

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 17, No. 35 August 27, 1998 Pages 1307-1350

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State of Kansas

Kansas Guardianship Program

Notice of Meeting

The Kansas Guardianship Program will conduct its governing board meeting by conference call at 8:30 a.m. Thursday, September 3, at 3248 Kimball Ave, Manhattan. For more information, call (785) 587-8555.

Jean Krahn
Executive Director

Doc. No. 022815

State of Kansas

Kansas, Inc.

Notice of Meeting

The Kansas, Inc. Board of Directors will meet from 8 a.m. to 5 p.m. Thursday, September 3, at the Capitol Plaza Hotel, Emerald Room II and III, 1717 S.W. Topeka Blvd., Topeka. The meeting is open to the public.

Charles R. Ranson
President

Doc. No. 022831

State of Kansas

Legislature

Interim Committee Schedule

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

Date	Room	Time	Committee	Agenda
August 31	514-S	10:00 a.m.	Health Care Reform	Agenda not available.
September 1	514-S	9:00 a.m.	Legislative Oversight Committee	
September 2	519-S	10:00 a.m.	Task Force on Long-Term Care Services	Staff retention in long-term care services; adult care home survey process.
September 3	514-S	10:00 a.m.	Joint Committee on State Building Construction	Agenda not available.
September 4	514-S	9:00 a.m.		
September 8	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda not available.
September 9	514-S	9:00 a.m.		
September 10	123-S	10:00 a.m.	Joint Committee on Pensions, Investments and Benefits	KPERS update on system operations; consultant report on retirement options.
September 11	123-S	9:00 a.m.		

Jeff Russell
Director of Legislative Administrative Services

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, State Capitol, Topeka, KS 66612-1594. One-year subscriptions are \$70 (Kansas residents must include \$4.31 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Periodicals postage paid at Topeka, KS.

Postmaster: Send change of address form to Kansas Register, Secretary of State, State Capitol, 300 S.W. 10th Ave., Topeka, KS 66612-1594.

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PUBLISHED BY
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State of Kansas

**Department of Commerce
and Housing**

**Notice of Annual Performance Report
on Kansas Consolidated Plan**

The Department of Commerce and Housing will publish a preliminary draft of the Annual Performance Report on the Kansas Consolidated Plan for Business, Community, and Housing Development for federal fiscal year 1997. The Annual Performance Report on the 1997 Kansas Consolidated Plan will be available for public review and comment from August 28 to September 15. Copies of the Annual Performance Report may be requested from the Department of Commerce and Housing, 700 S.W. Harrison, Suite 1300, Topeka, 66603-3712, (785) 296-5865 or TTY (785) 296-3487.

Gary Sherrer
Secretary of Commerce
and Housing

Doc. No. 022823

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, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

Tuesday, September 8, 1998

33251

Department of Transportation—Embroidered caps,
various locations

Wednesday, September 9, 1998

33250

Statewide—Office supplies

Thursday, September 10, 1998

8107

Pittsburg State University—Machinery

Tuesday, September 15, 1998

A-8560

Kansas State University—Renovation of rooms 124A
and 124B, Waters Hall

Tuesday, September 29, 1998

A-8275

Kansas State University—Fielder Hall

Thursday, October 15, 1998

A-8374

Pittsburg State University—Renovation project,
Horace Mann Hall

John T. Houlihan
Director of Purchases

Doc. No. 022840

State of Kansas

Pooled Money Investment Board

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 1997 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 8-24-98 through 8-30-98

Term	Rate
1-89 days	5.53%
3 months	5.14%
6 months	5.26%
9 months	5.29%
12 months	5.31%
18 months	5.30%
24 months	5.31%

Clyde Graeber
Acting Chairman

Doc. No. 022816

State of Kansas

Department of Education

Notice of Waiver Request

The Kansas State Department of Education (KSDE) is requesting a waiver from the U.S. Department of Education to utilize approximately \$200,000 of FY 97 Title I program improvement funds to continue support of revising the state standards and assessments. These FY 97 funds will lapse September 30, 1998, and have to be returned to the U.S. Department of Education if KSDE cannot utilize these funds. The waiver request is authorized by Public Law 103-382, Part D-Waivers, Section 14401.

The Kansas State Department of Education has sufficient program improvement funds for 1998-99 to support needed efforts to train school support team facilitators and distinguished educators. This waiver, therefore, will not diminish KSDE's efforts to meet the Title I program improvement initiatives and requirements.

This is an important effort to strengthen the state educational accountability system through the revision of KSDE standards and assessment system. The Title I accountability system is based on these standards and assessments.

The public comment period regarding the waiver request has been established from August 27 to September 11. Written comments concerning the waiver are to be submitted to KSDE Consolidated and Supplemental Programs, 120 S.E. 10th Ave., Topeka, 66612.

For further information, contact Ken Gentry, Team Leader, Consolidated and Supplemental Programs, Kansas State Department of Education, (785) 296-2306.

Andy Tompkins
Commissioner of Education

Doc. No. 022820

State of Kansas

Attorney General

Opinion No. 98-33

Cities and Municipalities—Governmental Organization—Consolidation of Operations, Procedures and Functions by a Political and Taxing Subdivision; Elimination of Elected Offices; Consolidation of County Treasurer, County Clerk and Register of Deeds into One Non-Elected Office.

Counties and County Officers—Clerk Not to Act as County Treasurer.

Counties and County Officers—County Treasurer—Treasurer Not to Act as County Clerk. Richard A. Euson, Sedgwick County Counselor, Wichita, July 6, 1998.

The elected offices of register of deeds, county treasurer and county clerk can be consolidated into one or more non-elected offices pursuant to K.S.A. 12-3901 *et seq.* The provisions of K.S.A. 19-302, 19-505 and 19-512 that prohibit the same person from acting as county clerk and county treasurer do not prevent a county commission from consolidating those offices provided the commission complies with all requirements of K.S.A. 12-3901 *et seq.* Cited herein: K.S.A. 12-3901; 12-3903; 12-3906; 19-302; 19-505; 19-512; G.S. 1868. DMV

Opinion No. 98-34

Crimes and Punishments; Kansas Criminal Code; Prohibited Conduct—Crimes Against Persons—Battery; Domestic Battery; Age Requirement for Family or Household Member. Mary Ann Shirely, Greenwood County Attorney, Eureka, July 10, 1998.

The crime of domestic battery as defined by K.S.A. 1997 Supp. 21-3412 is a battery committed by a family or household member against another family or household member. The statute's definition of "family or household member" includes a requirement that the member must be 18 years of age or older regardless whether the member is the perpetrator or the victim. Cited herein: K.S.A. 1997 Supp. 21-3412; K.S.A. 21-3414; 21-3609. MF

Opinion No. 98-35

Public Health—Acquired Immune Deficiency Syndrome (AIDS) and Hepatitis B; HIV Infection and Hepatitis B—Physician Authorized to Disclose HIV or Hepatitis B Infection to Certain Corrections Employees; Confidentiality; Immunity in Judicial Proceedings. Timothy G. Madden, Chief Legal Counsel, Kansas Department of Corrections, Topeka, July 10, 1998.

Pursuant to K.S.A. 1997 Supp. 65-6016, a physician treating an inmate who has tested positive for HIV infection may divulge the inmate's HIV status to corrections employees who have been or will be placed in contact with the inmate's body fluid. While the statute appears to prohibit the employees' disclosure of this information except for the purpose of treating the inmate, legislative intent clearly indicates that the statute authorizes an employee's disclosure that he has come in contact with the body fluid of an HIV positive inmate in order to seek treatment for the employee. It does not, however, au-

thorize the disclosure of the inmate's identity because that information is not relevant for the purpose of the employee obtaining appropriate medical treatment. Cited herein: K.S.A. 1997 Supp. 65-6004; 65-6016; 65-6017. GE

Opinion No. 98-36

Minors—Kansas Juvenile Offenders Code; General Provisions—Records of Law Enforcement Officers and Municipal Courts; Disclosure of Municipal Court Records Regarding Possession of Cigarette and Tobacco products by Juveniles. Dale Bell, Emporia City Attorney, Emporia, July 10, 1998.

K.S.A. 1997 Supp. 38-1608 prohibits municipal courts from disclosing court records of juveniles under the age of 14 who are charged with violating ordinance cigarette or tobacco infractions unless a district court has ordered disclosure. The records of juveniles over the age of 14 who are charged with violating such ordinances are subject to the same disclosure restrictions as adult records. K.S.A. 1997 Supp. 38-1608(b)(3), which allows disclosure of records for a juvenile who is prosecuted as an adult, has no application to municipal court proceedings. K.S.A. 1997 Supp. 38-1652, which authorizes a district court to close juvenile offender hearings under certain circumstances, is not applicable to hearings in municipal court. Cited herein: K.S.A. 38-805c; 38-806; 38-815 (repealed L. 1982, Ch. 182, § 150); K.S.A. 1997 Supp. 38-1607; 38-1608, as amended by L. 1998, Ch. 171, § 9; 38-1624, as amended by L. 1998, Ch. 187, § 4; 38-1652; 38-1662; 38-1663, as amended by L. 1998, Ch. 187, § 8; 38-1692. MF

Opinion No. 98-37

Cities and Municipalities—General Provisions—Countywide and City Retailers' Sales Tax; Apportionment of Revenue; Inclusion of Countywide Tax Levy for the Benefit of Wichita State University. Robert L. Howard, Special Counsel for the City of Wichita, Wichita, July 10, 1998.

The countywide retailers' sales tax apportionment formula in K.S.A. 1997 Supp. 12-192(a)(1) requires that one-half of all the revenue from a countywide retailer's sales tax be apportioned among the county and each city located in such county in the proportion that the total taxable tangible property tax levies made in such county in the preceding year for all funds of each such governmental unit bear to the total of all such levies made in the preceding year. "All funds" of a governmental unit, as used in K.S.A. 1997 Supp. 12-192(a)(1), means the proceeds of all taxes levied by either a county or a city regardless of the purpose of such taxes. The fact that an interlocal cooperation agreement provides that the funds from a countywide tax will be used for the benefit of Wichita State University and that the City of Wichita may designate the use of the funds generated from taxes on property within the city is irrelevant for purposes of the apportionment formula in K.S.A. 1997 Supp. 12-192(a)(1). Therefore, the 1987 countywide tax levied by Sedgwick County for the benefit of Wichita State University is properly included in the apportionment formula as funds of the county. Cited herein: K.S.A. 12-177 (repealed L. 1978, Ch. 56, § 20); K.S.A. 1997 Supp. 12-192, as amended by

1998 S.B. 675, § 19 and 1998 H.B. 2584, § 4; 19-101a, as amended by 1998 H.B. 2584, § 10 and 1998 H.B. 2950, § 39; K.S.A. 76-3a01; 76-3a16; 79-5001 (repealed L. 1988, Ch. 393, § 8). MF

Opinion No. 98-38

Public Records, Documents and Information—Records Open to Public—Inspection of Records; Certain Records Not Required to be Open; Criminal Investigation Records; Invasion of Personal Privacy; Standard Offense Report and Arrest Report.

Criminal Procedure; Kansas Code of Criminal Procedure—Criminal History Record Information—Restrictions on Dissemination of Criminal History Record Information; Arrest Reports. J. Carey Brown, CJIS Director, Topeka, July 14, 1998.

The standard offense report is subject to the Kansas Open Records Act (KORA), K.S.A. 45-215 *et seq.* All information on the front page except for the victim's social security number is presumed to be open, and portions of the front page can only be closed if the victim was the victim of certain sex crimes or under the unusual event that disclosure would constitute a clearly unwarranted invasion of the victim's personal privacy. By contrast, standard arrest reports are mandatorily closed. Basic information on arrests can be obtained from police blotters and jail rosters, which are mandatorily open. If a blotter is not maintained, a law enforcement agency is under an obligation to provide blotter type information reasonably contemporaneously with an arrest. Cited herein: K.S.A. 21-2501a; 21-2504; K.S.A. 1997 Supp. 22-4701; K.S.A. 22-4707; 22-4708; 45-215; K.S.A. 1997 Supp. 45-217; 45-221. SP

Opinion No. 98-39

Cities and Municipalities—Libraries—Regional Library; Political Subdivision for Purposes of K.S.A. 79-5021 *et seq.* and K.S.A. 12-16,102.

Cities and Municipalities—Miscellaneous Provisions—Employee Benefits Contribution Fund in Certain Taxing Subdivisions; Regional Libraries. John E. Lang, Pottawatomie County Counselor, Westmoreland, July 21, 1998.

A regional library created pursuant to K.S.A. 12-1231 *et seq.* is a taxing subdivision for purposes of exempting itself from the tax lid law pursuant to K.S.A. 79-5036(c) and a political subdivision for purposes of having an employee benefits contribution fund established for it pursuant to K.S.A. 12-16,102. Cited herein: K.S.A. 12-1231; 12-1232; 12-1233; 12-1234; 12-16,102; 79-5021; 79-5036. JLM

Opinion No. 98-40

Contracts and Promises—Funeral and Cemetery Merchandise Agreements, Contracts and Plans; Prearranged Funeral Agreements—Conditions; Administration of Funds; Payment Into Trust Fund.

Contracts and Promises—Funeral and Cemetery Merchandise Agreements, Contracts and Plans; Cemetery Merchandise Contracts—Trust Fund Established in Trust Company or Federally Insured Institution Authorized to do Business in Kansas. Melissa A. Wange-

mann, Legal Counsel, Secretary of State's Office, Topeka, July 21, 1998.

Funds received by a seller of prearranged funeral agreements may be paid to and held by an out-of-state corporate trustee, who may charge reasonable expenses, but the trustee must deposit the funds in an institution insured and qualified to accept deposits under K.S.A. 16-301. Only trust companies that the Kansas Bank Commissioner has authorized to transact trust business in Kansas may accept custody of cemetery merchandise funds. K.S.A. 9-701; 9-801 *et seq.*; K.S.A. 1997 Supp. 9-2111; K.S.A. 16-301; 16-302; 16-303, as amended by L. 1998, Ch. 55, § 1; 16-308; 16-309; 16-320; 16-321; 16-322; 16-324; 16-333. NLU

Opinion No. 98-41

Counties and County Officers—General Provisions—Home Rule Powers; Limitations, Restrictions and Prohibitions, Imposing Environmental Standards for Confined Animal Feeding Operations Which are More Strict Than Those Set Out by Statute. Douglas P. Witteman, Coffey County Attorney, Burlington, July 21, 1998.

The 1998 amendment to K.S.A. 19-101a prohibits a county from imposing more stringent separation distance requirements for confined animal feeding facilities than those set out in K.S.A. 1997 Supp. 65-171d, as amended by 1998 Substitute for House Bill No. 2950. The conclusions stated in Attorney General Opinion No. 97-72 concerning a county's authority to impose stricter environmental standards on confined animal feeding facilities are affirmed, provided the county standards do not exempt the county from, or effect changes in, any of the statutes enumerated in K.S.A. 1997 Supp. 19-101a(a), as amended by 1998 Sub. for H.B. 2950, § 39. The portions of Attorney General Opinion No. 97-72 that relied on laws amended in 1998 are hereby withdrawn. Cited herein: K.S.A. 2-1915, 2-3302, 2-3305, 2-3307, K.S.A. 1997 Supp. 19-101a, 47-1219, 65-171d, all as amended by L. 1998, Ch. 143. DMV

Opinion No. 98-42

Crimes and Punishments; Kansas Criminal Code; Classification of Crimes and Sentencing—Sentencing Guidelines—Sentencing; Determination of Offender's Criminal History Classification in Presumptive Sentencing Guidelines Grid for Nondrug Crimes and Drug Crimes; Meaning of Phrase "Occurring Within a Period of Three Years." Kansas Sentencing Commission, Topeka, August 4, 1998.

For purposes of calculating a defendant's criminal history, the language of K.S.A. 1997 Supp. 21-4711(a) manifests the intent of the Legislature that every three prior adult convictions or juvenile adjudications of assault occurring within *any* period of three years shall be rated as one adult conviction or one juvenile adjudication of a person felony. Cited herein: K.S.A. 21-3408; 21-4701; K.S.A. 1997 Supp. 21-4711. CN

Carla J. Stovall
Attorney General

Doc. No. 022829

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. September 23 for the consulting engineering firm to be considered. Seven signed copies of the response should be mailed to Neil Rusch, P.E., Assistant to the Director, Division of Engineering and Design, KDOT, Room 1084-West, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612-1568. Responses shall be limited to four pages.

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 an individual interview conference. At this time, the consulting firms can more thoroughly discuss their experience related to the type of project at hand and will be expected to discuss, in some detail, their approach to this project and the personnel to be assigned to the project. Firms not selected to be short listed will be notified by letter.

The Consultant Negotiating Committee, appointed by the Secretary of Transportation, will conduct 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.

Project No. 106 K-7324-01
Statewide

The scope of services is to review and update Volume 3 of the current KDOT Design Manual (Drainage). The revised manual will become Part C of KDOT's new design manual. The existing hydrologic and hydraulic procedures shall be reviewed, evaluated and updated to be consistent with current practice and to provide practical guidance for typical drainage applications. The manual shall include a section for the design of storm sewers and discussion on the use of computer programs. Recommendations from recent K-TRAN research studies shall also be evaluated for incorporation into the manual. The updated manual shall be in standard international (SI) units and in a format specified by KDOT. The project manager is Jim Richardson; however, the KCE/KDOT Manual Labor Team will assist with oversight and review. The construction estimate is \$150,000.

Project No. 75-63 K-7315-01
Montgomery County

The scope of services is to prepare a conceptual study report to outline possible improvements on US-75 from the Oklahoma state line to north of Independence. The report should address the critical design issues, controlling features, alignment alternatives and comparative project costs. Potential social, environmental and right-of-way issues should be identified and analyzed. Corridor preservation techniques should be considered to maintain the needed access

until the project can be programmed for construction. The road and bridge squad leaders are Rex Fleming and Terry Fleck, respectively. The study estimate is \$200,000.

Project No. 77-58 K-7322-01
Marshall County

The scope of services is to prepare a conceptual study report to outline possible improvements of the Big Blue River Bridge (013) east of Blue Rapids. The report should address the critical design issues, controlling features, alignment alternatives and comparative project costs. Potential social, environmental and right-of-way issues should be identified and analyzed. Corridor preservation techniques should be considered to maintain the needed access until the project can be programmed for construction. The road and bridge squad leaders are Rex Fleming and Terry Fleck, respectively. The study estimate is \$200,000.

The scope of services includes providing for the discovery phase on the following projects. The discovery phase is intended to provide information about the project that might impact its cost, scope or schedule. At the completion of the discovery phase, KDOT will determine whether to proceed with the design services.

Project No. 135-87 K-7332-01
Sedgwick County

The scope of services is to provide for the reconstruction of I-135 from Pawnee Street to the beginning of the viaduct south of Douglas Street in Wichita. The road and bridge squad leaders are Richard Adams and Richard Elliott. The estimated construction cost is \$2,481,000.

Project No. 44-39 K-0371-01
Harper County

The scope of services is to provide for the replacement of Bluff Creek Drainage (037), Rock Creek (038), Silver Creek Drainage (047), and Silver Creek (039), east of Anthony. The road and bridge squad leaders are Robert Hirt and Gary Chan. The estimated construction cost is \$2,481,000.

Project No. 7-6 K-7335-01
Project No. 54-6 K-7336-1
Bourbon County

The scope of services is to provide for the replacement of the Little Osage River Bridge (033) on K-7 and the Walnut Creek Bridge (003) on US-54. The road and bridge squad leaders are Richard Adams and Robert Reynolds. The estimated construction cost is \$1,251,000.

It is KDOT's policy 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 firm with respect to proposed project;
4. Work load of firm; and
5. Firm's performance record.

E. Dean Carlson
Secretary of Transportation

Doc. No. 022825

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Office of Construction and Maintenance, KDOT, Topeka, or at the Wichita Airport Hilton, until 2 p.m. September 16 and then publicly opened:

District One—Northeast

Douglas—56-23 K-5486-01—Ninth Street east to 3rd Street in Baldwin City, 0.5 mile (0.8 kilometer), grading and surfacing. (State funds)

Douglas-Osage—106 K-7196-01—U.S. 56, from the Douglas-Osage county line east to the junction of U.S. 59; U.S. 56, from the south junction of K-31 northeast to the Osage-Douglas county line; K-31, from the south junction of U.S. 56 south to the junction of K-170, 40 miles (64.4 kilometers), sealing. (State funds)

Jackson—75-43 K-6693-01—Acceleration and deceleration lanes for new entrance to the Holton Community Hospital, 0.2 mile (0.4 kilometer), grading and surfacing. (State funds)

Jackson—75-43 K-6693-01—U.S. 75, 1.2 miles (1.9 kilometers) north of K-16, 0.3 mile (0.4 kilometer), grading and surfacing. (State funds)

Jefferson—44 C-2277-01—County road 3.5 miles (5.6 kilometers) north and 4.7 miles (7.6 kilometers) west of Valley Falls, then north 0.2 mile (0.3 kilometer), bridge replacement. (Federal funds)

Johnson—46 N-0075-01—Intersection of K-7 and Spruce Street in Olathe, traffic signals. (Federal funds)

Lyon—50-56 K-7309-01—U.S. 50, from the Lyon-Chase county line east to the west city limits of Emporia, 7 miles (11.3 kilometers), pavement marking. (State funds)

Shawnee—24-89 K-2094-01—U.S. 24, Bridge 80, Old Soldier Creek 0.3 mile (0.5 kilometer) east of Rochester Road, grading, bridge and surfacing. (Federal funds)

Shawnee—470-89 K-4470-01—I-470, west of Martin Drive east to Topeka Blvd. 0.7 mile (1.1 kilometers), grading, bridge and surfacing. (Federal funds)

Shawnee-Jefferson—4-106 K-7307-01—K-4, from the junction of U.S. 24 in Shawnee County northeast to the junction of U.S. 59 in Jefferson County, 29.4 miles (47.3 kilometers), pavement marking. (State funds)

Wabaunsee—70-99 K-5628-01—I-70, from K-99 east to 0.3 mile (0.5 kilometer) west of the junction of K-138, 5.5 miles (8.9 kilometers), pavement reconstruction. (Federal funds)

Wabaunsee—4-99 K-7310-01—K-4, 3.2 miles (5.1 kilometers) west of the Wabaunsee-Shawnee county line, east 2.8 miles (4.5 kilometers), pavement marking. (State funds)

Wyandotte—70-105 K-5658-03—I-70, intercity viaduct in Kansas City 0.3 mile (0.5 kilometer) west of the Missouri state line, bridge repair. (State funds)

District Two—Northcentral

Chase—50-9 K-6599-01—U.S. 50, 2 miles (3.2 kilometers) west of the Chase-Lyon county line, east 2 miles (3.2 kilometers), pavement marking. (State funds)

Washington—36-101 K-5383-01—U.S. 36, from the east city limits of Washington east to the 2-lane/4-lane highway, 9 miles (14.5 kilometers), grading, bridge and surfacing. (Federal funds)

District Four—Southeast

Anderson—59-2 K-6876-01—Maple Street and 4th Avenue in the City of Garnett, traffic signals. (State funds)

Montgomery—160-63 K-6627-01—U.S. 160, Bridge 020, Verdigris River, bridge overlay. (State funds)

Montgomery—75-63 K-6628-01—U.S. 75, Bridge 008 over 20th Street in Independence, bridge overlay. (State funds)

District Five—Southcentral

Sedgwick—81-87 C-3094-01—83rd Street at the Arkansas River 0.5 mile (0.8 kilometer) west of Derby, 0.2 mile (0.4 kilometer), grading, bridge and surfacing. (Federal funds)

District Six—Southwest

Finney—28 U-1471-01—Mary Street from Taylor Avenue to VFW Road in Garden City, grading and surfacing. (Federal funds)

Ford—400-29 K-7096-01—U.S. 400, from the north city limits of Ford southeast to the Ford-Kiowa county line, 12.5 miles (20.2 kilometers), sealing. (State funds)

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

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

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

E. Dean Carlson
Secretary of Transportation

Doc. No. 022817

State of Kansas

Office of Judicial Administration
Supreme Court Docket

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

Monday, September 14, 1998

9:00 a.m.

Case No.	Case Name	Attorneys	County
80,000	Board of Education of U.S.D. No. 443, Ford County, Appellant, v. Kansas State Board of Education, Appellee.	Ken W. Strobel Ward Loyd Dan Biles	Shawnee
78,947	Kansas Dept. of Transportation, Appellee, v. Roberta S. Humphreys, Appellant.	Vicky S. Johnson Scott A. Stone	Shawnee
79,287	State of Kansas, Appellant, v. Jimmy Gale Crow, Appellee.	Carla J. Stovall, Attorney General Joe Shepack, County Attorney Janine Cox, Asst. Appellate Defender	Ellsworth
80,187	State of Kansas, Appellant, v. Wesley D. Colson, Appellee.	Carla J. Stovall, Attorney General Joe Shepack, County Attorney Hazel Haupt, Asst. Appellate Defender	Ellsworth
1:30 p.m.			
79,008	State of Kansas, Appellee, v. Amoneo D. Lee, Appellant.	Carla J. Stovall, Attorney General Debra S. Peterson, Asst. District Attorney Mark T. Shoenhofer	Sedgwick
78,078 78,257 78,258	State of Kansas, Appellee, v. Michael Bolin, Appellant.	Carla J. Stovall, Attorney General Julie A. McKenna, Saline County Attorney Don L. Scott, Seward County Attorney Lisa Nathanson, Asst. Appellate Defender	Saline Petition for Review
77,883	State of Kansas, Appellee, v. Terry C. Koehn, Appellant.	Carla J. Stovall, Attorney General Debra S. Peterson, Asst. District Attorney Lisa Nathanson, Asst. Appellate Defender	Sedgwick Petition for Review
76,915	State of Kansas, Appellee, v. John Arthur McGinnes, Appellant.	Carla J. Stovall, Attorney General Robert Forer, County Attorney Rick Kittel, Asst. Appellate Defender	Labette Petition for Review

Tuesday, September 15, 1998

9:00 a.m.

Case No.	Case Name	Attorneys	County
79,678	In the Matter of the Care and Treatment of Emery Joe Ingram.	W. Scott Toth Robb Edmonds	Johnson
79,145	State of Kansas, Appellant, v. Johnny C. Sisk, Appellee.	Carla J. Stovall, Attorney General Paul J. Morrison, District Attorney J. Brent Getty, Asst. Appellate Defender	Johnson
79,835	State of Kansas, Appellee, v. John W. Rexroat, Appellant.	Carla J. Stovall, Attorney General Joan M. Hamilton, District Attorney Thomas B. Frost	Shawnee
80,671	In the Matter of J.D.J., Respondent.	Joan M. Hamilton, District Attorney Mark Ward	Shawnee

79,944	James and Linda Rafferty, Appellants, v. Land O' Lakes, Inc. and Terry L. Dossett, Appellees.	Richard Showalter Victoria Schroeder	Shawnee
79,979	Harold and Joyce Reifschneider, Appellants, v. Kansas State Lottery, et al., Appellees.	Thomas J. Berscheidt Lawrence J. Logback	Shawnee
79,896	State of Kansas, Appellee, v. Thomas and Constance Jimenez, Appellants.	Carla J. Stovall, Attorney General Joan M. Hamilton, District Attorney William K. Rork	Shawnee

Wednesday, September 16, 1998

Case No.	Case Name	Attorneys	County
80,408	David Flenker, Plaintiff, v. Willamette Industries, Inc., Defendant.	Stephen J. Dennis John L. Vratil	Certified Question
75,729	Harry Burton, Appellant, v. Rockwell International, Appellee.	Mark S. Gunnison Larry R. Mears	Work Comp Petition for Review
78,370	State of Kansas, Appellee, v. Michael Dean Wilkins, Appellant.	Carla J. Stovall, Attorney General Jim Vanderbilt, County Attorney Carl A. Fleming	Jefferson
78,139	State of Kansas, Appellee, v. Leroy L. Perry, Appellant.	Carla J. Stovall, Attorney General Allen Ternent, County Attorney Debra J. Wilson, Asst. Appellate Defender	Atchison
1:30 p.m.			
79,412	State of Kansas, Appellant, v. Fred W. Phelps, Sr., Appellee.	Carla J. Stovall, Attorney General Joan M. Hamilton, District Attorney Fred W. Phelps, Sr., Pro Se	Shawnee
79,413	State of Kansas, Appellant, v. Jonathan B. Phelps, Appellee.	Carla J. Stovall, Attorney General Joan M. Hamilton, District Attorney Stephen M. Joseph	Shawnee
78,516 78,541	State of Kansas, Appellee, v. Herbert L. Ruff, Appellant.	Carla J. Stovall, Attorney General Frank E. Kohl, County Attorney Mary Curtis, Asst. Appellate Defender	Leavenworth

Thursday, September 17, 1998

Case No.	Case Name	Attorneys	County
80,584	In the Matter of W. Fredrick Zimmerman, Respondent.	Marty M. Snyder, Deputy Disc. Admin. David W. Boal W. Fredrick Zimmerman, Pro Se	Original
81,284	In the Matter of Gerhard R. Metz, Respondent.	Frank D. Diehl, Deputy Disc. Admin. Gerhard R. Metz, Pro Se	Original

Friday, September 18, 1998

Summary Calendar—No Oral Argument
Pursuant to Supreme Court Rule 7.01(c)

78,350	State v. Kenneth E. Martin.	80,132	State v. Ronald A. Remlinger.	80,258	State v. John G. Patry.
Carol G. Green Clerk of the Appellate Courts					

State of Kansas

Wildlife and Parks Commission

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted by the Wildlife and Parks Commission at 7 p.m. Thursday, October 29, at the Pratt Telecommunity Center, 109 E. 3rd, Pratt, to consider the approval and adoption or revocation of proposed regulations of the Department of Wildlife and Parks.

A workshop meeting on business of the Wildlife and Parks Commission will begin at 1:30 p.m. October 29 at the same location. The meeting will recess at 5 p.m., then resume at 7 p.m. at the same location for the regulatory hearing. There will be public comment periods at the beginning of the afternoon and evening meetings for any issues not on the agenda, and additional comment periods will be available during the meeting on agenda items. Old and new business also may be discussed at this time. If necessary to complete the hearing or other business matters, the commission will reconvene at 9 a.m. October 30 at the same location.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Cindy Baugh, commission secretary, at (316) 672-5911. Persons with a hearing impairment may call the TDD service at (800) 766-3777 to request special accommodations.

This 60-day notice period prior to the hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed administrative regulations.

All interested parties may submit written comments prior to the hearing to the chairman of the commission, Kansas Department of Wildlife and Parks, Suite 502, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612. All interested parties will be given a reasonable opportunity at the hearing to express their views orally in regard to the adoption of the proposed regulations. During the hearing, all written and oral comments submitted by interested parties will be considered by the commission as a basis for approving, amending and approving, or rejecting the proposed regulations.

The regulations that will be heard during the regulatory hearing portion of the meeting are as follows:

K.A.R. 115-9-4. This regulation is proposed for revocation. The current regulation allows individuals purchasing a hunting license to attest, by their signature, to the completion of a hunter education course. If the regulation is revoked, individuals would be required to exhibit proof of completion of the course, such as a hunter education certificate or card, at the time of purchase.

Economic Impact Summary: Potential economic impacts from revocation of the regulation cannot be accurately quantified. However, to the extent that vendors of hunting licenses may face some public frustration from individuals who do not carry a hunter education card when purchasing a hunting license, vendors may see

some negative economic impact. In addition, revocation would limit telephone or other electronic means of selling hunting licenses, especially to nonresident hunters. Consequently, revocation may result in some negative economic impact to the department due to decreased license sales.

K.A.R. 115-17-1, 115-17-2, 115-17-4, 115-17-5, 115-17-6, 115-17-14 and 115-20-2. The amendments to these regulations are proposed in conjunction with one another. The regulations address the commercial harvest of fish bait; commercial mussel fishing licenses; commercial mussel dealer permits; and requirements for the taking and possession of certain wildlife, including mussels. The proposed amendments would remove mussels from the list of species that may be commercially harvested for fish bait and remove references to mussels from other related regulations. In addition, the amendments would require a bill of lading for commercial mussel dealers and would establish a time limit for commercial possession of mussels after the season, unless written authorization is obtained from the department. Finally, a proposed amendment would establish the same limit for personal possession of mussels as currently exists for reptiles and amphibians and would remove the fish-bait exception to that limit.

Economic Impact Summary: The proposed amendments could have a negative economic impact on individuals or businesses currently harvesting mussels for sale as fish bait. However, in surveys of Kansas bait dealers, dealers claimed no sales of mussels as bait. Other related changes are intended to help ensure that only licensed commercial mussel fishing operations and dealers are involved in the harvest and sale of mussels, and therefore may have some positive economic impact for these licensees.

K.A.R. 115-35-1. This proposed new regulation would implement HB 2876, passed by the 1998 Kansas Legislature, which creates the Local Government Outdoor Recreation Grant Program. The regulation would provide for applications to be made to the Secretary of Wildlife and Parks and would establish the criteria for evaluating grant applications as required by the new statute.

Economic Impact Summary: Because the regulation would simply provide a mechanism for evaluating and awarding grants, the department does not anticipate any economic impact due to the regulation itself. Local governments receiving grants would see a positive economic impact due to the creation of the grant program.

Copies of the complete text of the regulations and their respective economic impact statements may be obtained by contacting the chairman of the commission at the address above or by calling (785) 296-2281.

John R. Dykes
Chairman

Doc. No. 022828

State of Kansas

Board of Emergency Medical Services

Notice of Committee Meeting

The Education and Examination Committee of the Kansas Board of Emergency Medical Services will conduct a special meeting from 10 a.m. to 5 p.m. Wednesday, September 16, at the Butler County EMS, 701 N. Haverhill Road, El Dorado. The proposed agenda includes EMT-I training program requirements for SB 535; assistant teaching experiences; proposed EMT-I I/C requirements; proposed EMT-B requirements; proposed first responder requirements; and other old business. No new business is scheduled for this meeting.

A copy of the agenda may be obtained by contacting the board office at (785) 296-7296 or by mailing a request to the Kansas Board of Emergency Medical Services, 109 S.W. 6th, Topeka, 66603-3826. All board and committee meetings are open to the public.

Bob McDaneld
Administrator

Doc. No. 022818

(Published in the Kansas Register August 27, 1998.)

NOTICE OF REDEMPTION

Geary County, Kansas
Single Family Mortgage Revenue Bonds
1980 Series A, Dated April 1, 1980

NOTICE IS HEREBY GIVEN that, pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980, \$50,000 principal amount of the Bonds are being called for redemption on October 1, 1998 at the redemption price of 100% of the principal amount being redeemed plus accrued interest thereon to the redemption date. This Notice was first published on Thursday, August 27, 1998 in the *Kansas Register* and *The Bond Buyer*.

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

Bearer Bonds — *CUSIP Number: 368342 A04 — Due April 1, 2012
Bearer Bond called in denomination of \$5,000:

2009

Coupons due October 1, 1998 should be presented in the normal manner. Coupons due April 1, 1999 and all subsequent coupons must be attached to the bonds called for redemption.

Registered Bonds — *CUSIP Number: 368342 A04 — Due April 1, 2012

Registered Bond called in the amount indicated below:
R 156.....\$45,000

Payment of the redemption price of the bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, Kansas 66101. To avoid a 31% backup withholding required by the Interest and Dividend Tax Compliance Act of 1983, bondholders should submit Certified Taxpayer Identification Numbers on IRS Form W-9 when presenting their securities for redemption.

Notice is hereby given that on and after October 1, 1998, interest on the bonds hereby called for redemption shall cease to accrue.

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

Dated: August 27, 1998

**The CUSIP number is included solely for the convenience of the Bondholders. Neither the Issuer nor the Trustee shall be responsible for the selection or the use of the CUSIP Number, nor is any representation made as to its correctness on the securities or as indicated on any redemption notice.*

Doc. No. 022834

State of Kansas

Social and Rehabilitation Services

Request for Comments

The draft Title IV-E waiver is in the public comment period until September 12. Copies of the draft waiver will be available for review at each of the 12 SRS area offices.

Comments concerning the draft waiver are to be submitted by September 12 to the Commissioner of Children and Family Services, Kansas Department of Social and Rehabilitation Services, Docking State Office Building, 915 S.W. Harrison, 5th Floor, South Wing, Topeka, 66612-1570, or to Michael W. Ambrose, Administration on Children, Youth and Families, Children's Bureau, Mary E. Switzer Building, Room 2058, 330 C St., S.W., Washington, DC 20201.

Copies of the draft waiver also are available upon written request to the Commissioner of Children and Family Services.

Rochelle Chronister
Secretary of Social and
Rehabilitation Services

Doc. No. 022827

(Published in the Kansas Register August 27, 1998.)

NOTICE OF REDEMPTION

Riley County, Kansas
Single Family Mortgage Revenue Bonds
1980 Series A, Dated April 1, 1980

NOTICE IS HEREBY GIVEN that, pursuant to Section 3.01 of the Trust Indenture dated April 1, 1980, \$70,000 principal amount of the Bonds are being called for redemption on October 1, 1998 at the redemption price of 100% of the principal amount being redeemed plus accrued interest thereon to the redemption date. This Notice was first published on Thursday, August 27, 1998 in the *Kansas Register* and *The Bond Buyer*.

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

Bearer Bonds — *CUSIP NUMBER 766642 A05 — Due April 1, 2012

Bearer Bonds called in denominations of \$5,000

3285 3288

Coupons due October 1, 1998 should be presented in the normal manner. Coupons due April 1, 1999 and all subsequent coupons must be attached to the bonds called for redemption.

Register Bonds — *CUSIP NUMBER 766642 A05 — Due April 1, 2012

Registered Bonds called in the amount indicated below:
R139.....\$5,000 R156.....\$5,000 R271.....\$50,000

Payment of the redemption price of the bonds to be redeemed will be made at Security Bank of Kansas City, One Security Plaza, Kansas City, Kansas 66101. To avoid a 31% backup withholding required by the Interest and Dividend Tax Compliance Act of 1983, bondholders should submit Certified Taxpayer Identification Numbers on IRS Form W-9 when presenting their securities for redemption.

Notice is hereby given that on and after October 1, 1998, interest on the bonds hereby called for redemption shall cease to accrue.

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

Dated: August 27, 1998

**The CUSIP number is included solely for the convenience of the Bondholders. Neither the Issuer nor the Trustee shall be responsible for the selection or the use of the CUSIP Number, nor is any representation made as to its correctness on the securities or as indicated on any redemption notice.*

Doc. No. 022835

(Published in the Kansas Register August 27, 1998.)

Summary Notice of Bond Sale**City of Solomon, Kansas****\$125,000****General Obligation Bonds, Series 1998****(General obligation bonds payable from
unlimited ad valorem taxes)****Sealed Bids**

Subject to the notice of bond sale dated August 27, 1998, sealed bids will be received by the city clerk of the City of Solomon, Kansas (the issuer), on behalf of the governing body at 611 W. Main, Solomon, until 4 p.m. Thursday, September 10, 1998, for the purchase of \$125,000 principal amount of General Obligation Bonds, Series 1998. No bid of less than the entire par value of the bonds and accrued interest to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000. The bonds will be dated October 1, 1998, and will become due on September 1 in the years as follows:

Maturity September 1	Principal Amount
1999	\$10,000
2000	10,000
2001	10,000
2002	10,000
2003	10,000
2004	15,000
2005	15,000
2006	15,000
2007	15,000
2008	15,000

The bonds will bear interest from that date at rates to be determined when the bonds are sold, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1999.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$2,500 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before October 6, 1998, at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1997 is \$4,409,681. The total general obligation indebtedness of

the issuer as of the date of the bonds, including the bonds being sold, is \$355,000.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Logan Riley Carson & Kaup, L.C., Overland Park, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer, printed on the bonds and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (785) 655-3311, or from bond counsel, Logan Riley Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated August 27, 1998.

City of Solomon, Kansas
By Sharon Nelson, City Clerk
611 W. Main, City Hall
Solomon, KS 67480

Doc. No. 022839

(Published in the Kansas Register August 27, 1998.)

Summary Notice of Bond Sale**City of Pittsburg, Kansas****\$3,455,000*****General Obligation Refunding Bonds
Series 1998-A****(General obligation bonds payable from
unlimited ad valorem taxes)****Sealed Bids**

Subject to the official notice of bond sale and preliminary official statement dated August 25, 1998, sealed bids will be received by the city clerk of the City of Pittsburg, Kansas (the issuer), on behalf of the governing body of the city at City Hall, 201 W. 4th, Pittsburg, KS 66762, until 1:30 p.m. Tuesday, September 8, 1998, for the purchase of \$3,455,000* principal amount of General Obligation Refunding Bonds, Series 1998-A. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated September 1, 1998, and will become due on September 1 in the years as follows:

Year	Principal Amount*
1999	\$165,000
2000	175,000
2001	185,000

(Published in the Kansas Register August 27, 1998.)

2002	190,000
2003	200,000
2004	210,000
2005	215,000
2006	225,000
2007	235,000
2008	245,000
2009	255,000
2010	270,000
2011	280,000
2012	295,000
2013	310,000

**Summary Notice of Bond Sale
Stevens County, Kansas
\$4,200,000**

**General Obligation Hospital Bonds, Series 1998
(General obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale dated August 17, 1998, sealed bids will be received by the clerk of Stevens County, Kansas (the issuer), on behalf of the governing body at Stevens County Courthouse, 200 E. 6th, Hugoton, KS 67951, until 10 a.m. September 15, 1998, for the purchase of \$4,200,000 principal amount of General Obligation Hospital Bonds, Series 1998. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated September 15, 1998, and will become due on October 1 in the years as follows:

Year	Principal Amount
1999	\$335,000
2000	350,000
2001	370,000
2002	390,000
2003	405,000
2004	425,000
2005	445,000
2006	470,000
2007	495,000
2008	515,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 1999.

Optional Book-Entry-Only System.

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$84,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before September 29, 1998, at DTC for the account of the successful bidder or at such bank or trust company in the

(continued)

The bonds will be subject to mandatory and optional redemption prior to maturity as provided in the official notice of bond sale and preliminary official statement.

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1999.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$69,100 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered at such bank or trust company in the contiguous United States as may be specified by the successful bidder without cost to the successful bidder within 45 days after the date of sale.

Assessed Valuation and Indebtedness

The total assessed valuation of taxable tangible property in the city for the year 1998 is \$91,325,216. The total general obligation indebtedness of the issuer as of the date of the bonds, including the bonds being sold, is \$11,722,023.

Approval of Bonds

The bonds will be sold subject to the legal opinion of Nichols and Wolfe Chartered, Topeka, Kansas, bond counsel, whose approving legal opinion as to the validity of the bonds will be furnished and paid for by the issuer and delivered to the successful bidder when the bonds are delivered.

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (316) 231-4100, or from the financial advisor, Kirkpatrick Pettis, 4435 Main St., Suite 950, Kansas City, MO 64111, (816) 753-2722.

Dated August 25, 1998.

City of Pittsburg, Kansas
Karen K. Garman, City Clerk
City Hall
201 W. 4th
Pittsburg, KS 66762

* Subject to Change

Doc. No. 022824

contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$416,384,621. The total general obligation indebtedness of the issuer as of the date of the delivery of the bonds, including the bonds being sold, is \$4,200,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 544-2541, or from the financial advisor, Stifel, Nicolaus & Company, Inc., 250 N. Water, Suite 100, Wichita, KS 67202, Attention: Larry L. McKown, (316) 337-8498.

Dated August 17, 1998.

Stevens County, Kansas

Doc. No. 022841

(Published in the Kansas Register August 27, 1998.)

Summary Notice of Bond Sale

City of Pratt, Kansas

\$1,940,000

General Obligation Bonds, Series 1998

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the notice of bond sale dated August 17, 1998, sealed bids will be received by the clerk of the City of Pratt, Kansas (the issuer), on behalf of the governing body at City Hall, 126 S. Main, P.O. Box 807, Pratt, KS 67124, until 4 p.m., September 9, 1998, for the purchase of \$1,940,000 principal amount of General Obligation Bonds, Series 1998. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated September 1, 1998, and will become due on September 1 in the years as follows:

Year	Principal Amount
1999	\$ 90,000
2000	\$ 95,000
2001	\$100,000
2002	\$105,000
2003	\$110,000
2004	\$115,000
2005	\$120,000
2006	\$125,000

2007	\$135,000
2008	\$140,000
2009	\$145,000
2010	\$155,000
2011	\$160,000
2012	\$170,000
2013	\$175,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 1999.

Optional Book-Entry-Only System

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$38,800 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before September 23, 1998, at DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1998 is \$30,139,424. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$2,585,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, Betsy Koontz, City Hall, 126 S. Main, P.O. Box 807, Pratt, KS 67124, (316) 672-6446, fax (316) 672-6415; or from the financial advisor, Stifel, Nicolaus & Company, Inc., 250 N. Water, Suite 100, Wichita, KS 67202, Attention: Steve Randle, (316) 337-8498.

Dated August 17, 1998.

City of Pratt, Kansas

Doc. No. 022830

(Published in the Kansas Register August 27, 1998.)

**Summary Notice of Bond Sale
Unified School District No. 465
Cowley County, Kansas (Winfield)
\$4,200,000**

**General Obligation School Improvement Bonds
Series 1998**

**(General obligation bonds payable from
unlimited ad valorem taxes)**

Sealed Bids

Subject to the notice of bond sale dated August 10, 1998, sealed bids will be received by the clerk of Unified School District No. 465, Cowley County, Kansas (Winfield) (the issuer), on behalf of the governing body at the office of the Board of Education, 920 Millington, Winfield, KS 67156, until 6:30 p.m. September 15, 1998, for the purchase of \$4,200,000 principal amount of General Obligation School Improvement Bonds, Series 1998. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated October 1, 1998, and will become due on October 1 in the years as follows:

Year	Principal Amount
2000	\$595,000
2001	835,000
2002	880,000
2003	920,000
2004	970,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on April 1 and October 1 in each year, beginning April 1, 2000.

Optional Book-Entry-Only System

The successful bidder may elect to have the bonds registered under a book-entry-only system administered through DTC.

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$84,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or before October 14, 1998, at DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitation for the year 1997 is \$83,543,594. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$5,680,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 221-5100, or from the financial advisor, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, (316) 264-9351.

Dated August 10, 1998.

Unified School District No. 465
Cowley County, Kansas (Winfield)

Doc. No. 022826

State of Kansas

Board of Nursing

**Permanent Administrative
Regulations**

**Article 15.—PERFORMANCE OF SELECTED
NURSING PROCEDURES IN SCHOOL SETTINGS**

60-15-101. Definitions and functions. (a) Each registered professional nurse in the school setting shall be responsible for the nature and quality of all nursing care that a student is given under the direction of the nurse in the school setting. Assessment of the nursing needs, the plan of nursing action, implementation of the plan, and evaluation of the plan shall be considered essential components of professional nursing practice and shall be the responsibility of the registered professional nurse.

(b) In fulfilling nursing care responsibilities, any nurse may perform the following:

- (1) Serve as a health advocate for students receiving nursing care;
- (2) counsel and teach students, families, and groups about health and illness;
- (3) promote health maintenance;
- (4) serve as health consultant and a resource to teachers and administrators who are providing students with health services during school attendance hours; and
- (5) utilize nursing theories, communication skills, and the teaching-learning process to function as part of the interdisciplinary evaluation team.

(c) The services of a registered professional nurse may be supplemented by the delegation of selected nursing tasks or procedures to unlicensed personnel under supervision by the registered professional nurse.

(d) "Unlicensed person" means anyone not licensed as a registered professional or licensed practical nurse.

(continued)

(e) "Delegation" means authorization for an unlicensed person to perform selected nursing tasks or procedures in the school setting under the direction of a registered professional nurse.

(f) "Activities of daily living" means basic caretaking or specialized caretaking.

(g) "Basic caretaking" means the following tasks:

- (1) Bathing;
- (2) dressing;
- (3) grooming;
- (4) routine dental, hair, and skin care;
- (5) preparation of food for oral feeding;
- (6) exercise, excluding occupational therapy and physical therapy procedures;
- (7) toileting, including diapering and toilet training;
- (8) handwashing;
- (9) transfer; and
- (10) ambulation.

(h) "Specialized caretaking" means the following procedures:

- (1) Catherization;
- (2) ostomy care;
- (3) preparation and administration of gastrostomy tube feedings;
- (4) care of skin with damaged integrity or potential for this damage;
- (5) administration of medications; and
- (6) performance of other nursing procedures as selected by the registered professional nurse.

(i) "Anticipated health crisis" means a previously diagnosed condition that, under predictable circumstances, may lead to an imminent risk to the student's health.

(j) "Investigational drug" means a drug under study to determine safety and efficacy in humans for a particular indication under 21 C.F.R. Part 312, as in effect on April 1, 1997.

(k) "Nursing judgment" means the exercise of knowledge and discretion derived from the biological, physical, and behavioral sciences that requires special education or curriculum.

(l) "School attendance hours" means those hours of attendance as defined by the local educational agency or governing board.

(m) "School setting" means any public or nonpublic school learning environment during regular school attendance hours, except those settings falling within the provisions of K.S.A. 1997 Supp. 65-1124, and amendments thereto.

(n) "Supervision" means provision of guidance by a nurse as necessary to accomplish a nursing task or procedure, including initial direction of the task or procedure and periodic inspection of the actual act of accomplishing the task or procedure.

(o) "Medication" means any drug required by the federal or state food, drug, and cosmetic acts to bear on its label the legend "Caution: Federal law prohibits dispensing without prescription," and any drugs labeled as investigational drugs or prescribed for investigational purposes.

(p) "Task" means an assigned step of a nursing procedure.

(q) "Procedure" means a series of steps followed in a regular, specific order that is part of a defined nursing practice. (Authorized by and implementing K.S.A. 1997 Supp. 65-1124; effective, T-89-23, May 27, 1988; amended, T-60-9-12-88, Sept. 12, 1988; amended Feb. 13, 1989; amended Sept. 2, 1991; amended Sept. 11, 1998.)

60-15-102. Delegation procedures. Each registered professional nurse who delegates nursing tasks or procedures to a designated unlicensed person in the school setting shall comply with the following requirements.

(a) Each registered professional nurse shall perform the following:

- (1) Assess each student's nursing care needs;
- (2) formulate a plan of care before delegating any nursing task or procedure to an unlicensed person; and
- (3) formulate a plan of nursing care for each student who has one or more long-term or chronic health conditions requiring nursing interventions.

(b) The selected nursing task or procedure to be delegated shall be one that a reasonable and prudent nurse would determine to be within the scope of sound nursing judgment and that can be performed properly and safely by an unlicensed person.

(c) Any designated unlicensed person may perform basic caretaking tasks or procedures as defined in K.A.R. 60-15-101(b) without delegation. After assessment, a nurse may delegate specialized caretaking tasks or procedures as defined in K.A.R. 60-15-101(b) to a designated unlicensed person.

(d) The selected nursing task or procedure shall be one that does not require the designated unlicensed person to exercise nursing judgment or intervention.

(e) When an anticipated health crisis that is identified in a nursing care plan occurs, the unlicensed person may provide immediate care for which instruction has been provided.

(f) The designated unlicensed person to whom the nursing task or procedure is delegated shall be adequately identified by name in writing for each delegated task or procedure.

(g) The registered professional nurse shall orient and instruct unlicensed persons in the performance of the nursing task or procedure. The registered professional nurse shall document in writing the unlicensed person's demonstration of the competency necessary to perform the delegated task or procedure. The designated unlicensed person shall co-sign the documentation indicating the person's concurrence with this competency evaluation.

(h) The registered professional nurse shall meet these requirements:

- (1) Be accountable and responsible for the delegated nursing task or procedure;
- (2) at least twice during the academic year, participate in joint evaluations of the services rendered;
- (3) record services performed; and
- (4) adequately supervise the performance of the delegated nursing task or procedure in accordance with the requirements of K.A.R. 60-15-103 of this article. (Authorized by and implementing K.S.A. 1997 Supp. 65-1124; effective, T-89-23, May 27, 1988; amended, T-60-9-12-88,

Sept. 12, 1988; amended Feb. 13, 1989; amended Sept. 2, 1991; amended Sept. 11, 1998.)

60-15-103. Supervision of delegated tasks or procedures. Each registered professional or licensed practical nurse shall supervise all nursing tasks or procedures delegated to a designated unlicensed person in the school setting in accordance with the following conditions.

(a) The registered professional nurse shall determine the degree of supervision required after an assessment of appropriate factors, including the following:

(1) The health status and mental and physical stability of the student receiving the nursing care;

(2) the complexity of the task or procedure to be delegated;

(3) the training and competency of the unlicensed person to whom the task or procedure is to be delegated; and

(4) the proximity and availability of the registered professional nurse to the designated unlicensed person when the selected nursing task or procedure will be performed.

(b) The supervising registered professional nurse may designate whether or not the nursing task or procedure is one that may be delegated or supervised by a licensed practical nurse.

(c) Each delegating registered professional nurse shall have a plan to provide nursing care when the delegating nurse is absent. (Authorized by and implementing K.S.A. 1997 Supp. 65-1124; effective, T-89-23, May 27, 1988; amended, T-60-9-12-88, Sept. 12, 1988; amended Feb. 13, 1989; amended Sept. 2, 1991; amended Sept. 11, 1998.)

60-15-104. Administration of medications in the school setting. A registered professional nurse shall delegate the procedure of administering medications only in accordance with K.A.R. 60-5-101 through K.A.R. 60-15-103.

(a) A registered professional nurse may delegate the procedure of administering medications to unlicensed persons if all of these conditions are met.

(1) The initial dose of a medication has been previously administered to the student.

(2) The administration of the medication does not require dosage calculation. Measuring a prescribed amount of liquid medication or breaking a scored tablet for administration shall not be considered calculation of the medication dosage.

(3) The nursing care plan requires administration by accepted methods of administration other than those listed in subsection (b).

(b) The registered professional nurse shall not delegate the procedure of administering medication to unlicensed persons when administered by any of these means:

(1) By intravenous route;

(2) by intramuscular route, except when administered in an anticipated health crisis;

(3) through intermittent positive pressure breathing machines; or

(4) through any tube inserted into the body, except through an established feeding tube directly inserted into the abdomen. (Authorized by and implementing K.S.A. 1997 Supp. 65-1124; effective, T-89-23, May 27, 1988; amended, T-60-9-12-88, Sept. 12, 1988; amended Feb. 13, 1989; amended Sept. 2, 1991; amended Sept. 11, 1998.)

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

Doc. No. 022832

State of Kansas

Board of Healing Arts

Permanent Administrative
Regulations

Article 29.—PHYSICAL THERAPY

100-29-3a. Examination of written and oral English communication. (a) For applicants who received training in a school at which English was not the language of instruction, the examinations required and approved by the board to demonstrate the ability to communicate in written and oral English shall be the test of English as a foreign language (TOEFL) and the test of spoken English (TSE) developed and administered by the educational testing service (ETS), a not-for-profit company organized under the laws of the state of New Jersey.

(b) To successfully pass the test of English as a foreign language, each applicant who is required to take this examination shall attain a score of at least 550.

(c) To successfully pass the test of spoken English, each applicant who is required to take this examination shall attain a score of at least 50. (Authorized by K.S.A. 65-2911; implementing K.S.A. 1997 Supp. 65-2906 and K.S.A. 65-2909; effective Sept. 11, 1998.)

Lawrence T. Buening, Jr.
Executive Director

Doc. No. 022822

State of Kansas

Kansas Lottery

Temporary Administrative
Regulations

Article 3.—INSTANT GENERIC GAME RULES

111-3-13. Ticket validation requirements. (a) Each instant game ticket shall be validated prior to payment of a prize. Submission of a valid winning ticket to and receipt of the ticket by the lottery or one of its authorized retailers shall be the sole method of claiming a prize or prizes.

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

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

(2) The ticket shall be intact to the extent that the lottery can determine whether the ticket is a winning ticket.

(3) The ticket must not be altered or tampered with in any manner.

(4) The ticket must not be blank or partially blank, mis-cut, misregistered, defective, or printed or produced in error.

(5) The display printing on the ticket must be regular in every respect and correspond precisely with the artwork on file at the Kansas lottery or appearing in specific game rules approved by the Kansas lottery commission.

(continued)

(6) The ticket must not be stolen nor appear on any list of omitted or stolen tickets and must be identified and accepted by the Kansas lottery's instant ticket validation system as a valid winning ticket.

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

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

(9) Each of the play symbols and play symbol captions, game number, pack number, ticket number, bar code, and bar code number must be present in its entirety, fully legible, right side up, not reversed in any manner, and correspond precisely to the artwork on file at the Kansas lottery or appearing in specific game rules approved by the Kansas lottery commission.

(10) The ticket must have exactly one ticket validation number, one book-ticket number and one retailer validation code, each of which must be present to the extent that the lottery can determine whether the ticket is a winning ticket, and correspond precisely to the artwork on file at the Kansas lottery or appearing in specific game rules approved by the Kansas lottery commission. The ticket validation number shall correspond to the play symbols on the ticket appearing in specific game rules approved by the Kansas lottery commission.

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

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

(c) Any ticket not passing all of the validation checks stated in this section is void and ineligible for any prize. However, the executive director may, solely at his or her option, reimburse the player for the cost of an invalid ticket. In the event that a defective ticket is purchased, the only responsibility or liability of the Kansas lottery shall be for reimbursement of the cost of the defective ticket.

(d) Subject to certain conditions, prize payment may be made for an instant ticket over \$600 in value that is not received or not recorded by the lottery by applicable deadlines. The following conditions may constitute exceptions to the validation requirements previously identified in subsections (a), (b) and (c):

(1) Consideration will only be given to claimants with instant tickets that have been destroyed or lost during a validation attempt at an authorized retail location.

(2) A record of the event must be contained within the database of the lottery's central computer system accurately identifying the retailer, the validation attempt, the date, ticket validation number, the time of the event, the terminal number, and the prize amount.

(3) The claimant must present the claim to lottery headquarters in Topeka, be authorized to purchase an instant ticket, be eligible to claim a prize, and be the rightful recipient of the prize claimed as determined by the lottery.

(4) The claimant will complete and sign both a Kansas lottery claim form and an affidavit providing the following information: the prize amount claimed, the retailer name, address, and city where the ticket was purchased, the game played, the date of purchase, the time of purchase, the type of wager (quick pick or personal selection), the numbers wagered if personal selection, the dollar value wagered, the retailer name, address, and city where the validation attempt occurred, the date and time the validation attempt occurred, the manner or means by which the ticket was destroyed or lost, a description of the clerk or retailer who performed the validation attempt and destroyed or lost the ticket, and any other information that will establish the validity of the claim.

(5) The lottery will enter information from the winner claim form and the affidavit into a database contained within the lottery's central computer system.

(6) Lottery security will conduct an investigation to determine if the claim is or is not supported by the investigation and will submit a report with a recommendation to that effect to the executive director of the lottery.

(7) If the executive director determines that the claim is otherwise supported by the investigation, and if no other claimant has presented the ticket in question, the prize will be validated through the lottery's central computer system on the last day of the expiration period. If the validation period expires on a weekend or on a holiday when the lottery is closed, the validation will be conducted on the next working day.

(8) Following expiration of the validation period, a valid claim will be paid. Such payment will be restricted to the original prize amount only.

(9) The final decision on whether a prize will be paid shall be made by the executive director. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-89-7, Feb. 26, 1988; amended, T-111-3-14-90, March 2, 1990; amended, T-111-6-19-91, June 14, 1991; amended, T-111-7-1-92, June 26, 1992; amended, T-111-12-2-97, Nov. 21, 1997; amended, T-111-3-4-98, March 4, 1998; amended, T-111-8-18-98, July 17, 1998.)

Article 4.—INSTANT GAME RULES

111-4-1206. Definitions. The following definitions shall apply to the "Hot Spot" 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 with matching captions. A game symbol appears in each of seven play spots within the play area. Each game symbol for this instant game is one of the following: \$1⁰⁰ - \$2⁰⁰ - \$3⁰⁰ - \$4⁰⁰ - \$5⁰⁰ - \$6⁰⁰ - \$7⁰⁰ - \$10⁰⁰ - \$35⁰⁰ - \$50⁰⁰ - \$100 - \$500 - \$1000 - "WIN ALL AMOUNTS" - "MAYBE NEXT TIME."

(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
WIN ALL AMOUNTS	
MAYBE NEXT TIME	
\$1 ⁰⁰	ONE\$
\$2 ⁰⁰	TWO\$
\$3 ⁰⁰	THR\$
\$4 ⁰⁰	FOR\$
\$5 ⁰⁰	FIVE\$
\$6 ⁰⁰	SIX\$
\$7 ⁰⁰	SVN\$
\$10 ⁰⁰	TEN\$
\$35 ⁰⁰	THTYFIV
\$50 ⁰⁰	FIFTY
\$100	ONE HUND
\$500	FIV HUND
\$1000	ONE THOU

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the 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: ONE = \$1.00; TWO = \$2.00; THR = \$3.00; FOR = \$4.00; FIV = \$5.00; SIX = \$6.00; SEV = \$7.00; TEN = \$10.00; THF = \$35.00; FTY = \$50.00; HUN = \$100.00; 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. 1997 Supp. 74-8710; effective, T-111-3-27-98, March 20, 1998; amended, T-111-8-18-98, July 17, 1998.)

111-4-1207. 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 seven game symbols and captions. This is a match three of six game with a bonus spot. If three of the six concealed dollar amounts in the "WIN UP TO \$1,000" play area match, the player wins that amount. If a prize amount is revealed in the "HOT SPOT" play area, the player wins that prize automatically and may also win again by matching three like dollar amounts in the "WIN UP TO \$1,000" play area. If "WIN ALL AMOUNTS" is revealed under the "HOT SPOT," the player wins all

prizes in the "WIN UP TO \$1,000" play area automatically. If "MAYBE NEXT TIME" is revealed in the "HOT SPOT" play area, the "HOT SPOT" play area is a non-winner; however, a player may still win by matching three like dollar amounts in the "WIN UP TO \$1,000" play area. A player can win up to six prizes on this ticket. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-3-27-98, March 20, 1998; amended, T-111-8-18-98, July 17, 1998.)

111-4-1210. Definitions. The following definitions shall apply to the "Tornadough" 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 with matching captions. A game symbol appears in each of seven play spots within the play area. Each game symbol for this instant game is one of the following: \$1⁰⁰ - \$5⁰⁰ - \$10⁰⁰ - \$20⁰⁰ - \$40⁰⁰ - \$80⁰⁰ - \$500 - \$1000 - SINGLE PRIZE - DOUBLE PRIZE - DOUBLE DOUBLER - MAYBE NEXT TIME.

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

Game Symbol	Game Symbol Caption
\$1 ⁰⁰	ONE\$
\$5 ⁰⁰	FIVE\$
\$10 ⁰⁰	TEN\$
\$20 ⁰⁰	TWENTY
\$40 ⁰⁰	FORTY
\$80 ⁰⁰	EIGHTY
\$500	FIV HUND
\$1000	ONE THOU
SINGLE PRIZE	1 x PRIZE
DOUBLE PRIZE	2 x PRIZE
DOUBLE DOUBLER	4 x PRIZE
MAYBE NEXT TIME	

(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 on the front of each instant ticket and will be covered by latex.

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

(continued)

In this instant game, the retailer validation code is a three-letter code printed and appearing in three of nine varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; FOR = \$4.00; TEN = \$10.00; TWY = \$20.00; FRY = \$40.00; ETY = \$80.00; 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. 1997 Supp. 74-8710; effective, T-111-3-27-98, March 20, 1998; amended, T-111-8-18-98, July 17, 1998.)

**RULES FOR INSTANT GAME NO. 66
"ZODIAC"**

111-4-1279. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Zodiac" commencing on or after July 20, 1998. The specific rules for the "Zodiac" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1279 through 111-4-1283. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-18-98, July 17, 1998.)

111-4-1280. Definitions. The following definitions shall apply to the "Zodiac" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in each of the three 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 with matching captions. A game symbol appears in each of the eleven play spots within the three play areas. Each game symbol for this instant game is one of the following: \$1.⁰⁰ - \$2.⁰⁰ - \$3.⁰⁰ - \$5.⁰⁰ - \$6.⁰⁰ - 10.⁰⁰ - 20.⁰⁰ - 50.⁰⁰ - 70.⁰⁰ - \$100\$ - \$500\$ - \$1000 - \$20000 - symbol of Aquarius - symbol of Cancer - symbol of Sagittarius - symbol of Scorpio - symbol of Pisces - symbol of Leo - symbol of Libra - symbol of Taurus - symbol of Capricorn - symbol of Virgo - symbol of Aries - symbol of Gemini - "GOOD LUCK" - "MAYBE NEXT TIME."

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

Game Symbol	Game Symbol Caption
\$1. ⁰⁰	ONE\$
\$2. ⁰⁰	TWO\$
\$3. ⁰⁰	THR\$
\$5. ⁰⁰	FIVE\$
\$6. ⁰⁰	SIX\$
10. ⁰⁰	TEN\$
20. ⁰⁰	TWENTY
50. ⁰⁰	FIFTY
70. ⁰⁰	SVTY
\$100\$	ONE-HUN
\$500\$	FIV-HUN
\$1000	ONETHOU
\$20000	20-THOU
Symbol of Aquarius	AQUARIUS
Symbol of Cancer	CANCER
Symbol of Sagittarius	SAGITT
Symbol of Scorpio	SCORPIO

Symbol of Pisces	PISCES
Symbol of Leo	LEO
Symbol of Libra	LIBRA
Symbol of Taurus	TAURUS
Symbol of Capricorn	CAPRCR
Symbol of Virgo	VIRGO
Symbol of Aries	ARIES
Symbol of Gemini	GEMINI

"GOOD LUCK"
"MAYBE NEXT TIME" -

(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: TWO = \$2.00; FOR = \$4.00; FIV = \$5.00; SIX = \$6.00; TEN = \$10.00; TWY = \$20.00; TRF = \$35.00; STY = \$70.00; HUN = \$100.00; HFY = \$150.00; 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. 1997 Supp. 74-8710; effective, T-111-8-18-98, July 17, 1998.)

111-4-1281. Cost of ticket. The price of "Zodiac" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-18-98, July 17, 1998.)

111-4-1282. 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 three separate play areas to reveal the game symbols and captions in the play areas.

Game one is a "symbol match" game. A player will remove the scratch-off material to reveal one "YOUR SIGN" and five "LUCKY SIGNS." If any of the "LUCKY SIGNS" match the "YOUR SIGN," the player wins the prize shown below that sign. A player can win up to five times in this game play area.

Game two is a match three of six game. A player will remove the scratch-off material to reveal six prize amounts. If three of the six prize amounts are identical,

the player wins that prize amount. A player can win once in this game play area.

Game three is an instant win game. A player will remove the scratch-off material. If a prize amount is revealed, the player wins that prize instantly. A player can win once in this game play area.

A player can win up to seven times on a single ticket. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (e); effective, T-111-8-18-98, July 17, 1998.)

111-4-1283. Number and value of instant prizes.

(a) There will be approximately 1,200,000 tickets ordered initially for this instant game. The expected number and value of the instant prizes are as follows:

Game 1	Game 2	Game 3	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$2			\$2	76,000	\$152,000
	\$2		\$2	58,000	116,000
		\$2	\$2	52,000	104,000
\$2x2			\$4	18,400	73,600
\$1x4			\$4	12,800	51,200
\$5			\$5	7,600	38,000
\$3	\$2		\$5	7,200	36,000
\$1x5			\$5	6,400	32,000
\$2	\$2		\$6	6,000	36,000
		\$10	\$10	3,000	30,000
	\$5	\$5	\$10	3,000	30,000
\$2x5			\$10	2,600	26,000
		\$20	\$20	2,000	40,000
\$5x3	\$5		\$20	2,000	40,000
\$5x5	\$5	\$5	\$35	1,800	63,000
\$6x5	\$5		\$35	1,800	63,000
	\$70		\$70	800	56,000
\$10x5		\$20	\$70	800	56,000
\$100			\$100	700	70,000
\$10x5	\$50		\$100	700	70,000
\$20x5			\$100	500	50,000
\$6x5	\$100	\$20	\$150	300	45,000
\$100x4	\$100		\$500	72	36,000
\$500+\$100x4	\$100		\$1,000	28	28,000
\$1,000			\$1,000	20	20,000
\$20,000			\$20,000	2	40,000
\$20,000			\$20,000	2	40,000
TOTAL				<u>264,524</u>	<u>\$1,441,800</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 4.54.

(c) All prizes are subject to deductions provided by law.

(d) Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets and the same odds as were contained in the initial ticket order. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-8-18-98, July 17, 1998.)

**RULES FOR INSTANT GAME NO. 67
"ROYAL FLUSH"**

111-4-1284. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Royal Flush" commencing on or after July 20, 1998. The specific rules for the "Royal Flush" game are contained

in K.A.R. 111-3-1 *et seq.* and 111-4-1284 through 111-4-1288. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-18-98, July 17, 1998.)

111-4-1285. Definitions. The following definitions shall apply to the "Royal Flush" 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 with matching captions. A game symbol appears in each of the 20 play spots within the play area. Each game symbol for this instant game is one of the following: two of hearts, two of diamonds, two of clubs, two of spades, three of hearts, three of diamonds, three of clubs, three of spades, four of hearts, four of diamonds, four of clubs, four of spades, five of hearts, five of diamonds, five of clubs, five of spades, six of hearts, six of diamonds, six of clubs, six of spades, seven of hearts, seven of diamonds, seven of clubs, seven of spades, eight of hearts, eight of diamonds, eight of clubs, eight of spades, nine of hearts, nine of diamonds, nine of clubs, nine of spades, 10 of hearts, 10 of diamonds, 10 of clubs, 10 of spades, jack of hearts, jack of diamonds, jack of clubs, jack of spades, queen of hearts, queen of diamonds, queen of clubs, queen of spades, king of hearts, king of diamonds, king of clubs, king of spades, ace of hearts, ace of diamonds, ace of clubs, ace of spades.

(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 with card values in ascending order is as follows:

Game Symbol	Game Symbol Caption
Two of hearts	twoh
Two of diamonds	twod
Two of clubs	twoc
Two of spades	twos
Three of hearts	thrh
Three of diamonds	thrd
Three of clubs	thrc
Three of spades	thrs
Four of hearts	forh
Four of diamonds	ford
Four of clubs	forc
Four of spades	fors
Five of hearts	fvh
Five of diamonds	fvd
Five of clubs	fvc
Five of spades	fvsv
Six of hearts	sixh
Six of diamonds	sixd
Six of clubs	sixc
Six of spades	sixs
Seven of hearts	svnh
Seven of diamonds	svnd
Seven of clubs	svnc
Seven of spades	svns
Eight of hearts	egth
Eight of diamonds	egtd

(continued)

Eight of clubs	egtc
Eight of spades	egts
Nine of hearts	ninh
Nine of diamonds	nind
Nine of clubs	ninc
Nine of spades	nins
10 of hearts	tenh
10 of diamonds	tend
10 of clubs	tenc
10 of spades	tens
Jack of hearts	jckh
Jack of diamonds	jckd
Jack of clubs	jckc
Jack of spades	jcks
Queen of hearts	qunh
Queen of diamonds	qund
Queen of clubs	qunc
Queen of spades	quns
King of hearts	kngh
King of diamonds	kngd
King of clubs	kngc
King of spades	kngs
Ace of hearts	aceh
Ace of diamonds	aced
Ace of clubs	acec
Ace of spades	aces

(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: TWO = \$2.00; FOR = \$4.00; FIV = \$5.00; SIX = \$6.00; EGT = \$8.00; TEN = \$10.00; TWY = \$20.00; TWF = \$25.00; FTY = \$50.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket.

(g) "Suit" for this game is one of the four sets of playing cards in a deck of cards with one set being hearts, one set being diamonds, one set being clubs and one set being spades.

(h) "Like cards" for this game are cards with like numbers or game symbols set forth in subsection (b), each

being of a different suit. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-18-98, July 17, 1998.)

111-4-1286. Cost of ticket. The price of "Royal Flush" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-18-98, July 17, 1998.)

111-4-1287. Determination of instant prize winners. (a) "Royal Flush" is a poker style game. A player will remove the scratch-off material covering the play area to reveal four games. Each game consists of five cards in a horizontal row. If any of the following eight poker hand combinations appear in any of the four games, a player wins the amount for that game as disclosed in the legend appearing on the front of the ticket;

- (1) "Two pairs" means any two pairs of like cards.
- (2) "Three of a kind" means any three like cards.
- (3) "Straight" means five consecutive cards of any suit appearing in ascending order from left to right. A straight may not start with a jack, queen, king, or ace.
- (4) "Flush" means any five cards of the same suit.
- (5) "Full house" means three like cards, one from each of three suits, plus two other like cards of any two suits.
- (6) "Four of a kind" means four like cards plus one other card.
- (7) "Straight flush" means any five consecutive cards of the same suit in ascending sequential value from left to right. A straight flush may not start with a jack, queen, king or ace.
- (8) "Royal flush" means a 10, jack, queen, king, and ace of the same suit appearing in ascending order from left to right.

(b) A player can win a total of four times on the entire ticket, but not more than once for each of the four games. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-8-18-98, July 17, 1998.)

111-4-1288. Number and value of instant prizes. (a) There will be approximately 1,200,000 tickets ordered initially for this instant game. The expected number and value of the instant prizes are as follows:

(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

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game	
Any two pairs	\$2	\$2	128,000	\$256,000
Any two pairs	\$2 x 2	\$4	60,800	243,200
Three of a kind	\$5	\$5	48,000	240,000
Any two pairs (x3)	\$2 x 3	\$6	21,600	129,600
Any two pairs (x4)	\$2 x 4	\$8	13,600	108,800
Straight	\$10	\$10	8,000	80,000
Flush	\$20	\$20	4,000	80,000
Full house	\$25	\$25	3,200	80,000
Four of a kind	\$50	\$50	1,600	80,000
Straight flush	\$1,000	\$1,000	44	44,000
Royal flush	\$20,000	\$20,000	5	100,000
TOTAL			<u>288,849</u>	<u>\$1,441,600</u>

sold. The odds of winning a prize in this game are one in 4.15.

(c) All prizes are subject to deductions provided by law.

(d) Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets and the same odds as were contained in the initial ticket order. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-8-18-98, July 17, 1998.)

**RULES FOR INSTANT GAME NO. 77
"BINGO EXTRA"**

111-4-1289. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Bingo Extra" commencing on or after July 20, 1998. The specific rules for the "Bingo Extra" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1289 through 111-4-1293. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-18-98, July 17, 1998.)

111-4-1290. Definitions. The following definitions shall apply to the "Bingo Extra" 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. A game symbol appears in each of the 120 play spots within the "GAME CARD" play areas. Each game symbol for this instant game is one of the following:

"PLAYER'S CARDS"

01	02	03	04	05	06	07	08	09	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	FREE BINGO				

"CALLER'S CARD" and "BONUS NUMBERS" are printed in black ink. A game symbol appears in each of the 30 play spots within the "CALLER'S CARD" and "BONUS NUMBERS" play areas. Each game symbol for this instant game is one of the following:

"CALLER'S CARD" OR "BONUS NUMBERS"

B01	B02	B03	B04	B05	B06	B07	B08	B09	B10
B11	B12	B13	B14	B15	B16	B17	B18	B19	B20
I21	I22	I23	I24	I25	I26	I27	I28	I29	I30
N31	N32	N33	N34	N35	N36	N37	N38	N39	N40
N41	N42	N43	N44	N45	G46	G47	G48	G49	G50
G51	G52	G53	G54	G55	G56	G57	G58	G59	G60
O61	O62	O63	O64	O65	O66	O67	O68	O69	O70
O71	O72	O73	O74	O75					

(b) "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 removable covering in the play area on the front of each instant ticket.

(c) "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 as-

signed number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit 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 above the information form and below the bar code.

(d) "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 locations at either end of the game symbols on the "CALLER'S CARD." The codes and their meanings are as follows: TWO = \$2.00; FOR = \$4.00; FIV = \$5.00; TEN = \$10.00; STN = \$17.00; NTN = \$19.00; TWY = \$20.00; FTY = \$50.00; HUN = \$100.00; HFY = \$150.00; THN = \$200.00; THY = \$250.00; FHN = \$500.00.

(e) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-18-98, July 17, 1998.)

111-4-1291. Cost of ticket. The price of "Bingo Extra" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-18-98, July 17, 1998.)

111-4-1292. Determination of instant prize winners. This game is played similarly to the traditional bingo game. The player removes the scratch-off material on the areas of the ticket indicated as the "CALLER'S CARD" and "BONUS NUMBERS" to reveal 30 bingo letter/number combinations, respectively. The player then checks to see if any of the letter/number combinations on the "CALLER'S CARD" match the letter/number combinations on any of the four "GAME CARDS." The player may then mark matching combinations by scratching or marking the matched spot on the "GAME CARDS." If the player gets a "bingo" by matching the letter/number combinations on one of the four "GAME CARDS" in any horizontal, vertical, or diagonal line, or in an "X" pattern consisting of eight numbers plus "FREE" center block, or all four corners on a single card, the player wins the prize amount indicated on the appropriate winning "GAME CARD." For this bingo game, in addition to the "FREE" space located in the center of each "GAME CARD," there will be a second "FREE" space which will randomly appear in a unique position on each of the four "GAME CARDS." A player can win up to four times on this ticket, but can win only one way on any of the four "GAME CARDS" on each ticket; that is, there will only be one winning pattern per "GAME CARD." (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-8-18-98, July 17, 1998.)

111-4-1293. Number and value of instant prizes. (a) There will be approximately 1,800,000 tickets ordered initially for this instant game. The expected number and value of the instant prizes are as follows:

(continued)

	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Line - Card 1	\$2	66,000	\$132,000
Line - Card 1 extra "FREE" space	\$2	60,000	120,000
Line - Card 2	\$2	60,000	120,000
Line - Card 2 extra "FREE" space	\$2	60,000	120,000
Line - Card 1 & Card 2	\$4	57,000	228,000
Line - Card 1&2 (Card 2 with extra "FREE" space)	\$4	48,000	192,000
Line - Card 3	\$5	45,000	225,000
Line - Card 3 extra "FREE" space	\$5	36,000	180,000
Line - Card 4	\$10	20,400	204,000
Line - Card 4 extra "FREE" space	\$10	7,200	72,000
Line - Card 1 & 3 & 4	\$17	3,300	56,100
Line - Card 1 & 2 & 3 & 4	\$19	3,000	57,000
4 Corners - Card 1	\$20	2,400	48,000
4 Corners - Card 2	\$50	1,500	75,000
X - Card 1	\$100	420	42,000
4 Corners - Card 4	\$100	420	42,000
4 Corners - Card 2 & 4	\$150	150	22,500
4 Corners - Card 3 & 4	\$200	120	24,000
4 Corners - Card 2 & 3 & 4	\$250	90	22,500
X - Card 2	\$500	60	30,000
X - Card 3	\$1,000	60	60,000
X - Card 4	\$10,000	10	100,000
TOTAL		<u>471,130</u>	<u>\$2,172,100</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 3.82.

(c) All prizes are subject to deductions provided by law.

(d) Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets and the same odds as were contained in the initial ticket order. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-8-18-98, July 17, 1998.)

RULES FOR INSTANT GAME NO. 85 "KANSAS WEATHER"

111-4-1294. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Kansas Weather" commencing on or after July 20, 1998. The specific rules for the "Kansas Weather" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1294 through 111-4-1297. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-18-98, July 17, 1998.)

111-4-1295. Definitions. The following definitions shall apply to the "Kansas Weather" 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 with matching captions. A game symbol appears in each of eight play spots within the play area. Each game symbol for this instant game is one of the following: \$1.00 - \$2.00 - \$4.00 - \$5.00 - 10.00 - 20.00 - 25.00 - 50.00 - \$500\$ - \$1000 - symbol of a sun - symbol of lightning - symbol of fog - symbol of sleet - symbol of snow - symbol of wind - symbol of rain - symbol of partly cloudy.

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

Game Symbol	Game Symbol Caption
\$1.00	ONE\$
\$2.00	TWO\$
\$4.00	FOR\$
\$5.00	FIVE\$
10.00	TEN\$
20.00	TWENTY
25.00	TWEN-FIV
50.00	FIFTY
\$500\$	FIV-HUN
\$1000	ONETHOU
Symbol of sun	SUNNY
Symbol of lightning	LGTING
Symbol of fog	FOGGY
Symbol of sleet	SLEET
Symbol of snow	SNOW
Symbol of wind	WIND
Symbol of rain	RAIN
Symbol of partly cloudy	PTCLDY

(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 on the front of each instant ticket and will be covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the 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: ONE = \$1.00; TWO = \$2.00; FOR = \$4.00; FIV = \$5.00; TEN = \$10.00; TWY = \$20.00; 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. 1997 Supp. 74-8710; effective, T-111-8-18-98, July 17, 1998.)

111-4-1296. 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 seven game symbols and captions. This is a "symbol match" game with a doubler. If a player finds the same weather "symbol" two consecutive days, the player wins the prize in the "PRIZE BOX." If a player finds the same weather "symbol" three consecutive days,

the player wins double the prize shown in the "PRIZE BOX." No ticket will be eligible to win more than one prize. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (i); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (i), and K.S.A. 74-8720(b) and (d); effective, T-111-8-18-98, July 17, 1998.)

111-4-1297. Number and value of instant prizes.

(a) There will be approximately 1,800,000 tickets ordered initially for this instant game. The expected number and value of the instant prizes are as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1.00	\$1	132,000	\$132,000
\$1.00 Doubled	\$2	60,000	120,000
\$2.00	\$2	54,000	108,000
\$2.00 Doubled	\$4	18,000	72,000
\$4.00	\$4	18,000	72,000
\$5.00	\$5	24,000	120,000
\$5.00 Doubled	\$10	9,600	96,000
\$10.00	\$10	6,000	60,000
\$10.00 Doubled	\$20	4,800	96,000
\$20.00	\$20	3,000	60,000
\$25.00 Doubled	\$50	600	30,000
\$50.00	\$50	600	30,000
\$500.00	\$500	60	30,000
\$500 Doubled	\$1,000	12	12,000
\$1,000	\$1,000	6	6,000
		<u>330,678</u>	<u>\$1,044,000</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 5.44.

(c) All prizes are subject to deductions provided by law.

(d) Additional ticket orders shall have the same prize structure, the same number of prizes per prize pool of 300,000 tickets and the same odds as were contained in the initial ticket order. (Authorized by K.S.A. 1997 Supp. 74-8710(b), (c) and (f); implementing K.S.A. 1997 Supp. 74-8710(b), (c) and (f), and K.S.A. 74-8720; effective, T-111-8-18-98, July 17, 1998.)

Article 5.—ON-LINE GAMES

111-5-73. "Cash 4 Life" seven for \$6.00 promotion. Starting on August 1, 1998, and ending at the close of business on August 31, 1998, as defined in subsection (p) of K.A.R. 111-6-1, every player purchasing a "Cash for Life" multi-draw ticket for 7, 14, 21, or 28 future drawings will receive a \$1.00 discount for each seven drawings purchased. Lottery terminals will automatically discount the price of each multi-draw ticket, starting with the first drawing date selected by \$1.00 for each seven-drawing multi-draw ticket, by \$2 for each 14-drawing multi-draw ticket, by \$3.00 for each 21-drawing multi-draw ticket, and by \$4.00 for each 28-drawing multi-draw ticket purchased during the month of August 1998. The discount only applies to tickets purchased in seven draw increments. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-8-18-98, July 17, 1998.)

Gregory P. Ziemak
Executive Director

Doc. No. 022821

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment has received and reviewed a request from Southeast Kansas Construction and Demolition Landfill, L.L.C. for a permit for a construction/demolition landfill, waste tire monofill and waste tire processing facility in Crawford County. The facility would be located northeast of 255th St. and 635th Ave. near Mulberry, in the NE ¼, Section 11, Township 29S, Range 25E. The facility would encompass approximately 26 acres. KDHE is providing public notice of its intent to issue a permit to Southeast Kansas Construction and Demolition Landfill, L.L.C.

A copy of the administrative record, which includes the draft permit and all information regarding this permit action, is available for public review until September 28 during normal business hours, Monday through Friday, at the following locations:

Kansas Department of Health and Environment
Permits Section
Bureau of Waste Management
Forbes Field, Building 740
Topeka, 66620
Contact: Phil Rosewicz
(785) 296-1594

Kansas Department of Health and Environment
Surface Mining Section
4033 N. Parkview Drive
Frontenac, 66763
Contact: Murray Balk
(316) 231-8540

Anyone wishing to comment on the draft permit information should submit written statements postmarked not later than September 28 to Phil Rosewicz. All comments, except those concerning determinations by local government units that the proposed permit action conforms with the official plan, shall become a part of the permit record and shall be considered in making a final decision on the proposed permit action. After consideration of all relevant comments received, the director of the Division of the Environment will make a final decision on whether to issue the proposed permit. Notice of the decision will be given to anyone who submitted written comments during the comment period and to those who requested notice of the final permit decision.

Gary R. Mitchell
Secretary of Health and Environment

Doc. No. 022836

State of Kansas

Department of Health and Environment

Notice of Hearing

A public hearing will be conducted at 10:30 a.m. Tuesday, September 29, in the Forbes Field Air Terminal conference room, 6700 S.W. Topeka Blvd., Topeka, to discuss the proposed Kansas public water supply loan fund (KPWSLF) federal fiscal year 1998 priority system and intended use plan. The KPWSLF provides low interest rate loans to Kansas municipalities and rural water districts for public water supply infrastructure improvements. Copies of the documents may be obtained by contacting Linda White at (785) 296-5514, fax (785) 296-5509.

Any individual with a disability may request accommodation in order to participate in the public hearing. Requests for accommodation should be made at least five working days before the hearing by contacting Linda White.

Comments can be presented at the hearing or in writing prior to the hearing. Written comments should be addressed to Linda White, Kansas Department of Health and Environment, Bureau of Water, Forbes Field, Building 283, Topeka, 66620.

Gary R. Mitchell
Secretary of Health and Environment

Doc. No. 022837

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-98-105/113

Name and Address of Applicant	Legal Description	Receiving Water
A & D Cattle Co. LLC Route 2, Box 56 Mankato, KS 66456	NW/4 of Section 28, T3S, R9W, Jewell County	Solomon River
Kansas Permit No. A-SOJW-C002		Federal Permit No. KS-0094668

This is a new facility for 3,000 head (1,500 animal units) of cattle.
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Waste-

water storage capacity is provided which meets or exceeds KDHE minimum requirements.

Compliance Schedule:

1. A livestock waste management plan for solid waste shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for solid 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. A plan shall be submitted to the department within three months of permit issuance. The approved plan will become part of this permit.
2. 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 1.0 acre-inch per acre per year and solids shall be applied at not greater than 5.0 ton per acre.
3. 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 1,010 gallons per minute and dispersing the wastewater over 31 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.
4. Due to shallow groundwater, the lagoon compacted clay liner will be required to achieve a permeability rate of 0.125 inches or less per day.
5. Prior to lagoon construction, verification of 10-foot groundwater separation from the bottom of pond 1 shall be submitted for KDHE approval. If the required separation distance cannot be met, additional sealing and/or groundwater monitoring may be required.

Name and Address of Applicant	Legal Description	Receiving Water
Gary Boeckner 85 29th Ave. Hesston, KS 67062	NE/4 of Section 35, T21S, R1W, McPherson County	Little Arkansas River

Kansas Permit No. A-LAMP-SO33

This is a new facility for 2,200 head (900 animal units) of cattle and 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 solid waste shall be developed. The plan shall cover, but not be limited to, the following items: handling and disposal equipment for both solid and liquid wastes, land application practices used to protect against runoff and leaching, waste application rates based on crop nutrient utilization, and identification of adequate land areas for application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit. Dewatering equipment shall be obtained within three months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 8,950 gallons per day and dispersing the wastewater over 3 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
Doug and Michelle Busenitz Route 2, Box 169A Peabody, KS 66866	SE/4 of Section 31, T22S, R3E, Marion County	Walnut River

Kansas Permit No. A-WAMN-S001

This is a new facility for 2,400 head (960 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: 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 1.0 acre inch per acre per year and solids shall be applied at not greater than 5.0 tons 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 110 gallons per minute and dispersing the wastewater over 67 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department. This permit requires compliance with the applicable provisions of H.B. 2950, effective May 7, 1998. The permit further requires compliance with the applicable regulations adopted thereafter.

Name and Address of Applicant	Legal Description	Receiving Water
Decatur County Feedyard, Inc. Warren Weibert Route 3, Box 9 Oberlin, KS 67749	NW, SW & SE/4 of Sec. 1, T2S, R29W, Decatur County	Upper Republican River

Kansas Permit No. A-URDC-C002 Federal Permit No. KS-00115690
This is an expansion of an existing facility for a total of 38,000 head (38,000 animal units) of cattle.

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:

1. Additional dewatering and disposal equipment capable of pumping 2,000 gpm shall be obtained within 60 days of the issuance of this permit through rental or custom application agreement. Written verification of the acquisition of the pumping equipment shall be provided to KDHE.
2. Additional disposal land is to be acquired for application of solid manure waste accumulations by mutual agreement or custom application. An additional 1,209 acres of cropland is required. Written verification of the disposal land is required to be sent to KDHE.
3. The livestock waste management plan for the facility developed by Central Plains Engineering shall be adhered to, as a condition of this permit. The plan covers, but is not 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.

Name and Address of Applicant	Legal Description	Receiving Water
Diedrick Farms, Inc. 688 Evergreen Road Tescott, KS 67484	NE/4 of Section 7, T12S, R4W, Ottawa County	Saline River

Kansas Permit No. A-SAOT-C001 Federal Permit No. KS-0094625
This is a new facility for 1,700 head (1,700 animal units) of cattle.

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 8.0 tons per acre. Additional dewatering equipment shall be obtained within four 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 30 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department. The plan indicates there will be a 10.8 ft. separation between the water table and the floor of the proposed structure after construction of the trench drain. To ensure groundwater protection, the lagoon compacted clay

liner will be required to achieve a permeability rate of 0.125 inches or less per day. The outlet to the trench drain installed to divert perched groundwater and provide adequate groundwater separation distance shall be sampled annually. Samples shall be analyzed by a laboratory certified by the Kansas Department of Health and Environment for nitrate, ammonia and chloride. Analyses are to be submitted to KDHE on or before June 1 of each year.

Name and Address of Applicant	Legal Description	Receiving Water
Douglas W. Heimer 1421 E. Hedberg Road Assaria, KS 67416	NW/4 of Section 18, T16S, R2W, Saline County	Smoky Hill River

Kansas Permit No. A-SHSA-M003
This is an existing facility for 50 head (70 animal units) of dairy cattle.
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 of application of all wastes. Detailed guidance and requirements will be provided by the department. A plan shall be submitted to the department within six months following receipt of detailed requirements. The approved plan will become part of this permit. Dewatering equipment shall be obtained within three months after issuance of this permit through purchase, rental or custom application agreement. It shall be capable of pumping at least 7,700 gallons per day and dispersing the wastewater over 20 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
S Bar Ranch Feedlot HCR-1, Box 41 Sublette, KS 67877	E/2 of Section 8, W/2 of Section 9, T27S, R32W, Haskell County	Cimarron River Basin

Kansas Permit No. A-CIHS-C003 Federal Permit No. KS-0115033
This is an expansion of an existing facility. The proposed capacity of the facility is 50,000 head (50,000 animal units) of beef cattle.

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. A plan shall be submitted to the department within six months following permit issuance. The approved plan will become part of this permit. Permeability tests shall be conducted on each of the retention structures. If the core sample method is selected, samples must be collected and analyzed by a certified laboratory. Any holes resulting from core samples shall be filled with bentonite. If the standpipe method is selected, materials and equipment to be used shall be inspected and the test procedures and readings shall be viewed and recorded by a KDHE representative or it will not be accepted. For existing ponds, permeability tests shall be completed within 12 months of the effective date of this permit. For new or reconstructed ponds, permeability tests shall be completed within 12 months of the completion of construction. Copies of permeability tests shall be submitted to KDHE's southwest district office at 302 W. McArtor, Dodge City, KS 67801. Should any structure not meet the permeability requirements, additional sealing will be necessary.

(continued)

Name and Address of Applicant	Legal Description	Receiving Water
South Central Feeders P.O. Box 159 Holbrook, NE 68948	NE/4 of Section 13, T11S, R33W, Logan County	Smoky Hill River

Kansas Permit No. A-SHLG-C001 Federal Permit No. KS-0092380

This is an expansion of an existing facility for a total of 20,000 head (20,000 animal units) of cattle.

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:

1. The livestock waste management plan for the facility developed by Olsson Associates of Lincoln Nebraska and approved by KDHE shall be adhered to as a condition of this permit. The plan covers, but is not 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.
2. This permit requires compliance with the applicable provisions of H.B. 2950, effective May 7, 1998. The permit further requires compliance with the applicable regulations thereafter.

Name and Address of Applicant	Legal Description	Receiving Water
Walt Farms HCR 1, Box 79 Collyer, KS 67631	NW/4 of Section 19, T10S, R25W, Graham County	Saline River

This is a new facility for 999 head (999 animal units) of cattle.

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:

1. The livestock waste management plan developed by Reh and Associates, Inc. and approved by KDHE shall be adhered to as a condition of this permit. The plan covers, but is not 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.

Public Notice No. KS-98-091/103

Name and Address of Applicant	Waterway	Type of Discharge
City of Colwich P.O. Box 158 Colwich, KS 67030-0158	Arkansas River via Cowskin Creek	Treated domestic wastewater

Kansas Permit No. M-AR24-0002 Federal Permit No. KS0090956
Legal: NW/4, S21, T26S, R2W, Sedgwick County

Facility Description: The proposed action is to re-issue an existing permit for operation of an existing three-cell wastewater treatment facility treating primarily wastewater. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Eudora P.O. Box 650 4 E. 7th Eudora, KS 66025	Wakarusa River	Treated domestic wastewater

Kansas Permit No. M-KS17-0002 Federal Permit No. KS0094609
Legal: SW/4, S5, T13S, R21E, Douglas County

Facility Description: The proposed action is to issue a new permit for operation of a new mechanical wastewater treatment facility treating domestic wastewater. The permit requirements 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
Leavenworth County Commissioners Leavenworth County Courthouse 300 Walnut Leavenworth, KS 66048	Wolfe Creek via unnamed tributary	Treated domestic wastewater

Kansas Permit No. M-KS04-0006 Federal Permit No. KS0091961

Legal: SW/4, S11, T11S, R22E, Leavenworth County

Facility Name: Leavenworth County Sewer District and Cedar Lakes Estates

Facility Description: The proposed action is to issue a new permit for operation of a new three-cell wastewater treatment facility treating domestic wastewater. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Marysville 209 N. 8th Marysville, KS 66508	Big Blue River	Treated domestic wastewater

Kansas Permit No. M-BB13-0002 Federal Permit No. KS0092142

Legal: SE/4, S31, T2S, R7E, Marshall County

Facility Description: The proposed action is a modification to the permit for operation of a four-cell wastewater treatment facility treating primarily domestic wastewater. The modification is an addition of a new outfall to provide access for re-use of the treated wastewater for irrigation. The final limitations for the two outfalls are unchanged from the previous permit. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Riley County Public Works Dept. Riley County Courthouse 110 Courthouse Plaza Manhattan, KS 66502	Big Blue River	Treated domestic wastewater

Kansas Permit No. M-KS38-0004 Federal Permit No. KS0086118

Legal: SE/4, S16, T9S, R7E, Riley County

Facility Name: Terra Heights WWTF

Facility Description: The proposed action is to issue a new permit for operation of an existing three-cell wastewater treatment facility treating domestic wastewater. This facility is changing from a non-discharging to a discharging wastewater treatment facility. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
City of Smith Center 119 West Court Smith Center, KS 66967	Solomon River via Beaver Creek	Treated domestic wastewater

Kansas Permit No. M-SO38-1001 Federal Permit No. KS0022110

Legal: SW/4, S21, T3S, 13W, Smith County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing activated sludge wastewater treatment facility treating primarily domestic wastewater. The permit requirements 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
Mineral Springs Trailer Court 181 E. 125th Lot 21 Carbondale, KS 66414	Kansas River via Wakarusa River via Bury's Creek	Treated domestic wastewater

Kansas Permit No. C-KS07-0002 Federal Permit No. KS0094579

Legal: NW¼, S18, T14S, R16E, Osage County

Facility Description: The proposed action is to issue a new permit for operation of a modified wastewater treatment facility treating primarily domestic wastewater. Modification consists of adding a third cell to the current two-cell lagoon system. The proposed permit contains a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified operator. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Dept. of Army Headquarters Dir. of Environment and Safety Attention: AFZN-ES-P Building 407, Pershing Ct. Fort Riley, KS 66442-6121 Kansas Permit No. F-KS97-PO01	Kansas River via various tributaries	Treated process and domestic wastewater
		Federal Permit No. KS0029505

Legal: Fort Riley, Kansas

Facility Description: The proposed action is to reissue a permit for the operation of five existing wastewater treatment facility treating process and domestic wastewater. This facility is federally-owned and comprises of activities and facilities for housing, training and supporting two active army brigades and one reserve component brigade. The permit requirements 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
V*B Interim, Inc. 333 Ludlow St. Stamford, CT 06902	Smoky Hill River via Mud Creek via storm sewer	Treated groundwater
		Federal Permit No. KS0089834

Legal: NE¼, S20, T13S, R2E, Dickinson County

Facility Name: V*B Interim, Inc., 600 N. Washington, Abilene, KS 67410

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating contaminated groundwater. This facility utilizes an air stripping tower to treat the volatile organics-contaminated groundwater prior to discharge to the storm sewer. Design discharge is 0.396 mgd. The permit requirements 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
Koch Sulfur Products Co. P.O. Box U DeSoto, KS 66018	Kill Creek via Pyotts Pond	Treated process wastewater
		Federal Permit No. KS0089052

Legal: NE¼, S17, T13S, R22E, Johnson County

Facility Description: The proposed action is to issue a modified permit for operation of an existing wastewater treatment facility treating process wastewater. This facility manufactures commercial grade sulfuric acid. The modification consists of adding whole effluent toxicity testing to the permit because the facility has made significant changes to the chemical additives used at the facility. The permit requirements 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
Midwest Minerals Inc. P.O. Box 412 Pittsburg, KS 66762	Verdigris River via Pumpkin Creek via unnamed creek	Quarry dewatering and stormwater
		Federal Permit No. KS0082171

Legal: NE¼, S34, T34S, R17E, Montgomery County

Facility Name: Coffeyville Quarry #16

Facility Description: The proposed action is to reissue a permit for the discharge of wastewater from an existing quarry operation. This is a limestone quarrying operation with no washing. The only discharge is quarry pit dewatering and uncontaminated stormwater runoff. A concrete plant is located at the quarry site but has no wastewater facilities. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
Nelson Quarries Inc. P.O. Box 124 LaHarpe, KS 66751	Neosho River via Elm Creek via unnamed tributary	Quarry dewatering and stormwater
		Federal Permit No. KS0082686

Legal: SW¼, S33, T24S, R19E, Allen County

Facility Name: Stokes Quarry

Facility Description: The proposed action is to reissue a permit for the discharge of wastewater from an existing quarry operation. This is a limestone quarrying operation with no washing. The only discharge is quarry pit dewatering and uncontaminated stormwater runoff. The permit requirements are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Name and Address of Applicant	Waterway	Type of Discharge
UCB Films, Inc. 6000 S.E. 2nd Tecumseh, KS 66542	Kansas River	Treated process wastewater
		Federal Permit No. KS0003204

Legal: NW¼, S31, T11S, R17E, Shawnee County

Facility Description: The proposed action is to issue a modified permit for operation of an existing mechanical wastewater treatment facility treating primarily process wastewater. This facility produces cellophane from wood pulp for use primarily in food packaging. The cellophane production process generates acid, alkaline and neutral wastestreams. These wastes are combined and neutralized in an equalization basin before treatment in an activated sludge treatment system with clarification. Other miscellaneous blowdown and wash-down streams are routed directly to the activated sludge treatment system. The sludge is concentrated by a centrifuge and land applied. Lagoons are available for emergency storage of untreated wastewater. The average daily discharge is about 2.255 million gallons per day. The permit requirements 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-ND-98-027

Name and Address of Applicant	Legal Location	Type of Discharge
Kansas Department of Transportation KDOT Vehicle Wash Lagoon P.O. Box 1060 Fort Scott, KS 66701	NE¼, S33, T16S, R24E, Miami County	Nonoverflowing
		Federal Permit No. I-MC20-NO05

Facility Location: Louisburg, Kansas

Facility Description: The proposed action is to issue a new permit for operation of a new two-cell wastewater treatment lagoon system treating process wastewater. This facility is a KDOT's sub-area shop where KDOT's vehicles are washed. Wash water is piped to a two-cell lagoon. These lagoons are provided with a double synthetic liner with an intermediate leak detection system. In case the evaporation is inadequate to maintain the required free board, wastewater from the lagoon is pumped out and transported to a publicly owned wastewater treatment plant. Maximum wastewater flow generated at this facility is about 10,000 gallons per month.

(continued)

Public Notice No. KS-PT-98-011/012

Name and Address of Applicant	Receiving Facility	Type of Discharge
American Metal Products, Inc. 815 E. 6th Leroy, KS 66857	Leroy WWTF	Processed wastewater

Kansas Permit No. P-NE42-0001

Facility Description: The proposed action is to reissue an existing pretreatment permit for the above-named facility. This facility produces aluminum die casting and screw machine parts when manufacturing parts for air brakes and other special orders. The permit limits are pursuant to state and federal pretreatment requirements.

Name and Address of Applicant	Receiving Facility	Type of Discharge
M-C Company, Inc. P.O. Box 1002 304 Pedigo Drive Pratt, KS 67124	Pratt WWTF	Processed wastewater

Kansas Permit No. P-AR73-0001

Facility Description: The proposed action is to reissue an existing pretreatment permit for the above-named facility. This facility manufactures hydraulic adapter fittings and can perform either zinc electroplating or chromating on the hydraulic fittings. The permit limits are pursuant to state and federal pretreatment requirements.

Written comments on the draft permits must be submitted to the attention of Dorothy Geisler for agricultural permits or to 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 on or before September 26 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-98-105/113, KS-98-091/103, KS-ND-98-027, KS-PT-98-011/012) 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.

Gary R. Mitchell
Secretary of Health
and Environment

Doc. No. 022838

State of Kansas

Department of Health
and EnvironmentNotice of Hearing on Proposed
Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Bureau of Water, will conduct public hearings to consider the adoption of the animal and related waste control regulations, K.A.R. 28-18-1 through 28-18-4 (amended) and K.A.R. 28-18-5 through 28-18-32 (new). The hearings are scheduled as follows:

October 26, 5 p.m.Activities Building, Allen County Community College
1801 N. Cottonwood, Iola**October 26, 5 p.m.**Ramada Inn
17th and Anderson, Manhattan**October 28, 5 p.m.**Finney County 4-H Building
309 Lake Ave., Garden City**October 28, 5 p.m.**Kansas State University Agricultural Research
Center, Auditorium1232 240th Ave. (S.E. corner of South Main St.
and Alternate 183 Hwy.), Hays

The amended and new regulations are proposed for adoption on a permanent basis. A summary of the regulations and their regulatory impact follows.

Regarding implementation costs for all the regulations by KDHE, the KDHE Confined Animal Feeding Operation (CAFO) Program consists of 13.45 FTEs in the districts and 5.5 FTEs in the KDHE central office for a total of 18.95 FTEs operating annually at a cost of \$779,075. In conjunction with the passage of HB 2950 during the 1998 legislative session, the Legislature funded the implementation of the new swine program provisions by authorizing an additional \$558,700 in state general funds and 11.5 FTEs.

K.A.R. 28-18-1, Definitions, provides a listing of terms and their definitions currently utilized in implementation of both the state and federal portions of the KDHE Livestock Waste Management Program regulating confined animal feeding operations (CAFOs), and consolidates and references the source of terms and their definitions utilized from other KDHE water pollution control statutes and regulations applicable to CAFOs, and the terms and their definitions either mandated by or necessary to implement the statutory provisions of 1998 HB 2950. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as they are primarily administrative in nature. The proposed amendments to this regulation do not subject the affected parties to additional costs of compliance.

K.A.R. 28-18-2, Registration and application requirements, establishes registration and application requirements. The regulation clarifies KDHE's position regarding the need for CAFOs with animal unit capacities of

1,000 or more to apply for a federal (NPDES) water pollution control permit in addition to a state water pollution control permit. The regulation also adds application requirements and requirements associated with the start of construction and stocking of swine facilities mandated by HB 2950. The proposed amendment is primarily administrative, addressing and clarifying current program requirements. The proposal does not entail any additional implementation or enforcement costs or burdens.

K.A.R. 28-18-3, Separation distance requirements, establishes provisions addressing the application of separation distance requirements. The separation distance criteria address both current and new HB 2950 provisions for habitable structures, wildlife refuges, city, county, state or federal parks, 100-year flood plains, surface water bodies, and private and public water supply wells in active use. Provisions were added to place the burden of resolving any disputes regarding the application of separation distance criteria on the operator. Provisions also were added to address the application of separation distance criteria to CAFOs involving swine and other livestock species at the same facility. Within the context of the regulatory impact statement, the amendments will not have a direct impact on public health or the environment as they are primarily administrative in nature. Any environmental benefits derived from the provisions of this regulation are associated with the separation distances addressed by statute in K.S.A. 65-171d and the additional modification and requirements addressed with the implementation of HB 2950. If survey work is required to address a separation distance issue, the cost is estimated at \$860 and the operator would bear this cost.

K.A.R. 28-18-4, Filing of applications and payment of fees, addresses both current program requirements as well as the provisions mandated by HB 2950 that require additional information for swine facilities, which is required to satisfy the increased public notice requirements and the development of a number of plans. The regulation also formalizes the expanded public participation activities that KDHE has employed regarding current CAFO program administration. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. The amendments address both current procedures utilized in administering permit application requirements and new provisions mandated by HB 2950. Additional costs are associated with the development of additional information regarding separation distances, application information, and a number of plans that are required to be developed pursuant to HB 2950. The individual costs associated with the separation distance and application information is addressed in K.A.R. 28-18-12. The costs associated with the development of the various plans required by HB 2950 are addressed in the summary of K.A.R. 28-18-13, 28-18-14, 28-18-15, 28-18-16, 28-18-17 and 28-18-22.

K.A.R. 28-18-5, Transfer of a permit or certification, provides KDHE with the flexibility for allowing a transfer or to require the permitting of the facility. Permits and certifications are currently not transferable. The regulation addresses the administrative procedures required to obtain a transfer. The regulation will allow KDHE to en-

sure all of the pertinent HB 2950 requirements have been addressed, rather than having the facility permit or certification automatically transfer with the sale of the facility. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. The proposed regulation does not subject the affected parties to additional costs of compliance.

K.A.R. 28-18-6, Development of a draft permit, consolidates current regulatory requirements by reference into the regulation package. The current regulations address whether a permit is to be issued. If a permit is to be issued, the contents of the permit are to include, as appropriate effluent limitations, a schedule of compliance and interim dates, special conditions and a monitoring program. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. The proposal does not entail any additional implementation or enforcement costs or burdens.

K.A.R. 28-18-7, Public notice of permit actions and public hearings, consolidates current regulatory requirements regarding public notices associated with permits and hearings. The regulation addresses the implementation of the new provisions of HB 2950. The regulation requires the operator to publish a notice in a local newspaper, for a proposed new swine facility or the expansion of an existing swine facility, to inform potentially impacted individuals in the area of the proposal. The regulation establishes the procedures the operator is to follow. The regulation also establishes the procedures required of individuals, owning habitable structures located within the applicable separation distance, who request a public hearing on the proposed swine permit. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. Environmental benefits derived from this regulation will be associated with the information provided to KDHE from the increased public participation activities for swine facilities. Additional costs associated with the development of the information for use in the public notice process are included in the cost estimates provided for K.A.R. 28-18-12 for the construction plans and specifications and the various other plans required by HB 2950 in K.A.R. 28-18-13, 28-18-14, 28-18-15, 28-18-16, 28-18-17 and 28-18-22. Direct costs to swine operators for the HB 2950 provisions are estimated at \$451 per facility.

K.A.R. 28-18-8, Permit; terms and conditions, details terms and conditions in CAFO water pollution control permits. New provisions addressing the implementation of HB 2950 include: notification when access to land used for disposal is no longer available to operate the facility in conformance with the approved manure management plan; notification when facilities contain swine not owned by the operator; implementation of the approved nutrient utilization plan; implementation of an approved facility closure plan; and the facility being staffed by a KDHE-certified operator. Within the context of the regulatory

(continued)

impact statement, this regulation will not have a direct impact on public health or the environment. There are additional costs associated with the regulation. The costs associated with the various plans required by HB 2950 are addressed in K.A.R. 28-18-13, 28-18-15, 28-18-16, 28-18-17 and 28-18-22. The cost of the various notification requirements are estimated at \$3 per notification. Costs associated with operator certification are provided in the summaries of K.A.R. 28-18-26 through 28-18-31.

K.A.R. 28-18-9, Certification; terms and conditions, is a new regulation formalizing the certification process KDHE has employed and which the passage of SB 800 (K.S.A. 65-171d) in 1994 established provisions requiring KDHE to issue certifications to those facilities required to register, with animal unit capacities of 999 or less, and for which KDHE determines that a significant water pollution potential does not exist. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. The proposal does not entail any additional implementation or enforcement costs or burdens.

K.A.R. 28-18-10, Permits; monitoring and reporting, consolidates current regulatory requirements, by reference, regarding monitoring and reporting required by the department in the terms and conditions of a permit, certification, order, directive or consent agreement, into the regulation package. The regulation addresses current requirements for the reporting of emergency or accidental discharges or the overflow or unplanned release of animal wastes. The regulation addresses that laboratory analyses be done in conformance with KDHE-approved laboratory procedures and by a KDHE-certified laboratory. The regulation updates the adoption, by reference, of EPA laboratory procedures. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. The proposal does not entail any additional implementation or enforcement costs or burdens.

K.A.R. 28-18-11, Confined feeding facilities; federal requirements, consolidates current federal regulatory requirements, by reference, regarding the issuance of federal (NPDES) water pollution control permits issued by the department, into the regulation package. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. The proposal does not entail any additional implementation or enforcement costs or burdens.

K.A.R. 28-18-12, Design and construction of animal or swine waste management systems, formally adopts by reference the existing design standards utilized by KDHE since the early to mid 1980s.

Subsections (a) and (b) formalize the use of KDHE's current design standards that have been amended to incorporate specific provisions mandated by HB 2950. The adoption of the current design standards merely formalizes the current requirements as they have been employed in administering the program by KDHE since the early to mid 1980s pursuant to K.S.A. 65-171h.

Subsections (c) and (d) provide an environmental benefit as it requires a basic level of technical knowledge of individuals conducting design work. The regulation still does not guarantee that the design will be done by such an individual as the provisions of K.S.A. 65-171d remain permissive by use of the term "may."

Subsection (e) will help to ensure facilities constructed mirror current regulatory requirements by stipulating a time frame in which construction must be completed.

Subsection (f) is an administrative provision in the event enforcement action is required by the agency and does not represent an environmental benefit.

Subsection (g) is an administrative provision for administering the current federal requirements of the CAPD program.

Subsection (i) provides environmental benefit in that it is intended to ensure that any proposed changes to the approved plans and specifications are reviewed and approved by the agency prior to their being implemented.

Subsection (j) addresses provisions regarding notification of KDHE in the event an active or abandoned oil or gas well is found to be located in the vicinity of the proposed lagoon(s) per HB 2950. A provision was added to address active or abandoned water wells to address this same concern, which would allow KDHE to require or, in the case of an oil or gas well, coordinate with the State Corporation Commission to ensure that the wells are adequately plugged or constructed to protect groundwater quality.

Subsection (k) was added to address assurance that construction of the pollution controls at swine facilities are done in conformance with the plans and specifications approved by KDHE. This provision, in conjunction with KDHE's oversight of construction activities, is intended to enhance the quality of construction of the pollution control system.

Costs associated with implementation of the current design standards are \$11,464 per 1,000 animal units for open lot facilities and \$6,514 per 1,000 animal units for enclosed building operations. These costs do not include costs addressing the use of bentonite to amend a soil liner, the installation of a synthetic membrane liner, the installation of a groundwater monitoring well system, or the various plans required by HB 2950, if required. Insurance requirements for consultants are expected to range from 1½-3½ percent of the firm's gross billings. Notification of KDHE regarding soil sampling and liner integrity testing are estimated at \$3. Additional costs associated with identification of oil and gas wells are addressed in the design estimates. Certification of construction of swine facilities is estimated at \$840.

K.A.R. 28-18-13, Manure management plan for swine, implements the provisions of New Section 5 of HB 2950, which addresses the development and implementation of manure management plans for swine facilities. The regulation details what the manure management plan is to include. The regulation also details when the manure management plan is to be amended and the requirements for the retention of records, data and other information by the operator. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment. Rather, the reg-

ulation addresses procedures utilized in administering the development and implementation of manure management plans for swine facilities mandated by HB 2950. Costs associated with the development of the plan are estimated at \$250. Record keeping associated with the off-site utilization will vary depending on the extent an operator sells or gives away the manure or wastewater.

K.A.R. 28-18-14, Nutrient utilization plan for swine, implements the provisions of New Section 6 of HB 2950, which addresses the development and implementation of nutrient utilization plans for swine facilities. The content of the nutrient utilization plan, monitoring and reporting provisions of the specific plan requirements is the responsibility of the Kansas Department of Agriculture to develop. The regulation details when the nutrient utilization plan is to be amended and the requirements for the retention of records, data and other information by the operator. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment. The regulation incorporates new requirements necessary to implement the provisions mandated by HB 2950. The environmental benefits derived from the nutrient utilization plan provisions of HB 2950 will be based on the implementation and administrative requirements developed and implemented by the Kansas Department of Agriculture. Costs associated with this regulation typically do not subject the affected parties to additional costs of compliance.

K.A.R. 28-18-15, Odor control plan for swine, implements the provisions of New Section 11 of HB 2950, which addresses the development and implementation of odor control plans for swine facilities. The regulation details when the odor control plan is to be amended and the requirements for the retention of records, data and other information by the operator. The exact environmental benefit to be derived from this regulation is unknown as there is little information on which to quantify odors or determine at what point they become objectionable or a nuisance. Currently, there are a number of practices that can be employed by all swine operators to help reduce the potential for or magnitude of odors originating from swine operations. Costs associated with the implementation of these HB 2950 requirements include the initial development of the plan. Costs associated with the development of the plan are estimated at \$150.

K.A.R. 28-18-16, Emergency response plan for swine, implements the provisions of New Section 8 of HB 2950, which addresses the development and implementation of emergency response plans for swine facilities. The regulation details what the emergency response plan is to include. The regulation details when the emergency response plan is to be amended and the requirements for the retention of records, data and other information by the operator. The environmental benefit to be realized is the preparation, by the swine operators, of a response plan to address the unauthorized discharge, spill or release of swine wastes resulting from an act of God, catastrophic structural failure of a swine waste lagoon or pond, equipment failure, or a failure in the waste management practices associated with land application of the swine wastes. The emergency response plan will help minimize the potential for off-site movement of the

wastes, help expedite the collection and cleanup of wastes to minimize the potential for surface water or groundwater pollution, and help reduce the potential for the creation of nuisance conditions. Costs associated with the implementation of these HB 2950 requirements include the initial development of the plan. Costs associated with the development of the plan are estimated at \$250.

K.A.R. 28-18-17, Dead swine handling plan, implements the provisions of New Section 17 of HB 2950, which addresses the development and implementation of a dead swine handling plan. The regulation details what the dead swine handling plan is to include. The regulation details when the dead swine handling plan is to be amended and the requirements for the retention of records, data and other information by the operator. The environmental benefit of the regulation is to address the means by which the carcasses will be handled so as to minimize the potential for the creation of nuisance conditions, the spread of disease, and the potential for surface water and groundwater pollution. Potential impacts to the public also are lessened by the mandated separation distance requirements of HB 2950. Costs associated with the implementation of these HB 2950 requirements include the initial development of the plan. Costs associated with the development of the plan are estimated at \$150.

K.A.R. 28-18-18, Groundwater monitoring for swine facilities, will have a direct impact on public health and the environment. The regulation incorporates both existing program provisions as well as new requirements necessary to implement the provisions mandated by HB 2950 pertaining to the installation of groundwater monitoring wells and the associated monitoring of those wells. The environmental benefit to be derived is primarily the result of the statutory requirement for swine facilities with animal unit capacities of 3,725 or more to install and sample groundwater monitoring wells. The direct benefit will be the generation of data to help substantiate the findings of the Kansas State University's Evaluation of Lagoons for Containment of Animal Wastes. The monitoring wells will generate real-world data as to the adequacy of the liner sealing requirements and construction practices. If the provisions of HB 2950 are triggered, it is expected that the affected parties would be subjected to additional costs of compliance requiring the installation of monitoring wells, periodic sampling and analysis of the groundwater, and reporting the results to KDHE. The cost to install a three-well monitoring system is estimated at \$4,598 for shallow wells and \$10,133 for deep wells. Annual sampling and analysis of the three-well monitoring system is estimated at \$285. Annual reporting to KDHE is estimated at \$20.32, which involves the submission of the lab analysis results.

K.A.R. 28-18-19, Operation of animal waste management systems. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment. The regulation addresses current procedures and requirements utilized in permitting and administering program requirements. The proposed regulation does not subject the affected parties to additional costs of compliance.

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K.A.R. 28-18-20, Denial, suspension, revocation, or termination of a permit or certification for swine facilities, implements the provisions of New Section 16 of HB 2950, which addresses the denial, suspension, revocation or termination of a permit or certification for swine facilities. The regulation establishes conditions that may warrant the denial, suspension, revocation or termination of a swine permit. The regulation also addresses and consolidates current program and regulatory requirements associated with procedures addressing the denial, suspension, revocation or termination by KDHE, an operator's ability to appeal KDHE's determination, and for depopulating a swine facility if required. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. The proposal typically does not entail any additional implementation or enforcement costs or burdens.

K.A.R. 28-18-21, Inspections, addresses the bio-security issue raised by New Section 14 of HB 2950. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment. The regulation requires the operator to provide an inspector, in those rare instances where agency staff would need to enter the buildings, whatever specialized equipment, clothing or appurtenances are required. Typically, this could amount to providing a set of disposable coveralls and shoe/boot covers. That cost is estimated at \$13.75 per inspection.

K.A.R. 28-18-22, Swine facility closure requirements, implements the provisions of New Section 12 of HB 2950, which addresses the development and implementation of facility closure plans for swine facilities with animal unit capacities of 3,725 or more. The regulation details what the facility closure plan is to include. The regulation details when the facility closure plan is to be amended and the requirements for the retention of records, data and other information by the operator. The regulation establishes a time frame for completion of the facility closure. The regulation also places responsibility for closure of the swine facility on the property owner if the operator or the owner of the swine facility is unable or unwilling to close out the facility in accordance with the approved facility closure plan. The regulation does have an environmental benefit in establishing a regulatory time frame for the completion of the closure. The regulation also provides an environmental benefit in that there will be clear regulatory authority as to the responsibility of the property owner to close out the facility in the event the operator is unwilling or unable to close out the facility. Costs associated with the development of the facility closure plan are estimated at \$250. For the closure of swine waste-retention lagoons or ponds, the dirt work required to demolish and regrade the area is estimated at \$2,200/1,000 AUs of capacity.

K.A.R. 28-18-23, Financial assurance for swine facility closure, implements the provisions of New Section 12 of HB 2950 and addresses provisions for financial assurance requirements for the closure of swine facilities with animal unit capacities of 3,725 or more. The regulation requires operators to develop cost estimates for the closure of the facility through the use of a professional engineer

or consultant approved by KDHE. The regulation details the criteria for developing the cost estimates for the facility closure. The regulation also offers five options for establishing the financial assurance as well as the specific requirements for each of the options. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. Any environmental benefit derives from the statutory requirement in HB 2950 mandating the operator have and maintain adequate financial assurance to cover the cost of the facility closure. The regulation does subject the affected parties to additional costs of compliance by requiring operations to demonstrate annually evidence they have the financial ability to cover the cost of closure of the facility as required by KDHE. In contacting various banks, lending institutions, bonding companies and insurance companies, KDHE was unable to obtain what it would consider to be definitive estimates based on the various parties not being familiar with swine operations, expected costs for closure, fiscal status of the operators, and other considerations.

K.A.R. 28-18-24, Financial assurance for swine waste-retention lagoon or pond closure, addresses the implementation of provisions of New Section 13 of HB 2950, establishing swine waste-retention lagoon or pond closure requirements for facilities with animal unit capacities of 3,725 or more. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. Any environmental benefit derives from the statutory requirement in HB 2950 mandating the operator have and maintain adequate financial assurance to cover the cost of the swine waste retention lagoon or pond closure. The regulation does subject the affected parties to additional costs of compliance by requiring operations to demonstrate annually evidence they have the financial ability to cover the cost of closure of the swine waste-retention lagoon or pond as required by KDHE. In contacting various banks, lending institutions, bonding companies and insurance companies, KDHE was unable to obtain what it would consider to be definitive estimates based on the various parties not being familiar with swine operations, expected costs for closure, fiscal status of the operators, and other considerations.

K.A.R. 28-18-25, Variance of specific requirements, provides a mechanism for KDHE to grant a variance to the regulations in this article so long as the variance is in keeping with the intent of the regulations. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment. The proposal does not entail any additional implementation or enforcement costs or burdens.

K.A.R. 28-18-26, Requirements for swine facility operator certification, implements the provisions of New Section 7 of HB 2950, which addresses the development and implementation of requirements addressing the training, certification, continuing education requirements, and recertification of operators maintaining or supervising the waste management system of a swine facility. The regulation establishes deadlines for operators to

register for and obtain an operator certificate. This regulation should have an indirect impact on public health and the environment. The more training and better understanding swine operators have regarding the proper operation of their swine facilities and the swine waste management systems, the less the chance for an adverse impact on either the public or the environment. The estimated one-time cost to the operator to register is \$10.32. The estimated cost for obtaining the certification is addressed in K.A.R. 28-18-27 and K.A.R. 28-18-28.

K.A.R. 28-18-27, Eligibility for swine facility operator certification, provides the criteria for operators to obtain or renew an operator certification, including the submission of a completed application and appropriate fee, six hours of training approved by KDHE, and six hours of continuing education every five years. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. The estimated cost to the operator to obtain an operator certification is \$512.32. Continuing education requirements every five years is estimated at \$427.

K.A.R. 28-18-28, Swine facility operator certification examinations, provides that operators take and pass a written examination to obtain an operator certification. The regulation also requires the passage of a written examination if an operator allows its operator certification to lapse for a period of two years or more. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment. Reinstatement costs for operator certifications that lapsed for up to one year is \$70 and for up to two years, \$80.

K.A.R. 28-18-29, Non-certified operators responsible for the operation and management of swine facilities and animal waste management systems, establishes an "operator in training" designation for non-certified operators responsible for the operation of swine facilities and swine waste management systems. The regulation also establishes that the operator-in-training designation can be renewed only once. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. The cost to register is estimated at \$10.32. The regulation would impose an additional \$5 charge to renew the operator-in-training designation for an additional year in the event the operator is unsuccessful in obtaining the operator certification on their initial try.

K.A.R. 28-18-30, Issuance of certificate of competency, establishes the effective period for an operator certification as being five years from the effective date of issuance and addresses the issuance of an operator certification through reciprocity. Within the context of the regulatory impact statement, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. The proposal does not entail any additional implementation or enforcement costs or burdens.

K.A.R. 28-18-31, Swine operator certification fees, establishes a fee schedule for the operator certification program. Within the context of the regulatory impact state-

ment, this regulation will not have a direct impact on public health or the environment as it is primarily administrative in nature. The fees that would impact swine operators have been discussed in regulation summaries.

K.A.R. 28-18-32, Swine waste-retention lagoons or ponds in sensitive groundwater areas, is a new regulation presenting a proactive approach in protecting shallow groundwater resources from contamination by large swine operations proposing new construction or an expansion that would employ the use of waste-retention lagoons or ponds in sensitive groundwater areas. The regulation allows KDHE to determine when enhanced liner protection should be employed and establishes the areas designated by the State Corporation Commission as sensitive groundwater areas as being high priority areas for consideration of enhanced protection. The regulation mandates the installation of a impermeable synthetic membrane liner whenever KDHE receives a written request from the board of a GMD indicating the need for enhanced protection. This regulation will have a direct environmental benefit by minimizing the potential for groundwater contamination in some of the most groundwater sensitive areas in the state. The use of the impermeable synthetic membrane liner helps minimize the potential of not achieving an adequate compacted soil liner integrity because of inadequate soils, poor construction practices, or inadequate maintenance of the soil liner. (Refer to the detailed cost estimates provided for K.A.R. 28-18-12 for general construction costs.) The additional costs associated with the installation of a single impermeable synthetic membrane liner is estimated at \$5,850/1,000 AUs.

The time period between the publication of this notice and the last scheduled hearing constitutes the public comment period for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to the hearing to Donald Carlson, Kansas Department of Health and Environment, Bureau of Water, Building 283, Forbes Field, Topeka, 66620. All interested parties will be given a reasonable opportunity to present their views orally on the proposed regulatory action during the hearings. Because of the expected level of public participation at the hearings, KDHE recommends that individuals proposing to present oral testimony at the public hearings provide the hearing officer with a written copy of their comments and recommendations at the hearing. This will ensure that KDHE receives all of the individual's comments and recommendations in the event the hearing officer must limit the extent of oral presentations in order to give all parties an opportunity to present their views at the hearing. The hearing record will officially close at the conclusion of each hearing.

Copies of the proposed regulatory amendments, new regulations and the economic impact and environmental benefit statements may be obtained from the Kansas Department of Health and Environment, Bureau of Water, (785) 296-5524. Copies of the proposed regulatory amendments, new regulations, and the economic impact and environmental benefit statements may be accessed by

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downloading the file, "Confined Animal Feeding Operation Draft Regulations," on KDHE's Bureau of Water home page located at www.kdhe.state.ks.us/water. Individuals with questions pertaining to the proposed amendments or new regulations can obtain assistance by calling the Bureau of Water.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed amendments, new regulations, and the economic impact and environmental benefit

statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Dorothy Geisler at (785) 296-5545 or Debbie Biester at (785) 296-5524, fax (785) 296-5509.

Gary R. Mitchell
Secretary of Health and Environment

Doc. No. 022819

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 to the 1997 Volumes of the Kansas Administrative Regulations.

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Table with 3 columns: Reg. No., Action, Register. Lists regulations from 1-2-8 to 1-63-2.

AGENCY 4: DEPARTMENT OF AGRICULTURE

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AGENCY 7: SECRETARY OF STATE

Table with 3 columns: Reg. No., Action, Register. Lists regulations from 7-19-1 to 7-19-7.

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AGENCY 10: KANSAS BUREAU OF INVESTIGATION

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AGENCY 17: STATE BANKING DEPARTMENT

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AGENCY 25: DEPARTMENT OF AGRICULTURE (KANSAS STATE GRAIN INSPECTION)

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AGENCY 26: DEPARTMENT ON AGING

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47-16-11	Amended	V. 17, p. 1117

AGENCY 48: DEPARTMENT OF HUMAN RESOURCES—EMPLOYMENT SECURITY BOARD OF REVIEW

Reg. No.	Action	Register
48-1-4	Amended	V. 17, p. 628

AGENCY 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-49-1	Amended	V. 16, p. 1120

AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT

Reg. No.	Action	Register
50-2-25a through 50-2-25e	New	V. 16, p. 1047

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

Reg. No.	Action	Register
51-1-22	Revoked	V. 17, p. 628
51-2-4	Amended	V. 17, p. 628
51-2-5	Amended	V. 17, p. 629
51-3-1	Amended	V. 17, p. 629
51-3-5	Amended	V. 17, p. 629

51-3-5a	Amended	V. 17, p. 629
51-3-6	Amended	V. 17, p. 630
51-3-8	Amended	V. 17, p. 630
51-3-17	Revoked	V. 17, p. 631
51-4-1	Revoked	V. 17, p. 631
51-7-5	Revoked	V. 17, p. 631
51-7-6	Revoked	V. 17, p. 631
51-7-8	Amended	V. 17, p. 631
51-8-2 through 51-8-7	Revoked	V. 17, p. 631
51-8-9	Revoked	V. 17, p. 631
51-8-10	Revoked	V. 17, p. 631
51-9-5	Amended	V. 17, p. 632
51-9-7	Amended	V. 16, p. 1329
51-9-10	Amended	V. 17, p. 632
51-9-11	Amended	V. 17, p. 632
51-9-12	New	V. 17, p. 632
51-9-13	New	V. 17, p. 633
51-9-14	New	V. 17, p. 634
51-10-6	Amended	V. 17, p. 634
51-12-2	New	V. 17, p. 635
51-13-1	Amended	V. 17, p. 635
51-15-2	Amended	V. 17, p. 635
51-17-2	New	V. 17, p. 635
51-18-2	Amended	V. 17, p. 636
51-18-3 through 51-18-6	New	V. 17, p. 637
51-19-1	Amended	V. 17, p. 637
51-21-1	Amended	V. 17, p. 637
51-24-1	Amended	V. 17, p. 637
51-24-2	Revoked	V. 17, p. 637
51-24-7	Revoked	V. 17, p. 637

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-1-104	New	V. 16, p. 436
60-2-101	Amended	V. 16, p. 437
60-2-102 through 60-2-108	New	V. 16, p. 437-440
60-3-106	Amended	V. 16, p. 440
60-3-106a	Amended	V. 17, p. 357
60-3-107	Amended	V. 17, p. 357
60-3-112	New	V. 17, p. 357
60-4-101	Amended	V. 17, p. 358
60-7-109	New	V. 17, p. 358
60-7-110	New	V. 17, p. 358
60-8-101	Amended	V. 17, p. 358
60-9-105	Amended	V. 17, p. 358
60-9-106	Amended	V. 17, p. 359
60-9-107	Amended	V. 17, p. 360
60-11-119	Amended	V. 17, p. 361
60-11-120	New	V. 17, p. 361
60-11-121	New	V. 17, p. 361
60-16-101	Amended	V. 17, p. 796
60-16-102	Amended	V. 17, p. 796

AGENCY 63: BOARD OF MORTUARY ARTS

Reg. No.	Action	Register
63-3-10	Amended	V. 16, p. 1250

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-4-3	Amended	V. 17, p. 1270
65-5-6	Amended	V. 16, p. 300
65-5-9	New	V. 16, p. 249
65-5-10	New	V. 16, p. 250
65-10-1	Amended	V. 16, p. 1176

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-1	Amended	V. 17, p. 102
66-10-1	Amended	V. 17, p. 102

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-1-1b	Amended	V. 17, p. 1107
68-1-1f	Amended	V. 16, p. 1176
68-1-2a	New	V. 16, p. 1176
68-2-5	Amended	V. 16, p. 1177
68-2-9	Amended	V. 16, p. 1177
68-2-20	Amended	V. 17, p. 1167
68-7-12	Amended	V. 17, p. 170
68-11-1	Amended	V. 17, p. 1107

68-20-15a	Amended	V. 16, p. 1177
68-20-16	Amended	V. 17, p. 1107

AGENCY 69: BOARD OF COSMETOLOGY

Reg. No.	Action	Register
69-15-1 through 69-15-30	New	V. 16, p. 1281-1288

AGENCY 70: BOARD OF VETERINARY MEDICAL EXAMINERS

Reg. No.	Action	Register
70-1-1	Amended	V. 16, p. 173
70-1-6	New	V. 16, p. 441
70-2-1	Revoked	V. 16, p. 173
70-2-2	Revoked	V. 16, p. 173
70-2-3	Revoked	V. 16, p. 173
70-4-1 through 70-4-7	Revoked	V. 16, p. 173
70-4-8	New	V. 16, p. 441
70-4-9	New	V. 16, p. 443
70-4-10	New	V. 16, p. 443
70-5-1	Amended	V. 16, p. 173
70-7-1	New	V. 16, p. 473
70-8-1	New	V. 16, p. 174
70-9-1	New	V. 16, p. 1289
70-10-1	New	V. 16, p. 175

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-3	Amended	V. 16, p. 1742
71-1-16	Revoked	V. 16, p. 1742
71-1-17	Revoked	V. 16, p. 1742
71-1-19	New	V. 16, p. 1742
71-3-3	Revoked	V. 16, p. 1742
71-5-3	Amended	V. 16, p. 1742
71-5-4	Amended	V. 16, p. 1742

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-1-5	Revoked	V. 16, p. 1119
74-1-6	New	V. 16, p. 1119
74-2-1	Amended	V. 16, p. 1119
74-12-1	Amended	V. 16, p. 1120

AGENCY 75: CONSUMER CREDIT COMMISSIONER

Reg. No.	Action	Register
75-6-24	Amended	V. 17, p. 738
75-6-26	Amended	V. 16, p. 1912

AGENCY 81: OFFICE OF THE SECURITIES COMMISSIONER

Reg. No.	Action	Register
81-2-1	Amended	V. 16, p. 1938
81-3-2	Amended	V. 16, p. 1939
81-5-8	Amended	V. 16, p. 1939
81-5-9	Revoked	V. 16, p. 1939
81-5-13	New	V. 16, p. 1939
81-5-14	New	V. 16, p. 1940

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-3-103a	Amended	V. 16, p. 1332
82-3-120	Amended	V. 16, p. 1332
82-3-120a	New	V. 16, p. 1332
82-3-123	Amended	V. 16, p. 1333
82-3-129	Revoked	V. 16, p. 1333
82-3-130	Amended	V. 16, p. 1333
82-3-136	Amended	V. 16, p. 1333
82-3-141	Revoked	V. 16, p. 1333
82-3-304	Amended	V. 16, p. 1333
82-3-308	Revoked	V. 16, p. 1334
82-3-309	Revoked	V. 16, p. 1334
82-3-312	Amended	V. 16, p. 1334
82-3-313	Revoked	V. 16, p. 1334
82-3-500 through 82-3-504	Revoked	V. 16, p. 1334
82-3-800 through 82-3-804	New	V. 17, p. 362, 363

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-3	Amended	V. 16, p. 1669, 1704
86-1-5	Amended	V. 17, p. 246

86-1-11	Amended	V. 16, p. 1669, 1705
86-2-8	Amended	V. 16, p. 1670, 1706
86-3-25	Revoked	V. 16, p. 1670, 1706
86-3-26	New	V. 16, p. 1670, 1706
86-3-27	New	V. 16, p. 1672, 1707
86-3-28	New	V. 16, p. 1672, 1707

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-2-1	Amended	V. 17, p. 1087
88-3-1	Amended	V. 17, p. 1087
88-3-2	Amended	V. 17, p. 1087
88-3-5	Revoked	V. 16, p. 1088
88-3-9	Amended	V. 17, p. 208
88-3-11	Amended	V. 17, p. 1088
88-3-13	New	V. 17, p. 1088

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-5-14	Amended	V. 17, p. 35
91-10-2	Amended	V. 16, p. 409

AGENCY 92: DEPARTMENT OF REVENUE

Reg. No.	Action	Register
92-19-1a	Revoked	V. 17, p. 949
92-19-1b	New	V. 17, p. 949
92-19-3	Amended	V. 17, p. 949
92-19-8	Revoked	V. 17, p. 950
92-19-13	Revoked	V. 17, p. 950
92-19-13a	New	V. 17, p. 950
92-19-16	Revoked	V. 17, p. 950
92-19-18	Revoked	V. 17, p. 950
92-19-18a	New	V. 17, p. 950
92-19-19	Revoked	V. 17, p. 950
92-19-25a	Revoked	V. 17, p. 951
92-19-25b	New	V. 17, p. 951
92-19-27a	Revoked	V. 17, p. 952
92-19-30	Amended	V. 17, p. 952
92-19-32	Revoked	V. 17, p. 954
92-19-34	Revoked	V. 17, p. 954
92-19-35	Revoked	V. 17, p. 954
92-19-39	Revoked	V. 17, p. 954
92-19-49	Revoked	V. 17, p. 954
92-19-49a	New	V. 17, p. 954
92-19-66a	Revoked	V. 17, p. 956
92-19-66b	Amended	V. 17, p. 956
92-19-66d	Revoked	V. 17, p. 957
92-19-66e	New	V. 17, p. 957
92-19-68	Revoked	V. 17, p. 959
92-19-78	Revoked	V. 17, p. 959
92-21-18	Revoked	V. 17, p. 959
92-21-21	Revoked	V. 17, p. 959

AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION

Reg. No.	Action	Register
93-3-1 through 93-3-4	Revoked	V. 17, p. 948
93-4-1	Revoked	V. 17, p. 948
93-4-2 through 93-4-6	New	V. 17, p. 948, 949
93-6-1 through 93-6-6	New	V. 16, p. 1552, 1892

AGENCY 94: BOARD OF TAX APPEALS

Reg. No.	Action	Register
94-2-1 through 94-2-12	Amended	V. 16, p. 1242-1245
94-2-13 through 94-2-18	New	V. 16, p. 1245, 1246
94-3-1	Amended	V. 16, p. 1246
94-3-2	Amended	V. 16, p. 1246

AGENCY 99: DEPARTMENT OF AGRICULTURE—DIVISION OF WEIGHTS AND MEASURES

Reg. No.	Action	Register
99-25-1	Amended	V. 17, p. 209
99-25-2	Revoked	V. 17, p. 209
99-25-4 through 99-25-8	New	V. 17, p. 209, 210

99-27-1 through 99-27-5	New	V. 17, p. 210-212
99-30-5	Amended	V. 17, p. 212
99-30-6	Amended	V. 17, p. 212
99-31-5	Amended	V. 17, p. 212
99-31-6	Amended	V. 17, p. 213
99-40-7	New	V. 17, p. 213

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-2	Amended	V. 16, p. 737
100-11-1	Amended	V. 17, p. 509
100-15-1	Amended	V. 16, p. 1176
100-23-1	Amended	V. 17, p. 299
100-29-1 through 100-29-14	New	V. 16, p. 380-384
100-29-7	Amended	V. 17, p. 510
100-34-3	Revoked	V. 16, p. 384
100-34-4	Revoked	V. 16, p. 384
100-35-1	Revoked	V. 16, p. 384
100-35-3	Revoked	V. 16, p. 384
100-35-6	Revoked	V. 16, p. 384
100-35-7	Revoked	V. 16, p. 384
100-36-1	Revoked	V. 16, p. 384
100-37-1	Revoked	V. 16, p. 384
100-37-2	Revoked	V. 16, p. 384
100-38-1	Revoked	V. 16, p. 385
100-39-1	Revoked	V. 16, p. 385
100-40-2	Revoked	V. 16, p. 385
100-42-2	Revoked	V. 16, p. 385
100-46-1	Revoked	V. 16, p. 385
100-46-2	Revoked	V. 16, p. 385
100-46-3	Revoked	V. 16, p. 385
100-46-5	Revoked	V. 16, p. 385
100-46-6	Revoked	V. 16, p. 385
100-47-1	Revoked	V. 16, p. 385
100-49-4	Amended	V. 17, p. 510
100-49-5	Amended	V. 16, p. 1176
100-54-4	Amended	V. 17, p. 510
100-54-7	Amended	V. 16, p. 142
100-55-4	Amended	V. 17, p. 510
100-55-10	Revoked	V. 17, p. 510
100-60-1	Amended	V. 17, p. 510
100-67-1	New	V. 16, p. 1174, 1549
100-69-5	Amended	V. 17, p. 510
100-69-10	New	V. 16, p. 2061

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-1-13	Amended	V. 16, p. 1672
102-2-2a	Amended	V. 16, p. 1672
102-2-4a	Amended	V. 16, p. 1673
102-2-4b	Amended	V. 16, p. 1674
102-2-5	Amended	V. 16, p. 1675
102-2-6	Amended	V. 16, p. 1675
102-2-8	Amended	V. 16, p. 1676
102-2-9	Amended	V. 16, p. 1678
102-2-10	Amended	V. 16, p. 1678
102-2-11	Amended	V. 16, p. 1678
102-2-12	Amended	V. 16, p. 1679
102-3-1	Revoked	V. 16, p. 1941
102-3-1a	New	V. 16, p. 1941
102-3-2	Amended	V. 16, p. 1680
102-3-3	Revoked	V. 16, p. 1942
102-3-3a	New	V. 16, p. 1942
102-3-4	Revoked	V. 16, p. 1943
102-3-4a	New	V. 16, p. 1943
102-3-5	Revoked	V. 16, p. 1944
102-3-5a	New	V. 16, p. 1944
102-3-6	Revoked	V. 16, p. 1944
102-3-6a	New	V. 16, p. 1944
102-3-7	Revoked	V. 17, p. 426
102-3-7a	New	V. 17, p. 426
102-3-8	Revoked	V. 16, p. 1945
102-3-8a	New	V. 16, p. 1945
102-3-9	Revoked	V. 16, p. 1945
102-3-9a	New	V. 16, p. 1945
102-3-10	Revoked	V. 16, p. 1946
102-3-10a	New	V. 16, p. 1946
102-3-11	Revoked	V. 16, p. 1947
102-3-11a	New	V. 16, p. 1947
102-3-12	Revoked	V. 16, p. 1948
103-3-12a	New	V. 16, p. 1948
102-3-13	Revoked	V. 16, p. 1950
102-4-1	Revoked	V. 16, p. 1950
102-4-1a	New	V. 16, p. 1950

102-4-2	Amended	V. 16, p. 1680
102-4-3	Revoked	V. 16, p. 1951
102-4-3a	New	V. 16, p. 1951
102-4-4	Revoked	V. 16, p. 1953
102-4-4a	New	V. 16, p. 1953
102-4-5	Revoked	V. 16, p. 1954
102-4-5a	New	V. 16, p. 1954
102-4-6	Revoked	V. 16, p. 1954
102-4-6a	New	V. 16, p. 1954
102-4-7a	New	V. 17, p. 318
102-4-8	Revoked	V. 16, p. 1955
102-4-8a	New	V. 16, p. 1955
102-4-9	Revoked	V. 16, p. 1955
102-4-9a	New	V. 16, p. 1955
102-4-10	Revoked	V. 16, p. 1956
102-4-10a	New	V. 16, p. 1956
102-4-11	Revoked	V. 16, p. 1958
102-4-11a	New	V. 16, p. 1958
102-4-12	New	V. 16, p. 1958
102-4-13	New	V. 16, p. 1960
102-5-1	Amended	V. 16, p. 1961
102-5-2	Amended	V. 16, p. 1680
102-5-3	Amended	V. 16, p. 1962
102-5-4	Revoked	V. 16, p. 1963
102-5-4a	New	V. 16, p. 1963
102-5-5	Amended	V. 16, p. 1964
102-5-6	Revoked	V. 16, p. 1964
102-5-6a	New	V. 16, p. 1964
102-5-7	Revoked	V. 17, p. 427
102-5-7a	New	V. 17, p. 427
102-5-8	Amended	V. 16, p. 1965
102-5-9	Amended	V. 16, p. 1965
102-5-10	Amended	V. 16, p. 1966
102-5-11	Amended	V. 16, p. 1967
102-5-12	Amended	V. 16, p. 1967

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-1	Amended	V. 16, p. 651
108-1-2	New	V. 17, p. 462

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-2-15	New	V. 16, p. 2063
109-6-2	Amended	V. 16, p. 1708
109-8-1	Amended	V. 16, p. 685

AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING

Reg. No.	Action	Register
110-4-1 through 110-4-4	Amended	V. 16, p. 1329-1331
110-4-5	New	V. 16, p. 1331

AGENCY 111: KANSAS LOTTERY

Reg. No.	Action	Register
111-1-2	Amended	V. 7, p. 1190
111-1-3	Amended	V. 17, p. 386
111-1-5	Amended	V. 15, p. 1304
111-2-1	Amended	V. 17, p. 387
111-2-2	Amended	V. 17, p. 387
111-2-2a through 111-2-2e	New	V. 14, p. 1633, 1634
111-2-2b	Amended	V. 17, p. 738
111-2-2d	Amended	V. 17, p. 739
111-2-2e	Amended	V. 17, p. 739
111-2-4	Amended	V. 17, p. 429
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. 17, p. 991
111-2-31	New	V. 14, p. 170

(continued)

111-2-32 through			111-4-213 through			111-4-401 through		
111-2-42	Revoked	V. 16, p. 448, 449	111-4-220	Revoked	V. 10, p. 1213	111-4-404	Revoked	V. 12, p. 1373
111-2-43	Amended	V. 16, p. 1807	111-4-221 through			111-4-405 through		
111-2-44	New	V. 15, p. 288	111-4-224	Revoked	V. 10, p. 1585	111-4-413	Revoked	V. 16, p. 452
111-2-45	New	V. 15, p. 288	111-4-225 through			111-4-414 through		
111-2-46	New	V. 15, p. 624	111-4-228	Revoked	V. 10, p. 1585	111-4-428	Revoked	V. 14, p. 8
111-2-47	Amended	V. 16, p. 449	111-4-229 through			111-4-429 through		
111-2-48	New	V. 15, p. 1055	111-4-236	Revoked	V. 10, p. 1585, 1586	111-4-432	Revoked	V. 12, p. 1373
111-2-49	New	V. 15, p. 1055	111-4-237 through			111-4-433 through		
111-2-50	New	V. 15, p. 1056	111-4-240	Revoked	V. 11, p. 413	111-4-436	Revoked	V. 12, p. 1374
111-2-51	New	V. 15, p. 1440	111-4-241 through			111-4-437 through		
111-2-52	New	V. 15, p. 1441	111-4-244	Revoked	V. 12, p. 1371	111-4-440	Revoked	V. 12, p. 1374
111-2-53	New	V. 15, p. 1710	111-4-245 through			111-4-441 through		
111-2-54	New	V. 15, p. 1920	111-4-248	Revoked	V. 12, p. 1371	111-4-444	Revoked	V. 14, p. 8
111-2-55	New	V. 15, p. 1953	111-4-249 through			111-4-445 through		
111-2-56	New	V. 16, p. 449	111-4-256	Revoked	V. 12, p. 113, 114	111-4-448	Revoked	V. 12, p. 1374
111-2-57	New	V. 16, p. 449	111-4-257 through			111-4-449 through		
111-2-58	New	V. 16, p. 689	111-4-286	Revoked	V. 11, p. 413, 414	111-4-453	Revoked	V. 14, p. 8
111-2-59	New	V. 16, p. 1043	111-4-287 through			111-4-454 through		
111-2-60	New	V. 16, p. 1209	111-4-290	Revoked	V. 12, p. 1371	111-4-465	Revoked	V. 12, p. 1664, 1665
111-2-61	New	V. 16, p. 1473	111-4-291 through			111-4-466 through		
111-2-62	Amended	V. 17, p. 739	111-4-300	Revoked	V. 12, p. 114	111-4-469	Revoked	V. 12, p. 1665
111-2-63	New	V. 16, p. 1808	111-4-301 through			111-4-470 through		
111-2-64	New	V. 16, p. 1808	111-4-307	Revoked	V. 13, p. 1402	111-4-477	Revoked	V. 16, p. 452, 453
111-2-65	New	V. 16, p. 1883	111-4-308 through			111-4-478 through		
111-2-66	Amended	V. 17, p. 467	111-4-317	Revoked	V. 16, p. 451	111-4-492	Revoked	V. 14, p. 974, 975
111-2-67	Amended	V. 17, p. 387	111-4-318 through			111-4-493 through		
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112-7-7	Amended	V. 17, p. 512
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AGENCY 122: POOLED MONEY INVESTMENT BOARD

Reg. No.	Action	Register
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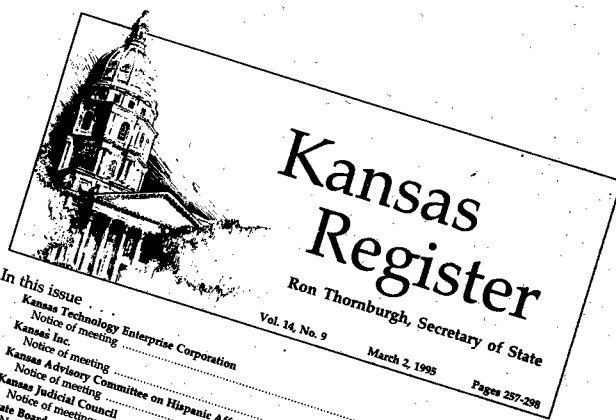
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AGENCY 124: CHILD DEATH REVIEW BOARD

Reg. No.	Action	Register
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