuel and air)

Wednesday, January 8, 1997

32210

Department of Social and Rehabilitation Services, Kansas Industries for the Blind—Wood replacement handles

Friday, January 10, 1997

31995 Rebid

Department of Commerce and Housing—Press clipping service and newspaper analysis service

Monday, January 13, 1997

32211

Department of Human Resources—Mainframe CPU, OS software and services

Tuesday, January 14, 1997

A-7879

Fort Hays State University—ADA restroom modifications, various buildings

Wednesday, January 15, 1997

A-8035

Department of Transportation—Equipment wash building, LaCrosse

A-8036

Department of Transportation—Equipment wash building, Newton

A-8037

Department of Transportation—Equipment wash building, Medicine Lodge

A-8050

Department of Transportation—Equipment wash building, Marysville

A-8051

Department of Transportation—Equipment wash building, Troy

Tuesday, January 21, 1997

32220

Department of Wildlife and Parks—Grazing permit, Byron Walker Wildlife Area

Request for Proposals

Friday, January 3, 1997

05040 Rebid

AS400 to LAN conversion for the Board of Tax Appeals

John T. Houlihan
Director of Purchases

Doc. No. 018523

State of Kansas

Department of Administration
Division of Architectural Services

Notice to Consulting Architects
and Engineers

The Kansas Department of Administration is inviting all consulting firms who are interested in providing architectural and engineering services for capital improvement projects to prequalify themselves with the Division of Architectural Services, a division of the Department of Administration. Architectural work shall include landscape architecture.

In order to prequalify, the firm must have an architect or engineer registered with the State Board of Technical Professions in any discipline in which the firm is seeking work, i.e., a structural engineer must seal the structural drawings with his/her Kansas engineering seal.

In addition to the above, statutes require that firms annually submit a statement of qualifications and performance data. In this regard, a completed federal SF 254 form must be submitted to Gary Grimes, Deputy Director, Planning and Project Management, Division of Architectural Services, 625 Polk, Topeka, 66603, by 5 p.m. February 7. For further information, contact Gary Grimes at (913) 233-9367, ext. 204; fax (913) 233-9398.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 018513

State of Kansas

Board of Nursing

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 3 p.m. Tuesday, February 18, in Room 106, Landon State Office Building, 900 S.W. Jackson, Topeka, to consider the adoption of proposed changes in existing rules and regulations.

The 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the executive administrator of the Board of Nursing, Room 551-S, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulations during the hearing. The proposed regulations and their economic impact follow:

K.A.R. 60-2-104. Curriculum requirements. Schools of nursing are required to submit to the board a syllabus for each course in the curriculum for a school of nursing. This regulation details what must be submitted as part of the syllabus. The board has identified the minimum number of course hours which must be completed before a student is eligible for graduation. Articulation requirements also are addressed.

There should be no economic impact on the schools of nursing from this new regulation.

K.A.R. 60-11-104a. Protocol requirements; transmitting prescription orders. This regulation sets out the protocol requirements for transmitting prescription orders for advanced registered nurse practitioners (A.R.N.P.). The change in this regulation will allow A.R.N.P.s to transmit a written prescription order for controlled substances rather than orally transmitting such orders to a pharmacist.

There may be a minimal positive economic impact, especially for advanced registered nurse practitioners.

K.A.R. 60-3-106. Licensure qualifications. This regulation for licensure qualifications addresses evaluation of graduates of foreign schools of nursing. Some additional language has been added to clarify the evaluation process of credentials as well as testing of English.

The changes in K.A.R. 60-3-106 are for clarification. There is some expense to the foreign graduate nurse for the evaluation.

The anticipated changes in these three regulations should have no economic impact on the Board of Nursing staff.

Copies of the regulations and their economic impact statements can be obtained from the Board of Nursing at the address above, (913) 296-5752.

Patsy Johnson, R.N., M.N.
Executive Administrator

Doc. No. 018518

State of Kansas

Department of Transportation

Notice to Consulting Engineers

The Kansas Department of Transportation is seeking qualified consulting engineering firms for the projects listed below. Responses must be received by 5 p.m. January 2 for the consulting engineering firm to be considered. Seven signed copies of responses must be mailed to Neil R. Rusch, P.E., Assistant to the Director, Division of Engineering and Design, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages.

Project No. 56-80 K-6361-01, Rice County**Project No. 4-80 K-6378-01, Rice County**

The scope of service is to provide for the replacement of Little Cow Creek Bridge 008, 21.03 km east of the Barton/Rice county line, and for the replacement of Lost Creek Bridge 025, 1.54 km east of the K-171 junction.

Project No. 57-19 K-6362-01, Crawford County**Project No. 7-19 K-6409-01, Crawford County**

The scope of service is to provide for the replacement of Second Cow Creek Bridge 024, 5.16 km east of the junction of K-7 and K-57, and for the replacement of Second Cow Creek Bridge 015, 8.38 km north of K-57.

Project No. 31-16 K-6360-01, Coffey County

The scope of service is to provide for the replacement of Rock Creek Bridge 033, 0.23 km east of the east city limits of Waverly.

Project No. 57-31 K-6363-01, Geary County

The scope of service is to provide for the replacement of Dry Creek Drainage Bridge 059, 19.67 km southeast of the junction of I-70 and K-57.

Project No. 82-14 K-6365-01, Clay County

The scope of service is to provide bridge rehabilitation to Milford Lake Bridge 026, 11.07 km east of the junction of K-15 and K-82.

Project No. 383-74 K-6369-01, Phillips County

The scope of service is to provide for the replacement of four bridges: Elk Creek Bridge 038, Prairie Dog Creek Bridge 029, Jack Creek Bridge 030 and Dry Creek Bridge 031, all northeast of the Norton/Phillips county line.

From the firms expressing interest, the Consultant Selection Committee will select a list of the most highly qualified (not less than three, not more than five) and invite them to attend the individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand. Firms not selected will be notified by letter.

The Consulting Negotiating Committee, appointed by the Secretary of Transportation, will conduct the discussions with the firms invited to the individual interview conferences. The committee will select the firm to perform the professional services required for completing the advertised project. After the selection of this firm, the remaining firms will be notified by letter of the outcome.

It is the policy of KDOT to use the following criteria as the basis for selection of the consulting engineering firms:

1. size and professional qualifications;
2. experience of staff;
3. location of firms with respect to proposed project;
4. work load of firm; and
5. firm's performance record.

E. Dean Carlson
Secretary of Transportation

Doc. No. 018496

(Published in the Kansas Register December 19, 1996.)

City of Wichita, Kansas**Request for Proposals for
Academic Enrichment Training**

The Job Training Partnership Act (JTPA) provides federal funds to states to establish programs to prepare youth and adults for entry into the labor force. Under JTPA, each state is divided into service delivery areas (SDAs). Within each SDA, private and public sector representatives are appointed to a Private Industry Council (PIC), which is responsible for policy, program development and oversight of programs operated within the SDA. SDA IV's PIC has selected the City of Wichita to be the grant recipient and program administrator for SDA IV.

Scope of Work

In anticipation of program operations for the summer of 1997, the PIC and the City of Wichita are seeking agents qualified to provide academic enrichment training for youth (aged 14-21) in coordination with the JTPA Summer Youth Employment and Training Program. The academic enrichment training to be provided will be work-based learning using the SCANS (Secretary's Commission on Achieving Necessary Skills) foundation skills and competencies. Proposals for such training may be submitted for all or any portion of the six-county SDA IV, which is comprised of Butler, Cowley, Harper, Kingman, Sedgwick and Sumner counties. Proposals to serve as few as 10 youth will be accepted.

Instructions for Submittal

All instructions are in the Request for Proposal (RFP) packet, which may be requested from Sarah Gilbert, Neighborhood Services Director, or Mike Reichenberger, Planning and Administration Director, City of Wichita, Human Services Department, 2nd Floor, City Hall, 455 N. Main, Wichita, 67202, (316) 268-4691, fax (316) 268-4219.

Proposal Due Date

Initial letters of interest are due by noon January 10, and final proposals are due by noon March 12, both at the address above. An RFP calendar, which includes other mandatory dates, is included in the RFP packet.

Mike Reichenberger
Planning and Administration Director

Doc. No. 018503

State of Kansas

State Banking Board

Notice of Meeting

The State Banking Board will meet at 9 a.m. Monday, January 27, in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority as set forth in K.S.A. 9-1801 et seq.

W. Newton Male
State Bank Commissioner

Doc. No. 018512

State of Kansas

Kansas Commission on Governmental Standards and Conduct

Advisory Opinion No. 96-34

Written December 4, 1996, to W.D. Ettridge, Secretary/Treasurer, Tri-County Public Airport Authority, Herington.

This opinion is in response to your letter of November 25, 1996, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the application of the local level conflict of interest laws (K.S.A. 75-4301a et seq.). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 75-4301a et seq., and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as secretary/treasurer for the Tri-County Public Airport Authority (authority). You advise us that the authority was established pursuant to K.S.A. 27-315 et seq. for the purpose of overseeing the local airport. Along with your opinion request, you also sent the city ordinance creating the authority which states that the authority may levy taxes and issue bonds.

You also advise us that a member of the authority's board is functioning as a land manager over airport property leased by the authority to local farmers. In that capacity, the member acts on behalf of the board with the farmers and receives from the authority a 4 percent commission on the gross land lease income as compensation. While the board members do not receive compensation for their services as members of the authority, they do receive payments for work they perform such as repairing airport equipment, operating machinery and writing letters.

Question

Based on this factual situation, you ask us the following questions:

1. Is the Airport Authority a "governmental subdivision" such that it is subject to the local level conflict of interest laws?

2. If so, is it a violation of the local level conflicts of interest laws for the authority board members to enter into contracts to pay themselves for work done on behalf of the authority?

Opinion

K.S.A. 75-4301a, subsections (d) and (f), apply to your first question. Those subsections state:

(d) "Local governmental officer" means any elected or appointed officer of any governmental subdivision or any of its agencies.

(f) "Governmental subdivision" means any city, county, township, school district, drainage district or other governmental subdivision of the state having authority to receive or hold public moneys or funds."

Since the authority is created by statute and has the ability to levy taxes and issue bonds, it is a "governmental subdivision." Therefore, the local level conflict of interest laws would apply to the authority and its members.

K.S.A. 75-4304(a) applies to your second question. That subsection states:

No local governmental officer or employee shall, in the capacity as such an officer or employee, make or participate in the making of a contract with any person or business by which the officer or employee is employed or in whose business the officer or employee has a substantial interest.

Therefore, the board members could not, in the capacity as board members, enter into contracts with themselves to perform work for the authority. Thus, it would be necessary for a board member, as a board member, to completely abstain from participating in the making of contracts between the authority and the member as an individual.

Advisory Opinion No. 96-35

Written December 4, 1996, to Richard L. Davis, Department of Health and Environment, Topeka.

This opinion is in response to your letter of October 29, 1996, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state level conflict of interest laws (K.S.A. 46-215 et seq.). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 46-215 et seq., and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as an Environment Planning Consultant for the Kansas Department of Health and Environment (KDHE). You advise us that your principal job responsibility is to provide technical assistance to landowners regarding riparian area management for water quality protection. Typical activities include public education and information efforts such as slide presentations, riparian site assessments and project installations.

You further advise us that you have designed a portable livestock shelter. You are in the process of obtaining a patent and would like to license several manufacturers in order to produce prototypes for distribution and test-

(continued)

ing. You have various options available to produce and distribute the shelters, each of which would involve different levels of your personal participation.

You state that the shelters would not be required in conjunction with any KDHE funded projects, nor would you directly solicit any producers in Kansas or work on the project during state hours.

Question

It is a violation of the state level conflict of interest laws for an employee of the KDHE to design and market portable livestock shelters to the general public during off-duty hours?

Opinion

K.S.A. 46-236 applies to your situation. That section in pertinent part states:

No state . . . employee . . . shall solicit any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service from any person known to have a special interest, under circumstances where such . . . employee . . . knows or should know that a major purpose of the donor in granting the same could be to influence the performance of the official duties or prospective official duties of such . . . employee. . . .

K.S.A. 46-228 in pertinent part defines "special interest" to mean:

An interest of any person . . . in the action or non-action of any state agency or state officer or employee upon any matter affecting such person as distinct from affect upon the people of the state as a whole.

In applying these sections to your situation, you would be prohibited from soliciting those persons with a "special interest" whose "major purpose" in purchasing the portable shelters would be to influence you in the performance of your duties with the state. This becomes an issue when the shelters are marketed to those persons you interact with in your capacity as a state employee.

If some totally separate entity were to do the marketing for you, there would not be a violation of K.S.A. 46-236. If you were to market the shelters yourself, you would need safeguards in place so that you would not solicit persons with a "special interest" who would purchase the shelters from you with a "major purpose" of influencing your duties as a state employee.

We suggest that if you market the shelters yourself, that your advertisements use your company name and do not mention your employment with KDHE. Also, as you note in your opinion request, the shelters should not be required equipment in conjunction with KDHE funded projects and you should refrain from working on the project during state time.

Advisory Opinion No. 96-36

Written December 4, 1996, to Jim Beckwith, Executive Director, Northeast Kansas Area Agency on Aging, Hiawatha.

This opinion is in response to your letter of November 26, 1996, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the local level conflict of interest laws (K.S.A. 75-4301a *et seq.*). We note at the outset that the

commission's jurisdiction is limited to the application of K.S.A. 75-4301a *et seq.*, and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as the executive director for the Northeast Kansas Area Agency on Aging (agency). You advise us that the agency has a 21-person board of directors, with each of the seven counties served by the agency appointing three members. You further advise us that the Atchison County Project Concern, Inc. (project) recently appointed its director to the agency's board. This individual directs the provision of services in Atchison County. As a board member of the agency, the director would then be in a position to vote on issues affecting both the project and Atchison County.

Question

Is it a violation of the local level conflict of interest laws for a county agency director to serve on the board of directors of the Area Agency on Aging and vote on issues affecting the county agency?

Opinion

K.S.A. 75-4304(a) might apply to your situation. That subsection states:

No local governmental officer or employee shall, in the capacity of such an officer or employee, make or participate in the making of a contract with any person or business by which the officer or employee has a substantial interest.

For this prohibition to apply, a "substantial interest" must be held in a "person" or "business." This commission has consistently held that local subdivisions of government such as the project and the agency are not "persons" or "businesses." Therefore, K.S.A. 75-4304 would not apply to your situation, and the project director could serve on the agency's board of directors and vote on issues affecting the project and Atchison County.

In closing, we note that if the state level conflict of interest laws (K.S.A. 46-215 *et seq.*) applied to this situation, a different outcome would have been reached, since under those laws "person" and "business" are defined to include governmental entities.

Advisory Opinion No. 96-37

Written December 4, 1996, to the Honorable Jim Barone, State Senator-elect, Frontenac.

This opinion is in response to your letter of November 26, 1996, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered in this opinion.

Factual Statement

We understand you request this opinion in your capacity as a Kansas state senator-elect. You advise us that

you are a member and president of the Racing Association of Kansas Southeast (association), a nonprofit organization that holds the racing license for pari-mutual racing at Camptown Greyhound Park.

Question

Is it a violation of the state level conflict of interest laws for a state senator to also serve as president of the Racing Association of Kansas Southeast?

Opinion

The commission has reviewed the state level conflict of interest laws in their entirety, and two sections may apply to your situation. K.S.A. 46-233(a) in pertinent part states:

No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed or in whose business such officer or employee or any member of such officer's or employee's immediate family has a substantial interest. . . .

We first note that you would hold a "substantial interest" as defined by K.S.A. 46-229(d) in the association by virtue of serving as its president. However, so long as you do not participate, as a state senator, in the making of contracts between the state and the association, this prohibition would not apply.

K.S.A. 46-286(a) states:

No state officer or employee, in the officer's or employee's official capacity, shall participate directly in the licensure, inspection or administration or enforcement of any regulation of or in any contract with any outside organization with which the officer or employee holds a position.

Although you hold a "position" with the association as its president, this subsection would not apply to your situation because the legislature does not license, inspect or regulate the association.

Therefore, nothing in the state level conflict of interest laws would prohibit you from serving as a legislator and as president of the association.

Advisory Opinion No. 96-38

Written December 4, 1996, to the Honorable Phill Kline, State Representative, Shawnee.

This opinion is in response to your letter of November 26, 1996, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as a Kansas state representative. You advise us that a communications corporation has been established with you and your wife holding a majority interest. In addition, you will act as president of the corporation. Currently, the corporation is scheduled to produce a radio program which will begin airing next year. The corpo-

ration will sell advertising for the program and receive compensation for such sales. The corporation will set the advertising rates consistent with market rates. You will receive a salary from the corporation as its president.

Question

Based on this factual situation, you ask us the following questions:

1. Is there any prohibition on you soliciting advertising purchases?
2. What, if any, disclosure rules apply to the nature of the advertising contracts and the identity of the purchasers?

Opinion

K.S.A. 46-236 applies to your first question. That section in pertinent part states:

No state officer or employee . . . shall solicit economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service from any person known to have a special interest, under circumstances where such officer, employee . . . knows or should know that a major purpose of the donor in granting the same could be to influence the performance of the official duties or prospective official duties of such officer, employee. . . .

Except when a particular course of official action is to be followed as a condition thereon, this section shall not apply to . . . a commercially reasonable loan or other commercial transaction in the ordinary course of business. . . .

In applying this language to your question, there would not be any prohibitions on you soliciting advertising purchasers, so long as the purchases were not made to influence you in "a particular course of official action" as a legislator.

K.S.A. 46-229(e) applies to your second question. That subsection states:

If an individual or an individual's spouse receives compensation which is a portion or percentage of each separate fee or commission paid to a business or combination of businesses, the individual has a substantial interest in any client or customer who pays fees or commissions to the business or combination of businesses from which fees or commissions the individual or the individual's spouse, either individually or collectively, received an aggregate of \$2,000 or more in the preceding calendar year.

As used in this subsection, "client or customer" means a business or combination of businesses.

In applying this language to your second question, so long as you and your spouse receive a salary, as opposed to receiving compensation in an aggregate of \$2,000 or more which is a portion or percentage of each separate fee or commission paid to the business, you would not hold a "substantial interest" in those businesses. Therefore, you would not be required to disclose the names of any of those businesses on your Statement of Substantial Interests form.

Advisory Opinion No. 96-39

Written December 4, 1996, to James J. O'Connell, Secretary of Health and Environment, Topeka.

This opinion is in response to your letter of October 18, 1996, in which you request an opinion from the Kansas

(continued)

Commission on Governmental Standards and Conduct concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule and regulations applies to your inquiry is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as Secretary of the Department of Health and Environment (KDHE). You advise us that the Kansas Health Foundation, a philanthropic organization, makes grants to health-related entities throughout the state in order to improve the quality of health in Kansas. The foundation has contacted the KDHE concerning the awarding of a grant to the Kansas Public Health Association (KPHA). This association is a non-profit corporation that advocates, and could lobby, for the public's health. Your agency informed us by telephone that KPHA is a local affiliate of a national organization made up of several entities.

The grant would be placed in a segregated, donor restricted fund to be used for the purposes that you have listed in your letter. Your agency also informed us by telephone that this money had to be kept in this fund and could not be used by KPHA for purposes other than those outlined in your request. KPHA's role would be to reimburse the individuals or entities that incur the allowable expenses from the grant. The foundation's objective in awarding the grant is to make private resources available to assist the KDHE in fulfilling state public health functions when such resources are not available due to budgetary constraints or state policy.

Question

Do the state level conflict of interest laws prohibit the KPHA from providing funds to the KDHE or any KDHE officer or employee?

Opinion

We have reviewed the state level conflict of interest laws in their entirety, and several sections may apply. K.S.A. 46-236 in pertinent part states:

No state officer or employee . . . shall solicit any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service from any person known to have a special interest, under circumstances where such officer, employee . . . knows or should know that a major purpose of the donor in granting the same could be to influence the performance of the official duties or prospective official duties of such officer, employee. . . .

K.S.A. 46-237 in pertinent part states:

(a) No state officer or employee . . . shall accept, or agree to accept any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service having an aggregate value of \$40 or more in any calendar year from any one person known to have a special interest, under circumstances where such person knows or should know that a major purpose of the donor is to influence such person in the performance of their official duties or prospective official duties.

(b) No person with a special interest shall offer, pay, give or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality or service having an aggregate

value of \$40 or more in any calendar year to any state officer or employee . . . with a major purpose of influencing such officer or employee . . . in the performance of official duties or prospective official duties.

(c) No person licensed, inspected or regulated by a state agency shall offer, pay, give or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service having an aggregate value of \$40 or more in any calendar year to such agency or any state officer or employee . . . of that agency.

K.S.A. 46-228 defines "special interest" to mean:

An interest of any person . . . (1) concerning action or non-action by the legislature on any legislative matter affecting such person as distinct from affect upon the people of the state as a whole, or (2) in the action or non-action of any state agency or state officer or employee upon any matter affecting such person as distinct from affect upon the people of the state as a whole.

We first note that if KPHA did engage in lobbying, then it would have a "special interest" in the agency and some of its officers and employees. Therefore, officers and employees of KDHE would be prohibited from soliciting funds from KPHA if the "major purpose" of KPHA in giving the funds was to "influence the performance" of the officer or employee's state duties (K.S.A. 46-236).

Similarly, a KDHE officer or employee could not receive, and KPHA could not give, funds in excess of \$40 if the funds were given as a "major purpose" to influence the officer or employee in his or her state duties (K.S.A. 46-237 (a) and (b)).

However, if KPHA does not lobby, then it would not hold a "special interest." Therefore, K.S.A. 46-236 and 46-237 (a) and (b) would not apply, and KDHE officers and employees could solicit funds from KPHA and the \$40 gift limitation would not be in effect.

Concerning the issue of K.S.A. 46-237(c), since KDHE does not license, inspect or regulate KPHA, this subsection would not apply.

Advisory Opinion No. 96-40

Written December 4, 1996, to the Honorable Sandy Praeger, Kansas State Senator, 2nd District, Lawrence.

This opinion is in response to your letter of November 13, 1996, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule and regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as a Kansas state senator. You have been asked to serve on an advisory committee for the Center for Studying Health Systems Change. The center is funded by a grant from the Robert Wood Johnson Foundation. The advisory committee would meet annually in Washington, D.C.

As a member of the advisory committee, you would be part of a group that would review and assess the portfolio of activities in which the center is engaged, and advise the center on what research methods or approaches are most productive in educating and communicating with policy makers. You would also have additional duties during the year such as reading draft reports, surveys and giving advice to the center.

The center has offered to pay for your expenses to attend the yearly meetings and a \$500 honorarium. You would like to accept the honorarium for the duties that you will perform during the year and when you attend committee meetings.

You have informed us by telephone that your letter is a request for the commission to waive the \$100 preparation and presentation fee set out in KCGSC Opinion No. 91-21.

Question

Is it permissible for you to accept the \$500 honorarium for serving on the Center for Studying Health Systems Change advisory committee?

Opinion

K.S.A. 46-237(f) applies to your situation. That subsection states:

No state officer or employee shall accept any payment of honoraria for any speaking engagement except that a member of the state legislature or a part-time officer or employee of the executive branch of government shall be allowed to receive reimbursement in the preparation for and the making of a presentation at a speaking engagement in an amount fixed by the Kansas commission on governmental standards and conduct prior to the acceptance of the speaking engagement. Nothing in this section shall be construed to prohibit the reimbursement of state officers and employees for reasonable expenses incurred in attending seminars, conferences and other speaking engagements.

In KCGSC Opinion No. 91-21, the commission opined that the amount of honorarium that could be paid to a legislator for the preparation and presentation of materials at a speaking engagement would depend on the following factors: amount of preparation, complexity of issues, qualifications of the presenter and the extent of the presenter's participation in the event. The commission stated that it would "... presume a maximum of \$50 for preparation and a maximum of \$50 for presentation. . . ." Anyone seeking an additional amount "... will have to request a waiver."

The commission believes that due to your expertise in the health care field, the complexity of health care issues, the amount of time required in preparing for and participating in the committee meetings and the duties required between meetings, the center may pay you the \$500 honorarium for each meeting you attend.

In closing, the commission notes that since you are providing a bona fide speaking service at these meetings, the center could also pay for all of your reasonable travel and lodging expenses.

Diane Gaede
Chair

Doc. No. 018501

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

Applications set for hearing are to be heard at 9:30 a.m. January 7 before the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka.

This list does not include cases previously assigned hearing dates for which parties of record have received notice.

Questions concerning applications for hearing dates should be addressed to the State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (913) 271-3196 or 271-3146. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

Your attention is invited to Kansas Administrative Regulations (K.A.R.) 82-1-228, "Rules of Practice and Procedure Before the Commission."

Application for Abandonment of Public Service:

Auto Recovery Corp.) MC ID No.
1939 N. Topeka Blvd.) 153489
Topeka, KS 66608)

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

General commodities (except hazardous materials and household goods),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Russell Baker, dba)
Russell Baker Trucking) MC ID No.
1362 Road 205) 154011
Emporia, KS 66801)

Applicant's Attorney: None

General commodities (except household goods and hazardous materials),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Mike Broeckelman, dba)
Griffith Transport) MC ID No.
202 Grand Ave.) 153490
Esbon, Ks 66941)

Applicant's Attorney: None

General commodities (except household goods),

Between all points and places in the State of Kansas.

Application for Name Change for Public Service:

Albert F. Burns, Jr. and)
Delbert R. Pickle, dba)
Burns & Pickle Auto Parts) MC ID No.
& Repair) 121690
P.O. Box 229)
Cimarron, KS 67835)

(continued)

TO: /
B & P Auto Parts, Inc.
P.O. Box 229
Cimarron, KS 67835

Applicant's Attorney: None

*Wrecked, disabled, repossessed and replacement
motor vehicles and trailers,*

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

C.M.V. Transportation, Inc.) MC ID No.
425 S. Randall) 153486
Moundridge, KS 67107)

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

*General commodities (except hazardous materials and
household goods),*

Between all points and places in the State of Kansas.

Application for Joint and Dual Equipment Registration:

Collectia, Ltd.) MC ID No.
2550 W. Road) 138518
Ulysses, KS 67880-9803)

Barney Rogers Dirt) MC ID No.
Contractor, Inc.) 122298
2550 W. Road)
Ulysses, KS 67880-9803)

Applicant's Attorney: Clyde Christey, Southwest Plaza
Bldg., Suite 124, 3601 W. 29th, Topeka, KS 66614

Application for Abandonment of Public Service:

Michael E. DePratt and)
Richard B. Glasgow, dba)
DePratt Used Cars) MC ID No.
516 N. Penn) 136364
Columbus, KS 66725-0303)

Applicant's Attorney: Robert Hiatt, 1324/S.W. Topeka
Blvd., Topeka, KS 66612-1884

**Application for Extension of Certificate of
Public Service:**

W. Eakin, Inc.) MC ID No.
P.O. Box 48) 114874
Larned, KS 67550)

Applicant's Attorney: Clyde Christey, Southwest Plaza
Bldg., Suite 124, 3601 W. 29th, Topeka, KS 66614

General commodities (except household goods),

Between all points and places in the State of Kansas.

Application for Abandonment of Public Service:

Knut Farstvedt and)
Jack Johnson, dba) MC ID No.
A & A Auto Sales) 152376
Columbus, KS 66725)

Applicant's Attorney: None

Application for Certificate of Public Service:

Glasgow Body and Frame, Inc.) MC ID No.
516 N. Penn) 153485
Columbus, KS 66725)

Applicant's Attorney: Robert Hiatt, 1324 S.W. Topeka
Blvd., Topeka, KS 66612-1884

Wrecked, disabled, repossessed and replacement vehicles, parts,

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Donald L. and Janice)
Goetz, dba)
Donja Farms) MC ID No.
Route 1, Box 12) 153493
Park, KS 67751)

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

*General commodities (except hazardous materials and
household goods),*

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Hodges Oilfield Company) MC ID No.
4050 W. I-40) 214733
Oklahoma City, OK 73108)*

Applicant's Attorney: None

*General commodities (except household goods and
hazardous materials),*

Between all points and places in the State of Kansas.

**Application for Abandonment of Certificate of
Public Service:**

I.S. Oil, Inc.) MC ID No.
409 W. Jackson) 100631
Hamilton, KS 66853)

Applicant's Attorney: None

**Application for Abandonment of Contract
Carrier Permit:**

I.S. Oil, Inc.) MC ID No.
409 W. Jackson) 100631
Hamilton, KS 66853)

Applicant's Attorney: None

Application for Certificate of Public Service:

Russell T. Irvine, dba)
Irvine Trucking) MC ID No.
1007 N. Olive) 154008
Abilene, KS 67410)

Applicant's Attorney: None

General commodities (except household goods and hazardous materials),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

L & M Fahrenbruch, Inc.) MC ID No.
Route 1) 119535
Trenton, NB 69044)

Applicant's Attorney: None

Grain and feed,

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Jack Langlois, dba)
T J's Trucking) MC ID No.
2707 Donedda St.) 153488
Dodge City, KS 67801)

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

General commodities (except hazardous materials and household goods),

Between all points and places in the State of Kansas.

Application for Certificate of Convenience and Necessity:

Safe Ride Services, Inc.)
9525 E. Doubletree Ranch) MC ID No.
Road, #110) 217497
Scottsdale, AZ 85258)

Applicant's Attorney: Alex Lewandowski, 4420 Madison Ave., Kansas City, MO 64111

Passengers requiring nonemergency medical transportation,

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Sallee, Inc.) MC ID No.
2112 Hart) 153487
Dodge City, KS 67801)

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

General commodities (except household goods),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Kevin Stirton, dba)
Kevin Stirton Trucking) MC ID No.
422 E. 12th) 152880
Horton, KS 66439)

Applicant's Attorney: Clyde Christey, Southwest Plaza Bldg., Suite 124, 3601 W. 29th, Topeka, KS 66614

General commodities (except household goods and hazardous commodities),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Sunflower Systems, Inc.)
Mile Marker 4, Kansas) MC ID No.
Hwy. 152) 153491
La Cygne, KS 66040)

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

General commodities (except hazardous materials and household goods),

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Terry L. Tichel, dba)
T & T Auto Body & Restoration) MC ID No.
324 N. Mincer) 153492
Stafford, KS 67578)

Applicant's Attorney: None

Wrecked, disabled, repossessed and replacement vehicles,

Between all points and places in the State of Kansas.

Application for Certificate of Public Service:

Waldon E. Wenger, dba)
Wenger Trucking) MC ID No.
330 S. Callahan) 153484
Wichita, KS 67209)

Applicant's Attorney: None

General commodities (except household goods),

Between all points and places in the State of Kansas.

Application for Extension of Certificate of Public Service:

M.W. York) MC ID No.
HC 69, Box 13) 137179
Wilmore, KS 67155)

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

General commodities (restricted against the transportation of hazardous materials and household goods),

Between all points and places in the State of Kansas.

Don Carlile
Administrator
Transportation Division

Doc. No. 018520

State of Kansas

Department of Health
and Environment

Request for Proposals

The Kansas Department of Health and Environment, in cooperation with the federal Centers for Disease Control and Prevention, is making available grants and is requesting proposals from eligible community-based, community service organizations and/or local health departments to develop and implement HIV/AIDS education activities targeting females at highest risk of HIV infection in the following Kansas counties: Clay, Geary, Marshall, Pottawatomie, Riley and Washington.

Each qualified organization may submit one proposal. One contract of up to \$6,100 will be awarded for the period July 1, 1997 through June 30, 1998. Release of funds is contingent upon the availability of federal funds and on budget approvals of the Kansas Legislature. The project period may be extended an additional 12 months contingent upon success of the grantee in meeting contract objectives for the first 12-month period and availability of funding.

To receive an application packet, call Sally Finney Brazier, M.Ed., at (913) 296-6173, or write to the Kansas Department of Health and Environment, AIDS Section, 109 S.W. 9th, Suite 605, Topeka, 66612-1271, Attn: RFPs.

Applications must be postmarked on or before January 31.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018507

State of Kansas

Department of Health
and Environment

Request for Proposals

The Kansas Department of Health and Environment, in cooperation with the federal Centers for Disease Control and Prevention, is making available grants and is requesting proposals from eligible community-based, community service organizations and/or local health departments to develop and implement HIV/AIDS education activities targeting persons at highest risk of HIV infection in north central and northwest Kansas.

For the purposes of this RFP, north central and northwest Kansas shall include all or any multi-county combination of the following counties: Cheyenne, Rawlins, Decatur, Norton, Phillips, Smith, Jewell, Republic, Cloud, Mitchell, Osborne, Rooks, Graham, Sheridan, Thomas, Sherman, Wallace, Logan, Gove, Trego, Ellis, Russell, Lincoln, Ottawa, Dickinson, Marion, Saline, McPherson, Ellsworth, Rice and Barton.

Each qualified organization may submit one proposal. One contract of up to \$5,125 will be awarded for the period July 1, 1997 through June 30, 1998. Release of funds is contingent upon the availability of federal funds and on budget approvals of the Kansas Legislature. The pro-

ject period may be extended an additional 12 months contingent upon success of the grantee in meeting contract objectives for the first 12-month period and availability of funding.

To receive an application packet, call Sally Finney Brazier, M.Ed., at (913) 296-6173, or write to the Kansas Department of Health and Environment, AIDS Section, 109 S.W. 9th, Suite 605, Topeka, 66612-1271, Attn: RFPs.

Applications must be postmarked on or before January 31.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018506

State of Kansas

Department of Health
and Environment

Request for Proposals

The Kansas Department of Health and Environment, in cooperation with the federal Centers for Disease Control and Prevention, is making available grants and is requesting proposals from eligible community-based, community service organizations for the following HIV/AIDS education projects targeting gay/bisexual males having sex with males and their female sex partners:

- Wyandotte and Johnson counties. (Up to \$125,020)
- Johnson and Miami counties. (Up to \$62,326)
- Douglas, Franklin and Jefferson counties. (Up to \$36,833)
- Atchison, Brown, Coffey, Doniphan, Jackson, Lyon, Morris, Nemaha, Osage, Shawnee and Wabaunsee counties. (Up to \$70,498)
- Allen, Anderson, Bourbon, Cherokee, Crawford, Labette, Linn, Montgomery, Neosho, Wilson and Woodson counties. (Up to \$22,186)
- Clay, Geary, Marshall, Pottawatomie, Riley and Washington counties. (Up to \$18,305)
- Barber, Butler, Chase, Chautauqua, Cowley, Elk, Greenwood, Harper, Harvey, Kingman, Pratt, Reno, Sedgwick, Stafford and Sumner counties. (Up to \$98,790)

Each qualified organization may submit one proposal. One contract will be awarded for the period July 1, 1997 through June 30, 1998. Release of funds is contingent upon the availability of federal funds and on budget approvals of the Kansas Legislature. The project period may be extended an additional 12 months contingent upon success of the grantee in meeting contract objectives for the first 12-month period and availability of funding.

To receive an application packet, call Sally Finney Brazier, M.Ed., at (913) 296-6173, or write to the Kansas Department of Health and Environment, AIDS Section, 109 S.W. 9th, Suite 605, Topeka, 66612-1271, Attn: RFPs.

Applications must be postmarked on or before February 14.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018505

State of Kansas

Department of Health
and Environment

Request for Proposals

The Kansas Department of Health and Environment, in cooperation with the federal Centers for Disease Control and Prevention, is making available grants and is requesting proposals from eligible community-based, community service organizations for the following HIV/AIDS education projects:

- African American women at risk for HIV infection in Wyandotte and Leavenworth counties. (Up to \$41,675)
- Injection drug users and their sex partners in Wyandotte and Leavenworth counties. (Up to \$51,673)
- Injection drug users and their sex partners in Johnson and Miami counties. (Up to \$20,775)
- Injection drug users and their sex partners in Douglas, Franklin and Jefferson counties. (Up to \$12,278)
- Injection drug users and their sex partners in Atchison, Brown, Coffey, Doniphan, Jackson, Lyon, Morris, Nemaha, Osage, Shawnee and Wabaunsee counties. (Up to \$33,500)
- African Americans at risk for HIV infection in Atchison, Brown, Coffey, Doniphan, Jackson, Lyon, Morris, Nemaha, Osage, Shawnee and Wabaunsee counties. (Up to \$23,500)
- Injection drug users and their sex partners in Allen, Anderson, Bourbon, Cherokee, Crawford, Labette, Linn, Montgomery, Neosho, Wilson and Woodson counties. (Up to \$7,395)
- Injection drug users and their sex partners in Clay, Geary, Marshall, Pottawatomie, Riley and Washington counties. (Up to \$6,102)
- African American injection drug users and their sex partners in Barber, Butler, Chase, Chautauqua, Cowley, Elk, Greenwood, Harper, Harvey, Kingman, Pratt, Reno, Sedgwick, Stafford and Sumner counties. (Up to \$32,930)
- Injection drug users and their sex partners in Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Greeley, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Lane, Meade, Morton, Ness, Pawnee, Rush, Scott, Seward, Stanton, Stevens and Wichita counties. (Up to \$4,099)
- Gay/bisexual males having sex with males and their female sex partners in Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Greeley, Hamilton, Haskell, Hodgeman, Kearny, Kiowa, Lane, Meade, Morton, Ness, Pawnee, Rush, Scott, Seward, Stanton, Stevens and Wichita counties. (Up to \$12,300)

Each qualified organization may submit one proposal. One contract will be awarded for the period July 1, 1997 through June 30, 1998. Release of funds is contingent upon the availability of federal funds and on budget approvals of the Kansas Legislature. The project period may be extended an additional 12 months contingent upon success of the grantee in meeting contract objectives for the first 12-month period and availability of funding.

To receive an application packet, call Sally Finney Brazier, M.Ed., at (913) 296-6173, or write to the Kansas Department of Health and Environment, AIDS Section, 109 S.W. 9th, Suite 605, Topeka, 66612-1271, Attn: RFPs.

Applications must be postmarked on or before January 31.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018504

State of Kansas

Department of Health
and EnvironmentNotice Concerning Municipal Solid
Waste Landfill Permit

The Kansas Department of Health and Environment has received and reviewed a request to vertically expand the Allen County municipal solid waste landfill located approximately one mile southeast of La Harpe, Kansas. The landfill is owned and operated by Allen County. The requested vertical expansion would allow the landfill to operate in the existing area for approximately five years without the use of a lined cell and allow an increase in height of the currently operating cell. KDHE is providing public notice of its intent to modify the existing municipal solid waste landfill permit for the Allen County municipal landfill to allow vertical expansion for a five-year period.

A copy of the administrative record, which includes the draft amended permit, and all information regarding this permit action is available for public review until January 14 during normal business hours, 8 a.m. to 5 p.m. Monday through Friday, at the following locations:

Kansas Department of Health and Environment
Bureau of Waste Management
Permitting Section
Forbes Field, Building 740
Topeka, 66620
Contact: Phil Rosewicz
(913) 296-1594

Allen County Public Works Dept.
1 N. Washington
Iola, 66759
Contact: Bill King
(316) 356-1422

Anyone wishing to comment on the draft amended permit or permit amendment request should submit written statements postmarked not later than January 14 to Phil Rosewicz at the KDHE Forbes Field address. After consideration of all comments received, the director of the Division of Environment will make a final permit decision. Notice of the decision will be given to the permittee, all persons who submitted written comments, and those who requested notice of the final permit decision.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018516

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality Class II operating permit. The Procter & Gamble Manufacturing Company has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. The Procter & Gamble Manufacturing Company manufactures several intermediate and finished products, including amines, amine oxides, liquid soaps, ethers and surfactants. In addition to manufacturing products, the facility has several combustion sources to generate process steam and emergency electric power. Emissions of sulfur oxides (SO₂) and oxides of nitrogen (NO_x) were evaluated during the permit review process. The purpose of the Class II operating permit is to limit the potential-to-emit of both SO₂ and NO_x to below 100 tons per year.

The Procter & Gamble Manufacturing Company, Kansas City, Kansas, owns and operates the stationary source located at 1900 Kansas Ave., Kansas City, Kansas.

A copy of the proposed permit, permit application, all supporting, nonconfidential documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the Department of Air Quality, Wyandotte County Health Department, 619 Ann Ave., Kansas City, Kansas, and at the Bureau of Air and Radiation, Kansas Department of Health and Environment, Building 283, Forbes Field, Topeka. To obtain or review the proposed permit and supporting documentation, contact Roylene A. Cunningham at the Wyandotte County Health Department, (913) 573-6700, or Connie Carreno at the Kansas Department of Health and Environment, (913) 296-6422. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Roylene A. Cunningham, Department of Air Quality, Wyandotte County Health Department, 619 Ann Ave., Kansas City, KS 66101. Written comments must be received by the close of business January 21 in order to be considered in formulating a final permit decision.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, Department of Health and Environment, Building 283, Forbes Field, Topeka, 66620, not later than the close of business January 21 in order for the Secretary of Health and Environment to consider the request.

James J. O'Connell
Secretary of Health and Environment

Doc. No. 018519

State of Kansas

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, 28-16-150 through 154, 28-46-7, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, draft permits have been prepared for discharges to the waters of the United States and the State of Kansas for the class of dischargers described below. The determinations for permit content are based on 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 subject to certain conditions.

Public Notice No. KS-AG-96-803/805

Name and Address of Applicant	Legal Description	Receiving Water
Randy V. Hein 622 N. Pomery Hill City, KS 67642	NE/4, Sec. 4, T7S, R21W, Graham County	Solomon River Basin

Kansas Permit No. A-SOGH-5003

This is an existing facility for 980 head (232 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE 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.

Name and Address of Applicant	Legal Description	Receiving Water
2-K Dairy Don Knoll 1846 Cheyenne Road Moundridge, KS 67107	SW/4, Sec. 6, T21S, R2W, McPherson County	Little Arkansas River Basin

Kansas Permit No. A-LAMP-M014

This is an expansion facility for 130 head (182 animal units) of dairy cows.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE minimum requirements.

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquids and solids with applications to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 3.0 acre inch per acre per year and solids shall be applied at not greater than 5.0 ton per acre.

Dewatering equipment shall be obtained within three months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 180 gallons per minute and dispersing the wastewater over 35 acres of land suitable

for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Name and Address of Applicant	Legal Description	Receiving Water
Crumbaker Pork L.L.C. David E. Crumbaker Route 4, Box 3 Beloit, KS 67420	E/2, Sec. 24, T15S, R4W, & N/2 & SW/4, Sec. 19, T15S, R3W, Saline County	Saline River Basin
Kansas Permit No. A-SASA-H001 Federal Permit No. KS-0038041		

This is an existing facility for 12,000 head (4,800 animal units) of swine.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided, which meets or exceeds KDHE 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.

Public Notice No. KS-96-319/325

Name and Address of Applicant	Waterway	Type of Discharge
City of Hoxie P.O. Box 898 Hoxie, KS 67740	Solomon River via South Fork Solomon River via Sand Creek	Treated domestic wastewater

Kansas Permit No. M-SO20-0001 Federal Permit No. KS-0030562
Location: NW¼ S22, T8S, R28W, Sheridan County

Facility Description: The proposed action is to issue an existing permit for operation of an existing wastewater treatment facility. The facility is a trickling filter with primary and final clarification, two-stage sludge digesters and sludge drying beds. The proposed permit contains secondary limits and ammonia monitoring on the effluent. The receiving stream is effluent created and flow does not reach any designated use streams. The 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.

Name and Address of Applicant	Waterway	Type of Discharge
City of Oakley 209 Hudson Ave. Oakley, KS 67748-1725	Smoky Hill River via Hackberry Creek via unnamed tributary	Treated domestic wastewater

Kansas Permit No. M-SH29-0001 Federal Permit No. KS-0031291
Location: NE¼ S10, T11S, R32W, Logan County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility. The facility is a trickling filter with primary and final clarification, anaerobic sludge digestion and sludge drying beds. The proposed permit contains secondary limits and ammonia monitoring on the effluent. The receiving stream is effluent created and flow does not reach any designated use streams. The 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.

Name and Address of Applicant	Waterway	Type of Discharge
City of Olathe Olathe Cedar Creek P.O. Box 768 Olathe, KS 66061	Kansas River via Cedar Creek	Treated domestic wastewater

Kansas Permit No. M-KS52-1006 Federal Permit No. KS-0081299
Location: NW¼ S20, T13S, R23E, Johnson County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility. The facility is a mechanical plant with an aerated grit basin, two oxidation basins, two final clarifiers, a chlorine contact basin, sludge handling equipment and an extraneous flow holding basin. The proposed permit contains a schedule of compliance to upgrade the current facility to provide disinfection of the wastewater in the extraneous flow holding basin. The 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.

Name and Address of Applicant	Waterway	Type of Discharge
City of Olathe Olathe Main WWTF P.O. Box 768 Olathe, KS 66061	Kansas River via Mill Creek	Treated domestic wastewater

Kansas Permit No. M-KS52-1001 Federal Permit No. KS-0045802
Location: SE¼ S23, T13S, R23E, Johnson County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing wastewater treatment facility. The facility is a mechanical plant with an aerated grit basin, primary clarification, first and second stage trickling filters with intermediate clarification, final clarification, UV disinfection, sludge handling equipment and an extraneous flow holding basin. The 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.

Name and Address of Applicant	Waterway	Type of Discharge
Board of Public Utilities McPherson Power Plant #2 P.O. Box 1008 McPherson, KS 67460	Little Arkansas River via Turkey Creek via Dry Turkey Creek via Bull Creek	Cooling tower blowdown and miscellaneous wastewater

Kansas Permit No. I-LA11-PO04 Federal Permit No. KS-0079758
Location: 1128 West Avenue A, McPherson, KS

Facility Description: The proposed action is to re-issue a modified permit for operation of an existing power plant. The facility is a standby electrical generating station used for peaking and emergency power. Wastewater discharges consist of cooling tower and boiler blowdown, gas turbine evaporative cooler blowdown, floor drains and stormwater runoff from oil storage. Domestic waste is directed to a septic tank. Water treatment backwash water is connected to the sanitary sewer. Average daily discharge is 163,800 gallons. The 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.

Name and Address of Applicant	Waterway	Type of Discharge
Kaneb Pipeline Operating, L.P. Ark City Groundwater Remed. 100 N. Broadway, Suite 550 Wichita, KS 67202	McFarland gravel pit	Treated groundwater

Kansas Permit No. I-WA18-PO03 Federal Permit No. KS-0087882
Location: SE¼ S18, T34S, R4E, Cowley County

Facility Description: The proposed action is to re-issue a new permit for operation of an existing groundwater remediation project. An air stripping tower is utilized to treat gasoline contaminated groundwater prior to discharge. The flow is about 175 gpm. The 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.

Name and Address of Applicant	Waterway	Type of Discharge
Western Resources Gas Co. c/o Tom Brown P.O. Box 889 Topeka, KS 66601	South fork Ninnescah River via a PVC pipeline	Treated groundwater

Kansas Permit No. I-AR96-PO01 Federal Permit No. KS-0087823
(continued)

Location: Calista Compressor Station—SW $\frac{1}{4}$ S6, T28S, R3W, Kingman County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing groundwater remediation project. Six recovery wells manifold into the treatment system, which consists of a sequestering chemical metering pump, an oil/water separator, two skid mounted air strippers operating in parallel, a pre-filter to protect the carbon units, two liquid phase carbon absorbers, and two vapor phase carbon absorbers. Total discharge is about 16,330 gpd. The 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.

Public Notice No. KS-EG-96-082/091

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, draft permits have been prepared for the continued use of the wells described below within the State of Kansas.

Name and Address of Applicant	Well Location
Vulcan Materials Co. P.O. Box 12283 Wichita, KS 67277-2283	
Well Identification J-46 KS Permit No. KS-03-173-088	NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, S25, T29S, R3W, Sedgwick County 3469' fsl and 2243' fel from SE corner of Section
Well Identification J-47 KS Permit No. KS-03-173-089	NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, S25, T29S, R3W, Sedgwick County 3642' fsl and 2075' fel from SE corner of Section
Well Identification J-48 KS Permit No. KS-03-173-090	NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, S25, T29S, R3W, Sedgwick County 3360' fsl and 2065' fel from SE corner of Section
Well Identification J-49 KS Permit No. KS-03-173-091	SW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, S25, T29S, R3W, Sedgwick County 3289' fsl and 2415' fel from SE corner of Section
Well Identification J-50 KS Permit No. KS-03-173-092	NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, S25, T29S, R3W, Sedgwick County 3639' fsl and 2422' fel from SE corner of Section
Well Identification J-51 KS Permit No. KS-03-173-093	NW $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$, S25, T29S, R3W, Sedgwick County 3451' fsl and 1228' fel from SE corner of Section
Well Identification J-52 KS Permit No. KS-03-173-094	NW $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$, S25, T29S, R3W, Sedgwick County 3632' fsl and 1057' fel from SE corner of Section
Well Identification J-53 KS Permit No. KS-03-173-095	SW $\frac{1}{4}$, SE $\frac{1}{4}$, NE $\frac{1}{4}$, S25, T29S, R3W, Sedgwick County 3279' fsl and 1052' fel from SE corner of Section
Well Identification J-54 KS Permit No. KS-03-173-096	SE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, S25, T29S, R3W, Sedgwick County 3272' fsl and 1400' fel from SE corner of Section
Well Identification J-55 KS Permit No. KS-03-173-097	NE $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$, S25, T29S, R3W, Sedgwick County 3623' fsl and 1407' fel from SE corner of Section

Description: The facility is a salt production plant. These wells make up two salt solution mining galleries. These galleries each consist of one brine recovery well and four freshwater injection wells.

Written comments on the draft permits must be submitted to the attention of Lisa Duncan for agricultural permits, or the permit clerk for all other permits, Kansas Department of Health and Environment, Division of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620. All comments post-marked or received by January 17 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-96-803/805, KS-96-319/325, KS-EG-96-082/091) 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 determination. 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 for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The applications, proposed permits, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 283, Forbes Field, Topeka, from 8 a.m. to 5 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.

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018517

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-54. "Ask for the sale" promotion. (a) During the period beginning December 1, 1996, and ending December 31, 1996, in addition to compensation provided for in K.A.R. 111-2-4, the Kansas lottery also offers Kwik Shop stores numbers 701, 703, 704, 741, 747, 753, 755, 762, and 767, an opportunity to participate in a bonus retailer "ask for the sale" incentive promotion of lottery tickets.

(b) On each Friday in December 1996, including December 6, 13, 20, and 27, the above-mentioned Kwik Shop stores' personnel selling Kansas lottery tickets will ask every adult customer making a purchase if the customer would like to purchase a lottery ticket. If the employee fails to ask adult customers for the purchase of a lottery ticket and the customer brings it to the clerk's attention before leaving the premises, the retailer shall give the adult customer one \$1.00 instant lottery ticket at no charge.

(c) All retailer employees at each location shall wear promotional buttons and display special point-of-sale materials provided by the lottery each Friday from 6:00 a.m. to 6:00 p.m. during the promotion announcing the promotion to its customers. These promotional materials consist of:

(1) A tent card to be displayed at the point where tickets are sold.

(2) A window/monitor banner to be displayed at the front entrance of the business and/or below the lottery information display system monitor.

These materials must be on display during all hours of the promotion at the times and dates established in subsections (b) and (c) for a store to be eligible for a prize.

(d) The Kansas lottery will provide each location with a credit of \$35. This will be credited to each store's account at the beginning of the promotion.

(e) Any tickets given away above the \$35 allowance representing 35 tickets per location will be the responsibility of the regional Kwik Shop stores.

(f) Each retail location shall maintain a ticket log form to be completed every time a lottery ticket is given away. The log will be picked up by the Kansas lottery district manager servicing the retailer location at the end of the promotion.

(g) At the end of the promotion, the regional Kwik Shop store with the greatest percentage increase in lottery ticket sales for the period from December 1, 1996, through December 31, 1996, over the period from December 1, 1995, through December 31, 1995, will win a portable compact disc player and promotional items. The second and third place stores will receive promotional items provided by the lottery. (Authorized by K.S.A. 1995 Supp. 74-8710, implementing K.S.A. 1995 Supp. 74-8710 and K.S.A. 74-8708; effective, T-111-12-2-96, Nov. 15, 1996.)

Article 4.—INDIVIDUAL GAME RULES

RULES FOR INSTANT GAME NO. 82 "SUPER HOT 100's"

111-4-942. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Super Hot 100's" commencing on or after November 18, 1996. The specific rules for the "Super Hot 100's" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-942 through 111-4-946. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-943. Definitions. The following definitions shall apply to the "Super Hot 100's" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in each of the four play areas 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 10 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of the six play spots within each of the four play areas. Each game symbol for this instant game is one of the following: FREE - \$2.⁰⁰ - \$4.⁰⁰ - \$5.⁰⁰ - 10.⁰⁰ - 20.⁰⁰ - 25.⁰⁰ - 30.⁰⁰ - 50.⁰⁰ - \$100\$ - \$5000 - \$20000.

(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
FREE	TICKET
\$2. ⁰⁰	TWO\$
\$4. ⁰⁰	FOUR\$
\$5. ⁰⁰	FIVE\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWENTY
25. ⁰⁰	TWEN-FIV
30. ⁰⁰	THIRTY
50. ⁰⁰	FIFTY
\$100\$	ONE-HUN
\$5000	FIVETHOU
\$20000	20-THOU

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the latex 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 149. The book-ticket number is printed in black ink on the back of each instant game ticket both below the information form and below the bar code.

(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 three letter code printed and appearing in three of six varying locations among the game symbols in each of the four play areas. The codes and their meanings are as follows: FRE - Free ticket; FOR - \$4.00; TEN - \$10.00; TWY - \$20.00; TRY - \$30.00; HUN - \$100.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-944. Cost of ticket. The price of "Super Hot 100's" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-945. 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 four separate play areas entitled "GAME 1," "GAME 2," "GAME 3" and "GAME 4" to reveal the six game symbols and captions in each play area. This is a match three of six game. If three of the six concealed prize amounts in a single game match, the player wins the amount shown. A player can

(continued)

win up to four times on a single ticket. The prizes a player gets are as follows:

K.S.A. 1995 Supp. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-948. Definitions. The following definitions shall apply to the "Dynamite 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 15 point WGI font 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: \$1.⁰⁰ - \$5.⁰⁰ - 10.⁰⁰ - 20.⁰⁰ - \$2500 - \$5000 - symbol of exploding dynamite.

(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
Symbol of exploding dynamite	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 an 11-digit number which appears below the top four 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 back of each instant game ticket both above the information form and below the car code.

(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 three letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; FIV = \$5.00; TEN = \$10.00; TWY = \$20.00; FRY = \$40.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-949. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the re-

Get	Win
3 FREE's	FREE TICKET
3 \$4's	\$4
3 \$2's + 3 \$2's	\$4
3 \$10's	\$10
3 \$5's + 3 \$5's	\$10
3 \$20's	\$20
3 \$10's + 3 \$10's	\$20
3 \$5's + 3 \$5's + 3 \$5's + 3 \$5's	\$20
3 \$30's	\$30
3 \$10's + 3 \$10's + 3 \$10's	\$30
3 \$100's	\$100
3 \$50's + 3 \$50's	\$100
3 \$25's + 3 \$25's + 3 \$25's + 3 \$25's	\$100
3 \$20,000's	\$20,000
3 \$5,000's + 3 \$5,000's + 3 \$5,000's	\$20,000

No ticket will be eligible to win more than one prize.

(Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-946. Number and value of instant prizes. (a) There will be approximately 1,500,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Prize Amount	Number of Prizes in Game	Expected Value in Game
3 FREE's	FREE TICKET	180,000	\$ 0
3 \$4's	\$4	20,000	80,000
3 \$2's + 3 \$2's	\$4	40,000	160,000
3 \$10's	\$10	15,000	150,000
3 \$5's + 3 \$5's	\$10	19,800	190,000
3 \$20's	\$20	2,500	50,000
3 \$10's + 3 \$10's	\$20	2,500	50,000
3 \$5's + 3 \$5's + 3 \$5's + 3 \$5's	\$20	5,000	100,000
3 \$30's	\$30	1,500	45,000
3 \$10's + 3 \$10's + 3 \$10's	\$30	4,000	120,000
3 \$100's	\$100	1,000	100,000
3 \$50's + 3 \$50's	\$100	1,500	150,000
3 \$25's + 3 \$25's + 3 \$25's + 3 \$25's	\$100	3,000	300,000
3 \$20,000's	\$20,000	3	60,000
3 \$5,000's + 3 \$5,000's + 3 \$5,000's + 3 \$5,000's	\$20,000	2	40,000
		<u>295,005</u>	<u>\$1,595,000</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. The odds of winning a prize in this game are one in 5.08.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f); effective, T-111-12-2-96, Nov. 15, 1996.)

**RULES FOR INSTANT GAME NO. 77
"DYNAMITE DOUBLER"**

111-4-947. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Dynamite Doubler" commencing on or after November 18, 1996. The specific rules for the "Dynamite Doubler" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-947 through 111-4-950. (Authorized by and implementing

movable layer of material covering the play area to reveal the six game symbols and captions. This is a match three of six game which includes a doubler. If three of the six concealed prize amounts match, the player wins the amount shown. If two of the six 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. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-950. 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	208,000	\$ 208,000
2 - \$1's (*)	136,000	272,000
3 - \$5's	80,000	400,000
2 - \$5's (*)	16,800	168,000
3 - \$10's	8,000	80,000
3 - \$20's	8,000	160,000
3 - \$20's (*)	1,800	72,000
3 - \$2,500's	3	7,500
2 - \$2,500's (*)	2	10,000
3 - \$5,000's	3	15,000
	<u>458,608</u>	<u>\$1,392,500</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. The odds of winning a prize in this game are one in 5.23.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-12-2-96, Nov. 15, 1996.)

**RULES FOR INSTANT GAME NO. 78
"QUICK CASH"**

111-4-951. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Quick Cash" commencing on or after November 18, 1996. The specific rules for the "Quick Cash" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-951 through 111-4-954. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-952. Definitions. The following definitions shall apply to the "Quick Cash" instant lottery game:

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

symbol for this instant game is one of the following: FREE - \$2.00 - \$5.00 - 10.00 - 15.00 - 50.00 - \$500\$.

(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
FREE	Ticket
\$2.00	TWO\$
\$5.00	FIVE\$
10.00	TEN\$
15.00	FIFTEEN
50.00	FIFTY
\$500\$	FIVE-HUN

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the latex covering 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 back of each instant game ticket above the information form and below the bar code.

(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 three letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: FRE - Free ticket; TWO - \$2.00; FIV - \$5.00; TEN - \$10.00; FTN - \$15.00; FTY - \$50.00; FHN - \$500.00

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-953. 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 of six game. If three of the six concealed prize amounts match, the player wins the amount shown. No ticket will be eligible to win more than one prize. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-954. Number and value of instant prizes. (a) There will be approximately 2,400,000 tickets ordered for
(continued)

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
FREE TICKET	288,000	\$ 0
\$2	96,000	192,000
\$5	54,400	272,000
\$10	16,000	160,000
\$15	8,800	132,000
\$50	8,800	440,000
\$500	40	20,000
	<u>472,040</u>	<u>\$1,216,000</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. The odds of winning a prize in this game are one in 5.08.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-12-2-96, Nov. 15, 1996.)

1997 SECOND CHANCE DRAWINGS

111-4-955. Name of drawing. (a) The Kansas lottery shall conduct a series of instant ticket drawings entitled "1997 Second Chance Drawings," and will accept entries on and after December 16, 1996. There will be eight weekly drawings on Fridays starting January 10, 1997, and ending on February 28, 1997. Immediately thereafter the last weekly drawing a grand prize drawing made up of the eight weekly drawing winners will be conducted.

(b) Drawings will be conducted at the following dates and times:

Friday	January 10, 1997	10:00 a.m.
Friday	January 17, 1997	10:00 a.m.
Friday	January 24, 1997	10:00 a.m.
Friday	January 31, 1997	10:00 a.m.
Friday	February 7, 1997	10:00 a.m.
Friday	February 14, 1997	10:00 a.m.
Friday	February 21, 1997	10:00 a.m.
Friday	February 28, 1997	10:00 a.m.

(c) The "1997 Second Chance Drawings," including the grand prize drawing, shall be held at lottery headquarters, 128 North Kansas Avenue, Topeka, Kansas. The grand prize drawing shall be held immediately following the final weekly drawing on Friday, February 28, 1997.

(d) The rules and regulations for the "1997 Second Chance Drawings" are contained in K.A.R. 111-4-955 through 111-4-961 and applicable generic rules are contained in K.A.R. 111-3-1 *et seq.* (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-956. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "1997 Second Chance Drawings" means the acts of drawing prizes conducted by the Kansas lottery in which

participants are selected to win various prizes as described in K.A.R. 111-4-957.

(c) "Non-winning ticket" means any non-winning \$1.00 or \$2.00 instant game lottery ticket which was valid as of January 6, 1997.

(d) "Drum" means a container into which non-winning Kansas instant game lottery tickets are placed and from which the "1997 Second Chance Drawings" are made. Drums shall be sealable and shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(e) "Bare arm technique" means a type of drawing where the person drawing the winning envelope from the drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a non-sleeve shirt which exposes the drawer's bare arm. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-957. Prizes. (a) The first valid entry drawn at each of the eight weekly drawings will entitle the winner to advance to the final round and be eligible for the grand prize or one of the seven other prizes identified at subsection (c).

(b) The next five valid entries drawn at each of the eight weekly drawings after the first valid entry has been selected shall receive prizes of \$597 each.

(c) The grand prize winner in the final round shall receive a prize of \$9,700. The second place prize shall be \$5,000, the third place prize shall be \$3,000, and the remaining five finalists shall receive \$2,000 each. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-958. Method of entry. Entry into the daily "1997 Second Chance Drawings" is accomplished as follows:

(a) Obtain a valid Kansas instant lottery ticket. Tickets must be valid as of January 6, 1997, to be eligible.

(b) Determine if the ticket is a winning ticket in accordance with specific game rules. If the ticket is a winning ticket, it is not eligible for the "1997 Second Chance Drawings" and shall be redeemed in accordance with the instant game rules.

(c) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may enter the "1997 Second Chance Drawings" after accumulating five valid non-winning tickets.

(d) The holder of the five non-winning tickets must complete the information form on the back of at least one of the five tickets in the entry envelope in a legible manner. In the event more than one name appears on the five entry tickets in an envelope, the first name appearing on a single ticket if multiple names appear on one ticket, or the first name appearing on the instant ticket issued earliest by the lottery and bearing the lowest book ticket number shall be the only person eligible to win a prize pursuant to subsection (b) of K.S.A. 74-8720.

(e) Place five valid non-winning tickets into an envelope no larger than 4¾ inches by 11 inches in size and mail it to: "1997 Second Chance Drawings," P.O. Box 7777, Lawrence, Kansas, 66044-7777. Entries in envelopes

of a larger size and envelopes containing more than five non-winning tickets shall be ineligible for the drawings and shall be destroyed by lottery security.

(f) There is no limit on the number of entries a person may make.

(g) All entries which are mailed and received by the morning mail pickup in Lawrence, Kansas, on each Thursday immediately preceding each Friday drawing specified in K.A.R. 111-4-955 shall be entered into the "1997 Second Chance Drawings."

(h) Only valid entries mailed and received by the morning mail pickup in Lawrence, Kansas, as specified in subsection (g) will be eligible for the drawings.

(i) Eligible entrants in either drawing must be 18 years of age or older.

(j) Completing the information form on one of the non-winning tickets in each envelope and entering the envelope into the drawing constitutes authorization to publicly identify the person whose entry is drawn.

(k) No player can win more than one time at each weekly drawing. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-959. Certification of drawings. (a) The "1997 Second Chance Drawings" shall be personally observed by a member of the Kansas lottery division of security and the lottery draw manager.

(b) Upon completion of the drawing, the security official and the draw manager shall issue a report to the executive director, certifying that the name of each prize winner is correct, and that to the best of their knowledge the procedures required by these rules were followed in selecting the prize winner. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710(b); effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-960. Selection of winners. The following process shall be used for the selection of winners in the "1997 Second Chance Drawings":

(a) Kansas lottery personnel shall pick up all mail containing "1997 Second Chance Drawings" envelopes at the United States Post Office in Lawrence, Kansas, at the morning mail pickup on the Thursdays immediately preceding the Fridays of each drawing specified in K.A.R. 111-4-955. The entries for the final Friday drawing on February 28, 1997, will be picked up by 12:00 noon on Thursday, February 27, 1997.

(b) Lottery personnel shall transport the mail to the mail room where the entry envelopes will be retained in mail trays and turned over to lottery security personnel to place in a secure location at the lottery.

(c) The drawings shall be held at lottery headquarters in a place accessible to the public and open for public attendance with lottery security personnel present. The drawings shall be audio and video taped.

(d) At the start of each Friday weekly drawing, lottery security personnel shall present the mail trays, each containing approximately the same number of entries, to the person designated by the executive director to perform the drawing. Using the bare-arm technique, the person designated to perform the drawing shall insert a plastic divider into each mail tray between the entry envelopes and pull the envelope which is either behind or to the right side of the divider and place it in the drum. This

procedure shall be repeated until five entry envelopes have been pulled from each mail tray and placed in the drum.

(e) Immediately following the placement of entry envelopes into the drum and prior to each drawing, the drum shall be sealed and the contents mixed by rotating the drum 10 times.

(f) The designated individual shall then unseal the drum, and using the bare-arm technique, remove one envelope from the drum. The first valid entry drawn shall be the weekly entrant for the grand prize drawing. Thereafter, five additional envelopes shall be drawn and validated in the same manner to determine the other five weekly winners.

(g) After the entry has been drawn and certified valid, it shall be entered into the final grand prize drawing as specified in subsection (l). Five more entries will then be drawn and certified, one at a time, for weekly prizes of \$597. After the weekly prize entries have been drawn, three more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A, 2A, and 3A. The alternate entries will be used only if the original winners cannot be located or declared ineligible.

(h) The Kansas lottery security official present shall review each entry drawn to determine the validity of the entry into the "1997 Second Chance Drawings" in accordance with these regulations. If it is a valid entry and the name of the information form on one of the valid non-winning tickets in the envelopes is legible, the draw manager and the security person shall record the name of the winner and the winner shall be promptly notified.

(i) If an entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until valid selections are obtained.

(j) The person whose name appears on one of the five tickets in each entry envelope drawn shall win the prize identified in K.A.R. 111-4-957, subject to validation by the lottery as set forth in these rules.

(k) All "1997 Second Chance Drawings" entries remaining in the drum following each Friday's drawing after the winner has been selected and certified shall be destroyed.

(l) After each weekly drawing, the winner from the first valid entry drawn will be identified and the winner's name placed in an envelope for entry in the final drawing for the grand prize. Envelopes containing the names from the first entry drawn at each weekly drawing shall be placed in identical unmarked envelopes and retained in a secure location by lottery security. Following the final weekly drawing on February 28, 1997, the envelopes containing the names of the eight weekly winners shall be placed in the drum by lottery security personnel and the drum sealed. The drum shall then be rotated 10 times. Thereafter, the designated individual shall then unseal the drum, and using the bare-arm technique, remove one envelope. The first envelope drawn will contain the name of the grand prize winner. The second envelope drawn will contain the name of the \$5,000 winner. The third envelope drawn will contain the name of the \$3,000 winner, and the remaining five entrants shall each receive \$2,000. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710(b); effective, T-111-12-2-96, Nov. 15, 1996.)

(continued)

111-4-961. Rights of participants. Any ticket entered into the "1997 Second Chance Drawings" is disqualified from any other Kansas lottery prize. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710(d); effective, T-111-12-2-96, Nov. 15, 1996.)

**RULES FOR INSTANT GAME NO. 79
"JACKPOT"**

111-4-962. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Jackpot" commencing on or after November 18, 1996. The specific rules for the "Jackpot" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-962 through 111-4-965. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-963. Definitions. The following definitions shall apply to the "Jackpot" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in 15 point WGI font with matching captions in WGI Cap font. A game symbol appears in each of the six play spots within the play area. Each game symbol for this instant game is a drawing of one of the following: a bunch of cherries, a plum, a star, a bell, the number 7, a pot of gold, and a gold bar.

(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:

Play Symbol	Play Symbol Caption
Image of a bunch of cherries	CHER
Image of a plum	PLUM
Image of a star	STAR
Image of a bell	BELL
Image of the number 7	SEVEN
Image of a pot of gold	GOLD
Image of a bar of gold	BAR

(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 an 11-digit number which appears below the game symbols under the latex covering on the front of each instant ticket.

(d) "Pack-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 pack-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(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 three letter code printed and appearing in three of six varying locations among the game symbols. The codes and their

meanings are as follows: FRE - Free ticket; TWO - \$2.00; FIV - \$5.00; SEV - \$7.00; TEN - \$10.00; STN - \$17.00; TWY - \$20.00; THF - \$35.00; HUN - \$100.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1995 Supp. 74-8710; effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-964. 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 nine game symbols and captions. Prizes a player may win are as follows:

Get	Win
3 Cherry Bunches	Free Ticket
3 Plums	\$2
3 Stars	\$5
3 Plums + 3 Stars	\$7
3 Bells	\$10
3 Plums + 3 Stars + 3 Bells	\$17
3 Seven's	\$20
3 Stars + 3 Bells + 3 Seven's	\$35
3 Pots of gold	\$100
3 Bars of gold	\$1,000

Each ticket will feature a play style of three (3) symbols in a row. Each ticket will contain three (3) games identified as Row 1, Row 2, and Row 3. If a player matches three like symbols in any horizontal row, the player wins the prize associated with that symbol. Symbols in one "row" relate to that "row" only and not to either of the other two "rows." A player can win up to three (3) times. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-12-2-96, Nov. 15, 1996.)

111-4-965. 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
FREE TICKET	300,000	\$ 0
\$2	140,000	280,000
\$5	46,400	232,000
\$7	24,000	168,000
\$10	16,000	160,000
\$17	8,000	136,000
\$20	8,000	160,000
\$35	800	28,000
\$100	400	40,000
\$1,000	13	13,000
	<u>543,613</u>	<u>\$1,217,000</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. The overall odds of winning a prize in this game are one in 4.41.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 1995 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1995 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-12-2-96, Nov. 15, 1996.)

Gregory P. Ziemak
Executive Director

Doc. No. 018500

State of Kansas

Secretary of State

Permanent Administrative
Regulations

Article 23.—VOTER REGISTRATION

7-23-2. Registration records. (a) The county election officer shall keep the records of registration at all times.

(b) To ensure the reliability of all voters' registration, the county election officer shall keep a separate registration list for each precinct and township in the county and shall update each list before each election.

(c) The county election officer shall keep each application for registration in the office of the county election officer. Registrars at voter registration outposts shall transmit completed registration application forms to the county election officer regularly as specified by the county election officer.

(d) For purposes of requesting an official application for voter registration, a request "in writing" means any written request, including a single written request or a request accompanied by other requests on the same paper. (Authorized by K.S.A. 25-2304; implementing K.S.A. 25-2309, as amended by L. 1996, ch. 187, § 7; effective Jan. 1, 1972; amended Feb. 21, 1994; amended Jan. 3, 1997.)

7-23-4. Notice of places and dates of registration. The notice regarding registration required by K.S.A. 25-2310 shall be published one time, at least 10 days before the date the registration books will be open additional hours as provided in K.S.A. 1995 Supp. 25-2311, as amended by L. 1996, ch. 187, § 9. If late hours are not required, the notice shall be published one time, at least 10 days before the date the registration books will be closed. The publication notice shall be made in the following form:

"NOTICE OF PLACES AND DATES
OF REGISTRATION

In compliance with the provisions of K.S.A. 25-2310, notice is hereby given that the books for registration of voters will be open at the following places during regular business hours:

Persons who apply for services at voter registration agencies may register at the following places during regular business hours:

* Beginning on the _____ day of _____, _____, additional hours of registration will be provided at the following places:

At _____ p.m. on the _____ day of _____, _____, the books for registration of voters will close and will remain closed until the _____ day of _____.

A citizen of the United States who is 18 years of age or older, or will have attained the age of 18 years at the next election, must register before he or she can vote. Registration is open until the close of business on the 15th day before the election.

When a voter has been registered according to law, the voter shall remain registered until the voter changes name by marriage, divorce or other legal proceeding or changes residence. The voter may re-register in person, by mail or other delivery when registration is open or the voter may re-register on election day.

Application forms shall be provided by the county election officer or the Secretary of State upon request. The application shall be signed by the applicant under penalty of perjury.

In Witness Whereof I have hereunto set my hand and seal this _____ day of _____,

County Election Officer

(SEAL)

* If late hours are not required, omit this paragraph."

(Authorized by K.S.A. 25-2310; implementing K.S.A. 25-2310 and K.S.A. 1995 Supp. 25-2311, as amended by L. 1996, ch. 187, § 9; effective Jan. 1, 1972; amended Jan. 1, 1974; amended May 1, 1978; amended Sept. 24, 1990; amended Jan. 3, 1997.)

7-23-8. (Authorized by and implementing K.S.A. 1991 Supp. 25-2316c, as amended by L. 1992, Chapter 281, section 1; effective May 28, 1992; effective, T-7-8-3-92, Aug. 3, 1992; effective Oct. 5, 1992; revoked Jan. 3, 1997.)

Article 38.—NATIONAL VOTER
REGISTRATION ACT

7-38-1. National Voter Registration Act; systematic list maintenance; national change of address files. (a) In April of each year, the chief state election official shall complete a check of the United States postal service national change of address files using the list of registered voters maintained in the state's central voter registration voter database.

(b) The chief state election official shall send the name of each registered voter for whom records from the national change of address files indicate a change of address to the county election officer of the county where the voter is registered, as indicated on the central voter registration database.

(c) A county election officer shall send a confirmation mailing as prescribed by K.S.A. 25-2316c to any registered voter for whom records from the national change of address files indicate a change of address. The confirmation mailing shall be sent when the county election officer receives the information described in subsection (b). If the records indicate a change of address within the county where the voter is registered, the county election officer shall change the voter's address to the new address before sending the confirmation mailing. (Authorized by and implementing L. 1996, Ch. 187, § 13; effective Jan. 3, 1997.)

7-38-2. National Voter Registration Act; reporting requirements. (a) In January, April, July and October of each odd-numbered year, and in January, April, July and November of each even-numbered year, a county election officer shall submit the following information to the chief state election official on forms prescribed and provided by the chief state election official;

(1) the number of voter registration applications received by:

(A) division of motor vehicle offices;
(B) mail;
(C) offices that administer AFDC, WIC, food stamps and Medicaid;

(D) offices providing state-funded programs primarily engaged in providing services to persons with disabilities;

(E) armed forces recruitment offices;
(F) first and second class city clerk offices; and
(G) all other means.

(continued)

For purposes of this subsection, "applications received" shall include any application which indicates a change of address, party affiliation, or name caused by marriage, divorce, or legal proceeding, and duplicate applications;

(2) the number of duplicate voter registration applications received from:

- (A) division of motor vehicle offices;
- (B) mail;
- (C) offices that administer AFDC, WIC, food stamps and medicaid;
- (D) offices providing state-funded programs primarily engaged in providing services to persons with disabilities;
- (E) armed forces recruitment offices;
- (F) first and second class city clerk offices; and
- (G) all other means.

For the purposes of this subsection, "duplicate" shall include any application which updates any registration information, except a change of address, party affiliation, or name caused by marriage, divorce or legal proceeding;

(3) the number of voter registration applications received by each of the following which indicate a change of address, party affiliation, or name caused by marriage, divorce or legal proceeding;

- (A) division of motor vehicle offices;
- (B) mail;
- (C) offices that administer, AFDC, WIC, food stamps and medicaid;
- (D) offices providing state-funded programs primarily engaged in providing services to persons with disabilities;
- (E) armed forces recruitment offices;
- (F) first and second class city clerk offices; and
- (G) all other means.

(4) the number of new registrations that result from voter registration applications received from:

- (A) division of motor vehicle offices;
- (B) mail;
- (C) offices that administer AFDC, WIC, food stamps and medicaid;
- (D) offices providing state-funded programs primarily engaged in providing services to persons with disabilities;
- (E) armed forces recruitment offices;
- (F) first and second class city clerk offices; and
- (G) all other means.

For purpose of this subsection, "new registrations" shall include any application received from a person not registered to vote at the time of receipt of the application by the county election officer;

- (5) the number of confirmation mailings sent;
- (6) the number of confirmation mailing responses received; and
- (7) the number of registered voters removed for whatever reason from a county's voter registration list.

(b) The information submitted shall reflect information as of the first day of each reporting month. When that date falls on a weekend or holiday, the information shall reflect information as of the next business day.

(c) A county election officer shall transmit the information to the chief state election official not later than the 14th day following the dates specified in subsection (b).

(d) The information a county election officer submits in November of each even-numbered year shall include information received up to and including the date of the general election. (Authorized by and implementing L. 1996, Ch. 187, § 20; effective Jan. 3, 1997.)

Ron Thornburgh
Secretary of State

Doc. No. 018525

State of Kansas

Board of Healing Arts

Permanent Administrative
Regulations

Article 55.—RESPIRATORY THERAPY

100-55-1. Application. (a) Each applicant for registration as a respiratory therapist shall submit the application on a form provided by the board. The form shall contain the following information in plain, legible writing:

- (1) The applicant's full name;
- (2) the applicant's residence and mailing address;
- (3) employment information for five years prior to the date of application;
- (4) a description of the applicant's post-high school education;
- (5) information regarding all licenses, registrations or certifications issued to the applicant to practice any health care profession; and
- (6) information regarding any prior acts constituting unprofessional conduct.

(b) Each applicant shall submit the following with the application:

- (1) The fee required by K.A.R. 100-55-4;
- (2) an official transcript from an educational program recognized by the board under K.A.R. 100-55-2;
- (3) a notarized copy of a diploma from a recognized educational program;
- (4) copy of each license, registration, or certification issued to the applicant relating to respiratory therapy;
- (5) a photograph of the applicant; and
- (6) evidence provided directly to the board from the testing entity of the results of a written examination recognized and approved by the board under K.A.R. 100-55-3.

(c) The applicant shall sign the application, under oath. (Authorized by K.S.A. 65-5505; implementing K.S.A. 65-5506; effective, T-88-17, July 1, 1987; effective May 1, 1988; amended Jan. 3, 1997.)

100-55-2. Education requirements. Recognition and approval of each educational program for respiratory therapists shall rest with the board. A current list of recognized and approved educational programs shall be maintained by the board. Examinations, outside experts, opinions, and reports for advice on the sufficiency and correctness of the board's approval method may be employed to determine whether the educational programs should be recognized and approved. (Authorized by K.S.A. 65-5505; implementing K.S.A. 65-5506; effective, T-

88-17, July 1, 1987; effective May 1, 1988; amended Jan. 3, 1997.)

100-55-3. Examinations. (a) The examination required and approved by the board for registration as a respiratory therapist shall be the certification examination for entry level respiratory therapy practitioners administered by the national board for respiratory care.

(b) To qualify for registration, each applicant for registration as a respiratory therapist shall obtain a minimum scaled score of 75 on the required exam. (Authorized by K.S.A. 65-5505; implementing K.S.A. 65-5507; effective, T-88-17, July 1, 1987; effective May 1, 1988; amended Jan. 3, 1997.)

100-55-4. Fees. The following fees shall be charged and collected in advance by the board:

(a) Application fee	\$ 40.00
(b) (1) Registration renewal fee	\$ 30.00
(2) Registration late renewal fee	\$ 35.00
(3) Registration reinstatement fee	\$ 40.00
(c) Fee for certified copy of registration	\$ 15.00
(d) Special permit fee	\$ 15.00
(e) Temporary registration fee	\$ 15.00

(Authorized by K.S.A. 65-5505; implementing K.S.A. 65-5509; effective, T-88-17, July 1, 1987; effective May 1, 1988; amended, T-100-10-17-89, Oct. 17, 1989; amended Feb. 5, 1990; amended Jan. 3, 1997.)

100-55-5. Unprofessional conduct; defined. "Unprofessional conduct" means: (a) Using fraudulent or false advertisements;

(b) being addicted to intoxicating liquors or drugs;

(c) engaging in respiratory care under a false or assumed name or by impersonating another person registered by the board as a respiratory therapist;

(d) practicing respiratory therapy without reasonable skill and safety because of illness, alcoholism, excessive use of drugs, controlled substances, chemicals or any other type of material, or as a result of any mental or physical condition;

(e) having a respiratory therapy license, registration, or certification revoked, suspended, or limited or an application for such denied by the proper regulatory authority of another state, territory, District of Columbia, or country;

(f) cheating or attempting to subvert the validity of the examination required for registration;

(g) having been found to be mentally ill, disabled, not guilty by reason of insanity, or incompetent to stand trial by a court of competent jurisdiction;

(h) failing to furnish to the board, its investigators or representatives, any information legally requested by the board;

(i) being sanctioned or disciplined by a peer review committee or medical care facility for acts or conduct which would constitute grounds for denial, refusal to renew, suspension or revocation of a registration under K.S.A. 65-5510 and amendments thereto;

(j) surrendering a license, registration, or certification to practice respiratory care in another state while disciplinary proceedings are pending for acts or conduct which would constitute grounds for denial, refusal to re-

new, suspension or revocation of a registration under K.S.A. 65-5510 and amendments thereto;

(k) being professionally incompetent, as defined in K.S.A. 1995 Supp. 65-2837(a);

(l) representing to a patient that a manifestly incurable disease, condition, or injury can be permanently cured;

(m) providing respiratory care to a patient without the consent of the patient, the attending physician, or the patient's legal representatives;

(n) willfully betraying confidential information;

(o) advertising a guarantee of any professional service related to respiratory care;

(p) using any advertisement which is false, misleading, or deceptive in a material respect;

(q) committing conduct likely to deceive, defraud, or harm the public;

(r) making a false or misleading statement regarding the registrant's skill;

(s) committing any act of sexual abuse, misconduct, or exploitation;

(t) obtaining any fee by fraud, deceit, or misrepresentation;

(u) charging an excessive fee for services rendered;

(v) failing to keep written records justifying the course of treatment of the patient;

(w) delegating respiratory care to a person whom the registrant knows or has reason to know is not qualified by training or experience to perform it; or

(x) willfully supervising the holder of a special permit when the holder is not currently enrolled in a recognized program of education. (Authorized by and implementing K.S.A. 65-5510; effective, T-88-17, July 1, 1987; effective May 1, 1988; amended Jan. 3, 1997.)

100-55-6. Registration; renewal; late renewal and reinstatement. (a) Each registration issued by the board shall expire on March 31 of each year.

(b) Each registration may be renewed annually. The request for renewal shall be on a form provided by the board and shall be accompanied by:

(1) the prescribed registration renewal fee; and

(2) proof of satisfactory completion of a program of continuing education as required by the board.

(c) Registrations not renewed by March 31 shall expire but may be renewed for a period of 30 days thereafter upon request of the registrant. The request for late renewal shall be on the same form as a request for renewal and shall be accompanied by:

(1) the prescribed registration late renewal fee; and

(2) proof of satisfactory completion of a program of continuing education as required by the board.

(d) Any applicant may request reinstatement of a registration which has expired for a period of more than 30 days. The request for reinstatement shall be on a form provided by the board and shall be accompanied by:

(1) the prescribed registration reinstatement fee; and

(2)(A) proof of satisfactory completion of a program of continuing education as required by the board; or

(B) proof that the registrant has passed the examination required under K.A.R. 100-55-3 within the past six months. (Authorized by K.S.A. 65-5505; implementing

(continued)

K.S.A. 65-5512; effective, T-88-17, July 1, 1987; effective May 1, 1988; amended Dec. 27, 1993; amended Jan. 3, 1997.)

100-55-7. Continuing education; registration renewal. (a) Each registrant shall submit evidence of completion of a minimum of 30 contact hours of continuing education during the preceding two calendar years. Evidence of this attainment shall be submitted with the application for renewal in each odd-numbered year.

(b) Any registrant who suffered an illness or injury during the 12-month period prior to the renewal registration which made it impossible or extremely difficult to reasonably obtain the required contact hours may be granted an extension of not more than six months.

(c) Each respiratory therapist initially registered within two years of a renewal registration date in an odd-numbered year shall complete a minimum of 10 contact hours for every six-month period from the date of registration to the end of the next even-numbered calendar year. When a respiratory therapist initially registers after July 1 of an even-numbered year, the respiratory therapist shall not be required to obtain continuing education for the first renewal in an odd-numbered year.

(d) A contact hour shall be 50 minutes of instruction or its equivalent.

(e) The content of the continuing education classes or literature shall be related to the field of respiratory therapy or similar areas.

(f) Continuing education shall be acquired from the classes of education experiences defined in subsection (g). A minimum of 10 contact hours shall be acquired from Class I and not more than 10 contact hours shall be acquired from Class II.

(g) The four classes of continuing education experiences shall be as follows:

(1) Class I—Attendance at an education presentation. Class I continuing education experiences shall include:

(A) Lectures. A lecture means a discourse given for instruction before an audience or through a teleconference.

(B) Panels. A panel means the presentation of a number of views by several professional individuals on a given subject with none of the views considered a final solution.

(C) Workshops. A workshop means a series of meetings designed for intensive study, work, or discussion in a specific field of interest.

(D) Seminars. A seminar means directed advanced study, or discussion in a specific field of interest.

(E) Symposiums. A symposium means a conference of more than a single session organized for the purpose of discussing a specific subject from various viewpoints and by various speakers.

(2) Class II—In-service training. A maximum of 10 contact hours may be given for attending in-service training. A maximum of two contact hours may be given for instructing the in-service training, but no additional hours shall be acquired for attending that particular in-service training.

(3) Class III—College or university courses. Ten contact hours shall be given for each college credit with a grade of at least C or a "pass" in a pass/fail course.

(4) Class IV—Professional publication. The maximum contact hours that may be given for a professional publication shall be as follows:

(A) 20 hours for publication of a book or original paper; and

(B) 10 hours for a review paper, case report, abstract or book review.

(h) Instructor preparation of Class I programs. Any registrant who presents a Class I continuing education program or its equivalent shall receive two Class I contact hours for each hour of presentation. No credit shall be granted for any subsequent presentations on the same subject matter.

(i) Each registrant shall submit documented evidence of attendance at Class I and Class II continuing education activities. The registrant shall submit personal verification for Class III activities, and copies of publications shall be submitted for verification of Class IV activities.

(j) Instructional staff shall be competent in the subject matter and in the methodology of instruction and learning processes as evidenced by experience, education, or publication. (Authorized by K.S.A. 65-5505; implementing K.S.A. 65-5512; effective, T-88-17, July 1, 1987; effective May 1, 1988; amended Jan. 3, 1997.)

100-55-8. Reinstatement; expired and revoked registrations. (a) Each person desiring to reinstate a registration which has been expired for more than 30 days shall submit proof of continuing education as follows:

(1) If the time since the registration expired has been less than one year, no continuing education in addition to that which would have been necessary had the registration been renewed prior to expiration shall be required;

(2) if the time since the registration expired has been more than one year but less than three years, the applicant shall complete a minimum of 30 contact hours; and

(3) if the time since the registration expired has been more than three years, the applicant shall complete a program recommended by the board.

(b) Each applicant seeking reinstatement of a revoked registration shall successfully complete a program approved by the board. (Authorized by K.S.A. 65-5505; implementing K.S.A. 65-5512; effective, T-88-17, July 1, 1987; effective May 1, 1988; amended Jan. 3, 1997.)

100-55-9. Special permits. (a) During October of each year, each student who holds a special permit shall provide:

(1) Verification of current enrollment in an approved school of respiratory therapy; and

(2) a statement of the anticipated graduation date.

(b) Each special permit issued to a student who fails to meet the requirements under subsection (a) shall expire on November 1 of the year the verification and statement were to be provided. (Authorized by K.S.A. 65-5505; implementing K.S.A. 65-5508; effective Jan. 3, 1997.)

100-55-10. Temporary registrations. Each applicant for a second temporary registration shall provide evidence of completion of additional professional study since the date the first temporary registration was issued. (Authorized by K.S.A. 65-5505; implementing K.S.A. 65-5508; effective Jan. 3, 1997.)

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 018414

State of Kansas

Board of Nursing

Permanent Administrative
RegulationsArticle 11.—ADVANCED REGISTERED
NURSE PRACTITIONERS

60-11-103. Qualifications of advanced registered nurse practitioners. (a) To be certified as an advanced registered nurse practitioner in the category of nurse anesthetist or nurse midwife, each applicant shall:

(1) complete a formal, post-basic nursing education program located or offered in Kansas that has been approved by the board and prepares the nurse to function in the expanded role for which application is made;

(2) complete a formal, post-basic nursing education program which is not located or offered in Kansas but which is determined by the board to meet the standards for program approval established by K.A.R. 60-11-108;

(3) have completed a formal, post-basic nursing education program which is no longer in existence but which is determined by the board to meet standards at least as stringent as required for program approval by the board as of the time of graduation;

(4) hold a current certificate of authority to practice as an advanced registered nurse practitioner in the category for which application is made which:

(A) was issued by another board of nursing; and

(B) required completion of a program meeting standards equal to or greater than those established by K.A.R. 60-11-108; or

(5) complete a formal educational program of post-basic study and clinical experience which can be demonstrated by the applicant to have sufficiently prepared the applicant for practice in the category of advanced practice for which application is made. The applicant shall show that the curriculum of the program is consistent with public health and safety policy and that it prepared individuals to perform acts generally recognized by the nursing profession as capable of being performed by persons with post-basic education in nursing.

(b) To be certified as an advanced registered nurse practitioner in the category of nurse clinician or practitioner, each applicant shall:

(1) meet one of the requirements of subsection (a) of this regulation before July 1, 1994; or

(2) if a requirement in subsection (a) of this regulation has not been met before July 1, 1994, meet one of the requirements of subsection (a) of this regulation and hold a baccalaureate or higher degree in nursing.

(c) To be certified as an advanced registered nurse practitioner in the category of clinical nurse specialist, each applicant shall hold a master's or higher degree in a nursing clinical area which prepares the nurse to function in the expanded role and meet one of the requirements of subsection (a) of this regulation.

(d) (1) Certification may be granted if an individual has been certified by a national nursing organization whose certifying standards have been approved by the board as equal to or greater than the corresponding standards established by the board for obtaining certification

to practice as an advanced registered nurse practitioner. Certification by the board under this section may depend upon independent review by the board regarding whether the individual has fulfilled board requirements.

(2) Board approval of the standards and criteria of national nursing organizations that certify advanced registered nurse practitioners shall expire annually. (Authorized by and implementing K.S.A. 65-1130; effective May 1, 1984; amended, T-85-16, June 5, 1984; amended May 1, 1985; amended, T-60-11-14-90, Nov. 14, 1990; amended, T-60-3-14-91, March 14, 1991; amended Sept. 2, 1991; amended March 9, 1992; amended Sept. 14, 1992; amended April 26, 1993; amended Sept. 6, 1994; amended Jan. 3, 1997.)

Patsy L. Johnson, R.N., M.N.
Executive Administrator

Doc. No. 018524

State of Kansas

Department of Health
and EnvironmentPermanent Administrative
RegulationsArticle 68.—KANSAS DRYCLEANER
ENVIRONMENTAL RESPONSE ACT

28-68-1. Definitions. For the purposes of these regulations, the following terms shall be defined as follows.

(a) "Contaminated drycleaning site" has the meaning set out in K.S.A. 1995 Supp. 65-34,148, subsection (h).

(b) "Drycleaning waste" means waste, including drycleaning wastewater, which is generated at a drycleaning facility and which contains drycleaning solvent.

(c) "Drycleaning wastewater" means separator water and all other water which is generated during the drycleaning process and contains drycleaning solvents.

(d) "Existing drycleaning facility" means a drycleaning facility that was in operation on or before the effective date of these regulations.

(e) "Floor drain" means any opening which is less than three inches above the floor surface and which leads to a septic tank, storage tank, sanitary sewer, storm sewer, or soils or waters of the state. An opening sealed with a removable seal which prevents drycleaning solvent and drycleaning wastewater from entering the opening shall not be considered a floor drain.

(f) "Hazardous waste" has the meaning set out in 40 C.F.R. part 261, subpart C and D, as in effect on July 1, 1995.

(g) "New drycleaning facility" means a drycleaning facility that begins operation after the effective date of these regulations.

(h) "Secondary containment structure" means a tank, tray, containment pallet, containment basin, a floor surface contained within a dike and the dike proper, or a similar structure which is designed to contain spills and leaks from drycleaning units, drycleaning solvent storage areas, or drycleaning waste storage areas. (Authorized by

(continued)

and implementing K.S.A. 1995 Supp. 65-34,143; effective Jan. 3, 1997.)

28-68-2. Registration of facilities. (a) Each owner of a drycleaning facility shall annually submit to the department a separate registration for each operating drycleaning facility. Each registration shall be submitted on a form prepared by the department.

(b) Each owner of a new drycleaning facility shall submit a registration form not later than 30 days after operations begin.

(c) If a change in ownership of an operating drycleaning facility occurs, the new owner shall submit a new registration form not later than 30 days after assuming ownership. (Authorized by K.S.A. 1995 Supp. 65-34,143; implementing K.S.A. 1995 Supp. 65-34,145; effective Jan. 3, 1997.)

28-68-3. Performance standards. (a) Storage and disposal of drycleaning wastes.

(1) Each drycleaning facility which generates hazardous waste shall comply with the provisions of K.A.R. 28-31-1 through K.A.R. 28-31-4 with the following changes:

(A) Except as provided in paragraph (a)(2), each drycleaning facility which is a small quantity generator as defined by K.A.R. 28-31-2, subsection (e), as in effect on April 25, 1994, and which accumulates up to 25 kilograms of hazardous waste, shall:

(i) either treat or dispose of the hazardous waste in an acceptable on-site facility, or ensure delivery to an off-site hazardous waste treatment, storage, or disposal facility, or to some other waste management facility approved by the department;

(ii) comply with 40 C.F.R. 265, subpart I, as in effect on July 1, 1995, except §265.176 and § 265.178;

(iii) label or clearly mark each container and each tank in which hazardous waste is accumulated or stored with the words "Hazardous Waste"; and

(iv) clearly mark each container and each tank in which hazardous waste will be accumulated and stored for more than 72 hours with the date on which each period of accumulation begins. The date marking shall be in a place visible for inspection.

(B) Drycleaning wastewater shall not be stored at a drycleaning facility for more than 60 days.

(2) Each existing drycleaning facility which is a small quantity generator and accumulates up to 25 kilograms of hazardous waste shall comply with paragraphs (a)(1)(A)(ii) through (a)(1)(A)(iv) of this regulation not later than six months after the effective date of these regulations.

(b) Prohibition of the discharge of drycleaning solvents and drycleaning waste.

(1) Drycleaning facilities shall not discharge drycleaning solvents, drycleaning wastewater or both, either directly or indirectly, into any sanitary sewer, storm sewer, or septic tank, or to the soil or waters of the state. Drycleaning facilities shall not discharge drycleaning waste into any underground tank.

(2) Drycleaning facilities shall not locate floor drains within any secondary containment structure required by paragraph (e)(1) of this regulation.

(3) Each existing drycleaning facility shall comply with paragraph (b)(1) of this regulation not later than six months after the effective date of these regulations.

(4) Each existing drycleaning facility shall comply with paragraph (b)(2) of this regulation not later than two years after the effective date of these regulations.

(c) Any drycleaning facility may evaporate drycleaning wastewater at the drycleaning facility at which it was generated if:

(1) the evaporation unit is a heated unit which is made of materials compatible with and impervious to the drycleaning wastewater which is being evaporated; and

(2) the drycleaning wastewater contains no free-phase drycleaning solvent. For the purposes of this paragraph, "free-phase drycleaning solvent" means drycleaning solvent which is not suspended or dissolved in the drycleaning wastewater.

(d) Air emission standards. Each drycleaning facility which uses chlorinated drycleaning solvents shall comply with the provisions of K.A.R. 28-19-720, and K.A.R. 28-19-750 through K.A.R. 28-19-753.

(e) Dikes and secondary containment structures.

(1) Installation. Each drycleaning facility shall install a dike or other secondary containment structure around each drycleaning unit and around each storage area for drycleaning solvent or drycleaning waste or both. Each secondary containment structure shall be maintained in good condition.

(2) Construction materials.

(A) The materials used to construct each secondary containment structure shall be impervious to and compatible with the drycleaning solvents and drycleaning wastes which are used or stored within the secondary containment structure.

(B) For any drycleaning unit using chlorinated drycleaning solvents, and any storage area for chlorinated drycleaning solvents, chlorinated solvent drycleaning wastes, or both, materials other than epoxy or steel may be used for the construction of the secondary containment structure only upon approval by the department. Departmental approval for use of a material other than epoxy or steel shall be granted upon demonstration to the department that the material is as compatible with and impervious to drycleaning solvent as epoxy or steel.

(C) For any drycleaning unit using petroleum drycleaning solvents, and any storage area for petroleum drycleaning solvents, petroleum drycleaning solvent wastes, or both, materials other than epoxy, steel, or concrete may be used for the construction of the secondary containment structure only upon approval by the department. Departmental approval for use of a material other than epoxy, steel or concrete shall be granted upon demonstration to the department that the material is as compatible with and impervious to drycleaning solvent as epoxy, steel or concrete.

(D) All sealant and all caulk used on each secondary containment structure shall be impervious to and compatible with the drycleaning solvent and drycleaning waste which is used or stored within the secondary containment structure.

(3) Storage capacity. Each secondary containment structure shall be capable of containing any leak, spill, or

release of drycleaning solvents, drycleaning wastes, or both.

(4) Inspections. The owner or operator of each drycleaning facility shall inspect each secondary containment structure weekly.

(A) The owner or operator of each drycleaning facility shall repair each deficiency detected during an inspection not later than five calendar days after the deficiency is detected. The owner or operator may request an extension of this five-day time limit from the department.

(B) The owner or operator of each drycleaning facility shall keep a log of the following information and provide it to the department upon request:

(i) the dates of inspection for each secondary containment structure;

(ii) a brief description of each deficiency which is detected;

(iii) the date of repair of each deficiency; and

(iv) a brief description of each repair.

(C) Each inspection and repair log shall be kept at the drycleaning facility for not less than five years after the log has been completed.

(5) Compliance date. Each existing drycleaning facility shall comply with paragraphs (e)(1) through (4) of this regulation not later than two years after the effective date of these regulations.

(f) Delivery of solvents.

(1) Chlorinated drycleaning solvents. Within two years after the effective date of these regulations, all chlorinated drycleaning solvents shall be delivered to drycleaning units and drycleaning solvent storage containers by means of the following:

(A) A direct-coupled delivery system; or

(B) A technology which is determined by the department to provide protection of human health and the environment equivalent to or greater than direct-coupled delivery systems. This two-year compliance period may be extended by the secretary if direct-coupled delivery systems are not readily available within two years after the effective date of these regulations.

(2) Petroleum-based solvent. All petroleum-based solvents shall be delivered to drycleaning units and drycleaning solvent storage containers according to the requirements of K.A.R. 22-7-9 and local fire codes.

(g) Each new drycleaning facility shall comply with this regulation at the time operations begin. (Authorized by and implementing K.S.A. 1995 Supp. 65-34,143; effective Jan. 3, 1997.)

28-68-4. Removal of drycleaning solvents and drycleaning wastes from closed facilities. Each owner or operator of a drycleaning facility which has ceased operation for 45 continuous days shall remove all drycleaning solvents and drycleaning wastes from the drycleaning facility not later than 45 days after the last day of operation.

(a) Each owner or operator shall dispose of all drycleaning wastes in accordance with K.A.R. 28-68-3, subsection (a).

(b) Any owner or operator may request from the department a written extension of the 45-day time limit established in subsection (a). (Authorized by and imple-

menting K.S.A. 1995 Supp. 65-34,143; effective Jan. 3, 1997.)

26-68-5. Application for ranking of contaminated drycleaning site. Any contaminated drycleaning site may be ranked by the department to establish priorities for fund expenditures based on information the department has at the department's disposal, information contained in an application to the department, or both. If an applicant desires to have a contaminated drycleaning site ranked that has not been ranked previously, the applicant shall submit to the department a completed, signed application on a form provided by the department.

(a) If the applicant is not the real property owner, the applicant shall provide proof that the real property owner has been notified of the application.

(b) If the property is leased, and the applicant is not the lessee, the applicant shall provide proof that the lessee has been notified of the application.

(c) The application shall contain the following information, as well as all other known information concerning environmental contamination at the contaminated drycleaning site;

(1) The applicant shall provide an analysis of one ground water sample which demonstrates that a release has occurred. The sample shall be taken as follows:

(A) from a water supply well;

(B) from a monitoring well;

(C) using hydraulic push probe sampling equipment; or

(D) using some other sample collection device approved by the department. Departmental approval for use of an alternate sampling device shall be granted upon demonstration that the alternate sampling device collects samples of quality equal to or greater than samples collected as described in paragraphs (A) through (C).

(E) The sample shall be collected and analyzed not more than one year prior to the day the application is received by the department. The analysis shall be performed by a laboratory which is certified for such analyses by the department. If the application is to accompany a request for reimbursement, as set forth in K.A.R. 28-68-7, the sample analysis indicating the highest level of contamination ever recorded at the site shall be submitted.

(F) With prior approval from the department, an analysis of a representative soil sample may be substituted for the groundwater sample analysis.

(2) Each applicant shall submit, if available, one of the following:

(A) a geologic well log or logs from at least one monitoring or supply well; or

(B) hydrogeologic information from the contaminated drycleaning site where the ground water sample or soil sample was collected.

(3) The applicant shall state the distance to the nearest known private domestic well, public water supply well, surface water, or other receptor.

(4) The applicant shall provide a description of the present use of the ground water in the area where the sample was collected.

(d) Any applicant may request that the department provide a written exemption from submittal of certain

(continued)

information set forth in subsection (c). An exemption may be granted by the department if the information:

- (1) is not necessary for ranking; or
- (2) is readily available to the department.

(e) The information set forth in subsection (c) shall be used by the department to rank the contaminated drycleaning site in relation to other contaminated drycleaning sites to aid in establishing priorities for fund expenditures as set forth in K.A.R. 28-68-8.

(f) The reasonable, direct costs incurred by the applicant to collect the information required by subsection (c) only shall be credited to payment of the deductible set forth in K.A.R. 28-68-6. On request by the department, the applicant shall furnish invoices or other supporting information containing sufficient detail for the department to determine that the costs were incurred to collect the information and that the costs were paid.

(g) The completed application shall be reviewed and a determination of eligibility shall be made by the department.

(h) A written notice of the determination of eligibility shall be sent by the department to the applicant as soon as a determination is made. If the site is determined ineligible for the fund, the notice of the determination shall state the reason or reasons for ineligibility. (Authorized by and implementing K.S.A. 1995 Supp. 65-34,143; effective Jan. 3, 1997.)

28-68-6. Deductible payment. On initiation of corrective action by the department at a contaminated drycleaning site, the applicant shall pay to the department the applicable deductible, minus the reasonable, direct costs incurred by the applicant to collect the application information as set forth in K.A.R. 28-68-5, subsection (f). The deductible shall be \$2,500.00 for each drycleaning facility which has contributed to the contamination of the contaminated drycleaning site. Under the conditions set forth in K.S.A. 1995 Supp. 65-34,148, subsection (g), the owner of a drycleaning facility may be responsible for up to 100% of the costs of corrective action attributable to the owner. (Authorized by K.S.A. 1995 Supp. 65-34,143; implementing K.S.A. 1995 Supp. 65-34,148; effective Jan. 3, 1997.)

28-68-7. Reimbursement of corrective action costs.

(a) Reimbursement. Any applicant may request reimbursement from the fund for the applicant's corrective action costs, minus the deductible set forth in K.S.A. 1995 Supp. 65-34,148, subsection (i), for work performed at a contaminated drycleaning site which is determined to be eligible for the fund.

(1) Reimbursable costs shall be limited to costs for corrective action approved by the department, including direct costs incurred by the applicant. Each applicant shall substantiate reimbursable costs with contractor and subcontractor invoices or other reasonably reliable documentation.

(2) For each contaminated drycleaning site, reimbursement for corrective action costs incurred prior to July 1, 1995, shall be limited to \$100,000.00, minus the applicable deductible.

(3) Reimbursement for corrective action costs incurred on or after July 1, 1995, for any contaminated drycleaning

site shall be limited, in any year, to 10 percent of the fund's income for the previous fiscal year. The applicable deductible shall be subtracted from the first-year reimbursement.

(4) Each eligible site shall receive priority for reimbursement according to the ranking of the contaminated drycleaning sites set forth in K.A.R. 28-68-8, subsection (b).

(b) Application for reimbursement.

(1) If an application for ranking has not been submitted previously to the department, the applicant shall follow the application procedure set forth in K.A.R. 28-68-5.

(2) Each applicant shall submit a signed request for reimbursement to the department on a form prepared by the department.

(3) If the applicant is not the real property owner, the applicant shall provide proof that the real property owner has been notified of the request for reimbursement.

(4) If the property is leased, and the applicant is not the lessee, the applicant shall provide proof that the lessee has been notified of the request for reimbursement.

(5) Each request for reimbursement shall contain:

(A) a copy of the notice of eligibility from the department;

(B) the name and address of the entity or entities to receive the reimbursement;

(C) a copy of all work plans generated to perform the corrective action for which reimbursement is sought;

(D) a copy of all reports generated during the corrective action;

(E) a copy of the department approval documents for corrective action at the contaminated drycleaning site; and

(F) a copy of contractor and subcontractor invoices or other reasonably reliable documentation for work performed prior to July 1, 1995, and approved by the department.

(i) Each applicant shall provide invoices or other reasonable reliable documentation with sufficient detail and supporting information to document that the costs were incurred to perform work discussed in the work plans, corrective action plan, or other work approved by the department.

(ii) Each applicant shall be required to submit to the department copies of cancelled checks, if available, showing payment for the work.

(iii) If cancelled checks are not available, each applicant shall be required to submit to the department an affidavit of expenditures and supporting documentation showing that the costs were incurred and paid to perform work approved by the department. The form for the affidavit of expenditures shall be provided by the department. (Authorized by K.S.A. 1995 Supp. 65-34,143; implementing K.S.A. 1995 Supp. 65-34,148; effective Jan. 3, 1997.)

28-68-8. Prioritization of fund expenditure. Each work item approved by the department for contaminated drycleaning sites shall be prioritized to ensure that money from the fund is available for essential corrective action tasks.

(a) Priority shall be given to contaminated drycleaning sites requiring emergency action. Emergency status may

be established by the department under any of the following conditions:

(1) when a public water supply well or one or more domestic wells are contaminated, or are threatened with contamination levels above state or federal drinking water limits, and no alternative water source is readily available;

(2) when surface drinking water or a water supply intake is contaminated above acceptable limits, as defined by the department, or contamination is imminent, and no alternative water source is readily available; or

(3) when a high probability exists for direct human exposure to or contact with highly contaminated waste, soil, air, or water.

(b) Each contaminated drycleaning site not requiring emergency action shall be ranked by the department according to the risk to human health and the environment presented by the contaminants at the contaminated drycleaning site. Contaminated drycleaning sites for which an application is submitted for reimbursement of corrective action costs incurred prior to July 1, 1995 shall be ranked separately from other contaminated drycleaning sites.

(c) The appropriateness of corrective action alternatives for each contaminated drycleaning site shall be evaluated by the department according to the following criteria.

(1) Preference shall be given to the corrective action alternative which is most cost effective, considering both short-term and long-term costs, while adequately protecting human health and the environment.

(2) The incremental cost of the chosen corrective action shall be justified and reasonably related to the incremental risk reduction benefits of the corrective action. (Authorized by and implementing K.S.A. 1995 Supp. 65-34,143; effective Jan. 3, 1997.)

28-68-9. Determining completion of corrective action. A determination of the level at which corrective action shall be considered complete shall be made by the department using the following criteria.

(a) The factors used in prioritizing fund expenditure as set forth in K.S.A. 1995 Supp. 65-34,143, section (d) shall be considered by the department.

(b) The characteristics of the contaminated drycleaning site shall be evaluated by the department.

(c) State and federal drinking water standards may be considered by the department in setting corrective action levels. A determination that corrective action levels less stringent than state water quality standards will apply at a contaminated drycleaning site may be made by the department based on:

- (1) an evaluation or risk;
- (2) the effectiveness of available technology; and
- (3) the cost of implementation.

(d) Any other factors which the department considers relevant may be used in determining the level at which corrective action shall be considered complete. (Authorized by and implementing K.S.A. 1995 Supp. 65-34,143; effective Jan. 3, 1997.)

James J. O'Connell
Secretary of Health
and Environment

Doc. No. 018510

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 1996 Supplement to the *Kansas Administrative Regulations*.

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1-1-4	Revoked	V. 15, p. 704
1-2-53	Revoked	V. 15, p. 704
1-2-57	Amended	V. 15, p. 704
1-2-72	Amended	V. 15, p. 704
1-2-88	Amended	V. 15, p. 704
1-3-1	Revoked	V. 15, p. 704
1-3-3	Revoked	V. 15, p. 704
1-3-4	Revoked	V. 15, p. 704
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1-6-23	Amended	V. 15, p. 708
1-6-24	Amended	V. 15, p. 708
1-6-31	Amended	V. 15, p. 708
1-8-1	Revoked	V. 15, p. 709
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17-11-23	New	V. 15, p. 1132
17-12-1	Amended	V. 15, p. 1132
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17-16-1	Amended	V. 15, p. 1132
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60-13-112	Amended	V. 15, p. 116
60-13-115	Revoked	V. 15, p. 116
60-16-102	Amended	V. 15, p. 1807
60-16-104	Amended	V. 15, p. 1807

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 15, p. 184
66-6-6	Amended	V. 15, p. 185
66-7-3	Amended	V. 15, p. 185
66-8-1	Amended	V. 15, p. 185
66-10-1	Amended	V. 15, p. 185
66-12-1	Amended	V. 15, p. 185
66-14-1 through 66-14-12	New	V. 15, p. 186, 187

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-1-1	Amended	V. 15, p. 292
69-1-2	Amended	V. 15, p. 292
69-1-3	Revoked	V. 15, p. 292
69-1-4	Amended	V. 15, p. 292
69-1-7	Revoked	V. 15, p. 293
69-1-8	Amended	V. 15, p. 293
69-2-1	Revoked	V. 15, p. 293
69-3-1	Amended	V. 15, p. 293
69-3-2	Revoked	V. 15, p. 293
69-3-3	Amended	V. 15, p. 293
69-3-4	Amended	V. 15, p. 294
69-3-5	Revoked	V. 15, p. 294
69-3-6	Amended	V. 15, p. 294
69-3-7	Amended	V. 15, p. 294
69-3-8	Amended	V. 15, p. 742
69-3-9	Amended	V. 15, p. 294
69-3-10	Revoked	V. 15, p. 294
69-3-11	Revoked	V. 15, p. 294
69-3-17	Revoked	V. 15, p. 294
69-3-19	Revoked	V. 15, p. 294
69-3-22 through 69-3-25	Revoked	V. 15, p. 294
69-3-26	New	V. 15, p. 294
69-3-27	New	V. 15, p. 294
69-3-28	New	V. 15, p. 294
69-4-2	Amended	V. 15, p. 294
69-4-6	Revoked	V. 15, p. 295
69-4-9	Amended	V. 15, p. 295
69-4-11	Revoked	V. 15, p. 295
69-4-12	Amended	V. 15, p. 295
69-5-2	Revoked	V. 15, p. 295
69-5-6	Amended	V. 15, p. 295
69-5-10	Revoked	V. 15, p. 295
69-5-13	Revoked	V. 15, p. 295
69-5-14	New	V. 15, p. 295
69-5-15	New	V. 15, p. 295
69-5-16	New	V. 15, p. 295
69-6-1	Revoked	V. 15, p. 295
69-6-2	Amended	V. 15, p. 295
69-6-5	Amended	V. 15, p. 295
69-6-6	Revoked	V. 15, p. 296
69-6-7	Amended	V. 15, p. 296

69-8-2	Revoked	V. 15, p. 296
69-8-3	Revoked	V. 15, p. 296
69-8-4	Revoked	V. 15, p. 296
69-8-6	Revoked	V. 15, p. 296
69-11-1	Amended	V. 15, p. 296
69-11-2	Amended	V. 15, p. 296
69-13-1	Amended	V. 15, p. 296
69-13-2	Amended	V. 15, p. 296
69-14-1 through 69-14-5	New	V. 15, p. 971, 972

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-4-1	Amended	V. 15, p. 1860
71-4-3	Amended	V. 15, p. 1860

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-12-1	Amended	V. 15, p. 1215

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-3	Revoked	V. 15, p. 1129
75-6-4	Revoked	V. 15, p. 1129
75-6-7	Revoked	V. 15, p. 1129
75-6-8	Revoked	V. 15, p. 1129
75-6-9	Amended	V. 15, p. 1379
75-6-10	Revoked	V. 15, p. 1129
75-6-11	Revoked	V. 15, p. 1129
75-6-16	Revoked	V. 15, p. 1129
75-6-17	Revoked	V. 15, p. 1129
75-6-18	Revoked	V. 15, p. 1129
75-6-25	Revoked	V. 15, p. 1129
75-6-29	Revoked	V. 15, p. 1129
75-8-1 through 75-8-11	Revoked	V. 15, p. 1129

AGENCY 80: KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

Reg. No.	Action	Register
80-8-2	Amended	V. 15, p. 1832
80-8-3	Amended	V. 15, p. 1832
80-8-4	Amended	V. 15, p. 1833
80-8-7	Amended	V. 15, p. 1833

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-1-1	Amended	V. 15, p. 697
81-2-1	Amended	V. 15, p. 698
81-3-1	Amended	V. 15, p. 698
81-3-4	Revoked	V. 15, p. 700
81-4-1	Amended	V. 15, p. 700
81-5-1	Revoked	V. 15, p. 701
81-5-2	Revoked	V. 15, p. 701
81-5-3	Amended	V. 15, p. 701
81-5-4	Amended	V. 15, p. 701
81-5-7	Amended	V. 15, p. 701
81-5-9	Amended	V. 15, p. 702
81-6-1	Amended	V. 15, p. 702
81-7-2	Amended	V. 15, p. 703
81-8-1	Revoked	V. 15, p. 703
81-9-1	Revoked	V. 15, p. 703
81-13-1	Revoked	V. 15, p. 703

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-101	Amended	V. 15, p. 1538
82-3-103	Amended	V. 15, p. 1541
82-3-206	Amended	V. 15, p. 1670
82-3-307	Amended	V. 15, p. 1670
82-3-700 through 82-3-704	New	V. 15, p. 1542-1544

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-5	Amended	V. 15, p. 598
86-1-11	Amended	V. 15, p. 1831
86-3-25	Amended	V. 15, p. 1331

(continued)

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-1-68c	Amended	V. 15, p. 1863
91-5-3	Amended	V. 15, p. 1864
91-12-22	Amended	V. 15, p. 226
91-12-61	Amended	V. 15, p. 230
91-31-1	Revoked	V. 15, p. 1864
91-31-2	Revoked	V. 15, p. 1864
91-31-3	Revoked	V. 15, p. 1864
91-31-4	Revoked	V. 15, p. 1864
91-31-4a	Revoked	V. 15, p. 1864
91-31-5	Revoked	V. 15, p. 1864
91-31-6	Revoked	V. 15, p. 1864
91-31-7	Revoked	V. 15, p. 1864
91-31-8	Revoked	V. 15, p. 1864
91-31-9	Revoked	V. 15, p. 1864
91-31-10	Revoked	V. 15, p. 1865
91-31-12a	through	
91-31-12h	Revoked	V. 15, p. 1865
91-31-13	Revoked	V. 15, p. 1865
91-31-14	Revoked	V. 15, p. 1865
91-31-14a	Revoked	V. 15, p. 1865
91-31-14b	Revoked	V. 15, p. 1865
91-31-14c	Revoked	V. 15, p. 1865
91-31-15	Revoked	V. 15, p. 1865
91-31-16	through	
91-31-30	New	V. 15, p. 1865-1869
91-33-1	through	
91-33-8	Revoked	V. 15, p. 1869
91-34-1	through	
91-34-5	Revoked	V. 15, p. 1870
91-34-7	through	
91-34-14	Revoked	V. 15, p. 1870

AGENCY 98: KANSAS WATER OFFICE

Reg. No.	Action	Register
98-5-1	Amended	V. 15, p. 1708
98-5-8	New	V. 15, p. 1709

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-69-1	through	
100-69-9	New	V. 15, p. 1021, 1022

AGENCY 104: STATE BANKING DEPARTMENT, CONSUMER CREDIT COMMISSIONER AND DEPARTMENT OF CREDIT UNIONS

Reg. No.	Action	Register
104-1-2	Amended	V. 15, p. 1129

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-3-2	Amended	V. 15, p. 1583
105-3-12	New	V. 15, p. 1584
105-4-2	Amended	V. 15, p. 1584
105-5-4	Amended	V. 15, p. 1584

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-5-1	Amended	V. 15, p. 1585
109-6-1	Amended	V. 15, p. 1586
109-6-2	New	V. 15, p. 1586
109-7-1	Amended	V. 15, p. 1586
109-8-1	Amended	V. 15, p. 1625
109-10-1	Amended	V. 15, p. 1587

AGENCY 111: KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-5	Amended	V. 15, p. 1304
111-2-1	Amended	V. 15, p. 881
111-2-2	Amended	V. 12, p. 1261
111-2-2a	through	
111-2-2e	New	V. 14, p. 1633, 1634

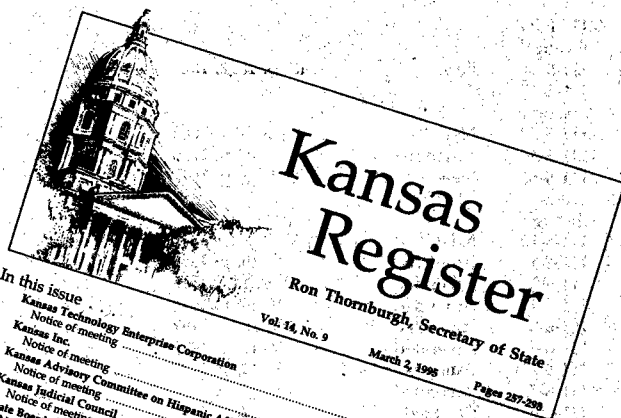
111-2-4	Amended	V. 15, p. 1709
111-2-6	Revoked	V. 13, p. 149
111-2-7	Revoked	V. 10, p. 1210
111-2-13	Revoked	V. 10, p. 881
111-2-14	Amended	V. 14, p. 1634
111-2-15	Revoked	V. 10, p. 881
111-2-16	Revoked	V. 10, p. 1210
111-2-17	Revoked	V. 10, p. 1210
111-2-18	Revoked	V. 11, p. 413
111-2-19	Revoked	V. 11, p. 413
111-2-20	through	
111-2-26	Revoked	V. 13, p. 1401
111-2-27	Revoked	V. 14, p. 972
111-2-28	New	V. 12, p. 1844
111-2-29	Revoked	V. 14, p. 972
111-2-30	Amended	V. 15, p. 1180
111-2-31	New	V. 14, p. 170
111-2-32	New	V. 14, p. 311
111-2-33	Amended	V. 14, p. 1741
111-2-34	Amended	V. 14, p. 722
111-2-35	New	V. 14, p. 796
111-2-36	New	V. 14, p. 908
111-2-37	New	V. 14, p. 1094
111-2-38	New	V. 14, p. 1741
111-2-39	New	V. 14, p. 1502
111-2-40	New	V. 14, p. 1502
111-2-41	New	V. 14, p. 1742
111-2-42	New	V. 14, p. 1742
111-2-43	New	V. 15, p. 287
111-2-44	New	V. 15, p. 288
111-2-45	New	V. 15, p. 288
111-2-46	New	V. 15, p. 624
111-2-47	New	V. 15, p. 882
111-2-48	New	V. 15, p. 1055
111-2-49	New	V. 15, p. 1055
111-2-50	New	V. 15, p. 1056
111-2-51	New	V. 15, p. 1440
111-2-52	New	V. 15, p. 1441
111-2-53	New	V. 15, p. 1710
111-3-1	Amended	V. 14, p. 908
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. 13, p. 35
111-3-12	Amended	V. 13, p. 1826
111-3-13	Amended	V. 11, p. 1148
111-3-14	Amended	V. 13, p. 1826
111-3-16	Amended	V. 9, p. 1566
111-3-19	through	
111-3-22	Amended	V. 9, p. 30
111-3-19	Revoked	V. 13, p. 1827
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. 13, p. 1827
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
111-3-34	New	V. 13, p. 149
111-3-35	Amended	V. 14, p. 909
111-3-36	New	V. 13, p. 877
111-3-37	New	V. 13, p. 877
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. 14, p. 972
111-4-101	Amended	V. 14, p. 972

111-4-102	Amended	V. 12, p. 1114
111-4-103	Amended	V. 10, p. 1211
111-4-104	Amended	V. 14, p. 972
111-4-105	Amended	V. 14, p. 972
111-4-106	Amended	V. 14, p. 973
111-4-106a	Amended	V. 14, p. 974
111-4-107	Amended	V. 11, p. 978
111-4-108	Amended	V. 14, p. 974
111-4-110	Amended	V. 11, p. 978
111-4-111	Amended	V. 9, p. 1366
111-4-112	Amended	V. 14, p. 974
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	Revoked	V. 13, p. 1402
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	through	
111-4-327	Revoked	V. 12, p. 1371
111-4-328	through	
111-4-335	Revoked	V. 12, p. 114
111-4-336	through	
111-4-345	New	V. 10, p. 1526-1528

111-4-336 through			111-4-419 through			111-4-695 through		
111-4-340	Amended	V. 12, p. 1371, 1372	111-4-453	Revoked	V. 14, p. 8	111-4-702	New	V. 14, p. 725-727
111-4-341	Revoked	V. 11, p. 1473	111-4-454 through			111-4-703 through		
111-4-341a	Revoked	V. 12, p. 1372	111-4-465	Revoked	V. 12, p. 1664, 1665	111-4-723	New	V. 14, p. 909-914
111-4-341b	Amended	V. 12, p. 1372	111-4-466 through			111-4-724 through		
111-4-341c	New	V. 12, p. 1664	111-4-473	New	V. 12, p. 316, 317	111-4-736	New	V. 14, p. 978-981
111-4-344	Amended	V. 12, p. 1373	111-4-466 through			111-4-737 through		
111-4-346 through			111-4-473	New	V. 12, p. 316, 317	111-4-749	New	V. 14, p. 1095-1098
111-4-361	New	V. 10, p. 1586-1589	111-4-466 through			111-4-750 through		
111-4-356 through			111-4-473	New	V. 12, p. 316, 317	111-4-757	New	V. 14, p. 1408, 1409
111-4-361	Revoked	V. 14, p. 7	111-4-470	Amended	V. 12, p. 522	111-4-758 through		
111-4-346 through			111-4-474			111-4-761	New	V. 14, p. 1502, 1503
111-4-349	Revoked	V. 12, p. 114	111-4-488	New	V. 12, p. 522-524	111-4-762 through		
111-4-362 through			111-4-478			111-4-778	New	V. 14, p. 1410-1414
111-4-365	Revoked	V. 12, p. 114, 115	111-4-492	Revoked	V. 14, p. 974, 975	111-4-769	Amended	V. 14, p. 1503
111-4-362	Amended	V. 11, p. 13	111-4-493 through			111-4-779 through		
111-4-366 through			111-4-496	New	V. 12, p. 525	111-4-791	New	V. 14, p. 1504-1507
111-4-379	New	V. 11, p. 136-139	111-4-497 through			111-4-792 through		
111-4-366 through			111-4-512	Revoked	V. 14, p. 975	111-4-803	New	V. 14, p. 1635-1638
111-4-369	Revoked	V. 12, p. 1373	111-4-513 through			111-4-804 through		
111-4-370 through			111-4-521	New	V. 12, p. 1374, 1375	111-4-816	New	V. 15, p. 116-119
111-4-379	Revoked	V. 14, p. 7, 8	111-4-519	Amended	V. 14, p. 1095	111-4-817 through		
111-4-380 through			111-4-522 through			111-4-824	New	V. 15, p. 289, 290
111-4-383	Revoked	V. 12, p. 1664	111-4-571	Revoked	V. 14, p. 975-977	111-4-825 through		
111-4-384 through			111-4-572 through			111-4-838	New	V. 15, p. 449-452
111-4-387	Revoked	V. 12, p. 1373	111-4-585	New	V. 13, p. 878-880	111-4-839 through		
111-4-388 through			111-4-572	Amended	V. 15, p. 882	111-4-854	New	V. 15, p. 624-627
111-4-400	New	V. 11, p. 478-481	111-4-574	Amended	V. 15, p. 882	111-4-855 through		
111-4-388 through			111-4-575	Amended	V. 15, p. 882	111-4-859	New	V. 15, p. 884, 885
111-4-391	Revoked	V. 12, p. 1373	111-4-576	Amended	V. 15, p. 882	111-4-855	Amended	V. 15, p. 1181
111-4-392	Amended	V. 12, p. 520	111-4-577	Amended	V. 15, p. 883	111-4-860 through		
111-4-394 through			111-4-579	Amended	V. 15, p. 883	111-4-872	New	V. 15, p. 1056-1059
111-4-400	Amended	V. 12, p. 521, 522	111-4-581	Amended	V. 15, p. 883	111-4-871	Amended	V. 15, p. 1181
111-4-401 through			111-4-582	Amended	V. 15, p. 883	111-4-873 through		
111-4-404	Revoked	V. 12, p. 1373	111-4-583	Amended	V. 15, p. 883	111-4-892	New	V. 15, p. 1181-1186
111-4-405 through			111-4-584	Amended	V. 15, p. 884	111-4-893 through		
111-4-413	New	V. 11, p. 756, 757	111-4-586 through			111-4-910	New	V. 15, p. 1441-1445
111-4-405	Amended	V. 14, p. 723	M11-4-606	Revoked	V. 14, p. 977, 978	111-4-911 through		
111-4-407	Amended	V. 13, p. 877	111-4-607 through			111-4-918	New	V. 15, p. 1475, 1476
111-4-408	Amended	V. 14, p. 723	111-4-619	New	V. 13, p. 1436-1438	111-4-919 through		
111-4-409	Amended	V. 14, p. 723	111-4-607	Amended	V. 14, p. 1407	111-4-941	New	V. 15, p. 1710-1716
111-4-411	Amended	V. 14, p. 1094	111-4-609	Amended	V. 14, p. 1407	111-5-1 through		
111-4-412	Amended	V. 11, p. 1475	111-4-610	Amended	V. 14, p. 1407	111-5-23	New	V. 7, p. 209-213
111-4-413	Amended	V. 11, p. 1475	111-4-611	Amended	V. 14, p. 1408	111-5-9 through		
111-4-414 through			111-4-613	Amended	V. 14, p. 1408	111-5-19	Revoked	V. 15, p. 291
111-4-428	Revoked	V. 14, p. 8	111-4-616 through			111-5-21 through		
111-4-414	Amended	V. 11, p. 1150	111-4-623	Revoked	V. 14, p. 978	111-5-33	New	V. 11, p. 415-418
111-4-429 through			111-4-624 through			111-5-21	Revoked	V. 15, p. 291
111-4-432	Revoked	V. 12, p. 1373	111-4-652	New	V. 13, p. 1828-1835	111-5-22	Amended	V. 13, p. 1438
111-4-433 through			111-4-640	Amended	V. 13, p. 1922	111-5-23	Amended	V. 15, p. 1059
111-4-436	Revoked	V. 12, p. 1374	111-4-652	Amended	V. 13, p. 1922	111-5-24	Amended	V. 11, p. 983
111-4-437 through			111-4-653 through			111-5-25	Amended	V. 15, p. 1059
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