

Kansas Register

Ron Thornburgh, Secretary of State

Vol. 19, No. 15 April 13, 2000 Pages 485-540

In this issue . . .	Page
State Employees Health Care Commission	
Notice of meeting	487
Information Network of Kansas	
Notice of meeting	487
Pooled Money Investment Board	
Notice of investment rates.....	487
Department of Administration—Division of Architectural Services	
Notice of commencement of negotiations for architectural services	487
Request for qualifications from energy service performance contractors	487
State Board of Regents	
Notice of available funding for adult education	488
State Board of Pharmacy	
Notice of hearing on proposed administrative regulations	488
Department of Revenue	
• Notice of available publications.....	489
Department of Administration	
Public notice.....	489
Historic Sites Board of Review	
Notice of meeting	489
Secretary of State	
Executive appointments.....	490
Notice of corporations forfeited.....	490
Department of Administration—Division of Purchases	
Notice to bidders for state purchases	492
Sedgwick and Shawnee Counties	
Notice of hearings on proposed bond issuance.....	492
Kansas State University	
Notice to bidders.....	493
Notice of Bond/Note Sale	
U.S.D. 396, Butler County	493
City of Lawrence	494

(continued on next page)

Kansas Department of Health and Environment
 Request for comments on proposed air quality permit..... 495
 Notice of hearing on proposed water pollution control permit..... 495
 Notice concerning Kansas water pollution control permits..... 496

State Corporation Commission
 Notice of motor carrier hearings..... 498

Legislative bills and resolutions introduced March 30—April 5..... 499

Leavenworth County
 Notice to bidders..... 500

Permanent Administrative Regulations
 State Banking Department..... 500
 State Board of Pharmacy..... 501
 Department of Human Resources..... 504

Temporary Administrative Regulations
 Kansas Lottery..... 521

New State Laws
House Bill 2622, authorizing establishment of the Northeast Kansas technical college..... 535
House Bill 2823, relating to property taxation; concerning the valuation of producing gas wells.... 535
Senate Bill 100, concerning the state emergency fund; relating to certain transfers from the state general fund..... 535

Index to administrative regulations..... 536

The Kansas Register (ISSN No. 0662-190) is an official publication of the State of Kansas, published by authority of K.S.A. 75-430. The Kansas Register is published weekly by the Kansas Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594. One-year subscriptions are \$80 (Kansas residents must include \$5.44 state and local sales tax). Single copies may be purchased, if available, for \$2 each. Periodicals postage paid at Topeka, KS.

Postmaster: Send change of address form to Kansas Register, Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594.

© Kansas Secretary of State 2000. Reproduction of this publication in its entirety or for commercial purposes is prohibited without prior permission. Official enactments of the Kansas Legislature and proposed and adopted administrative regulations of state agencies may be reproduced in any form without permission.

PUBLISHED BY
Ron Thornburgh
 Secretary of State
 1st Floor, Memorial Hall
 120 S.W. 10th Ave.
 Topeka, KS 66612-1594
 (785) 296-4564



Register Office:
 Garden Level, Memorial Hall
 (785) 296-3489
 Fax (785) 368-8024

**State of Kansas
State Employees Health Care Commission**

Notice of Meeting

The State Employees Health Care Commission will meet at 1:30 p.m. Friday, April 21, in Room 313-S, State Capitol, 300 S.W. 10th Ave., Topeka. A copy of the agenda may be viewed on the Internet at www.da.state.ks.us/hcc. For further information, contact the Benefits Office at (785) 296-6280.

Dan Stanley
Chair

Doc. No. 025061

**State of Kansas
Information Network of Kansas**

Notice of Meeting

The Information Network of Kansas Board of Directors will meet at 2 p.m. Thursday, April 20, at the offices of the Kansas Technology Enterprise Corporation, 214 S.W. 6th, second floor conference room, Topeka. The meeting is open to the public.

Leroy Gattin
Chairman

Doc. No. 025064

**State of Kansas
Department of Administration
Division of Architectural Services**

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

Notice is hereby given of the commencement of negotiations for architectural services for the studio theater and performance classroom remodel at Roosevelt Hall, Emporia State University. The estimated construction budget is \$307,500.

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

If interested, an original and six copies (seven total) of the SF 255 form (plus relevant attachments of information regarding similar projects) should be submitted. These submittals should be concise, relevant to the project and follow the State Building Advisory Commission guidelines for submittal. Copies of the guidelines have previously been distributed to firms; if copies of the guidelines are required, contact Gary Grimes, Division of Architectural Services, 1020 S. Kansas Ave., Topeka, 66612-1311, (785) 296-8899. Submittals not complying with the guidelines will be returned without consideration.

Expressions of interest and the SF 255 submittals should be received by Gary Grimes before 5 p.m. April 28.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 025049

**State of Kansas
Pooled Money Investment Board**

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210. These rates and their uses are defined in K.S.A. 1999 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

Effective 4-10-00 through 4-16-00

Term	Rate
1-89 days	6.02%
3 months	5.88%
6 months	6.17%
9 months	6.23%
12 months	6.26%
18 months	6.36%
24 months	6.38%

Derl S. Treff
Director of Investments

Doc. No. 025041

**State of Kansas
Department of Administration
Division of Architectural Services**

**Request for Qualifications from
Energy Service Performance Contractors**

Notice is hereby given for requests for qualifications from energy service performance contractors for the Facility Conservation Improvement Program. Several firms will be selected to provide services at governmental facilities. Services required will include facility surveys, data collection and analysis, identification of energy conservation opportunities, performance modeling and economic analysis, action plan development, implementation of projects, training, monitoring and performance guarantees.

If interested, an original and six copies of form SF 255 should be submitted. Submittals shall include relevant information providing qualifications and history of similar projects. Submittals shall conform to State Building Advisory Commission guidelines. Submittals shall be brief, clear, concise and present information relevant to the services requested. Submittals not complying with guidelines will be returned without consideration.

Questions shall be directed to Dale Worley, administrator for the Facility Conservation Improvement Program, Division of Architectural Services, 1020 S. Kansas Ave., Topeka, 66612-1311, (785) 296-8899, ext. 201.

Expressions of interest and SF 255 submittals shall be sent to Dale Worley to be received before 5 p.m. May 4.

Thaine Hoffman, AIA
Director, Division of
Architectural Services

Doc. No. 025052

State of Kansas

Board of Regents

Notice of Available Funding
for Adult Education

Pursuant to assurances set forth in the Kansas Four-Year State Plan for Adult Education, notification of available state and federal funding for adult education and family literacy programs is announced. These funds are authorized by the Adult Education and Family Literacy Act (Title II of the Workforce Investment Act of 1998).

The Adult Education and Family Literacy Act (AEFLA) provides federal financial assistance to states to assist, improve and/or expand existing local programs that serve adults and out-of-school youth age 16 and over, who meet one of the following conditions:

- do not have a secondary credential;
- do not have basic reading, writing or math skills; or
- do not have proficiency in the English language necessary to function in the multiple roles of citizen, employee and family member.

The State Board of Regents, the state agency responsible for implementation of the AEFLA in Kansas, will award multi-year grants through a competitive process to eligible entities whose adult education programs provide intensive, quality instructional and support services to adults. These services include activities that lead to the following outcomes:

- demonstrated improvements in literacy skill levels in reading, writing and speaking the English language, numeracy, problem solving, English language acquisition, and other literacy skills;
- placement in, retention in, or completion of postsecondary education, training, unsubsidized employment or career advancement; and
- receipt of a secondary school diploma or its recognized equivalent.

Priority is given to local programs whose activities are based on a solid foundation of research, address the diverse needs of adult learners, and utilize other effective practices and strategies.

For further information and an application, contact one of the following individuals:

Margaret Patterson
Associate Director of Academic Affairs
State Board of Regents
700 S.W. Harrison, Suite 1410
Topeka, 66603-3760
mpatterson@kbor.state.ks.us
(785) 291-3038

Dianne S. Glass
Associate Director of Academic Affairs
State Board of Regents
700 S.W. Harrison, Suite 1410
Topeka, 66603-3760
dglass@kbor.state.ks.us
(785) 296-7159

Grant applications for FY 2001 and FY 2002 (July 1, 2000—June 30, 2002) must be submitted by May 12, 2000. Proposals will be evaluated by independent reviewers.

Applicants will receive grant award notification not later than June 1, 2000.

Dr. Kim Wilcox
Executive Director

Doc. No. 025047

State of Kansas

Board of Pharmacy

Notice of Hearing on Proposed
Administrative Regulations

A public hearing will be conducted at 9:30 a.m. Thursday, June 15, in the meeting room at the AmeriSuites, 6021 S.W. 6th Ave., Topeka, to consider the adoption of proposed amendments to an existing rule and regulation of the State Board of Pharmacy.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed rule and regulation. All interested parties may submit written comments prior to the hearing to Larry Froelich, Executive Secretary, Room 513, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1231. All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their view, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Karen Hollon on the consumer toll-free number, 1-888-RX-BOARD (888-792-6273), or in Topeka at 296-6504, or by e-mail at: pharmacy@ink.org.

This regulation is proposed for amendment and adoption on a permanent basis. A brief summary of the proposed regulation and economic impact follows.

K.A.R. 68-20-20. Controlled substances listed in schedules III and IV. This regulation was changed to reflect that a physician assistant (PA) as well as an advanced registered nurse practitioner (ARNP) has statutory authority to prescribe controlled substances within these classes of medications. Where applicable, practitioner was changed to prescriber to reflect the statutory change. The PA or ARNP must have a Drug Enforcement Administration (DEA) registration number.

There is no anticipated economic impact on the public, registrants, the Board of Pharmacy or other governmental agencies.

Copies of this regulation and the economic impact statement may be obtained by contacting the Board of Pharmacy.

Larry Froelich
Executive Secretary

Doc. No. 025050

State of Kansas

Department of Revenue

Notice of Available Publications

Listed below are all the Private Letter Rulings, Opinion Letters, Revenue Rulings, Memorandums, Property Valuation Division Directives, Q&A's, Information Guides and Notices published by the Department of Revenue for March 2000. Copies can be obtained by accessing the Policy Information Library located on the Internet at www.ink.org/public/kdor or by calling the Office of Policy and Research at (785) 296-3081.

Private Letter Rulings

- P-1999-277 Retailer purchases of promotional merchandise.
- P-1999-278 Delivery of goods to points outside Kansas or delivery to an interstate common carrier.
- P-1999-279 Fees paid by subscribers for access to electronic bulletin boards.
- P-1999-280 Sale, lease or license to use canned or custom computer software.
- P-2000-005 Service of aerating lawns.
- P-2000-006 Motorspeedway related sales tax issues.
- P-2000-007 Purchase of an aircraft in the State of Kansas.
- P-2000-008 Internet and associated installation.
- P-2000-009 Cable television installation services.

Opinion Letters

- O-1999-022 Taxability of country club related items including stock purchases, capital contributions, capital improvement fees, and locker rentals.
- O-1999-023 Grain elevators.
- O-1999-024 Project exemption certificates.
- O-1999-025 Taxation of utilities.
- O-1999-026 Janitorial service treatment for sales tax purposes.
- O-1999-027 Religious organizations.
- O-1999-028 Converters purchased by a cable company.

Revenue Rulings

No New Publications

Notices

No New Publications

Memorandums

No New Publications

Property Valuation Division Directives

No New Publications

Q&A's

No New Publications

Information Guides

No New Publications

Karla Pierce
Secretary of Revenue

Doc. No. 025059

State of Kansas

Department of Administration

Public Notice

Under requirements of K.S.A. 1999 Supp. 65-34,117 (c), records of the Division of Accounts and Reports show the unobligated balances are \$6,066,938.51 in the underground petroleum storage tank release trust fund¹ and \$2,024,744.64 in the aboveground petroleum storage tank release trust fund at March 31, 2000.

Dan Stanley
Secretary of Administration

Doc. No. 025054

State of Kansas

Historic Sites Board of Review

Notice of Meeting

The Kansas Historic Sites Board of Review will meet at 9:30 a.m. Saturday, May 6, on the second floor of the Koch Education Center, on the grounds of the Kansas History Center, 6425 S.W. 6th Ave., Topeka. The board will evaluate the following properties for the National Register of Historic Places or the Register of Historic Kansas Places:

- * St. Martha's A.M.E. Church, southwest corner of Main and Canada, Highland, Doniphan County
- * Sunnyland, 501 N. 5th St., Garden City, Finney County (State Register Only)
- * Ottawa Middle School, 508 and 526 S. Main, Ottawa, Franklin County
- * John McCarthy House, 19700 Sunflower Road, Edgerton, Johnson County

The board also will consider the removal of the following demolished properties from the National Register of Historic Places and/or the Register of Historic Kansas Places:

- * Belvidere Medicine River Bridge, .25 miles north of Belvidere, Kiowa County
- * Huron Building, 905 N. 7th, Kansas City, Wyandotte County

Recommendations for fiscal year 2000 Heritage Trust Fund grant monies also will be presented to the board for consideration.

The Kansas State Historical Society welcomes individuals with disabilities to participate in its activities. If special accommodations are needed, contact Sandy McDaniel at the Cultural Resources Division, Kansas State Historical Society, 6425 S.W. 6th Ave., Topeka 66615-1099, (785) 272-8681, ext. 240, by April 28 to discuss the nature of the disability and what the Kansas State Historical Society may do to ensure participation in the activity.

Doc. No. 025067

Rozann Powers
Executive Director

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 directory also is available on the Secretary of State's website at www.kssos.org. The following appointments, which are effective immediately unless otherwise specified, were recently filed with the Secretary of State:

Advisory Commission on African-American Affairs

James M. White, 9701 Georgia St., Kansas City, KS 66109. Term expires June 30, 2000. Succeeds Sherwood Thompson, resigned.

Dealer Review Board

Matthew Classen, 702 Sherman, Marion, 66861. Term expires June 30, 2000. Succeeds Harry Perry, deceased.

John Morse, P.O. Box 26, Centerville, 66014. Term expires June 30, 2002. Reappointed.

Timothy J. Sankey, 2651 Highland Ave., Salina, 67401. Term expires June 30, 2002. Succeeds Donald Lacer.

Ray Shepherd, 1402 Horton, Fort Scott, 66701. Term expires June 30, 2000. Reappointed.

Downer M. Tyler, 5712 S.W. Quail Cove Circle, Topeka, 66614. Term expires June 30, 2000. Reappointed.

Janet Waugh, 2419 Gibbs Road, Kansas City, KS 66106. Term expires June 30, 2000. Reappointed.

Dale Willey, 2840 Iowa St., Lawrence, 66046. Term expires June 30, 2002. Succeeds Jim Clark.

Kansas Commission on Human Rights

David A. Hanson, 8733 S.W. 37th St., Topeka, 66614. Term expires January 15, 2002. Succeeds Kristin Blomquist, resigned.

State Board of Indigents' Defense Services

Bruce W. Beye, 18100 Windsor Drive, Stilwell, 66085. Term expires January 15, 2002. Reappointed.

Ruth E. Graham, 5618 S.W. Foxcroft Circle South, Topeka, 66614. Term expires January 15, 2002. Succeeds Kathryn Arbuckle-Higdon.

David L. Herndon, 650 Kansas Ave., Kansas City, KS 66105. Term expires January 15, 2002. Succeeds Sydney Carlin.

Devon F. Knoll, 7612 Hilldale Road South, Ozawie, 66070. Term expires January 15, 2003. Reappointed.

Willis K. Musick, 301 E. 20th, 301 E. 20th, Hays, 67601. Term expires January 15, 2003. Reappointed.

Denise E. Tomasic, 3228 N. 110th St., Kansas City, KS 66109. Term expires January 15, 2003. Succeeds David Boal, resigned.

Kansas Military Advisory Board

Brig. Gen. Russell C. Axtell, 1731 Tamarisk Circle, Wichita, 67230. Serves at the pleasure of the Governor. Succeeds Brian Barents.

Brig. Gen. Jonathan P. Small, 1931 S.W. Indian Woods Lane, Topeka, 66611. Serves at the pleasure of the Governor. Succeeds James Stewart.

State Board of Pharmacy

Max M. Heidrick, 320 W. Main, Beloit, 67420. Effective May 1, 2000. Term expires April 30, 2003. Succeeds Daniel Katzer.

Dr. Dan W. Upson, 201 Cedar Drive, Manhattan, 66502. Effective May 1, 2000. Term expires April 30, 2003. Reappointed.

Ron Thornburgh
Secretary of State

Doc. No. 025062

State of Kansas

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited during the month of March 2000 for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

Domestic Corporations

A-1 Metro Movers of Kansas, Inc., Wichita, KS.
Affordable Housing Concepts, Inc., Wichita, KS.
Architectural Interiors, Inc., Garden City, KS.
Ashland Schools Association, Ashland, KS.
Auto Credit Center, Inc., Olathe, KS.
Baker University Center for Professional Studies, Inc., Kansas City, MO.
Blessed Sacrament Center for Life and Learning, Inc., Kansas City, KS.
Business World Commercial Buildings Owners Association, Inc., Lawrence, KS.
Capitol Post No. 1 American Legion Department of Kansas, Topeka, KS.
Chetney Nelsen Inc., Manhattan, KS.
Chinese American Microbiology Society, Overland Park, KS.
Coffeyville Public School Foundation, Coffeyville, KS.
Community Development Institute, San Francisco, CA.
Conway Springs Locker Service, Inc., Conway Springs, KS.
Country Nook Crafters Mall Inc., Wichita, KS.
CRS Squares, Inc., South Coffeyville, OK.
Derby Area Community Education Foundation, Derby, KS.
Discount Business Equipment, Inc., Olathe, KS.
Dr. G. F. Copeland, Optometrist, P.A., Great Bend, KS.
EDI, Inc., Lenexa, KS.
Edna Insurance Agency, Inc., Edna, KS.
Elyria Christian School, Inc., McPherson, KS.
Fifth District Dental Society, Overland Park, KS.
Four B Corp., Kansas City, KS.
Friends of the Lyndon Carnegie Library, Lyndon, KS.
Genesis Christian Academy, Inc., Troy, KS.
Ghazali Video Corporation, Lawrence, KS.
Golden Prairie School, Inc., Sawyer, KS.
Gomac, Inc., Salina, KS.
Great Plains Writers Association, Inc., Great Bend, KS.
Heart of America Chapter of the International Fence Industry, Topeka, KS.
Hobby Center, Inc., Goddard, KS.
Holton Area Arts Agency, Inc., Holton, KS.

Home Again, Inc., Overland Park, KS.
 Industrial Steel Warehouse, L.P., Manhattan, KS.
 Jayhawk Food Mart, Inc., Topeka, KS.
 Kansas Association of School Resource Officers,
 Overland Park, KS.
 Kansas Beta Chapter Association, Inc., Manhattan, KS.
 Kansas Chapter Young Presidents' Organization, Inc.,
 Wichita, KS.
 Kansas Future Farmers of America Foundation, Topeka, KS.
 Kansas Head Start Association, Meriden, KS.
 Kansas Lions Sight Foundation, Inc., Kansas City, KS.
 Kansas Mental Illness Awareness Council, Inc., Topeka, KS.
 Kansas Zeta Alumni Corporation of Sigma Phi Epsilon,
 Hays, KS.
 Klever Midwest, Inc., Overland Park, KS.
 KU ZBT Building Corp., Clayton, MO.
 Landlords, Inc., Kansas City, KS.
 LDI, Inc., Minden, LA.
 Liberal, Kansas, Council #3381, Knights of Columbus, Inc.,
 Liberal, KS.
 Link Mortgage Co., Overland Park, KS.
 M & L of Wichita, Inc., Wichita, KS.
 Maitland E. Smith Scholarship House Alumni Association,
 Manhattan, KS.
 Marymount Diocesan Activities Center, Inc., Salina, KS.
 Mastercraft Pattern, Inc., Frontenac, KS.
 McEachron Parent Teacher Organization, Inc., Topeka, KS.
 Mervyn Webster Tennis, Inc., Wichita, KS.
 Mill Creek Associates, L.P., Wichita, KS.
 Miss High Plains-Colby Scholarship Pageant, Inc., Colby, KS.
 National Collegiate Realty Corporation, Overland Park, KS.
 NCAA Marketing Corporation, Overland Park, KS.
 Neely Girls, LLC, Overland Park, KS.
 Oakdale Parent Teacher Organization, Inc., Salina, KS.
 Odin Community Club, Inc, Clafflin, KS.
 Pawnee, Inc., Hiawatha, KS.
 Pepsico, Inc., Wichita, KS.
 Pilot Club of Topeka, Topeka, KS.
 Process Control Corporation, Leawood, KS.
 Rex Tire Company, Inc., Junction City, Kansas, Topeka, KS.
 Rex's Tire and Auto, Inc., Topeka, KS.
 Rice County Community Concert Association, Little River, KS.
 Rohr's Restaurant Franchising, Inc., Quinter, KS.
 Seem-To-Be Players, Inc., Lawrence, KS.
 Sentry Operating Company of Kansas, Inc., Topeka, KS.
 Sewer Masters Corporation, Wichita, KS.
 Shawnee County Main Stream Coalition, Inc., Topeka, KS.
 Single Adult Fellowship East, Incorporated, Wichita, KS.
 Small Business Resource and Assistance Center, L.L.C.,
 Wichita, KS.
 Small Business Seminars and Consulting Services, Incorporated,
 Goessel, KS.
 Stor Builders, Inc., Shawnee Mission, KS.
 Textile Associates, Inc., Overland Park, KS.
 The Pilot Club of Lenexa, Overland Park, KS.
 The Radium Cooperative Company, Radium, KS.
 The United Church of the Good Shepherd, Kansas City, KS.
 The Wilshire Homes Association, Inc., Leawood, KS.
 Theta Phi Corporation, Wichita, KS.
 Town East, Inc., Valley Falls, KS.
 Towne & Country Real Estate, Inc., Olathe, KS.
 Turner Lions Club, Inc., Kansas City, KS.
 Van Vlack Inc., LaCygne, KS.
 Walnut Grove, Inc., Valley Falls, KS.
 Wichita Collegiate Summer Baseball, Inc., Wichita, KS.
 Alico, Inc., LaBelle, FL.
 Alternative Capital Group, Inc., Dallas, TX.
 Amacher Bros. Construction Co., Dunwoody, GA.
 American Eagle Outfitters, Inc., Warrendale, PA.
 American Heart Association, Inc., Dallas, TX.
 Blue Rhino Corporation, Winston-Salem, NC.
 Bob Cummins Enterprises, Inc., Olathe, KS.
 Boyles, Moak & Stone, Inc., Jackson, MS.
 Buckner and Moore, Inc., Moore, OK.
 Buffalo Gap Instrumentation and Electrical Co., Inc.,
 Buffalo Gap, TX.
 Gablerep, Inc., Atlanta, GA.
 Candlewood Wichita Northeast, LLC, Wichita, KS.
 Century Fasteners Corp., Elmhurst, NY.
 Ch.A.D.D., Inc. (Children and Adults with Attention Deficit
 Disorders), Landover, MD.
 Chr. Hansen, Inc. Milwaukee, WI.
 Computer Cheque Corp., Omaha, NE.
 D P Associates, Inc., Huntsville, AL.
 Dota-Rey Watershed #107 Inc., Kansas City, KS.
 Duvall's Plaza, Inc., Shawnee Mission, KS.
 Essex Corporation, Grandview, MO.
 Food Industry Crusade Against Hunger, Washington, DC.
 Fredrick's of Hollywood Stores, Inc., Hollywood, CA.
 Fryetech, Inc., Boca Raton, FL.
 G-Mark, Inc., Dodge City, KS.
 Garden Botanika, Inc., Redmond, WA.
 Geneva Securities, Inc., Schaumburg, IL.
 Grain Train and Medcom, Inc., St. Louis, MO.
 Guardian Security Police, Inc., Steelville, MO.
 ILM II Lease Corporation, Boston, MA.
 Laidlaw Transit Management Company, Inc., Naperville, IL.
 LaRoche Industries Inc., Atlanta, GA.
 Lay Volunteers of Jean Baptiste, Inc., Kansas City, MO.
 Mark D. Fredricksen Insurance Services, Inc., Hemet, CA.
 Masters Funding Group, Inc., Riverside, CA.
 Mercantile Kansas City, Inc., Little Rock, AR.
 Micron Semiconductor Products, Inc., Boise, ID.
 Minneapolis Teachers' Retirement Fund Association,
 Minneapolis, MN.
 Molded Fiber Glass Construction Products Company,
 Ashtabula, OH.
 Mortgagelink Financial, Inc., Newport Beach, CA.
 Moyno, Inc., Springfield, OH.
 N & W Transfer, Inc., Nehawka, NE.
 National Benefit Association, L.L.C., Tulsa, OK.
 National Floral Supply of Maryland, Inc., Waldorf, MD.
 National Governors' Association Center for Policy Research,
 Washington, DC.
 Parkinson's Disease Foundation, Inc., New York, NY.
 Protective Glazing Association, Topeka, KS.
 Queen City Winnelson Co., St. Louis, MO.
 Rogers Drilling, Inc., Neosho, MO.
 Rosser International, Inc., Atlanta, GA.
 S & G Investment Group, A Limited Partnership, La Mesa, CA.
 Southern Pacific Funding Corporation, Lake Oswego, OR.
 Southwest Credit Systems, Inc., Carrollton, TX.
 Speakez, Inc., Englewood, CO.
 Succeed, Inc., Nashville, TN.
 TEC Resources, Inc., Tulsa, OK.
 The National Youth Sports Program Fund, Overland Park, KS.
 The Walking Company, Chatsworth, CA.
 Truckzone, Inc., Memphis, TN.
 United Care USA, Colleyville, TX.
 Vision Management, Inc. (VMI), Scottsdale, AZ.

Ron Thornburgh
 Secretary of State

Doc. No. 025044

Foreign Corporations
 A Caring Doctor (Minnesota), P.A., Portland, OR.
 ABC-NACO Inc., Chicago, IL.
 Affiliated Foods, Inc., St. Joseph, MO.

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, 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, April 24, 2000

01400

University of Kansas—Telecommunications Construction Project

01434

University of Kansas—Microscopes for College Laboratory

Tuesday, April 25, 2000

A-8965

Kansas State University—Additions to 17th Street, Steam Distribution System

01438

Department of Administration, Facilities Management—Fire Extinguishers

Thursday, April 28, 2000

A-8949

Kansas State University—Electrical Service Improvements, Kramer Complex

Friday, April 28, 2000

01422

Department of Administration, Self Insurance Fund—Primary Medical Care Provider, Manhattan

Tuesday, May 2, 2000

A-8862

Kansas School for the Deaf—Exterior Repairs, Roberts Building

Wednesday, May 3, 2000

A-8751(a)

El Dorado Correctional Facility—New Tie Breaker at Building T, New Circuit Monitors and New PT's in Main Switchgear, and Remote UPS Alarm

A-8373(d)

Pittsburg State University—Roof Replacement, Mitchell Hall

Thursday, May 4, 2000

A-8275(d)

Kansas State University—Fiedler Library Addition Irrigation

A-8924

Department of Transportation—Reroof Metro Office, Kansas City

01229

Department of Social and Rehabilitation Services—Social Services Master Contract List

Request for Proposals

Tuesday, April 25, 2000-

01325

Custom Computer Application for the Department of Human Resources

Tuesday, May 9, 2000

01419

Tires and Tubes, Statewide

John T. Houlihan
Director of Purchases

Doc. No. 025066

(Published in the Kansas Register April 13, 2000.)

Sedgwick County, Kansas
Shawnee County, Kansas

Notice of Hearings on Proposed Issuance of
Single Family Mortgage Revenue Bonds

Public notice is hereby given that Sedgwick County, Kansas, and Shawnee County, Kansas (jointly, the issuers), will conduct public hearings with respect to the proposed issuance of approximately \$65,000,000 of Single Family Mortgage Revenue Bonds at the following times and locations:

Date: April 26
Time: 9 a.m.
Location: Sedgwick County Courthouse
Commission Meeting Room, 3rd Floor
525 N. Main, Wichita

Date: April 27
Time: 9 a.m.
Location: Shawnee County Courthouse
200 S.E. 7th, Topeka

The proceeds of such bonds will be utilized to refund a portion of certain previously issued single family mortgage revenue bonds and to purchase securities that are backed by qualified home mortgage loans made to persons and families of low and moderate income (first-time homebuyers) residing within the unincorporated areas of Sedgwick County, Kansas, and Shawnee County, Kansas, and within the corporate limits of certain cities and the unincorporated areas of certain counties in Kansas that enter into cooperation agreements with either of the issuers.

All persons having an interest in the subject matter of the hearing will be given an opportunity to be heard at the hearings. Written comments also may be submitted to the issuers, c/o Sedgwick County Clerk, Courthouse, 525 N. Main, Wichita, 67203; or c/o Shawnee County Clerk, Courthouse, 200 S.E. 7th, Topeka, 66603.

Dated April 3, 2000.

Sedgwick County, Kansas
Shawnee County, Kansas

Doc. No. 025053

State of Kansas

Kansas State University

Notice to Bidders

Sealed bids for the item listed below will be received by the Kansas State University Purchasing Office, Manhattan, until 2 p.m. local time on the date indicated and then will be publicly opened. Interested bidders may call (785) 532-6214 or fax (785) 532-5577 for additional information:

Friday, April 28, 2000

#00209

Abrasive waterjet cutting machine

**William H. Sesler
Director of Purchasing**

Doc. No. 025069

(Published in the Kansas Register April 13, 2000.)

**Summary Notice of Bond Sale
Unified School District No. 396
Butler County, Kansas (Douglass)
\$7,000,000**

**General Obligation School Building Bonds
Series 2000**

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

Sealed Bids

Subject to the notice of bond sale dated March 23, 2000, sealed bids will be received by the clerk of Unified School District No. 396, Butler County, Kansas (Douglass) (the issuer), on behalf of the governing body at 910 E. 1st, P.O. Box 158, Douglass, KS 67039, until 7 p.m. April 24, 2000, for the purchase of \$7,000,000 principal amount of General Obligation School Building Bonds, Series 2000. No bid of less than 100 percent of the principal amount of the bonds and accrued interest thereon to the date of delivery will be considered.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will be dated April 15, 2000, and will become due on September 1 in the years as follows:

Year	Principal Amount
2002	\$ 40,000
2003	40,000
2004	55,000
2005	65,000
2006	80,000
2007	100,000
2008	300,000
2009	315,000
2010	350,000
2011	380,000
2012	415,000
2013	450,000
2014	490,000
2015	535,000

2016	575,000
2017	625,000
2018	675,000
2019	725,000
2020	785,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold as hereinafter provided, which interest will be payable semiannually on March 1 and September 1 in each year, beginning March 1, 2001.

Optional Book-Entry-Only System

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a good faith deposit in the form of a cashier's or certified check drawn on a bank located in the United States or a qualified financial surety bond in the amount of \$140,000 (2 percent of the principal amount of the bonds).

Delivery

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about May 9, 2000, to DTC for the account of the successful bidder or at such bank or trust company in the contiguous United States as may be specified by the successful bidder, or elsewhere at the expense of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1999 is \$17,598,946. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$8,075,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 747-3300, or from the financial advisor, Ranson & Associates, Inc., 250 N. Rock Road, Suite 150, Wichita, KS 67206-2241, Attention: Stephen E. Shogren, (316) 681-3123.

Dated March 23, 2000.

**Unified School District No. 396
Butler County, Kansas (Douglass)**

Doc. No. 025051

(Published in the Kansas Register April 13, 2000.)

Summary Notice of Bond Sale
City of Lawrence, Kansas
\$7,415,000*
General Obligation Temporary Notes
Series 2000-1
\$2,450,000*
General Obligation Bonds
Series 2000-A

(General obligations payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of sale and preliminary official statement, bids will be received by the city clerk of the City of Lawrence, Kansas, on behalf of the governing body at City Hall, 6 E. 6th St., Lawrence, KS 66044, on Tuesday, April 25, 2000, for the purchase of General Obligation Temporary Notes, Series 2000-1, and General Obligation Bonds, Series 2000-A. Bids for the bonds will be received until 11 a.m. and bids for the notes will be received until 11:30 a.m. on that day. No bid of less than the entire principal amount of the bonds or less than 99.50 percent of the entire principal amount of the notes, as applicable, and accrued interest to the date of delivery will be considered.

Note Details

The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. Notes shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the notes will be made. Individual purchases of notes will be made in book-entry form only. Purchasers will not receive certificates representing their interest in notes purchased. The notes will be dated May 1, 2000, and will become due on June 1, 2001. The notes will bear interest from the dated date at rates to be determined when the notes are sold, and interest will be payable on December 1, 2000, and at maturity on June 1, 2001. The Lawrence City Treasurer will be the paying agent and note registrar for the notes.

Bond Details

The bonds will consist of fully registered bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated May 1, 2000, and will become due on September 1 in the years as follows, subject to redemption as set forth in the preliminary official statement.

Year	Principal Amount*
2000	\$120,000
2001	100,000
2002	110,000

2003	120,000
2004	130,000
2005	300,000
2006	350,000
2007	375,000
2008	410,000
2009	435,000

The bonds will bear interest from the date thereof at rates to be determined when the bonds are sold, and interest will be payable semiannually on March 1 and September 1 in each year, beginning September 1, 2000. The Kansas State Treasurer, Topeka, Kansas will be the paying agent and bond registrar for the bonds.

Good Faith Deposit

A good faith deposit is not required for bids on the notes. Each bid for the bonds shall be accompanied by a good faith cashier's or certified check or financial surety bond in the amount of 2 percent of the principal amount of the bonds.

Delivery

The city will pay for the preparation of the notes and the bonds. The city will deliver the notes in book-entry form only through the facilities of the Depository Trust Company, New York, New York.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations is \$562,985,984. The total general obligation bonded indebtedness of the city as of the date of the bonds and notes, including the bonds and notes being sold but excluding the temporary notes to be retired with the proceeds of the bonds and notes being sold, is \$67,390,000.

Approval of Bonds

The bonds and notes will be sold subject to the legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, bond counsel, whose approving legal opinion as to the validity of the bonds/notes will be furnished and paid for by the city and delivered to the successful bidder when the bonds/notes are delivered.

Additional Information

Additional information regarding the bonds and notes may be obtained from the city clerk or the city's director of finance, (785) 832-3214, or from bond counsel, Gilmore & Bell, P.C., 2405 Grand Blvd., Suite 1100, Kansas City, MO 64108, (816) 221-1000.

Dated April 13, 2000.

City of Lawrence, Kansas
By Raymond J. Hummert
Lawrence City Clerk
Lawrence City Hall
6 E. 6th St.
Lawrence, KS 66044
(785) 832-3000
Fax (785) 832-3231 or
(785) 832-3405

* Preliminary; subject to change.
Doc. No. 025065

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality Class I operating permit. Coffeyville Municipal Light & Power (City of Coffeyville) has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 *et seq.* The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance. This Class I permit also makes minor modifications to requirements established in the construction permit from KDHE dated October 23, 1996.

Coffeyville Municipal Light & Power (City of Coffeyville) owns and operates a municipal power plant located at 605 Santa Fe St., Coffeyville.

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 Southeast District Office, 1500 W. 7th, Chanute, for a period of 45 days from the date of publication of this notice. To obtain or review the proposed permit and supporting documentation, contact Alan Brooks, (785) 296-6281, at the KDHE central office, or Lynelle Stranghoner, (316) 431-2390, at the KDHE Southeast District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Alan Brooks, 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 not later than the close of business May 30.

A person may request a public hearing be held 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 May 30 in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency has a 45-day review period, until May 30, within which to object to the proposed Class I operating permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA within 60 days after the expiration of the 45-day review period to review the permit. Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such

period. Contact Gary Schlicht, EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th, Kansas City, KS 66101, (913) 551-7097, to determine when the 60-day petition period commences.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 025048

State of Kansas

Department of Health
and Environment

Notice of Hearing

The Kansas Department of Health and Environment has prepared a proposed Kansas Water Pollution Control Permit, A-UAWH-H004, for Maple Creek Farms LLC - Woelk Site located near Leoti. Maple Creek Farms LLC - Woelk Site proposes a new facility for the confined feeding of 21,600 head (8,640 animal units) of swine weighing more than 55 pounds. The proposed facility location is in the Southeast Quarter of Section 5, Township 20S, Range 38W of Wichita County. The proposed permit for Maple Creek Farms, LLC - Woelk Site is being placed on public notice in this issue of the Kansas Register under Notice No. KS-AG-00-97.

A public hearing has been scheduled, in conformance with Kansas Administrative Regulation 28-16-61, on KDHE's intention to issue the proposed permit. The hearing will begin at 7 p.m. Wednesday, May 17, at the Community Building at the Fairgrounds, East M Street, Leoti.

Copies of the applicant's application, draft permit and other pertinent documents may be requested by contacting Dená Endsley, Kansas Department of Health and Environment, Bureau of Water, Livestock Waste Management Section, Forbes Field, Building 283, Topeka, 66620, (785) 296-6432 or fax (785) 296-5509. Appropriate copying charges will be assessed for each request.

Persons wishing to comment on the proposed permit may do so at the public hearing or may submit written statements to the above address by May 13. It is recommended that persons wishing to present oral testimony at the public hearing supply the hearing officer with a written copy of the testimony.

Any individual with a disability may request accommodation in order to participate in the public hearing process and may request the proposed permit in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting KDHE at the above address.

The Secretary of Health and Environment will make a final permit decision after consideration of all requirements of state statutes and regulations and comments received during the public notice and public hearing process.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 025060

State of Kansas

Department of Health
and EnvironmentNotice Concerning Kansas
Water Pollution Control Permits

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 15, 28-18a-1 through 32, 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 and/or permit applications have been received for discharges to the waters of the United States and the State of Kansas for the class of discharges 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.

All Kansas Department of Health and Environment district office addresses and telephone numbers are listed below.

Public Notice No. KS-AG-00-089/097

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Hofmeister Hogs Fred Hofmeister 941 N.E. 200th Road Clafin, KS 67525	NW/4, Section 24, T16S, R12W, Barton County	Smoky Hill River

Kansas Permit No. A-SHBT-S001

This is a permit renewal for an existing facility with a revised animal unit and head count due to changes in the law requiring hogs less than 55 pounds to be counted as .01 animal units. The facility has a maximum capacity of 2,200 head of swine weighing greater than 55 pounds each (880 animal units) and 1,010 head of swine weighing less than 55 pounds each (101 animal units) for a total of 3,210 head of swine (981 animal units).

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

Compliance Schedule: A waste management plan for the facility shall be developed. The plan shall be submitted to the department by December 29, 2000. The approved plan will become part of this permit.

Name and Address of Applicant	Legal Description	Receiving Water
Pioneer, Inc. 1021 County Road. "CC" Oakley, KS 67748	N/2 & SW/4 (NW/4), Section 18 (19), T11S, R31W, Gove County	Smoky Hill River

Kansas Permit No. A-SHG0-C003 Federal Permit No. KS-0115860

This is a revision of an existing permit to reflect an expansion of pen space for feeding cattle. However, the animal capacity will not exceed the current permitted capacity for 40,000 head of cattle weighing greater than 700 pounds each (40,000 animal units).

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

Compliance Schedule: A waste management plan developed by Mueting Engineering and approved by this department shall be adhered

to as a condition of this permit. The sedimentation channels for the east pen expansion need to be enlarged to provide additional storage capacity or additional inlet pipes installed or emergency open channel spillways constructed to ensure that all open lot runoff from a 25-year—24-hour storm event is conveyed to the earthen retention structure and not allowed to discharge.

Name and Address of Applicant	Legal Description	Receiving Water
Lobmeyer Farms Route 1, Box 98 Tribune, KS 67879	E/2, Section 28, T17S, R42W, Greeley County	Upper Arkansas River Basin

Kansas Permit No. A-UAGL-B001

This is an existing facility for 950 head (950 animal units) of beef cattle weighing greater than 700 pounds.

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

Compliance Schedule: Existing controls meet KDHE requirements.

Name and Address of Applicant	Legal Description	Receiving Water
FBN Hogs Alan W. Marietta 302 N. York Oberlin, KS 67749	SW/4, Section 2, T3S, R29W, Decatur County	Upper Republican River

Kansas Permit No. A-URDC-S007

This is the downsizing of an existing swine facility from 2,500 head of swine weighing greater than 55 pounds each (1,000 animal units) down to 1,000 head of swine weighing greater than 55 pounds each (400 animal units).

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

Compliance Schedule: None, existing controls are adequate.

Name and Address of Applicant	Legal Description	Receiving Water
Hillside Dairy Archie Schmidt 1026 E. 80th Peabody, KS 66866	SW/4, Section 27, T21S, R2E, Marion County	Neosho River Basin

Kansas Permit No. A-NEMN-M008

This is a permit renewal for an existing facility for 80 lactating dairy cattle (112 animal units), 15 dairy calves less than 700 pounds (7.5 animal units), 50 dairy cattle over 700 pounds (50 animal units), for a total of 169.5 animal units of dairy cattle.

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

Compliance Schedule: A waste management plan for the facility shall be developed. A plan shall be submitted to the department for approval by August 1, 2000. The approved plan will become part of this permit. Dewatering equipment shall be obtained within two months of the effective date of this permit through purchase, rental or custom application agreement. Written verification of the acquisition of the equipment shall be submitted to the department.

Name and Address of Applicant	Legal Description	Receiving Water
Romaine Swanson 4349 S. Kipp Road Gypsum, KS 67448	SW/4, Section 9, T15S, R1W, Saline County	Smoky Hill River Basin

Kansas Permit No. A-SHSA-B002

This is a permit renewal for an existing facility for 450 head of cattle weighing over 700 pounds (450 animal units) of beef.

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

Compliance Schedule: The waste management plan developed by the designer and approved by the department shall be adhered to as a condition of this permit. Dewatering equipment shall be obtained within 60 days of the effective date of this permit through purchase, rental or custom application agreement. Written verification of the acquisition of the equipment shall be submitted to the department.

Name and Address of Applicant	Legal Description	Receiving Water
Forsberg Bros. Dairy Kurtiss Forsberg 2444 E. Mentor Road Assaria, KS 67416	SW/4, Section 20, T15S, R2W, Saline County	Smoky Hill River Basin

Kansas Permit No. A-SHSA-M001

This is a permit renewal for an existing facility for 125 lactating dairy cattle (175 animal units).

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

Compliance Schedule: Existing Controls meet KDHE requirements.

Name and Address of Applicant	Legal Description	Receiving Water
Nellor Dairy 21195 S. Gardner Road Gardner, KS 66030	SW/4, Section 13, T15S, R22E, Johnson County	Marais Des Cygnes

Kansas Permit No. A-MCJO-M005

This is a renewal permit for an existing facility with 200 head of dairy cows (280 animal units).

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

Compliance Schedule: None, existing controls meet KDHE requirements.

Name and Address of Applicant	Legal Description	Receiving Water
Maple Creek Farms, LLC- Woelk Site James C. Hicks P.O. Box 718 Leoti, KS 67861	SE/4, Section 5, T20S, R38W, Wichita County	Upper Arkansas River Basin

Kansas Permit No. A-UAWH-H004 Federal Permit No. KS-0095419

This is an application for a permit for a proposed new facility having a maximum capacity of 21,600 head (8,640 animal units) of swine.

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

Compliance Schedule: Within six months of the effective date of the permit the permittee shall demonstrate it has sufficient dewatering equipment on-site.

Public Notice No. KS-00-079/082

Name and Address of Applicant	Waterway	Type of Discharge
Strahm L.L.C. Scott Strahm 2910 W. Hwy. 50 Emporia, KS 66801	Neosho River via Cottonwood River via Moon Creek via Unnamed Tributary	Treated Domestic Wastewater

Facility: Thunderbird Estates, 1752 Country Road E, Emporia, KS

Kansas Permit No. C-NE24-0003 Federal Permit No. KS095729

Legal: NE¼, S10, T19S, R10E, Lyon County

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring for total residual chlorine and effluent flow also will be required. This permit has a schedule of

compliance requiring the permittee to complete the necessary improvements to achieve compliance with its NPDES permit and to obtain the services of a KDHE-certified wastewater treatment plant operator. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Whiting, City of P.O. Box 126 Whiting, KS 66552	Kansas River via Delaware River via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-KS81-0001 Federal Permit No. KS0083372

Legal: SE¼, S27, T5S, R16E, Jackson County

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Monitoring for ammonia also will be required. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Hunt Midwest Mining, Inc. P.O. Box 12659 Kansas City, MO 64116	Marais des Cygnes River via North Fork of Pottawatomie Creek	Pit Dewatering & Stormwater Runoff

Facility Name: Harris Quarry

Kansas Permit No. I-MC15-PO01 Federal Permit No. KS0116017

Legal: NE¼, S12, T20S, R18E, Anderson County

Facility Description: The proposed action is to reissue an existing permit for the discharge of pit dewatering and uncontaminated stormwater runoff from this facility. This facility is a limestone quarrying and crushing operation with no washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Hunt Midwest Mining, Inc. P. O. Box 12659 Kansas City, MO 64116	Marais des Cygnes River via Middle Creek	Pit Dewatering & Stormwater Runoff

Facility Name: Princeton Quarry

Kansas Permit No. I-MC38-PO01 Federal Permit No. KS0080403

Legal: NW¼, S24, T18S, R19E, Franklin County

Facility Description: The proposed action is to reissue an existing permit for the discharge of stormwater run-off and pit dewatering from this facility. This facility is a limestone quarrying and crushing operation with no washing. Monitoring of the effluent will not be required unless there is a significant change in the quality or quantity of the subject discharge. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are water quality based.

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Dena Endsley for agricultural permits or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Di-

(continued)

vision of Environment, Bureau of Water, J Street and 2 North, Forbes Field, Building 283, Topeka, 66620.

All comments regarding the draft permit or application notice postmarked or received on or before May 13 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-00-089/097, KS-00-079/082) and name of applicant/application as listed when preparing comments.

If no objections are received during the public notice period regarding any proposed permit, the Secretary of Health and Environment will issue the final determination regarding issuance or denial of the proposed permit. If response to this notice indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC). Media coordination for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

For agricultural permits and applications, a copy of the permit application, supporting documentation, and a KDHE-developed fact sheet, if appropriate, is available for review at the appropriate district office:

Northwest District Office, 2301 E. 13th, Hays, 67601-2651,
(785) 625-5664

North Central District Office, 2501 Market Place, Salina,
67401-7699, (785) 827-9639

Northeast District Office, 800 W. 24th, Lawrence,
66046-4417, (785) 842-4600

Southwest District Office, 302 W. McArtor Road,
Dodge City, 67801-6098, (316) 225-0596

South Central District Office, 130 S. Market, 6th Floor,
Wichita, 67202-3802, (316) 337-6020

Southeast District Office, 1500 W. 7th, Chanute, 66720,
(316) 431-2390

Plans and documents for all new facilities and for expansions of existing swine facilities also may be reviewed on the Internet at www.kdhe.state.ks.us.

For all other proposed permits, the draft permit(s), 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 offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These 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.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 025058

State of Kansas

State Corporation Commission

Notice of Motor Carrier Hearings

The following motor carriers have filed various applications and are scheduled for hearing at 9:30 a.m. May 2 before the commission at its offices, 1500 S.W. Arrowhead Road, Topeka, as indicated below. All applications listed herein are for statewide authority, unless otherwise stated. This list does not include cases which have been continued from earlier assigned hearing dates for which parties of record have received notice.

Requests to inspect and copy the notices provided to the parties and questions in regard to these hearings should be addressed to the State Corporation Commission, Transportation Division, 1500 S.W. Arrowhead Road, Topeka, 66604-4027, (785) 271-3225 or 271-3151. The presiding officer for these matters is Paula Lentz, Assistant General Counsel, (785) 271-3279. Anyone needing special accommodations should give notice to the commission 10 days prior to the scheduled hearing date.

Attention should be directed to Kansas Administrative Regulation 82-1-228, "Rules of Practice and Procedure Before the Commission,"

Applications for Certificate of Convenience and Necessity:

Luxury Limousine, Incorporated, 12304 Pawnee, Leawood, KS 66209; MC ID No. 158642; Passengers and their baggage.

Esquire Limousine Service, Inc., 11735 Caenen St., Overland Park, KS 66210; MC ID No. 158469; Passengers and their baggage.

Applications for Certificate of Public Service:

Eric Batman, Route 2, Box 36, Great Bend, KS 67530; MC ID No. 158638; General commodities (except household goods and hazardous materials).

Big Freight America, Inc., 20400 N. Webster St., Spring Hill, KS 66083; MC ID No. 157859; William Barker, Attorney; General commodities (except household goods and hazardous materials).

Obe Brant, dba Brant Farms, 70061 S.E. 110th St., Sawyer, KS 67134; MC ID No. 158472; General commodities (except explosives, household goods and hazardous materials).

Loran W. Cranor, dba Cranor Trucking, 301 S. 5th, Independence, KS 67301; MC ID No. 158476; Joseph Weiler, Attorney; General commodities (except Classes A and B explosives, household goods and hazardous materials).

Edwin E. Dearmont, Route 1, Box 143, Skidmore, MO 64487; MC ID No. 158474; General commodities (except household goods and hazardous materials).

Randall L. Huber, dba Huber Trucking, Route 1, Box 38A, LaCrosse, KS 67548; MC ID No. 158475; Joseph Weiler, Attorney; General commodities (except Classes A and B explosives, household goods and hazardous materials).

J. J. Ryan, Inc., 218 S. Burrton Ave., Burrton, KS 67020; MC ID No. 158468; Matthew Bretz, Attorney; General commodities (except perishables, household goods and hazardous materials).

JJ Trucking Co., Inc., 2900 Hillcrest Drive, Hays, KS 67601; MC ID No. 158467; William Barker, Attorney; General commodities (except household goods and hazardous materials).

Lilley Trucking, Inc., 1315 7th St., Clay Center, KS 67432; MC ID No. 158477; Joseph Weiler, Attorney; General commodities (except Classes A and B explosives and household goods).

Murphy Trucking, LLC, Route 3, Box 347, Fort Scott, KS 66701; MC ID No. 157711; General commodities (except household goods and hazardous materials).

Robbins Trucking, Inc., Route 1, Box 69, Randall, KS 66963; MC ID No. 158610; Joseph Weiler, Attorney; General commodities (except Classes A and B explosives, household goods and hazardous materials).

Terry Salmans, dba Salmans Trucking, 304 E. Adams, Hanston, KS 67849; MC ID No. 158565; General commodities (except household goods and hazardous materials).

Kenney Sneyd, dba Kenney's Auto Clinic, 2569 W. Oklahoma, Ulysses, KS 67880; MC ID No. 158473; Wrecked, disabled, repossessed and replacement vehicles.

Wendell A. Swinney, dba Swinney Trucking, 100 S. Monroe, Hugoton, KS 67951; MC ID No. 158626; General commodities (except explosives, household goods and hazardous materials).

Brenda Talbert, dba Happy Trails Trucking, 701 S. Baughman, Ulysses, KS 67880; MC ID No. 158471; Grain, feed and feed ingredients, road construction materials, processed grain.

Shannon Unruh, dba Rocking U Transport, 1610 25th Ave., Canton, KS 67428; MC ID No. 158608; General commodities (except passengers, household goods and hazardous materials).

Clinton L. Williams, dba Williams Farms and Trucking, 10756 S.E. Satchell Creek, Leon, KS 67074; MC ID No. 158470; General commodities (except household goods and hazardous materials).

Application for Transfer of Certificate of Convenience and Necessity:

Floyd C. Gunter and Timothy L. Wiegman, Sr., dba K-MO Limó, 804 E. Dennis, Olathe, KS 66061, MC ID No. 132615, to: K-MO Limó, Inc., 804 E. Dennis, Olathe, KS 66061; Stephen McGiffert, Attorney; Passengers and their baggage.

Applications for Transfer of Certificate of Public Service:

George W. Hays and Son, Inc., 116 Green St., Clyde, KS 66938, MC ID No. 114995, to: Hays and Son, L.L.C., 531 N. High St., Clyde, KS 66938; Joseph Weiler, Attorney; General commodities (except liquid commodities in bulk, Classes A and B explosives, household goods, hazardous materials as defined in 49 C.F.R. §172.101 and commodities requiring special equipment for handling).

Marcus L. Hefner, dba Hefner Trucking, 1343 Frontier Way, Emporia, KS 66801, MC ID No. 156337, to: Hefner Trucking, Inc., 1343 Frontier Way, Emporia, KS 66801; General commodities (except household goods and hazardous materials).

Kenneth L. Knight, dba Knight Lines, Route 1, Box 83B, Harveyville, KS 66431, MC ID No. 155511, to: Knight Lines, LLC, Route 1, Box 8A, Harveyville, KS 66431; General commodities (except household goods and hazardous materials).

Robert E. Smith, Route 2, Box 80, Smith Center, KS 66967, MC ID No. 128978, to: Robert E. Smith Trucking, Inc., Route 2, Box 80, Smith Center, KS 66967; General commodities (except household goods and hazardous materials).

Kirk Earl Dickson, 616 Larimer, Pratt, KS 67124, MC ID No. 154101, to: Ag Transport, L.L.C., 616 Larimer, Pratt, KS 67124; Eldon Meigs, Attorney; General commodities (except household goods and hazardous materials).

Applications for Abandonment of Certificate of Public Service:

Jerald Acker, 6710 W. Hwy. K-18, Junction City, KS 66441; MC ID No. 153793.

Greenleaf Transportation; L.L.C., 4th and Commercial, Greenleaf, KS 66943; MC ID No. 156257.

Keith Hammond, dba K and C Hay & Grain, 1893 Prairie Road, Yates Center, KS 66783; MC ID No. 155408.

John R. (Randy) and Janis Malin, dba Malin Farms, Route 1, Box 139, Liberal, KS 67901; MC ID No. 153673.

Hubert E. Parks, dba H.E.P. Trucking, 407 N. McPherson Road, Burrton, KS 67020; MC ID No. 148819.

Applications for Abandonment of Certificate of Convenience and Necessity:

Crescent Transportation Company, Inc., 200 S.E. 21st St., Topeka, KS 66612; MC ID No. 150375.

John D. Meade, dba Blue Goose Shuttle, 406 S.E. Market St., Topeka, KS 66607; MC ID No. 157331.

Jacquelyn S. Miller
Administrator
Transportation Division

State of Kansas

Legislature

Legislative Bills and Resolutions Introduced

The following numbers and titles of bills and resolutions were introduced March 30—April 5 by the 2000 Legislature. Copies of bills and resolutions are available free of charge from the Legislative Document Room, 145-N, State Capitol, 300 S.W. 10th Ave., Topeka, 66612, (785) 296-4096.

House Bills

HB 3049, An act concerning the secretary of health and environment; concerning proof of inoculations by pupils; requiring hepatitis B inoculations, by Committee on Appropriations.

HB 3050, An act concerning natural gas; authorizing certain refunds and reimbursements of refunds of certain ad valorem tax reimbursements; authorizing the issuance of bonds and imposing a tax on certain transportation of natural gas, by Committee on Appropriations.

HB 3051, An act concerning courts; relating to court of appeals; amending K.S.A. 20-3002, 20-3005 and 20-3006 and repealing the existing sections; also repealing K.S.A. 20-3003, by Committee on Appropriations.

Senate Bills

SB 670, An act concerning water pollution prevention; amending K.S.A. 65-170e and repealing the existing section, by Committee on Federal and State Affairs.

SB 671, An act regulating traffic; concerning low-speed vehicles; amending K.S.A. 8-1701 and 8-1717 and K.S.A. 1999 Supp. 8-1486 and 8-2118 and repealing the existing sections, by Committee on Federal and State Affairs.

Senate Resolutions

SR 1834, A resolution congratulating and commending Ruth Olinger.

SR 1835, A resolution congratulating and commending the Johnson County Community College women's basketball team.

SR 1836, A resolution congratulating and commending Amtrak accident rescue workers.

SR 1837, A resolution congratulating and commending the Shawnee Heights High School boys basketball team and Coach Craig Cox for winning the 2000 Class 5A State Basketball Championship.

SR 1838, A resolution congratulating and commending the Smith Center High School football team and Coach Roger Barta for winning the 1999 Class 3A State Football Championship.

SR 1839, A resolution congratulating and commending the Leavenworth High School boys basketball team and Coach Larry Hogan.

Doc. No. 025042

(Published in the Kansas Register April 13, 2000.)

Leavenworth County, Kansas

Notice to Bidders

Sealed bids for the purchase of a brush chipper will be received until 8 a.m. Monday, May 1, by the Board of County Commissioners of Leavenworth County, Kansas, at the county clerk's office, Leavenworth County Courthouse, 300 Walnut, Leavenworth, 66048. Bids will be publicly opened in the county clerk's office at 8 a.m. and read aloud at the commissioners' meeting at 9 a.m. May 1.

Additional information, including specifications and bid options, may be obtained by contacting Ed Sass at (913) 727-3200. Leavenworth County reserves the right to reject any or all bids.

Debbie McRill
Leavenworth County Solid Waste

Doc. No. 025045

State of Kansas

State Banking Department

Permanent Administrative Regulations

Article 22.—APPLICATION FEES

17-22-1. Application fees. (a) At the time of filing any application described below, the applicant shall remit to the office of the state bank commissioner the following nonrefundable fee:

(1) Bank or trust company charter	\$2,500
(2) New branch bank	1,000
(3) Relocation	
(A) Main office or branch relocation	1,000
(B) Short-form main office relocation	500
(C) Interchange of main office and branch	500
(D) Main office relocation with existing location retained as a branch	1,000
(E) Short-form main office relocation with existing location retained as a branch	500
(4) Merger, consolidation, or transfer of assets and liabilities	1,000
(5) Change of control	
(A) General	1,000
(B) Bona fide gift or inheritance	500
(C) Formation of one-bank holding company and associated exchange of stock	500
(6) Conversion to state charter	no fee
(7) Bank service corporation	500
(8) Fiduciary activities	
(A) Fiduciary powers	no fee
(B) Trust branch established pursuant to K.S.A. 9-1135	500
(C) Trust service desk established pursuant to K.S.A. 9-2107	500
(D) Trust service office established pursuant to K.S.A. 9-2108	500
(E) Contracting trustee agreement established pursuant to K.S.A. 9-2107	500
(9) Money order license	100,
	plus \$10 per agent
(10) Change of name	250
(11) Revenue bond pledgibility	200
(12) Letter of good standing	50
(13) Administrative appeals pursuant to K.S.A. 9-2108(i), K.S.A. 9-2107(l), or K.S.A. 9-1135(j)	1,000

(b) The statutory procedures governing the applications described in paragraph (a)(2), paragraph (a)(3)(A), (C), (D) or (E), and paragraph (a)(8)(B), (C), or (D) above may require a public hearing. If a hearing is required, the applicant shall pay an additional nonrefundable fee of \$400 to defray the expenses of the hearing.

(c) The applicant shall pay any additional cost associated with any examination or investigation if the state bank commissioner determines that an on-site examination of the financial institutions or trust companies that are parties to the application is necessary. (Authorized by K.S.A. 9-1713, 9-1127c, 9-1601, 9-812, and K.S.A. 1999 Supp. 9-509, 9-532, 9-1111, 9-1111b, 9-1135, 9-1402, 9-1722, 9-1724, 9-1803, 9-1804, and 9-2107; implementing K.S.A. 1999 Supp. 9-509, 9-532, 9-1111, 9-1111b, 9-1115, 9-1135, 9-1402, 9-1722, 9-1724, 9-1803, 9-1804, and 9-2107 and K.S.A. 9-1127c, 9-1601, and 9-812; effective Oct. 19, 1992; amended Aug. 16, 1993; amended Oct. 31, 1994; amended Nov. 14, 1997; amended April 28, 2000.)

Article 23.—TRUST SUPERVISION

17-23-16. Location of trust documents. (a) Unless an exception is granted by the commissioner, all of the original governing instruments establishing a fiduciary relationship with a bank or trust company shall be permanently maintained and located at one site, which shall be one of the following:

- (1) The main bank or trust company location;
- (2) an approved branch or trust service office; or
- (3) another site approved by the commissioner.

(b) The following factors shall be considered by the commissioner in determining whether to grant an exception:

- (1) The cost to the bank or trust company to maintain all original governing instruments at one site;
- (2) the additional burden to the bank or trust company to maintain all original governing instruments at one site; and
- (3) the effect that storage at separate locations will have on the ability of the commissioner, or the commissioner's designees, to efficiently conduct an examination of the bank or trust company.

(c) All other records shall be stored at any main bank or trust company location, an approved branch or trust service office, or another site approved by the commissioner.

(d) For purposes of examination, the bank or trust company shall make available original governing instruments and other records as deemed necessary by the commissioner to complete an examination. (Authorized by K.S.A. 9-1713 and K.S.A. 9-1130; implementing K.S.A. 9-1603, 9-1130, and K.S.A. 1999 Supp. 9-2103; effective Feb. 28, 1994; amended April 28, 2000.)

Franklin W. Nelson
State Bank Commissioner

Doc. No. 025068

State of Kansas

Board of Pharmacy

Permanent Administrative
Regulations

Article 5.—GENERAL RULES

68-5-1. Definitions. The following words and phrases as used throughout these rules and regulations shall have the meanings specified below, unless otherwise indicated by the context of the specific regulation.

(a) Beyond-use date. The term "beyond-use date" means a date placed on a prescription label at the time of dispensing, repackaging, or prepackaging that is intended to indicate to the patient or caregiver a time beyond which the contents of the prescription are not recommended to be used.

(b) Intern. The word "intern" means an individual who is a prospective candidate for examination as a licensed pharmacist and who is qualified to receive and is obtaining pharmaceutical experience as set forth in the pharmacy act of the state of Kansas and its rules and regulations.

(c) Medication order. The term "medication order" means an order by a prescriber for a registered patient of a Kansas licensed medical care facility.

(d) Prescriber. The word "prescriber" means a person who is authorized to issue a prescription order. (Authorized by and implementing K.S.A. 65-1630; effective Jan. 1, 1966; amended Jan. 1, 1967; amended Jan. 1, 1968; amended, E-76-31, Aug. 11, 1975; amended May 1, 1976; amended May 1, 1988; amended April 28, 2000.)

Article 7.—MISCELLANEOUS PROVISIONS

68-7-11. Medical care facility pharmacy. The scope of pharmaceutical services within a medical care facility pharmacy shall conform to the following requirements:

(a) The pharmacist-in-charge shall be responsible for developing programs and supervising all personnel in the distribution and control of drugs and all pharmaceutical services in the medical care facility.

(b) The pharmacist-in-charge shall develop a policy and procedure manual governing the storage, control, and distribution of drugs within the medical care facility. The pharmacist-in-charge shall submit the policy and procedure manual for approval to the pharmacy and therapeutics committee or an equivalent committee governing the security, control, and distribution of drugs within the facility.

(c) The pharmacist-in-charge shall be responsible for the maintenance of all emergency medication kits.

(d) The pharmacist-in-charge shall be responsible for developing procedures for the distribution and control of drugs within the medical care facility when a pharmacist is not on the premises. These procedures shall be consistent with the following requirements:

(1) Inpatient service. Drugs may be obtained upon a prescriber's medication order for administration to the inpatient by a designated registered professional nurse or nurses with approval and supervision of the pharmacist-in-charge. Adequate records of these withdrawals shall be maintained.

(2) Emergency outpatient service.

(A) An interim supply of prepackaged drugs shall be supplied to an outpatient only by a designated registered professional nurse or nurses pursuant to a prescriber's medication order when a pharmacist is not on the premises and a prescription cannot be filled. The interim supply shall be labeled with the following information:

(i) The name, address, and telephone number of the medical care facility;

(ii) the name of the prescriber. The label shall include the name of the practitioner and, if involved, the name of either the physician's assistant (PA) or the advanced registered nurse practitioner (ARNP);

(iii) the full name of the patient;

(iv) the identification number assigned to the interim supply of the drug or device by the medical care facility pharmacy;

(v) the date the interim supply was supplied;

(vi) adequate directions for use of the drug or device;

(vii) the beyond-use date of the drug or device issued;

(viii) the brand name or corresponding generic name of the drug or device;

(ix) the name of the manufacturer or distributor of the drug or device, or an easily identified abbreviation of the manufacturer's or distributor's name;

(x) the strength of the drug;

(xi) the contents in terms of weight, measure, or numerical count; and

(xii) necessary auxiliary labels and storage instruction, if needed.

(B) The interim supply shall be limited in quantity to an amount sufficient to supply the outpatient's needs until a prescription can be filled. Adequate records of the distribution of the interim supply shall be maintained and shall include the following information:

(i) The original or a copy of the prescriber's order, or if an oral order, a written record prepared by a designated registered professional nurse or nurses that reduces the oral order to writing. The written record shall be signed by the designated registered professional nurse or nurses and the prescriber; and

(ii) the name of the patient; the date supplied; the drug or device, strength, and quantity distributed; directions for use; the prescriber's name; and, if appropriate, the DEA number.

(3) The designated registered professional nurse or nurses may enter the medical care facility pharmacy and remove properly labeled pharmacy stock containers, commercially labeled packages, or properly labeled prepackaged units of drugs. The registered professional nurse shall not transfer a drug from one container to another for future use, but may transfer a single dose from a stock container for immediate administration to the ultimate user.

(e) The pharmacist-in-charge of the medical care facility pharmacy shall maintain documentation of at least quarterly checks of drug records and conditions of drug storage, in all locations within the facility, including nursing stations, emergency rooms, outpatient departments, and operating suites.

(f) The pharmacist-in-charge shall participate with the pharmacy and therapeutics committee or an equivalent committee in formulating broad professional policies regarding the evaluation, appraisal, selection, procurement,

(continued)

storage, distribution, use, and safety procedures for drugs within the medical care facility.

(g) The pharmacist-in-charge shall be responsible for establishing a drug recall procedure that can be effectively implemented.

(h)(1) The pharmacist-in-charge shall be responsible for developing written procedures for maintaining records of drug distribution, prepackaging, and bulk compounding. Prepackaged drugs shall include the following information:

(A) The brand name or corresponding generic name of the drug;

(B) the name of the manufacturer or distributor of the drug, or an easily identified abbreviation of the manufacturer's or distributor's name;

(C) the strength of the drug;

(D) the contents in terms of weight, measure, or numerical count;

(E) the lot number; and

(F) the beyond-use date.

(2) Prepackaged drugs shall be packaged in suitable containers and shall be subject to all other provisions of the Kansas state board of pharmacy rules and regulations under the uniform controlled substances act of the state of Kansas and under the pharmacy act of the state of Kansas. Before releasing any drugs or devices from the pharmacy, the pharmacist shall verify the accuracy of all prepackaging and the compounding of topical and oral drugs.

(i) The pharmacist-in-charge shall assure that the medical care facility maintains adequate drug information references commensurate with services offered and a current copy of the Kansas pharmacy act, the Kansas uniform controlled substances act, and current rules and regulations under both acts.

(j) The pharmacist-in-charge shall be responsible for pharmacist supervision of all pharmacy technicians and for confining their activities to those functions permitted by the pharmacy practice act. Records shall be maintained describing the following:

(1) The training and related education for nondiscretionary tasks performed by pharmacy technicians; and

(2) written procedures designating the person or persons functioning as pharmacy technicians, describing the functions of the pharmacy technicians, and documenting the procedural steps taken by the pharmacist-in-charge to limit the functions of pharmacy technicians to nondiscretionary tasks.

(k) The pharmacist-in-charge shall be responsible for establishing policies and procedures for the mixing or preparation of parenteral admixtures. Whenever drugs are added to intravenous solutions, distinctive supplemental labels shall be affixed that indicate the name and amount of the drug added, the date and the time of addition, the beyond-use date, storage instructions, and the name or initials of the person who prepared the admixture. The pharmacist-in-charge shall comply with all requirements of K.A.R. 68-13-1. Before the parenteral admixture is released from the pharmacy, the pharmacist shall verify the accuracy of all parenteral admixtures prepared by pharmacy technicians.

(l) The pharmacist shall interpret the prescriber's original order, or a direct copy of it, before the drug is distributed and shall verify that the medication order is

filled in strict conformity with the direction of the prescriber. This requirement shall not preclude orders transmitted by the prescriber through electronic transmission. Variations in this procedure with "after-the-fact" review of the prescriber's original order shall be consistent with medical care facility procedures established by the pharmacist-in-charge. Each medication order shall be reviewed by a pharmacist within seven days of the date it was written.

(m) Pharmacy services to outpatients during pharmacy hours shall be in accordance with the board's rules and regulations, K.S.A. 65-1625 et seq., and K.S.A. 65-4101 et seq., and amendments thereto, governing community pharmacy practice.

(n) The pharmacist-in-charge shall be responsible for the security of the pharmacy, including the drug distribution systems and personnel.

(1) When a pharmacist is on the premises but not in the pharmacy, a pharmacy technician may be in the pharmacy. A pharmacy technician shall not distribute any drug or device out of the pharmacy when a pharmacist is not physically in the pharmacy unless authorized by the pharmacist.

(2) When a pharmacist is not on the premises, no one shall be permitted in the pharmacy except the designated registered professional nurse or nurses. (Authorized by K.S.A. 65-1630; implementing K.S.A. 65-1648, K.S.A. 1999 Supp. 65-1642 and 65-1626; effective, E-77-39, July 22, 1976; effective Feb. 15, 1977; amended May 1, 1978; amended May 1, 1988; amended May 1, 1989; amended Dec. 27, 1999; amended April 28, 2000.)

68-7-14. Prescription labels. (a) The label of each drug or device shall be typed or machine-printed and shall include the following information:

(1) The name, address, and telephone number of the pharmacy dispensing the prescription;

(2) the name of the prescriber. The label shall include the name of the practitioner and, if involved, the name of either the physician's assistant (PA) or the advanced registered nurse practitioner (ARNP);

(3) the full name of the patient;

(4) the identification number assigned to the prescription by the dispensing pharmacy;

(5) the date the prescription was filled or refilled;

(6) adequate directions for use of the drug or device;

(7) the beyond-use date of the drug or device dispensed;

(8) the brand name or corresponding generic name of the drug or device;

(9) the name of the manufacturer or distributor of the drug or device, or an easily identified abbreviation of the manufacturer's or distributor's name;

(10) the strength of the drug;

(11) the contents in terms of weight, measure, or numerical count; and

(12) necessary auxiliary labels and storage instructions, if needed.

(b) A pharmacy shall be permitted to label or relabel only those drugs or devices originally dispensed from the providing pharmacy. (Authorized by K.S.A. 65-1630; implementing K.S.A. 1999 Supp. 65-1626a; effective, E-77-39, July 22, 1976; effective Feb. 15, 1977; amended May 1, 1978; amended May 1, 1980; amended May 1, 1988;

amended June 6, 1994; amended March 20, 1995; amended April 28, 2000.)

68-7-18. Health departments and private not-for-profit family planning clinics. The distribution and control of drugs provided by health departments and private not-for-profit family planning clinics authorized under K.S.A. 65-1648(d)(1), and amendments thereto, shall conform to the following requirements:

(a) The approved drugs that may be stored and distributed by health departments and not-for-profit family planning clinics shall be only noncontrolled drugs that are approved by the food and drug administration. In determining the formulary for each health department or not-for-profit family planning clinic, the pharmacist-in-charge shall consult with the medical supervisor and director of nursing for that facility. No state or federal controlled drugs shall be allowed.

(b)(1) The pharmacist-in-charge shall review the procedures outlined below for the distribution and control of all drugs within health department facilities and family planning clinics and shall be responsible for the following:

(A) Ensuring the development of programs for supervision of all personnel in the distribution and control of drugs;

(B) ensuring the development of a policy and procedure manual governing the storage, control, and distribution of drugs;

(C) maintaining documentation of at least quarterly checks of drug records, drug storage conditions, and drugs stored in all locations within the facility;

(D) establishing a drug recall procedure that can be effectively implemented; and

(E) ensuring the development of written procedures for maintaining records of distribution and prepackaging of drugs.

(2) Labels for prepackaged drugs shall contain the following:

(A) The brand name or corresponding generic name of the drug;

(B) the name of the manufacturer or distributor of the drug, or an easily identified abbreviation of the manufacturer's or distributor's name;

(C) the strength of the drug;

(D) the contents in terms of weight, measure, or numerical count;

(E) the lot number of the drug, if the lot number is not recorded on a suitable log; and

(F) the beyond-use date of the drug.

(3) Prepackaged drugs shall be packaged in suitable containers and shall be subject to all other provisions of the Kansas state board of pharmacy regulations under the uniform controlled substances act of the state of Kansas and under the pharmacy act of the state of Kansas.

(c) The procedures for the control and distribution of drugs within health department facilities and family planning clinics shall be consistent with the following requirements:

(1) Adequate records of the distribution of drugs by the designated registered professional nurse or nurses shall be maintained and shall include the physician's order or written protocol.

(A) If the physician's order was given orally, electronically, or by telephone, the designated registered professional nurse or nurses shall reduce that order to writing. The written copy of the order shall be signed by the designated registered professional nurse and maintained in a permanent patient file.

(B) The records shall include the following:

(i) The full name of the patient;

(ii) the date supplied;

(iii) the name of the drug, the quantity supplied, and strength of the drug distributed;

(iv) the directions for use;

(v) the prescriber's name. The record shall include the name of the practitioner and, if involved, the name of either the physician's assistant (PA) or the advanced registered nurse practitioner (ARNP);

(vi) the expiration date of the drug; and

(vii) the lot number of the drug.

(2) A supply of drugs shall be provided to a patient by a designated registered professional nurse or nurses pursuant to a prescriber's order. Only a designated registered professional nurse or nurses may access the pharmacy area and remove the supply of the drugs. The supply shall conform with the following labeling requirements:

(A) The name, address, and telephone number of the health department or family planning clinic from which the drug is supplied;

(B) the full name of the patient;

(C) adequate directions for use of the drug;

(D) the name of the prescriber. The label shall include the name of the practitioner and, if involved, the name of either the physician's assistant (PA) or the advanced registered nurse practitioner (ARNP);

(E) the date the supply was distributed;

(F) the identification number assigned to the supply of the drug distributed by the health department or family planning clinic;

(G) the brand name or corresponding generic name of the drug;

(H) necessary auxiliary labels and storage instructions, if needed; and

(I) the beyond-use date of the drug issued.

(3) Repackaged drugs shall be packaged in suitable containers and shall be subject to all other provisions of the Kansas state board of pharmacy rules and regulations under the pharmacy act of the state of Kansas.

(d) The appointment of any Kansas licensed pharmacist as pharmacist-in-charge of a health department or family planning clinic shall be subject to the provisions of K.A.R. 68-1-2a and 68-7-13. (Authorized by and implementing K.S.A. 65-1648; effective, T-84-3, Feb. 10, 1983; effective May 1, 1984; amended July 23, 1999; amended April 28, 2000.)

Larry Froelich
Executive Secretary

Doc. No. 025057

State of Kansas

Department of Human Resources

Permanent Administrative
RegulationsArticle 45.—BOILER SPECIFICATIONS
AND INSPECTIONS**49-45-1. Rules for construction of power boilers.**

Section I of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1986 edition, published July 1, 1998 with addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective, E-79-27, Oct. 19, 1978; effective May 1, 1979; amended May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-2. Material specifications: part A—ferrous material specifications. Section II, part A of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1998 edition, published July 1, 1998 and addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective, E-79-27, Oct. 19, 1978; effective May 1, 1979; amended May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-3. Material specifications: part B—nonferrous material specifications. Section II, part B of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1998 edition, published July 1, 1998 and addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective, E-79-27, Oct. 19, 1978; effective May 1, 1979; amended May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-4. Material specifications: part C—specifications for welding rods, electrodes, and filler metals. Section II, part C of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1998 edition, published July 1, 1998 with addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective, E-79-27, Oct. 19, 1978; effective May 1, 1979; amended May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-4a. Material specifications: part D—properties. Section II, part D of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1998 edition, published July 1, 1998 with addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

49-45-5. Rules for construction of heating boilers. Section IV of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1998 edition, published July 1,

1998 with addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective, E-79-27, Oct. 19, 1978; effective May 1, 1979; amended May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-6. Nondestructive examination. Section V of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1986 edition, published July 1, 1998 with addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1985 Supp. 44-916; effective, E-79-27, Oct. 19, 1978; effective May 1, 1979; amended May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-7. Recommended rules for the care and operation of heating boilers. Section VI of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1998 edition, published July 1, 1998 with addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1985 Supp. 44-916; effective, E-79-27, Oct. 19, 1978; effective May 1, 1979; amended May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-8. Recommended guidelines for the care of power boilers. Section VII of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1998 edition, published July 1, 1998 with addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective, E-79-27, Oct. 19, 1978; effective May 1, 1979; amended May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-9. Welding and brazing qualifications. Section IX of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1998 edition, published July 1, 1998 with addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective, E-79-27, Oct. 19, 1978; effective May 1, 1979; amended May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-20. National board inspection code (ANSI/NB-23). The national board inspection code (NBIC), 1998 edition, as in effect on January 1, 1999, an American national standard, published by the national board of boiler and pressure vessel inspectors, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective, E-79-27, Oct. 19, 1978; effective May 1, 1979; amended May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-21. Standard for single burner boiler operations. NFPA 8501, "standard for single burner boiler operation" of the national fire codes, 1997 edition, as in effect on January 1, 1999, published by the national fire protection association (NFPA), is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-22. Standard for the prevention of furnace explosions or implosions in multiple burner boilers. NFPA 8502, "standard for the prevention of furnace explosions/implosions in multiple burner boilers" of the national fire codes, 1999 edition, as in effect on January 1, 1999, published by the national fire protection association (NFPA), is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-23. Standard for pulverized fuel systems. NFPA 8503, "standard for pulverized fuel systems" of the national fire codes, 1997 edition, as in effect on January 1, 1999, published by the national fire protection association (NFPA), is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-24. Standard on atmospheric fluidized-bed boiler operation. NFPA 8504, "standard on atmospheric fluidized-bed boiler operation" of the national fire codes, 1996 edition, as in effect on January 1, 1999, published by the national fire protection association (NFPA), is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-25. Standard for stoker operation. NFPA 8505, "standard for stoker operation" of the national fire codes, 1998 edition, as in effect on January 1, 1999, published by the national fire protection association (NFPA), is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-26. Standard on heat recovery steam generator systems. NFPA 8506, "standard on heat recovery steam generator systems" of the national fire codes, 1998 edition, as in effect on January 1, 1999, published by the national fire protection association (NFPA), is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1984; amended May 1, 1987; amended April 28, 2000.)

49-45-27. Controls and safety devices for automatically fired boilers. ASME CSD-1, controls and safety devices for automatically fired boilers, 1998 edition, published July 1998 and effective January 1, 1999, is adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-45-28. Power piping. ASME B31.1, "power piping," ASME code for pressure piping, 1998 edition, as in effect on January 1, 1999, is adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-45-29. Rules for construction of pressure vessels; division 1. Section VIII, division 1 of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1998 edition, published July 1, 1998 with addenda published July 1, 1999, is hereby adopted by reference. (Authorized

by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

49-45-30. Rules for construction of pressure vessels; division 2—alternative rules. Section VIII, division 2 of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1998 edition, published July 1, 1998 with addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

49-45-31. Rules for construction of pressure vessels; division 3—alternative rules for construction of high pressure vessels. Section VIII, division 3 of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1998 edition, published July 1, 1998 with addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

49-45-32. Uniform mechanical code. The uniform mechanical code, an American national standard, 1997 edition, published February 1997 by the international conference of building officials, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

49-45-33. International plumbing code. The international plumbing code, an American national standard, 1997 edition, published February 1997 by the international conference of building officials, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

49-45-34. Fiber-reinforced plastic pressure vessels. Section X of the American society of mechanical engineers (ASME) boiler and pressure vessel code, an American national standard, 1998 edition, published July 1, 1998 with addenda published July 1, 1999, is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

Article 45a.—DEFINITIONS

49-45a-1. Definitions. (a) "The act" means Kansas boiler safety act and regulations pertaining to the laws of boiler and pressure vessel safety.

(b) "Alteration" means any change in the item described on the original manufacturer's data report that affects the pressure-containing capability of the boiler or pressure vessel. Nonphysical changes, including an increase in the maximum allowable internal or external working pressure or the design temperature of a boiler or pressure vessel, shall be considered an alteration. Any reduction in minimum temperature so that additional mechanical tests are required shall also be considered an alteration.

(c) "ANSI" means the American national standards institute.

(d) "ASME" means the American society of mechanical engineers.

(e) "Authorized inspection agency" means either of the following:

(continued)

(1) A department or division established by a government jurisdiction that has adopted one or more sections of the ASME code and whose chief inspector holds a valid commission issued by the national board of boiler and pressure vessel inspectors; or

(2) an inspection agency of an insurance company that is authorized to insure and is insuring boilers and pressure vessels in those jurisdictions that have examined the agency inspectors' qualifications to represent that jurisdiction, resulting in the issuance of a valid certificate of competency to the inspector by the national board of boiler and pressure vessel inspectors.

(f) "BTUH" means British thermal units of heat per hour.

(g) "Chief inspector" means the chief boiler inspector of the Kansas department of human resources.

(h) "Column, fluid relief" means piping that is connected from the top of a hot water heating boiler to either an open or a closed expansion tank, providing for the thermal expansion of water.

(i) "High pressure, high temperature water boiler" means a water boiler operating at pressures exceeding 160 pounds per square inch gauge or at a temperature exceeding 250 degrees F.

(j) "High pressure power boiler" means a boiler in which steam or other vapor is generated at a pressure of more than 15 pounds per square inch gauge.

(k) "Hot water heating boiler" means a boiler in which no steam is generated, from which hot water is circulated for heating purposes and then returned to the boiler, and which operates at a pressure not exceeding 160 psig or a temperature of 250 degrees F at or near the boiler outlet.

(l) "Hot water supply boiler" means a boiler completely filled with water that furnishes hot water, to be used externally, at pressures not exceeding 160 psig or at temperatures not exceeding 210 degrees F at or near the boiler outlet.

(m) "Lap seam crack" means a crack found in lap seams extending parallel to the longitudinal joint and located either between or adjacent to rivet holes

(n) "Low pressure heating boiler" means a steam or vapor boiler operating at pressures not exceeding 15 pounds per square inch gauge or a hot water boiler operating at pressures not exceeding 160 pounds per square inch gauge or at temperatures not exceeding 250 degrees F.

(o) "Makeup water" means water introduced into the boiler to replace the water lost or removed from the system.

(p) "National board" means the national board of boiler and pressure vessel inspectors, whose membership is composed of the chief inspectors of each jurisdiction charged with the administration and enforcement of the provisions of the ASME code.

(q) "Nonstandard boiler" means a boiler that does not bear the ASME stamp or the stamp of any jurisdiction that has adopted a standard of construction equivalent to that required by these regulations.

(r) "Owner or user" means any person, firm, or corporation subject to the provisions of the Kansas boiler safety act and responsible for the safe operation of any boiler within this state.

(s) "PSIG" means pounds per square inch gauge.

(t) "Reinstalled boiler" means a boiler removed from its original setting and reinstalled at the same location or at a new location without change of ownership.

(u) "Repair" means work necessary to restore a boiler or pressure vessel to a safe and satisfactory operating condition without changing the original design, as defined in the national board inspection code, 1998 edition, part RC 2031, "routine repairs."

(v) "Secondhand boiler" means a boiler that has changed both location and ownership since its initial use.

(w) "Secretary" means the secretary of the Kansas department of human resources.

(x) "Standard boiler" means a boiler that bears the ASME code symbol stamp or a stamp of another approved and recognized code of construction, and is registered with the national board of boiler and pressure vessel inspectors.

(y) "T&P safety" means the temperature and pressure safety relief valve designed for use on storage water heaters and hot water storage tanks. The temperature and pressure safety relief valve shall actuate upon pressure and in all instances at temperatures not exceeding 210 degrees F.

(z) "Water gauge glass" means a glass-enclosed, visible indicator of the water level in the boiler. (Authorized by and implementing K.S.A. 1999 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-45a-2 to 49-45a-27. (Authorized by and implementing K.S.A. 1985 Supp. 44-916; effective May 1, 1987; revoked April 28, 2000.)

Article 46.—BOILER INSURANCE AND ADMINISTRATION

49-46-1. Insurance company requirements. (a) Each company insuring one or more boilers or pressure vessels located in this state shall perform an inspection, as prescribed in K.S.A. 44-923, and amendments thereto, or K.A.R. 49-48-1, of each boiler or pressure vessel insured by the company.

(b) If an insurance company fails or refuses to inspect a boiler or pressure vessel insured by that company, as required by K.S.A. 44-923(c), and amendments thereto, and subsection (a) of this regulation, the boiler or pressure vessel shall be required by the secretary to be inspected by the chief inspector or a deputy inspector. The appropriate fee specified in K.S.A. 44-926, and amendments thereto, shall be charged for any inspection conducted under this subsection and shall be paid by the owner or user of the boiler or pressure vessel, or the insurance company that insures the boiler or pressure vessel.

(c) All insurance companies shall notify the chief inspector immediately if insurance is suspended because of unsafe conditions.

(d) In the event that a boiler or pressure vessel water or fireside explosion or severe overheating occurs, the owner, user, insurance inspector, or emergency personnel shall promptly notify the chief inspector. Neither the boiler nor pressure vessel, or any parts of either, shall be removed or disturbed before permission has been given

by the chief inspector, except for the purpose of saving human life, limiting consequential damage, or arson investigation.

(e) For all accidents or incidents involving boilers or pressure vessels that cause property damage in excess of 10 percent of the boiler or pressure vessel's worth, serious injury, or death, the owner, user, insurance inspector, or emergency personnel shall promptly notify the chief inspector. Neither the boiler nor pressure vessel, or any parts of either, shall be removed or disturbed before permission has been given by the chief inspector, except for the purpose of saving human life, limiting consequential damages, or conducting an arson investigation.

(f) Upon request by the chief inspector, the insurance company shall submit within five days an accident or incident report to the chief inspector. (Authorized by K.S.A. 1999 Supp. 44-916; implementing K.S.A. 1999 Supp. 44-920, 44-923; effective, E-81-38, Dec. 10, 1980; effective May 1, 1981; amended, T-83-41, Nov. 23, 1982; amended May 1, 1983; amended April 28, 2000.)

Article 47.—INSPECTORS

49-47-1. Requirements of special inspectors. (a) All special inspectors commissioned by the secretary pursuant to K.S.A. 44-920, and amendments thereto, shall serve upon the owner or user, operator, or other person or persons having charge or care of a boiler or pressure vessel, a billing for the certificate required by K.S.A. 44-926(b), and amendments thereto. Billing forms shall be provided by the secretary and shall provide a space for the signature of the person receiving the billing form. The special inspector shall notify the secretary in the event that the inspector is unable to serve the billing.

(b) Each special inspector shall conduct a thorough inspection of the boilers and pressure vessels and all of the components in the system. The safety or safety relief valves shall be set no higher than the lowest maximum allowable working pressure (MAWP) of components in the system.

(c) Each special inspector shall note the housekeeping conditions in the boiler room. Equipment and flammable materials not related to the operation of the boilers or pressure vessels shall not be stored in the boiler or mechanical room.

(d) Each special inspector shall report any scrapped or out-of-service boilers or pressure vessels. Failure to report these units shall result in a charge back to the insurance company equal to an inspection fee, if the state boiler inspectors have to follow up on discontinued insurance or canceled policies. (Authorized by K.S.A. 1998 Supp. 44-916; implementing K.S.A. 1998 Supp. 44-920, 44-921; effective, E-81-38, Dec. 10, 1980; effective May 1, 1981; amended April 28, 2000.)

49-47-1a. Special inspector. Each inspector shall be registered with the state of Kansas and shall have a valid Kansas commission before performing any inspection, including in-service, repair or alteration, or work, in any ASME code shop in the state. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

49-47-1b. Organizations with special inspectors of antique and exhibition boilers. (a) Any organization of antique engines, scale models, locomotives, and other boilers used for exhibition purposes shall register annually its inspection procedures with the department for approval by the chief inspector.

(b) (1) The organization shall register each special inspector with the Kansas department of human resources, office of the chief inspector, and each special inspector shall be subject to periodic monitoring of procedures and inspection by the chief inspector or deputy inspectors. In order for the organization to register its special inspectors, the organization shall establish the following procedures:

(A) A qualifying exam on the type of equipment that will be inspected;

(B) establishment of different levels of competency among the special inspectors;

(C) periodic training and exams to ensure each special inspector's level of competency; and

(D) monitoring by other special inspectors within the organization to ensure competency.

(2) The organization shall provide documentation that each special inspector meets the following criteria:

(A) Is experienced and receives periodic training on the type of equipment inspected;

(B) inspects only vessels for which the inspector is qualified; and

(C) attains a score of at least 70% on the qualifying exam.

(3) The chief inspector shall make the final decision on who will receive special inspector cards from the state.

(c) The organization inspection procedures shall be subject to periodic monitoring by the chief boiler inspector or deputy inspectors. (Authorized by and implementing K.S.A. 1998 Supp. 44-915, 44-916, and 44-920; effective April 28, 2000.)

49-47-2. Application of state serial numbers. (a) Upon completion of the installation of a new boiler or pressure vessel or at the time of the initial certificate inspection of an existing installation, each boiler or pressure vessel shall be stamped by the inspector with a serial number of the state or affixed with a one-inch by four-inch, corrosion-resistant metal tag with the serial number of the state, consisting of letters and figures to be not less than 5/16 inch in height and arranged as follows:

High Pressure KS 1,000

Low Pressure KS 1,000 H

Pressure Vessels KS 1,000 U

(b) All cast iron and low pressure heating boilers or pressure vessels shall have securely attached to the casing, water column, or gauge or other appliance of the boiler or pressure vessel, a corrosion-resistant metal tag on which is stamped the serial number of the state. The tag shall be not less than one inch by four inches in size. (Authorized by K.S.A. 1998 Supp. 44-916; implementing K.S.A. 1998 Supp. 44-924; effective May 1, 1987; amended April 28, 2000.)

(continued)

Article 48.—FREQUENCY OF INSPECTION

49-48-1. Certificate inspections; type and frequency. Certificate inspections shall be made pursuant to the following schedule: (a) Power boilers and high pressure, high temperature water boilers shall receive an annual certificate inspection that shall be an internal inspection where construction permits, or as complete an inspection as possible where construction does not permit internal inspection. However, an external inspection may, at the discretion of the inspector, serve as a certificate inspection during the initial year of operation for any new boiler. These boilers shall also be externally inspected while under pressure, if possible, once a year. Upon written request by the owner or user of a power boiler or high pressure, high temperature water boiler, an extension may be granted by the secretary between internal inspections, not to exceed 24 months, with the external inspection on alternate years to be accepted as a certificate inspection, if all of the following conditions are met:

(1) Agreement is reached between the secretary and the insurance company responsible for the inspection that an extension be granted.

(2) A continuous boiler water treatment program under competent supervision is in effect for the purpose of controlling and limiting corrosion and deposits on the waterside surfaces.

(3) Complete records are available showing the dates the boilers have been out of service, and the reason for this, since the last internal inspection. The records shall show the nature of any repair or repairs and the reasons for the repairs.

(4) The report of the last certificate inspection shows no reason why the boiler cannot be operated safely.

(b) Any indication of problems noted during the certificate inspection shall void any extension or written request for an extension and the boiler or pressure vessel shall be shut down and an internal inspection performed.

(c) Low pressure steam and steel hot water heating boilers, as defined by K.S.A. 44-914, and amendments thereto, shall receive an annual external certificate inspection, except that low pressure steam heating boilers, the construction of which allows internal inspection, shall receive an internal certificate inspection every three years.

(d) Low pressure hot water supply boilers of 85 gallons and over shall receive an external certificate inspection every three years. Boilers over 400,000 BTUH shall receive an external certificate inspection annually.

(e) Upon written request of an insurance company and with the agreement of the owner or user of a boiler, the period of validity of a certificate may be extended by the secretary for a period not to exceed two months.

(f) Each pressure vessel measuring 15 or more cubic feet shall receive a certificate inspection upon installation or replacement of each vessel in new and existing installations.

(g) All sizes of swimming pool heaters shall be subject to an external certificate inspection every three years. However, pool heaters of 400,000 BTUH and over shall be inspected annually.

(h) Each steam kettle and steam chef shall receive an annual certificate inspection.

(i) Each autoclave shall receive an annual certificate inspection, if it has a steam generator attached to the system or if the autoclave is a part of the system.

(j) Each waste heat boiler constructed to the requirements of section I of the ASME code shall receive an annual internal certificate inspection.

(k) Each waste heat boiler constructed to the requirements of section VIII of the ASME code shall receive an external certificate inspection every year, and, if construction permits, this boiler shall receive an internal inspection every three years, unless operating conditions warrant a more frequent inspection.

(l) Each steam generator that meets any of the following conditions shall receive an annual inspection:

(1) Produces steam for any process;

(2) is fitted with safety valves installed at the factory; or

(3) is modified in the field to require safety valves. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; implementing K.S.A. 1998 Supp. 44-923; effective, E-81-38, Dec. 10, 1980; effective May 1, 1981; amended, T-83-41, Nov. 23, 1982; amended May 1, 1983; amended April 28, 2000.)

Article 49.—FEE SCHEDULE FOR BOILER INSPECTIONS

49-49-1a. Pressure vessel inspection fees. Pressure vessel inspection fees per day.

(a) External inspections of pressure vessels:

Pressure vessels with less than 500-gallon capacity	\$ 50.00
Pressure vessels with at least 500-gallons, but less than 2,000-gallon, capacity	\$ 60.00
Pressure vessels with at least 2,000-gallon, but less than 5,000-gallon, capacity	\$ 70.00
Pressure vessels with at least 5,000-gallon, but less than 10,000-gallon, capacity	\$ 80.00
Pressure vessels with at least 10,000-gallon, but less than 20,000-gallon, capacity	\$ 100.00
Pressure vessels with at least 20,000-gallon, but less than 30,000-gallon, capacity	\$ 150.00
Pressure vessels with at least 30,000-gallon, but less than 50,000-gallon, capacity	\$ 175.00
Pressure vessels with 50,000-gallon capacity and over	\$ 200.00

(b) Internal inspections of pressure vessels:

Pressure vessels with less than 500-gallon capacity	\$ 65.00
Pressure vessels with at least 500-gallon, but less than 2,000-gallon, capacity	\$ 75.00
Pressure vessels with at least 2,000-gallon, but less than 5,000-gallon, capacity	\$ 100.00
Pressure vessels with at least 5,000-gallon, but less than 10,000-gallon, capacity	\$ 150.00
Pressure vessels with at least 10,000-gallon, but less than 20,000-gallon, capacity	\$ 200.00
Pressure vessels with at least 20,000-gallon, but less than 30,000-gallon, capacity	\$ 250.00
Pressure vessels with at least 30,000-gallon, but less than 50,000-gallon, capacity	\$ 250.00
Pressure vessels with 50,000-gallon capacity and over	\$ 250.00

(Authorized by K.S.A. 1998 Supp. 44-916; implementing K.S.A. 1998 Supp. 44-926; effective April 28, 2000.)

**Article 50.—GENERAL
REQUIREMENTS FOR ALL BOILERS**

49-50-1. Major repair to boilers and pressure vessels. (a) Boiler and pressure vessel repairs or alterations shall be made so that each boiler or pressure vessel conforms to original specifications. Any repairs or alterations not covered by this regulation shall be subject to the requirements for new construction.

(b) Welding.

(1) Repairs or alterations by fusion welding shall be approved by an authorized inspector before beginning the work. All welding repairs or alterations shall be made in accordance with the appropriate section of "repairs and alterations to boilers and pressure vessels by welding," part RC, of the national board inspection code.

(2) All welding shall be done by either of the following:

(A) An organization holding the applicable ASME certificate of authorization or the national board "R" or "NR" stamp; or

(B) an owner or user who has demonstrated to the satisfaction of the chief state boiler inspector all of the following:

(i) The owner or user maintains an acceptable quality control system.

(ii) Welding work completed by the owner or user is in compliance with ASME standards for welding.

(iii) Before the welding operations, the owner or user has assured that all welders are qualified by compliance with ASME standards.

(iv) The owner or user has notified the applicable insurance company boiler inspector or state boiler inspector before doing any welding.

The organization performing the repair shall be responsible for filing the national board's repair or alteration form with the office of the chief state boiler inspector.

(c) Each welder or welding operator shall qualify for each welding process used in the repair or alteration of a boiler or pressure vessel. The qualifications for welders shall be those established in section IX of the ASME code, and by a qualified welding procedure specification of the organization making the repair or alteration.

(d) Each organization making repairs or alterations under this regulation shall list the parameters applicable to welding that are to be performed in the welding procedure specification (WPS) documents. The documents shall have been qualified by the organization as required by the applicable section of the ASME code. The organization shall qualify its WPS by the welding of test coupons, the testing of specimens, and recording the welding data and test results in its procedure qualification record (PQR) document.

(e)(1) The organization making the repair or alteration shall adopt specific procedures for performing welding operations in the shop or the field. The procedure specification shall comply with the requirements of section IX of the ASME code and the national board inspection code.

(2) The procedure specifications shall be written and shall provide all pertinent details about the methods and procedure to be used, including the following:

(A) The type of electrode or rod to be used;

(B) the shape of the welding groove;

(C) the number and sequence of the beads;
(D) the manner in which slag is to be cleaned;
(E) peening and current characteristics, if electric welding; and

(F) if gas welding, the size of the tip, the nature of the flame, and the designation of forehand or backhand technique used.

(3) The procedure specification shall ensure that weld metal and welded joints comply with the characteristics required by section IX of the ASME code and the national board inspection code.

(4) A test demonstrating the sufficiency of the procedure specification shall be witnessed by the inspector, or authentic evidence documenting the sufficiency of the specifications shall be provided to the inspector.

(f) The material used for patches shall be of the same general quality, shall have, at least, the minimum physical properties of the plate to be patched and shall be traceable. The thickness of any patch shall be at least equal to, but not more than, 1/8 inch greater than the plate being patched. Flush or butt-welded patches in unstayed shells, drums, or headers shall be radiographed and stress-relieved to conform to the requirements of the national board inspection code, part RC, 1998 edition. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-50-2. Combustion air supply and ventilation of boiler room. (a) A permanent source of outside air shall be provided for each boiler room to permit satisfactory combustion of the fuel as well as proper ventilation of the boiler room under normal operating conditions. One opening shall be 12 inches above floor level, and one opening shall be 12 inches below ceiling level. The opening 12 inches below ceiling level shall be at least 1/3 of the area of the lower opening. The size of the lower opening shall not be less than is required in subsection (b) below, or as required in NFPA 31, 1997 edition, and NFPA 54, 1996 edition, both of which are hereby adopted by reference.

(b) The total requirements of the burners in the boiler room shall be used to determine the louver sizes, whether fired by coal, oil, or gas. However, the minimum net free-louvered area of the lower opening shall not be less than one square foot. The following table or either of the following formulas shall be used to determine the net louvered area of the lower opening in square feet, or as required in NFPA 31 and NFPA 54:

INPUT BTU/Hour	REQUIRED AIR CU. FT./MIN.	MIN. NET LOUVERED AREA SQ. FT.
500,000	125	1.0
1,000,000	250	1.0
2,000,000	500	1.6
3,000,000	750	2.5
4,000,000	1,000	3.3
5,000,000	1,250	4.1
6,000,000	1,500	5.0
7,000,000	1,750	5.8
8,000,000	2,000	6.6
9,000,000	2,250	7.5
10,000,000	2,500	8.3

$$\frac{(\text{BTUH} \div 100) \times 1.5 \text{ MIN. NET AREA}}{60 \div 300} = \text{REQ. SQ. Ft.}$$

(continued)

(c) When mechanical ventilation is used in lieu of the requirements of subsection (b), the supply of combustion and ventilation air to the boiler room and the firing device shall be interlocked with the fan so that the firing device will not operate with the fan off. The velocity of the air through the ventilating fan shall not exceed 500 feet per minute, and the total air delivered shall be equal to or greater than that shown in subsection (b) above. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-50-3. Boiler combustion chamber vents. Each boiler shall be equipped with vents to convey the products of combustion safely from the boiler furnace to the outside atmosphere. Flue piping, draft hoods, draft diverters, and chimney connections shall be installed according to the boiler manufacturer's instructions and the provisions of the national fire codes, NFPA 31, "standard for the installation of oil-burning equipment," and NFPA 54, "national fuel gas code." (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-50-4. Cross-connection control. (a) A person shall not install any water-operated equipment or mechanism, or use any water-treating chemical or substance, if it is found that this equipment, mechanism, chemical, or substance may cause pollution of the domestic water supply. The equipment or mechanism may be permitted only when equipped with an approved backflow prevention device.

(b) Each backflow prevention device installed in a potable water supply system shall be maintained in good working condition by the person or persons having control of the device. The devices may be inspected by authorized inspectors and, if found to be defective or inoperative, shall be repaired or replaced as directed by the inspector. A device shall not be removed from use or relocated or another device substituted without formal notification to the office of the responsible authorized inspection agency.

(c) Potable water piping shall not be installed or maintained within any piping or device conveying sewage, wastes, or other materials hazardous to health and safety.

(d) Each hot water heating and steam boiler connection shall be protected by an approved backflow prevention device as set forth in subsection (e) of this regulation and shall be tested and inspected by a qualified inspector.

(e) Nonpotable water piping. If it is impractical to correct individual cross-connections on the domestic water line, the line supplying these outlets shall be considered a nonpotable water line. Drinking or domestic water outlets shall not be connected to the nonpotable water line. Backflow or back-siphonage from the nonpotable water line into the domestic water line shall be prevented by the installation of a gravity tank or by a tank having a pump designated for nonpotable water. The domestic water inlets to the nonpotable water tank shall have an approved air gap as specified within the ASME code and the international plumbing code. Whenever it is impractical to install this tank, an approved pressure-type backflow or back-siphonage prevention device shall be installed as follows:

(1) If reverse flow is possible only as a result of gravity or a vacuum within the line, an approved pressure-type vacuum breaker unit or other approved backflow prevention device shall be installed in the supply line.

(2) Each pressure-type vacuum breaker unit shall be installed at a height of at least 12 inches (.3m) above the highest tank, equipment, or other point at which the nonpotable water is used. Other approved backflow prevention devices shall be installed in a manner satisfactory to the responsible authorized inspection agency, but in no case less than 12 inches (.3m) above the surrounding ground or floor.

(3) If backflow can occur, creating a higher pressure in the nonpotable water line, an approved backflow prevention device shall be installed in the supply line. The backflow prevention device shall be installed at least 12 inches (.3m) above the surrounding ground or floor, or higher than five feet above the floor or surrounding ground, unless a work platform and ladder are provided.

(f) Whenever possible, all portions of the nonpotable water line shall be exposed, and all exposed portions shall be properly identified in a manner satisfactory to the responsible authorized inspection agency. Each outlet on the nonpotable water line that could be used for drinking or domestic purposes shall be posted with the following sign: DANGER—WATER UNSAFE.

(g) An approved backflow prevention device shall conform to the requirements of the American society of sanitary engineering (ASSE) publication 1013, as revised October 1993, and the American water works association (AWWA) publication C511-97, effective February 1, 1998, which are hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-50-6. Hydrostatic pressure tests and inspection.

(a) When there is doubt as to the extent of a defect or deterioration found in a pressure vessel, a pressure test may be required by the inspector. A pressure test shall not be required as part of a normal periodic inspection. A test shall be required when either of the following conditions is met:

(1) Forms of deterioration are found that could affect the safety of a vessel,

(2) Major repairs have been completed.

(b) Pressure test considerations shall be as follows:

(1) To determine tightness, the test pressure shall not be required to be greater than the set pressure of the safety valve having the lowest setting.

(2) The pressure test shall not exceed 1½ times the maximum allowable working pressure, as adjusted for temperature. When the original test pressure included consideration of corrosion allowance, the test pressure may be further adjusted based on the remaining corrosion allowance and other requirements set forth in NBIC, part RC, 1998 edition, as in effect on January 1, 1999.

(3) If the test pressure will exceed the set pressure of the safety valve having the lowest setting, the safety relief valve or valves shall be removed during the test or each disc held down by means of a test clamp and not by applying additional load to the valve spring by turning the compression screw.

(4) The temperature of the water used to apply a hydrostatic test shall not be less than 60 degrees F unless the owner provides information on the toughness characteristics of the vessel material to indicate the acceptability of a lower test temperature. The metal temperature shall not exceed 120 degrees F unless the owner specifies the requirements for a higher test temperature acceptable to the inspector.

(5) When contamination of the vessel contents by any other medium is prohibited or when a hydrostatic test is not possible, other testing media may be used if the precautionary requirements of the applicable sections of the ASME code and NBIC are followed. In these cases, there shall be agreement as to the testing procedure among the owner, repair organization, and the inspector.

(c) Record review. Any boiler log, record of maintenance, corrosion rate record, or any other examination results shall be reviewed by the inspector. The owner or user shall consult with the inspector regarding repairs, if any, made since the last internal inspection. Records of the repairs shall be reviewed for compliance with applicable requirements.

(d) Conclusions. Any defects or deficiencies in condition, maintenance practices, or misuse of the boiler shall be discussed by the inspector and owner, and, if necessary, corrective action shall be taken. All repairs shall be carried out in accordance with the requirements of part RC of the NBIC. (Authorized by K.S.A. 1999 Supp. 44-916; implementing K.S.A. 1999 Supp. 44-916 and 44-923; effective May 1, 1987; amended April 28, 2000.)

49-50-7. Boiler blowoff equipment; general rules.

(a) The blowdown from a boiler or boilers that enters a sanitary sewer system or blowdown that is considered a hazard to life or property shall pass through some form of blowoff equipment that will reduce pressure and temperature as required by this regulation.

(b) The temperature of the water leaving the blowoff equipment shall not exceed 140 degrees F.

(c) The pressure of the blowdown leaving any type of blowoff equipment shall not exceed 5 psig.

(d) The blowoff piping and fitting between the boiler and boilers and the blowoff tank or tanks shall comply with paragraphs PG-58 and PG-59 of the ASME boiler and pressure vessel code, section I. Blowdown piping shall not be galvanized.

(e) All blowoff tank construction shall comply with ASME pressure vessel code, section VIII, division 1 and all materials used in the fabrication of boiler blowoff equipment shall comply with section II of the ASME boiler and pressure vessel code, as in effect on January 1, 1999.

(f) When a steam separator is used, it shall be designed to withstand at least twice the operating pressure of the boiler. The steam separator shall be equipped with a vent, an inlet and outlet, and a pressure gauge.

(g) All blowoff equipment shall be fitted with openings to facilitate cleaning and inspection.

(h) The "national board rules and recommendations for the design and construction of boiler blowoff systems," published in 1991 by the national board of boiler and pressure vessel inspectors, is adopted by reference, a

copy of which may be obtained from the national board of boiler and pressure vessel inspectors or from the chief inspector. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-50-8. Piping system. (a) Piping connected to the outlet of a boiler shall be attached by one of the following methods:

(1) Screwing into a tapped opening with a screwed fitting or a valve at the other end;

(2) screwing each end into tapered flanges, fittings, or valves with or without rolling or peening;

(3) bolted joints, including those of the van stone type; or

(4) expanding into grooved holes, seal welded, if desired.

(b) Pipe that is expanded, rolled, or peened shall be made from open-hearth or electric-furnace steel. Blowoff piping of fire-tube boilers that is exposed to products of combustion shall be attached by the method in paragraph (a)(1). The attachment methods in paragraphs (a)(2), (3), or (4) may be used for blowoff piping of fire-tube boilers that is not exposed to combustion products. Fusion welding may be used for sealing purposes at the junction of bolted joints.

(c) Welding may be used to attach piping to nozzles or fittings if the rules adopted for fusion welding or forge welding at K.A.R. 49-50-1(b)(1) are followed. All welded piping that is external to the boiler, from the boiler out to the first stop valve, in a single installation, and out to the second stop valve when two or more boilers with manholes are connected to a common steam or high temperature water main or header, shall be installed by a manufacturer or contractor authorized to use any one of the American society of mechanical engineers code symbol stamps for pressure piping ("PP"), power boilers ("S"), or assembly stamp ("A"). The piping or fittings that are adjacent to the welded joint farthest from the boiler shall be stamped with the pressure piping, power boiler, or assembly code symbol stamp of the American society of mechanical engineers when approved by the inspector.

(d) Power boiler piping shall be inspected in all segments of the system carrying substantially the same pressures and temperature encountered in the boiler. The piping shall be inspected to the extent necessary to assure compliance with engineering design, material specifications, fabrication, assembly, and test requirements of section I of the ASME boiler and pressure vessel code, "rules for construction of power boilers," for the piping between the boiler and the first stop valve in a single boiler installation, or the second stop valve in a multiple boiler installation. Power piping and piping beyond these limits shall be installed as required by the appropriate section of ASME B31.1 power piping.

(e) When welded assembly is used, the contractor who welded the pipe shall present welding procedure specification and proof of the welder's qualifications to the inspector for review. The contractor shall be responsible for the quality of the welding performed by the contractor's organization.

(continued)

(f) Visual inspection of welding performed by qualified welders shall be deemed sufficient unless codes or engineering specifications state otherwise or unless the inspector wishes to augment this visual inspection with other non-destructive tests, including radiography. All tests or retests required by the inspector shall be at the owner's or contractor's expense.

(g) Signed certification of the contractor regarding satisfactory hydrostatic tests performed on piping may be accepted by the inspector. These tests may be required by the inspector to be performed in the inspector's presence.

(h) Heating boiler piping shall be inspected in all segments of the piping system carrying substantially the same pressure and temperatures as the boiler. The piping shall be inspected to the extent necessary to insure good fit-up, assembly, tightness, and support of the system. Welded joints shall be visually inspected for soundness of the weld and freedom from undercutting, cracking, and other surface imperfections. All inspections of piping shall be conducted to the first stop valve on a single boiler installation or the second stop valve in a multiple boiler installation.

(i) Hot water supply boiler installations shall be inspected for conformance with section IV of the ASME heating boiler code. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-50-9. Notification of inspection requirements.

(a) A certificate inspection shall be carried out before the expiration date of the certificate. Internal certificate inspections shall be scheduled in advance by the inspector. External inspections may be performed by the inspector during normal business hours without prior notification to the owner or user.

(b) An internal inspection, appropriate pressure test, or both may be requested by the inspector when an external inspection or determination by other objective means indicates that continued operation of the boiler constitutes a menace to public safety. In these instances, the owner or user shall prepare the boiler for the inspections, tests, or both as the inspector designates.

(c) Inspections of boilers and pressure vessels. All boilers and pressure vessels that are not exempted by the act and that are subject to regular inspections shall be prepared for inspection as required in subsection (d).

(d) Preparation for inspections. The owner or user shall prepare each boiler for inspection. The owner or user shall prepare for and apply a hydrostatic pressure test on the date arranged by the inspector. The date shall not be fewer than seven days after the date of notification. The owner or user shall prepare a boiler for internal inspection in the following manner:

(1) Water shall be drawn off, and the boiler shall be washed thoroughly.

(2) The manhole and handhole plates, washout plugs, and inspection plugs in water column connections shall be removed as required by the inspector. The furnace and combustion chambers shall be cooled and thoroughly cleaned.

(3) All grates of internally fired boilers shall be removed.

(4) Insulation or brickwork shall be removed as required by the inspector in order to determine the condition of the boiler, headers, furnace, supports, or other parts.

(5) The pressure gauge shall be removed for testing, as required by the inspector.

(6) Any leakage of steam or hot water into the boiler shall be prevented by disconnecting the pipe or valve at the most convenient point or by any other appropriate means approved by the inspector.

(7) The nonreturn and steam stop valves shall be closed, tagged, and preferably padlocked, and the valves drained or the cocks between the two valves opened. Before opening the manhole or handhole covers and entering any part of the steam-generating unit connected to a common header with other boilers, the feed valves shall be closed, tagged, and preferably padlocked, and the valves drained or the cocks located between the two valves opened. After draining the boiler, the blowoff valves shall be closed, tagged and preferably padlocked. Blowoff lines, where practicable, shall be disconnected between pressure parts and valves. All drains and vent lines shall be opened.

(e) Boilers improperly prepared for inspection. If a boiler has not been properly prepared for an internal inspection or if the owner or user has failed to comply with the requirements for a pressure test as set forth in these regulations, the inspection or test may be postponed, and the inspection certificate shall be withheld or the right to operate revoked until the owner or user complies with the requirements.

(f) Removal of covering to permit inspection. If the boiler is jacketed so that the longitudinal seams of shells, drums, or domes cannot be seen, sufficient jacketing, setting wall, or other form of casting or housing shall be removed to permit reasonable inspection of the seams and other areas necessary to determine the condition and safety of the boiler, if this information cannot be determined by other means.

(g) Lapseam crack. If a lapseam crack is discovered along a longitudinal riveted joint in the shell or drum of a boiler, use of that shell or drum shall be immediately discontinued. Patching shall be prohibited.

(h) All lock-out, tag-out, and confined space entry procedures shall be observed. (Authorized by K.S.A. 1998 Supp. 44-916; implementing K.S.A. 1998 Supp. 44-916 and 44-923; effective May 1, 1987; amended April 28, 2000.)

49-50-10. Safety valve repair. (a) All national board capacity-certified ASME code section I, "V" stamped safety valves that are repaired shall be repaired in accordance with the national board of boiler and pressure vessel inspectors "VR" program (NBIC ANSI/NB-23). The repairs shall be performed by an organization in possession of a "VR" certificate of authorization issued by the national board of boiler and pressure vessel inspectors.

(b) Repair of a safety valve or safety relief valve shall be considered to be the replacement, remachining, or cleaning of any critical part, lapping of the seat and disc, or any other operation that may affect the flow pressure, capacity, function or pressure-retaining integrity of the

valve. Disassembly and either reassembly or adjustments, or both, that affect the safety valve or safety relief valve function shall be considered repairs.

(c) The initial installation, testing, and adjustments of a new safety valve or a safety relief valve on a boiler or pressure vessel shall not be considered a repair if made by the manufacturer or assembler of the valve.

(d) Properly trained and qualified employees of boiler users or their designees may be authorized by the secretary to make adjustments to set pressure or blowdown, or both, to safety valves or safety relief valves owned by them if the adjusted settings, capacities, or both and the date of the adjustment are recorded on a metal tag secured to the seal wire. After external adjustment, the valve shall be resealed showing the identification of the organization making the adjustments. Valves intended for steam service shall be tested on steam. Valves intended for air or gas service shall be tested on air or gas. ASME code section IV "HV" and "V" stamped safety valves and relief valves designed for use on low pressure boilers shall be repaired only by the original manufacturer. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-50-11. Condemned boilers and pressure vessels. Any boiler or pressure vessel that is inspected and declared unfit for further service by the chief inspector or deputy inspector shall be stamped by the inspector with an arrowhead stamp having an overall length of $\frac{1}{2}$ inch and width of $\frac{3}{8}$ inch on either side of the letters "XXX" and the letters of the state, as shown by the following facsimile: XXX KXXX. Each condemned boiler or pressure vessel shall be immediately taken out of service by shutting off the boiler's or pressure vessel's source of energy, followed by total disconnection of gas, electrical, and system piping. Any person, firm, partnership, or corporation installing or using a condemned boiler or pressure vessel within this state shall be subject to the penalties provided by K.S.A. 44-925, and amendments thereto. (Authorized by K.S.A. 1998 Supp. 44-916; implementing K.S.A. 1998 Supp. 44-925; effective May 1, 1987; amended April 28, 2000.)

49-50-12. Reinstalled boiler or pressure vessel. When a stationary boiler or pressure vessel is moved and reinstalled, it shall be brought up to code and shall be subject to immediate certification inspection upon reinstallation. The owner, user, or installer shall notify the chief inspector of the reinstallation. However, a pressure vessel shall not require inspection if moved to a different location or reinstalled by the same owner. (Authorized by K.S.A. 1998 Supp. 44-916; implementing K.S.A. 1998 Supp. 44-917; effective May 1, 1987; amended April 28, 2000.)

49-50-13. Reinstalled boiler or pressure vessel at same location. If a boiler or pressure vessel located in this state is moved for temporary use or repair, it shall be subject to immediate certification inspection upon reinstallation. The reinstalled boiler or pressure vessel shall be brought up to current code requirements. The pressure vessel shall be subject to a certification inspection, if it has

not been previously registered. The owner, user, or installer shall notify the chief inspector of the reinstallation. (Authorized by K.S.A. 1999 Supp. 44-916; implementing K.S.A. 1999 Supp. 44-917; effective May 1, 1987; amended April 28, 2000.)

49-50-14. Shipment of nonstandard boilers or pressure vessels into the state. Shipment of nonstandard, nonexempt boilers or pressure vessels into this state for use shall be prohibited unless a variance and an operating permit have been granted by the secretary or the secretary's designee. (Authorized by K.S.A. 1998 Supp. 44-916; implementing K.S.A. 1998 Supp. 44-917; effective May 1, 1987; amended April 28, 2000.)

49-50-15. Installation of used or secondhand boilers or pressure vessels. A used or secondhand boiler or pressure vessel may be shipped for installation in this state only following an inspection by an inspector qualified by an examination equal to that required by this state or by an inspector holding a national board commission, at the location where originally installed. Data submitted by the inspector shall be filed by the owner, user, or installer of the boiler with the chief inspector of this state for the chief inspector's approval. The boilers or pressure vessels, when installed in the state, shall be subject to inspection by the chief inspector or deputy inspector and shall meet current safety codes as set forth in these regulations. (Authorized by K.S.A. 1998 Supp. 44-916; implementing K.S.A. 1998 Supp. 44-923; effective May 1, 1987; amended April 28, 2000.)

49-50-17. Steam cleaners or hot water power washers. A steam cleaner or hot water power washer in which water can flash into steam when released directly to the atmosphere through a manually operated nozzle, on which adequate controls and safety devices are installed, and on which safety relief valves are installed shall be subject to the boiler safety act when the cleaner or washer exceeds any of the following limitations or conditions:

(a) The outside diameter of the tubing does not exceed one inch.

(b) There is no drum, header, or other steam space attached.

(c) The pipe size does not exceed national standard pipe (NSP) $\frac{3}{4}$ inch.

(d) No steam is generated in the coil.

(e) Normal water capacity does not exceed six gallons.

(f) Water temperature does not exceed 350 degrees Fahrenheit.

(g) BTUH input equals or exceeds 400,000. (Authorized by K.S.A. 1998 Supp. 44-916; implementing K.S.A. 1998 Supp. 44-915; effective May 1, 1987; amended April 28, 2000.)

49-50-18. Minimum construction standards for all boilers and pressure vessels. (a) Each new boiler or pressure vessel installed for operation in this state, unless otherwise exempt, shall be designed, constructed, inspected, stamped, and installed in accordance with the applicable ASME code and addenda thereto and these regulations. Each boiler or pressure vessel shall bear the manufac-

(continued)

turer's NB number as registered with the national board. A copy of the manufacturer's data report, signed by the manufacturer's representative and the national board-commissioned inspector, shall be filed with the chief inspector through the national board of boiler and pressure vessel inspectors.

(b) Variance: If a boiler or pressure vessel cannot bear the ASME and national board stamping, details of the proposed construction material specifications and calculations shall be submitted to the chief inspector by the owner and user, and approval as a variance shall be obtained before construction is started. Design drawings and calculations shall be certified by a professional engineer currently registered in the state of Kansas. The boiler or pressure vessel shall be constructed and inspected as required by the national board inspection code (NBIC). (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-50-19. Combustion safeguards and waterside control appurtenances. (a) Each automatically fired boiler shall be protected against the peril of low water, furnace explosion, overpressure and overtemperature by equipping the boiler with controls and safety devices in accordance with the requirements of ASME CSD-1. ASME CSD-1 shall apply to new installations, used or secondhand boilers, boilers moved and relocated, retrofitting of any boiler system having experienced incidental failure of its control equipment, major alterations of existing installations, and any boiler that may lack controls and safety devices.

(b) To implement the provisions of ASME CSD-1, manufacturers of new boilers shall provide documentation to installing contractors verifying that the boiler was constructed in compliance with CSD-1, Part CG-510. The testing and maintenance instructions obtained by the installing contractor and presented to the boiler owner or user shall be filed with the installation report and made available to the inspector upon request.

(c) Combustion and waterside safeties for boilers with burner inputs that exceed the 12,500,000 BTUH input limit of CSD-1 shall comply with all applicable ASME and NFPA standards. Applicable flame safeguard requirements for the prevention of furnace explosions shall be those set forth in the national fire code, sections 8501, 8502, 8503, 8504, 8505, and 8506. Combustion and waterside safeties for existing boiler installations with burner inputs that exceed the 12,500,000 BTUH limit of CSD-1 shall meet the applicable provisions of the edition of the ASME and NFPA standards in effect at the time they were constructed and installed. Whenever existing installations are considered unsafe, undergo extension repair due to accidental damage major alteration due to accidental damage, or lack a qualified 24-hour attendant, flame safeguard and other pertinent controls, and safety devices shall be brought up to the current code requirements.

(d) Each owner, user, or installer of boilers using flame safeguard equipment shall document results of combustion safety testing. The frequency of testing shall be in accordance with the equipment manufacturer's recom-

mendations but shall be conducted at least upon the initial start-up and shutdown of the boiler. An inspection and maintenance schedule shall be established and performed to comply with the boiler and combustion system manufacturer's recommendations. Documentation relative to the above testing shall be kept on permanent file at the boiler location and shall be made available to the authorized inspector upon request. The use of rebuilt or remanufactured flame safeguard equipment shall not be allowed. All boiler controls shall be listed as UL (underwriters laboratories), FM (factory mutual), or AGA (American gas association). (Authorized by and implementing K.S.A. 1999 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-50-20. New boilers, new boiler rooms, and boiler clearances. (a) Each owner, user, and installer of a new boiler shall be responsible for notifying the office of the chief inspector within 72 hours of a boiler installation. Each new boiler shall be inspected at the time of installation by an inspector duly commissioned in accordance with K.S.A. 44-918 through K.S.A. 44-922, and amendments thereto.

(b) Each new boiler having an external width of over 36 inches shall have no fewer than 18 inches of clearance between the bottom of the boiler and the floor line, with access for inspection. When the width of the boiler is 36 inches or less, the distance between the bottom of the boiler and the floor line shall be not less than six inches. Each new boiler that is not enclosed in a separate building or separate room shall be isolated from the public and employees by a fire-rated wall as determined by occupancy in NFPA life safety code handbook, 1997 edition.

(c) Each new boiler room shall have one or more means of exit as determined by the chief boiler inspector. Where more than one exit is provided, each shall be remotely located from the other. Each elevation of runway shall have at least two means of egress, each remotely located from the other.

(d) Each new boiler shall be located so that adequate space will be provided for the proper operation of the boiler and its appurtenances, for the inspection of all surfaces, tubes, water walls, economizers, piping, valves, and other equipment and for their necessary maintenance and repair. Specifications for all minimum clearances shall be provided by each boiler manufacturer and shall be listed in the manual provided to the installing contractor. In no case shall any clearance for access be less than those listed in section 1017 of the uniform mechanical code, 1997 edition. The installation instruction manual shall remain available to the authorized inspector upon the inspector's request. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-50-21. Boilers and other appliances fired with LP gas. Boilers and other appliances fired with LP gas shall not be installed below grade, or in pits or other depressions where LP gas could accumulate. This prohibition shall apply unless the system meets the following conditions:

(a) Is equipped with an alarm system that sounds an alarm or with other approved alerting devices;

(b) shuts down all of the equipment in the space; and
 (c) is equipped with an approved exhaust system. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

49-50-22. Venting of atmospheric vents, gas vents, or bleed or relief lines. (a) Gas pressure regulators, pressure switches, safety shutoff valves, or any other gas control that has a threaded fitting shall be vented to the outdoors to a safe point of discharge.

(b) The atmospheric vent lines shall not be connected to any common or manifolded gas vent, or bleed or relief line.

(c) Atmospheric vent lines when manifolded shall be connected into a common atmospheric vent line having a cross-sectional area not less than the area of the largest vent line plus 50% of the areas of the additional vent lines.

(d) Gas regulators, pressure interlock switches, and all other fuel train components that require atmospheric pressure to balance diaphragms or other similar devices shall be provided with a pipe-threaded connection for a vent line. The vent line shall be extended outdoors to a safe point of discharge. A means shall be provided at the terminating point to prevent blockage of the line by foreign material, moisture, or insects. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

Article 51.—HIGH PRESSURE BOILERS

49-51-1. Age limit of existing boilers. (a) Any boiler of nonstandard construction installed before calendar year 1977 shall be removed from service at the age limit of 30 years except when both of these requirements are met:

(1) After a thorough internal and external inspection of such a nonstandard boiler and when required by the inspector, a hydrostatic pressure test of 1½ times the allowable working pressure held for a period of at least 30-minutes shall be performed. If no distress or leakage develops, any boiler having other than a lap-riveted longitudinal joint may be continued in operation past the 30-year age limit at the working pressure determined by K.A.R. 49-51-3.

(2) The age limit of any nonstandard boiler having lap-riveted longitudinal joints and operating at a pressure in excess of 50 psig shall be 20 years. This type of boiler, when removed from an existing setting, shall not be re-instated for a pressure in excess of 15 psig. A reasonable time for replacement, not to exceed one year, may be granted by the chief boiler inspector.

(b) The age limit of boilers of standard construction installed before the date this law became effective shall be dependent on the results of thorough internal and external inspection and, when required by the inspector, a hydrostatic pressure test not exceeding 1½ times the allowable working pressure. If the boiler, under these test conditions, exhibits no distress or leakage, it may be continued in operation at the working pressure determined by K.A.R. 49-51-2.

(c) The shell or drum of a boiler in which a lapseam crack develops along a longitudinal lap-riveted joint shall be condemned. (Authorized by and implementing K.S.A.

1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-51-2. Maximum allowable working pressure for standard boilers and pressure vessels. The maximum allowable working pressure for standard boilers and pressure vessels shall be determined in accordance with the applicable provisions of the edition of the ASME code under which they were constructed and stamped. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-51-3. Maximum allowable working pressure for nonstandard boilers. (a) The maximum allowable working pressure of a nonstandard boiler shall be determined by the application of the following formula:

$$\frac{TStE}{RFS} = \text{maximum allowable working pressure psig}$$

where:

- TS = ultimate tensile strength of shell plates, psig
- t = minimum thickness of shell plate, in the weakest course, in inches
- E = efficiency of longitudinal joint:
 For tube ligaments, E shall be determined by the rules given in section I of the ASME code.
 For riveted construction, refer to the national board inspection code, 1998 edition.
 For seamless construction, E shall be considered to be 100 percent.
- R = inside radius of the weakest course of the shell, in inches.
- FS = factor of safety permitted.

Nonstandard boilers with welded seams shall not be operated at pressures exceeding 15 psig for steam or 30 psig for water.

(b) Tensile strength. When the tensile strength of steel or wrought iron shell plates is not known, it shall be deemed to be 55,000 psig for steel and 45,000 psig for wrought iron.

(c) Crushing strength of mild steel. The resistance to crushing of mild steel shall be deemed to be 95,000 psig.

(d) Strength of rivets in shear. When computing the ultimate strength of rivets in shear, the following values in pounds per square inch of the cross-sectional area of the rivet shank shall be used:

	PSIG
Iron rivets in single shear	38,000
Iron rivets in double shear	76,000
Steel rivets in single shear	44,000
Steel rivets in double shear	88,000

When the diameter of the rivet holes in the longitudinal joints of a boiler is not known, the diameter and cross-sectional area of rivets, after driving, may be selected from the following table, or as ascertained by cutting out one rivet in the body of the joint:

Table sizes of rivets based on plate thickness

thickness of plate-inch	¼	⅜	½	⅝	¾	⅞
diameter of rivet after driving-inch ...	11/16	13/16	¾	7/8	15/16	1
thickness of plate-inch	7/16	15/32	½	9/16	5/8	
diameter of rivet after driving-inch ...	15/16	15/16	15/16	1 1/16	1 1/8	

(continued)

(Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-51-3a. Factors of safety for boilers and pressure vessels. The inspector shall decrease the working pressure if the condition and safety of the boiler or pressure vessel warrant it. The following factors of safety shall represent minimum values to be used:

(a) The lowest factor of safety permissible on existing installations shall be 4.0.

(b) The factor of safety shall be eight for horizontal-return-tubular boilers that have continuous longitudinal laps seams more than 12 feet in length. When this type of boiler is removed from its existing setting, it shall not be reinstalled for pressures in excess of 15 psig.

(c) The lowest accepted safety factor on new boilers and pressure vessels shall be no less than 3.5.

(d) The safety factor on existing boilers and pressure vessels constructed to a higher safety factor shall not be lowered for any reason. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

49-51-6. Safety valves. (a) Weighted-lever safety valves or safety valves that have either the seat or disk of cast iron shall not be used. Valves of this type of construction shall be replaced by direct, spring-loaded, pop-type valves that conform to the requirements of the following:

(1) ASME code, section 1, rules for construction of power boilers;

(2) ASME code, section IV, rules for construction of heating boilers; and

(3) ASME code, section VIII, rules for construction of pressure vessels, divisions 1, 2, and 3.

(b) Each high pressure boiler shall have at least one ASME-NB approved and certified safety valve. If the boiler has more than 500 square feet of water-heating surface or an electric power input of more than 500 kw, it shall have two or more safety valves of the same type.

(c) The safety valve or valves required in subsection (b) shall be connected to the boiler in a vertical position, independent of any other steam connection, and shall be attached as close as possible to the boiler without unnecessary intervening pipe or fittings. When alteration is required to conform to this requirement, owners, users, or installers shall be allowed reasonable time in which to complete the work as permitted by the chief inspector.

(d) No valves of any description shall be placed between the safety valve and the boiler or on the escape pipe, if used. When an escape pipe is used, it shall be at least the full size of the safety valve discharge and shall be fitted with an open drain to prevent water lodging in the upper part of the safety valve or in the escape pipe. Horizontal escape piping that provides adequate gravity drainage shall not normally require the fitting of an open drain. When an elbow is placed on a safety valve escape pipe, it shall be located close to the safety outlet, or the escape pipe shall be anchored and supported securely. All safety discharges shall be so located or piped to be carried clear of walkways or platforms. When discharge piping is directed downward, the pipe shall terminate within six inches above floor level. Plastic discharge piping shall not be used.

(e) The safety valve capacity of each boiler shall be such that the safety valve or valves will discharge all the steam that can be generated by the boiler without allowing the pressure to rise more than six percent above the highest pressure to which any valve is set. The pressure shall not be allowed to rise more than six percent above the maximum allowable working pressure.

(f) One or more safety valves on each boiler shall be set at or below the maximum allowable working pressure. The remaining valves may be set within a range of three percent above the maximum allowable working pressure. The range of setting of all the safety valves on a boiler shall not exceed 10% of the highest pressure to which any valve is set.

(g) When two or more boilers, operating at different pressures and safety valve settings, are interconnected, the lower pressure boilers or interconnected piping shall be equipped with safety valves of sufficient capacity to prevent overpressure, considering the maximum generating capacity of all boilers.

(h) When the boiler is supplied with feedwater directly from water mains without the use of feeding apparatus, excluding return traps, a safety valve shall not be set at a pressure greater than 94% of the lowest pressure obtained in the supply main feeding the boiler. The relieving capacity of the safety valves on any boiler shall be checked by one of the three following methods, and, if found to be insufficient, additional valves shall be provided:

(1) By making an accumulation test. An accumulation test shall consist of shutting off all other steam discharge outlets from the boiler and forcing the fires to the maximum. The safety valve capacity shall be sufficient to prevent a rise of pressure in excess of six percent of the maximum allowable working pressure. This method shall not be used on a boiler with a superheater or reheater;

(2) by measuring the maximum amount of fuel that can be burned and by computing the corresponding evaporative capacity (steam-generating capacity) upon the basis of the heating value of this fuel. These computations shall be made as outlined in the appendix of the ASME code, section I; or

(3) by measuring the maximum amount of feedwater that can be evaporated. When either of the methods outlined in paragraphs (h) (1) or (h) (2) is employed, the sum of the safety valve capacities shall be equal to or greater than the maximum evaporative capacity, which is the maximum steam-generating capacity of the boiler. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-51-7. Boiler feeding. (a) Each boiler shall have a feed supply that will permit it to be fed at any time while under pressure.

(b) Each boiler having more than 500 square feet of water-heating surface shall have at least two suitable means of feeding, at least one of which shall be a feed pump. A source of feed at a pressure three percent greater than the set pressure of the safety valve with the highest setting may be considered one of the means. Boilers fired by gaseous, liquid, or solid fuel in suspension may be equipped with a single means of feeding water, if means are furnished for the shutoff of heat input before the water level reaches the lowest safe level.

(c) The feedwater shall be introduced into the boiler in a manner preventing it from discharge close to riveted joints of shell or furnace sheets, directly against surfaces exposed to products of combustion, or to direct radiation from the fire.

(d) The feed piping to the boiler shall be provided with a check valve near the boiler and a valve or cock between the check valve and the boiler. When two or more boilers are fed from a common source, there shall also be a valve on the branch to each boiler between the check valve and the source of supply. Whenever a globe valve is used on feed piping, the inlet shall be under the disk of the valve.

(e) In all cases in which returns are fed back to the boiler by gravity, there shall be a check valve and stop valve in each return line. The stop valve shall be placed between the boiler and the check valve. Both shall be located as close to the boiler as is practicable.

(f) If deaerating heaters are not employed, the temperature of the feedwater shall not be less than 120°F. to avoid the possibility of setting up localized stress. If deaerating heaters are employed, the minimum feedwater temperature shall not be less than 215°F. so that dissolved gases may be thoroughly released. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-51-8. Water level indicators. (a) No outlet connections, except for any damper regulator, feedwater regulator, low water fuel cutout, drain, gauge, or other apparatus that does not permit the escape of an appreciable amount of steam or water from it, shall be placed on the piping that connects the water column to the boiler. The water column shall be provided with a valved drain of at least 3/4 inch pipe size. The discharge shall be piped to a safe location.

(b) For all installations in which the water gauge glass or glasses are more than 30 feet above the boiler operating floor, remote water level indicating or recording gauges shall be installed at eye height above the operating floor. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-51-9. Steam gauges. (a) Each steam boiler shall have a steam gauge with dial range not less than 1 1/2 or more than 3 1/2 times the maximum allowable working pressure connected to the steam space or to the steam connection to the water column. The steam gauge shall be connected to a siphon or equivalent device of sufficient capacity to keep the gauge tube filled with water. The steam gauge shall be arranged so that the gauge cannot be shutoff from the boiler except by a cock placed near the gauge. The cock shall be provided with a tee or lever handle arranged to be parallel to the pipe in which it is located when the cock is open.

(b) When a steam gauge connection longer than eight feet becomes necessary, a shut-off valve may be used near the boiler if the valve is the outside-screw-and-yoke type and is locked open. The line shall be of ample size with provision for free blowing.

(c) Each boiler shall be provided with a 1/2-inch nipple and globe valve connected to the steam space for the exclusive purpose of attaching a test gauge when the boiler is in service so that the accuracy of the boiler steam gauge

may be ascertained. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-51-10. Stop valves. (a) Each steam outlet from a boiler, except safety valve and water column connections, shall be fitted with a stop valve located as close as practicable to the boiler.

(b) When a stop valve is so located that water can accumulate, ample drains shall be provided. The drainage shall be piped to a safe location and shall not be discharged on the top of the boiler or its setting.

(c) When boilers provided with manholes are connected to a common steam main, the steam connection from each boiler shall be fitted with two stop valves that have an ample free blow drain between them. The discharge of the drain shall be visible to the operator while manipulating the valves and shall be piped clear of the boiler setting. One of the stop valves shall be an automatic nonreturn valve that is set next to the boiler, and the second valve shall be the outside-screw-and-yoke type and shall meet the requirements of sections I, IV, and VIII of the ASME code. All piping, fittings, and valves shall meet the requirements of the current code of construction. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-51-11. Blowoff connection. (a) The construction of the setting around each blowoff pipe shall permit free expansion and contraction. Careful attention shall be given to sealing these setting openings without restricting the movement of the blowoff piping.

(b) All blowoff piping exposed to furnace heat shall be protected by fire brick or other heat-resistant material constructed to provide access to the piping for inspection.

(c) Each boiler shall have a blowoff pipe, fitted with a valve or cock, in direct connection with the lowest water space. Cocks shall be of the gland or guard type and shall be suitable for the pressure allowed. Globe valves shall not be used. When the maximum allowable working pressure exceeds 100 psig, each blowoff pipe shall be provided with two valves or a valve and cock.

(d) When the maximum allowable working pressure exceeds 100 psig, blowoff piping shall be extra heavy steel at least from the boiler to the valve or valves and shall be run full size without use of reducers or bushings. The piping shall not be galvanized.

(e) All fittings between the boiler and blowoff valve shall be of steel. When blowoff pipes or fittings are renewed, they shall be installed in accordance with the regulations for new installations contained within these articles.

(f) The blowdown from a boiler or boilers that enters a sanitary sewer system or blowdown which is considered a hazard to life or property shall pass through some form of blowoff equipment that will reduce pressure and temperature as required in this subsection.

(1) The temperature of the water leaving the blowoff equipment shall not exceed 140°F.

(2) The pressure of the blowdown leaving any type of blowoff equipment shall not exceed 5 psig.

(3) The blowoff piping and fittings between the boiler and the blowoff tank shall comply with paragraphs PG-

(continued)

58 and PG-59 of the ASME boiler and pressure vessel code, section I.

(4) All materials used in the fabrication of boiler blowoff equipment shall comply with material section II of the ASME boiler and pressure vessel code.

(5) Blowdown tanks shall be constructed to the requirements of section VIII of the ASME code, rules for the construction of pressure vessels, division I.

(6) All blowoff equipment shall be fitted with openings to facilitate cleaning and inspection.

(6) All blowoff equipment shall be installed in accordance with the "national board rules and recommendations for the design and construction of boiler blowoff systems," 1991 edition, which is hereby adopted by reference. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-51-12. Repairs and renewals of boiler and pressure vessel fittings and appliances. Whenever repairs are made to fittings or appliances or when it becomes necessary to replace them, the repairs or replacements shall comply with the provisions of the following:

- (a) ASME code sections I and VIII;
- (b) ANSI-ASME B 31.1;
- (c) ANSI-ASME CSD-1;
- (d) NFPA sections 8501, 8502, 8503, 8504, 8505, and 8506; and
- (e) the national board inspection code. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-51-14. (Authorized by and implementing K.S.A. 1985 Supp. 44-916; effective May 1, 1987; revoked April 28, 2000.)

Article 52.—LOW PRESSURE HEATING BOILERS

49-52-5. Safety valves. (a) Each steam boiler shall have one or more ASME or national board-approved and certified safety valves of the spring pop-type adjusted and sealed to discharge at a pressure not to exceed 15 psig. Seals shall be attached in a manner that prevents the valve from being taken apart without breaking the seal. The safety valves shall be arranged so that they cannot be reset to relieve at a higher pressure than the maximum allowable working pressure of the boiler. A body drain connection below seat level shall be provided by the manufacturer, and this drain shall not be plugged during or after field installation. For valves exceeding two inches of pipe size, the drain hole or holes shall be tapped not less than 3/8 inch pipe size. For valves less than two inches, the drain hole shall not be less than 1/4 inch in diameter.

(b) A safety valve for a steam boiler shall not be smaller than 1/2 inch unless the boiler and radiating surfaces consist of a self-contained unit. A safety valve shall not be larger than 4 1/2 inches. The inlet opening shall have an inside diameter equal to or greater than the seat diameter.

(c) The minimum relieving capacity of the valve or valves shall be governed by the capacity marking on the boiler.

(d)(1) The minimum valve capacity in pounds per hour shall be the greater of the valves determined by either of the following:

(A) Dividing the maximum BTUH output at the boiler nozzle obtained by the firing of any fuel for which the unit is installed by 1,000; or

(B) using the pounds of steam generated per hour per square foot of boiler heating surface as given in the following table:

Boiler heating surface:	minimum pounds of steam per hour per square foot of heating surface	
	Firetube boilers	Watertube boilers
Hand-fired	5	6
Stoker-fired	7	6
Oil, gas, or pulverized fuel-fired	8	10
Waterwall heating surface:	8	8
Hand-fired		
Stoker-fired	10	12
Oil, gas, or pulverized fuel-fired	14	16

(2) When a boiler is fired only by gas with a heat value not in excess of 200 BTUH per cubic feet, the minimum safety valve or safety relief valve relieving capacity shall be based on the value given for hand-fired boilers above.

(3) The minimum safety valve or safety relief valve relieving capacity for electric boilers shall be 3 1/2 pounds per hour per kilowatt input.

(4) The amount of heating surface in a boiler shall be determined according to the provisions of ASME code section IV, paragraph HG-403.

(e) The safety valve capacity for each steam boiler shall be such that, with the fuel-burning equipment installed and operating at maximum capacity, the pressure cannot rise more than 5 psig above the maximum allowable working pressure.

(f) When operating conditions are changed or additional boiler heating surface is installed, the valve capacity shall be increased, if necessary, to meet the new conditions in accordance with subsection (e). When additional valves are required, they may be installed on the outlet piping if there is no intervening valve.

(g) If there is any doubt as to the capacity of the safety valve, an accumulation test shall be run in accordance with the ASME code, section VI.

(h) No valve of any description shall be placed between the safety valve and the boiler nor on the discharge pipe between the safety valve and the atmosphere. The safety valve shall be installed in a vertical position.

(i) The discharge pipe shall be at least full size and shall be fitted with an open drain to prevent water lodging in the upper part of the safety valve or in the discharge pipe. When an elbow is placed on the safety valve discharge pipe, the elbow shall be located close to the safety valve outlet, or the discharge pipe shall be securely anchored and supported. All safety valve discharges shall be located or piped in a manner that will not endanger persons working in the area. When discharge piping is directed downward, the pipe shall terminate six inches above floor level. Plastic discharge piping shall not be used.

(j) When two or more safety valve discharge lines are connected together, the cross-sectional area of the common discharge line shall equal or exceed the cross-sectional area of the combined safety valve discharge outlets. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-52-6. Safety relief valve requirements for hot water boilers. (a)(1) Each hot water heating boiler shall have at least one ASME or national board certified safety relief valve set to relieve at or below the maximum allowable working pressure of the boiler. Each hot water supply boiler of the water tube or coil type shall have at least one ASME or national board-approved and certified safety relief valve of the automatic reseating type set to relieve at or below maximum allowable working pressure of the boiler. Safety relief valves that are ASME or national board certified as to capacity shall have pop action when tested by steam.

(2) When more than one safety relief valve is used on either hot water heating or hot water supply boilers, the additional valve or valves shall be ASME rated. The additional valves shall be set not to exceed the maximum allowable working pressure of the vessel.

(3) Safety relief valves shall be spring loaded. Safety relief valves shall be arranged so that they cannot be reset at a higher pressure than the maximum allowable working pressure of the boiler or pressure vessel.

(b) Materials that may fail due to deterioration or vulcanization when subject to saturated steam temperatures corresponding to the maximum capacity test pressure shall not be used.

(c) A safety relief valve shall not be smaller than $\frac{3}{4}$ inch or larger than $4\frac{1}{2}$ inches standard pipe size, except that boilers having a heat input not greater than 15,000 BTUH may be equipped with a safety relief valve of $\frac{1}{2}$ inch standard pipe size. The inlet opening shall have an inside diameter approximately equal to or greater than the seat diameter. The minimum opening through any part of the valve shall not be less than $\frac{1}{2}$ inch in diameter or its equivalent area.

(d) The steam-relieving capacity, in pounds per hour, of the pressure-relieving device or devices on a boiler shall be the greater of that determined by either of the following methods:

(1) Dividing the maximum output in BTUH at the boiler nozzle obtained by the firing of any fuel for which the unit is installed by 1,000; or

(2) using the pounds of steam generated per hour per square foot of boiler heating surface as given in the table in K.A.R. 49-52-5 (d)(1).

(e) When operating conditions are changed or additional boiler heating surface is installed, the valve capacity shall be increased, if necessary, to meet the new conditions in accordance with K.A.R. 49-52-6(f). The additional valves required because of changed conditions may be installed on the outlet piping if there is no intervening valve.

(f) Safety relief valve capacity for each boiler shall be such that, with the fuel-burning equipment installed and operated at maximum capacity, the pressure cannot rise more than 5 psig above the maximum allowable working

pressure. Storage water heaters or boilers shall have T & P relief valves with a relieving capacity and an American gas association rating equal to or exceeding the burner BTUH input or electrical power kilowatt input.

(g)(1) The safety relief valve shall be installed in a vertical position, except for T & P relief valves on storage water heaters equipped with side tappings to accommodate the insertion of the T & P valve thermostat. The valve thermostat shall be immersed in the water and located in the top six inches of the vessel. No valve of any description shall be placed between the safety relief valve and the boiler or on the discharge pipe between the safety relief valve and the atmosphere.

(2) The discharge pipe shall be at least full size and fitted with an open drain to prevent water lodging in the upper part of the safety relief valve or in the discharge pipe. Horizontal discharge piping that provides adequate gravity drainage shall not normally require the fitting of an open drain. When an elbow is placed on the safety relief valve discharge pipe, the elbow shall be located close to the safety relief valve outlet or the discharge pipe shall be securely anchored and supported.

(3) All safety relief valve discharges shall be located or piped in a manner that does not endanger persons working in the area. When discharge piping is directed downward, the pipe shall terminate within six inches above floor level. Plastic discharge piping shall not be used on any safety relief valve discharge line, including all sizes of domestic hot water heaters.

(4) When two or more safety relief valve discharge lines are connected together, the cross-sectional area of the common discharge line shall equal or exceed the cross-sectional area of the combined safety relief valve outlets. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-52-7. Steam gauges. (a) Each steam boiler shall have a steam gauge connected to its water column or a steam connection by means of a siphon or equivalent device exterior to the boiler. The siphon shall be of sufficient capacity to keep the gauge tube filled with water and shall be arranged so that the gauge cannot be shut off from the boiler except by a cock with tee or lever handle placed in the pipe near the gauge. The handle of the cock shall be parallel to the pipe in which it is located when the cock is open.

(b) The scale on the dial of a steam gauge shall be graduated to not less than 30 psig or more than $3\frac{1}{2}$ times the maximum allowable working pressure. The gauge shall be provided with effective stops for the indicating pointer at the zero point and at the maximum pressure point. The pointer shall travel at least three inches from the zero to 30 psig pressure mark. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-52-8. Pressure or altitude gauge and thermometers. (a) Each hot water boiler shall have a pressure or altitude gauge connected to it or to its flow connection in such a manner that it cannot be shut off from the boiler except by a cock with tee or lever handle placed on the

(continued)

pipe near the gauge. The handle of the cock shall be parallel to the pipe in which it is located when the cock is open.

(b) The scale on the dial of the pressure or altitude gauge shall display approximate graduation to not less than $1\frac{1}{2}$ or more than three times the maximum allowable working pressure.

(c) Piping or tubing for pressure altitude gauge connections shall be of nonferrous metal when smaller than one inch of pipe size.

(d) Each hot water boiler shall have a thermometer that is located and connected in such a manner that both of the following conditions are met:

(1) The thermometer is easily readable during observation of the water pressure or altitude gauge,

(2) The thermometer will at all times indicate the temperature, in degrees Fahrenheit, of the water in the boiler at or near the outlet.

(e) Each hot water supply boiler shall have a thermometer installed in the hot water supply line. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-52-9. Water gauge glasses. (a) Each steam boiler shall have one or more water gauge glasses attached to the water column or boiler by means of valved fittings. The lower fitting shall be provided with a drain valve of the straightway type with an opening not less than $\frac{1}{4}$ inch in diameter to facilitate cleaning. Gauge glass replacement shall be possible while the boiler is under pressure.

(b) Transparent material, other than glass, may be used for the water gauge if the material has proven suitable for the pressure, temperature, and corrosive conditions encountered in service.

(c) Gauge glasses shall be installed to show a water level in the boiler at or above the lowest permissible level as defined by the manufacturer of the boiler, and the low water cutoffs shall be installed accordingly. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-52-11. Feedwater connections, automatic low water fuel cutoff, and water-feeding devices. (a) Feedwater, makeup water, or water treatment materials shall be introduced into a boiler through the return piping system or through an independent feedwater connection that does not discharge against parts of the boiler exposed to direct radiant heat from the fire. Feedwater, makeup water, or water treatment materials shall not be introduced through openings or connections provided for any of the following:

- (1) Inspection or cleaning;
- (2) safety valves or safety relief valves; or
- (3) surface blowoff, or the water column, water gauge glass, pressure gauge, or temperature gauge.

(b) The feedwater pipe shall be provided with a check valve near the boiler and a stop valve or cock between the check valve and the boiler or return pipe system.

(c) Each automatically fired steam or vapor system boiler shall be equipped with an automatic low water fuel cutoff located in a manner that will automatically cut off the fuel supply when the surface of the water falls to the lowest safe water line. The boiler shall also have a sec-

ondary low water cutoff that will cut off the fuel supply and lock out the burner and shall be equipped with a manual reset. If a water-feeding device is installed, it shall be constructed so that the water inlet valve cannot feed water into the boiler through the float chamber. The interfeeding device shall be located to supply requisite feedwater. The lowest safe water line shall not be lower than the lowest visible part of the water glass.

(d) A fuel or feedwater control device may be attached directly to a low pressure boiler on the tapped openings in low pressure boilers that are provided for attaching a water glass directly to the boiler. The connections between the boiler and the water glass shall be nonferrous tees or Y's of not less than $\frac{1}{2}$ inch pipe size. The water glass shall be attached directly, and as closely as possible, to the boiler. The water glass fittings shall be attached to the straightway topping of the Y or T. The fuel cutoff or water feeding device shall be attached to the side outlet of the Y or T. The ends of all nipples shall be reamed to full-size diameter.

(e) Designs using a float and float bowl shall have a vertical, straight-away valve drain pipe at the lowest point in the water-equalizing pipe. The connections in this installation shall permit the bowl and the equalizing pipe to be flushed and the device tested. A low water fuel cutoff control device shall be installed in all hot water heating systems with inputs exceeding 400,000 BTUH. Blowdown valves and pipe attachments shall be a minimum of $\frac{3}{4}$ inches.

(f) A low water fuel cutoff shall be installed on all hot water heating systems, including systems under 400,000 BTUH that are not exempted. The low water cutoff shall be a float type, flow switch, or probe type installed in the boiler or piping above the boiler.

(g) Low water cutoffs installed on all hot water heating boilers shall be installed above the boiler and shall be equipped with a manual rest, with no intervening valves between the boiler and the low water cutoff. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-52-13. Provisions for thermal expansion in hot water systems. (a) All hot water heating systems incorporating hot water tanks or fluid relief columns shall be installed in a manner that will prevent freezing under normal operating conditions.

(b) Systems with open expansion tank. If the system is equipped with an open expansion tank, an indoor overflow from the upper portion of the expansion tank shall be provided in addition to an open vent. The indoor overflow shall be carried within the building to a suitable plumbing fixture or the basement.

(c) Closed systems. If the system is closed, an airtight tank or other suitable air cushion shall be installed that will be consistent with the volume and capacity of the system, and it shall be suitably designed for a hydrostatic test pressure of $2\frac{1}{2}$ times the allowable working pressure of the system. Expansion tanks for systems designed to operate above 30 psig shall be constructed in accordance with section VIII, division 1, as required by section IV of the ASME code. Provisions shall be made to drain the tank without emptying the system, except for prepressurized tanks.

(d) Non-code expansion tanks installed on hot water heating systems shall be restricted to no more than 30 psi working pressure. (Authorized by and implementing K.S.A. 1985 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-52-14. Repairs and renewals of fittings and appliances. (a) Whenever repairs are made to fittings or appliances or it becomes necessary to replace them, the repairs shall comply with the following:

(1) Sections I, IV, and VIII of the ASME code for new construction;

(2) the provisions of ASME CSD-1;

(3) NFPA 8501, 8502, 8503, 8504, 8505, and 8506; and

(4) the national board inspection code.

(b) All electrical controls and safety devices shall bear a label and be listed by a nationally recognized agency, including UL (underwriters laboratories), FM (factory mutual), or AGA (American gas association). (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective May 1, 1987; amended April 28, 2000.)

49-52-15. (Authorized by and implementing K.S.A. 1985 Supp. 44-916; effective May 1, 1987; revoked April 28, 2000.)

49-52-16. Provisions for thermal expansion in hot water supply systems. If the system is equipped with a check valve or pressure-reducing valve in the cold water inlet line, an airtight expansion tank or other suitable air cushion shall be used. If provided, the tank shall be constructed according to the requirements of section VIII, division 1 of the ASME code, with a maximum allowable working pressure to equal or exceed the working pressure of the hot water supply boiler. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

49-52-17. Emergency shutoff switches. Emergency shutoff switches shall be installed on all hot water supply boilers and boilers of any size that are equipped with power burners, and on units with a BTUH input of 400,000 and over, regardless of burner type. All heating and power boilers shall have an emergency shutdown switch installed by each exit to meet the requirements of the national electrical code handbook, 1999 edition, which is adopted by reference, and CSD-1. Boilers with an input of 12,500,000 BTUH and over shall meet the requirements of NFPA 70, 1999 edition, which is adopted by reference, and NFPA 8501 through 8506. (Authorized by and implementing K.S.A. 1998 Supp. 44-916; effective April 28, 2000.)

Article 54.—HEARINGS

49-54-1 to 49-54-3. (Authorized by K.S.A. 1985 Supp. 44-916; implementing K.S.A. 44-928 and as amended by L. 1986, Ch. 318, § 63; effective May 1, 1987; revoked April 28, 2000.)

Richard E. Beyer
Secretary of Human Resources

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 3.—INSTANT GENERIC GAME RULES

111-3-14. Payment of prizes. The procedures for payment of instant monetary prizes to the winners of the instant games are as follows:

(a) The executive director or his designee shall award the designated prize to the appropriate person as soon as it is determined that all laws, regulations, and rules have been adhered to.

(b) Low-tier instant game prizes shall be paid as follows:

(1) Present the ticket to any retailer. Upon receipt and computer validation of the ticket, the retailer shall immediately make payment for the prize to the claimant. A retailer choosing not to make the payment shall not computer validate the ticket, and the claimant may claim the prize at another retailer location or may claim the prize in another manner prescribed in these rules. If the retailer cannot validate the claim ticket, the claimant shall fill out a claim form provided by the retailer and personally present or mail the completed form together with the ticket to any Kansas lottery headquarters office. If the claim form and ticket are received and the ticket is validated at lottery headquarters, then payment shall be made to the claimant by mail.

(2) Bring the ticket to any office of the Kansas lottery during the hours that such office is open to the public for business and complete a claim provided by the lottery. Upon receipt and validation of the ticket, and receipt of the completed claim form, payment for such claim shall be made to the winner in the following manner:

(A) The prize for a validated free ticket winner redeemed in this manner shall be the purchase price of the ticket redeemed.

(B) The prize for other validated low-tier winners redeemed in this manner shall be paid by the lottery.

(3) Mail the ticket with a completed claim form in any envelope to any Kansas lottery office. Claim forms can be obtained from any lottery instant game retailer or any office of the Kansas lottery. Upon receipt of the ticket and claim form and validation of the ticket, the payment for such claim shall be made to the winner in the following manner:

(A) The prize for a validated free ticket winner redeemed in this manner shall be the purchase price of the ticket redeemed.

(B) The prizes for other validated low-tier winners redeemed in this manner shall be paid by the lottery.

(c) High-tier instant game prizes in excess of \$599.00 shall be paid by any one of the following methods:

(1) Bring the ticket to any office of the Kansas lottery during the hours that such office is open to the public for business and complete a claim form provided by the lottery. Upon receipt and validation of the ticket and receipt of the completed claim form, the payment shall be made to the claimant by the executive director by any means deemed appropriate. On all high-tier claims, the winning ticket should be validated by requesting any Kansas lot-

(continued)

tery retailer to validate the ticket through the lottery's on-line central computer system. Although the ticket is validated, no authorization numbers will be provided the retailer since retailer cannot pay a high-tier claim.

(2) Mail the ticket with a completed claim form in any envelope to any Kansas lottery office. Claim forms may be obtained from any lottery instant game retailer or any office of the Kansas lottery. Upon receipt of the ticket and completed claim form and validation of the ticket, the payment shall be made to the claimant by the executive director by any means deemed appropriate.

(d) Although tickets and claim forms may be presented or mailed to any Kansas lottery office, such prizes may only be paid by lottery headquarters.

(e) Tickets submitted for payment of a prize shall become property of the lottery and shall not be returned to claimant. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710, 74-8712 and 74-8720; effective, T-89-4, Jan. 21, 1988; amended, T-89-7, Feb. 26, 1988; amended, T-111-7-7-88, July 5, 1988; amended, T-111-4-13-89, April 7, 1989; amended, T-111-12-28-89, Dec. 21, 1989; amended, T-111-4-26-90, April 6, 1990; amended, T-111-10-31-90, Oct. 19, 1990; amended, T-111-12-21-90, Dec. 14, 1990; amended, T-111-11-8-94, Oct. 20, 1994; amended, T-111-3-4-98, Jan. 16, 1998; amended, T-111-3-1-99, Feb. 19, 1999; amended, T-111-6-11-99, May 21, 1999; amended, T-111-3-31-00, March 17, 2000.)

Article 4.—INSTANT GAME RULES

**RULES FOR INSTANT GAME NO. 56
"VIVA LAS VEGAS"**

111-4-1673. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Viva Las Vegas" commencing on or after March 27, 2000. The specific rules for the "Viva Las Vegas" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1673 through 111-4-1677. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1674. Definitions. The following definitions shall apply to the "Viva Las Vegas" instant lottery game:

(a) "Play symbols" are the numbers, letters, symbols, or pictures printed in each of the three play areas of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the play symbols are printed in black ink with matching captions. A play symbol appears in the 45 play spots within the four play areas. Each play symbol for this instant game is one of the following: \$2.00 - \$3.00 - \$5.00 - \$10.00 - \$15.00 - \$20.00 - \$50.00 - \$100 - \$500 - \$20,000 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10 - symbol of a jack - symbol of a queen - symbol of a king - A - B - symbol of an orange - symbol of a bar - symbol of a lemon - symbol of a bell - symbol of a horseshoe - symbol of a star - symbol of a clover.

(b) "Play 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 play symbol. The play symbol caption associated with each play symbol is as follows:

Play Symbol	Play Symbol Caption
\$2.00	TWO\$

\$3.00	THR\$
\$5.00	FIVE\$
\$10.00	TEN\$
\$15.00	FIFTEEN
\$20.00	TWENTY
\$50.00	FIFTY
\$100	ONE HUND
\$500	FIV HUND
\$20,000	TWNTY THOU
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
Symbol of a jack	JCK
Symbol of a queen	QUN
Symbol of a king	KIN
A	ACE
B	BUST
Symbol of an orange	ORG
Symbol of a bar	BAR
Symbol of a lemon	LEM
Symbol of a bell	BEL
Symbol of a horseshoe	SHO
Symbol of a star	STR
Symbol of a clover	CLO

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears below the game symbols under the latex covering in the play area on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 149. The book-ticket number is printed in black ink on the back of each instant game ticket both below the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the play symbols in the "BLACKJACK" play area. The codes and their meanings are as follows: TWO = \$2.00; THR = \$3.00; FIV = \$5.00, TEN = \$10.00; FTN = \$15.00; TWY = \$20.00; FTY = \$50.00; HUN = \$100.00; FHN = \$500.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1675. Cost of ticket. The price of "Viva Las Vegas" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1676. Determination of instant prize winners. "Viva Las Vegas" is a ticket with three different games and play areas. 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 areas to reveal the 45 game symbols and captions in the play areas.

(a) Game one is "LUCKY PAIRS." The play area reveals three hands: "HAND 1," "HAND 2," and "HAND 3." Each hand consists of five cards in a horizontal row. If two cards in any hand match, the player wins the prize shown for that hand. If three cards in any hand match, the player wins double the amount of the prize shown for that hand. A player can win up to three times in the "LUCKY PAIRS" game.

(b) Game two is "SLOTS." For each horizontal row in which the player matches three like symbols, the player wins the prize shown in the "PRIZE" box. A player can win up to three times in the "SLOTS" game.

(c) Game three is "BLACKJACK." "BLACKJACK" is a beat the dealer game. The play area reveals a hand each for "PLAYER 1," "PLAYER 2," "PLAYER 3," "PLAYER 4," and "PLAYER 5" and one "DEALER'S HAND." For each player hand in which the total point value is higher than the total point value of the "DEALER'S HAND," the player wins the prize directly below that hand. If one or both of the dealer's cards read "BUST," the player wins all five prizes. For this game, the cards "J," "Q," and "K" will have a point value of 10 and the card "A" will have a point value of 11. A player can win up to five times in "BLACKJACK."

(d) For the entire ticket, a player can win up to 11 times. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-31-00, March 17, 2000.)

111-4-1677. Number and value of instant prizes.

(a) There will be approximately 960,000 tickets ordered initially for this instant game. The expected number and value of the instant prizes are as follows:

Lucky Pairs	Slots	Blackjack	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$2			\$2	41,600	83,200
	\$2		\$2	43,200	86,400
		\$2	\$2	33,600	67,200
\$3			\$3	12,800	38,400
	\$3		\$3	11,200	33,600
		\$3	\$3	19,200	57,600
\$2+\$3			\$5	16,000	80,000
	\$5		\$5	8,000	40,000
	\$2	\$3	\$5	8,000	40,000
\$2		\$3	\$5	8,000	40,000
\$2(DBL)+\$2	\$2	\$2	\$10	4,800	48,000
	\$2	\$3+\$3+\$2	\$10	3,200	32,000
\$10			\$10	1,600	16,000
\$2	\$2+\$2+\$2	\$2	\$10	4,800	48,000
\$2(DBL)+\$2	\$2+\$2+\$2	\$3	\$15	3,200	48,000
	\$15		\$15	1,600	24,000
\$5	\$3	\$3+\$2+\$2	\$15	1,600	24,000
\$3	\$2+\$2+\$2	\$3+\$2+\$2+\$2+\$2	\$20	1,600	32,000
\$20			\$20	1,600	32,000
\$2	\$5+\$5	\$3+\$3+\$2	\$20	1,600	32,000
\$3(DBL)	\$3+\$3	\$2+\$2+\$2+\$2	\$20	1,600	32,000
\$5+\$5+\$5	\$5+\$5+\$5	\$5+\$5+\$5+\$3+\$2	\$30	300	15,000
\$50			\$50	300	15,000
\$10+\$5	\$2+\$2+\$2	\$15+\$5+\$5+\$2+\$2	\$50	300	15,000
\$15+\$5(DBL)	\$10	\$3+\$2+\$5+\$5	\$50	300	15,000

\$10+\$20+\$5	\$5+\$5+\$5	\$10+\$10+\$10+\$10+\$10	\$100	\$100	150	15,000
\$10(DBL)+\$20	\$15	\$20+\$15+\$5+\$5	\$100	\$100	150	15,000
\$500			\$500	\$500	50	25,000
		\$20,000	\$20,000		6	120,000
TOTAL					230,506	\$1,184,400

(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 4.16.

(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 240,000 tickets and the same odds as were contained in the initial ticket order. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-31-00, March 17, 2000.)

**RULES FOR INSTANT GAME NO. 64
"50's EXPLOSION"**

111-4-1678. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "50's Explosion" commencing on or after March 27, 2000. The specific rules for the "50's Explosion" game are contained in K.A.R. 111-3-1 et seq. and 111-4-1678 through 111-4-1681. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1679. Definitions. The following definitions shall apply to the "50's Explosion" instant lottery game:

(a) "Play 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 play symbols are printed in black ink with matching captions. A play symbol appears in each of six play spots within the play area. Each play symbol for this instant game is one of the following: Free ticket \$2.00 - \$5.00 - \$10.00 - \$15.00 - \$50.00 - \$500.

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

Play Symbol	Play Symbol Caption
FREE	TICKET
\$2.00	TWO\$
\$5.00	FIVE\$
\$10.00	TEN\$
\$15.00	FIFTEEN
\$50.00	FIFTY
\$500	FIV HUND

(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 as-

(continued)

signed number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the play symbols. The codes and their meanings are as follows: FRE = Free Ticket; TWO = \$2.00; FIV = \$5.00; TEN = \$10.00; FTN = \$15.00; FTY = \$50.00; FHN = \$500.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1680. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six play symbols and captions. This is a match three of six game. If three of the six concealed prize amounts match, the player wins the amount shown. No ticket will be eligible to win more than one prize. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-31-00, March 17, 2000.)

111-4-1681. Number and value of instant prizes.

(a) There will be approximately 1,680,000 tickets ordered initially for this instant game. The expected number and value of the instant prizes are as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - FREE	FREE TICKET	208,600	\$0
3 - \$2's	\$2	70,000	140,000
3 - \$5's	\$5	37,800	189,000
3 - \$10's	\$10	11,200	112,000
3 - \$15's	\$15	5,600	84,000
3 - \$50's	\$50	6,200	310,000
3 - \$500's	\$500	28	14,000
		<u>339,428</u>	<u>\$849,000</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.95.

(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 240,000 tickets and the same odds as were contained in the initial ticket order. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-31-00, March 17, 2000.)

**RULES FOR INSTANT GAME NO. 57
"8 BALL DOUBLER"**

111-4-1682. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "8

Ball Doubler" commencing on or after March 27, 2000. The specific rules for the "8 Ball Doubler" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1682 through 111-4-1685. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1683. Definitions. The following definitions shall apply to the "8 Ball Doubler" instant lottery game:

(a) "Play 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 play symbols are printed in black ink with matching captions. A play symbol appears in each of 14 play spots within the play area. Each play symbol for this instant game is one of the following: FREE - \$1.00 - \$2.00 - \$3.00 - \$6.00 - 10.00 - 15.00 - 20.00 - 30.00 - 50.00 - 60.00 - 88.00 - \$100\$ - \$888\$ - 1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10 - 11 - 12 - 13 - 14 - 15.

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

Play Symbol	Play Symbol Caption
FREE	TICKET
\$1.00	ONE\$
\$2.00	TWO\$
\$3.00	THR\$
\$6.00	SIX\$
10.00	TEN\$
15.00	FIFTEEN
20.00	TWENTY
30.00	THIRTY
50.00	FIFTY
60.00	SIXTY
88.00	ETY-EGT
\$100\$	ONE-HUN
\$888\$	ETHETYET
1	ONE
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
11	ELVN
12	TWLV
13	THRTN
14	FORTN
15	FIFTN

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

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of

the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of eight varying locations among the play symbols. The codes and their meanings are as follows: FRE = Free Ticket; ONE = \$1.00; TWO = \$2.00; SIX = \$6.00; TWL = \$12.00; TRY = \$30.00; SXY = \$60.00; EET = \$88.00; HUN = \$100.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1684. Determination of instant prize winners. The "8 Ball Doubler" instant game consists of a play area entitled "YOUR BALL NUMBERS" and two "WINNING BALL NUMBERS." 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 14 play symbols and captions. If either of the "WINNING BALL NUMBERS" numbers matches any of the six "YOUR BALL NUMBERS" on the pool table, the player wins the prize amount shown below that number. If any of the six "YOUR BALL NUMBERS" reveals an "8" ball on the pool table, the player wins double the prize amount shown below that number. A player can win up to six times on a single ticket. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-31-00, March 17, 2000.)

111-4-1685. Number and value of instant prizes.

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

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	FREE	130,000	\$0
\$1	\$1	45,000	45,000
\$1+\$1	\$2	37,500	75,000
\$1(8 Ball)	\$2	37,500	75,000
\$2	\$2	25,000	50,000
\$6	\$6	10,000	60,000
\$2x3	\$6	10,000	60,000
\$1x6	\$6	9,000	54,000
\$6(8 Ball)	\$12	4,250	51,000
\$2x6	\$12	4,000	48,000
\$3x4	\$12	4,000	48,000
\$15 (8 Ball)	\$30	750	22,500
\$30	\$30	750	22,500
\$10x3	\$30	750	22,500
\$30(8 Ball)	\$60	250	15,000
\$60	\$60	250	15,000
\$20x3	\$60	250	15,000
\$10x6	\$60	275	16,500
\$88	\$88	175	15,400

\$100	\$100	155	15,500
\$50x2	\$100	150	15,000
\$888	\$888	45	39,960
		<u>320,050</u>	<u>\$780,860</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.69.

(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. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-31-00, March 17, 2000.)

**RULES FOR INSTANT GAME NO. 18
"RED HOT SPOT"**

111-4-1686. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Red Hot Spot" commencing on or after March 27, 2000. The specific rules for the "Red Hot Spot" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1686 through 111-4-1689. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1687. Definitions. The following definitions shall apply to the "Red Hot Spot" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink with matching captions. A game symbol appears in each of seven play spots within the play area. Each game symbol for this instant game is one of the following: \$1.00 - \$2.00 - \$3.00 - \$4.00 - \$5.00 - \$6.00 - \$7.00 - 10.00 - 12.00 - 15.00 - 35.00 - 50.00 - \$100\$ - \$500\$ - \$1000 - GOOD LUCK - MAYBE NEXT TIME - WIN ALL AMOUNTS.

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

Game Symbol	Game Symbol Caption
\$1.00	ONE\$
\$2.00	TWO\$
\$3.00	THR\$
\$4.00	FOUR\$
\$5.00	FIVE\$
\$6.00	SIX\$
\$7.00	SEV\$
10.00	TEN\$
12.00	TWELVE
15.00	FIFTEEN
35.00	THTYFIV
50.00	FIFTY
\$100\$	ONE-HUN
\$500\$	FIV-HUN

(continued)

\$1000
GOOD LUCK
MAYBE NEXT TIME
WIN ALL AMOUNTS

ONETHOU

3 \$6.00's	\$6	4,000	24,000
\$6 HOT SPOT	\$6	4,000	24,000
3 \$7.00's	\$7	4,000	28,000
3 \$5.00's + 2 HOT SPOT	\$7	4,000	28,000
3 \$12.00's	\$12	2,000	24,000
\$1+\$1+\$2+\$2+\$3+\$3 WIN ALL AMOUNTS	\$12	1,750	21,000
3 \$35.00's	\$35	1,750	61,250
\$10+\$10+\$7+\$5+\$2+\$1 WIN ALL AMOUNTS	\$35	1,750	61,250
3 \$50.00's	\$50	875	43,750
\$15+\$10+\$10+\$7+\$5+\$3 WIN ALL AMOUNTS	\$50	875	43,750
3 \$100's	\$100	255	25,500
3 \$500's	\$500	35	17,500
3 \$1,000's	\$1,000	10	10,000
		<u>305,300</u>	<u>\$852,000</u>

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

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

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of eight varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; THR = \$3.00; FOR = \$4.00; FIV = \$5.00; SIX = \$6.00; SEV = \$7.00; TWL = \$12.00; THF = \$35.00; FTY = \$50.00; HUN = \$100.00; FHN = \$500.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1688. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the two play areas to reveal the seven game symbols and captions. This is a match three of six game with a bonus spot. If three of the six concealed dollar amounts match, the player wins that amount. If a prize amount is revealed in the "HOT SPOT," the player wins that prize automatically. If "WIN ALL AMOUNTS" is revealed under the "HOT SPOT," the player wins all six prizes automatically. A player can win up to six prizes on this ticket. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-31-00, March 17, 2000.)

111-4-1689. Number and value of instant prizes.

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

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 \$1.00's	\$1	92,500	\$92,500
\$1 HOT SPOT	\$1	92,500	92,500
3 \$2.00's	\$2	31,000	62,000
\$2 HOT SPOT	\$2	31,000	62,000
3 \$3.00's	\$3	6,000	18,000
3 \$1.00's + \$2 HOT SPOT	\$3	6,000	18,000
3 \$4.00's	\$4	5,000	20,000
3 \$2.00's + \$2 HOT SPOT	\$4	5,000	20,000
3 \$5.00's	\$5	5,000	25,000
\$5 HOT SPOT	\$5	6,000	30,000

(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 4.91.

(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. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-31-00, March 17, 2000.)

**RULES FOR INSTANT GAME NO. 20
"HOT HAND TRIPLER"**

111-4-1690. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Hot Hand Tripler" commencing on or after March 27, 2000. The specific rules for the "Hot Hand Tripler" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1690 through 111-4-1693. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1691. Definitions. The following definitions shall apply to the "Hot Hand Tripler" instant lottery game:

(a) "Play 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 play symbols are printed in black ink with matching captions. A play symbol appears in each of 18 play spots within the play area.

(b) "Play symbol captions" are the words or portions of words, letters or numbers printed beneath each play symbol in the play area and are used to repeat or explain the play symbol.

(c) The play symbols and play symbol captions associated with each play symbol in this instant lottery game are as follows:

Play Symbol	Play Symbol Caption
FREE	TICKET
\$1.00	ONES
\$2.00	TWOS
\$4.00	FOURS
\$6.00	SIX\$
\$8.00	EGT\$
10.00	TEN\$
12.00	TWELVE
20.00	TWENTY
24.00	TWEN-FOR
25.00	TWEN-FIV

50. ⁰⁰	FIFTY
\$500\$	FIVE-HUN
\$5000	FIVETHOU
Symbol of two of hearts	twoh
Symbol of two of diamonds	twod
Symbol of two of clubs	twoc
Symbol of two of spades	twos
Symbol of three of hearts	thrh
Symbol of three of diamonds	thrd
Symbol of three of clubs	thrc
Symbol of three of spades	thrs
Symbol of four of hearts	forh
Symbol of four of diamonds	ford
Symbol of four of clubs	forc
Symbol of four of spades	fors
Symbol of five of hearts	fiyh
Symbol of five of diamonds	fiyd
Symbol of five of clubs	fiyc
Symbol of five of spades	fivs
Symbol of six of hearts	sixh
Symbol of six of diamonds	sixd
Symbol of six of clubs	sixc
Symbol of six of spades	sixs
Symbol of seven of hearts	svnh
Symbol of seven of diamonds	svnd
Symbol of seven of clubs	svnc
Symbol of seven of spades	svns
Symbol of eight of hearts	egth
Symbol of eight of diamonds	egtd
Symbol of eight of clubs	egtc
Symbol of eight of spades	egts
Symbol of nine of hearts	ninh
Symbol of nine of diamonds	nind
Symbol of nine of clubs	ninc
Symbol of nine of spades	nins
Symbol of 10 of hearts	tenh
Symbol of 10 of diamonds	tend
Symbol of 10 of clubs	tenc
Symbol of 10 of spades	tens
Symbol of jack of hearts	jckh
Symbol of jack of diamonds	jckd
Symbol of jack of clubs	jckc
Symbol of jack of spades	jcks
Symbol of queen of hearts	qunh
Symbol of queen of diamonds	qund
Symbol of queen of clubs	qunc
Symbol of queen of spades	quns
Symbol of king of hearts	kngh
Symbol of king of diamonds	kngd
Symbol of king of clubs	kngc
Symbol of king of spades	kngs
Symbol of ace of hearts	aceh
Symbol of ace of diamonds	aced
Symbol of ace of clubs	acec
Symbol of ace of spades	aces

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

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

end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of eight varying locations among the play symbols. The codes and their meanings are as follows: FRE = Free Ticket; ONE = \$1.00; TWO = \$2.00; THR = \$3.00; SIX = \$6.00; TWL = \$12.00; TFO = \$24.00; FTY = \$50.00; HUN = \$100.00; FHN = \$500.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1692. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the 18 play symbols and captions. The play area consists of three hands, "HAND 1," "HAND 2," and "HAND 3," and a corresponding "PRIZE" box for each hand. If a player matches any two like symbols in any one "HAND," the player wins the prize amount shown in the "PRIZE" box. If a player matches any three like symbols in any one "HAND," the player wins triple the prize amount shown in the "PRIZE" box. A player can win up to three times in this game. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-31-00, March 17, 2000.)

111-4-1693. Number and value of instant prizes.

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

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE TICKET	FREE	130,000	\$0
\$1	\$1	45,000	45,000
\$1 + \$1	\$2	25,000	50,000
\$2	\$2	25,000	50,000
\$1 + \$1 + \$1	\$3	17,500	52,500
\$1 (3-of-a-kind)	\$3	17,500	52,500
\$6	\$6	9,000	54,000
\$2 x 3	\$6	9,000	54,000
\$2 (3-of-a-kind)	\$6	9,500	57,000
\$12	\$12	3,750	45,000
\$6 x 2	\$12	3,750	45,000
\$4 x 3	\$12	3,750	45,000
\$4 (3-of-a-kind)	\$12	3,000	36,000
\$24	\$24	575	13,800
\$12 x 2	\$24	625	15,000
\$8 x 3	\$24	575	13,800
\$8 (3-of-a-kind)	\$24	625	15,000
\$50	\$50	275	13,750
\$25 x 2	\$50	275	13,750
\$20 x 2 + \$10	\$50	275	13,750
\$100	\$100	110	11,000
\$50 x 2	\$100	125	12,500
\$25 x 2 + \$50	\$100	125	12,500
\$500	\$500	40	20,000
\$5,000	\$5,000	8	40,000
		<u>305,383</u>	<u>\$780,850</u>

(b) The executive director may terminate the sale of
(continued)

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 4.91.

(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. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-31-00, March 17, 2000.)

**RULES FOR INSTANT GAME NO. 17
"PYRAMIDS"**

111-4-1694. Name of game. The Kansas lottery shall conduct an instant winner lottery game entitled "Pyramids" commencing on or after March 27, 2000. The specific rules for the "Pyramids" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1694 through 111-4-1698. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1695. Definitions. The following definitions shall apply to the "Pyramids" instant lottery game:

(a) "Play symbols" are the numbers, letters, symbols, or pictures printed in each of the play areas of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the play symbols are printed in black ink with matching captions. A play symbol appears in each of the 20 play spots within the play area: 01 - 02 - 03 - 04 - 05 - 06 - 07 - 08 - 09 - 10 - 11 - 12 - 13 - 14 - 15 - 16 - 17 - 18 - 19 - 20 - 21 - 22 - 23 - 24 - 25 - 26 - 27 - 28 - 29 - 30 - 31 - 32 - 33 - 34 - 35 - 36 - 37 - 38 - 39 - 40.

(b) "Play 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 play symbol. The play symbol caption associated with each play symbol is as follows: There will be no captions for this game.

(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 vary-

ing locations among the play symbols in the play area. The codes and their meanings are as follows: TWO = \$2.00; FIV = \$5.00; SEV = \$7.00; TEN = \$10.00; FTN = \$15.00; TWY = \$20.00; TRY = \$30.00; FTY = \$50.00; HUN = \$100.00.

(f) "Bar code" means the 16-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1696. Cost of ticket. The price of "Pyramids" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

111-4-1697. Determination of instant prize winners. "Pyramids" is a three-part game. The first part is entitled "HIDDEN NUMBERS" and contains 20 game symbols. The second and third parts are pyramid shapes which contain 15 and 21 game numbers, respectively.

A prize winner is determined for this instant game when the player removes or "scratches off" the removable opaque layer of material covering the "HIDDEN NUMBERS" and reveals 20 game symbols. A player checks to see if any of the "HIDDEN NUMBERS" match any of the numbers in the pyramids. The player then marks matching combinations by scratching the translucent covering on each matching number or by marking the matched spot on the pyramid.

If a player matches all the numbers in one horizontal line in a single pyramid, the player wins the corresponding prize in the legend beside the line. A player can win up to two times on a single ticket. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-31-00, March 17, 2000.)

111-4-1698. Number and value of instant prizes.

(a) There will be approximately 900,000 tickets ordered initially for this instant game. The expected number and value of the instant prizes are as follows:

Game 1	Bonus	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$2		\$2	67,500	\$135,000
	\$2	\$2	57,000	114,000
\$5		\$5	13,500	67,500
	\$5	\$5	13,500	67,500
\$2	\$5	\$7	9,600	67,200
\$5	\$2	\$7	9,600	67,200
\$5	\$5	\$10	6,000	60,000
\$10		\$10	6,000	60,000
\$10	\$5	\$15	3,600	54,000
	\$20	\$20	3,000	60,000
\$10	\$20	\$30	2,100	63,000
\$50		\$50	900	45,000
\$100		\$100	450	45,000
	\$100	\$100	450	45,000
	\$1,000	\$1,000	45	45,000
	\$20,000	\$20,000	5	100,000
TOTAL			<u>193,250</u>	<u>\$1,095,400</u>

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.66.

(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. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-3-31-00, March 17, 2000.)

Article 5.—ON-LINE GAMES

111-5-30. Claiming prizes; procedure and time period. (a) Prior to the payment of any prize, each ticket shall be validated by the retailer or lottery office pursuant to this act.

(b) The procedures for payment of a "Powerball" prize on any single game ticket of \$599 or less, except for a grand prize, are as follows:

(1) The claimant of a ticket purchased in Kansas may present the ticket to any Kansas lottery on-line retailer. Upon validation of the ticket, the retailer shall immediately make payment for the prize to the claimant. If the retailer cannot validate the ticket, the claimant shall fill out a claim form provided by the retailer and personally present or mail the completed form together with the ticket to any office of the Kansas lottery. If the ticket is validated, then payment shall be made to the claimant by mail.

(2) The claimant may bring the ticket to any office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the ticket, and completion of a claim form, payment shall be processed for the claimant.

(3) The claimant may mail the ticket with a completed claim form in any envelope, except an official grand prize envelope, to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon receipt of the ticket and completed claim form and validation of the ticket, payment shall be processed for the claimant.

If any evidence of alteration, mutilation, tear, or other ambiguity appear on the ticket, the retailer shall not make direct payment of a prize. The claimant shall submit a claim form with the ticket to the lottery.

(c) The procedure for the payment of a Powerball prize on any single game ticket which totals \$600.00 or more, except for a grand prize, shall be as follows:

(1) The claimant may bring the signed ticket to any office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the ticket and completion of a claim form, payment shall be processed for the claimant.

(2) The claimant may mail the ticket with a completed claim form to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon receipt of the ticket and completed claim form and validation of the ticket, payment shall be processed for the claimant.

(d) Although tickets and claim forms may be presented or mailed to any Kansas lottery office, such prizes may only be paid by lottery headquarters.

(e) The procedure for the payment of a grand prize or for prizes won on the same ticket as a grand prize are as follows:

(1) The claimant shall personally submit the ticket and a completed claim form to any Kansas lottery office. Grand prizes and prizes won on the same ticket as grand prize shall not be claimed by mail. Upon receipt of the ticket and completed claim form and validation of the ticket, the claim shall be processed pursuant to applicable rules and regulations.

(f) All prizes shall be claimed within 365 days of the drawing in which the prize was won. Any prize or prizes not claimed within the time specified shall be forfeited. If a prize is claimed by mail, the ticket and claim form must actually be received by the lottery within the claim period. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and 74-8720; effective, T-111-3-5-92, Feb. 21, 1992; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-3-31-00, March 17, 2000.)

111-5-77. Annuity conversion election procedure.

(a) These rules and procedures shall apply only to all eligible winners of the following games:

(1) POWERBALL® game (5/49 + 1/42), which had its first drawing on November 5, 1997;

(2) POWERBALL® game (5/45 + 1/45), which had its first drawing on April 22, 1992;

(3) LOTTO AMERICA® game (6/54), which had its first drawing on February 8, 1989; and

(4) LOTTO AMERICA® game (7/40), which had its first drawing on February 13, 1988.

(b) A player who won a prize in one of the games referenced in subsection (a) above on or before October 21, 1998, which prize is being paid out over a period of at least 10 years, may request to be paid in cash if the player otherwise qualifies for this election pursuant to 26 U.S.C. §451 and 26 U.S.C. §5301 and the request is approved by the lottery and the Multi-State Lottery Association (MUSL). A player qualifying for this election must make the request on or before December 29, 2000.

(c) A player making this election will be required to make the request and election in writing on a form approved by the lottery. The completed form must be actually received at lottery headquarters on or before December 29, 2000, at 5:00 p.m.

(d) A player's election to exercise the cash-out option is final and cannot be revoked, withdrawn or otherwise changed.

(e) A player making this election will be solely responsible for the tax and other financial consequences of the election. (Authorized by K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

Article 6.—ON-LINE GENERIC GAME RULES

111-6-1. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 74-8701 *et seq.*) and amendments thereto, and lottery regulations adopted pursuant to the Kansas lottery act are hereby incorporated by reference.

(b) "On-line Game" or "game" means a lottery game in which a player selects a combination of numbers or symbols, the type of game and amount of play, and the drawing date(s) by use of a computer. In return for paying the appropriate fee, the player receives a computer-

(continued)

generated ticket with the player's selection printed on it. The Kansas lottery will conduct a drawing to determine the winning combination in accordance with the rules of the specific game being played. Each ticket holder whose valid ticket includes a winning combination shall be entitled to a prize if the ticket and a valid claim form are submitted within the specified time period.

(c) "On-line Retailer" or "retailer" means a person or business authorized by the Lottery to sell on-line tickets.

(d) "On-line Terminal (OLT)" or "terminal" means the computer hardware by which an on-line retailer or player enters the combination selected by the player and by which on-line tickets are generated and claims are validated.

(e) "On-line Ticket" or "ticket" means a computer-generated ticket issued by an on-line terminal to a player as a receipt for the combination a player had selected, including an exchange ticket. That ticket shall be the only acceptable evidence of the combination of numbers or symbols selected.

(f) "Drawing" includes the procedure determined by the executive director by which the lottery selects the winning combination in accordance with the rules of the game or the procedure of removing non-winning tickets or other types of entry forms from a receptacle or drum in a drawing event conducted by the lottery. Various types of drawings and procedures involve the following:

(1) Those utilizing ball sets are open to the public, and are required to be witnessed by a lottery security officer and a drawing manager. Furthermore, the equipment used in any drawing must be inspected by the lottery security official present before the drawing.

(2) Winning number combinations may be generated through the use of a computer-driven random number generator located at lottery headquarters as provided by specific game rules. The generator shall be statistically analyzed, tested, and certified by an independent qualified statistician for integrity. Periodic checks shall be made to ensure the security and integrity of the system at least quarterly.

(3) Drawing events requiring non-winning tickets or entry forms from a receptacle or drum shall be conducted in accordance with specific game rules and K.A.R. 111-6-6.

(4) All drawings and inspections are required to be recorded on both video and audio tape.

(g) "Quick pick" or "computer pick" means the random selection of numbers or symbols which appear on a ticket and are played by a player in a game.

(h) "Winning combination" means one or more numbers or symbols randomly selected at each on-line game drawing which shall be used to determine winning plays contained on a game ticket.

(i) "Validation" means the process of determining whether an on-line ticket presented for payment is a winning ticket.

(j) "Ticket holder" or "holder" means the person who has possession of an unsigned ticket or the person whose signature appears in the area upon a ticket designated for signature.

(k) "Executive director" means the executive director of the Kansas lottery or the person designated by the executive director.

(l) "Social environment establishment" means a retailer licensed to serve cereal malt beverage and/or alcohol for consumption on premises.

(m) "Attempt(s) to cancel" means that a retailer enters cancellation data into an on-line terminal or is informed by a player, prior to the first drawing for which the ticket was eligible, that the ticket was produced in error either because of a terminal malfunction or by miscommunication between a player and a retailer.

(n) "Problem ticket" means any on-line ticket erroneously produced either by terminal malfunction or by miscommunication between a player and a retailer.

(o) "Receptacle" or "drum" means a container in which non-winning tickets or entry forms are placed and from which the drawings are made. Receptacles or drums shall be sealable and drums shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(p) "Day," "business day" or "operations day," when referring to an on-line game, means the 20-hour period starting at 5:00 a.m. and ending at 1:00 a.m., the following day, unless specified otherwise in individual game rules.

(q) "Exchange ticket" means a computer-generated ticket issued by an on-line terminal to a player in exchange for an original ticket containing consecutive games or multi-draws where one or more games have been won on the original ticket but the original ticket is still valid for any games for which one or more drawings have not yet been conducted. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-1-27-89, Jan. 26, 1989; amended, T-111-10-10-90, Sept. 15, 1990; amended, T-111-12-21-90 Dec. 14, 1990; amended, T-111-9-20-91, Sept. 20, 1991; amended, T-111-7-1-92, June 26, 1992; amended, T-111-9-1-92, Aug. 28, 1992; amended, T-111-3-26-93, March 19, 1993; amended, T-111-3-3-94, Feb. 25, 1994; amended, T-111-7-22-96, July 19, 1996; amended, T-111-9-4-96, Aug. 16, 1996; amended, T-111-3-4-98, Jan. 16, 1998; amended, T-111-3-31-00, March 17, 2000.)

111-6-5. Payment of prizes. (a) Following the drawing for which an on-line ticket was purchased, and prior to the payment of any prize, the claimant shall present the winning on-line ticket to any on-line retailer, or any Kansas lottery office for validation.

(b) The procedure for payment of a single game prize of \$599, or less, except for a jackpot prize, is as follows:

(1) The holder of the ticket may present it to any on-line retailer. Upon validation of the ticket, the retailer shall immediately pay the holder of the ticket. If the on-line retailer cannot validate the ticket, the claimant must obtain and complete a claim form and submit it with the ticket to any Kansas lottery office by mail or in person.

(2) Prizes payable by on-line retailers shall be paid during all normal business hours of the retailer, provided the on-line system is operational and tickets can be validated.

(3) An on-line retailer may pay prizes in cash or by business check, certified check, or money order, or any combination thereof. An on-line retailer who pays a prize with a check which is dishonored may be subject to suspension or termination of its contract.

(4) A winning on-line ticket offering a free ticket or tickets may be claimed at any on-line retailer location or

at any Kansas lottery office. If a winning on-line ticket offers the player 15 or more free tickets, the prize must be claimed at lottery headquarters. A player claiming a free ticket prize at the lottery may be issued either a free ticket or a \$1.00 prize payment at the discretion of the executive director.

(c) To claim an on-line prize of more than \$599, the claimant shall obtain and complete a claim form and submit it with the winning ticket to any Kansas lottery office by mail or in person. Although claims may be submitted to any Kansas lottery office, such prizes can only be paid from the lottery's headquarters in Topeka. Upon determination that the ticket is a winning ticket and receipt of a completed claim form, the lottery shall process for payment the amount due, less any withholding required by state and federal laws. The amount due shall be calculated according to the rules adopted for the particular on-line game. If the ticket is determined to be a non-winning ticket, the claim shall be denied and the claimant shall be promptly notified.

(d) If the claim is presented to a lottery regional office or to lottery headquarters, the claimant must complete a claim form regardless of the prize amount and submit it with the winning ticket, either by mail or in person. Upon determination that the ticket is a winning ticket and receipt of a completed claim form, the lottery shall present or mail a check to the claimant in payment of the amount due, less any withholding required by state and federal laws.

(e) All on-line prizes must be claimed within 365 days including the first day of the game or the drawing in which the prize was won. In the event the final day of the 365 day period falls on a day lottery headquarters is not open for business between 8:00 a.m. and 5:00 p.m. or a federal holiday, the claim period will be extended to 5:00 p.m. on the next business day. To claim a prize, the holder of the winning ticket must present or mail the winning ticket and claim form to the Kansas lottery, and the lottery must actually receive it within the above time period. Any on-line prizes not claimed within the specified period shall be added to the prize pools of subsequent Kansas lottery games.

(f) If the ticket is determined to be a non-winning ticket, the claim shall be denied and the claimant shall be promptly notified. Non-winning tickets will not be returned to the claimant.

(g) A validated ticket shall be the only proof of a game play or plays, and the submission of a winning ticket to and receipt of the ticket by the lottery or its authorized retailer shall be the sole method of claiming a prize.

(h) Claims in excess of \$599 shall not be paid by lottery retailers. The lottery has no obligation to reimburse retailers paying claims in excess of \$599. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-12-21-90, Dec. 14, 1990; amended, T-111-7-30-93, July 23, 1993; amended, T-111-8-5-94, July 15, 1994; amended, T-111-7-22-96, July 19, 1996; amended, T-111-10-27-97, Sept. 12, 1997; amended, T-111-9-14-99, Aug. 20, 1999; amended, T-111-3-31-00, March 17, 2000.)

111-6-24. Exchange tickets. A ticket with consecutive games or multi-draws may be validated before all

the winning number game selections have been made for the remainder of the games on the ticket. An exchange ticket will be issued if a winning ticket is valid for future games. The exchange ticket will be valid for any games for which a drawing has not yet been conducted. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-3-31-00, March 17, 2000.)

Article 7.—ON-LINE GAMES

111-7-73. Claiming prizes; procedure and time period. (a) Prior to the payment of any prize, each ticket shall be validated by the retailer or lottery office pursuant to this article.

(b) The procedure for payment of a "Pick 3" prize on any single game ticket is as follows:

(1) The holder of a ticket purchased in Kansas may present the ticket to any Pick 3 retailer. Upon validation of the ticket, the retailer shall immediately make payment of a prize of \$599 or less to the holder. If the retailer cannot validate the ticket, or if the prize is \$600 or more, the claimant shall fill out a claim form provided by the retailer and personally present or mail the completed form together with the ticket to any office of the Kansas lottery. If the ticket is validated and a completed claim form is received, then payment shall be made either directly to the claimant if personally present at lottery headquarters or by mail.

(2) The claimant may bring the ticket to any office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the ticket, and completion of a claim form, payment shall be processed for the claimant.

(3) The claimant may mail the ticket with a completed claim form in any envelope, except an official grand prize envelope, to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon validation of the ticket and receipt of a completed claim form, payment shall be processed for the claimant. Although tickets and claim forms may be presented or mailed to any Kansas lottery office, such prizes may only be paid by lottery headquarters.

If any evidence of alteration, mutilation, tear or other ambiguity appears on the ticket, the retailer shall not make direct payment of a prize. The claimant shall submit a claim form with the ticket to the lottery.

(c) All prizes shall be claimed within one year of the drawing in which the prize was won. Any prize or prizes not claimed within the time specified shall be forfeited. If a prize is claimed by mail, the ticket and claim form must actually be received by the lottery within the claim period. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710 and 74-8720; effective, T-111-12-18-91, Dec. 13, 1991; amended, T-111-3-31-00, March 17, 2000.)

111-7-77. Definitions. The following definitions shall apply to "Keno."

(a) "Bull's-eye" or "bull's-eye number" means an optional method of play which allows a player who is playing Keno to win an additional prize if one of the 20 numbers drawn is the designated bull's-eye number and it is

(continued)

one of the numbers selected by the player described in K.A.R. 111-7-78a.

(b) "Consecutive draw ticket" or multi-draw ticket" means a ticket which was purchased for 2, 3, 4, 5, 10, 20, 50 or 100 successive drawings.

(c) "Exchange ticket" means the ticket issued by an on-line terminal to replace a consecutive draw ticket that is validated before the last game on the ticket.

(d) "Game board" or "board" means that area of the play slip which contains 80 numbers from one through 80.

(e) "Play slip" means the form used in marking a player's game play selections and contains one play area containing 80 numbers.

(f) "Progressive jackpot bonus" means a method of play which automatically enters a player selecting a "6 spot," "7 spot" or "8 spot" game play option to have a chance to win a prize in addition to the prize for the regular Keno game described in K.A.R. 111-7-78, and the bull's-eye option, if selected, as described in K.A.R. 111-7-78a.

(g) "Spot" or "spots" means the amount of numbers a player may play per game.

(h) "Keno game" means the basic Keno game described in K.A.R. 111-7-78, without any optional methods of play.

(i) "Winning numbers" mean the 20 numbers between 1 and 80, randomly selected at each drawing, which shall be used to determine winning plays contained on a game ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992; amended, T-111-7-22-96, July 19, 1996; amended, T-111-7-19-99, June 17, 1999; amended, T-111-3-31-00, March 17, 2000).

111-7-78. Game description; retail sale of tickets.

(a) "Keno" is a 10 of 20 of 80 lottery game with fixed prize amounts. For each game, a player may select from one to 10 spots. The lottery then selects 20 winning numbers from one to 80. Prizes are awarded based on the total amount of winning numbers matched by a player for the number of spots played for that game.

(b) To play, a player must use a play slip, or ask the retailer for a quick pick selection.

(c) The player must mark the number of spots to be played. A player can pick from one to 10 spots per play slip.

(d) The player must mark the number of dollars to be wagered per game: \$1, \$2, \$3, \$4 or \$5.

(e) The player may then select the spots to be played by one of two methods. The player may mark the player's own selections on the play slip; if this method is used, the number of spots marked on the play slip must equal the number of spots which were selected to play. The other method of play is to select "quick pick," in which the number of spots randomly generated by the computer will match the number of spots indicated by the player.

(f) The player shall indicate the number of consecutive games to be played: 1, 2, 3, 4, 5, 10, 20, 50 or 100.

(g) The player shall present the completed play slip to the retailer. The cost of the ticket equals the amount wagered per game times the number of consecutive games indicated by the player.

(h) The minimum wager shall be \$1.00 per game; the maximum wager shall be \$5.00 per game. The maximum wager per play slip for the basic Keno game is \$100 when multiple games are involved. Any play slip with a wager greater than \$100 shall be rejected.

(i) A business day for the purposes of this game shall be defined at subsection (p) of K.A.R. 111-6-1.

(j) A player choosing either a "6 spot," "7 spot" or "8 spot" game will automatically be playing for a progressive jackpot bonus in addition to the top prize for the "6 spot" by matching six of the six spots, or the "7 spot" game by matching seven of the seven spots, or the "8 spot" game by matching eight of the eight spots. If the top prize for either the "6 spot," "7 spot" or "8 spot" game is not won, it will continue to grow for each successive drawing until it is won. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992; amended, T-111-7-22-96, July 19, 1996; amended, T-111-8-11-97, July 18, 1997; amended, T-111-7-19-99, June 17, 1999; amended, T-111-3-31-00, March 17, 2000.)

111-7-80. Prize structure. (a) Prizes for each \$1.00 wagered in the Keno game, including the progressive jackpot bonus, shall be as follows:

Mark 10 Spots:

NUMBER CORRECT	ODDS 1:	PRIZE
10	8,911,711.20	\$100,000
9	163,381.40	\$2,000
8	7,384.50	\$250
7	620.70	\$50
6	87.10	\$10
5	19.40	\$1
0	21.80	\$5
	% Payout	53.31%
	Overall Odds	1:9.05

Mark 9 Spots:

NUMBER CORRECT	ODDS 1:	PRIZE
9	1,380,687.60	\$25,000
8	30,681.90	\$2,000
7	1,690.10	\$100
6	174.80	\$20
5	30.70	\$5
4	8.80	\$1
	% Payout	53.40%
	Overall Odds	1:6.53

Mark 8 Spots:

NUMBER CORRECT	ODDS 1:	PRIZE	PROGRESSIVE JACKPOT PRIZE (Parimutuel) \$250 minimum
8	230,114.60	\$10,000	
7	6,232.30	\$250	
6	422.50	\$50	
5	54.60	\$10	
4	12.30	\$2	
	% Payout	54.79%	
	Overall Odds	1:9.77	

Mark 7 Spots:

NUMBER CORRECT	ODDS 1:	PRIZE
7	40,979.30	\$2,000
6	1,366.00	\$100
5	115.80	\$10
4	19.20	\$3
3	5.70	\$1
% Payout		54.00%
Overall Odds		1:4.23

PROGRESSIVE JACKPOT PRIZE
(Parimutuel)
\$100 minimum

Mark 6 Spots:

NUMBER CORRECT	ODDS 1:	PRIZE
6	7,752.80	\$1,000
5	323.00	\$50
4	35.00	\$5
3	7.70	\$1
% Payout		55.63%
Overall Odds		1:6.19

PROGRESSIVE JACKPOT PRIZE
(Parimutuel)
\$50 minimum

Mark 5 Spots:

NUMBER CORRECT	ODDS 1:	PRIZE
5	1,550.60	\$400
4	82.70	\$10
3	11.90	\$2
% Payout		54.68%
Overall Odds		1:10.34

Mark 4 Spots:

NUMBER CORRECT	ODDS 1:	PRIZE
4	326.40	\$50
3	23.10	\$4
2	4.70	\$1
% Payout		53.88%
Overall Odds		1:3.86

Mark 3 Spots:

NUMBER CORRECT	ODDS 1:	PRIZE
3	72.10	\$20
2	7.20	\$2
% Payout		55.50%
Overall Odds		1:6.55

Mark 2 Spots:

NUMBER CORRECT	ODDS 1:	PRIZE
2	16.60	\$9
% Payout		54.11%
Overall Odds		1:16.63

Mark 1 Spot:

NUMBER CORRECT	ODDS 1:	PRIZE
1	4.00	\$2
% Payout		50.00%
Overall Odds		1:4.00

(b) The maximum prize awarded per game per ticket shall be \$100,000 regardless of the amount wagered per game, except as provided by the bull's-eye option as specified in K.A.R. 111-7-80a.

(c) A player is eligible to receive only the highest prize per game played on a ticket, except as increased by the progressive jackpot bonus and the bull's-eye option.

(d) The progressive jackpot bonus applies only to a player choosing the 6 spot, 7 spot or 8 spot game with starting 6 spot prizes for matching six of six numbers selected being \$50 higher than the Keno prize of \$1,000, starting 7 spot prizes for matching seven of seven numbers selected being \$100 higher than the Keno prize of \$2,000, and starting 8 spot prizes for matching eight of eight numbers selected being \$250 higher than the Keno prize of \$10,000. The progressive jackpot bonus shall be funded as follows:

(1) A total of .70 percent of Keno sales from the previous Keno game shall be applied to the bonus jackpot for the 6 spot game for each drawing after the starting progressive jackpot until the jackpot is won. Fractional cents will not be applied. The first drawing after a jackpot is won starts with a minimum progressive jackpot bonus minimum of \$50.

(2) A total of .35 percent of Keno sales from the previous Keno game shall be applied to the bonus jackpot for the 7 spot game for each drawing after the starting progressive jackpot until the jackpot is won. Fractional cents will not be applied. The first drawing after a jackpot is won starts with a minimum progressive jackpot bonus minimum of \$100.

(3) A total of .25 percent of Keno sales from the previous Keno game shall be applied to the bonus jackpot for the 8 spot game for each drawing after the starting progressive jackpot until the jackpot is won. Fractional cents will not be applied. The first drawing after a jackpot is won starts with a minimum progressive jackpot bonus minimum of \$250.

(4) If the progressive jackpot bonus is not won, it will continue to grow as stated in subsection (d)(1), (d)(2) and (d)(3) above.

(5) The prize money allocated to the progressive jackpot prize bonus shall be distributed on a parimutuel basis by dividing the bonus prize equally by the number of dollars wagered for each winning combination of numbers for the same game.

(6) All progressive jackpot bonus prizes shall be paid in whole dollar amounts which will be rounded down for payment, except that no progressive jackpot bonus prize paid shall be less than \$1. (Authorized by and implementing 1999 Supp. K.S.A. 74-8710; effective, T-111-9-1-92, Aug. 28, 1992; amended, T-7-19-99, June 17, 1999; amended, T-111-9-14-99, Aug. 20, 1999; amended, T-111-11-30-99, Nov. 19, 1999; amended, T-111-3-31-00, March 17, 2000.)

111-7-81. Determination of winners. (a) "Keno" tickets may be sold every day of the year between 5:00 a.m. and 12:52 a.m. with validation allowed until 1:00 a.m.

(b) The selection of winning numbers shall take place as nearly as possible, at four-minute intervals. The first

(continued)

drawing will be at 5:04 a.m. with subsequent drawings every four minutes thereafter with the last drawing at 12:52 a.m. If a drawing cannot be held at the scheduled drawing time, the delayed drawing will take place at the next scheduled drawing time. Ticket sales for each drawing will end momentarily immediately prior to the scheduled drawing and then resume for the next drawing without delay. Keno wagering will not be inhibited between games. Each game is identified by a 6-digit consecutive game number that is assigned by the central system and the game number(s) for the drawing(s) for which the ticket was purchased will appear on the ticket. In the event a drawing does not occur at the drawing time scheduled, sales for that drawing will remain closed. Sales for the following drawing will remain open until four minutes after the results of the delayed drawing have been posted by the system. Winning game number selections for any games remaining on a player's ticket at the end of daily sales shall take place the next day.

(c) Winning number combinations shall be generated every four minutes through the use of a computer-driven random number generator located at lottery headquarters. The 20 numbers randomly generated for each drawing shall include one randomly generated number which is designated as the bull's-eye. The generator shall be statistically analyzed, tested, and certified by an independent qualified statistician for integrity. Periodic checks shall be made to ensure the security and integrity of the system at least quarterly.

(d) The Kansas lottery director of security shall establish the procedures for the operation and security of the random number generator, including the specification of those individuals who shall have access to the system. A security officer shall accompany anyone needing access to the secured area containing the generator for any reason.

(e) All Keno prizes, including bull's-eye prizes, shall be the prizes set forth in subsection (a) of K.A.R. 111-7-80 and 111-7-80a except when the prize in any game from a 5 spot game through a 10 spot game exceeds \$599 where total prizes for that game and prize category for a single draw exceeds \$1,500,000. If that occurs, each valid winner's share for the game and prize category shall be calculated as a parimutuel prize from a prize pool of \$1,500,000. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-9-1-92, Aug. 28, 1992; amended, T-111-8-5-94, July 15, 1994; amended, T-111-12-18-95, Dec. 14, 1995; amended, T-111-6-27-96, June 21, 1996; amended, T-111-7-22-96, July 19, 1996; amended, T-111-7-19-99, June 17, 1999; amended, T-111-3-31-00, March 17, 2000.)

111-7-126. Claiming prizes; procedure and time period. (a) Following the drawing for which a Kansas Cash ticket was purchased, and prior to the payment of that prize, each ticket shall be validated by any on-line retailer or any Kansas lottery office pursuant to K.A.R. 111-6-7 and this article.

(b) The procedure for payment of a prize on any single game ticket of \$599 or less, except for a jackpot prize, is as follows:

(1) The holder of a ticket purchased in Kansas may present the ticket to any on-line retailer. Upon validation

of the ticket, the retailer shall immediately make payment of the prize to the holder. If the retailer cannot validate the ticket, the claimant shall fill out a claim form provided by the retailer and personally present or mail the completed form, together with the ticket, to any office of the Kansas lottery. If the ticket is validated and the claim form is completed, then payment shall be made either directly to the claimant if personally present at lottery headquarters or by mail.

(2) The claimant may bring the ticket to any regional office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the ticket, and completion of a claim form, payment shall be processed for the claimant.

(3) The claimant may mail the ticket with a completed claim form in any envelope, to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon validation of the ticket and receipt of a completed claim form, payment shall be processed for the claimant.

If the evidence of alteration, mutilation, tear, or other ambiguity appears on the ticket, the retailer shall not make the direct payment of a prize. The claimant shall submit a claim form with the ticket to the lottery.

(c) The procedure for the payment of a Kansas Cash prize on any single game ticket which totals \$600 or more, except for a jackpot prize, shall be as follows:

(1) The claimant may bring the ticket to any office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the ticket and completion of a claim form, payment shall be processed for the claimant.

(2) The claimant may mail the ticket with a completed claim form to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon validation of the ticket and receipt of a completed claim form, payment shall be processed for the claimant.

(d) The procedure for the payment of a jackpot prize or for prizes won on the same ticket as a jackpot prize are as follows:

The claimant shall personally submit the ticket and a completed claim form to any Kansas lottery office in Great Bend and Wichita. Jackpot prizes and prizes won on the same ticket as jackpot prizes shall not be claimed by mail. Upon validation of the ticket and receipt of a completed claim form, payment shall be processed for the claimant.

(e) All prizes shall be claimed within 365 days of the drawing in which the prize was won. Any prize or prizes not claimed within the time specified shall be forfeited. If a prize is claimed by mail, the ticket and claim form must actually be received by the lottery within the claim period. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-7-22-96, July 19, 1996; amended, T-111-8-5-96, July 31, 1996; amended, T-111-3-31-00, March 17, 2000.)

Gregory P. Ziemal
Executive Director

Doc. No. 025040

State of Kansas

Secretary of State

Certification of New State Laws

I, Ron Thornburgh, Secretary of State of the State of Kansas, do hereby certify that each of the following bills is a correct copy of the original enrolled bill now on file in my office.

Ron Thornburgh
Secretary of State

(Published in the Kansas Register April 13, 2000.)

HOUSE BILL No. 2622

AN ACT authorizing establishment of the Northeast Kansas technical college.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) The Northeast Kansas area vocational school, also known as the Northeast Kansas area technical school, is authorized to be converted to and established as a technical college and, upon such conversion and establishment as provided by law, shall be officially designated as the Northeast Kansas technical college.

(b) Whenever the Northeast Kansas area vocational school, or the Northeast Kansas area technical school, is referred to or designated by or in any statute, contract or other document, such reference or designation shall be deemed to apply to the Northeast Kansas technical college.

Sec. 2. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 13, 2000.)

HOUSE BILL No. 2823

AN ACT relating to property taxation; concerning the valuation of producing gas wells; amending K.S.A. 79-331 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 79-331 is hereby amended to read as follows: 79-331. (a) Except as otherwise provided in subsection (b) of this section, in determining the value of oil and gas leases or properties the appraiser shall take into consideration the age of the wells, the quality of oil or gas being produced therefrom, the nearness of the wells to market, the cost of operation, the character, extent and permanency of the market, the probable life of the wells, the quantity of oil or gas produced from the lease or property, the number of wells being operated, and such other facts as may be known by the appraiser to affect the value of the lease or property.

Whenever a county board of equalization or the state board of equalization shall make a change in any of the factors or figures used in determining the ~~eight-eighths (8/8ths)~~ ^{5/8ths} valuation of the production for any oil or gas lease or property, such change shall apply to the working interest, royalty interest, overriding royalty interest and production payments.

(b) The valuation of the working interest and royalty interest, except valuation of equipment, of any original base lease or property producing oil or gas for the first time in economic quantities on and after July 1 of the calendar year preceding the year in which such property is first assessed shall be determined for the year in which such property is first assessed by determining the quantity of oil or gas such property would have produced during the entire year preceding the year in which such property is first assessed upon the basis of the actual production in such year and by multiplying the income and expenses that would have been attributable to such property at such production level, excluding equipment valuation thereof, if it had actually produced said entire year preceding the year in which such property is first assessed by sixty percent (60%).

(c) The provisions of subsection (b) of this section shall not apply in the case of any production from any direct offset well or any subsequent well on the same lease.

(d) *In order to clarify and express the intent of the legislature regarding the methodology utilized in the determination of fair market value of producing oil and gas leases for property tax purposes, it is hereby declared that the primary and predominant consideration in such determination is, has been and shall be the actual value of oil and gas production severed from the earth.*

Sec. 2. K.S.A. 79-331 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

(Published in the Kansas Register April 13, 2000.)

SENATE BILL No. 100

AN ACT concerning the state emergency fund; relating to certain transfers from the state general fund; amending K.S.A. 75-3712 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 75-3712 is hereby amended to read as follows: 75-3712. (a) The state emergency fund is hereby continued in the state treasury for the use of the state finance council created by K.S.A. 75-3708 and amendments thereto for the purposes and within the limitations prescribed by K.S.A. 75-3713 through, 75-3713a, 75-3713b, 75-3713c, 75-3713d and 75-3714 and amendments thereto and by ~~K.S.A. 75-3713d and amendments thereto.~~

(b) *Upon certification by the director of the budget to the director of accounts and reports that the unencumbered balance in the state emergency fund is insufficient to pay an amount that is necessary to finance an action approved by the state finance council pursuant to K.S.A. 75-3713, 75-3713a, 75-3713b, 75-3713c or 75-3713d and amendments thereto, the director of accounts and reports shall transfer an amount equal to the insufficient amount from the state general fund to the state emergency fund, except that the total of all amounts transferred pursuant to this subsection during any fiscal year shall not exceed \$10,000,000.*

Sec. 2. K.S.A. 75-3712 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the *Kansas Register* issue in which more information can be found. Temporary regulations are designated with a (T) in the Action column. This cumulative index supplements the index to the 1997 Volumes of the *Kansas Administrative Regulations* and the 1999 Supplement to the *Kansas Administrative Regulations*.

AGENCY 1: DEPARTMENT OF ADMINISTRATION

Reg. No.	Action	Register
1-1-5	New	V. 18, p. 1337
1-2-30	Amended	V. 18, p. 1337
1-2-74	New	V. 18, p. 1337
1-2-84	Amended	V. 18, p. 1337
1-2-84a	New	V. 18, p. 1337
1-2-84b	New	V. 18, p. 1338
1-4-8	Amended	V. 18, p. 1338
1-5-22	Amended	V. 18, p. 1338
1-6-25	Amended	V. 18, p. 1338
1-6-32	Amended	V. 18, p. 1339
1-8-6	Amended	V. 18, p. 1339
1-9-2	Amended	V. 18, p. 1340
1-9-7b	Amended (T)	V. 18, p. 1748
1-9-14	Amended (T)	V. 18, p. 1390
1-9-19a	Amended	V. 18, p. 1341
1-9-23	Amended (T)	V. 19, p. 243
1-9-25	Amended	V. 18, p. 1342
1-10-10	New	V. 18, p. 1344
1-10-11	New	V. 18, p. 1345
1-16-18	Amended	V. 18, p. 869
1-16-18a	Amended	V. 18, p. 869
1-18-1a	Amended	V. 18, p. 871

AGENCY 4: DEPARTMENT OF AGRICULTURE

Reg. No.	Action	Register
4-7-213	Amended	V. 19, p. 117
4-7-214	Amended	V. 19, p. 117
4-7-215	Revoked	V. 19, p. 118
4-7-216	New	V. 19, p. 118
4-20-11	Amended	V. 18, p. 418
4-20-15	New	V. 18, p. 418
4-21-1 through 4-21-6	New	V. 18, p. 418-420

AGENCY 7: SECRETARY OF STATE

Reg. No.	Action	Register
7-31-1 through 7-31-4	Revoked	V. 18, p. 672
7-35-1	Amended (T)	V. 18, p. 1389
7-35-1	Amended	V. 18, p. 1879
7-35-2	Amended (T)	V. 18, p. 1390
7-35-2	Amended	V. 18, p. 1879
7-40-1	New	V. 18, p. 1148

AGENCY 9: ANIMAL HEALTH DEPARTMENT

Reg. No.	Action	Register
9-20-4	New	V. 18, p. 161
9-29-6	Amended	V. 18, p. 895

AGENCY 11: STATE CONSERVATION COMMISSION

Reg. No.	Action	Register
11-7-1 through 11-7-8	Amended	V. 18, p. 1808-1810
11-7-10	Amended	V. 18, p. 1811

11-7-11 through 11-7-15	New	V. 18, p. 1811, 1812
11-9-1 through 11-9-10	New	V. 18, p. 79, 80

AGENCY 16: ATTORNEY GENERAL

Reg. No.	Action	Register
16-6-1	Amended	V. 19, p. 399

AGENCY 17: STATE BANK COMMISSIONER

Reg. No.	Action	Register
17-24-1	New	V. 18, p. 956
17-24-2	New	V. 18, p. 956

AGENCY 22: STATE FIRE MARSHAL

Reg. No.	Action	Register
22-19-1	Amended	V. 18, p. 1170
22-19-2	Amended	V. 18, p. 1170
22-19-3	Amended	V. 18, p. 1171
22-19-4a	New	V. 18, p. 1171

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

Reg. No.	Action	Register
25-5-1	New	V. 18, p. 53

AGENCY 26: DEPARTMENT ON AGING

Reg. No.	Action	Register
26-1-2	Amended	V. 18, p. 188
26-1-4	Amended	V. 18, p. 544
26-1-6	Amended	V. 18, p. 544
26-1-9	New	V. 18, p. 188
26-2-4	Amended	V. 18, p. 1880
26-2-7	Amended	V. 18, p. 1880
26-2-9	Amended	V. 18, p. 1880
26-3-1	Amended	V. 18, p. 1881
26-3-3	Revoked	V. 18, p. 1882
26-3-5	Amended	V. 18, p. 1882
26-8-4	Revoked	V. 18, p. 1882

AGENCY 27: STATE CORPORATION COMMISSION (KANSAS ENERGY OFFICE)

Reg. No.	Action	Register
27-2-1	Revoked	V. 18, p. 231

AGENCY 28: DEPARTMENT OF HEALTH AND ENVIRONMENT

Reg. No.	Action	Register
28-1-2	Amended	V. 19, p. 141
28-1-6	Amended	V. 18, p. 953
28-1-18	Amended	V. 19, p. 141
28-1-25	Revoked	V. 18, p. 105
28-1-26	New	V. 19, p. 142
28-4-330 through 28-4-343	New (T)	V. 18, p. 1058-1070
28-4-330 through 28-4-343	New	V. 18, p. 1600-1612
28-4-501	Amended	V. 19, p. 422
28-4-503	Amended	V. 19, p. 423
28-4-504	Amended	V. 19, p. 423
28-4-505	Amended	V. 19, p. 423
28-4-513	Amended	V. 19, p. 423
28-4-530	Revoked	V. 19, p. 423
28-4-531	Revoked	V. 19, p. 423
26-16-28b through 28-16-28f	Amended	V. 18, p. 1021-1033
28-19-50	Revoked	V. 18, p. 50
28-19-52	Revoked	V. 18, p. 50
28-19-201	Amended	V. 18, p. 106
28-19-650	New	V. 18, p. 50
28-19-720	Amended	V. 18, p. 782
28-19-735	Amended	V. 18, p. 782
28-19-750	Amended	V. 18, p. 782
28-19-751	Revoked	V. 18, p. 1099
28-19-752	Revoked	V. 18, p. 1099
28-19-752a	New	V. 18, p. 1099
28-23-81 through 28-23-89	Revoked	V. 18, p. 1099
28-19-751	Revoked	V. 18, p. 1099
28-19-752	Revoked	V. 18, p. 1099
28-19-752a	New	V. 18, p. 1099

28-23-81 through 28-23-89	Revoked	V. 18, p. 1099	
28-29-3	Amended	V. 18, p. 1345	
28-29-17a	Revoked	V. 18, p. 1949	
28-29-17b	Revoked	V. 18, p. 1949	
28-29-25a	New	V. 18, p. 1346	
28-29-25b	New	V. 18, p. 1347	
28-29-25c	New	V. 18, p. 1348	
28-29-25e	New	V. 18, p. 1350	
28-29-25f	New	V. 18, p. 1351	
28-29-26	Revoked	V. 18, p. 673	
28-29-98	Revoked	V. 18, p. 1949	
28-29-2101 through 28-29-2113	New	V. 18, p. 1949-1963	
28-31-1	Amended	V. 18, p. 673	
28-31-2	Amended	V. 18, p. 673	
28-31-3	Amended	V. 18, p. 674	
28-31-4	Amended	V. 18, p. 674	
28-31-6	Amended	V. 18, p. 678	
28-31-8	Amended	V. 18, p. 679	
28-31-8b	Amended	V. 18, p. 680	
28-31-9	Amended	V. 18, p. 680	
28-31-10	Amended	V. 18, p. 681	
28-31-12	Amended	V. 18, p. 681	
28-31-13	Amended	V. 18, p. 682	
28-31-14	Amended	V. 18, p. 682	
28-31-15	New	V. 18, p. 682	
28-31-16	New	V. 18, p. 682	
28-36-10 through 28-36-18	Revoked	V. 18, p. 1099	
28-36-20 through 28-36-29	Revoked	V. 18, p. 1099, 1100	
28-36-101 through 28-36-108	New	V. 18, p. 1100-1102	
28-36-10	through 28-36-18	Revoked	V. 18, p. 1099
28-36-20 through 28-36-29	Revoked	V. 18, p. 1099, 1100	
28-36-101 through 28-36-108	New	V. 18, p. 1100-1102	
28-39-133 through 28-39-134	Revoked	V. 18, p. 1393	
28-39-137	Revoked	V. 18, p. 1393	
28-39-144	Amended	V. 18, p. 1393	
28-39-145	Revoked	V. 18, p. 1395	
28-39-145a	New	V. 18, p. 1395	
28-39-152	Amended	V. 18, p. 1397	
28-39-160	Amended	V. 18, p. 1399	
28-39-161	Amended	V. 18, p. 1400	
28-39-162a	Amended	V. 18, p. 1401	
28-39-162c	Amended	V. 18, p. 1405	
28-39-163	Amended	V. 18, p. 1410	
28-39-240	Amended	V. 18, p. 1412	
28-39-245	Amended	V. 18, p. 1413	
28-39-247	Amended	V. 18, p. 1414	
28-39-275 through 28-39-291	New	V. 18, p. 1416-1423	
28-39-300 through 28-39-312	Revoked	V. 18, p. 1423	
28-39-425 through 28-39-437	New	V. 18, p. 1423-1429	
28-50-1	Amended	V. 18, p. 1353	
28-50-2	Amended	V. 18, p. 1355	
28-50-4	Amended	V. 18, p. 1356	
28-50-5	Amended	V. 18, p. 1356	
28-50-6	Amended	V. 18, p. 1356	
28-50-7	Revoked	V. 18, p. 1358	
28-50-8	Amended	V. 18, p. 1358	
28-50-9	Amended	V. 18, p. 1359	
28-50-10	Amended	V. 18, p. 1363	
28-50-14	Amended	V. 18, p. 1363	
28-65-1	Amended	V. 18, p. 1363	
28-65-2	Amended	V. 18, p. 1363	
28-65-3	Amended	V. 18, p. 1363	
28-72-1	New (T)	V. 18, p. 1459	
28-72-1	New	V. 18, p. 1888	
28-72-2	New (T)	V. 18, p. 1462	

28-72-2	New	V. 18, p. 1891
28-72-3	New (T)	V. 18, p. 1462
28-72-3	New	V. 18, p. 1891
28-72-4	New (T)	V. 18, p. 1463
28-72-4	New	V. 18, p. 1892
28-72-4a	New (T)	V. 18, p. 1466
28-72-4a	New	V. 18, p. 1895
28-72-4b	New (T)	V. 18, p. 1468
28-72-4b	New	V. 18, p. 1897
28-72-4c	New (T)	V. 18, p. 1470
28-72-4c	New	V. 18, p. 1898
28-72-5	New (T)	V. 18, p. 1471
28-72-5	New	V. 18, p. 1900
28-72-6	New (T)	V. 18, p. 1473
28-72-6	New	V. 18, p. 1902
28-72-7	New (T)	V. 18, p. 1475
28-72-7	New	V. 18, p. 1904
28-72-8	New (T)	V. 18, p. 1476
28-72-8	New	V. 18, p. 1905
28-72-9	New (T)	V. 18, p. 1478
28-72-9	New	V. 18, p. 1907
28-72-10	New (T)	V. 18, p. 1480
28-72-10	New	V. 18, p. 1909
28-72-11	New (T)	V. 18, p. 1481
28-72-11	New	V. 18, p. 1910
28-72-12	New (T)	V. 18, p. 1482
28-72-12	New	V. 18, p. 1911
28-72-13	New (T)	V. 18, p. 1483
28-72-13	New	V. 18, p. 1912
28-72-14	New (T)	V. 18, p. 1483
28-72-14	New	V. 18, p. 1912
28-72-15	New (T)	V. 18, p. 1484
28-72-15	New	V. 18, p. 1913
28-72-16	New (T)	V. 18, p. 1484
28-72-16	New	V. 18, p. 1913
28-72-17	New (T)	V. 18, p. 1485
28-72-17	New	V. 18, p. 1914
28-72-18	New (T)	V. 18, p. 1486
28-72-18	New	V. 18, p. 1915
28-72-18a	New (T)	V. 18, p. 1487
28-72-18a	New	V. 18, p. 1916
28-72-18b	New (T)	V. 18, p. 1487
28-72-18b	New	V. 18, p. 1916
28-72-18c	New (T)	V. 18, p. 1488
28-72-18c	New	V. 18, p. 1917
28-72-18d	New (T)	V. 18, p. 1489
28-72-18d	New	V. 18, p. 1918
28-72-18e	New (T)	V. 18, p. 1490
28-72-18e	New	V. 18, p. 1919
28-72-19	New (T)	V. 18, p. 1491
28-72-19	New	V. 18, p. 1920
28-72-20	New (T)	V. 18, p. 1491
28-72-20	New	V. 18, p. 1920
28-72-21	New (T)	V. 18, p. 1491
28-72-21	New	V. 18, p. 1920
28-72-22	New (T)	V. 18, p. 1491
28-72-22	New	V. 18, p. 1920

AGENCY 30: SOCIAL AND REHABILITATION SERVICES

Reg. No.	Action	Register
30-2-12	Amended	V. 18, p. 271
30-2-16	Amended	V. 18, p. 895
30-4-64	Amended	V. 18, p. 1722
30-6-59	Revoked	V. 18, p. 895
30-6-86	Amended	V. 18, p. 895
30-6-103	Amended	V. 18, p. 896
30-14-30	Amended	V. 18, p. 896
30-44-2	Amended	V. 18, p. 1843

AGENCY 36: DEPARTMENT OF TRANSPORTATION (BY DEPARTMENT OF EDUCATION)

Reg. No.	Action	Register
36-13-20	Revoked	V. 18, p. 1823
36-13-30 through 36-13-35	Revoked	V. 18, p. 1823
36-13-37	Revoked	V. 18, p. 1823
36-13-38	Revoked	V. 18, p. 1823
36-13-39	Revoked	V. 18, p. 1823

AGENCY 40: KANSAS INSURANCE DEPARTMENT

Reg. No.	Action	Register
40-2-26	Amended	V. 18, p. 1058
40-3-33	Amended	V. 18, p. 1016
40-4-34	Amended	V. 18, p. 124
40-4-35	Amended (T)	V. 18, p. 358

40-4-35	Amended	V. 18, p. 1148
40-4-42	New	V. 18, p. 1883
40-4-42a	New	V. 18, p. 1883
40-4-42b	New	V. 18, p. 1884
40-4-42c	New	V. 18, p. 1884
40-4-42d	New	V. 18, p. 1885
40-4-42e	New	V. 18, p. 1886
40-4-42f	New	V. 18, p. 1887
40-4-42g	New	V. 18, p. 1887

AGENCY 44: DEPARTMENT OF CORRECTIONS

Reg. No.	Action	Register
44-1-103	Amended	V. 18, p. 390

AGENCY 45: KANSAS PAROLE BOARD

Reg. No.	Action	Register
45-9-1	Amended	V. 18, p. 1597
45-9-2	Amended	V. 18, p. 1597
45-9-3	Amended	V. 18, p. 1598
45-9-4	New (T)	V. 18, p. 1034
45-9-4	New	V. 18, p. 1599

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

Reg. No.	Action	Register
51-9-7	Amended	V. 18, p. 1170

AGENCY 60: BOARD OF NURSING

Reg. No.	Action	Register
60-3-101	Amended	V. 18, p. 51
60-3-106	Amended	V. 18, p. 51
60-6-101	Amended	V. 19, p. 344
60-7-101	Amended	V. 18, p. 52
60-11-101	Amended	V. 19, p. 344
60-11-103	Amended	V. 19, p. 345
60-11-104a	Amended	V. 19, p. 346
60-11-106	Amended	V. 19, p. 346
60-11-108	Revoked	V. 19, p. 346
60-16-101	Amended	V. 18, p. 1558
60-16-102	Amended	V. 18, p. 1558
60-16-104	Amended	V. 18, p. 1559
60-17-101 through 60-17-111	New	V. 19, p. 346-350

AGENCY 63: BOARD OF MORTUARY ARTS

63-4-1	Amended	V. 18, p. 1650
--------	---------	----------------

AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY

Reg. No.	Action	Register
65-5-10	Amended	V. 18, p. 1727
65-9-1	Amended	V. 18, p. 357
65-10-2	Amended	V. 18, p. 357
65-11-3	Amended	V. 18, p. 357

AGENCY 66: BOARD OF TECHNICAL PROFESSIONS

Reg. No.	Action	Register
66-6-4	Amended	V. 19, p. 69
66-6-6	Amended	V. 19, p. 70
66-7-2	Amended	V. 19, p. 70
66-8-7	New	V. 19, p. 70
66-9-4	Amended	V. 19, p. 71
66-9-6	New	V. 19, p. 71
66-10-12	Amended	V. 19, p. 71
66-10-13	New	V. 19, p. 71
66-11-4	New	V. 19, p. 72
66-12-1	Amended	V. 19, p. 72
66-14-1	Amended	V. 19, p. 72
66-14-6	Amended	V. 19, p. 72

AGENCY 68: BOARD OF PHARMACY

Reg. No.	Action	Register
68-2-12a	Amended	V. 18, p. 1813
68-2-20	Amended	V. 18, p. 1813
68-2-22	Amended	V. 18, p. 1814
68-3-5	New	V. 18, p. 1309
68-3-6	New	V. 18, p. 1309
68-5-15	New	V. 18, p. 993
68-7-11	Amended	V. 18, p. 1814
68-7-12	Amended	V. 18, p. 1815
68-7-18	Amended	V. 18, p. 994
68-7-19	Amended	V. 18, p. 994
68-11-1	Amended	V. 18, p. 81
68-14-1	Amended	V. 18, p. 1019

68-14-2 through 68-14-5	Amended	V. 18, p. 996, 997
68-14-7	Amended	V. 18, p. 997
68-14-8	New	V. 18, p. 998
68-15-1	New	V. 18, p. 998
68-15-2	New	V. 18, p. 1309
68-15-4	New	V. 18, p. 1309
68-20-10	Amended	V. 18, p. 1816
68-20-10a	Amended	V. 18, p. 1819
68-20-15a	Amended	V. 18, p. 1819
68-20-16	Amended	V. 18, p. 1820
68-20-17	Amended	V. 18, p. 1820
68-20-18	Amended	V. 18, p. 1820
68-20-19	Amended	V. 18, p. 1821
68-20-21	Amended	V. 18, p. 1822

AGENCY 71: KANSAS DENTAL BOARD

Reg. No.	Action	Register
71-1-18	Amended	V. 18, p. 1844
71-3-7	New	V. 18, p. 104
71-6-1 through 71-6-6	New	V. 18, p. 104, 105

AGENCY 74: BOARD OF ACCOUNTANCY

Reg. No.	Action	Register
74-4-10	Amended	V. 18, p. 1238
74-5-103	Amended	V. 18, p. 1238
74-5-104	Amended	V. 18, p. 1238
74-5-202	Amended	V. 18, p. 1239
74-5-203	Amended	V. 18, p. 1239
74-5-406	Amended	V. 18, p. 1240
74-11-6	Amended	V. 18, p. 1240
74-12-1	Amended	V. 18, p. 1721

AGENCY 80: KANSAS PUBLIC EMPLOYEES RETIREMENT SYSTEM

Reg. No.	Action	Register
80-1-1	Amended	V. 18, p. 1230
80-1-2	Amended	V. 18, p. 1230
80-1-3	Amended	V. 18, p. 1230
80-1-4	Revoked	V. 18, p. 1230
80-1-5	Amended	V. 18, p. 1230
80-1-6	Amended	V. 18, p. 1231
80-1-9	Amended	V. 18, p. 1231
80-1-10	Amended	V. 18, p. 1231
80-1-11	Amended	V. 18, p. 1231
80-1-12	Revoked	V. 18, p. 1231
80-2-1	Amended	V. 18, p. 1231
80-3-1	Revoked	V. 18, p. 1232
80-3-2	Revoked	V. 18, p. 1232
80-3-3	Revoked	V. 18, p. 1232
80-3-4	Amended	V. 18, p. 1232
80-3-5	Revoked	V. 18, p. 1232
80-3-6	Revoked	V. 18, p. 1232
80-3-8	Revoked	V. 18, p. 1232
80-3-9	Amended	V. 18, p. 1232
80-3-13	Revoked	V. 18, p. 1232
80-3-15	Amended	V. 18, p. 1232
80-3-16	Amended	V. 18, p. 1232
80-4-1	Amended	V. 18, p. 1233
80-4-2	Revoked	V. 18, p. 1233
80-4-3	Revoked	V. 18, p. 1233
80-4-4	Amended	V. 18, p. 1233
80-4-5	Revoked	V. 18, p. 1233
80-4-6	Revoked	V. 18, p. 1233
80-5-1	Amended	V. 18, p. 1233
80-5-2	Revoked	V. 18, p. 1233
80-5-3	Revoked	V. 18, p. 1233
80-5-6	Amended	V. 18, p. 1233
80-5-7	Revoked	V. 18, p. 1234
80-5-9	Amended	V. 18, p. 1234
80-5-10	Amended	V. 18, p. 1234
80-5-11	Amended	V. 18, p. 1234
80-5-12	Revoked	V. 18, p. 1234
80-5-13	Amended	V. 18, p. 1234
80-5-14	Revoked	V. 18, p. 1234
80-5-15	Amended	V. 18, p. 1234
80-5-16	Amended	V. 18, p. 1235
80-5-18	Amended	V. 18, p. 1235
80-7-1	Amended	V. 18, p. 1235
80-8-2	Amended	V. 18, p. 1236
80-8-7	Amended	V. 18, p. 1236
80-50-1	Revoked	V. 18, p. 1236
80-50-2	Amended	V. 18, p. 1236
80-50-3	Amended	V. 18, p. 1236
80-50-4	Revoked	V. 18, p. 1236
80-50-5	Revoked	V. 18, p. 1236

(continued)

80-50-6	Amended	V. 18, p. 1236
80-50-8	Revoked	V. 18, p. 1237
80-51-1	Revoked	V. 18, p. 1237
80-51-2	Revoked	V. 18, p. 1237
80-51-3	Revoked	V. 18, p. 1237
80-51-4	Amended	V. 18, p. 1237
80-51-5	Revoked	V. 18, p. 1237
80-51-7	Revoked	V. 18, p. 1237
80-52-1	Revoked	V. 18, p. 1237
80-52-2	Revoked	V. 18, p. 1237
80-52-3	Revoked	V. 18, p. 1237
80-53-2 through 80-53-6	Revoked	V. 18, p. 1237
80-54-1 through 80-54-4	Revoked	V. 18, p. 1237
80-55-1 through 80-55-4	Revoked	V. 18, p. 1237
80-55-8	Amended	V. 18, p. 1237

AGENCY 82: STATE CORPORATION COMMISSION

Reg. No.	Action	Register
82-1-221a	New	V. 18, p. 231
82-1-221b	New	V. 18, p. 232
82-1-228	Amended	V. 18, p. 232
82-1-235	Amended	V. 18, p. 233
82-3-101	Amended	V. 18, p. 273
82-3-401b	New	V. 18, p. 276
82-3-408	Amended	V. 18, p. 276
82-3-900 through 82-3-908	New	V. 18, p. 276, 277
82-4-3	Amended (T)	V. 18, p. 1391
82-4-3	Amended	V. 19, p. 208
82-11-3	Amended	V. 18, p. 234
82-11-4	Amended	V. 18, p. 234
82-11-9	Amended	V. 18, p. 238
82-11-10	Amended	V. 18, p. 239
82-11-11	New	V. 18, p. 239
82-12-2	Amended	V. 18, p. 239

AGENCY 86: REAL ESTATE COMMISSION

Reg. No.	Action	Register
86-1-11	Amended	V. 18, p. 1291

AGENCY 88: BOARD OF REGENTS

Reg. No.	Action	Register
88-23-1 through 88-23-6	New	V. 19, p. 41-43

AGENCY 91: DEPARTMENT OF EDUCATION

Reg. No.	Action	Register
91-31-16	Amended	V. 18, p. 1171
91-31-18	Amended	V. 18, p. 1172
91-31-19	Amended	V. 18, p. 1309
91-31-24	Amended	V. 18, p. 1173
91-38-1 through 91-38-10	New	V. 18, p. 1823-1828

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

Reg. No.	Action	Register
99-25-1	Amended	V. 18, p. 189

AGENCY 100: BOARD OF HEALING ARTS

Reg. No.	Action	Register
100-6-2	Amended (T)	V. 18, p. 1747
100-6-2	Amended	V. 19, p. 241
100-10a-1	Amended	V. 19, p. 241
100-10a-3	Amended	V. 19, p. 241
100-11-5	Revoked	V. 18, p. 1230
100-24-3	New	V. 18, p. 483

AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD

Reg. No.	Action	Register
102-4-10a	Amended (T)	V. 18, p. 1035
102-4-10a	Amended	V. 18, p. 1556
102-5-7a	Amended	V. 18, p. 1520

AGENCY 105: BOARD OF INDIGENTS' DEFENSE SERVICES

Reg. No.	Action	Register
105-1-1	Amended	V. 18, p. 1141
105-2-1	Amended	V. 18, p. 1142
105-3-1	Amended	V. 18, p. 1142
105-3-2	Amended	V. 18, p. 1142
105-3-4	Revoked	V. 18, p. 1143
105-3-5	Amended	V. 18, p. 1143
105-3-8	Revoked	V. 18, p. 1143
105-3-9	Amended	V. 18, p. 1143
105-3-11	Amended	V. 18, p. 1144
105-3-12	Amended	V. 18, p. 1144
105-5-2	Amended	V. 18, p. 1144
105-5-3	Amended	V. 18, p. 1144
105-5-6	Amended	V. 18, p. 1144
105-5-7	Amended	V. 18, p. 1145
105-5-8	Amended	V. 18, p. 1145
105-6-2	Amended	V. 18, p. 1145
105-7-2	Amended	V. 18, p. 1146
105-7-4 through 105-7-9	Amended	V. 18, p. 1146
105-8-1	Amended	V. 18, p. 1146
105-8-2	Amended	V. 18, p. 1146
105-8-3	Amended	V. 18, p. 1146
105-10-1a	Amended	V. 18, p. 1146
105-10-3	Amended	V. 18, p. 1147
105-10-5	Amended	V. 18, p. 1147
105-21-3	Amended	V. 18, p. 1147
105-21-6	Amended	V. 18, p. 1147
105-31-4	Revoked	V. 18, p. 1147

AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION

Reg. No.	Action	Register
108-1-3	New (T)	V. 18, p. 1392
108-1-3	New	V. 19, p. 68

AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES

Reg. No.	Action	Register
109-1-1	Amended	V. 18, p. 1650
109-5-1	Amended	V. 18, p. 1653
109-5-2	Amended	V. 18, p. 1654
109-5-3	Amended	V. 18, p. 1654
109-5-4	Amended	V. 18, p. 1655
109-6-2	Amended	V. 18, p. 1655
109-9-1	Amended	V. 18, p. 1656
109-9-2	Revoked	V. 18, p. 1656
109-4-4	Amended	V. 18, p. 1656
109-9-5	Revoked	V. 18, p. 1657
109-10-1	Amended	V. 18, p. 1657
109-10-2	Amended	V. 18, p. 1658
109-10-6	New	V. 18, p. 1660
109-11-1	Amended	V. 18, p. 1662
109-11-2	Revoked	V. 18, p. 1662
109-11-3	Amended	V. 18, p. 1662
109-11-4	Amended	V. 18, p. 1663
109-11-5	Amended	V. 18, p. 1664
109-11-6	Amended	V. 18, p. 1664
109-12-1	Revoked	V. 18, p. 1665
109-12-2	Revoked	V. 18, p. 1665
109-13-1	Amended	V. 18, p. 1666
109-13-3	Revoked	V. 18, p. 1666

AGENCY 111: KANSAS LOTTERY

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 1999 can be found in the Vol. 18, No. 52, December 30, 1999 Kansas Register. The regulations listed below were published after December 31, 1999.

Reg. No.	Action	Register
111-2-66	Revoked	V. 19, p. 14
111-2-84	Revoked	V. 19, p. 14

111-2-95	Amended	V. 19, p. 174
111-2-100	New	V. 19, p. 14
111-2-101	New	V. 19, p. 15
111-2-102	New	V. 19, p. 174
111-2-104	New	V. 19, p. 15
111-2-105	New	V. 19, p. 16
111-2-106	New	V. 19, p. 16
111-2-107	New	V. 19, p. 174
111-2-108	New	V. 19, p. 175
111-2-109	New	V. 19, p. 175
111-3-1	Amended	V. 19, p. 176
111-3-12	Amended	V. 19, p. 16
111-3-20	Amended	V. 19, p. 17
111-3-35	Amended	V. 19, p. 177
111-4-1594	Amended	V. 19, p. 17
111-4-1595	Amended	V. 19, p. 17
111-4-1597	Amended	V. 19, p. 18
111-4-1598	Amended	V. 19, p. 18
111-4-1621 through 111-4-1636	New	V. 19, p. 177-181
111-4-1617	Amended	V. 19, p. 19
111-4-1637 through 111-4-1649	New	V. 19, p. 19-22

AGENCY 112: KANSAS RACING AND GAMING COMMISSION

Reg. No.	Action	Register
112-6-4a	New	V. 18, p. 1458
112-7-21	Amended	V. 19, p. 118
112-10-6	Amended	V. 18, p. 954
112-10-38	Amended	V. 19, p. 119
112-18-22	Amended	V. 19, p. 119

AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS

Reg. No.	Action	Register
115-2-1	Amended	V. 18, p. 1019
115-4-13	Amended	V. 18, p. 1020
115-5-2	Amended	V. 18, p. 1723
115-7-1	Amended	V. 18, p. 1334
115-7-5	Amended	V. 18, p. 1334
115-8-6	Amended	V. 18, p. 1724
115-11-2	Amended	V. 18, p. 484
115-15-1	Amended	V. 18, p. 1724
115-15-2	Amended	V. 18, p. 1725
115-16-4	Amended	V. 18, p. 780
115-17-21	New	V. 18, p. 781
115-18-4	Amended	V. 18, p. 1334
115-18-7	Amended	V. 18, p. 1335
115-18-13	Amended	V. 18, p. 1336
115-18-14	Amended	V. 18, p. 1336
115-18-16	New (T)	V. 19, p. 242
115-30-10	Amended	V. 18, p. 781

AGENCY 117: REAL ESTATE APPRAISAL BOARD

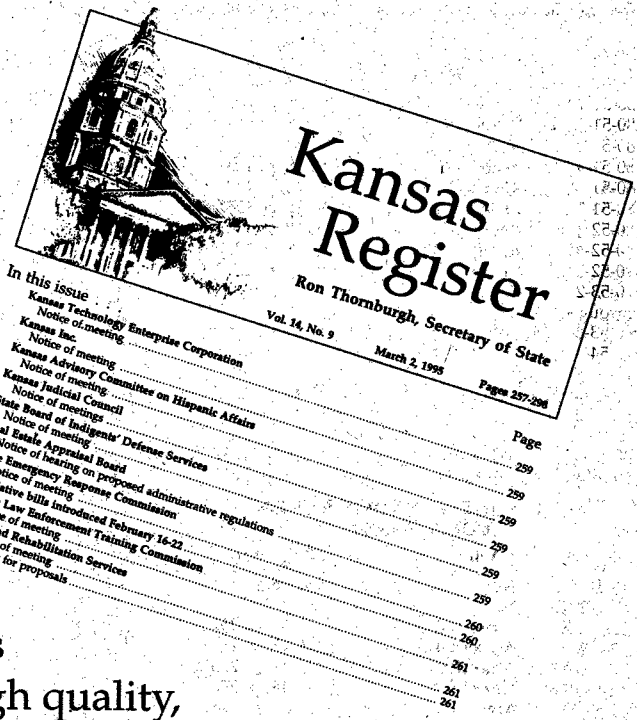
Reg. No.	Action	Register
117-2-1	Amended	V. 18, p. 294
117-2-2	Amended	V. 18, p. 295
117-3-1	Amended	V. 18, p. 296
117-3-2	Amended	V. 18, p. 296
117-4-1	Amended	V. 18, p. 297
117-4-2	Amended	V. 18, p. 298
117-6-1	Amended	V. 18, p. 955
117-6-3	Amended	V. 19, p. 472
117-7-1	Amended	V. 19, p. 41
117-8-1	Amended	V. 19, p. 473
117-9-1	Amended	V. 19, p. 41

AGENCY 118: KANSAS STATE HISTORICAL SOCIETY

Reg. No.	Action	Register
118-4-1 through 118-4-4	New	V. 18, p. 672, 673

Order a custom-made loose-leaf binder for the Kansas Register!

Custom-made Kansas Register binders are now available. These binders will attractively hold up to a year's worth of your copies of the Kansas Register for permanent use. They are high quality, durable casebound Swing Hinge® binders made by McBee Loose Leaf Binder Products. (A Swing Hinge® binder has more capacity and allows for easier interfiling than standard ring binders.) The three-inch binders feature dark blue supported vinyl covering and gold imprinting.



\$12 each, includes shipping and handling.

(Kansas residents must include an additional \$0.82 state and local sales tax.)

Clip and mail

Please send _____

Kansas Register Binders @ \$12 each
 (Note: Kansas residents must include an additional \$0.82 state and local sales tax.)

Total enclosed _____

Ship to:

Shipping is by
 U.P.S. Delivery Service -
 Street address is necessary.

Mail this form, with payment, to: Kansas Register, Kansas Secretary of State, 1st Floor, Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594

**Kansas Register
Secretary of State
1st Floor, Memorial Hall
120 S.W. 10th Ave.
Topeka, KS 66612-1594**

Use this form or a copy of it to enter a subscription:

_____ **One-year subscription @ \$80 ea.
(Kansas residents must include
\$5.44 state and local sales tax.)**

Total Enclosed _____
(Make check payable to the Kansas Register)

Send to:

(Please, no
more than
4 address
lines.)

Zip code must be included

This space for Register office use only.
Rec. No. _____
Exp. _____
Code _____

Use this form or copy of it to enter a name or address change:

Remove your mailing label (above) and affix it here:

Indicate change of name or address
here:

**Mail either form to: Kansas Register, Secretary of State, 1st Floor,
Memorial Hall, 120 S.W. 10th Ave., Topeka, KS 66612-1594**