

Kansas Register

Ron Thornburgh, Secretary of State

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Information Network of Kansas

Notice of Meeting

The Information Network of Kansas Board of Directors will meet at 2 p.m. Thursday, October 15, at Kansas Inc., 632 S.W. Van Buren, Suite 100, Topeka. The meeting is open to the public.

Leroy Gattin Chairman

Doc. No. 023003

State of Kansas

Secretary of State,

Usury Rate for October

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of October 1, 1998 through October 31, 1998, is 8.01 percent.

Ron Thornburgh Secretary of State

Doc. No. 022977

State of Kansas

Department of Administration

Notice to Bidders

The Department of Administration is accepting sealed proposals for the sale of an antique clock (Simon Willard Lighthouse Clock, circa 1825), which was a gift from Cooper Woodring through the Friends of Cedar Crest. Proceeds will be used for the renovation of Cedar Crest. To view the clock, contact Jennie Rose at (785) 296-3636. The state contracting officer involved is Chuck Miller, (785) 296-3125.

Bids must be received by the Division of Purchases by 2 p.m. November 2. Bids must be sealed securely in an envelope addressed as follows:

Division of Purchases Quote No: 8271 Closing: November 2, 1998 900 S.W. Jackson, Room 102-N Topeka, KS 66612-1286

The Department of Administration reserves the right to reject all bids, extend the bid closing date and/or readvertise and re-bid the sale. If a bid is accepted, payment is due within 15 days of the date of the notice of bid acceptance from the contracting officer.

> Daniel R. Stanley Secretary of Administration

Doc. No. 022989

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Register Office: Room 233-N, State Capitol (785) 296-3489 Fax (785) 291-3051

Department of Administration

Public Notice

Under requirements of K.S.A. 1997 Supp. 65-34,117(c), records of the Division of Accounts and Reports show the unobligated balances are \$3,911,602.24 in the underground petroleum storage tank release trust fund and \$529,804.22 in the aboveground petroleum storage tank release trust fund at September 30, 1998.

Daniel R. Stanley Secretary of Administration

Doc. No. 022999

State of Kansas

Secretary of State

Executive Appointments

Executive appointments made by the Governor, and in some cases by other state officials, are filed with the Secretary of State's office. A complete listing of Kansas state agencies, boards and commissions are included in the Kansas Directory, published by the Secretary of State. The following appointments, which are effective immediately unless otherwise specified, were recently filed with the Secretary of State:

Neosho County Sheriff

James Keath, 1900 S. Plummer, Chanute, 66720. Term expires when a successor is elected and qualifies according to law. Succeeds Rick Wingate, resigned.

Pottawatomie County Register of Deeds

Robert J. Reves, 17765 Spring Creek Road, Westmoreland, 66549. Term expires when a successor is elected and qualifies according to law. Succeeds Diana Siegle, resigned.

Kansas Advisory Committee on Hispanic Affairs

Guillermina Burley, 6030 Hemlock, Great Bend, 67530. Term expires June 30, 2000. Succeeds Rodolfo Arevalo, resigned.

Albert Herdoiza, 12702 Glenfield Drive, Shawnee Mission, 66209. Term expires June 30, 2001. Reappointed.

Socorro Herrera, 261 Bluemont Hall, 1100 Mid-Campus Drive, Kansas State University, Manhattan, 66506. Term expires June 30, 2001. Succeeds Edmee Fernandez.

Jaime O. Lopez, 641 S. Roosevelt, Wichita, 67218. Term expires June 30, 2001. Succeeds Isreal Padilla.

Cristina A. Palacioz, 1720 Ida St., Hutchinson, 67502. Term expires June 30, 2001. Succeeds Mary Navarro.

Ron Thornburgh Secretary of State State of Kansas

State Fair Board Notice of Meeting

The Kansas State Fair Board will meet by conference call at 8 a.m. Tuesday, October 13. For further information, contact Deana Novak at (316) 669-3612.

Brad Rayl President

Doc. No. 022981

State of Kansas

Racing and Gaming Commission

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted 9 a.m. Friday, December 18, at the Kansas Racing and Gaming Commission office, conference room, 3400 Van Buren, Topeka, to consider the adoption of proposed permanent regulations. This 60-day notice constitutes a public comment period for the purpose of receiving written public comments on the proposed regulations.

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 the Kansas Racing and Gaming Commission, 3400 Van Buren, Topeka, 66611-2228, (785) 296-5800.

A copy of the full text of the regulations and the economic impact statements may be reviewed or obtained at the commission office. The following is a summary of the proposed amendments.

K.A.R. 112-10-6, Bleeder list. The amendments to this regulation require that the animal health officer or assistant animal health officer place a horse on the bleeder list when certain conditions are met.

Economic Impact: There are no costs anticipated to the agency or to other governmental agencies or units as a result of this regulation.

K.A.R. 112-10-8, Testing. The amendments to this regulation require the horse to be cooled out for a minimum of 30 minutes after entering the test barn before the sample is taken for testing unless otherwise authorized by the animal health officer or assistant animal health officer.

Economic Impact: There are no costs anticipated to the agency or to other governmental agencies or units as a result of this regulation.

Myron P. Scafe Executive Director

Doc. No. 022982

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	10-5-98 through 10	-11-98
Term		Rate
1-89 days		5.58%
3 months		4.36%
6 months		4.48%
9 months		4.49%
12 months		4.43%
18 months	er a de la companya	4.32%
24 months		4.24%

Clyde Graeber Acting Chairman

Doc. No. 022976

State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Friday, October 23, in the office of Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority (KDFA) to issue approximately \$20,000,000 principal amount of Athletic Facilities Revenue Bonds for the Intercollegiate Athletic Council of Kansas State University, a Kansas corporation organized under Internal Revenue Code Section 501 (c)(3). The bonds will be issued, pursuant to K.S.A. 74-8901 et seg., to finance additions and improvements to certain athletic facilities owned by Kansas State University or the State of Kansas on the Manhattan campus of Kansas State University and operated by the council, including improvements and additions to the KSU stadium, located at 1800 College Ave., Manhattan, Kansas.

The bonds, when issued, will be limited obligations of KDFA and will not constitute a general obligation or indebtedness of the State of Kansas, Kansas State University or any political subdivision of the State of Kansas, nor will the bonds constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bonds will be payable solely from amounts received from the council.

All individuals who appear at the hearing will be given an opportunity to express their views for or against the proposal to issue bonds for the purposes stated herein, and all written comments filed with KDFA at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the bonds may be obtained by contacting KDFA.

Kenneth Frahm President

Doc. No. 022985

State of Kansas

Juvenile Justice Authority

Notice of Kansas Advisory Group and Kansas Youth Authority Meeting

The Kansas Advisory Group on Juvenile Justice and Delinquency Prevention and the Kansas Youth Authority will meet from 9 a.m. to 4:30 p.m. Friday, October 9, in the Senate Room of the Jayhawk Tower, 700 S.W. Jackson, Topeka. For further information, contact the Juvenile Justice Authority at (785) 296-4213.

Albert R. Murray Commissioner of Juvenile Justice

Doc. No. 023002

State of Kansas

Kansas Development Finance Authority

· Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, October 22, in the conference room in the offices of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bonds for the projects numbered below in the respective maximum principal amounts. Each bond will be issued to assist the respective borrower (who will be the owner and operator of the respective project) to finance the cost in the amount of the bond of acquiring the respective project or for the purpose of refunding a bond previously issued to finance the respective project. Each project shall be located as shown:

Project No. 000399, Maximum Principal Amount: \$49,000. Owner/Operator: Allen H. and Julia B. Thornburg. Description: Acquisition of 80 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the East Half of the Northeast Quarter of Section Eighteen, Township 18, Range Three of the 6th P.M., New Gottland Township, in McPherson County, Kansas; approximately 5 miles south of Lindsborg on Old Highway 81 and 1 mile west on Quivira Ave.

Project No. 000388, Maximum Principal Amount: \$61,596.08. Owner/Operator: Jason L. Kern, Description: Acquisition of 160 acres of agricultural land and related improvements and equipment and the purchase of 22 cows to be used by the owner/operator for farming purposes. The project is located at the Southeast Quarter (SE¼) of Section Nine (9), Township Sixteen (16) South, Range Seven (7) West of the 6th P.M., in Ellsworth County, Kansas; approximately 4.5 miles southeast and .5 mile east of Kanopolis.

Each bond, when issued, will be a limited obligation of the Kansas Development Finance Authority and will not constitute a general obligation or indebtedness of the State of Kansas or any political subdivision thereof, including the Authority, nor will it be an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. Each bond will be payable solely from amounts received from the respective borrower, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on each bond when it shall become due.

All individuals who appear at the hearing will be given an opportunity to express their views for or against the proposal to issue any specific bond for the purpose of financing the respective project, and all written comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding the projects described above may be obtained by contacting the Authority.

Any individual affected by the above-described projects may, at or prior to the hearing, file a written request with the Authority that a local hearing be held on the proposal to issue a bond to finance said project. A local hearing, if requested, would be conducted in the county where the project in question is located.

Kenneth Frahm President

Doc. No. 022997

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:

Monday, October 19, 1998

33319

Department of Agriculture—Cost allocation services 33329

Department of Social and Rehabilitation Services— Special process server and investigations

8258

Kansas Public Employees Retirement System— Investment software

8280

Department of Health and Environment—Graphite furnace atomic absorption spectrophotometer

Tuesday, October 20, 1998

8264

Department of Transportation—Strobe lights, various

Tuesday, October 27, 1998

A-8109(A)

Pittsburg State University—Phased asbestos abatement

Thursday, October 29, 1998

A-8373

Pittsburg State University—Renovation, Willard Hall

Thursday, November 5, 1998

A-8506

Kansas State University—Reroof maintenance building, Salina

Monday, November 9, 1998

33322

Department of Health and Environment— Remediation laboratory analytical services

Thursday, November 12, 1998

A-8479

Pittsburg State University—Whitesitt Hall classrooms, Phase 3, classrooms and faculty offices

Monday, November 30, 1998

33327

Kansas State University—Property insurance

Request for Proposals

Thursday, October 22, 1998

33317

Developmental disability training for the Department of Social and Rehabilitation Services

Friday, October 23, 1998

33330

Strategic planning process for the Department of Human Resources

Wednesday, October 28, 1998

33296

Telecommunications installation and maintenance services for the Regents universities

Thursday, October 29, 1998

33324

External audit and accounting services for the Kansas Lottery

Tuesday, November 10, 1998

8259

Integrated library services system for the Kansas State Library

Thursday, November 12, 1998

33323

Drycleaning facility release trust fund for the Department of Health and Environment

Wednesday, November 18, 1998

33328

Bookstore operation for Fort Hays State University

John T. Houlihan Director of Purchases

Office of Judicial Administration Court of Appeals

No Oral Argument Docket

(The following cases have recently been submitted to a panel of judges and an opinion on each will be forthcoming.)

Before Rulon, P.J.; Pierron and Marquardt, JJ.

Case No.	Case Name Wednesda	y, September 30, 1998 Attorneys	County
78,765	State of Kansas, Appellee, v. DeWayne Allen Brake, Appellant.	Attorney General District Attorney Jessica R. Kunen, Chief A.D.	Wyandotte
78,396	State of Kansas, Appellee, v. Kyle Gene Baalman, Appellant.	Attorney General Thomas R. Stanton, Asst. C.A. Wm. Rex Lorson	Saline
78,577	State of Kansas, Appellee, v. Paul È. Bohnert, Appellant.	Attorney General Brian V. Grace, C.A. Jessica R., Kunen, Chief A.D.	Republic
78,728	State of Kansas, Appellee, v. Ronald L. Price, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D.	Sedgwick
79,786	State of Kansas, Appellee, V. Timothy N. Willits, Appellant.	Attorney General Julie McKenna, C.A. Jessica R. Kunen, Chief A.D.	Saline
81,250	In the Matter of the Adoption of K.K., a Minor Child.	Karla Galey Kevin James Kraft J. Donald Lysaught, Jr.	Wyandotte
77,172	State of Kansas, Appellee, v. Jack T. Chastain, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D.	Johnson
79,004	State of Kansas, Appellee, V. Edward James Chilliest, Jr., a/k/a Ellis J. Hooks, Appellant.	Attorney General Christopher L. Schneider, Asst. D.A. Jessica R. Kunen, Chief A.D.	Wyandotte
80,240	State of Kansas, Appellee, v. Michael S. Walker, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Michael C. Brown	Sedgwick
80,732	In the Matter of the Marriage of Loren Washburn, Appellee, and	Thomas C. Boone Ronald S. Shalz	Sheridan
81,295	Donna Washburn, Appellant. Dale M. Cheney, Appellant, v. Gov. Bill Graves, et al., Appellees.	Dale M. Cheney, pro se Jon D. Graves	Reno
78,761	R.L. "Red" Davis and Earlene Davis, Appellants,	Gary R. Hathaway Kim R. Schroeder	Stevens
	Larry Harris and Marilyn Harris, Appellees.		
79,500	Victorina Almaraz, Appellant, v. Excel Corporation and Self-Insured, Appellee, and Workers Compensation Fund, Appellee.	C. Albert Herdoiza Shane Bangerter Mark K. McFarland	Work Comp

Clerk of the Appellate Courts

80,126	Altus Ray Kelly, Appellant,	Altus Ray Kelly, Jr., pro se Reno Attorney General
80,427	State of Kansas, Appellee. The State Corporation Commission of the State of Kansas, Appellee,	Timothy J. Chambers, C.A. Robert Edwards, pro se Shawnee Daniel J. Carroll
	v. Robert Edwards, d/b/a Red Bear Drilling, Appellant.	
81,479	In the Interest of Y.H., dob: 01/07/94, a Child Under Age 18.	Rene M. Netherton Shawnee District Attorney Mark Ward
		Carol G. Green

Doc. No. 023001

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of October 12 through October 25.

Date	Room	Time	Committee	Agenda
October 13 October 14	514-S 514-S	10:00 a.m. 9:00 a.m.	Health Care Reform Legislative Oversight Committee	Agenda not available.
October 13 October 14	519-S 531-N	10:00 a.m. 9:00 a.m.	Joint Committee on Arts and Cultural Resources	13th: Discussion of the September meetings; presentations by groups involved with the humanities; update on the Capitol Visitors' Center and Statehouse murals; update on budget issue by the Kansas Arts Commission;
				discussion of committee report. 14th: Continuation of committee discussion, if needed.
October 13	Horton WaKeeney	9:30 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Tour Norton: employee pay; community work programs; Greater Western Regional Juvenile Detention Center; Juvenile Community Planning Team.
October 13	526-S	10:00 a.m.	Task Force on Long-Term Care Services	Agenda not available.
October 14	123-S	10:30 a.m.	Legislative Coordinating Council	Legislative matters.
October 14 October 15	519-S 519-S	10:00 a.m. 9:00 a.m.	Legislative Educational Planning Committee	14th: a.m Round table discussions of post-secondary issues with David Murphy, Midwest Higher Education Commission. p.m Kay McClenney, Education Commission of the States. 15th: Other items to be announced.
October 14	526-S	9:30 a.m.	Special Committee on Local Government	Discussion on soft money, independent expenditures and constitutional issues associated with election campaigns in Kansas.
October 14	529-S	1:30 p.m.	Confirmation Oversight Committee	Agenda not available.
October 15	123-S	9:30 a.m.	Joint Committee on Pensions, Investments and Benefits	KP&F memberships for selected state employees; implementation of SB 11; employment trends for public sector employees.

Jeff Russell Director of Legislative Administrative Services

October 16	1st Floor Hearing Room, KCC	10:00 a.m.		Agenda not available.
October 19 October 20	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Assessment and Taxation	19th: Tax and registration laws re: watercraft and mopeds; bill draft re: sales tax on machinery and equipment; retail wheeling policy options discussion and possible decisions. 20th: Education Savings Account Task Force update; oil and gas taxation—short film and history.
October 19 October 20	522-S 522-S	10:00 a.m. 9:00 a.m.	Task Force on the Providers of Mental Health Services	19th: Briefing, public hearing and possible recommendations on educational requirements for BSRB licensees. 20th: Briefing, public hearing and possible recommendations on continuing education requirements for BSRB licensees and diagnosis of mental disorders; miscellaneous follow-up items.
October 19	526-S	9:00 a.m.	Special Committee on Rail Transportation	Agenda not available.
October 20	123-S	12:00 p.m.	Legislative Compensation Commission	Agenda not available.
October 20	514-S	9:00 a.m.	Joint Committee on Children's Issues	Agenda not available.
October 20	526-S	10:00 a.m.	Legislative Post Audit Committee	Legislative matters.
October 21 October 22	123-S 123-S	10:00 a.m. 9:00 a.m.	Special Committee on Financial Institutions/Insurance	21st: Continue hearings on financial regulatory agency reorganization. 22nd: Discussion and direction to staff on mandated insurance benefits; begin study of health benefits for school employees under state plan.
October 21 October 22	423-S 423-S	10:00 a.m. 9:00 a.m.	Special Committee on Information Management	Agenda not available.
October 21 October 22	514-S 514-S	10:00 a.m. 9:00 a.m.	Legislative Budget Committee	Agenda not available.
October 21 October 22 October 23	526-S 526-S Wichita	10:00 a.m. 9:00 a.m. 9:00 a.m.	Special Committee on Federal and State Affairs	21st: Hazardous materials. 22nd and 23rd: Bingo 23rd: Hearing in Wichita.
October 21 October 22	531-N 531-N	10:00 a.m. 9:00 a.m.	Special Committee on Judiciary	21st: Topic #6 - Family Care Including Parental Custody. 22nd: Topic #5 - Expungement of Records.

Department of Health and Environment

Notice Concerning Proposed Permit Action

The Kansas Department of Health and Environment received permit applications from Southeast Kansas Construction and Demolition Landfill, L.L.C to obtain permits for a construction/demolition (C/D) landfill, waste tire monofill and waste tire processing facility and for an open burn exemption in Crawford County. The facility would be located northeast of 255th St. and 635th Ave. approximately 1 mile southwest of Mulberry in the NE1/4, Section 11, Township 29S, Range 25E, and would encompass approximately 25 acres.

A public comment period was held from August 28 to September 28, 1998, to receive public comments on the permit applications and draft permits for the C/D landfill, waste tire monofill and waste tire processing facility. KDHE has addressed comments received during this comment period by modifying the permits, by obtaining additional submittals or information from the permit applicant, or by clarifying state regulations and procedures. KDHE has assembled all new information and comments and added them to the administrative record.

KDHE is providing notice of its intent to issue permits to Southeast Kansas Construction and Demolition Landfill, L.L.C. to construct and operate a C/D landfill, waste tire monofill and waste tire processor and to grant an open burn exemption for a six-month trial period to allow the burning of trees, brush and clean lumber. The draft permits prépared by KDHE and the permit applications incorporate changes made as a result of the first comment period.

A copy of the administrative record, which includes the draft permits and all information regarding the permit applications, comments received during the first comment period and responses to those comments, is available for public review until November 9 during normal business hours, 8 a.m. to 5 p.m. 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

An informational meeting and public hearing will be held in conjunction with the public comment period at 6:30 p.m. November 9 at the Memorial Auditorium, 503 N. Pine, Pittsburg. At the informational meeting, concerned individuals can ask KDHE personnel questions regarding the C/D landfill, waste tire monofill, waste tire processing facility and the open burn exemption in an

informal setting. At 7:30 p.m., a public hearing will be held to provide a format for individuals to make formal comments to be recorded by KDHE. KDHE will subsequently respond to all formal comments in writing.

All comments received during this public notice shall become a part of the permit record and shall be considered in making a final decision on the proposed permit actions and trial burn exemption. After consideration of all comments received, KDHE will make a final decision on whether to issue the burn exemption for a trial period and on the proposed permits. 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.

Anyone wishing to make additional comments on the modified draft permit information should submit written statements postmarked not later than November 9 to Phil Rosewicz (KDHE). Comments received during the previous public notice period have been placed in the public record and do not need to be resubmitted.

> Gary R. Mitchell Secretary of Health and Environment

Doc. No. 023007

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment has drafted a permit for the City of Greensburg's yard waste compost facility, located in Section 15, Township 28S, Range 18W, north of Ohio Street across from the Greensburg ball fields in Greensburg. KDHE is providing public notice of its intent to issue a yard waste composting facility permit to the City of Greensburg. The city recently made submittals that place this compost facility in compliance with state regulations for solid waste processing facilities. KDHE has drafted a permit to reflect these submittals.

A copy of the administrative record, which includes the draft permit and all information regarding this permit action, is available for public review until November 9 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: Ken Powell (785) 296-1121

City of Greensburg City Hall 239 S. Main St. Greensburg, 67054

Contact: Clay Smith, City Administrator/Clerk

(316) 723-2751

Anyone wishing to comment on the draft permit information should submit written statements postmarked not later than November 9 to Ken Powell (KDHE). After consideration of all comments received, the director of the Division of Environment will make a final decision on whether to issue the 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. 022986

State of Kansas

Department of Health and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Williams Energy Ventures has applied for a Class II operating permit in accordance with the provisions of K.A.R. 28-19-540. Emissions of volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) were evaluated during the permit review process. The purpose of a Class II permit is to limit the potential-to-emit for these pollutants to below major source thresholds.

Williams Energy Ventures, Tulsa, Oklahoma, owns and operates a petroleum bulk station and terminal located at

215 Oak, Augusta, Kansas.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE south central district office, 130 S. Market, sixth floor, Wichita. To obtain or review the proposed permit and supporting documentation, contact Rasha Allen, (785) 296-1693, at the KDHE central office, or David Butler, (316) 337-6020, at the KDHE south central district office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Rasha Allen, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision written, comments must be received by the close

of business November 9.

A person may request a public hearing be conducted on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business November 9 in order for the Secretary of Health and Environment to consider the request.

Gary R. Mitchell Secretary of Health and Environment State of Kansas

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Bureau of Air and Radiation, will conduct a public hearing at 9 a.m. Wednesday, December 9, in the KDHE main conference room, Building 283, Forbes Field, Topeka, to consider the proposed amendment of existing Kansas air quality regulation K.A.R. 28-19-201. This regulation establishes the definitions for two terms used in the Kansas air quality regulations: "volatile organic compound" and "hazardous air pollutants."

K.A.R. 28-19-201 was adopted as a new regulation effective October 10, 1997. The specific revision to be made is the incorporation of 20 compounds determined by the U.S. Environmental Protection Agency to be negligibly photoreactive into the list of compounds that are excluded from the definition of "volatile organic compounds" (VOCs). This definition is found in K.A.R. 28-19-201(b). These are the only changes proposed for this regulation. No additional economic impact upon the regulated community, the public or the agency is expected

from these proposed regulatory changes.

The time period between the publication of this notice and the scheduled hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to the hearing to Ralph J. Kieffer, Kansas Department of Health and Environment, Bureau of Air and Radiation, 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 hearing, as well as to submit their written comments at that time. In order to give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

Copies of the proposed amendments and the economic impact and environmental benefit statements may be obtained by contacting Ralph J. Kieffer at (785) 296-6428. Questions pertaining to these proposed amendments should be directed to Ralph J. Kieffer or to Chuck Lay-

man, (785) 296-1579.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed amendments 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 Rob Bradford, (785) 296-1587.

Gary R. Mitchell Secretary of Health and Environment

Doc. No. 022992

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-98-124/128

Name and Address of Applicant City of Augusta

6th and School St. Augusta, KS 67010-1297 Waterway

Walnut River via Whitewater River via unnamed tributary

Type of Discharge

Treated domestic wastewater

Kansas Permit No. M-WA03-OO01 Federal Permit No. KS0049735

Legal: SW1/4, S27, T27S, R4E, Butler County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit contains a schedule of compliance requiring the facility to disinfect the effluent. 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 City of Garnett 131 W. 5th P.O. Box H Garnett, KS 66032

Waterway

Pottawatomie Creek via unnamed wastewater

Discharge Treated domestic

tributary

Facility name: Garnett North MWWTF

Kansas Permit No. M-MC13-IO01

Federal Permit No. KS-0024830

Type of

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit contains a schedule of compliance requiring the facility to disinfect the effluent. 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 City of Garnett P.O. Box H 131 W. 5th Garnett, KS 66032

Waterway South fork Pottawatomie

Type of Discharge Treated domestic wastewater

Creek

Facility name: Garnett South MWWTF

Federal Permit No. KSOO24848 Kansas Permit No. M-MC13-OO02

Legal: SE1/4, S30, T20S, R20E, Anderson County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit contains a schedule of compliance requiring the facility to disinfect the effluent. 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 City of Humboldt 701 Bridge St. Humboldt, KS 66748

Waterway Neosho River

Type of y 16,1 Discharge Treated domestic

wastewater

Kansas Permit No. M-NE36-OO01 Legal: NW1/4, S9, T26S, R18E, Allen County

Federal Permit No. KS0022632

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit contains a schedule of compliance requiring the facility to disinfect the effluent. 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 City of Oberlin 107 W. Commercial

Waterway Sappa Creek Type of Discharge Treated domestic

Oberlin KS 67749

Kansas Permit No. M-UR17-OO01

Federal Permit No. KS0022501

Legal: SE¼, S1, T3S, R29W, Decatur County

Facility Description: The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit contains a schedule of compliance to upgrade or replace the earthen sludge storage lagoon. 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.

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 postmarked or received on or before November 7 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-98-124/128) 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 En-

vironment.

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

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Bureau of Air and Radiation, will conduct a public hearing at 2 p.m. Wednesday, December 9, in the KDHE main conference room, Building 283, Forbes Field, Topeka, to consider the proposed revocation of existing Kansas air quality regulations K.A.R. 28-19-50 and 28-19-52, and the proposed adoption of new Kansas air quality regulation K.A.R. 28-19-650. This new regulation establishes the limits on the opacity of certain emissions of air pollutants within the state, replacing the two existing regulations being revoked.

K.A.R. 28-19-50 is the existing general opacity regulation and is being proposed for revocation to allow for the continuation of the planned renumbering of the regulations and to combine the provisions with those of K.A.R. 28-19-52 into new K.A.R. 28-19-650. No additional economic impact upon the regulated community, the public or the agency is expected from these proposed regulatory

changes.

K.A.R. 28-19-52 is the existing regulation that defines exceptions to the general opacity requirements of K.A.R. 28-19-50 and is being proposed for revocation to allow for the continuation of the planned renumbering of the Kansas air quality regulations and to combine the provisions with those of K.A.R. 28-19-50 into new K.A.R. 28-19-650. No additional economic impact upon the regulated community, the public or the agency is expected

from these proposed regulatory changes.

K.A.R. 28-19-650 is a proposed new opacity regulation that combines the terms of existing 28-19-50 and 28-19-52 into one regulation. This also permits the continuation of the renumbering process for the air quality regulations. Finally, the new regulation incorporates special provisions for Wyandotte County. These provisions are identical to the existing local rules enacted by the Wyandotte County government and establish these as state-enforceable regulations in accordance with concerns expressed by the U.S. Environmental Protection Agency about whether the Wyandotte County rules may be enforced by the state under the existing structure for Kansas regulations and local agency agreements, and therefore whether the state meets the regulatory requirements under the federal Clean Air Act.

The time period between the publication of this notice and the scheduled hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to the hearing to Ralph J. Kieffer, Kansas Department of Health and Environment, Bureau of Air and Radiation, 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, as well as to submit their written comments at that time. In order to give all parties an opportunity to present

their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

Copies of the proposed amendments and the economic impact and environmental benefit statements may be obtained by contacting Ralph J. Kieffer at (785) 296-6428. Questions pertaining to these proposed amendments should be directed to Ralph J. Kieffer or to Chuck Layman, (785) 296-1579.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed amendments and the economic impact and enironmental benefit statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Rob Bradford, (785) 296-1587.

Gary R. Mitchell Secretary of Health and Environment

Doc. No. 022990

State of Kansas

State Corporation Commission

Notice of Hearing

The State Corporation Commission has directed that an investigation be instituted and a hearing conducted to determine amendments to the basic proration orders that would allow the commission to either curtail or shut in wells in the following gas fields that are overproduced beyond the tolerances set out in each of the orders, based on the particular circumstances of each well:

- Hugoton gas field in Finney, Grant, Gray, Hamilton, Haskell, Kearny, Morton, Seward, Stanton, Stevens and Wichita counties (amendment to paragraph P)
- Panoma-Council Grove gas field in Finney, Grant, Hamilton, Haskell, Kearny, Morton, Seward, Stanton, Stevens and Wichita counties (amendment to paragraph 16)
- Greenwood gas field in Morton County (amendment to paragraph (n))

The hearing will be at 10 a.m. Thursday, December 10, in Room 2078, Finney State Office Building, 130 S. Market, Wichita. Anyone needing special accommodations under the Americans With Disabilities Act should give notice to the commission at least 10 days prior to the scheduled hearing date. Persons wishing to testify at the hearing should prefile their testimony (an original and five copies) by November 20 at the address below.

Further information may be obtained by contacting John McCannon or William J. Wix, Assistant General Counsel, State Corporation Commission, Conservation Division, Finney State Office Building, Room 2078, 130 S.

Market, Wichita, 67202, (316) 337-6200.

David J. Heinemann Executive Director

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Division of Environment, Bureau of Air and Radiation, will conduct a public hearing at 10:30 a.m. Wednesday, December 9, in the KDHE main conference room, Building 283, Forbes Field, Topeka, to consider the adoption of proposed amendments to existing air quality regulations K.A.R. 28-19-720, 28-19-735 and 28-19-750. K.A.R. 28-19-720 establishes the state's air emissions standards for criteria pollutants, implementing the federally-required new source performance standards in Kansas. K.A.R. 28-19-735 establishes the Kansas standards for hazardous air pollutants, as set by the federal requirements in 40 C.F.R. Part 61. K.A.R. 28-19-750 establishes the standards for hazardous air pollutants from specific categories of sources, as set in the federal requirements of 40 C.F.R. Part 63. A summary of the proposed amendments fol-

K.A.R. 28-19-720 adopted the federal new source performance standards (NSPS) of 40 C.F.R. Part 60, establishing the standards as state-enforceable provisions. K.A.R. 28-19-735 adopted the federal National Emission Standards for Hazardous Air Pollutants (NESHAP) of 40 C.F.R. Part 61, establishing these standards as state-enforceable provisions. K.A.R. 28-19-750 adopted the federal emission standards for hazardous air pollutants for categories of sources (referred to as the maximum achievable control technology or "MACT" standards) of 40 C.F.R. Part 63, establishing these standards as state-enforceable provisions.

The three state regulations became effective January 23, 1995, and were amended effective June 6, 1997, to update the federal regulations adopted in the state regulations to July 1, 1996. To keep the regulations current, the proposed amendment changes the date of adoption by reference for the federal regulations to July 1, 1998. Sources of these air pollutants that are located in Kansas are already subject to these provisions, when applicable. The state adoption does not change the substantive requirements to which these sources are subject. No additional economic impact is expected upon the regulated community, the public or the agency from these amendments.

The time period between the publication of this notice and the scheduled hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed regulatory action. All interested parties may submit written comments prior to the hearing to Ralph J. Kieffer, Kansas Department of Health and Environment, Bureau of Air and Radiation, 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. In order to give all parties an opportunity to present their views, it may be necessary to require each participant to limit any oral presentation to five minutes.

Copies of the proposed amendments and the economic impact and environment benefit statements may be ob-

tained by contacting Ralph J. Kieffer at (785) 296-6428. Questions pertaining to these proposed amendments should be directed to Ralph J. Kieffer or to Chuck Layman, (785) 296-1579.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed amendments 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 Rob Bradford, (785) 296-1587.

Gary R. Mitchell Secretary of Health and Environment

Doc. No. 022991

State of Kansas

State Corporation Commission

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10:30 a.m. Wednesday, January 6, in the State Corporation Commission offices, 1500 S.W. Arrowhead Road, Topeka, to consider the adoption of proposed permanent regulations for the conservation of crude oil and natural gas.

The 60-day notice period from the date of this publication to the date of the public hearing constitutes a public comment period for the purpose of receiving written public comments on the proposed rules and regulations. Comments may be submitted to John McCannon or William J. Wix, Assistant General Counsel, State Corporation Commission, Finney State Office Building, Room 2078, 130 S. Market, Wichita, 67202.

Any person requiring special accommodations under the Americans With Disabilities Act needs to give notice to the commission at least 10 days prior to the scheduled hearing date.

Copies of the proposed regulations and the economic impact statements may be obtained at the Wichita address above. Persons requesting a copy of the proposed regulations and economic impact statements, in accordance with K.S.A. 45-129, will be required to compensate the commission for the cost of reproduction.

All interested parties will be given a reasonable opportunity at the hearing to present their views orally or in writing in regard to the adoption of the proposed regulations. All written and oral comments submitted by interested parties on or before January 6 will be considered by the commission as a basis for making changes to these proposed permanent regulations.

The following is a brief summary of the proposed regulations and economic impact statements.

K.A.R. 82-3-101. A definition of "simultaneous injection well" was added. Minor wording changes were made to other definitions for clarification.

Economic Impact Statement: Amendments to this regulation will have no economic impact on either the agency or the industry.

K.A.R. 82-3-401b. This new regulation requires that "simultaneous injection wells" be permitted by the commission. The regulation sets out the conditions that must be satisfied before a simultaneous injection well can be permitted, establishes the method of mechanical integrity testing, and provides a \$1,000 administrative penalty for noncompliance with this regulation.

Economic Impact Statement: This regulation will have no economic impact on either the agency or the industry. Simultaneous injection wells are currently being permitted by the commission; the regulation simply clarifies the

permitting process.

K.A.R. 82-3-408. Amendments to this regulation would allow commission staff to require a former operator of an injection or disposal well to file all annual injection monitoring reports prior to approving a transfer of injection authority. Administrative penalties for failure to file for a transfer of injection authority are increased from \$100 to \$1,000 for the first violation, \$2,000 for the second violation and \$3,000 plus license review for the third violation.

Economic Impact Statement: The economic impact caused by the amendments to this regulation is the increase in the administrative penalties for noncompliance. Injection and disposal well operators who do not file transfer of operator forms will be subject to substantially

higher penalties.

K.A.R. 82-3-900. This regulation requires that any operator seeking an exemption from the severance tax provisions pursuant to K.S.A. 79-4217 must submit an application to the director of the Conservation Division. The director or his designee will determine whether the production enhancement project qualifies for exemption. An adverse decision by the director may be appealed to the full commission pursuant to the Kansas Administrative Procedures Act.

Certification shall be forwarded to the operator for submission to the Department of Revenue. All records submitted to support an application for exemption will be retained by the commission for at least four years and will be subject to the confidentiality provisions of K.A.R. 82-3-107(e), but shall be open at all times to the Department of Revenue.

Willful filing of false or fraudulent documents with the Conservation Division in order to obtain an exemption shall constitute a simultaneous false filing with the Department of Revenue under K.S.A. 79-4225.

K.A.R. 82-3-901. Sets out how "base production" as defined in K.S.A. 79-4217(b)(6)(A)(2) will be determined.

K.A.R. 82-3-902. Relief from severance tax shall only be available to wells that have been in existence at least 12 months in order for an accurate decline curve to be calculated. However, if the increase in production is the result of a secondary recovery project or a new discovery from the use of new technology, base production shall be zero.

K.A.R. 82-3-903. As part of the certification process, the operator shall certify that the history file of each well substantiates that the "work-over," as defined in K.S.A. 79-4217, was more than routine maintenance, routine repair or a like-for-like replacement of equipment. The commission reserves the right to review this documentation.

K.A.R. 82-3-904. Wells cannot qualify for both a new pool and production enhancement project severance tax exemption. The operator must elect which exemption is being claimed. Wells that already qualify for new pool exemption that undergo a production enhancement project can qualify for the seven-year production enhancement project exemption beginning on the date of first sale after the completion of the project.

K.A.R. 82-3-905. New technology includes three-dimensional seismic studies and other technology that may

be certified by the commission's technical staff.

K.A.R. 82-3-906. For secondary recovery projects, the base production and production decline calculation required by K.A.R. 82-3-901 shall be based on either the aggregate production of all the producing wells within the boundaries of the secondary recovery project if unitized or total production from the enhanced recovery project.

K.A.R. 82-3-907. When a production enhancement project is performed on a multiple well lease producing into a common battery or meter, the operator must make a separate filing for each well. A production test shall be performed on each well before the project and immediately following the project in order to allocate total lease production to the individual wells for the purpose of establishing base production and production decline.

K.A.R. 82-3-908. "Start-up date" is defined as the date of first sale following the production enhancement pro-

cedure.

Economic Impact Statement: The proposed regulations will increase costs to the agency. Agency staff will need to process, verify and certify the severance tax exemption applications. These applications will be technical and will require an engineer to verify and certify the information contained in the applications. The agency has budgeted for an Engineering Associate II and an Office Assistant III to staff this program. Total cost to the agency for these new positions is \$80,286.

The Department of Revenue has stated that it is difficult to estimate the fiscal impact of the enhancement project exemption. Its estimate is that state and local revenues would be reduced by at least \$1.3 million in fiscal year 1999 and \$3.3 million in fiscal year 2000. The amount of decrease to the state general fund in fiscal year 1999 would be \$1.2 million (\$1.3 million × 93%), and the amount to the county mineral tax production fund would be \$1 million. The fiscal year 2000 state general fund impact is estimated to be \$3.1 million, and the amount to the county mineral tax production fund would be \$2 million.

Operators would gain the same amount of revenue that was lost by the state and local government units. The operators would have the cost of the enhancement project and any costs associated with preparing the severance tax exemption application.

David J. Heinemann Executive Director

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. October 21 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. 14-48 K-6380-01 Project No. 17-48 K-7338-01 Kingman County

The scope of services is to provide for the replacement of Chikaskia River Bridge (030) and Drainage Bridge (031), 6.8 km and 7.2 km north of the Harper-Kingman county line, and the Smoots Creek Bridge (042), 0.8 km north of US-54 in Kingman County. Project No. 14-48 K-6380-01 is scheduled for letting in fiscal year 2001, and the estimated construction cost is \$3,583,000. Project No. 17-48 K-7338-01 is scheduled for plan completion in fiscal year 2002, and the construction estimate is \$626,000.

Project No. 27-94 K-7341-01 Stanton County

The scope of services is to provide for the rehabilitation of K-27 from the Morton-Stanton county line, north 19.5 km to US-160. The rehabilitation shall include widening of the Dry Lake Drainage Bridge (004) and the Sandy Arroyo Creek Drainage Bridge (005) and the replacement of the Sandy Arroyo Creek Bridge (006). The project is scheduled for plan completion in fiscal year 2003, and the construction estimate is \$8,871,000.

Project No. 16-43 K-6381-01 Jackson County

The scope of services is to provide for the replacement of the Soldier Creek Bridge (009), 1.0 km (0.6 miles) east of K-62 in Jackson County. The survey

will be provided by KDOT. The project is scheduled, for letting in fiscal year 2001, and the estimated construction cost is \$1,330,000.

Project No. 23-32 K-7346-01 Project No. 23-90 K-7333-01 Gove and Sheridan Counties

The scope of services is to provide for the replacement of the Saline River Bridge (014), 3.1 km north of the Gove-Sheridan county line, and the replacement of the Hackberry Creek Bridge (025) and the Hackberry Creek Drainage (026), 28.2 km and 28.6 km north of the Lane-Gove county line. Project No. 23-90 K-7333-01 is scheduled for plan completion in fiscal year 2002, and the construction estimate is \$1,284,000. Project No. 23-32 K-7346-01 is scheduled for plan completion in fiscal year 2003, and the construction estimate is \$1,426,000.

Project No. 15-21 K-7344-01 Project No. 197-21 K-7342-01 Dickinson County

The scope of services is to provide for the replacement of the Mud Creek Drainage Bridge (058), 4.1 km north of I-70 on K-15, and for the replacement of the Chapman Creek Drainage Bridge (074), 1.7 km west of K-15 on K-197 in Dickinson County. Project No. 15-21 K-7344-01 is scheduled for plan completion in fiscal year 2003 and the construction estimate is \$646,000. Project No. 197-21 K-7342-01 is scheduled for plan completion in fiscal year 2003, and the construction estimate is \$666,000.

The scope of services includes providing for the discovery phase on the following project. 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. 77-8 K-6384-01 Project No. 77-8 K-7347-01 Butler County

The scope of services is to provide for the reconstruction of US-77 from the north city limits of El Dorado, north 27.2 km to the Butler-Chase county line. The project is scheduled for letting in fiscal year 2004, and the estimated construction cost is \$24,895.

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

Size and professional qualifications;

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

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 Bureau of Construction and Maintenance, KDOT, Topeka, or at the Wichita Airport Hilton, Wichita, until 2 p.m. October 21 and then publicly opened:

District One—Northeast

Leavenworth—53 C-2464-01—County road 3 miles (4.8 kilometers) east and 2 miles (3.2 kilometers) north of Tonganoxie, then east 0.17 mile (0.28 kilometer), grading and bridge. (Federal funds)

Brown—7 C-3341-01—County road 1 mile (1.6 kilometers) east and 3.2 miles (5.1 kilometers) north of Morrill, grading and bridge. (Federal funds)

Nemaha—66 C-3346-01—County road 1.7 miles (2.8 kilometers) west and 3 miles (4.8 kilometers) north of Seneca, 0.19 mile (0.3 kilometer), grading, bridge and surfacing. (Federal funds)

Osage—70 C-3453-01—County road 1.5 miles (2.4 kilometers) north and 3.7 miles (6 kilometers) east of Melvern, 0.15 mile (0.24 kilometer), grading and bridge. (Federal funds)

Johnson—35-46 K-7330-01—southbound I-35 exit ramp (Exit 215) to US-169, 0.03 mile (0.05 kilometer), grading and surfacing. (State funds)

Johnson—46 C-3500-01—Mission Road 0.7 mile (1.1 kilometers) south of 159th Street, 0.12 mile (0.19 (kilometer), grading, bridge and surfacing. (Federal funds)

District Two—Northcentral

Washington—101 C-3190-01—County road 6.0 miles (9.7 kilometers) north and 1.4 miles (2.3 kilometers) east of Clifton, 0.2 mile (0.3 kilometer), grading and bridge. (Federal funds)

Ottawa—72 C-3399-01—County road 0.8 mile (1.3 kilometers) north of Minneapolis, 0.15 mile (0.24 kilometer), grading, bridge and surfacing. (Federal funds)

Mitchell—24-62 K-6977-01—U.S. 24 from the Osborne-Mitchell county line east to 2 miles (3.1 kilometers) east of the junction of K-128, 10.2 miles (16.4 kilometers), overlay. (State funds)

Jewell-Republic—106 K-7239-01—K-112 from the junction of U.S. 36 north to the south city limits of Esbon; U.S. 36 from the Smith-Jewell county line east to the Jewell-Republic county line; U.S. 36 from the Jewell-Republic county line east to 1.1 miles (1.8 kilometers) east of the junction of U.S. 81; K-199 from the north city limits of Courtland north to the junction of U.S. 36, 50.7 miles (81.6 kilometers), overlay. (State funds)

Jewell-Mitchell—106 K-7242-01—K-128 from the Mitchell-Jewell county line north to the west junction of U.S. 36; K-228 from the junction of K-128 east to Ionia; K-128 from the junction of U.S. 24 north to the Mitchell-Jewell county line, 19.4 miles (31.2 kilometers), sealing. (State funds)

Cloud-Jewell—106 K-7234-01—K-9 from the junction of K-28 east to the west city limits of Concordia; K-28 from

the Jewell-Cloud county line east to the junction of K-9; K-28 from the junction of K-148 south and east to the Jewell-Cloud county dine, 24.6 miles (39.6 kilometers), overlay. (State funds)

Ellsworth-Rice—106 K-7235-01—K-14 from the K-4 junction north to the Rice-Ellsworth county line; K-14 from the Rice-Ellsworth county line north to the south city limits of Ellsworth; K-156 from the junction of K-140 northeast to I-70, 26.1 miles (42 kilometers), overlay. (State funds)

Ellsworth—156-27 M-1891-01—K-156 KDOT mixing strip 1 mile (1.6 kilometers) south of Ellsworth, stockpile bituminous material. (State funds)

Ellsworth—14-27 M-1892-01—K-14 KDOT mixing strip north of I-70, stockpile bituminous material. (State funds)

District Three—Northwest

Phillips—C-3566-01—County road 2.0 miles (3.2 kilometers) west of Phillipsburg, 0.06 mile (0.1 kilometer), grading and surfacing. (Federal funds)

Rawlins—25-77 K-2846-01—K-25 from the Thomas-Rawlins county line north to the south city limits of Atwood, 15.9 miles (25.6 kilometers), recycle and overlay, (State funds)

Decatur—36-20 K-7000-01—U.S. 36 from the Rawlins-Decatur county line east to the east city limits of Oberlin, 11.7 miles (18.8 kilometers), overlay. (State funds)

Wallace—40-100 K-7003-01—U.S. 40 from the Colorado-Kansas state line east to 0.3 mile (0.5 kilometer) west of the west junction of K-27, 16.1 miles (26 kilometers) overlay. (State funds)

Decatur—83-20 K-7008-01—U.S. 83 1 mile (1.6 kilometers) north of the junction of County Route 180 north to the south city limits of Oberlin, 8 miles (13 kilometers), overlay. (State funds)

Norton—36-69 K-7189-01—U.S. 36 from the west junction of K-383 east to the west city limits of Norton, 0.2 mile (0.32 kilometers), slurry seal. (State funds)

Gove—32 K-7245-01—K-23 from the Logan-Gove county line north to the Gove-Sheridan county line; K-23A from the I-70 interchange north to the junction of K-23, 32.8 miles (52.7 kilometers), recycle and overlay. (State funds)

Sheridan—90 K-7247-01—U.S. 83 from the Thomas-Sheridan county line northeast to the junction of K-383; K-383 from the junction of U.S. 83 northeast to the Sheridan-Decatur county line, 12.6 miles (20,3 kilometers), overlay. (State funds)

Decatur-Sheridan—83-106 K-7248-01—U.S. 83 from the Sheridan-Decatur county line north 8.8 miles (14.4 kilometers); U.S. 83 from the junction of K-383 north to the Sheridan-Decatur county line, 9.6 miles (15.5 kilometers), sealing. (State funds)

District Four—Southeast

Bourbon—6 C-3222-01—County road 2.8 miles (4.5 kilometers) south and 1.5 miles (2.4 kilometers) east of Redfield, 0.2 mile (0.3 kilometer), grading, bridge and surfacing. (Federal funds)

Labette—50 C-3478-01—County road 5.3 miles (8.5 kilometers) west and 4.5 miles (7.2 kilometers) north of the junction of U.S. 59 and U.S. 166, 0.2 mile (0.32 kilometer), grading and bridge. (Federal funds)

Neosho—39-67 K-7197-01—K-39 Bridge 057 Canville Creek, 1.6 miles (2.5 kilometers) east of the east junction of U.S. 59, bridge repair. (State funds)

District Five—Southcentral

Barber—4 C-3004-01—County road 10.2 miles (16.4 kilometers) north and 5.2 miles (8.4 kilometers) west of Medicine Lodge, 0.3 mile (0.5 kilometer), grading and bridge. (Federal funds)

Cowley—18 C-3451-01—County road 4.2 miles (6.8 kilometers) east of Akron over Dutch Creek, 0.2 mile (0.32 kilometer), grading and bridge. (State funds)

Harvey—135-40 K-5089-01—I-135 from the Sedgwick-Harvey county line north to 0.3 mile (0.5 kilometer) south of the south junction of K-15, 7.4 miles (11.9 kilometers), pavement reconstruction. (Federal funds)

Harper—179-39 K-5542-01—K-179 Bridge 048, Bluff Creek and Bridge 049, Spring Creek, bridge repair. (State funds)

Comanche—17 K-7254-01— K-1 from the Oklahoma-Kansas state line north to the junction of U.S. 160; U.S. 160 from the Clark-Comanche county line east to the junction of K-1; U.S. 160 from the junction of K-1 north to the railroad tracks in Coldwater, 30.4 miles (49 kilometers), overlay. (State funds)

Barton—5 K-7257-01—K-4 from the east junction of U.S. 281 east to east of Elm Street at Hoisington; U.S. 281 from the east junction of K-4 northwest to the west junction of K-4, 4.8 miles (7.7 kilometers), overlay. (State funds)

Barton-Rice—106 K-7258-01—K-4 from the junction of K-156 east to the Barton-Rice county line; K-4 from the Barton-Rice county line east to the junction of K-14; K-171 from the north city limits of Bushton north to the junction of K-4, 16.8 miles (27.1 kilometers), overlay. (State funds)

Edwards-Pawnee—56-106 K-7262-01—U.S. 56 from the south city limits of Kinsley northeast to the Edwards-Pawnee county line; U.S. 56 from the Edwards-Pawnee county line east to Big Coon Creek bridge, 13.7 miles (22 kilometers), overlay. (State funds)

Pawnee—73 K-7263-01—K-156 from the Hodgeman-Pawnee county line east to the west city limits of Larned; U.S. 183 from the junction of K-156 north to the Pawnee-Rush county line; K-264 from St. Hospital north to the junction of K-156, 37.2 miles (59.9 kilometers), overlay. (State funds)

Barton—4-5 M-1889-01—K-4 KDOT mixing strip 5 miles (8 kilometers) west of U.S. 281, stockpile bituminous material. (State funds)

Rice—4-80 M-1890-01—KDOT mixing strip 2.5 miles (4 kilometers) west of K-14, stockpile bituminous material. (State funds)

District Six—Southwest

Wichita—25-102 K-7076-01—K-25 from the junction of K-96 north to the Wichita-Logan county line, 15.2 miles (24.4 kilometers), overlay. (State funds)

Hamilton—50-38 K-7077-01—U.S. 50 from the Colorado-Kansas state line east to the west city limits of Syracuse, 16.1 miles (25.9 kilometers), overlay. (State funds)

Morton—56-65 K-7083-01—U.S.56 from the Oklahoma-Kansas state line northeast to 4.9 miles (7.9 kilometers) east of County Route 1488, 14.1 miles (22.7 kilometers), slurry seal. (State funds)

Haskell—83-41 K-7087-01—U.S. 83 from the Seward-Haskell county line north to the junction of U.S. 160/K-144, 12 miles (19.4 kilometers), slurry seal. (State funds)

Finney—83-28 K-7088-01—U.S. 83 2.9 miles (4.7 kilometers) north of County Route 247 north to 0.6 mile (1 kilometer) south of U.S. 83B, 5.3 miles (8.6 kilometers), overlay. (State funds)

Scott—95-86 K-7089-01—K-95 from the south junction of U.S. 83 north and east to the north junction of U.S. 83, 6.6 miles (10.6 kilometers), overlay. (State funds)

Greeley—96-36 K-7090-01—K-96 from the Colorado-Kansas state line east to the junction of K-27, 15.9 miles (25.6 kilometers), overlay. (State funds)

Scott—96-86 K-7091-01—K-96 from the east city limits of Scott City east to the Scott-Lane county line, 11.5 miles (18.5 kilometers), slurry seal. (State funds)

Seward—83-88 K-7321-01—U.S. 83 0.9 mile (1.4 kilometers) north of the K-51 junction northeast to the south U.S. 160 junction, 7.7 miles (12.4 kilometers), overlay. (State funds)

Hamilton—27-38 M-1893-01—K-27 KDOT mixing strip 1 mile (1.6 kilometers) north of the junction of U.S. 50, stockpile bituminous material. (State funds)

Greeley—96-36 M-1894-01—K-96 KDOT mixing strip 1 mile (1.6 kilometers) west of K-27, stockpile bituminous material. (State funds)

Finney—156-28 M-1895-01—K-157 KDOT mixing strip 1 mile (1.6 kilometers) northeast of the junction of U.S. 50, stockpile bituminous material. (State funds)

Stevens—56-95 M-1896-01—U.S. 56 KDOT mixing strip 1 mile (1.6 kilometers) west of Hugoton, stockpile bituminous material. (State funds)

Wichita—25-102 M-1906-01—K-25 KDOT mixing strip 2 miles (3.2 kilometers) south of Leoti, stockpile bituminous material. (State funds)

Stevens-Seward—106 K-7266-01—K-51 from the Stevens-Seward county line east to the junction of U.S. 83; U.S. 56 from the east junction of K-51 northeast to the west city limits of Moscow; K-51 from the west city limits of Hugoton east to the Stevens-Seward county line, 37.2 miles (59.8 kilometers), overlay. (State funds)

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

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

Plans and specifications for the 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. 022953

(Published in the Kansas Register October 8, 1998.)

Summary Notice of Bond Sale \$3,110,000 City of El Dorado, Kansas General Obligation Bonds

(General obligation bonds payable from unlimited ad valorem taxes)

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated September 21, 1998, of the City of El Dorado, Kansas, in connection with the city's General Obligation Bonds, Series A, 1998, hereinafter described, sealed, written bids shall be received at the office of the city clerk at City Hall, 220 E. First, El Dorado, Kansas, until 7 p.m. Monday, October 19, 1998, for the purchase of the bonds. All bids shall be publicly opened, read aloud and tabulated on said date and at said time and shall immediately thereafter be presented to the governing body of the city, which will determine the best bid and award the bonds.

No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city or the city's financial advisor. Bids may be submitted by mail or delivered in person, and must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the city, or in the form of a financial surety bond payable to the order of the city and meeting requirements therefor as set forth in the official notice of bond sale, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$3,110,000. The bonds shall be issued as fully registered bonds in the denomination of \$5,000 or any integral multiple thereof not exceeding the principal amount of bonds maturing on the respective principal payment dates. The bonds shall have a dated date of November 1, 1998, and shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds.

Interest on the bonds shall be payable semiannually on May 1 and November 1 in each year, commencing May 1, 1999, and the bonds shall mature serially on November 1 in each of the years and principal amounts as follows:

Principal Amount	Year of Maturity
\$220,000	1999
320,000	2000
320,000	2001
320,000	2002
320,000	2003
320,000	2004
320,000	2005
320,000	2006
325,000	2007
325,000	2008

Redemption of the Bonds

Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The city is obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon. (Reference is made to the official notice of bond sale for a complete discussion of security for the bonds.)

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or before Tuesday, November 17, 1998. (Reference is made to the official notice of bond sale for full details regarding delivery of the bonds.)

Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, L.L.C., Wichita, Kansas, bond counsel, whose fees and expenses will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered

to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Official Statement

The city has prepared a preliminary official statement relating to the bonds, copies of which may be obtained from the city or the city's financial advisor. The preliminary official statement is in a form "deemed final" by the city for the purpose of the Securities and Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered by the successful bidder at its expense.

Continuing Disclosure

The city will adopt a resolution establishing an undertaking to provide ongoing disclosure concerning the city and other "obligated persons" in connection with and for the benefit of owners of the bonds, pursuant to Section (b)(5)(i) of Securities and Exchange Commission Rule 15c2-12. A copy of such resolution is included as an appendix to the official statement. A certified copy of the resolution will be included in the transcript of proceedings delivered to the successful bidder subsequent to delivery of the bonds.

Financial Matters

The city's equalized assessed tangible valuation is \$56,307,127. On November 1, 1998, the city's outstanding bonded indebtedness, including the bonds described herein and temporary notes outstanding upon issuance of such bonds, will be \$12,459,750. This amount does not include outstanding temporary notes in the amount of \$2,976,800, which will be paid and redeemed upon issuance of the bonds.

Additional Information

For additional information regarding the city, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the undersigned or from the city's financial advisor, Charles M. Boully, Senior Vice President, Public Finance, George K. Baum & Company, 100 N. Main, Suite 810, Wichita, KS 67202, (316) 264-9351.

Dee Anne Grunder, City Clerk City Hall 220 E. First, P.O. Box 792 El Dorado, KS 67042 (316) 321-9100

Doc. No. 022988

(Published in the Kansas Register, October 8, 1998.)

Summary Notice of Bond Sale City of Altamont Labette County, Kansas \$175,000 General Obligation Bonds Series 1998

(General obligation bonds payable from unlimited ad valorem taxes)

Details of Sale

Subject to the terms and conditions of the official notice of bond sale dated as of September 14, 1998, and the preliminary official statement dated September 25, 1998, in connection with the bonds hereinafter described, sealed, written bids for the purchase of General Obligation Bonds, Series 1998, of the city shall be received by the governing body of the City of Altamont, Labette County, Kansas, at the office of the city clerk at City Hall, 407 Huston, Altamont, KS 67330, until 7:30 p.m. Tuesday, October 20, 1998, on which date and at which time all bids shall be presented to the governing body of the city at its regular meeting place at City Hall. All bids shall be publicly opened, read aloud, and considered on said date and at said time and shall be immediately thereafter acted upon by the governing body of the city.

The bonds to be sold are in the aggregate principal amount of \$175,000. No oral or auction bid for the bonds shall be considered, and no bid for less than the entire

amount of the bonds shall be considered.

Bids shall be accepted only on the official bid form that has been prepared for the public bidding on these bonds, which may be obtained from the city clerk. Bids may be submitted by mail or delivered in person and must be received at the place and not later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States, shall be made payable to the order of the city, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds shall be issued as fully registered bonds in the denomination of \$5,000, or any integral multiple thereof, not exceeding the principal amount of bonds maturing in any year. The bonds shall bear a dated date of November 1, 1998. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds.

Interest on the bonds shall be payable semiannually on March 1 and September 1 of each year, commencing March 1, 1999, and the bonds shall mature serially on September 1 in each of the years and principal amounts as follows:

Principal	Maturity
Amount	Date
\$15,000	09/01/1999
\$15,000	09/01/2000
\$15,000	09/01/2001
\$15,000	09/01/2002

\$15,000	09/01/2003
\$20,000	09/01/2004
\$20,000	09/01/2005
\$20,000	09/01/2006
\$20,000	09/01/2007
\$20,000	09/01/2008

Redemption

Certain of the bonds are subject to redemption as set forth in the official notice of bond sale.

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be payable upon surrender at the paying agent's principal offices in the City of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon shall constitute general obligations of the city, and the full faith, credit and resources of the city shall be pledged to the payment thereof. The city shall be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the city for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the city to the successful bidder, or at its direction, on or about November 16, 1998, at such bank or trust company in the State of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsewhere shall be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Bonwell, Foster, Borniger & Ellis, Wichita, Kansas, bond counsel, whose fees will be paid by the city. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Financial Matters

The equalized assessed valuation of the city for computation of bonded debt limitations for the year 1998 is \$3,539,891. The total general obligation indebtedness of the city as of the date of the bonds, including the bonds being sold, is \$315,000.

Official Statement

The city has prepared a preliminary official statement, dated as of September 25, 1998, relating to the bonds. The preliminary official statement is in a form "deemed final" by the city for the purpose of the Securities Exchange Commission Rule 15c2-12(b)(1), but is subject to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the city shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a

reasonable number may be ordered at the successful bidder's expense.

Continuing Disclosure

Securities and Exchange Commission Rule 15c2-12, as amended effective July 3, 1995, provides that brokers, dealers and municipal securities dealers must comply with certain requirements before acting as an underwriter in a primary offering of municipal securities with an aggregate principal amount of \$1,000,000 or more.

The bonds described herein will be offered in a primary offering with an aggregate principal amount of less than \$1,000,000. Accordingly, in the opinion of bond counsel, the offering and sale of the bonds described herein does not constitute an offering as defined by the rule, and the requirements of the rule do not apply to brokers, dealers and municipal securities dealers acting as underwriters in connection with the bonds described herein.

Additional Information

For additional information regarding the city, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and official bid form and the city's preliminary official statement for the bonds, all of which may be obtained from the city clerk, (316) 784-5612, or from the city's financial advisors, Cooper Malone McClain, 7701 E. Kellogg, Suite 700, Wichita, KS 67207, Attention: Brian Corrigan, (800) 657-5730 or (316) 685-5777.

City of Altamont Labette County, Kansas

Doc. No. 022979

State of Kansas

Kansas Insurance Department

Permanent Administrative Regulations

Article 2.—LIFE INSURANCE

40-2-25. Life insurance illustrations. The national association of insurance commissioners' "life insurance illustrations model regulation," January 1996 edition, is hereby adopted by reference, subject to the following alterations.

(a) Section 3(E) shall be inserted and shall read as follows:

"If a policy change requiring underwriting or a sales effort is made to a policy issued prior to the effective date of this regulation and that policy change involves use of a presentation or depiction that includes non-guaranteed elements of that policy of life insurance over a period of years, the scale used in the presentation or depiction shall not be greater than the currently payable scale for that block of business. If no presentation or depiction of non-guaranteed elements is used for such policy change, the producer or representative shall certify to that effect in writing on a form provided by the insurer. On the same form, the policyowner shall acknowledge that presentation or depiction was not used."

(b) The text of Section 10(A)(1)(g) shall be deleted, and the following new language shall be inserted in its place:

"The projected termination date of the policy, based on

guaranteed assumptions:

For fixed premium policies, this date is when the policy's net cash surrender value is such that it would not maintain the insurance in force, assuming guaranteed interest, mortality and expense loads, and continued scheduled premiums; or

For flexible premium policies, this date is when the policy's net cash surrender value is such that it would not maintain the insurance in force, assuming guaranteed interest, mortality and expense loads, and no further pre-

mium payments.'

(c) Section 10(A)(1)(h) shall be deleted. (Authorized by K.S.A. 40-103, 40-2401, et seq.; implementing K.S.A. 40-103, 40-2401, et seq.; effective Dec. 29, 1997; amended Oct. 23, 1998.)

Article 15b.—UNIVERSAL LIFE INSURANCE

40-15b-1. Universal life insurance; definitions; qualifications; requirements; reports. The national association of insurance commissioners' universal life insurance model regulation, 1996 edition, is hereby adopted by reference, subject to the following exceptions and additions:

(a) Section 1, Section 2, and Subsections (F) and (I) of

Section 3 are not adopted.

(b) Section 4 is hereby amended by striking "Section 25 of the NAIC Model Variable Life Insurance Regulation" and substituting "Kansas Administrative Regulation 40-15a-1."

(c) Section 4 is further amended by adding the following paragraph: "Nothing in this regulation shall be construed as superseding any statutory provision or any Kansas administrative regulation except to the extent this regulation or a provision of it is inconsistent with or con-

trary to another regulation."

(d) Section 7, Subsection F, second paragraph is not adopted and shall be replaced with the following: "As required by K.S.A. 40-420, a flexible premium policy shall provide for a grace period of at least 30 days after it lapses. Unless otherwise defined in the policy in a way that is more favorable to the insured, lapse shall occur on the date the net cash surrender value first equals zero."

(e) Section 10, Subsection A is hereby amended by de-

leting the last sentence of the first paragraph.

(f) Section 10, Subsection B, paragraph 3 is hereby amended by the addition of the following paragraph: "Each foreign insurer shall be subject to the same information requirements as domestic insurers unless the required descriptions are filed on a timely basis with the insurer's state of domicile."

(g) Section 10, Subsection B, paragraph 1 is not

adopted.

(h) Section 10, Subsection C is not adopted. (Authorized by K.S.A. 40-103, 40-436; implementing K.S.A. 40-436, 40-437; effective May 1, 1985; amended May 1, 1986; amended Oct. 23, 1998.)

Kathleen Sebelius Commissioner of Insurance

Doc. No. 022993

State of Kansas

State Historical Society

Permanent Administrative Regulations

Article 1.—KANSAS STATE HISTORICAL SOCIETY DEACCESSIONING ACT

118-1-1. Removal of property from the collection holdings of the state historical society. (a) Disposition of certain holdings in the state archives that is regulated by K.S.A. 75-3501 et seq., and K.S.A. 45-401 et seq., and amendments thereto, shall not be subject to these regulations.

(b) The disposition of unassociated funerary objects, sacred objects, and objects of cultural patrimony, as defined in 43 CFR Part 10, as amended on January 13, 1997,

shall not be subject to these regulations.

(c) Definitions.

(1) "Collection holdings or properties" means historical materials, including architectural drawings, artworks, artifacts, audiovisual materials, books, computer tapes or discs, governmental records, manuscripts, maps, newspapers, pamphlets, periodicals, photographs, and other tangible objects held for public use by the state historical society as the trustee of the state.

(2) "Deaccession" means to formally remove property from the state historical society collection holdings by fol-

lowing established professional procedures.

(3) "Deed of gift or accession record" means the legal document describing the property and transferring the title for that property to the state historical society.

(4) "Disposition" means the transfer or termination of title to and physical custody of property removed from

the state historical society collection holdings.

(5) "Documentation" means recorded information held by the society pertaining to the property, including its history, condition, changes in ownership or custody, use in research or education, and disposition.

(6) "Donation" means the surrender of physical possession and title to property for which no compensation,

monetary or otherwise, is received.

(7) "Historical material" means tangible property that has historical or scientific value or significance to re-

searchers or the general public.

- (8) "Professional procedures" means those procedures utilized by the state historical society staff based on professional training and experience that are considered ethical, legal, and responsible and that are generally accepted by other professionals in that field. (Authorized by and implementing K.S.A. 75-2701; effective Aug. 24, 1992; amended Oct. 23, 1998.)
- 118-1-2. Review committee. A committee shall review the property being considered for removal from the collection holdings of the society. This committee shall be known as the deaccession review committee.

(a) The deaccession review committee shall consist of the following professionals who are not society staff

members:

(1) One archivist;

(2) one historian;

(3) one archeologist;

- (4) one museum professional;
- (5) one librarian; and

(6) one genealogist.

(b) The deaccession review committee shall also include the executive director of the society and the assistant executive director of the society.

(1) The executive director of the society or the executive director's designee shall function as chairperson of

the deaccession review committee.

(2) The assistant executive director of the society shall

function as secretary to the committee.

(c) Each deaccession review committee member shall be appointed to a renewable two-year term. Appointments to the deaccession review committee shall be made by the executive director of the society.

(d) The deaccession review committee shall meet upon call of the chairperson. (Authorized by and implementing K.S.A. 75-2701; effective Aug. 24, 1992; amended Oct. 23,

1998.)

118-1-3. Types of property. Property to be considered for removal from the society's collection holdings shall be defined as follows.

(a) "Duplicate properties" means two or more tangible objects of the collection holdings that are identical or nearly identical in physical characteristics or informational content and that are deemed by established professional standards and institutional needs and programs to be of limited value or use due to that duplication.

- (b) "Property outside of the society's scope of collections" means any property that does not fall into subject areas for research, reference, and other educational purposes as outlined by K.S.A. 75-2701, K.S.A. 75-2702, K.S.A. 75-2703, K.S.A. 75-2704, and amendments thereto, and the mission statement adopted by the state historical society.
- (c) "Property with insufficient research, educational, or exhibit value" means property that meets either of the following criteria:

(1) Lacks sufficient background information to be of use; or

(2) (A) through accident, vandalism, natural disaster, or deterioration because of age, environment, or inherent vice, has become embrittled, discolored, or misshapen beyond being useful for research, reference, or other educational purposes;

(B) cannot be repaired or conserved through reasonable expenditures of time, materials, and money; and

(C) is considered to be damaged or deteriorated prop-

erty.

- (d) "Hazardous property" means property composed of or containing materials that by nature or through the process of deterioration present an environmental or health hazard to state historical society patrons, visitors, staff, volunteers, physical plant, or collection holdings. (Authorized by and implementing K.S.A. 75-2701; effective Aug. 24, 1992; amended Oct. 23, 1998.)
- 118-1-4. Procedures for removal of property from the society collection holdings. The manner of disposition of property from society collections holdings shall be in the best interests of the state historical society and the public that it serves and represents in owning the property. Property to be considered for removal from collection holdings shall undergo the following procedures.

(a) (1) Documentation relating to the property being considered for removal shall be assembled by the society staff member responsible for the property. This documentation may include deeds of gift or accession records, contracts, photographs, signed authorizations, correspondence, or advertisements.

(2) Clear title to the property shall be established by the staff member responsible for the property, subject to the provisions of K.S.A. 58-4001 through 58-4013, and amendments thereto. For manuscript materials and images of artworks, this may apply to the tangible property

rights only.

(3) Property for which the donor has taken a charitable donation tax deduction shall not be removed by the society from collection holdings except in accordance with federal tax law and regulations, unless the property presents a clear and present hazard to society staff, patrons, visitors, volunteers, collection holdings, or physical plant.

(4) In the course of normal processing of collections, duplicates and extraneous materials may be removed and shall be exempt from deaccessioning procedures.

(b) When property that has been donated by an individual is being considered for removal from the society's collection holdings within 20 years of the donation, reasonable effort shall be made to notify the donor or the donor's immediate family of this decision.

(1) A letter offering to return this property to the donor shall be sent to the last known address of the donor.

- (2) If the letter is returned and no forwarding address is available, and the identity and addresses of immediate family members, spouse or children are unknown to society staff, then deaccessioning of the property shall be undertaken by the society. If one or more family members are identified, the notification shall be sent to each of them.
- (c) If historical materials have been micrographically or electronically recorded and meet the following criteria, then the original materials shall be considered duplicate properties and may be considered for removal from the collection holdings.
- (1) The micrographic form shall have two copies: one security negative and one copy negative or positive. Electronically recorded copies shall be made according to established standards. The security negative may remain in the possession of an outside vendor who has performed the micrographic reproduction and retains the security negative.

(2) Before removal of the original historical materials from the collection holdings, a properly trained person shall inspect the micrographic copies to determine that they are satisfactory substitutes for the originals. This shall include refilming or appropriate treatment for redox

and other forms of deterioration.

(3) The security copies shall be periodically inspected for deterioration, and that deterioration shall be controlled.

- (d) The internal committees for collection review shall review the property being considered for removal from the collection holdings of that division. A list of property agreed upon for removal shall be forwarded to the society's assistant executive director.
- (e) The deaccession review committee shall review the property being recommended for removal from the col-

lection holdings. Duplicate properties shall be exempt from deaccession review committee review, but duplicate properties that are deaccessioned shall be disposed of in accordance with the procedures described in 118-1-4(f).

(1) A list of property, including appropriate documentation and rationalization for removal of the property from the collection holdings, being considered for removal from the society's collection holdings shall be provided by the society's assistant executive director to the deaccession review committee members. Public notice of the availability of that list for public review shall also be provided by the society's assistant executive director. The deaccession review committee shall also receive a mail ballot to be returned to the society's assistant executive director within 30 days of receipt. For each item on the list, there shall be two choices: deaccession review committee members may either authorize the item for deaccession or defer the item for discussion at a meeting of the deaccession review committee. A unanimous vote by mail ballot returned by the due date shall be required to authorize property for deaccession from the society's collection holdings

(2) If the mail ballot is not unanimous, a meeting of the deaccession review committee shall be called by the society's assistant executive director. Five members shall constitute a quorum. The deaccession review committee shall reach a two-thirds majority agreement of members present before property may be removed from the society's collection holdings. If a two-thirds majority agreement cannot be reached to remove property, the property shall be retained in the society's collection holdings.

(f) Property determined by the deaccession review committee to be appropriate for removal from the society's collection holdings shall be disposed of by one of the following methods. Preference shall be for the property to remain in public ownership or domain.

(1) Hazardous property shall be disposed of according to existing state and federal laws or guidelines from appropriate state and federal regulatory agencies.

(2) Kansas newspapers shall be offered to historical or genealogical societies, or both, or other appropriate institutions of the county or area in which the newspaper was originally published. If competing entities are requesting newspapers and the matter cannot be resolved locally, the deaccession review committee shall make the final decision.

(3) When possible, property may be traded to a public or private institution or individual for property that the society wishes to obtain.

(4) Property may be offered for donation or sale to Kansas libraries, museums, archives, historical and genealogical societies, educational institutions, and other not-for-profit repositories for historical materials, public or private. Notification of the availability of deaccessioned materials shall be provided by first-class mail to local institutions within Kansas when these materials have local research, educational, or exhibit value. Appropriate institutions shall be selected by staff for notification from the membership directory of the Kansas museums association or the directory of historical and genealogical societies in Kansas published by the Kansas state historical society.

(5) When appropriate, property may be offered for donation or sale to out-of-state libraries, museums, archives,

historical and genealogical societies, educational institutions, and other not-for-profit repositories for historical materials, public or private.

(6) Property may be sold to the general public.

(7) Property not disposed of by trade, donation, or sale may be destroyed by burning, shredding, recycling, depositing in a landfill, or by other methods.

(8) Documentation relating to the property removed from the collection holdings shall be amended to include the date and method of disposition. The documentation shall be accessible upon request during the society's regular business hours. Some donor information may be restricted as provided for in K.S.A. 45-221, paragraph (a)(8), and amendments thereto.

. (9) Property offered for sale to the general public shall not be purchased by society employees or officers or deaccession review committee members. (Authorized by and implementing K.S.A. 75-2701; effective Aug. 24, 1992; amended Oct. 23, 1998.)

Article 3.—REVIEW OF PROJECTS AFFECTING HISTORIC PROPERTIES AND THEIR ENVIRONS

118-3-1. Definitions. For the purposes of Article 3, these terms shall have the following meanings.

(a) "Boundaries of a historic property" means the limits or extent of a geographic area included in the state or national registers of historic places.

(b) "Character-defining features" means those physical characteristics and elements that indicate the integrity, design, and materials of the listed historic property.

(c) "Demolition" means the partial or complete removal of a building or structure, the components of a building or structure, or the man-made components of the site on which the building or structure is located, including walks, driveways, retaining walls, and fences.

(d) "Environs" means the historic property's associated surroundings and the elements or conditions that serve to characterize a specific place, neighborhood, district, or area, which takes into account all relevant factors, including the following:

(1) The use of the area;

(2) the significance of the historical property;

(3) the scope of the project;

(4) surrounding buildings, structures, and foliage; and

(5) the topography of the surrounding area.

A project need not be adjacent to a historic property for

it to be in the historic property's environs.

- (e) "Feasible and prudent alternative" means an alternative solution that can be reasonably accomplished and that is sensible or realistic. Factors that shall be considered when determining whether or not a feasible and prudent alternative exists include the following:
 - (1) Technical issues;

(2) design issues;

(3) the project's relationship to the community-wide plan, if any; and

(4) economic issues.

- (f) "Governmental entity" means the "state or any political subdivision of the state," as that term is defined by K.S.A. 75-2714, and amendments thereto.
- (g) "Ground-disturbing project" means a project that changes the existing grade, shape, or contour of a prop(continued)

erty or involves drilling into or excavation of earth from a piece of property where there is the potential to disturb archeological remains.

(h) "Historic property" means any property included on "the national register of historic places" or "the reg-

ister of historic Kansas places."

(i) "Program includes all possible planning" means that the written evidence and materials submitted by a governmental entity to the state historic preservation officer clearly identify all alternative solutions that have been investigated, compare the differences among the alternative solutions and their effects, and describe mitigation measures proposed by the project proponent that address an adverse effect determination of the state historic preservation officer.

(j) "Relevant factors" means pertinent information submitted by project proponents or project opponents in written form, including evidence supporting their positions. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effec-

tive Oct. 23, 1998.)

118-3-2. Notice of projects directly undertaken by a governmental entity or supported by a governmental entity. (a) Projects undertaken directly by a governmental entity or projects undertaken by a person but supported by a governmental entity, for which notice shall be given when required by K.S.A. 75-2724(a), and amendments thereto, shall include any of the following:

(1) Exterior or interior projects involving the listed his-

toric property, including any of the following:

(A) Construction of one or more structures;

(B) site improvements;

(C) repair work;

- (D) alterations or additions to the listed historic property:
- (E) partial or total demolition of any structure on the listed historic property; or

(F) ground-disturbing projects;

- (2) projects carried out within the environs of a listed historic property, including the following:
- (A) Construction or alteration of any existing structures;

(B) demolition or removal of structures;

(C) public improvements, including improvements to streets, curbs, sidewalks, parking areas, parks, and other public amenities;

(D) vacation of streets, alleys, or both; or

(E) ground-disturbing projects; or

- (3) any other project that is determined by the state historic preservation officer to have the potential to encroach upon, damage, or destroy a listed historic property or its environs.
- (b) Projects involving emergency repair work. Each governmental entity shall give notice of emergency work, including water or sewer line repair or protective work required immediately for structures damaged by fire, tornado, or other disaster, if the project would be covered by subsection (a) of this regulation. A review of the emergency repair work shall be expedited by the state historic preservation officer and shall be handled by telephone or FAX when possible. If, after reasonable but unsuccessful efforts to notify the state historic preservation officer,

emergency repair work must be completed, the work shall be performed in a manner that minimizes the effect on the historic property or its environs. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

118-3-3. Notice of projects involving the issuance of a lease, permit, license, certificate, or other entitlement for use to any person by a governmental entity. (a) Projects for which a governmental entity issues a lease, permit, license, certificate, or other entitlement for use to any person for which notice shall be given when required by K.S.A. 75-2724(a), and amendments thereto, shall include the following:

(1) Projects directly or indirectly affecting any listed historic building, structure, object, district, or site, includ-

ing any of the following:

(A) Exterior or interior projects involving the listed historical property, including any of the following:

(i) Construction of one or more structures;

(ii) site improvements;

(iii) repair work;

(iv) alterations or additions to the listed historic property, including signage;

(v) partial or total demolition of any structure on the listed historic property; or

(vi) ground-disturbing projects; or

(B) rezoning;

(C) special use or conditional use permits;

(D) subdivision of property; or

(E) vacation of streets or alleys; and

(2) projects requiring permits that would affect the environs of a listed historic property, including any of the following:

(A) Rezoning;

(B) special use or conditional use permits;

(C) subdivision of property;

(D) vacation of streets or alleys; or

- (E) exterior projects that affect any building, structure, object, or site in the environs of a historic property, including any of the following:
 - (i) Construction of one or more structures;

(ii) site improvements;

(iii) repair work;

(iv) alterations or additions to structures in the environs, including signage; or

(v) partial or total demolition of a structure.

- (b) Exceptions. Notice shall not be required when the issued lease, permit, license, certificate, or other entitlement is for interior projects in the environs of a listed property. In addition, notice shall not be required for any exterior projects in the environs of a listed property for replacement of deteriorated existing materials with new, matching materials, known as replacement-in-kind. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)
- **118-3-4.** Content of notice to state historic preservation officer. Each governmental entity required to give notice to the state historic preservation officer under K.S.A. 75-2724, and amendments thereto, and K.A.R. 118-

3-2 and K.A.R. 118-3-3, shall provide notice in accordance with this regulation before undertaking a project.

(a) At a minimum, the following documentation shall be submitted with the initial notification for all projects:

(1) A written transmittal or letter that contains the following elements from the governmental entity:

(A) A request for the state historic preservation officer's comments on the proposed project in accordance with K.S.A. 75-2724, and amendments thereto; and

(B) an identification of the work to be done, the property address, its legal description, and the project contact

person;

(2) complete architectural drawings as required by the governmental entity for issuance of a building permit, or sufficient documentation to clearly explain the proposed project, including floor plans, elevations, wall or building sections and detail drawings, as applicable. For additions or new construction, the property owner shall also furnish a site plan showing all existing structures and the location of the proposed new construction. If no documentation is required by the city or county, the property owner shall supply to the state historic preservation officer sufficient documentation to clearly explain the proposed project.

(b) If a project is reviewed to assess its effects on one or more listed historic properties, the documentation shall include photographs accurately and fully depicting the site and setting of the historic structure, including the

following perspectives:

(1) A general overall view from the street;

(2) the relevant exterior elevations;

(3) detailed close-ups of the specific exterior or interior architectural features, including windows, doors, porches, and stairs; and

(4) the interior views of rooms that will be affected

by the proposed project.

(c) If a project is reviewed to assess its effects on the environs of one or more listed historic properties, the documentation shall include a vicinity map showing the proximity of the proposed project to the listed historic property, existing structures in the environs, and clear, sharp photographs that fully depict the project and the listed property's environs, including the following:

(1) Views from the proposed project to the historic

property;

(2) views from the historic property to the proposed project;

(3) views that show the conditions and character of the environs; and

(4) the relevant exterior elevations.

(d) The governmental entity shall provide in writing all revisions, amendments, or clarifications to previ-

ously submitted project documents.

- (e) Any of these requirements to submit documentation may be waived by the state historic preservation officer if adequate and recent information is already in the state historic preservation officer's files to complete the review. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)
- 118-3-5. Notice of revisions or modifications. After the state historic preservation officer has initiated an

investigation of a project, the governmental entity providing notice shall keep the state historic preservation officer informed of any revisions or modifications to the project by forwarding any changes to the proposed project submitted by the project proponent within five working days of receiving them from the project proponent. The governmental entity shall forward the documentation described in K.A.R. 118-3-4 with this notice. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

118-3-6. Notice required before project may proceed. If the state historic preservation officer determines that a project will encroach upon, damage, or destroy a listed historic property or its environs and if the appropriate governmental entity subsequently makes the findings required under K.S.A. 75-2724, and amendments thereto, to permit a project to proceed, the governmental entity shall notify the state historic preservation officer of the determination by certified mail. The governmental entity shall not issue any permit or authorize the project to begin for five working days after it gives notice of its determination. This notice shall include the following:

(a) A written transmittal or letter from the appropriate governmental entity informing the state historic preservation officer of the findings made by the gov-

ernmental entity;

(b) a written copy of the minutes of the meeting

where the project was discussed; and

(c) a copy of all relevant written information upon which the appropriate unit of government based its decision. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

118-3-7. Investigations without notice. If the state historic preservation officer initiates an investigation of a project that may encroach upon, damage, or destroy the environs of a historic property but for which no notice is required from a governmental entity, notice of the investigation shall be given by the state historic preservation officer to the governmental entity. The investigation shall then proceed as if it were a project for which the governmental entity is obligated to provide notice, and the governmental entity shall provide documentation to the state historic preservation officer. A determination shall be made accordingly by the state historic preservation officer. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

118-3-8. Standards and guidelines utilized by the state historic preservation officer. The following standards and guidelines shall be used by the state historic preservation officer when reviewing projects.

(a) "The secretary of the interior's standards for the treatment of historic properties with guidelines for preserving, rehabilitating, restoring & reconstructing historic buildings," 1995 edition, is adopted by reference as a guide to determine whether or not proposed pro-

jects encroach upon, damage, or destroy listed historic properties.

(b) The "treatment of archeological properties: a handbook," endorsed by the advisory council on historic preservation, Washington, D.C., on November 5, 1980, is adopted by reference as a guide for identifying and evaluating archeological sites using the criteria of eligibility for listing sites on the national register of historic places.

(c) The Kansas state historical society's "standards and guidelines for evaluating the effect of projects on environs," 1998 edition, is adopted by reference as a guide to determine whether or not proposed projects encroach upon, damage, or destroy the environs of listed historic properties. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

118-3-9. Official response. An official response shall be provided by the state historic preservation officer within 30 days of receiving notice of a project. Official responses that may be issued by the state historic preservation officer may include any of the following.

(a) The state historic preservation officer is initiating an investigation, and additional information is required.

(b) The project does not encroach upon, damage, or destroy the listed historic property or its environs.

(c) The project does encroach upon, damage, or destroy the listed historic property or its environs.

(d) No investigation will be initiated, and the 30-day waiting period is waived. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

118-3-10. Initiating an investigation. "The state historic preservation officer is initiating an investigation, and additional information is required" response may be issued when any of these conditions is met.

(a) The state historic preservation officer has determined that insufficient information was included in the submittal and additional information is necessary to complete the required review.

(b) The project is likely to encroach upon, damage, or destroy the listed historic property, and the state historic preservation officer desires to suggest alterations to the proposed project so that the proponent can revise the proposal to meet the standards and guidelines set out in K.A.R. 118-3-8.

(c) The state historic preservation officer desires to solicit the advice and recommendations of the historic sites board of review.

(d) The state historic preservation officer directs that a public hearing or hearings be held on a proposed project. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

118-3-11. "Project does not encroach" response. A "project does not encroach upon, damage, or destroy the listed historic property or its environs" response shall be issued when the state historic preservation officer determines that the proposed project meets the

standards and guidelines established in K.A.R. 118-3-8. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

118-3-12. "Project does encroach" response. (a) A "project does encroach upon, damage, or destroy the listed historic property or its environs" response shall be issued when the state historic preservation officer determines that the proposed project does not meet the standards and guidelines established in K.A.R. 118-3-8 and the project will encroach upon, damage, or destroy the listed historic property or its environs. The state historic preservation officer's response letter shall state why the project will have an adverse effect, outline the standards and guidelines that are not met, and describe the responsibilities of the appropriate governing body under the state preservation statute.

(b)(1) A "project does encroach" response may also include "suggestions for approval." If, in the state historic preservation officer's opinion, the project could be revised in order to meet the standards and guidelines, suggested conditions for approval may be indicated in

the response.

(2) If the project proponent incorporates the suggestions for approval in a revised proposal, the additional information shall be submitted to the state historic preservation officer and a new response shall be issued, the resolution of which shall depend on the adequacy of the revisions to the project. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

118-3-13. Executive review of project. After a governmental entity notifies the state historic preservation officer that the governing body has complied with K.S.A. 75-2715, et seq., and amendments thereto, and has made the proper findings, the governing body's decision shall be reviewed by the state historic preservation officer within five working days of receipt of notice. The findings of the governing body shall be reviewed by the state historic preservation officer, and determination of whether or not further action is required shall be made by this individual. Acknowledgement that the state historic preservation officer received the governing body's findings shall be provided to the governing body. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

118-3-14. Reconsideration of official response. In response to additional information, a new official response may be issued by the state historic preservation officer. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

118-3-15. Provisions for transfer of authority. An agreement authorizing any city, county, or state educational institution under the control and supervision of the board of regents to make recommendations or to perform any or all of the review responsibilities of the state historic preservation officer, within the jurisdiction of that city, county, or state educational institution,

may be entered into by the state historic preservation officer.

(a) In order to transfer authority to a city or county, a determination shall be made by the state historic preservation officer that the city or county meets each of the following conditions.

(1) It has enacted a comprehensive, local historic

preservation ordinance.

(2) It has established a qualified, local historic preservation board or commission.

(3) It is actively engaged in a local historic preser-

vation program.

(b) In order to transfer authority to a state educational institution under the control and supervision of the board of regents, a determination shall be made by the state historic preservation officer that the institution meets both of the following conditions.

(1) It has constituted a qualified, local historic pres-

ervation board or commission.

- (2) It is actively engaged in a campus historic preservation program. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)
- 118-3-16. Transfer of authority agreement. (a) Each agreement between the state historic preservation officer and a city or county shall specify the following information:

(1) The authority delegated;

(2) the standards for project review;

(3) the manner in which decisions are to be reported to the state historic preservation officer;

(4) the conditions under which assistance from the state historic preservation officer can be requested;

(5) an appeal procedure and designation of the governing body with jurisdiction;

(6) an amendment procedure;

- (7) the length of time the agreement is valid;
- (8) provisions for termination of the agreement; and
- (9) the state historic preservation officer's authority under K.S.A. 75-2724(e), and amendments thereto.
- (b) Each agreement between the state historic preservation officer and a state educational institution under the control and supervision of the board of regents shall specify the following:

(1) The authority delegated;

(2) the standards for project review;

- (3) the manner in which decisions are to be reported to the state historic preservation officer;
- (4) the conditions under which assistance from the state historic preservation officer can be requested;
- (5) an appeal procedure and designation of the governing body with jurisdiction;

(6) an amendment procedure;

(7) the length of time the agreement is valid; and

(8) provisions for termination of the agreement. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

Ramon Powers
Executive Director

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-2e. Enforcement provisions. (a) Enforcement of this provision shall be pursuant to the ADA and KAASA. If it is determined that a lottery retailer is not in compliance with the ADA, KAASA, and this rule, the retailer shall immediately report any notice of non-compliance from the enforcement authority to the lottery.

(b) Upon receipt of such notification of non-compliance, the Kansas lottery shall determine the basis for non-compliance and require that the program offered by the lottery is accessible to individuals with disabilities at the retailer location specified. The lottery retailer may be authorized to continue sales at the cited retail location for up to 30 days to allow it to get into compliance with the requirements of the ADA. If a cited lottery retailer fails to comply with the requirements of the ADA within 60 days, its lottery contract(s) shall be suspended or terminated by the executive director and no further lottery sales shall occur at the cited location until the retailer is

determined to be in compliance.

(c) Starting January 1, 1999, any retailer location which earns an incentive or performance based award, which is in addition to contractual discount or commission earnings, must be in compliance with ADA standards as determined by the Kansas lottery. In the event an award is earned and the retailer location is not in compliance with ADA standards as determined by the lottery, the lottery will withhold payment for up to 90 days to allow the retailer location to become ADA compliant. If, after the 90 days, the retailer location fails to achieve compliance, the non-compliant retailer shall forfeit its incentive or award. Incentives or awards include those authorized by K.A.R. 111-2-30 and 111-2-62 and any other rule or regulation. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-11-22-95, Nov. 17, 1995; amended, T-111-5-5-98, April 17, 1998; amended, T-111-9-23-98, Sept. 14, 1998.)

111-2-77. Telephone line credit promotion. In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also offer a credit for telephone line charges to all retailers who comply with the following requirements involving the promotion and sale of \$3.00 and \$5.00 instant tickets between September 28, 1998, and November 28, 1998:

(a) The telephone line credit promotion commences at 6:00 a.m. on Monday, September 28, 1998, and ends at the end of the business day as defined at K.A.R. 111-6-1 on Saturday, November 28, 1998. To be eligible, each participating retailer location must activate a minimum of two packs of \$5.00 instant tickets, one between September 28, 1998, and October 31, 1998, and one between November 1, 1998, and November 28, 1998.

(b) One week of telephone credit shall be earned for every two packs of \$3.00 instant tickets activated and not returned to the lottery for credit during the period set forth in subparagraph (a). Every qualifying retailer loca-

tion will receive credit for telephone line charges starting the week of December 6, 1998, and ending not later than January 30, 1999.

(c) A retailer location may earn up to a maximum of eight weeks telephone line charge credits if it complies with the requirements of subsection (a) and activates at least 16 packs of \$3.00 tickets. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-23-98, Sept. 14, 1998.)

Article 4.—INSTANT GAME RULES

RULES FOR INSTANT GAME NO. 27 "CANDY CANE TRIPLER"

111-4-1316. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Candy Cane Tripler" commencing on or after September 14, 1998. The specific rules for the "Candy Cane Tripler" game are contained in K.A.R. 111-3-1 et seq. and 111-4-1316 through 111-4-1319. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-23-98, Sept. 14, 1998.)

111-4-1317. Definitions. The following definitions shall apply to the "Candy Cane Tripler" 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 six play spots within one play area and one spot in the other play area. Each game symbol for this instant game is one of the following: FREE \$1.00 - \$3.00 - \$5.00 - 10.00 - 20.00 - \$100\$ - \$500\$\$ - \$1500 - symbol of stocking - 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 areas 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 Capti
FREE	TICKET
\$1.00	ONE\$
\$3. [®]	THR\$
\$5.00	FIVE\$
10.00	TEN
20.00	TWENTY
\$100\$	ONE-HUN
\$500\$	FIV-HUN
\$1500	FIFTHUN
Symbol of stocking	TRIPLER
MÁYBE NEXT TIMĚ	

(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 num-

ber. 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: FRE = Free Ticket; ONE = \$1.00; TWO = \$2.00; THR = \$3.00; TEN = \$10.00; FIN = \$15.00; TWY = \$20.00; TRY = \$30.00; SXY = \$60.00; HUN = \$100.00; and 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-111-9-23-98, Sept. 14, 1998.)

111-4-1318. Determination of instant prize winners. (a) An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six prize amounts or the five prize amounts and a "STOCKING" tripler.

(b) Game 1 is a "match three of six" dollar amounts or a "match two" dollar amounts plus a "STOCKING" tripler symbol to win triple the dollar amount. If the player matches three like prize amounts, the player wins that prize amount. If the player matches two like prize amounts plus a "STOCKING" tripler symbol, the player wins triple the prize amount.

(c) Game 2 is a "BONUS" game. The player will remove the latex covering over the play area. If a prize is

revealed, the player wins that prize amount.

(d) A player can win twice 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 (d); effective, T-111-9-23-98, Sept. 14, 1998.)

111-4-1319. 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:

		N. Prince	t gradien.	Expected	l Number of	Expected
Game 1	100	Game 2	Prize	Prize	in Game	Value in Game
3 FREE's		100	FREE	3 1 1 to 1 to 1	180,000	\$0
$[\cdot, X_{i+1}] \in [0.35, 0]$		\$1.00	\$1	* *	87,000	87,000
3-\$1.00's		\$1.00	\$2		48,000	96,000
2-\$1.00's and tripler		· . , .	\$3		45,000	135,000
	18.0	\$3.00	\$3	Carrier.	24,000	72,000
3-\$5.00's	1 m	\$5.00	\$10		5,400	54,000
3-\$10.00's	Sec. 15 (1)		\$10		4,650	46,500
	. ""	\$10.00	\$10		4,200	42,000
2-\$5.00's and tripler	r var i		\$15	- 1	4,200	63,000
3-\$5.00's	1100	\$10.00	\$15		2,400	36,000
3-\$20.00's	75 - 1	. S	\$20	t. '' '	1,710	34,200
	1.97.13	\$20.00	\$20	distriction of	1,290	25,800
3-\$10.00's	- March 1997	\$20.00	\$30		1,050	31,500
2-\$10.00's and triple	er e	1.0	\$30		750	22,500
2-\$20.00's and triple	er ·		\$60		870	52,200
3-\$100.00's			\$100		390	39,000
3-\$500.00's			\$500	Company of	90	45,000
2-\$500.00's and trip	ler		\$1,500		18	27,000
3-\$1,500's	100		\$1,500		12	18,000
	2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				411,030	\$926,700

(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 approxi-

mately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.38.

- (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-111-9-23-98, Sept. 14, 1998.)

RULES FOR INSTANT GAME NO. 22 "TREASURE TREE"

111-4-1320. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Treasure Tree" commencing on or after September 14, 1998. The specific rules for the "Treasure Tree" game are contained in K.A.R. 111-3-1 et seg. and 111-4-1320 through 111-4-1324. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-23-98, Sept. 14, 1998.)

111-4-1321. Definitions. The following definitions shall apply to the "Treasure Tree" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in each of the four play areas of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink with matching captions. A game symbol appears in each of the 27 play spots in the six distinct play areas. Each game symbol for this instant game is one of the following: \$2.00 - \$5.00 - 10.00 - 15.00- 20.⁶⁰ - 25.⁶⁰ - 30.⁶⁰ - 50.⁶⁰ - 75.⁶⁰ - \$100\$ - \$500\$ - \$1000 -\$10000 - \$40000 - 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 - symbol of a Christmas tree - symbol of holly - symbol of a reindeer- symbol of a Christmas stocking symbol of Santa - symbol of a Christmas present - symbol of a sleigh - symbol of a snowflake - symbol of a bell maybe next time - good luck.

(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:

	and the second s
Game Symbol	Game Symbol Caption
\$2.00	TWO\$
\$5. ⁰⁰	FIVE\$
10.00	TEN\$
15. ⁰⁰	FIFTEEN
20.00	TWENTY
25.00	TWEN-FIV
30.00	THIRTY
50. ⁰⁰	FIFTY
75. [∞]	SVTYFIV
\$100\$	ONE-HUN
\$500\$	FIV-HUN
\$1000	ONETHOU
\$10000	TENTHOU
\$40000	40-THOU
01	ONE
02	TWO

03,	THR
04	EOP
05	FIV
06	SIX
· · · · · · · · · · · · · · · · · · ·	Committee of the Commit
07	SEV
	EGT
	NIN
10	TEN
$oxed{1} = oxed{n}_{ij} \left\{ oxed{n}_{ij} = oxed{1}_{ij} \left\{ oxed{n}_{ij} \in oxed{n}_{ij} \in oxed{n}_{ij} \in oxed{n}_{ij} \in oxed{n}_{ij} \in oxed{n}_{ij} \left\{ oxed{n}_{ij} \in oxed{n}_{i$	ELVN
12	TWLV
13	THRTN
14	FOURTN
15	FIFTN
16	SIXTN
17	SEVTN
ション (18 / 18 / 19) 大変ないの	EGHTN
19	NINTN
20	TWTY
	TWTYONE
21	
10 - 1 - 1 - 1 22 - 3 - 1 - 1 - 1 - 1 - 1	TWTYTWO
23	TWTYTHR
24	TWTYFR
25	TWTYFIV
Symbol of a Christmas tree	TREE
Symbol of holly	HOLLY
Symbol of a reindeer	REINDEER
Symbol of a Christmas stocking	STOCKING
Symbol of Santa	SANTA
Symbol of a Christmas present	PRESENT
Symbol of a sleigh	SLEIGH
Symbol of a snowflake	SNFLAKE
Symbol of a bell	BELL
MAYBE NEXT TIME	
GOOD LUCK	

(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 eight varying locations among the game symbols in the game 5 play area. The codes and their meanings are as follows: FIV = \$5.00; TEN = \$10.00; FTN = \$15.00: TWY = \$20.00; TRY = \$30.00; FTY = \$50.00; STF = \$75.00: 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-111-9-23-98, Sept. 14, 1998.)

111-4-1322. Cost of ticket. The price of "Treasure Tree" instant tickets sold by a retailer shall be \$5.00 each. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-23-98, Sept. 14, 1998.)

111-4-1323. Determination of instant prize winners. (a) An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the six different games featuring six distinct play areas entitled "GAME 1," "GAME 2," "GAME 3," "GAME 4," "GAME 5," and "GAME 6" as follows:

(1) Game 1 is a symbol match game. The player removes the latex covering the play area to reveal two symbols labeled "YOUR SYMBOL" and "BONUS SYMBOL." If the "YOUR SYMBOL" is identical to the "BONUS SYMBOL," the player wins the corresponding prize. A

player can win once in this game.

(2) Game 2 is a symbol match game. The player removes the latex covering the play area to reveal two symbols labeled "YOUR SYMBOL" and "BONUS SYMBOL." If the "YOUR SYMBOL" is identical to the "BONUS SYMBOL," the player wins the corresponding prize. A player can win once in this game.

(3) Game 3 is a bonus game. The player removes the latex to reveal one play area. If a prize amount is revealed, the player wins that amount instantly. A player can win

once in the "BONUS" area.

(4) Game 4 is a match two of four game. The player removes the latex covering the play area to reveal four prize amounts. If two of the four prize amounts are identical, the player wins that prize amount. A player can win once in this game.

(5) Game 5 is a key number match game. The player removes the scratch-off material to reveal two "WIN-NING NUMBERS" and 10 "YOUR NUMBERS." If any of the "YOUR NUMBERS" match either "WINNING NUMBER," the player wins the corresponding prize below that number. A player can win up to 10 times in this game.

(6) Game 6 is a match two of four game. A player removes the scratch-off material covering the play area to reveal four prize amounts. If two of the four prize amounts are identical, the player wins that prize amount.

A player can win once in this game.

(b) A player can win up to 15 times 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-111-9-23-98, Sept. 14, 1998.)

111-4-1324. Number and value of instant prizes. (a) There will be approximately 600,000 tickets ordered initially for this instant game. The expected number and value of the instant prizes are as follows:

Game
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and the second of the second o		and the second second	
\$15 (\$5 x 3)	\$15	4,000	60,000
\$20	\$20	2,000	40,000
\$20 (\$5 x 4)	\$20	1,800	36,000
\$20 (\$2 x 10)	\$20	1,800	36,000
\$30	\$30	1,800	54,000
\$30 (\$2 x 15)	\$30	1,800	54,000
\$50	\$50	1,000	50,000
\$50 (\$25 x 2)	\$50	1,000	50,000
\$50 (\$5 × 10)	\$50	1,400	70,000
\$75	\$75	550	41,250
\$75 (\$25 x 3)	\$75	700	52,500
\$75 (\$5 x 15)	\$75	740	55,500
\$100	\$100	700	- 70,000
\$100 (\$10 x 10)	\$100	800	80,000
\$500	\$500	300	150,000
\$1,000	\$1,000	10	10,000
\$1,000 (\$100 × 10)	\$1,000	10	10,000
\$10,000	\$10,000	6	60,000
\$40,000	\$40,000	4	160,000
TOTAL	ti jakjasi.	128,820	\$1,843,250

- (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 4.66.
- (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-111-9-23-98, Sept. 14, 1998.)

Article 5.—POWER BALL

111-5-74. Buy five Powerball tickets, get one Cash 4 Life ticket free. Starting on October 1, 1998, and ending at the close of business on October 31, 1998, as defined in subsection (p) of K.A.R. 111-6-1, for every single Powerball ticket purchase of \$5.00 or more, a player will receive a \$1.00 Cash 4 Life quick pick play free. Lottery terminals will automatically dispense a Cash 4 Life ticket, starting at 6:00 a.m., October 1, 1998, for every single \$5.00 Powerball ticket purchase whether for a single draw or multiple draws during the month of October 1998. (Authorized by and implementing K.S.A. 1997 Supp. 74-8710; effective, T-111-9-23-98, Sept. 14, 1998.)

Gregory P. Ziemak Executive Director

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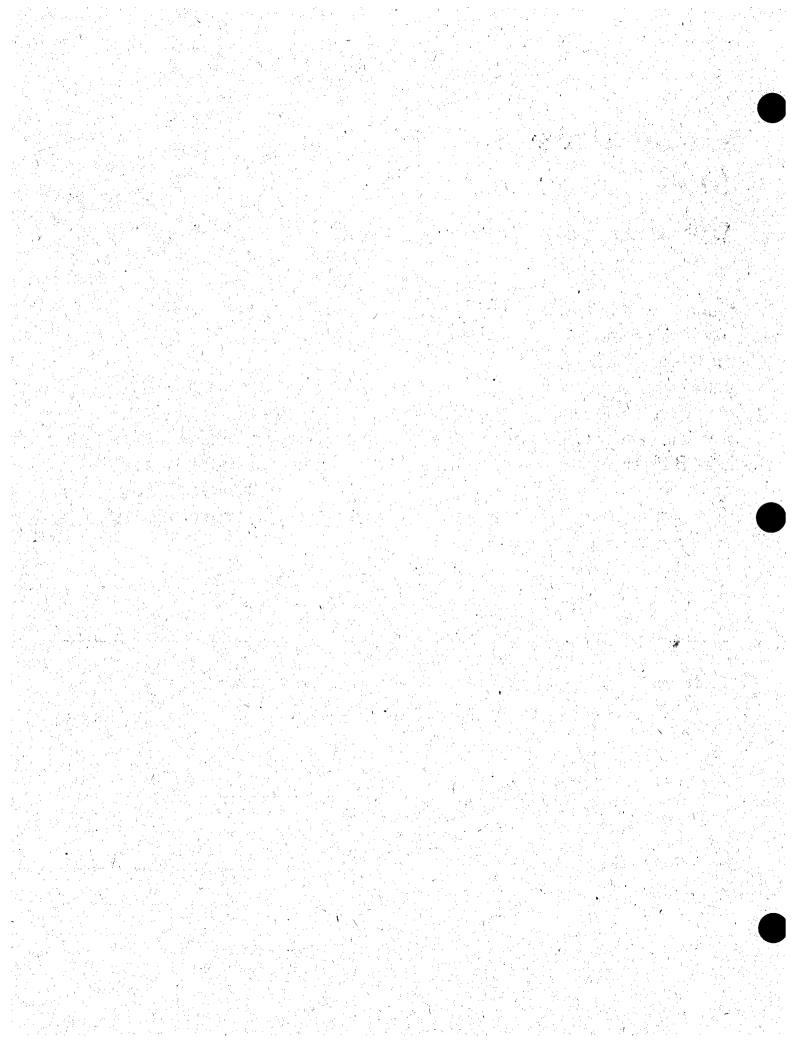
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