

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 19, No. 26    June 29, 2000    Pages 1061-1108

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## State of Kansas

## Kansas Judicial Council

## Notice of Meetings

The Kansas Judicial Council and its advisory committees will meet according to the following schedule at the Kansas Judicial Center, 301 S.W. 10th Ave., Topeka:

Date	Committee	Time	Location
July 7	Guard & Conserv.	9:30 a.m.	Room 259
July 14	Municipal Court Manual	9:30 a.m.	Room 259
July 21	PIK-Criminal	9:30 a.m.	Room 259
August 4	Guard. & Conserv.	9:30 a.m.	Room 259
August 11	Municipal Court	9:30 a.m.	Room 259
August 18	Estate Tax Apportionment	9:30 a.m.	Room 259
September 8	Guard. & Conserv.	9:30 a.m.	Room 259
September 8	Municipal Court Manual	9:30 a.m.	Court of Appeals Courtroom
September 15	Judicial Council	9:00 a.m.	Room 259
September 15	PIK-Criminal	9:30 a.m.	Court of Appeals Courtroom
September 29	Estate Tax Apportionment	9:30 a.m.	Room 259

Hon. Tyler C. Lockett  
Chair

Doc. No. 025376

## State of Kansas

## Kansas Water Authority

## Notice of Meetings

The Kansas Water Authority will conduct its quarterly meeting July 12-13 in Salina. The Conservation and Evaluation Committee and the Education and Interagency Coordination Committee will meet at 9 a.m. July 12, followed by meetings of the Planning Committee and Public Water Supply Committee at 12:30 p.m. All meetings will be held in the Dukes I and Dukes II rooms of the Salina Red Coach Inn, 2110 W. Crawford. The full Authority will convene at 9 a.m. July 13 at the Kansas NRCS Conference Center, 747 Duvall, to receive the Kansas Water Office director's report and conduct its regular business session, including reports from the four committees.

An agenda and other details of the meeting are available from the Kansas Water Office, 901 S. Kansas Ave., Topeka, 66612-1249, (785) 296-3185 or toll free at 1-888-KAN-WATER. If accommodations are needed for persons with disabilities, please notify the Kansas Water Office at the above address at least two days prior to the meeting.

Kent Lamb  
Chairman

Doc. No. 025378

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**Garden Level, Memorial Hall**  
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State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 3 through July 16. Any individual with a disability may request accommodation in order to participate in committee meetings. Requests for accommodation should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or (785) 296-8430 (TTY).

Table with 5 columns: Date, Room, Time, Committee, Agenda. Rows include meetings on July 7, 10, 11, and 11.

Jeff Russell
Director of Legislative
Administrative Services

Doc. No. 025382

State of Kansas

Department of Administration
Division of Purchases

Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, 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, July 10, 2000

01904

Department of Administration, Division of Information Systems and Communications—1.2 TB Electronic Data Storage

Tuesday, July 11, 2000

A-9002

Kansas School for the Blind—Repave Parking Lot and Drive

01865

Kansas Correctional Industries—Blended BC Solvent

01906

Department of Transportation—Street Sweeping Service, Wichita

Wednesday, July 12, 2000

01864

Kansas Correctional Industries—Vinyl Acrylic and Acrylic Emulsions

01909

Adjutant General's Department—All Labor and Materials for Drainage Improvements

Friday, July 14, 2000

01900

Department of Revenue—Employer's Withholding Tax Coupon Books and EFT Returns

Tuesday, July 18, 2000

A-8757

Department of Wildlife and Parks—New Campground Building, Crawford State Park, Crawford County

A-8985

University of Kansas—Building "E" Reroof, Jayhawker Towers Apartments

Wednesday, July 19, 2000

A-8925

Department of Transportation—Reroof Sub-Area Shop, Tribune

A-8995

Lansing Correctional Facility—Exterior Wall Repair, S & R Dormitories, East Administration Building

\*\*\*\*\*

Request for Proposals

Tuesday, July 11, 2000

01877

Financial Services for Emporia State University

Thursday, July 27, 2000

01795

Health Benefits Consulting Services for the Kansas State Employees Health Care Commission

John T. Houlihan
Director of Purchases

Doc. No. 025387

## State of Kansas

## Department of Wildlife and Parks

## Public Notice.

The Kansas Department of Wildlife and Parks has reached an agreement for the purchase of approximately 160 acres in McPherson County. The legal description is the SW/4 of Section 23, Township 21 South, Range 4 West. The selling price is \$80,000, with the landowners keeping the CRP payments for the remaining term of the CRP contract. The appraised value of the land was \$100,000. The tract will be part of the McPherson Wetlands and will remain on the county tax rolls.

Steve A. Williams  
Secretary of Wildlife  
and Parks

Doc. No. 025380

## State of Kansas

## Social and Rehabilitation Services

## Notice of Proposed Medicaid State Plan Amendment

The Kansas Department of Social and Rehabilitation Services proposes to amend the Medicaid State Plan to clarify the scope and provider qualifications for rehabilitative services provided to children who are Medicaid recipients age 0-20 and who are experiencing, or who are at risk of experiencing, abuse, neglect, abandonment, family violence, out-of-home placement or institutionalization, as evidenced by an assessment made by a designated state children's service agency. Covered services are specific in-home or out-of-home rehabilitative services determined to be medically necessary and included in a child's or family's treatment plan. Covered services also shall include services that, although not individually specified in the plan of care, are an integral part of a service program specified in the plan of care.

Reimbursement is made via global payments, computed using past service expenditure and utilization data, or on a fee for service basis for children served outside the privatization program. This proposed state plan amendment does not change existing methods of reimbursement, but is being made to clarify the scope of services and related provider qualifications.

The Department of Social and Rehabilitation Services proposes that this change be effective January 1, 2000, for federal fiscal year 2000 and each succeeding fiscal year. The anticipated fiscal impact of this change is an increase in federal Medicaid payments to the state of approximately \$2,500,000 in federal fiscal year 2000 and \$5,000,000 per year in each of the ensuing federal fiscal years.

A review of the state plan is available by contacting John Bieberly, Health Care Policy, Social and Rehabilitation Services, 6th Floor, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612, (785) 296-3981.

Janet Schalansky  
Secretary of Social and  
Rehabilitation Services

Doc. No. 025375

## 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, and Kansas county officials are included in the Kansas Directory, published by the Secretary of State. The directory also is available on the Secretary of State's web site at [www.kssos.org](http://www.kssos.org).

The following appointments, which are effective upon their filing with the Secretary of State unless otherwise specified, were recently filed with the Secretary of State:

## Kansas Credit Union Council

**Marilyn J. Laird**, 919 Waverly Way, Emporia, 66801. Term expires March 15, 2003. Succeeds Francois Henriquez.

**Nancy LePell**, 770 S. Range, Suite 3, Colby, 67701. Term expires March 15, 2003. Succeeds Gilbert Benton.

Kansas Planning Council on  
Developmental Disabilities Services

**Dr. Darvin Hirsch**, 120 E. 10th, Topeka, 66612. Serves at the pleasure of the Governor. Succeeds Denise Clemonds.

## Board of Examiners for Hearing Aids

**Judith A. Bagby**, 29951 S. Adams Road, Melvern, 66510. Term expires June 30, 2001. Succeeds Clint Acheson.

**Terry D. Brewster**, 2602 Patti, Wichita, 67216. Term expires June 30, 2001. Reappointed.

**Evie P. Curtis**, 8318 Reeds Lane, Shawnee Mission, 66207. Term expires June 30, 2003. Succeeds Bill Bell.

**Preston Estes**, 14305 W. 89th St., Shawnee Mission, 66215. Term expires June 30, 2003. Succeeds Jack Blue.

**Michael S. Purdy**, 2505 Canterbury Drive, Hays, 67601. Term expires June 30, 2002. Succeeds Sherry DuPerier.

## Governor's Mental Health Planning Council

**Sherman "Wes" Cole**, 937 Walnut, Osawatomie, 66064. Term expires June 30, 2001. Succeeds Connie Byers, resigned.

**Esther Fitzgerald**, P.O. Box 184, Towanda, 67144. Term expires June 30, 2003. Succeeds Mary Goetze.

**Vera J. Russell**, 1517 W. Maple, Independence, 67301. Term expires June 30, 2001. Succeeds Donna Baker, resigned.

**Judy Thompson**, 627 S.W. Topeka Blvd., Topeka, 66603. Term expires June 30, 2001. Succeeds Elizabeth Cunningham.

## Kansas Sentencing Commission

**Hon. Paul E. Miller**, Chair, Riley County Courthouse, P.O. Box 158, Manhattan, 66505. Serves at the pleasure of the Governor. Succeeds Hon. Richard B. Walker.

**Solid Waste Grants Advisory Committee**

**Marsha Bagby**, 905 E. 3rd St., Kinsley, 67547. Term expires December 12, 2001. Succeeds Donald Anderson, resigned.

**Kansas Supreme Court Nominating Commission**

**Suzanne S. Bond**, 9823 Nall Ave., Overland Park, 66207. Term expires June 30, 2004. Reappointed.

**State Board of Technical Professions**

**Lawrence D. Hole**, 2635 N. Keith Court, Wichita, 67205. Term expires June 30, 2004. Reappointed.

**Joseph A. Johnson**, 220 S. Hillside, Wichita, 67211. Term expires June 30, 2004. Reappointed.

**Richard L. Moberly**, 32324 W. 91st St., DeSoto, 66018. Term expires June 30, 2004. Succeeds Richard Porter.

**Thomas E. Mulinazzi**, 4010 Learned Hall, University of Kansas, Lawrence, 66045. Term expires June 30, 2004. Succeeds Terry Uhl.

**Tex L. New**, 9219 England, Shawnee Mission, 66212. Term expires June 30, 2004. Succeeds Arthur Griffiths, resigned.

**F. Glenn Phinney**, 8310 Connell, Overland Park, 66212. Term expires June 30, 2004. Reappointed.

**Dr. Donald E. Rathbone**, 26 Seaton Hall, Kansas State University, Manhattan, 66506. Term expires June 30, 2004. Reappointed.

Ron Thornburgh  
Secretary of State

Doc. No. 025379

**State of Kansas****Department of Transportation****Notice to Contractors**

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the Bureau of Construction and Maintenance, KDOT, Topeka, or at the Capitol Plaza Hotel, Topeka, until 2 p.m. July 19, and then publicly opened:

**District One—Northeast**

**Atchison**—3K-8160-01—U.S. 59 from the Jefferson-Atchison county line northeast to the west city limits of Atchison; U.S. 159 from the Jefferson-Atchison county line northwest to the Atchison-Brown county line, 41 miles (66.1 kilometers), crack repair. (State Funds)

**Jefferson**—4-44 K-7937-01—K-4 culvert at milepost 4, culvert repair. (State Funds)

**Jefferson**—59-44 K-7942-01—U.S. 59 culvert at mile post 20, culvert repair. (State Funds)

**Johnson**—435-46 K-8038-01—I-435 from 0.7 mile (1.1 kilometers) north of 87th Street north 1.4 miles (2.2 kilometers), surfacing. (State Funds)

**Osage**—C-3392-01—County road 3.2 miles (5.2 kilometers) north of Quenemo over 110 Mile Creek, 0.2 mile (0.3 kilometer), grading, bridge and surfacing. (Federal Funds)

**Riley**—18-81 K-7657-01—K-18 Kansas River bridge (0.2 kilometer) north of the Geary-Riley county line, bridge repair. (State Funds)

**Riley**—81 K-8168-01—U.S. 24 from the west junction of U.S. 77 to the east junction of U.S. 77; U.S. 77 from the Geary-Riley county line north to the west junction of U.S. 24, sealing. (State Funds)

**Shawnee**—470-89 K-8025-01—I-470 from the junction of I-70 south and east to 0.7 mile (1.2 kilometers) east of Gage Boulevard, 5 miles (8.1 kilometers), pavement marking. (State Funds)

**District Two—Northcentral**

**Chase**—177-9 K-7663-01—K-177 over the Atchison, Topeka and Santa Fe Railroad, 10.9 miles (17.5 kilometers) north of the Butler-Chase county line, bridge overlay. (State Funds)

**Chase**—177-9 K-7664-01—K-177 culvert, 8.6 miles (13.8 kilometers) north of the Butler-Chase county line, culvert replacement. (State Funds)

**Dickinson**—70-21 K-8040-01—I-70, 0.9 mile (1.5 kilometers) west of K-15 east to 2.2 miles (3.6 kilometers) east of K-43, 8.9 miles (14.4 kilometers), surfacing. (State Funds)

**Geary**—18-31 K-8161-01—K-18 from the east junction of I-70 east to the Geary-Riley county line, 2.7 miles (4.4 kilometers), shoulders. (State Funds)

**Marion**—256-57 K-7668-01—K-256 Cottonwood River bridge 0.7 mile (1.1 kilometers) south of the junction of U.S. 56, bridge overlay. (State Funds)

**Republic**—81-79 K-5022-04—U.S. 81, 3.2 miles (5.2 kilometers) northeast of U.S. 36 north to 0.5 mile (0.8 kilometer) south of the state line, surfacing and bridge. (Federal Funds)

**Saline**—85 C-3497-01—County road 3.5 miles (5.6 kilometers) south of Gypsum, 0.12 mile (0.2 kilometer), grading, bridge and surfacing. (Federal Funds)

**Saline**—85 C-3252-01—County road 0.3 mile (0.5 kilometer) north of Hedville, north 0.3 mile (0.4 kilometer), grading, bridge and surfacing. (Federal Funds)

**Saline**—85 C-3496-01—County road 1.5 miles (2.4 kilometers) east of Salina on Simpson Road, 0.12 mile (0.2 kilometer), grading, bridge and surfacing. (Federal Funds)

**District Three—Northwest**

**Sherman**—91 K-8166-01—K-27, 3.7 miles (6 kilometers) north of the north junction of U.S. 24 north to the Sherman-Cheyenne county line; U.S. 24B from K-27 southeast to the junction of I-70, 15.1 miles (24.3 kilometers), sealing. (State Funds)

**Trego**—40B-98 K-6246-01—13th Street (U.S. 40B), from South Avenue north to the Union Pacific Railroad in WaKeeney, 0.5 mile (0.8 kilometer), grading and surfacing. (State Funds)

**Trego**—40B-98 K-6697-01—U.S. 40B from I-70 north to South Avenue at WaKeeney, 0.2 mile (0.4 kilometer), grading and surfacing. (State Funds)

(continued)

**District Four—Southeast**

**Anderson**—169-2 K-4420-03—County road from the Allen-Anderson county line to 1 mile north of Colony, 6 miles (9.6 kilometers), sealing. (State Funds)

**Anderson**—57-2 K-4421-03—Old K-57 from the junction of old U.S. 169 north to the junction of new K-57, 1 mile (1.6 kilometers), sealing. (State Funds)

**Bourbon**—7-6 K-7965-01—K-7 Lost Creek bridge 0.4 mile (0.7 kilometer) north of the east junction of K-31, bridge overlay. (State Funds)

**Bourbon**—65-6 K-7966-01—K-65, Little Osage River bridge, 5.7 miles (9.2 kilometers) east of the junction of K-3, bridge overlay. (State Funds)

**Crawford**—7-19 K-6409-01—K-7, Second Cow Creek bridge 5.3 miles (8.6 kilometers) north of K-57, bridge replacement. (Federal Funds)

**Franklin**—35-30 K-5641-01—I-35 from 0.2 mile (0.4 kilometer) west of the west junction of U.S. 50B northeast to 0.3 mile (0.5 kilometer) north of K-68, 5.4 miles (8.7 kilometers), pavement reconstruction. (Federal Funds)

**Franklin**—35-30 K-5642-01—I-35, 0.3 mile (0.5 kilometer) north of K-68, northeast 7.3 miles (11.7 kilometers), pavement reconstruction. (Federal Funds)

**Labette**—59-50 K-8117-01—U.S. 59 from the west junction of U.S. 160 north to the south city limits of Parsons, 8.3 miles (13.4 kilometers), concrete pavement grinding. (State Funds)

**Labette**—96-50 K-7685-01—K-96, Deer Creek drainage bridge, 7.2 miles (11.6 kilometers) east of the junction of K-222, bridge repair. (State Funds)

**Labette**—59-50 K-8117-01—U.S. 59 from the west junction of U.S. 160 north to the south city limits of Parsons, 8.3 miles (13.4 kilometers), concrete pavement grinding. (State Funds)

**Montgomery**—75-63 K-5883-01—10th Street from Main north to Laurel Street in Independence, 0.12 mile (0.2 kilometer), grading and surfacing. (State Funds)

**Neosho**—59-67 K-8118-01—U.S. 59 from the north junction of K-146 north to 0.3 mile (0.5 kilometer) south of the junction of K-3, 5 miles (8.1 kilometers), surfacing. (State Funds)

**Wilson**—75-103 K-2650-01—U.S. 75 from the junction of K-96 east to the west city limits of Neodesha, 0.9 mile (1.4 kilometers), grading, bridge and surfacing. (Federal Funds)

**Wilson**—75-103 K-7968-01—U.S. 75 Chetopa Creek bridge 3.1 miles (5 kilometers) north of Neodesha, bridge overlay. (State Funds)

**District Five—Southcentral**

**Barton**—56-5 K-8138-01—U.S. 56 from the east city limits of Pawnee Rock northeast to the south city limits of Great Bend, 11.5 miles (18.5 kilometers), slurry seal. (State Funds)

**Butler**—254-8 U-1799-01—K-254 (Central Avenue) and Haverhill Road in El Dorado, intersection improvement. (Federal Funds)

**Rush**—83 C-3344-01—County road 2.8 miles (4.5 kilometers) east of Rush Center and 0.3 mile (0.4 kilometer)

south of K-96, 0.19 mile (0.3 kilometer), grading, bridge and surfacing. (Federal Funds)

**Sedgwick**—15-87 K-7871-01—K-15 and Red Powell Road in Derby, 0.2 mile (0.4 kilometer), surfacing. (State Funds)

**Sedgwick**—54-87 K-7972-01—U.S. 54 over the Burlington North-Santa Fe Railroad, bridge repair. (State Funds)

**Sedgwick**—235-87 K-8204-01—I-235 from the MacArthur road ramps north to Central Avenue, 7 miles (11.3 kilometers), pavement patching. (State Funds)

**Sedgwick**—235-87 K-7979-01—I-235 from Zoo Boulevard north to the north side of the Wichita flood control canal bridge, 2.3 miles (3.8 kilometers), bridge overlays. (State Funds)

**Sedgwick**—235-87 K-7980-01—I-235 from the Broadway bridge south to south of the Little Arkansas River bridge, bridge overlays. (State Funds)

**Sumner**—81-96 K-5659-01—U.S. 81, Ninnescah River Drainage bridge 50, 8.5 miles (13.7 kilometers) north of the north junction of U.S. 160, bridge replacement. (Federal Funds)

**District Six—Southwest**

**Hamilton**—50-38 K-5743-01—U.S. 50 from the west city limits of Syracuse east to the Hamilton-Kearny county line, 12.4 miles (20 kilometers), grading, bridge and surfacing. (Federal Funds)

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

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

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

E. Dean Carlson  
Secretary of Transportation

Doc. No. 025390

State of Kansas

**Social and Rehabilitation Services  
Department on Aging**

**Notice of Final Nursing Facility Medicaid Rates  
for State Fiscal Year 2001, Methodology for  
Calculating Final Rates, and Rate Justifications;  
Response to Written Comments; and Notice of Intent  
to Amend the Medicaid State Plan**

Under the Medicaid program, 42 U.S.C. 1396 *et seq.*, the State of Kansas pays nursing facilities, nursing facilities for mental health, and hospital long-term care unit (hereafter collectively referred to as nursing facilities) a daily rate for care provided to residents who are eligible for Medicaid benefits. The Secretary of Aging administers the Medicaid nursing facility services payment program on behalf of the Secretary of Social and Rehabilitation Services. As required by 42 U.S.C. 1396a(a)(13), as amended by Section 4711 of the Balanced Budget Act of 1997, P.L. No. 105-33, 101 Stat. 251, 507-08 (August 5, 1997), the Secretary of Social and Rehabilitation Services (SRS) and the Secretary of Aging (KDOA) are publishing the final Medicaid per diem rates for Medicaid-certified nursing facilities for state fiscal year 2001 (FY 2001), the methodology underlying the establishment of the final nursing facility rates, and the justifications for those final rates. SRS and KDOA also are providing notice of the state's intent to submit proposed amendments to the Medicaid State Plan to the U.S. Department of Health and Human Services' Health Care Financing Administration (HCFA) on or before September 30, 2000.

**I. Methodology Used to Calculate Medicaid Per Diem Rates for Nursing Facilities.** In general, the state uses a prospective, cost-based, facility-specific rate-setting methodology to calculate nursing facility Medicaid per diem rates, including the final rates in this notice. The state's rate-setting methodology is contained primarily in the following described documents and authorities and in the exhibits, attachments, regulations or other authorities referenced in them:

- A. The following portions of the Kansas Medicaid State Plan maintained by SRS:
  1. Attachment 4.19D, Part I, Subpart C, Exhibit C-1;
  2. Attachment 4.19D, Part I, Subpart E;
  3. Attachment 4.19D, Part I, Subpart F;
  4. Attachment 4.19D, Part I, Subpart S (Reserved); and
- B. SRS regulations set out in K.A.R. Article 30-10.

The text of those portions of the Medicaid State Plan identified above in sections I.A.1-4., but not the documents, authorities and the materials incorporated into them by reference, were reprinted in the April 27, 2000, issue of the Kansas Register (pages 613-625). The methodology used to calculate the final rates is the same as the methodology published in the April 27, 2000, issue of Kansas Register. Readers should refer back to that issue for a description of the state's methodology.

A copy of the state's rate-setting methodology from the Medicaid State Plan and the materials referenced in the methodology are available upon written request. A request for copies will be treated as a request for public records under the Kansas Open Records Act, K.S.A. 45-215 *et seq.* The state will charge a fee for copies. Written requests for copies should be sent to:

Kansas Department of Aging  
Attention: Bill McDaniel  
New England Building  
503 S. Kansas Ave.  
Topeka, KS 66603-3404  
Fax (785) 296-0256

**II. Final Medicaid Per Diem Rates for Kansas Nursing Facilities.**

**A. Cost Center Limitations.** The state establishes the following cost center limitations that are used in the final rate-setting process:

Administration:	Median Cost + 15%	\$14.40 per day
Property:	[Ownership Cost + (Plant Operating Median Cost + 30%)]	\$11.85 per day
Room & Board:	Median Cost + 30%	\$23.31 per day
Health Care (for a Case Mix Index of 1.0):	Median Cost + 25%	\$67.71 per day

These amounts were determined according to the reimbursement limitations section set out in Section I.A. of the methodology published in the April 27, 2000, issue of the Kansas Register.

**B. Case Mix Index.** These final rates are based upon each nursing facility's average case mix index (CMI) calculated with a cutoff date of May 1, 2000, using the July 1, 2000, normalized table. In Section II.C., below, each nursing facility's average CMI is listed beside its final per diem rate.

**C. Final Nursing Facility Per Diem Rates and CMI.** The final rates listed below differ from the proposed rates published in the April 27, 2000, Kansas Register because of several factors, including: adjustments due to completion of all the desk reviews of all the nursing facility cost reports, including those cost reports submitted after the February 29, 2000, deadline; use of the facilities' May 1, 2000, CMI instead of the April 1, 2000, CMI; consideration of amended nursing facility cost reports; and rebasing property fees. All of these factors impact cost center upper limits and individual nursing facility rates. In accordance with K.A.R. 30-10-18, the state will pay a nursing facility the lower of the per diem rate that the facility charges its private pay residents or the facility's final Medicaid per diem rate published below.

Facility Name	City	Daily Rate	Final CMI
Abilene Health Center	Abilene	66.63	0.93
Highland Care Home	Abilene	58.72	0.95
Alma Manor	Alma	96.76	1.02
Andover Health Care Center	Andover	93.22	1.07
Friendship Manor of Anthony	Anthony	94.54	1.17
Arkansas City Presbyterian Manor	Arkansas City	100.44	1.03
Medicalodge East Healthcare Center	Arkansas City	100.44	1.27
Medicalodge Post Acute & Rehab. Center	Arkansas City	102.92	1.10
Infinita at Arma	Arma	99.40	1.71
Ashland Health Center - LTCU	Ashland	96.61	0.82
Atchison Hospital SNF	Atchison	102.29	0.90
Atchison Senior Village	Atchison	90.34	0.91
Dooley Center	Atchison	86.52	0.86
Medicalodge of Atchison	Atchison	95.59	1.03
Attica Long Term Care	Attica	88.14	1.01
Atwood Good Samaritan Center	Atwood	92.21	0.88
Augusta Medical Complex	Augusta	82.62	0.93
Lake Point Nursing Center	Augusta	86.18	0.97
Baldwin Care Center	Baldwin City	89.06	1.06
Quaker Hill Manor	Baxter Springs	83.27	0.95
Spring Valley Care Center	Baxter Springs	84.61	1.40
Belleville Health Care Center	Belleville	82.32	1.00
Republic County Hospital-LTCU	Belleville	102.80	0.96

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The Lutheran Home	Belleville	68.99	0.90	The Heritage	Girard	67.51	0.97
Hilltop Lodge Nursing Home	Beloit	74.47	0.97	The Nicol Home, Inc.	Glasco	84.07	0.81
Mitchell County Community Hospital	Beloit	98.95	0.96	Medicalodge of Goddard	Goddard	103.99	1.22
Great Plains Rehab & Nursing Center	Bonner Springs	80.83	1.08	Bethesda Home	Goessel	108.54	1.00
Hill Top House	Bucklin	86.63	0.97	Sherman Co. Good Samaritan Ctr.	Goodland	90.03	0.98
Buhler Sunshine Home, Inc.	Buhler	98.11	0.95	Central Kansas Medical Center	Great Bend	103.42	1.05
Santa Fe Trails Nursing Home	Burlingame	79.72	1.39	Cherry Village	Great Bend	88.35	0.95
Life Care Center of Burlington	Burlington	86.78	1.16	Integrated Health Services	Great Bend	93.00	1.09
Beverly Health & Rehab of Caldwell	Caldwell	74.14	1.00	Washington County Hosp. Dist. #1	Hanover	89.36	0.91
Caney Nursing Center	Caney	63.48	1.80	Friendship Manor Rehab Center	Haviland	67.84	0.58
Shiloh Manor of Canton, Inc.	Canton	86.71	0.90	Hays Good Samaritan Center	Hays	93.58	0.98
Cedarvale Manor	Cedarvale	67.88	0.85	Hays Medical Center	Hays	194.52	2.55
Eastridge	Centralia	87.80	1.02	St. John's of Hays	Hays	89.09	0.96
Applewood Rehabilitation	Chanute	61.94	0.64	Prestige Rehab & Nursing Center	Haysville	98.48	1.19
Heritage Health Care Center	Chanute	78.22	1.12	Herington Municipal Hospital	Herington	112.29	1.34
Park Place Healthcare & Rehab Ctr.	Chanute	83.21	1.02	Lutheran Home, Inc.	Herington	77.88	0.92
Chapman Valley Manor	Chapman	78.06	0.93	Schowalter Villa	Hesston	112.79	0.95
Cheney Golden Age Home, Inc.	Cheney	88.89	0.92	Maple Heights of Hiawatha	Hiawatha	76.75	0.87
Sunny Acres of Cherryvale	Cherryvale	80.91	1.02	Oak Ridge Acres	Hiawatha	68.76	1.02
Chetopa Manor	Chetopa	71.90	0.97	Highland Care Center	Highland	79.37	1.29
The Shepherd's Center	Cimarron	87.80	1.04	Dawson Place, Inc.	Hill City	79.19	0.92
Clay Center Presbyterian Manor	Clay Center	104.29	1.00	Hillsboro Community Medical Center	Hillsboro	96.72	0.87
Medicalodge of Clay Center	Clay Center	85.86	1.16	Parkside Homes, Inc.	Hillsboro	87.48	1.01
Ninnescah Manor	Clearwater	99.92	0.94	Hoisington Rehabilitation Center	Hoisington	79.36	0.88
Estelle's Nursing Home	Clifton	59.17	0.85	Holton Manor	Holton	71.03	0.80
Park Villa Nursing Home	Clyde	74.81	0.94	Jackson Co. Nursing Home, Inc.	Holton	78.93	0.92
Center for LTC of Coffeyville	Coffeyville	85.97	0.83	Tri-County Manor Living Center	Horton	75.10	0.95
Coffeyville Regional Medical Center	Coffeyville	151.08	1.53	Howard Twilight Manor	Howard	82.93	1.20
Medicalodge East of Coffeyville	Coffeyville	90.82	1.00	Sheridan County Hospital	Hoxie	88.44	0.99
Windsor Place	Coffeyville	84.36	1.18	Pioneer Manor	Hugoton	107.47	0.92
Citizens Medical Center	Colby	110.50	0.96	Pinecrest Nursing Home	Humboldt	75.16	0.95
Lantern Park Manor	Colby	74.10	1.01	Golden Plains	Hutchinson	95.72	1.08
Pioneer Lodge	Coldwater	84.27	0.89	Hutchinson Good Samaritan Center	Hutchinson	98.27	1.10
Medicalodge of Columbus	Columbus	110.96	1.30	Oakwood Rehabilitation	Hutchinson	75.55	1.09
Colwich Health Center, Inc.	Colwich	78.18	1.09	Ray E. Dillon Living Center	Hutchinson	97.06	0.90
Beverly Health & Rehab of Concordia	Concordia	73.74	0.94	Silver Oaks Health Center	Hutchinson	73.20	1.00
Mt. Joseph Senior Community, Inc.	Concordia	86.87	0.99	Wesley Towers	Hutchinson	114.67	1.02
Sunset Nursing Center	Concordia	87.73	1.32	Glenwood Estate	Independence	71.06	0.98
Spring View Manor	Conway Springs	77.16	0.87	Manor Nursing Home	Independence	70.98	1.05
Chase County Nursing Home	Cottonwood Falls	78.33	0.88	Mercy Health System of Kansas, Inc.	Independence	120.46	1.65
Twin Lake Healthcare Center	Council Grove	76.75	1.01	The Lodge at Independence	Independence	80.01	1.03
Hilltop Manor	Cuningham	75.99	0.90	Pleasant View Home	Inman	90.59	0.95
Westview Manor, Inc.	Derby	90.36	1.02	Countryside Estates	Iola	77.02	1.07
Grouse Valley Manor	Dexter	79.62	0.87	Cheyenne Lodge, Inc.	Jamestown	75.34	0.94
Lane County Hospital - LTCU	Dighton	93.52	0.72	Hodgeman Co Health Center - LTCU	Jetmore	110.66	1.00
Dodge City Good Samaritan Center	Dodge City	95.55	1.07	Stanton County Hospital- LTCU	Johnson	119.56	1.03
Manor of the Plains	Dodge City	99.98	1.08	Junction City Good Samaritan Ctr.	Junction City	86.27	1.17
Trinity Manor	Dodge City	97.68	0.94	Valley View Professional Care Ctr.	Junction City	72.97	0.85
Medicalodge of Douglass	Douglass	97.76	1.02	Alzheimer's Center of Kansas City	Kansas City	110.85	0.95
Downs Nursing Center	Downs	82.69	1.06	Kansas City Presbyterian Manor	Kansas City	117.78	1.12
Country Care Home	Easton	76.85	1.04	Medicalodge East of Kansas City	Kansas City	112.94	1.02
Edwardsville Convalescent Center	Edwardsville	87.51	1.23	Medicalodge Post Acute Care Ctr.	Kansas City	112.47	1.32
Edwardsville Manor	Edwardsville	80.88	0.77	The Manor of Kansas City	Kansas City	91.78	1.02
Parkway Care Center	Edwardsville	88.54	1.08	Prairie Haven Nursing Center	Kensington	60.66	1.00
Beverly Health & Rehab of El Dorado	El Dorado	80.66	1.06	The Wheatlands	Kingman	82.05	0.96
Knutson Manor Nursing Home	El Dorado	77.34	0.98	Medicalodge of Kinsley	Kinsley	95.03	0.83
Morton County Hospital	Elkhart	105.42	0.95	Kiowa Hospital District Manor	Kiowa	99.05	0.89
IHS of Woodhaven	Ellinwood	90.84	1.06	Rush Co. Healthcare Center	La Crosse	89.06	0.86
Ellis Good Samaritan	Ellis	90.66	0.97	Rush County Nursing Home	Lacrosse	92.24	1.22
Good Samaritan Center - Villa Gr	Ellsworth	104.11	1.16	High Plains Retirement Village	Lakin	114.76	1.11
Good Samaritan Center - Villa Ho	Ellsworth	85.94	0.87	Colonial Manor - Lansing	Lansing	86.97	1.14
Emporia Presbyterian Manor	Emporia	101.23	1.01	Larned Healthcare & Living Center	Larned	85.82	1.29
Emporia Rehabilitation Center	Emporia	69.79	1.24	Brandon Woods, Inc.	Lawrence	98.87	1.16
Royal Crest Living Center of Emporia	Emporia	76.20	1.03	Colonial Manor-Lawrence	Lawrence	74.39	0.95
Vintage Manor	Emporia	81.09	1.06	Lawrence Presbyterian Manor	Lawrence	120.08	1.12
Enterprise Estates Nursing Center	Enterprise	73.17	0.96	Southwinds Rehabilitation & Care	Lawrence	98.39	1.07
Heritage Village-Eskridge	Eskridge	71.05	0.70	Leavenworth Co Convalescent Infi	Leavenworth	88.31	1.01
Eudora Nursing Center	Eudora	82.18	0.95	Medicalodge of Leavenworth	Leavenworth	103.52	1.06
Medicalodge of Eureka	Eureka	92.46	0.98	Delmar Gardens of Lenexa, Inc.	Lenexa	96.16	1.14
Florence Health Care	Florence	60.54	0.82	Leonardville Home	Leonardville	71.27	1.01
Fort Scott/Marmaton Valley	Fort Scott	75.50	1.19	Wichita County Health Center	Leoti	110.47	0.96
Medicalodge of Ft. Scott	Fort Scott	103.96	0.93	Liberal Good Samaritan Center	Liberal	93.62	0.94
Mercy Hospital of Kansas - Ft. Scott	Fort Scott	173.11	1.82	Lincoln County Hospital LTCU	Lincoln	110.14	0.91
Fowler Nursing Home	Fowler	86.66	0.79	Mid-America Health Center	Lincoln	84.37	0.92
Frankfort Community Care Home	Frankfort	85.38	1.01	Bethany Home Association	Lindsborg	100.01	0.85
Beverly Health & Rehab of Fredonia	Fredonia	85.30	1.24	Linn Community Nursing Home	Linn	69.68	0.87
Sunset Manor, Inc.	Frontenac	78.48	0.93	Sandstone Heights	Little River	86.04	0.95
Barker Rest Home	Galena	53.45	1.07	Logan Manor Community Health Ser.	Logan	72.47	0.89
Galenia Nursing & Rehabilitation	Galena	74.57	1.27	Louisburg Care Center	Louisburg	92.57	1.05
Garden Valley Retirement Village	Garden City	96.64	1.19	Beverly Health & Rehab of Lucas	Lucas	82.63	0.91
Terrace Garden Care Center	Garden City	99.25	1.11	Lyons Good Samaritan Center	Lyons	92.27	1.02
Great Plains Hospital & Health Ctr.	Gardner	167.20	1.78	Madison Manor, Inc.	Madison	75.75	0.89
Medicalodge of Gardner	Gardner	101.19	1.00	Meadowlark Hills Retirement Comm.	Manhattan	103.59	1.03
Anderson County Hospital	Garnett	96.31	0.94	St. Joseph Senior Community, Inc.	Manhattan	90.71	1.15
Golden Heights Living Center	Garnett	82.08	0.98	Stoneybrook Retirement Community	Manhattan	94.46	1.08



Wharton Manor	Manhattan	100.26	1.03	Apostolic Christian Home	Sabetha	77.87	0.96
Jewell County Hospital	Mankato	93.12	0.89	Sabetha Manor	Sabetha	88.28	0.96
Marion Manor	Marion	80.26	0.97	Center for LTC of Salina	Salina	96.67	1.11
St. Luke Living Center	Marion	87.95	0.90	Kenwood View Nursing Center	Salina	80.20	0.91
Riverview Estates, Inc.	Marquette	78.34	0.92	Royal Crest Living Center of Salina	Salina	99.14	1.11
Cambridge Place	Marysville	89.83	1.18	Salina Presbyterian Manor	Salina	102.75	1.05
Community Memorial Hospital - LT	Marysville	88.80	0.90	Shalimar Health Center	Salina	65.67	0.89
Infinia at McPherson	McPherson	73.47	1.11	Smokey Hill Rehabilitation Center	Salina	88.01	1.08
The Cedars, Inc.	McPherson	101.22	0.94	Windsor Estates	Salina	88.25	1.01
Lone Tree Retirement Community	Meade	87.93	0.96	Satanta Dist. Hosp. LTCU	Satanta	124.36	1.10
Cedar Crest Manor	Medicine Lodge	97.30	0.92	Park Lane Nursing Home	Scott City	93.23	0.88
Trinity Lutheran Manor	Merriam	111.40	1.26	Pleasant Valley Manor	Sedan	74.83	1.12
Minneapolis Good Samaritan Center	Minneapolis	92.42	1.00	Sedgwick Healthcare Center	Sedgwick	99.16	1.08
Ottawa County Hospital-LTCU	Minneapolis	73.62	0.96	Country View Estates Care Home	Seneca	72.92	0.96
Minneola Nursing Home	Minneola	104.79	1.07	Crestview Manor	Seneca	59.78	0.98
Elk Manor Home	Moline	81.59	0.88	Prairie Manor Good Samaritan	Sharon Springs	88.64	1.20
Bethel Home, Inc.	Montezuma	83.68	0.95	Sharonlane Nursing Home	Shawnee	102.48	1.17
Moran Manor	Moran	81.73	1.09	Shawnee Gardens Nursing Center	Shawnee	103.92	1.03
Crystal Care Center of Mound City	Mound City	72.35	1.24	Infinia at Smith Center	Smith Center	84.92	1.01
Memorial Home for the Aged	Moundridge	109.03	1.00	Smith County Memorial Hosp-LTCU	Smith Center	89.86	0.96
Moundridge Manor, Inc.	Moundridge	73.59	0.79	Mennonite Friendship Manor, Inc.	South Hutchinson	104.22	1.00
Mt. Hope Nursing Center	Mt. Hope	87.14	0.91	Beverly Health & Rehab Center	Spring Hill	97.34	0.90
Villa Maria, Inc.	Mulvane	98.28	0.95	Good Samaritan Village	St. Francis	91.69	0.96
Beverly Health & Rehab of Neodesha	Neodesha	81.74	0.99	Hearthstone Nursing Center #192	St. John	76.74	0.93
Golden Keys Home	Neodesha	45.33	0.83	Community Hospital Onaga, Inc.	St. Mary's	90.53	0.98
Ness County Hospital Dist. #2	Ness City	86.70	0.85	Prairie Mission Retirement Villa	St. Paul	93.80	0.92
Bethel Care Centre	Newton	98.96	1.06	Leisure Homestead Association	Stafford	69.16	0.92
Friendly Acres, Inc.	Newton	118.27	1.07	Sterling Presbyterian Manor	Sterling	96.32	1.08
Kansas Christian Home	Newton	109.15	0.88	Solomon Valley Manor	Stockton	82.60	0.99
Newton Presbyterian Manor	Newton	115.64	1.00	Hamilton Co. Hospital LTCU	Syracuse	101.52	0.82
Manorcare Health Services of Wichita	North Wichita	93.14	1.11	Tonganoxie Nursing Center	Tonganoxie	87.84	1.13
Andbe Home, Inc.	Norton	86.25	0.89	Aldersgate Village	Topeka	118.96	1.02
Village Villa	Nortonville	78.68	1.36	Brewster Place	Topeka	117.70	1.06
Norwich Care Center, Inc.	Norwich	86.34	0.84	Brighton Place North	Topeka	62.75	0.64
Oakley Manor	Oakley	67.18	0.88	Countryside Health Center	Topeka	68.30	0.66
Decatur Co. Good Samaritan Center	Oberlin	85.72	0.86	Eventide Convalescent Center, Inc.	Topeka	80.15	0.81
Decatur County Hospital	Oberlin	80.36	0.91	Fairlawn Heights Nursing Center	Topeka	93.29	0.91
Great Plains Rehab and Nursing Ctr.	Olathe	94.88	0.97	IHS at Highland Park	Topeka	94.10	0.92
Johnson County Nursing Center	Olathe	116.37	0.99	IHS of Brighton Place	Topeka	71.47	0.62
Olathe Good Samaritan Center	Olathe	110.93	1.07	Indian Trails Manor	Topeka	62.36	0.64
Royal Terrace Nrsng. & Rehab. Ctr.	Olathe	99.79	1.15	Infinia Health Care at Central Park	Topeka	80.40	1.36
Villa St. Francis	Olathe	111.52	1.25	Manorcare Health Services of Topeka	Topeka	99.80	0.97
Golden Acres	Onaga	81.69	1.13	McCrite Plaza Health Center	Topeka	98.81	1.11
Osage Nursing & Rehabilitation Ctr.	Osage City	79.29	1.12	Plaza West Care Center, Inc.	Topeka	104.35	1.28
Peterson Nursing Home	Osage City	68.75	1.05	Rolling Hills Health Center	Topeka	102.02	1.21
Heritage Manor of Osawatomie	Osawatomie	117.49	1.43	Southgate Village Life Care Center	Topeka	86.60	1.14
Parkview Care Center	Osborne	83.26	0.92	The United Methodist Homes	Topeka	109.79	0.93
Hickory Pointe Care & Rehab Ctr.	Oskaloosa	90.82	0.95	Topeka Convalescent Center	Topeka	92.47	1.18
Infinia at Oswego	Oswego	89.92	1.04	Topeka Healthcare Center	Topeka	95.07	1.45
Village Manor	Ottawa	86.43	1.37	Topeka Presbyterian Manor Inc.	Topeka	110.79	1.11
Brookside Manor	Overbrook	103.92	1.02	Westwood Manor	Topeka	69.54	0.89
Delmar Gardens of Overland Park	Overland Park	101.24	1.33	Woodland Health Center	Topeka	78.21	0.98
Indian Creek Nursing Center	Overland Park	106.77	1.20	Greeley County Hospital, LTCU	Tribune	104.33	0.85
Life Care Center of Overland Park	Overland Park	100.61	1.02	Western Prairie Care Home	Ulysses	113.53	0.94
Manorcare Health Services of Overland Park	Overland Park	111.82	1.18	Valley Health Care Center	Valley Falls	74.36	0.67
Overland Park Manor	Overland Park	117.41	1.19	St. John's Rest Home of Victoria	Victoria	81.30	0.87
Specialty Hospital of Overland Park	Overland Park	108.47	0.91	The Lutheran Home - WaKeeney	WaKeeney	73.92	0.84
Villa Saint Joseph	Overland Park	121.19	1.10	Trego Co. Lemke Memorial LTCU	WaKeeney	102.54	0.93
Riverview Manor, Inc.	Oxford	79.43	0.95	Wakefield Rehabilitation Center	Wakefield	74.56	0.91
Country Haven Nursing Center	Paola	98.52	1.01	Valley Vista Good Samaritan Center	Wamego	90.91	1.01
Medicalodge of Paola	Paola	76.73	0.65	The Centennial Homestead, Inc.	Washington	63.76	0.88
Elmhaven East	Parsons	68.43	1.20	Colonial Manor - Wathena	Wathena	85.36	1.01
Elmhaven West	Parsons	68.63	1.13	Sunset Manor	Waverly	89.80	0.91
Parsons Good Samaritan Center	Parsons	84.29	1.16	Beverly Health & Rehab	Wellington	78.64	1.00
Parsons Presbyterian Manor	Parsons	97.33	1.17	Cedar View Good Samaritan Center	Wellington	102.86	0.96
Peabody Community Living Center	Peabody	100.22	1.11	Wellsville Manor Care Center	Wellsville	93.22	1.51
Westview Manor of Peabody	Peabody	64.23	0.64	Westy Community Care Home	Westmoreland	78.16	0.93
Phillips County Hospital LTCU	Phillipsburg	104.85	0.99	Wheat State Manor	Whitewater	95.41	0.99
Phillips County Retirement Center	Phillipsburg	72.44	0.87	Briarwood Nursing Center	Wichita	87.56	1.01
Beverly Healthcare Pittsburg	Pittsburg	81.68	1.14	Cameo Care Center	Wichita	84.72	0.82
Medicalodge North of Pittsburg	Pittsburg	90.32	1.09	Catholic Care Center Inc.	Wichita	100.81	1.03
Medicalodge South of Pittsburg	Pittsburg	88.86	1.21	Christ Villa Nursing Home	Wichita	89.19	0.99
Mt. Carmel Medical Center	Pittsburg	158.53	1.70	Homestead Health Center, Inc.	Wichita	93.98	1.03
Rooks County Home	Plainville	95.07	0.89	Horizon Specialty Hospital	Wichita	106.96	1.21
Friendship Manor of Pratt	Pratt	82.27	1.02	IHS of Wichita	Wichita	99.86	1.09
Pratt Regional Medical Center	Pratt	97.78	0.91	Kansas Masonic Home	Wichita	120.01	1.16
Prescott Country View Nursing Home	Prescott	64.47	0.85	Lakewood Heights Nursing Center	Wichita	83.73	1.06
Protection Valley Manor	Protection	69.99	0.77	Life Care Center of Wichita	Wichita	105.54	1.34
Gove County Medical Center	Quinter	96.31	0.95	Lincoln East	Wichita	100.12	1.11
Grisell Memorial Hosp. Dist. #1	Ransom	101.43	0.99	Medicalodge of Wichita	Wichita	117.82	1.33
Oak Haven Nursing Center	Richmond	74.71	0.87	Sandpiper Bay Health & Retirement	Wichita	104.71	1.14
Heritage Village of Rose Hill	Rose Hill	75.55	1.00	Terrace Gardens Nursing Center	Wichita	101.05	1.02
Adult Living Center	Rossville	87.83	0.99	The Healthcare Center - Larksfie	Wichita	116.10	0.98
Gatewood Care Center	Russell	64.22	0.69	Wichita Healthcare & Rehab Center	Wichita	111.65	1.13
Wheatland Nursing & Rehab Center	Russell	88.07	1.03				

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Wichita Presbyterian Manor	Wichita	110.06	0.98
Wilson Nursing Home	Wilson	81.10	1.23
Jefferson County Memorial Hospital	Winchester	77.17	0.90
Cumbernauld Village, Inc.	Winfield	99.80	0.94
Good Samaritan Village-Winfield	Winfield	107.22	0.92
Walnut Hill Nursing Center, Inc.	Winfield	80.03	0.82
Twin Oaks Health Care	Yates Center	80.71	1.04

### III. Justifications for the Final Rates.

1. The final rates are calculated according to the rate-setting methodology in the Kansas Medicaid State Plan, which has been used, in essentially the same form, to set nursing facility rates for more than seven years.

2. The final rates are calculated according to a methodology that satisfies the requirements of K.S.A. 39-708c(x) and the Department of Social and Rehabilitation Services' regulations in K.A.R. Chapter 30, Article 10 implementing that statute.

3. The state's studies project that the final rates:

a. Would result in payment, in the aggregate, of 97.34% of the Medicaid day weighted average inflated allowable nursing facility costs statewide; and

b. would result in a maximum allowable rate of \$118.30; the total average allowable cost is \$102.04 for an average case mix index of one.

c. Estimated average rate July 1, 2000	\$90.43
Average payment rate September 1, 1999	\$84.12
Amount of change	\$ 6.31
Percent of change	7.50%

4. Estimated annual aggregate expenditures in the Medicaid nursing facility services payment program will increase by approximately \$23.8 million.

5. The state estimates that the final rates would continue to make quality care and services available under the Medicaid State Plan at least to the extent that care and services are available to the general population. The state's studies indicate:

a. Service providers operating a total of 369 nursing facilities (representing 98% of all the free standing licensed nursing facilities in Kansas) participate in the Medicaid program, while an additional 46 hospital-based long-term care units also are certified to participate in the Medicaid program;

b. there is at least one Medicaid-certified nursing facility and/or facility for mental health, or Medicaid-certified hospital-based long-term care unit in each of the 105 counties in Kansas;

c. the statewide average occupancy rate for nursing facilities participating in Medicaid is 87.2%;

d. the statewide average Medicaid occupancy rate for participating facilities is 54.8%, which is a slight increase from the prior year; and

e. the final rates would cover 99.19% of the estimated Medicaid health care costs incurred by participating nursing facilities statewide.

6. Federal Medicaid regulations at 42 C.F.R. 447.272 impose an aggregate upper payment limit that states may pay for Medicaid nursing facility services. The state's analysis indicates that the final methodology would result in compliance with the federal regulation.

**IV. The State's Response to Written Comments on the Published Proposals.** The state received no comments in response to the Notice of Proposed Nursing Facility Medicaid Rates for State Fiscal Year 2001, Methodology for

Calculating Proposed Rates, and Rate Justifications; Notice of Intent to Amend the Medicaid State Plan; Request for Comments; and Notice of Intent to Publish Final Rates published in the April 27, 2000, Kansas Register.

**V. Notice of Intent to Amend the Medicaid State Plan.** The state intends to submit proposed Medicaid State Plan amendments to HCFA on or before September 30, 2000.

Connie Hubbell  
Secretary of Aging

J.G. Scott  
Budget Director  
Social and Rehabilitation Services

Doc. No. 025388

State of Kansas

## Department of Health and Environment

### Request for Comments

The Kansas Department of Health and Environment and the Unified Government of Wyandotte County/Kansas City, Kansas—Department of Air Quality (DAQ) are soliciting comments regarding a proposed air quality construction permit. Griffin Wheel Company has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to install and operate new process equipment. Particulate matter emissions were evaluated during the permit review.

Griffin Wheel Company, Chicago, Illinois, owns and operates the stationary source located at 7111 Griffin Road in Kansas City, Kansas.

A copy of the proposed permit, permit application, all supporting nonconfidential documentation and all information relied upon during review of the permit application is available for public inspection for a period of 30 days from the date of publication during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the DAQ, 619 Ann Ave., Kansas City, Kansas. To obtain or review the proposed permit and supporting documentation, contact Stephanie Hirner, (913) 573-6700, at the DAQ, or Connie Carreno, (913) 296-6422, at KDHE. The standard departmental cost will be assessed for any copies requested.

Direct written questions or comments regarding the proposed permit to Stephanie Hirner, Wyandotte County/Kansas City, Kansas—Department of Air Quality, 619 Ann Ave., Kansas City, KS 66101. In order to be considered in formulating a final permit decision, written comments must be received by the close of business July 31.

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, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620, not later than the close of business July 31 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 025371

State of Kansas

Department of Health and Environment

Notice 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-00-164/168

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Reeve Cattle Co. Inc. P.O. Box 1036 Garden City, KS 67846	E/2 of Section 13, T25S, R33W, Finney County	Upper Arkansas River Basin

Kansas Permit No. A-UAFI-C018 Federal Permit No. KS-0091731

This is a permit renewal of an existing facility for 35,000 head (35,000 animal units) of beef cattle weighing greater than 700 pounds each.

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 approved waste management plan shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Harkness Cattle and Land Inc. 11551 S. Venison Road Scott City, KS 67871	SW/4 of Section 11, T20S, R31W, Scott County	Upper Arkansas River Basin

Kansas Permit No. A-UASC-C020 Federal Permit No. KS-0095761

This is a new facility for 3,500 head (3,500 animal units) of beef cattle weighing greater than 700 pounds each.

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 approved waste management plan for the facility shall be adhered to as a condition of the permit. Permeability tests shall be conducted on the earthen retention structure(s) within six months of the issuance of the permit. Copies of the permeability tests shall be submitted to the department within 30 days of testing.

Name and Address of Applicant	Legal Description	Receiving Water
Harold Bellerive HC 1, Box 80 Morland, KS 67650	NE/4 of Section 9, T10S, R25W, Graham County	Saline River Basin

Kansas Permit No. A-SAGH-B006

This is a new facility for a maximum of 450 head (225 animal units) of cattle weighing less than 700 pounds each and a maximum of 150

head (150 animal units) of cattle weighing greater than 700 pounds each.

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 approved Manure/Waste Management Plan for the facility shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Richter Pork Brian Richter 10975 Lasita Road Leonardville, KS 6644	SE/4 of Section 11, T8S, R4E, Riley County	Lower Republican River Basin

Kansas Permit No. A-LRRL-S001

This is a permit renewal for an existing facility with a maximum capacity of 728 head (291.2 animal units) of swine greater than 55 pounds, and 1,000 head (100 animal units) of swine less than 55 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
Bevin Law 287 Frontier Road Longford, KS 67458	NW/4 of Section 25, T10S, R1E, Clay County	Smoky Hill River Basin

Kansas Permit No. A-SHCY-S005

This is a permit renewal for an existing facility for a maximum of 1,205 head (482 animal units) of swine weighing greater than 55 pounds, and 200 head (20 animal units) of swine weighing less than 55 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: The approved Manure/Waste Management Plan for the facility shall be adhered to as a condition of the permit. De-watering equipment shall be obtained by December 1, 2000, and written verification submitted to the department.

Public Notice No. KS-AG-00-169

Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant	Owner of Property Where Facility Will Be Located
Scoby Farm Inc, 244 K-246 Highway Sabetha, KS 66534	James Scoby 244 K-246 Highway Sabetha, KS 66534

Legal Description	Receiving Water
SW/4 of Section 33, T1S, R15E, Brown County	Missouri River Basin

Application Number A-MOBR-S008

This is an application for a permit for the expansion of an existing facility by constructing two hoop structures, without increasing capacity (600 animal units) of original permit. A new or modified permit will not be issued without additional public notice.

Public Notice No. KS-00-130/136

Name and Address of Applicant	Waterway	Type of Discharge
Beattie, City of City Hall Beattie, KS 66406	Robidoux Creek via Wolf Creek	Treated Domestic Wastewater

Kansas Permit No. M-BB03-0001 Federal Permit No. KS0047236  
Legal: SW¼, S21, T2S, R9E, Marshall County

(continued)

**Facility Description:** The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit 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 water quality based.

Name and Address of Applicant	Waterway	Type of Discharge
Goddard, City of 118 N. Main P.O. Box 667 Goddard, KS 67052	Cowskin Creek via Dry Creek	Treated Domestic Wastewater
Kansas Permit No. M-AR37-0001      Federal Permit No. KS0024791		
Legal: SW¼, S29, T27S, R2W, Sedgwick County		

**Facility Description:** The proposed action is to modify and reissue an existing permit for 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 make necessary improvements to achieve compliance with its NPDES permit. 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
Junction City, City of P.O. Box 287 Junction City, KS 66441	Republican River	Treated Domestic Wastewater

**Facility Name:** Junction City MWTP East Plant  
Kansas Permit No. M-LR15-0001      Federal Permit No. KS0034011  
Legal: S3, T11S, R5E, Geary County

**Facility Description:** The proposed action is to modify and reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, total residual chlorine, fecal coliform and pH. Monitoring for total phosphorus, total nitrogen, chlorides and effluent flow also will be required. In addition, the permittee is required to conduct a Chronic Whole Effluent Toxicity Test and a Priority Pollutant Scan. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. 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
Kansas Department of Transportation Bureau of Design Docking State Office Building, Room 814 Topeka, KS 66612-1568	South Branch, Little Walnut River via Unnamed Tributary	Treated Domestic Wastewater

**Facility Name:** Greenwood County Rest Area  
Kansas Permit No. M-WA23-0002      Federal Permit No. KS0092444  
Legal: NE¼, S34, T27S, R8E, Greenwood County

**Facility Description:** The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, fecal coliform and pH. Monitoring for ammonia also will be required. 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
Towanda, City of City Hall P.O. Box 160 Towanda, KS 67144	Whitewater River via Unnamed Tributary	Treated Domestic Wastewater
Kansas Permit No. M-WA14-0001      Federal Permit No. KS0027766		
Legal: NE¼, S17, T26S, R4E, Butler County		

**Facility Description:** The proposed action is to reissue an existing permit for operation of an existing wastewater treatment facility treating primarily domestic wastewater. The proposed permit includes limits for biochemical oxygen demand, total suspended solids, ammonia, fecal coliform and pH. Monitoring for effluent flow also will be required. Included in this permit is a schedule of compliance requiring the permittee to make necessary improvements to achieve compliance with its NPDES permit. 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
N.R. Hamm Quarry, Inc. P. O. Box 17 Perry, KS 66073	Marais des Cygnes River via Elm Creek	Pit Dewatering Stormwater Runoff
Facility Name: Eastman Quarry #75		
Kansas Permit No. I-MC09-PO01      Federal Permit No. KS0080829		
Legal: SW¼, S32, T14S, R12E, Wabaunsee County		

**Facility Description:** The proposed action is to reissue an existing permit for the discharge of pit dewatering and stormwater run-off 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
N.R. Hamm Quarry, Inc. P. O. Box 17 Perry, KS 66073	Marais des Cygnes River via 110 Mile Creek via Unnamed Tributary	Pit Dewatering Stormwater Runoff

**Facility Name:** Gloss Quarry #6  
Kansas Permit No. I-MC32-PO01      Federal Permit No. KS0085502  
Legal: SW¼, S16, T15S, R16E, Osage County

**Facility Description:** The proposed action is to reissue an existing permit for the discharge of pit dewatering and stormwater run-off 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.

### Public Notice No. KS-ND-00-027

Name and Address of Applicant	Legal Location	Type of Discharge
Miami County 201 S. Pearl, Suite 201 Paola, KS 66071	SE¼, S5, T17S, R25E, Miami County	Nonoverflowing

**Facility Name:** Club Estates Sewer District Wastewater Treatment Plant  
Kansas Permit No. M-MC20-NO01

**Facility Description:** The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily domestic wastewater. This facility has a septic tank/recirculating sand filter system and a storage pond for golf course irrigation. The proposed permit includes limits for fecal coliform and total residual chlorine. Monitoring for ammonia, biochemical oxygen demand and total suspended solids 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. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited.

by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

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, Division 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 July 29 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-00-164/168, KS-AG-00-169, KS-00-130/136, KS-ND-00-027) 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](http://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 pub-

lic notice also may be obtained at the Division of Environment.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 025383

## State of Kansas

### Human Rights Commission

#### Notice of Review of Administrative Regulations

As directed by Executive Order 00-03, the Kansas Human Rights Commission (KHRC) is conducting a comprehensive review of all the commission's rules and regulations for the purpose of identifying and eliminating or modifying, as appropriate, those rules and regulations that are outdated, redundant, overly broad, ineffective, unnecessary, cumbersome, irrelevant or otherwise undesirable or inconsistent with the criteria set forth in Executive Order 00-03.

As a part of this review, the KHRC is giving notice of a 30-day public comment period for the purpose of receiving written public comments on the rules and regulations of the KHRC. The commission is seeking written comments evaluating individual regulations in light of the criteria for regulatory review established by the Executive Order 00-03. Those criteria include the following:

**Need.** Is the regulation necessary to comply with the statutes that authorize it? Is the regulation obsolete, duplicative or ambiguous to a degree that warrants repeal or revision? Is the regulation broader than necessary to accomplish its purpose or objective?

**Clarity.** Is the regulation written and organized in a clear and concise manner so it can be readily understood by those to whom it applies?

**Cost.** Have the benefits of the regulation been considered in relation to its cost? Do the benefits of the regulation exceed the costs of the regulation?

**Fairness.** Does the regulation result in equitable treatment of those required to comply with it and those affected by the regulation in other ways?

**Effectiveness.** Has the regulation been effective in achieving the purpose for which it was established?

KHRC's regulations can be found in Volume 1 of the *Kansas Administrative Regulations* and in the 1999 Supplement to the *Kansas Administrative Regulations*, both published by the Secretary of State

Written comments should specifically identify, by K.A.R. number, each regulation that is the subject of the comments. Any interested party may submit written comments regarding the KHRC rules and regulations on or before July 28 to Brandon L. Myers, Chief Legal Counsel, Kansas Human Rights Commission, Suite 851-S, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612-1258.

William V. Minner  
Executive Director

Doc. No. 025381

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 6-26-00 through 7-2-00	
Term	Rate
1-89 days	6.50%
3 months	6.06%
6 months	6.36%
9 months	6.33%
12 months	6.41%
18 months	6.61%
24 months	6.55%

Derl S. Treff  
Director of Investments

Doc. No. 025368

(Published in the Kansas Register June 29, 2000.)

**Summary Notice of Bond Sale**

City of McPherson, Kansas

\$155,000

General Obligation Bonds

Series 124 of 2000

(General obligation bonds payable from unlimited ad valorem taxes)

**Sealed Bids**

Subject to the notice of bond sale dated June 12, 2000, written bids will be received by the clerk of the City of McPherson, Kansas (the issuer), on behalf of the governing body at the Municipal Center, 400 E. Kansas Ave., McPherson, KS 67460, until noon July 12, 2000, for the purchase of \$155,000 principal amount of General Obligation Bonds, Series 124 of 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 July 15, 2000, and will become due on August 1 in the years as follows:

Year	Principal Amount
2001	\$20,000
2002	20,000
2003	20,000
2004	25,000
2005	25,000
2006	5,000
2007	5,000
2008	5,000
2009	5,000
2010	5,000
2011	5,000
2012	5,000

2013  
20145,000  
5,000

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 February 1 and August 1 in each year, beginning February 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 \$3,100 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about July 27, 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 \$82,583,328. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$12,865,000. Temporary notes in the principal amount of \$290,000 will be retired on August 1, 2000, out of proceeds of the bonds and other available funds.

**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) 245-2535, fax (316) 245-2549; or from the financial advisor, Stifel, Nicolaus & Company, Inc., 301 N. Main, Suite 1800, Wichita, KS 67202, Attention: Pat Hinojos, (316) 337-8498, fax (316) 337-8492.

Dated June 12, 2000.

City of McPherson, Kansas

Doc. No. 025384



State of Kansas

**Kansas Development Finance Authority**

**Notice of Hearing**

A public hearing will be conducted at 9 a.m. Thursday, July 13, in the offices of Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bonds for the projects numbered below in the respective maximum principal amounts. Each bond will be issued to assist the respective borrower named below (who will be the owner and operator of the respective project) to finance the cost in the amount of the bond of acquiring the project or for the purpose of refunding a bond previously issued to finance the project. Each project shall be located as shown:

**Project No. 000453, Maximum Principal Amount: \$162,700.** Owner/Operator: Andrew J. and Shawna L. Dockendorf. Description: Acquisition of 320 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the North one-half of Section 12, Township 24, Range 20, Edwards County, Kansas, approximately 2 miles west and 4 miles north from Kinsley.

**Project No. 000454, Maximum Principal Amount: \$77,150.** Owner/Operator: James R. and Jodi K. Watkins. Description: Acquisition of 80 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at Section 16, Township 22, Range 5, Milton Township, Marion County, Kansas, approximately 3 miles north of Burns, then 1.5 miles east, on the south side of the road.

**Project No. 000455, Maximum Principal Amount: \$50,761.42.** Owner/Operator: Brent P. and Tonya K. Martisko. Description: Acquisition of 40 acres of agricultural land and related improvements and equipment to be used by the owner/operator for farming purposes. The project is located at the Southeast Quarter of the Southwest Quarter of Section 10, Township 22, Range 4 West, Reno County, Kansas, approximately from the intersection of Buhler/Haven Road and 82nd Ave. in Buhler, 1.5 miles east on 82nd Ave., on the north side of 82nd Ave.

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

All individuals who appear at the hearing will be given an opportunity to express their views, and all written

comments previously filed with the Authority at its offices at Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, 66603, will be considered. Additional information regarding any of the projects described above may be obtained by contacting the Authority.

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

Kenneth Frahm  
President

Doc. No. 025373

(Published in the Kansas Register June 29, 2000.)

**Summary Notice of Bond Sale**  
**Unified School District No. 488**  
**Marshall County, Kansas**  
**(Axtell-Bern-Summerfield)**  
**\$2,995,000**  
**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 June 5, 2000, sealed bids will be received by the clerk of Unified School District No. 488, Marshall County, Kansas (Axtell-Bern-Summerfield) (the issuer), on behalf of the governing body at the office of the Board of Education, 204 5th St., P.O. Box N, Axtell, KS 66403-0250, until 7 p.m. July 10, 2000, for the purchase of \$2,995,000 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 July 1, 2000, and will become due on September 1 in the years as follows:

Year	Principal Amount
2001	\$25,000
2002	60,000
2003	95,000
2004	100,000
2005	105,000
2006	110,000
2007	120,000
2008	125,000
2009	135,000
2010	140,000
2011	150,000
2012	160,000
2013	170,000
2014	180,000

(continued)

2015	190,000
2016	200,000
2017	210,000
2018	225,000
2019	240,000
2020	255,000

(Published in the Kansas Register June 29, 2000.)

**Summary Notice of Sale**  
**City of Salina, Kansas**  
**\$800,000**  
**General Obligation Temporary Notes**  
**Series 2000-3 and**  
**\$3,885,000**  
**General Obligation Internal Improvement Bonds**  
**Series 2000-A**

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 \$59,900 (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 July 27, 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 \$14,813,984. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, is \$2,995,000.

**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, (785) 736-2304, 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 June 5, 2000.

Unified School District No. 488  
 Marshall County, Kansas  
 (Axtell-Bern-Summerfield)

**Bids**

Subject to the terms and conditions of the complete notice of sale and preliminary official statement dated June 19, 2000, bids will be received by Barbara Weber, acting city clerk of the City of Salina, Kansas, at Room 206, City/County Building, 300 W. Ash, Salina, KS 67402-0736, on behalf of the governing body on Monday, July 10, 2000, for the purchase of \$800,000 principal amount of General Obligation Temporary Notes, Series 2000-3, and \$3,885,000 General Obligation Internal Improvement Bonds, Series 2000-A, of the city, at which place such bids will be publicly read. Bids for the notes will be read at 1 p.m. local time on that day. Bids for the bonds will be read at 2 p.m. local time on that day. The bids for the sale of the notes and bonds will be considered at a meeting of the City Commission at 4 p.m. on said day and the City Commission will thereafter accept the best bids or reject all bids at that meeting. No oral or auction bids will be considered. No bid will be considered of (a) less than 99.50 percent of the principal amount of the notes and accrued interest to the date of delivery, and (b) less than 100 percent of the principal amount of the bonds and accrued interest to the date of delivery.

**Note Details**

The notes will be dated July 15, 2000, and will become due on August 1, 2001. The notes will consist of fully registered notes in the denomination of \$5,000 or any integral multiple thereof. The notes will bear interest from the dated date at the rate determined when the notes are sold, which interest will be payable at maturity on August 1, 2001. The notes will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the 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 city treasurer will be the note paying agent and note registrar for the notes.

**Bonds Details**

The bonds will be dated July 15, 2000, and will mature serially on October 1 in the years and in the amounts set forth below. The bonds will consist of fully registered certificated bonds, each in the denomination of \$5,000 or integral multiples thereof. Interest will be payable semiannually on April 1 and October 1 (the interest payment dates), beginning April 1, 2001. The Kansas State Treasurer will be the paying agent and bond registrar for the bonds.

The bonds will become due on the stated maturity dates as follows:

Principal Amount	Maturity October 1
\$335,000	2001
335,000	2002
330,000	2003
330,000	2004
330,000	2005
330,000	2006
330,000	2007
330,000	2008
330,000	2009
330,000	2010
115,000	2011
115,000	2012
115,000	2013
115,000	2014
115,000	2015

City/County Building  
300 W. Ash  
Salina, KS 67402-0736  
(785) 826-7240

Doc. No. 025385

**State of Kansas  
Behavioral Sciences Regulatory Board**

**Notice of Hearing on Proposed  
Administrative Regulations**

The Behavioral Sciences Regulatory Board will conduct a public hearing from 9 to 11 a.m. Wednesday, September 6, in the board conference room at 712 S. Kansas Ave., Topeka, to consider the adoption of proposed new regulations and proposed amendments to and revocations of existing regulations for licensed psychologists.

This 60-day notice of the public hearing constitutes a public comment period for purposes of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to Phyllis Gilmore, Executive Director, Behavioral Sciences Regulatory Board, 712 S. Kansas Ave., Topeka, 66603-3817. All interested parties will be given a reasonable opportunity to present their views orally during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Phyllis Gilmore at (785) 296-3240 or the Kansas Relay Center at 1-800-766-3777. There is designated accessible parking on Kansas Ave., and the front entrance of the board office also is accessible.

A copy of the full text of each regulation and the economic impact statement may be reviewed or obtained at the board office. They also are available on the board's web site at [www.ink.org/public/bsrb](http://www.ink.org/public/bsrb).

The following is a summary of the proposed regulations. The board does not have a less costly or less intrusive method for achieving the stated purpose of each regulation. There should be minimal or no fiscal impact to the agency or the general public.

**K.A.R. 102-1-3** is revoked.

Economic Impact: There is no economic impact from this revocation as it is being replaced by K.A.R. 102-1-3a.

**K.A.R. 102-1-3a** is related to application for licensure by examination and application for temporary license. It allows for insurance of a temporary license to practice psychology while obtaining the needed postdoctoral supervised experience. Also, the entire application process is more clearly defined.

Economic Impact: To the licensee there would be the cost of a temporary license, which is \$30. For the board, then, there would be \$30 of revenue for each temporary license. Approximately 30 temporary licenses are granted

*(continued)*

**Redemption Prior to Maturity**

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

**Good Faith Deposit**

A good faith deposit will not be required for the notes. Each bid for the bonds must be accompanied by a good faith deposit in the form of a certified or cashier's check or a financial surety bond in the amount of 2 percent of the principal amount of the bonds, payable to the order of the acting city clerk.

**Delivery**

The city will pay for preparing the notes and the bonds. Delivery of the notes and the bonds will be made to the successful bidder(s) on or about July 27, 2000, through the facilities of the Depository Trust Company in New York, New York.

**Assessed Valuation and Indebtedness**

The equalized assessed tangible valuation for computation of bonded debt limitations is \$314,487,783. The total general obligation indebtedness of the city as of the date of the notes and the bonds, including the notes and the bonds being sold, is \$39,390,000.

**Approval of Notes and Bonds**

The notes and the bonds will be sold subject to the approving legal opinion of Gilmore & Bell, P.C., Kansas City, Missouri, bond counsel, which opinions will be furnished and paid for by the city, will accompany the notes and the bonds, and will be delivered to the successful bidder(s) when the notes and the bonds are delivered.

**Additional Information**

Additional copies of this notice of sale, official bid forms or further information may be obtained from the undersigned or from George K. Baum & Company, Twelve Wyandotte Plaza, Kansas City, MO 64105, (816) 474-1100, the city's financial advisor.

Dated June 19, 2000.

City of Salina, Kansas  
By Barbara Weber  
Acting City Clerk  
Room 206

annually, generating approximately \$900 of revenue annually for the board.

**K.A.R. 102-1-5** is revoked.

**Economic Impact:** There is no economic impact from this revocation as it is being replaced by K.A.R. 102-1-5a.

**K.A.R. 102-1-5a** is related to supervised experience and supervisor qualifications. Nine hundred hours of providing clinical psychological services and 180 hours of supervision are required annually. These are new requirements. Supervised experience and supervisor qualifications are more clearly defined.

**Economic Impact:** This could have an impact on the earning power of the licensee. There could be a fiscal impact to the agency hiring the licensee if it would take a few months longer to complete the supervision. However, it is anticipated that most individuals will still complete their supervision in 12 months.

In **K.A.R. 102-1-12**, educational requirements for a doctoral degree in psychology qualifying for licensure are more clearly defined. The internship must be an APA-approved program.

**Economic Impact:** There is no economic impact to licensees, the board, the public or other governmental entities.

In **K.A.R. 102-1-15**, continuing education requirements for licensure renewal are more clearly defined. There is no change in the number of hours required. The three hours of ethics can now be obtained through home study. Six hours of diagnosis and treatment are required.

**Economic Impact:** There is no economic impact to licensees, the board, the public or other governmental entities.

**K.A.R. 102-1-17** is a new regulation related to a new statute requiring a licensee to consult with a physician when determining symptoms of mental disorders when an independent diagnosis cannot be made.

**Economic Impact:** The negative economic impact of this requirement could be considerable to either the patient, insurance, public or private, or other governmental agencies such as community mental health centers. The total significance of this impact is unknown at the present time. This regulation is an effort to minimize the cost to the aforementioned factors.

**K.A.R. 102-1-18** is a new regulation to define the referral source for use in the diagnosis and treatment of mental disorders as required by the 1999 Legislature.

**Economic Impact:** There is no economic impact from this regulation on the public, licensees, the board or other governmental entities.

Phyllis Gilmore  
Executive Director

Doc. No. 025391

State of Kansas

Department of Health  
and Environment

Board of Adult Care Home Administrators

Permanent Administrative  
Regulations

Article 38.—LICENSURE OF ADULT CARE  
HOME ADMINISTRATORS

**28-38-18. Licensing examinations.** (a) Each candidate for licensure as an adult care home administrator shall successfully pass a national examination and a state rules and regulations examination for adult care home administration approved by the board.

(b) The minimum passing scaled score for the national examination shall be 113. The minimum passing raw score for the state examination shall be 75 percent.

(c) Each candidate for licensure who has been disqualified for failure of the examination shall be given written notification by the board of the disqualification and the reason or reasons for it.

(d) Each candidate for licensure who has been disqualified for having failed the examination may submit a new application for examination if the requirements for examination in force at the time of the reapplication are met. Any candidate may take the examination up to four times in any 12-month period. Each candidate who does not pass the examination within the 12-month period shall also meet requirements as specified in K.A.R. 28-38-20.

(e) The licensure examinations shall be held at least two times each year at the times and places designated by the board. (Authorized by K.S.A. 1999 Supp. 65-3503; implementing K.S.A. 1999 Supp. 65-3504; effective May 1, 1981; amended July 1, 1981; amended, E-82-12, June 17, 1981; amended May 1, 1982; amended Sept. 24, 1990; amended May 10, 1993; amended July 14, 2000.)

**28-38-19. Qualification for examination.** (a) Each candidate for initial licensure as an adult care home administrator shall meet the following qualifications:

(1) Each candidate shall hold a baccalaureate or higher degree from an accredited college or university.

(2) Each candidate shall have successfully completed a long-term care administration practicum that is approved by an accredited college or university and consists of not less than 480 clock hours.

(b) "Accredited college or university" means a college or university that is accredited by an accrediting body recognized by the council on postsecondary accreditation or the secretary of the U.S. department of education.

(c) "Long-term care administration practicum" means an academic training program of not less than 480 clock hours that is approved by an accredited college or university and that includes the following features:

(1) Incorporates the "core of knowledge";

(2) provides the training in either or a combination of a state-licensed adult care home or long-term care unit of a state-licensed hospital;

(3) has the college or university designate a preceptor in the adult care home and in the hospital long-term care unit; and

(4) has the college or university responsible for coordinating with the preceptor the type of training and supervision to be provided during the practicum.

(d) "Preceptor" means a licensed adult care home administrator with a minimum of three years of full-time licensed experience during the last five years. Each preceptor is responsible for the training, knowledge, and professional activities within the facility and for the development and refinement of the trainee as a prospective adult care home administrator. No preceptor shall supervise more than two trainees at a time.

(e) Each preceptor shall be a full-time administrator of record or a licensed administrator who directly supervises the administrator of record and maintains direct supervision of the trainee in the facility in which the training is to be provided.

(f) Each administrator who has been approved and is serving as a preceptor to one or more trainees shall notify the current trainees if an administrative action against the preceptor's license is proposed by the department to be taken by the Kansas board of adult care home administrators. Trainees may be given the opportunity to seek an alternative preceptor. Once the board initiates a disciplinary proceeding pursuant to K.S.A. 65-3508 and amendments thereto, no administrator shall be approved to serve as a preceptor for any new trainees. Once any disciplinary course of action has been concluded, an administrator whose license has been reinstated or who is otherwise determined to be in good standing may reapply for consideration as a preceptor. This determination shall be approved by the board at the time of reapplication.

(g) Each college or university shall submit the practicum curriculum and preceptor qualifications for the board's approval. Any change in the practicum curriculum or preceptor shall require approval by the board. Each trainee shall have received at least 60 college semester credit hours and shall be 18 years of age before participating in a practicum. (Authorized by K.S.A. 1999 Supp. 65-3503; implementing K.S.A. 1999 Supp. 65-3504; effective May 1, 1981; amended, E-82-12, June 17, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended Sept. 24, 1990; amended May 10, 1993; amended July 14, 2000.)

**28-38-20. Application for licensure.** (a) Each candidate shall submit the application and application fee for the first examination to the board no later than 60 days before the date of the adult care home administrator examination. Each candidate shall make application in writing on forms provided by the board, and shall furnish payment and evidence satisfactory to the board of having met the qualifying requirements as specified in K.A.R. 28-38-19, Documents verifying that the candidate successfully completed the educational requirements shall be submitted no later than 30 days following the date of the examination.

(b) Each candidate shall provide the board with academic transcripts and proof of receipt of undergraduate or graduate degrees. This proof shall be provided directly to the board by the accredited college or university.

(c) Each applicant who has received a baccalaureate or postbaccalaureate degree outside the United States or its

territories and whose transcript is not in English shall submit an officially translated English copy of the applicant's transcript and, if necessary, supporting documents. The transcript shall be translated by a source and in a manner that is acceptable to the board. Each applicant shall pay all transcription fees directly to the transcriber.

(d) Each applicant who has received a baccalaureate or postbaccalaureate degree outside the United States or its territories shall obtain an equivalency validation from a board-approved agency that specializes in educational credential evaluations. Each applicant shall pay the required equivalency validation fee directly to the validation agency.

(e) A candidate who has failed three national examinations shall not submit a new application for examination until the candidate has completed a course of additional education submitted by the candidate's practicum sponsor and approved by the board.

(f) Each applicant shall pay the required examination fee for the national examination directly to the testing agency.

(g) Criminal history records information shall be requested by the board on all initial and reinstatement applications and on a sample of renewal applications. When adverse information is received either from the applicant or through criminal history records information, it shall be the applicant's responsibility to provide all necessary records, sworn affidavits, or other documentation required by the board. (Authorized by K.S.A. 1999 Supp. 65-3503; implementing K.S.A. 1999 Supp. 65-3504; effective May 1, 1981; amended, E-82-12, June 17, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended Sept. 24, 1990; amended May 10, 1993; amended July 14, 2000.)

**28-38-21. Temporary license.** (a) Each individual requesting a temporary license shall identify the facility seeking to hire the individual on an emergency basis, and that facility shall provide the board with written documentation that no licensed, qualified applicant is available to serve as administrator in the facility. Each candidate for consideration by the board for a temporary license shall meet the following requirements:

(1) Submit an application on board-approved forms accompanied by a fee as specified in K.A.R. 28-38-30;

(2) be endorsed in writing to be the most qualified applicant by the board of directors, corporation, or ownership of the facility where the person is to be employed;

(3)(A) have an undergraduate or graduate degree from an accredited college or university;

(B) have been licensed in Kansas as an adult care home administrator and is otherwise eligible for reinstatement; or

(C) holds a license as an adult care home administrator in another state and is otherwise eligible for reciprocity; and

(4) have passed an examination on state rules and regulations with a score of at least 75 percent.

(b) A temporary license may be granted to a qualified applicant and may be renewed upon written documentation from the licensed facility that licensed, qualified

(continued)

applicants are unavailable. A temporary license may be extended for two consecutive 60-day periods, but shall not exceed a total of 180 days for each individual holding a temporary license.

(c) No person whose license has been revoked or suspended shall be issued a temporary license.

(d) If a candidate for full licensure has been issued a temporary license and fails the national examination, the candidate's temporary license shall expire on the date indicated on the license. The candidate's temporary license shall not be extended or reissued. (Authorized by and implementing K.S.A. 1999 Supp. 65-3502; effective May 1, 1981; amended, E-82-12, June 17, 1981; amended May 1, 1982; amended May 1, 1983; amended May 1, 1984; amended May 1, 1987; amended Sept. 24, 1990; amended May 10, 1993; amended July 14, 2000.)

**28-38-22. Licensure by reciprocity.** (a) Each applicant shall submit an application on board-approved forms accompanied by a reciprocity application fee and a license application fee, as specified in K.A.R. 28-38-30. All applications for licensure by reciprocity shall be submitted to the Kansas bureau of investigation for the purpose of obtaining criminal history records information to be considered by the board in its determination of eligibility for licensing.

(b) Each adult care-home administrator who applies for a reciprocal license and whose original license from another state was issued on or after May 10, 1993, shall meet the current educational criteria, as specified in K.A.R. 28-38-18 and K.A.R. 28-38-19.

(c) Each adult care home administrator who applies for a reciprocal license and whose original license from another state was issued before May 10, 1993, shall meet the following set of education criteria according to the date of original licensure:

(1) When the candidate's original date of licensure in another state occurred at any time from July 1, 1990 through May 9, 1993, the candidate shall meet the following requirements:

(A) Have a baccalaureate or higher degree from an accredited college or university;

(B) have successfully completed a 480 clock-hour long-term care administration practicum approved by an accredited college or university; and

(C) have at least a scaled score of 113; or 75 percent on the national examination.

(2) When the candidate's original date of licensure in another state occurred at any time from May 1, 1984 through June 30, 1990, the candidate shall meet the following requirements:

(A)(i) Have 60 semester hours of credit from an accredited college or university; or

(ii) hold an associate or higher degree from an accredited college or university in nursing home administration or the equivalent in a related health care field; and

(B) have at least a scaled score of 105, or 70 percent on the national examination.

(3) When the candidate's original date of licensure in another state occurred at any time from July 1, 1980 through April 30, 1984, the candidate shall meet the following requirements:

(A)(i) Have 60 semester hours of credit from an accredited college or university;

(ii) substitute one year of board-approved practical experience as an administrative assistant, director of nursing services, or administrative trainee in a long-term care facility for 20 college credits; or

(iii) hold an associate or higher degree from an accredited college or university in nursing home administration or equivalent in a related health care field; and

(B) have at least a scaled score of 105, or 70 percent on the national examination.

(4) When the candidate's original date of licensure in another state occurred at any time from July 1, 1970 through June 30, 1980, the candidate shall meet the following requirements:

(A) Have a high school diploma or equivalent (GED); and

(B) have a score within the standard deviation on the national examination.

(d) Effective January 1, 1983, the national association of boards of examiners for adult care home administrators (NAB) shall be the approved national examination for licensure. (Authorized by K.S.A. 1999 Supp. 65-3503; implementing K.S.A. 1999 Supp. 65-3505; effective May 1, 1981; amended, E-82-12, June 17, 1981; amended May 1, 1982; amended May 1, 1984; amended Sept. 24, 1990; amended May 10, 1993; amended July 14, 2000.)

**28-38-23. Renewal of license.** (a) Each application for renewal of a license shall be filed on or before June 30 of the calendar year in which the license expires. All licenses shall be renewable biennially, with the expiration date to be June 30 of the applicable year.

(b) Each applicant shall submit an application on board-approved forms accompanied by the renewal fee, as specified in K.A.R. 28-38-30. An additional late fee, as specified in K.A.R. 28-38-30, shall be assessed for each application that is received postmarked after June 30th of the year in which the license expires. The license may be renewed only if the application, renewal fee, and late renewal fee are received within the 30-day period following the expiration date. If the application and both fees are not received within that 30-day period, the license shall be considered to have lapsed for failure to renew and shall be reissued only after the applicant has been reinstated.

(c) Except as provided in paragraph (f)(1), each application for renewal shall be accompanied by a transcript verifying that the applicant has completed not less than 50 clock hours of board-approved continuing education during the licensure period immediately preceding renewal of the license. These 50 clock hours of continuing education shall be earned through attendance at board-approved educational offerings pertaining to the "core of knowledge" for the field of adult care home administration and shall be accumulated within subject areas as follows:

(1) Administration, including the following subjects:

(A) General administration;

(B) applicable standards of environmental health and safety;

(C) local health and safety regulations;



- (D) departmental organization and management; and
- (E) community interrelationships;
- (2) a minimum of 10 clock hours in resident care, including the following subjects:
  - (A) Psychology of resident care;
  - (B) principles of medical care;
  - (C) personal and social care; and
  - (D) therapeutic and supportive care; and
- (3) electives, which shall be in the "core of knowledge" or in health-related fields.
- (d) In-service education shall not be considered as a continuing education activity for the purpose of licensure renewal.

(e) Fifteen clock hours of educational credit shall be awarded for each college credit semester hour earned within the renewal period that pertains to the "core of knowledge." Ten clock hours of education credit shall be awarded for each board-approved continuing education unit (CEU) obtained.

(f) (1) Each licensee whose initial licensure period is less than 24 months shall be required to obtain not less than two hours of continuing education for each month in the initial licensure period.

(2) Each licensee who completes a continuing education activity that was not sponsored by an approved continuing education sponsor shall submit a request for subsequent approval to the board after the activity has taken place. The request shall provide information about and documentation of the activity, on a form provided by the board.

(g) Each administrator who attends an educational opportunity and who also serves as a presenter shall receive the amount of educational credit awarded for attendance in addition to one clock hour per hour of presentation time. Presenters shall not receive additional credit for repetition of these presentations.

(h) Each preceptor shall be awarded 15 clock hours per trainee.

(i) Each applicant whose license has lapsed shall submit an application on board-approved forms showing completion of 50 clock hours of continuing education. The application shall be accompanied by the renewal fee as specified in K.A.R. 28-38-30 and the reinstatement fee as specified in K.A.R. 28-38-30. Clock hours submitted for the purpose of reinstatement shall be earned within the licensure period immediately preceding application for reinstatement. (Authorized by K.S.A. 1999 Supp. 65-3503; implementing K.S.A. 1999 Supp. 65-3505; effective May 1, 1981; amended, E-82-12, June 17, 1981; amended May 1, 1982; amended May 1, 1984; amended Sept. 24, 1990; amended May 10, 1993; amended July 14, 2000.)

**28-38-26. Display of license.** Each person licensed as an adult care home administrator shall display the wall license in a conspicuous place in the office or place of business or employment of the licensee. One or more additional wall licenses shall be provided to each administrator serving as administrator in more than one facility, upon the board's receipt of a written request that is accompanied by the appropriate fee. (Authorized by and implementing K.S.A. 1999 Supp. 65-3503; effective May 1, 1981; amended May 1, 1984; amended Sept. 24, 1990; amended July 14, 2000.)

**28-38-28. Change of name or address and replacement or renewal license card.** (a) Change of name or address. Each licensee shall notify the department of any name or address change within 30 days of the change. Each licensee who is found to have failed to comply with this regulation may be subject to disciplinary action by the department pursuant to K.S.A. 65-3508 (c), and amendments thereto.

(1) Notice of each address change shall include the licensee's name, license number, previous mailing address, and new mailing address.

(2) Notice of each name change shall meet the following criteria:

- (A) Be submitted to the department, in writing;
- (B) include the licensee's previous name, new name, and license number; and
- (C) be accompanied by a copy of a marriage certificate, court decree evidencing the change of name, or a social security card or driver's license reflecting the new name.

(b) Replacement or renewal card. Each licensee seeking a replacement license or license renewal card, or both, shall submit a completed board-approved form for each, payment of the applicable replacement fee, and, if possible, the most recently issued license or license renewal card, or both. (Authorized by and implementing K.S.A. 1999 Supp. 65-3503; effective May 1, 1981; amended Sept. 24, 1990; amended July 14, 2000.)

**28-38-29. Definitions.** (a) "Clock hour" means a minimum of 50 minutes of direct instruction, exclusive of registration, breaks, and meals.

(b) "Core of knowledge" means the educational training contents for the field of adult care home administration, as established in the "core of knowledge" for the field of adult care home administration in the federal register, vol. 37, no. 61, 252.20(i)(1-9), page 6452, and as in effect on March 29, 1972, which is adopted by reference.

(c) "Licensure period" means the period of time between the date a license is issued and the date it expires. All licenses shall expire biennially on June 30. Each license shall be issued for a period of not less than 12 months and not more than 24 months.

(d) "Sponsorship" means an approved, long-term sponsoring of programs for the purpose of fulfilling the continuing education requirements for renewal or reinstatement. Each sponsorship candidate shall meet requirements and make application on board-approved forms. Each approved sponsor shall be accountable for upholding the standards in place for the approval of continuing education programs under the authority of the board. Authority to sanction or otherwise discipline an approved sponsor shall be exercised by the board. These sanctions shall include the following:

- (1) Supplementary documentation;
- (2) program restrictions;
- (3) temporary or permanent suspension of long-term sponsorship approval; and
- (4) any other disciplinary steps approved by the board. (Authorized by and implementing K.S.A. 1999 Supp. 65-3503 and 65-3505; effective May 10, 1993; amended July 14, 2000.)

(continued)

**28-38-30. Fees.** (a) The license application fee shall be \$100.00. The license application fee for an initial licensure period of less than 24 months shall be prorated at \$4.00 per month for any full or partial month, until June 30 of the calendar year, that is not less than 12 months and not more than 24 months from the date of application.

(b) The license renewal fee shall be \$100.00.

(c) The temporary license application fee shall be \$100.00.

(d) The application fee for reinstatement of a lapsed or revoked license shall be \$120.00, in addition to the license renewal fee specified in subsection (b) of this regulation.

(e) The application fee for licensure by reciprocity shall be \$120.00, in addition to the application fee specified in subsection (a) of this regulation.

(f) The late renewal fee shall be \$50.00.

(g) The wall or wallet card license replacement fee shall be \$10.00.

(h) The duplicate wall license fee for any administrator serving as administrator in more than one facility shall be \$10.00.

(i) The continuing education sponsorship application fee shall be \$150.00. (Authorized by K.S.A. 1999 Supp. 65-3503; implementing K.S.A. 1998 Supp. 65-3505; effective July 14, 2000.)

Lou A. Esplund  
Chairperson

Doc. No. 025369

State of Kansas

## State Banking Department

### Permanent Administrative Regulations

#### Article 6.—UNIFORM CONSUMER CREDIT CODE

**75-6-2.** (Authorized by K.S.A. 16a-6-104(e); implementing K.S.A. 16a-1-301(1); effective, E-74-13, Jan. 1, 1974; effective May 1, 1975; amended May 1, 1984; revoked July 14, 2000.)

**75-6-6.** (Authorized by and implementing K.S.A. 16a-6-104(e); effective, E-74-13, Jan. 1, 1974; effective May 1, 1975; amended April 18, 1994; revoked July 14, 2000.)

**75-6-24.** (Authorized by and implementing K.S.A. 16a-2-401a; effective, E-79-9, April 20, 1978; effective May 1, 1979; amended, E-81-15, June 25, 1980; amended May 1, 1981; amended, T-83-16, July 1, 1982; amended May 1, 1983; amended, T-85-18, July 1, 1984; amended May 1, 1985; amended, T-87-14, June 6, 1986; amended May 1, 1987; amended, T-89-22, May 27, 1988; amended Oct. 1, 1988; amended July 23, 1990; amended July 20, 1992; amended July 1, 1998; revoked July 14, 2000.)

**75-6-26. Federal consumer credit laws.** (a) Each creditor subject to the federal laws and regulations set forth below shall make the disclosures required under these laws and regulations, and shall comply with all other terms and provisions of these laws and regulations applicable to the creditor. The pertinent federal laws and

regulations, which are hereby adopted by reference, shall be the following:

(1) Title I of the consumer credit protection act, 15 USC § 1601 et seq., as amended, and in effect on January 1, 2000;

(2) regulation M, 12 CFR part 213, including all appendices, as amended and in effect on January 1, 2000; and

(3) regulation Z, 12 CFR part 226; including all appendices, as amended and in effect on March 31, 2000.

(b) The terms "amount financed" and "annual percentage rate," as used in the Kansas uniform consumer credit code, shall have the same meanings given to these terms in, and shall be interpreted in a manner that is consistent with the usage and treatment of these terms in, and shall be calculated in a manner that conforms to the following:

(1) Title I of the consumer credit protection act, 15 USC § 1601 et seq., as amended, and in effect on January 1, 2000; and

(2) regulation Z, 12 CFR part 226, including all appendices, as amended and in effect on March 31, 2000.

(c) The terms "finance charge" and "prepaid finance charge," as used in the Kansas uniform consumer credit code, shall have substantially the same meanings given to these terms in, and shall be interpreted in a manner that is consistent with the usage and treatment of these terms in, and shall be calculated in a manner that conforms to the following:

(1) Title I of the consumer credit protection act, 15 USC § 1601 et seq., as amended, and in effect on January 1, 2000; and

(2) regulation Z, 12 CFR part 226; including all appendices, as amended and in effect on March 31, 2000.

(d) Notwithstanding subsection (c), the following shall not be included in the meaning of the terms "finance charge" and "prepaid finance charge" as used in the Kansas uniform consumer credit code:

(1) The actual fees paid a public official or agency of the state or federal government, for filing, recording or releasing any instrument relating to the debt; and

(2) bona fide and reasonable expenses incurred by the lender in connection with the making, closing, disbursing, extending, readjusting, or renewing of the debt that are payable to third parties not related to the lender. However, reasonable fees for an appraisal made by the lender or related party shall be permissible. (Authorized by and implementing K.S.A. 1999 Supp. 16a-1-301, and K.S.A. 1999 Supp. 16a-6-117; effective, E-82-16, Aug. 12, 1981; amended, T-83-2, Jan. 7, 1982; amended, T-83-6, April 14, 1982; amended, T-84-10, May 25, 1983; amended, T-85-15, May 3, 1984; amended, T-86-12, May 1, 1985; amended, T-87-14, June 6, 1986; amended, T-88-15, July 1, 1987; amended, T-75-7-29-88, July 29, 1988; amended Sept. 19, 1988; amended June 11, 1990; amended Oct. 28, 1991; amended Sept. 8, 1992; amended March 7, 1997; amended Dec. 12, 1997; amended July 14, 2000.)

**75-6-30. Application; place of business.** (a) Each applicant or licensee shall complete and submit a license application for each place of business.

(b) Any location at which an applicant or licensee regularly performs either or the following shall constitute a place of business for the purpose of this regulation:

(1) Makes a supervised loan to a Kansas consumer; or  
 (2) accepts payments on loans made to Kansas consumers that the applicant or licensee has taken assignment of for direct collection.

(c) Any location in Kansas at which an applicant or licensee places an automated loan machine shall be deemed a location where an applicant or licensee makes a supervised loan. (Authorized by and implementing K.S.A. 1999 Supp. 16a-2-302(5); effective July 14, 2000.)

**75-6-31. Bond requirements.** (a) Each applicant for a supervised loan license shall submit a bond in the amount of \$100,000.00 for the initial licensed place of business, plus an additional \$25,000.00 for each additional licensed place of business. However, the total bond requirement for each applicant shall not exceed \$300,000.00, unless the administrator determines that special circumstances require a higher bond amount.

(b) In determining whether a higher bond amount is necessary, the following factors shall be considered by the administrator:

(1) Whether the business proposed to be conducted by the applicant involves technology or methods that may require additional regulatory oversight by the administrator;

(2) whether the applicant has been the subject of regulatory or disciplinary actions by the administrator, any regulatory body of this state or any other state, or any federal regulatory body; or

(3) whether the applicant's structure, business activities, or operations possess elements of risk not common to other supervised lenders that may require additional regulatory oversight by the administrator. (Authorized by K.S.A. 16a-2-302(1)(a), as amended by L. 1999, ch. 107, sec. 12; implementing K.S.A. 16a-2-302(2), as amended by L. 1999, ch. 107, sec. 12; effective July 14, 2000.)

Franklin W. Nelson  
 State Bank Commissioner

Doc. No. 025389

State of Kansas

## State Corporation Commission

### Permanent Administrative Regulations

#### Article 4.—MOTOR CARRIERS OF PERSONS AND PROPERTY

**82-4-6d. Waiver of physical requirements.** (a) Any person failing to meet the requirements of 49 C.F.R. 391.41 may be permitted to drive a vehicle, other than a vehicle transporting passengers, if the director finds that the granting of a waiver is consistent with highway safety and the public interest.

(b) The application for a waiver shall meet these requirements:

(1) The application shall be submitted jointly by the person seeking the waiver and by the motor carrier wishing to employ the person as a driver.

(2) The application shall be accompanied by the following:

(A) A copy of the driver applicant's motor vehicle driving record. Any changes to this record occurring after submission of the application shall be immediately forwarded to the commission;

(B) Reports of medical examinations, administered by a licensed medical practitioner, that are satisfactory to the director; and

(C) Letters of recommendation from at least two licensed medical practitioners, written on their personalized or institutional letterhead.

(i) The reports and letters of recommendation shall indicate the opinions of the licensed medical practitioners regarding the ability of the driver to safely operate a commercial vehicle of the type to be driven.

(ii) Letters of recommendation regarding vision impairment shall be provided by a licensed ophthalmologist or optometrist who treated the driver applicant.

(iii) Letters of recommendation regarding limb impairment or amputation shall include a medical summary conducted by a board of qualified, or board-certified, physiatrists or orthopedic surgeons, preferably associated with a rehabilitation center.

(iv) Letters of recommendation shall include a description of any prosthetic or orthopedic devices worn by the driver applicant.

(3) The application shall contain a description that is satisfactory to the director of the type, size, and special equipment of the vehicle or vehicles to be driven, the general area and type of roads to be traversed, the distances and time period contemplated, the nature of the commodities to be transported and the method of loading and securing them, and the experience of the applicant in driving vehicles of the type to be driven.

(A) If the applicant motor carrier is a corporation, the application shall be signed by a corporation officer and the driver applicant.

(B) If the applicant motor carrier is a limited liability company, the application shall be signed by a company officer and the driver applicant.

(C) If the applicant motor carrier is a limited liability partnership, the application shall be signed by at least one of the members of the partnership and the driver applicant.

(D) If the applicant motor carrier is a partnership, the application shall be signed by at least one of the members of the partnership and the driver applicant.

(E) If the applicant motor carrier is a sole proprietorship, the application shall be signed by the proprietor and the driver applicant.

(4) The application shall specify that both the person and the carrier will file periodic reports as required with the director. These reports shall contain complete and truthful information regarding the extent of the person's driving activity, accidents in which the person may have been involved, and all suspensions or convictions in which the person is or has been involved.

(5) By completing the application, both the driver applicant and the motor carrier applicant shall be deemed to agree that upon grant of the waiver, they will fulfill all conditions of the waiver.

(continued)

(c) Each driver applicant shall complete a skill performance evaluation administered by a commission driver waiver program manager or a commission handicapped driver waiver specialist. The driver and motor carrier applicants shall secure the vehicle and provide the necessary insurance for the skill performance evaluation. The skill performance evaluation may be waived if the driver applicant has otherwise met the regulatory requirements of 49 C.F.R. 391.49.

(d) If the application is approved, a driver medical waiver card signed by the director and accompanied by a letter acknowledging approval shall be issued by the commission. While on duty, the driver medical waiver card shall be in the driver's possession. The motor carrier shall retain the accompanying letter in its files at its principal place of business during the period the driver is in the motor carrier's employment. The motor carrier shall retain this letter for a period of 12 months after the termination of the driver's employment.

(e) If the application is denied, an order setting forth an explanation for the denial and specifying the procedure for appeal of the decision shall be issued by the commission.

(f) The waiver shall not exceed two years and may be renewable upon submission and approval of a new application.

(g) All intrastate vision waiver recipients shall be subject to the following conditions:

(1) Each driver shall be physically examined every year by the following individuals:

(A) A licensed ophthalmologist or optometrist who attests that the vision in the better eye continues to meet the standard set forth in 49 C.F.R. 391.41(b)(10); and

(B) a licensed medical practitioner who attests that the individual is otherwise physically qualified under the standards set forth in 49 C.F.R. 391.41.

(2) Each driver shall provide a copy of the ophthalmologist's or optometrist's report to the medical practitioner at the time of the annual medical examination.

(3) Each driver shall provide the motor carrier with a copy of the annual medical reports for retention in the motor carrier's driver qualification files.

(4) Each driver shall provide a copy of the annual medical reports to the commission.

(h) The waiver may be revoked by the director after the applicant has been given notice of the proposed revocation and has been given a reasonable opportunity to show cause, if any, why the revocation should not be made.

(i) Each motor carrier and driver shall notify the director within 72 hours upon any conviction of a moving violation or any revocation or suspension of driving privileges.

(j) Transfers.

(1) Written notice shall be given to the director when any of the following occurs:

(A) A driver ceases employment with the "original employer" with whom the waiver was first granted.

(B) A change occurs in employment duties or functions.

(C) A change occurs in the driver's medical condition.

(2) Written notice shall be given by both the motor carrier and the driver within 10 days of any change in employment, duties, or functions, except in cases of termination of employment. Notice of termination of employment shall be given by both the motor carrier and the driver within 72 hours of termination.

(3) A waiver shall become void upon termination of employment from the motor carrier joint-applicant and until all requirements in this subsection are met.

(k) Renewals. An application for renewal of waiver shall be submitted 30 days before the expiration date of the existing waiver. (Authorized by and implementing K.S.A. 1999 Supp. 66-1,112; effective May 1, 1981; amended Sept. 16, 1991; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-8a. Accessories and equipment.** Every motor vehicle that meets the definition of commercial motor vehicle shall be equipped with a fire extinguisher.

(a)(1) Every motor vehicle shall be equipped with a fire extinguisher that is properly filled and is readily accessible.

(2) The fire extinguisher shall be securely mounted on the vehicle.

(3) The fire extinguisher shall be designed, constructed, and maintained to permit visual determination of whether it is fully charged.

(4) The extinguisher shall have an extinguishing agent that does not need protection from freezing.

(b)(1) The classification and rating of fire extinguishers in this regulation shall conform to the laboratory standards published in section 1-4.2 of NFPA 10, "standard for portable fire extinguishers," 1998 edition, by the national fire protection association and adopted by reference.

(2) Each fire extinguisher shall be labeled or marked with its rating.

(c) The fire extinguisher shall not use a vaporizing liquid that gives off vapors more toxic than those produced by substances shown as having a toxicity rating of five or six in the classification of comparative life hazard of gases and vapors.

(d)(1) Motor vehicles that are not used to transport hazardous materials shall be equipped with either a fire extinguisher having a rating of five B:C or two fire extinguishers, each of which has a rating of four B:C.

(2) Motor vehicles that are used to transport hazardous materials shall be equipped with a fire extinguisher having a rating of not less than 10 B:C.

(3) Cargo tank vehicles requiring flammable liquid placards shall be provided with at least one approved handheld fire extinguisher, whether a dry chemical or carbon dioxide type, having a rating of not less than 20 B:C. Two approved handheld fire extinguishers, either a dry chemical or carbon dioxide type, having a rating of not less than 10 B:C for each extinguisher, may be used in lieu of one 20 B:C rated extinguisher.

(e) Fire extinguishers shall be kept in good operating condition, shall be located in an accessible place on each motor vehicle or tank vehicle, and shall be housed in a weather-tight enclosure.

(f) The requirements of this regulation shall not apply to any bus having a seating capacity of eight or fewer persons or to a driveaway or towaway operation. (Authorized by and implementing K.S.A. 66-1,129; effective May 1, 1981; amended May 1, 1984; amended April 30, 1990; amended May 10, 1993; amended July 14, 2000.)

**82-4-8h. Marking of intrastate commercial motor vehicles.** On and after January 1, 2001, each intrastate commercial motor vehicle shall obtain a Kansas-specific USDOT number that complies with the requirements for the motor carrier identification report and markings of commercial motor vehicles established under the provisions of 49 C.F.R. 390.21. (Authorized by and implementing K.S.A. 1999 Supp. 66-1,112; effective July 14, 2000.)

**82-4-20. Transportation of hazardous materials by motor vehicles.** (a) Title 49 C.F.R. 107.105, 107.502, and Parts 171, 172, 173, 177, 178, and 180 of the federal hazardous materials rules and regulations promulgated by the U.S. department of transportation are adopted by reference except for the referenced materials listed below under 49 C.F.R. 171.7(a)(3), as in effect on October 1, 1998:

- (1) ASTM A 242-81 standard specification for high-strength, low-alloy structural steel;
- (2) ASTM A 370-77 standard methods and definition for mechanical testing of steel products;
- (3) ASTM A 441-81 standard specification for high-strength, low-alloy structural manganese vanadium steel;
- (4) ASTM A 514-81 standard specification for high-yield-strength, quenched and tempered alloy steel plate, suitable for welding;
- (5) ASTM A 516-79b standard specification for pressure vessel plates, carbon steel, for moderate and lower-temperature service;
- (6) ASTM A 537-80 standard specification for pressure vessel plates, heat-treated, carbon manganese-silicon steel;
- (7) ASTM A 588-81 standard specification for high-strength, low-alloy structural steel with 50 Ksi minimum yield point to 4 in. thick;
- (8) ASTM A 606-75 standard specification for steel sheet and strip hot-rolled and cold-rolled, high-strength, low alloy, with improved atmospheric corrosion resistance, 1975 (reapproved 1981);
- (9) ASTM A 633-79a standard specification for normalized high-strength, low-alloy structural steel, 1979 edition; and
- (10) ASTM A 715-81 standard specification for steel sheet and strip, hot-rolled, high-strength, low-alloy, with improved formability, 1981.

(b) Packaging requirements shall be subject to the provisions of K.S.A. 66-1,129b, and amendments thereto.

(c) Whenever the adopted federal regulations refer to portions of the federal regulations that are not included under subsection (a), those references shall not be applicable to this regulation. (Authorized by K.S.A. 1999 Supp. 66-1,112, 66-1,112a; K.S.A. 66-1,112g, 66-1,129 and K.S.A. 1999 Supp. 66-1,129b; implementing K.S.A. 1999 Supp. 66-1,112, K.S.A. 66-1,129 and K.S.A. 1999 Supp. 66-1,129b; effective Jan. 1, 1971; amended May-1, 1981; amended May 1, 1984; amended May 1, 1985; amended May 1,

1987; amended May 1, 1988; amended April 30, 1990; amended Sept. 16, 1991; amended July 6, 1992; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 30, 1995; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-23. General requirements.** (a) Each insurance policy shall be written in the full and correct name of the individual, partnership, limited liability partnership, limited liability company, or corporation to whom the certificate, permit, or license has been issued, and in case of a partnership, all partners shall be named.

(b) Policies filed with the commission shall be deemed the property of the commission and shall not be returnable.

(c) Cancellation notices and expiration notices shall be filed in duplicate with the commission on the uniform notice of cancellation of motor carrier insurance policies (form K) or in compliance with 49 C.F.R. Part 387 as in effect on October 1, 1998, which is adopted by reference. The original copy shall be retained by the commission, and the duplicate copy shall be stamped with the date it is received and returned to the insurance company for their files.

(d) A policy that has been accepted by the commission under article 4 may be replaced by filing a new policy. If the commission determines that the replacement policy is acceptable, then the earlier-filed policy shall no longer be considered the effective policy.

(e) Public liability and property damage insurance policies filed with the commission and motor carriers registered pursuant to 49 C.F.R. Part 387, shall fulfill the insurance requirements of K.S.A. 66-1,128, and amendments thereto, and the regulations adopted by the commission.

(f) Each policy of insurance filed with the commission for approval shall be in amounts not less than the minimum of liability required under K.S.A. 66-1,128 and amendments thereto. (Authorized by K.S.A. 1999 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g; implementing K.S.A. 1999 Supp. 66-1,128; effective Jan. 1, 1971; amended May 1, 1981; amended Oct. 3, 1994; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-24a. Standard insurance forms.** (a) All motor carriers shall use the uniform standard insurance forms established under the provisions of 49 C.F.R. Part 387.

(b) The uniform motor carrier bodily injury and property damage liability certificate of insurance shall be form E for intrastate regulated and interstate exempt motor carriers.

(c) The uniform motor carrier cargo certificate of insurance shall be form H for intrastate common and contract carriers.

(d) Form BMC 91 and BMC 91X shall be required for interstate regulated motor carriers in accordance with 49 C.F.R. Part 387.

(e) The uniform notice of cancellation of motor carrier insurance policies shall be form K. (Authorized by K.S.A. 1999 Supp. 66-1,112a, 66-1,112, K.S.A. 66-1,112g; implementing K.S.A. 1999 Supp. 66-1,128; effective May 1, 1981; amended May 1, 1984; amended Oct. 3, 1994; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-27c. Applications for transfer for purposes of change in the form of a business organization.** (a) Any

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application to transfer a certificate of convenience and necessity or a certificate of public service issued to a common motor carrier or to transfer any permit issued to a contract carrier shall be considered by the commission without a hearing, pursuant to K.S.A. 66-1,115a, and amendments thereto, when the transfer is required because of any change in the form of business organization, including the following:

(1) Incorporation of the limited liability company, sole proprietorship, limited liability partnership, or partnership holding the certificate or permit to be transferred;

(2) the dissolution of the corporation holding the certificate or permit and the formation of a limited liability company, partnership, limited liability partnership, or sole proprietorship by the entities comprising the former corporation;

(3) the dissolution of the limited liability company holding the certificate or permit and the formation of a partnership, limited liability partnership, or sole proprietorship by the entities comprising the former limited liability company;

(4) the dissolution of the limited liability partnership holding the certificate or permit and the formation of a limited liability company, partnership, or sole proprietorship by the entities comprising the former limited liability partnership; or

(5) the dissolution of the partnership holding the certificate or permit and formation of a sole proprietorship by a former partner.

(b) The application for transfer shall contain all applicable information required by K.A.R. 82-4-27a and a signed affidavit from the transferor stating both of the following:

(1) That the transfer is for any of the following:

(A) The incorporation of the present limited liability company, sole proprietorship, partnership, or limited liability partnership;

(B) the dissolution of a corporation to form a limited liability company, partnership, limited liability partnership, or sole proprietorship;

(C) the dissolution of a limited liability company to form a partnership, limited liability partnership, or sole proprietorship;

(D) the dissolution of a limited liability partnership to form a limited liability company, partnership, or sole proprietorship;

(E) the dissolution of partnership to form a sole proprietorship; or

(F) any other change in the form of business; and

(2) that the management, operations, and equipment of the transferee will be the same as that of the transferor. (Authorized by K.S.A. 1999 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,117; implementing K.S.A. 1999 Supp. 66-1,112, 66-1,112a, 66-1,114, 66-1,115, 66-1,115a, K.S.A. 66-1,117; effective May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended Sept. 16, 1991; amended July 6, 1992; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-27e.** Application to merge or consolidate intrastate common or contract authority; or to acquire control or management of an intrastate common or contract

**motor carrier operation.** (a) This regulation shall apply to individuals, partnerships, limited liability companies, limited liability partnerships, or corporations who intend to merge, consolidate, or acquire control or management of a motor carrier operation that possesses common or contract interstate authority as well as intrastate authority, or possesses intrastate authority. The merger, consolidation, or acquisition may be affected by factors including stock acquisition, transfer of a partnership interest, or a conditional sales contract.

(b) Any entity who has received approval or exemption from the U.S. department of transportation or federal highway administration to make any transaction described in subsection (a) shall send a copy of that approval or exemption to the commission and provide the information set out in subsection (d) of this regulation on the required application.

(c) Any entity that desires to make any transaction described in subsection (a) and has not received approval or exemption of the USDOT or FHWA shall provide the information set out in subsections (d) and (e) of this regulation and comply with the requirements of subsection (f) of this regulation.

(d) The applicant shall file an original and two copies of the application with the commission. The application shall contain the following information:

(1) The background of the transaction, including the names of the entities involved, their addresses, the reasons for the transaction, items to be retained, including equipment, property, and any other item relevant to the transaction; and

(2) a signed affidavit stating whether or not all ad valorem taxes have been paid to the state of Kansas, and who shall be responsible for paying any outstanding ad valorem tax obligation.

(e) Those applicants who have not received approval or exemption from the USDOT or FHWA shall also provide the following information:

(1) With respect to a partnership transaction, the percentage of the partnership being transferred and the percentage of each partner as a result of the transaction;

(2) with respect to a stock transaction, the total number of shares outstanding, the total number of shares being transferred and to whom, and the total number of shares any transferee held before the stock transaction; and

(3) written testimony that sets forth a detailed explanation of why the applicant for a certificate of convenience and necessity is fit, willing, and able to provide the service sought, or in the case of an applicant for a certificate of public service, why the applicant is fit, knowledgeable, and compliant with safety regulations. This testimony shall demonstrate the manner in which the proposed operation will be managed in a safe and reasonable manner, a thorough knowledge of the applicable rules and regulations, and any other information relevant to show that the applicant for a certificate of convenience and necessity is fit, willing, and able to perform the proposed service, or in the case of an applicant for a certificate of public service, to show that the applicant is fit, knowledgeable, and compliant with safety regulations.

(f) All applications filed under this regulation, with the exception of those from carriers that have received ap-



proval or exemption from the USDOT or FHWA, shall be noticed to the public and set for hearing as required by K.S.A. 66-1,114 and 66-1,112b, and amendments thereto. (Authorized by K.S.A. 1999 Supp. 66-1,112 and 66-1,112a; implementing K.S.A. 1999 Supp. 66-1,112a, K.S.A. 66-1,112c, K.S.A. 1999 Supp. 66-1,114 and 66-1,118; effective May 1, 1986; amended July 6, 1992; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-27f.** (Authorized by K.S.A. 1997 Supp. 66-1,112, K.S.A. 66-1,112a, K.S.A. 66-1,117; implementing K.S.A. 1997 Supp. 66-1,112, K.S.A. 66-1,112a, K.S.A. 66-1,114, and 66-1,115; effective May 1, 1986; amended May 1, 1987; amended Oct. 3, 1994; amended Jan. 4, 1999; revoked July 14, 2000.)

**82-4-27g.** Applications for transfer for purposes of name change of a motor carrier. (a) Any application to transfer a certificate of convenience and necessity or a certificate of public service because of a name change of an entity holding a certificate or permit shall be considered by the commission without a hearing, pursuant to K.S.A. 66-1,115a, and amendments thereto. The application shall state the reasons for the name change.

(b) Any name change requested because of a change in the form of business shall be filed pursuant to K.A.R. 82-4-27c. (Authorized by and implementing K.S.A. 1999 Supp. 66-1,115a; effective July 6, 1992; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-30a.** Applications for interstate registration.

(a) Each interstate motor carrier designating Kansas as the carrier's registration state and operating in interstate commerce over the highways of this state under authority issued by the U.S. department of transportation or federal highway administration shall file, in duplicate, the uniform application for registration issued by the USDOT, as required by 49 C.F.R. Part 367 as in effect on October 1, 1998, which is adopted by reference.

(b) Each interstate motor carrier operating in interstate commerce that is specifically exempt from the USDOT's and FHWA's jurisdiction shall file an application on forms approved by the commission.

(c) An interstate regulated motor carrier shall not operate in interstate commerce over the highways of this state unless the carrier meets these conditions:

(1) Is registered in the carrier's registration state pursuant to 49 U.S.C. §13902, as in effect on January 26, 1998, and hereby adopted by reference, and 49 C.F.R. Part 367; and

(2) has a current registration receipt in each motor vehicle. (Authorized by K.S.A. 1999 Supp. 66-1,112, 66-1,112a; implementing K.S.A. 1999 Supp. 66-1,116; modified, L. 1981, ch. 424, May 1, 1981; amended Oct. 3, 1994; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-31.** Issuance of registration receipts to interstate regulated common and contract carriers. (a) A registration receipt shall not be issued to an interstate regulated motor carrier with Kansas as its registration state until the motor carrier is in full compliance with all of the provisions of the Kansas laws.

(b) Before any interstate regulated motor carrier operates a vehicle within the borders of the state of Kansas

in interstate commerce, the motor carrier shall place one current registration receipt issued by the carrier's registration state in each motor vehicle, pursuant to the provisions of federal law, 49 C.F.R. Part 367.

(c) The registration receipt shall be maintained in the cab of the vehicle for which prepared whenever the vehicle is operated under the authority of the carrier identified on the receipt.

(d) Upon demand, a driver shall show the registration receipt to any authorized agent or representative of the commission, or to the Kansas highway patrol or any other law enforcement officer in the state.

(e) Each registration receipt issued by the commission shall be valid through December 31 in the calendar year for which it is issued.

(f) A motor carrier with Kansas as its registration state shall operate only the number of motor vehicles in Kansas for which it has paid the appropriate fees.

(g) Fees may be remitted by personal check, cash, certified check, money order, or electronic transfer of funds. (Authorized by K.S.A. 1999 Supp. 66-1,112 and 66-1,112a; implementing K.S.A. 1999 Supp. 66-1,112, 66-1,112a, and 66-1a01; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1984; amended Oct. 3, 1994; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-32.** Completing motor carrier applications. (a)

Each applicant filing an application for an intrastate common carrier certificate, interstate license, intrastate contract carrier permit, or private carrier permit shall provide the commission with all necessary information to complete the application within 30 days of the original filing date. Applications that are not completed within 30 days of the original filing date may be dismissed without further notice at the discretion of the commission.

(b) All necessary information required to complete a filing for a certificate of convenience and necessity, certificate of public service, intrastate contract carrier permit, or a private carrier permit shall be provided to the commission within 30 days after the date of the hearing. If the required information is not provided within that 30-day period, the application may be dismissed by the commission without further notice.

(c) Required application fees shall not be refunded if the application is dismissed by the applicant or the commission.

(d) Fees may be remitted by personal check, cash, certified check, money order, or electronic transfer of funds. (Authorized by K.S.A. 1999 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g and 66-1,117; implementing K.S.A. 66-1,117; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1987; amended Oct. 3, 1994; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-33.** Service of process. (a) The applicant for a certificate, permit, or license who is not a resident of Kansas shall not be granted a certificate, permit, or license until the applicant designates an agent who is a resident of the state of Kansas to be a process agent for and on behalf of the applicant.

(b) Each interstate regulated carrier shall provide and maintain the name of the carrier's agent for service of

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process with the carrier's registration state, pursuant to 49 C.F.R. Part 367.

(c) This regulation shall not apply to private carrier applicants. This regulation shall not be construed to relieve motor carriers from the obligation to comply with K.S.A. 60-305a, and amendments thereto. (Authorized by K.S.A. 1999 Supp. 66-1,112 and 66-1,112a; implementing K.S.A. 1999 Supp. 66-1,112, 66-1,112a, and 66-1,112b; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1985; amended Oct. 3, 1994; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-35a. Inspections of motor carrier documents.**

The following documents shall be held available upon request for inspection by any duly authorized representative of the commission, the state highway patrol, or other law enforcement officers:

- (a) Registration receipts;
- (b) authority cards;
- (c) driver logs;
- (d) bills of lading or shipping receipts;
- (e) way bills;
- (f) freight bills;
- (g) run tickets, or equivalent documents, and orders;
- (h) cab cards;
- (i) fuel receipts;
- (j) toll road receipts; and
- (k) other documents that would indicate compliance with hours of service requirements. (Authorized by K.S.A. 1999 Supp. 66-1,112a, 66-1,112, and K.S.A. 66-1,112g; implementing K.S.A. 1999 Supp. 66-1,112a, 66-1,112, K.S.A. 66-1,112g, 66-1,131, and K.S.A. 1999 Supp. 66-1,139; effective May 1, 1987; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-37. Identification cards.** Holders of certificates, permits, or licenses shall carry on every vehicle operated under the certificates, permits, or licenses, or pursuant to 49 C.F.R. Part 367, an identification card issued by the commission during the current calendar year showing the certificate, permit, or license number, and either a complete description of the vehicle or a registration receipt, or both, issued by their registration state. The identification card or registration receipt, or both, shall be carried in the driver's compartment of the vehicle. (Authorized by K.S.A. 1999 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g; implementing K.S.A. 1999 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g, K.S.A. 1999 Supp. 66-1,139; effective Jan. 1, 1971; amended May 1, 1981; amended May 10, 1993; amended Oct. 3, 1994; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-42. Emergency and occasional equipment.** (a) Holders of certificates, permits, and licenses who have motor vehicles properly registered with the commission and who have complied with all lawful requirements may in case of emergency be authorized by the commission by fax, or otherwise, to operate additional equipment or special equipment in substitution of regular registered equipment.

(1) Regular registered equipment for which special equipment is being substituted shall not be operated at

the same time that the special equipment is being operated.

(2) The registration fee for the additional or special equipment shall be \$2.50 for each truck or truck-tractor for a period of 72 hours.

(3) In the event of seasonal emergency, a 30-day temporary wire or letter of authority may be issued.

(b) Each truck or truck-tractor operator that enters the state of Kansas on occasional trips and is qualified under the law to enter the state on a special permit shall pay a special clearance fee of \$5.00 per trip if the operator meets the following conditions:

(1) Is operating as a private motor carrier of property or an interstate exempt motor carrier;

(2) is not operating under commission authority and has no commission permit, license, or certificate number; and

(3) is not operating in interstate commerce with proper registration in a base state other than Kansas. The \$5.00 fee shall be paid when the truck or truck-tractor is loaded or will be loaded or unloaded in Kansas, regardless of the number of miles traveled.

(c) The time, manner, and method of operating the additional or special equipment shall be entirely within the discretion of, and shall be determined solely by, the commission.

(d) A motor carrier operating in interstate commerce under the provisions of 49 C.F.R. Part 367 shall not be eligible to register equipment under subsections (a) and (b) of this regulation. (Authorized by K.S.A. 1999 Supp. 66-1,112, 66-1,112a, K.S.A. 66-1,112g, 66-1,140; implementing K.S.A. 66-1,140; effective Jan. 1, 1971; amended May 1, 1981; amended Oct. 3, 1994; amended Jan. 4, 1999; amended July 14, 2000.)

**82-4-57. Powers of attorney and concurrences.** (a)

A common or contract carrier desiring to give a power of attorney to an agent to issue and file tariffs and supplements for the carrier shall file notice of this intention on a form approved by the commission.

(b) If a common or contract carrier desires to concur in tariffs issued and filed by another carrier or by its agent, a concurrence in substantially the same form as that prescribed by the USDOT for use in similar instances, with reference to the interstate tariffs, shall be issued in favor of the issuing carrier.

(c) The original of all powers of attorney and concurrences shall be filed with the commission, and a duplicate of the original shall be sent to the agent or carrier on whose behalf the document is issued.

(d) If a common or contract carrier wishes to revoke a power of attorney or concurrence, a notice shall be filed with the commission, the carrier's agent or agents, and any other carrier affected by the revocation. The notice shall be filed no fewer than 30 days before the effective date. (Authorized by K.S.A. 66-108, K.S.A. 1999 Supp. 66-1,112 and 66-1,112a; implementing K.S.A. 1999 Supp. 66-1,112e, K.S.A. 66-1,112f; effective Jan. 1, 1971; amended May 1, 1981; amended May 1, 1984; amended Jan. 4, 1999; amended July 14, 2000.)

Jeffrey S. Wagaman  
Executive Director

Doc. No. 025372

## State of Kansas

## State Corporation Commission

## Notice of Motor Carrier Hearings

The following motor carriers have filed various applications. All applications listed herein are for statewide authority, unless otherwise stated.

Requests to inspect and copy the notices provided to the parties and questions in regard to these applications 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 person to contact for these matters is Vickie Berg at (785) 271-3225. Anyone needing special accommodations should give notice to the commission.

## Applications for Certificate of Public Service:

**Adrian Xpress, LLC**, Route 1, Box 213, Adrian, MO 64720; MC ID No. 158505; Douglas Deady, Attorney; General commodities (except household goods).

**Alliance, Inc.**, 1749 N. Lincoln, Russell, KS 67665; MC ID No. 158510; Joseph Weiler, Attorney; General commodities (except Classes A and B explosives, household goods and hazardous materials).

**Isaac Dowing, dba Circle D Farms**, 6310 N. Dean Road, Nickerson, KS 67561; MC ID No. 158807; General commodities (except household goods and hazardous materials).

**Benjamin Gardner, dba D & B Enterprises**, 401 N. 4th St., Leoti, KS 67861; MC ID No. 158509; General commodities (except household goods and hazardous materials).

**Hall Trucking, Inc.**, 7404 Joe St., Hutchinson, KS 67501; MC ID No. 158508; General commodities (except household goods and hazardous materials).

**Hunt Enterprises, Inc.**, 1009 E. Lakeview, Olathe, KS 66061; MC ID No. 158511; Clyde Christey, Attorney; General commodities (except household goods).

**Larry Joe Lambert, dba Lambert Farms**, Route 1, Box 92, Kismet, KS 67859; MC ID No. 158858; General commodities (except explosives and household goods).

**Nelson Trucking, Inc.**, Route 1, Box 112, St. John, KS 67576; MC ID No. 158512; William Barker, Attorney; General commodities (except household goods and hazardous materials).

**Sund Farms, Inc.**, 6600 E. 141st St., Overbrook, KS 66524; MC ID No. 158506; Joseph Weiler, Attorney; General commodities (except Classes A and B explosives and household goods).

**TheMerc.Com., L.L.C.**, 600 S. Tyler, Wichita, KS 67209; MC ID No. 158507; Greg Klenda, Attorney; General commodities (except household goods).

**WeBe Truckin, LLC**, 532 S. Market, Wichita, KS 67202; MC ID No. 158836; William Barker, Attorney; General commodities (except household goods).

**Worldwide Dedicated Services, Inc.**, 990 Hammond Drive, Suite 400, Atlanta, GA 30328; MC ID No. 212190; General commodities (except household goods and hazardous materials).

## Application for Transfer of Certificate of Public Service:

**Home Oil & Gas Corp., dba Missouri Transports**, 915 Atchison St., St. Joseph, MO 64503, MC ID No. 100645, to: Trexcon, Inc., dba Missouri Transports, 915 Atchison St., St. Joseph, MO 64503; Kathy Sadoun, Attorney; Petroleum and petroleum products, except crude oil, liquified petroleum gas, fertilizers and asphalt.

## Applications for Name Change of Certificate of Public Service:

**Fairview Elevator Company**, 32 S. 6th, Seneca, KS 66538, MC ID No. 102475, to: Fairview Mills, Inc., 32 S. 6th, Seneca, KS 66538; William Barker, Attorney; General commodities (except household goods and hazardous materials).

**Initial DSI Transports, Inc.**, 1500 John Houston Blvd., Suite 600, Houston, TX 77032, MC ID No. 107029, to: DSI Transports, Inc., 1500 John Houston Blvd., Suite 600, Houston, TX 77032; General commodities (except Classes A and B explosives, household goods and hazardous materials).

## Application for Abandonment of Certificate of Public Service:

**Karen L. Anderson, dba E-Z Trucking**, 727 Fischer Court, Ulysses, KS 67880; MC ID No. 156246.

Jacquelyn S. Miller  
Administrator  
Transportation Division

Doc. No. 025386

## State of Kansas

## Kansas Lottery

## Temporary Administrative Regulations

## Article 2.—LOTTERY RETAILERS

**111-2-103. "Hen House" rewards card promotion.**

(a) During the month of July 2000, the Kansas lottery shall conduct a promotion entitled, "Hen House rewards card promotion."

(b) The promotion will run from 5:00 a.m. beginning July 1, 2000, through and including July 31, 2000, at the close of the business day as defined by subsection (p) of K.A.R. 111-6-1 at all Hen House grocery store lottery retail locations in Kansas.

(c) Each time a person purchases one or more Kansas lottery instant scratch tickets in a single purchase, having a total value of \$5 or more, and as part of said purchase has his or her Hen House rewards card scanned by the retailer, the Hen House rewards system will produce a voucher receipt for one free \$1 Kansas lottery Kansas Cash ticket. All voucher receipts shall have the Hen House grocery store logo at the top, the name and address of the store from which the purchase was made, the date and time the voucher receipt was produced, and a description of the ticket(s) purchased and the price paid for each ticket. In addition, at the bottom of each voucher receipt shall be printed a message that the voucher receipt may be redeemed at the store where the voucher receipt was produced for one free \$1 Kansas lottery Kansas Cash ticket. Only the original voucher receipt shall be eligible for redemption and the retailer shall retain each original voucher receipt until turned over to the lottery.

(d) For each such original voucher receipt turned over to the lottery by the retailer, the retailer shall receive \$1 credit for each free \$1 Kansas lottery Kansas Cash ticket properly issued by the retailer.

(e) All voucher receipts must be redeemed no later than August 31, 2000, at the close of the business day as defined by subsection (p) of K.A.R. 111-6-1. No credit will

(continued)

be allowed for any voucher receipts redeemed after said time.

(f) During this promotion, all retailer locations participating in the promotion shall display special point-of-sale materials provided by the lottery.

(g) Each person who redeems a voucher receipt must be 18 years of age or older. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8708; effective, T-111-6-19-00, June 16, 2000.)

### Article 3.—INSTANT GENERIC GAME RULES

**111-3-1. Definitions.** The following definitions apply to all instant ticket games: (a) "Bare arm technique" means a type of drawing in which the person drawing the winning ticket from the receptacle or drum wears a short-sleeved (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm, or a long-sleeved shirt rolled up past the elbow and looks away from the drawing drum or receptacle while drawing.

(b) "Book" means a pack of fanfolded instant game tickets which are attached to each other by perforations, which perforations the retailer tears when selling a ticket from the book.

(c) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. The book-ticket number is a number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000. The book-ticket number is printed in two places on the back of each ticket.

(d) "Claimant" means a holder of a ticket who presents it for payment of a prize, whether or not the holder may have an obligation to share the prize.

(e) "Co-sponsor drawings" are the acts of drawing for prizes which may be held subsequent to the lottery drawings.

(f) "Co-sponsor(s)" means the person, retailer or organization designated by the executive director to assist in organizing and participating in the lottery drawings.

(g) "Drawings" are the acts of drawing prizes conducted by the Kansas lottery.

(h) "Drum" means a container which can be sealed and rotated for the purpose of mixing, and into which instant tickets are placed for the purpose of drawing preliminary and/or final drawing winners.

(i) "Executive director" means the executive director of the Kansas lottery, or the person designated by the executive director.

(j) "Instant game" means a lottery game in which a ticket is purchased by a player and the player can immediately determine whether he or she has won a prize by removing the removable covering on the ticket and comparing the exposed play numbers or symbols with those specified as winners in the published game rules for that instant game.

(k) "Lottery retailer" or "retailer" means a person or business authorized by the lottery to sell lottery tickets.

(l) "Lottery security" means the lottery security officer or a certified law enforcement officer(s) designated by the executive director or the person designated by the executive director.

(m) "Non-winning ticket" means any valid Kansas instant game lottery ticket not eligible to win a prize under any specific instant game rules, but which may be eligible for a lottery drawing.

(n) "Participant" means any person, player, or contestant participating in a lottery game and anyone designated by a prize winner to appear on his or her behalf for any lottery game including any lottery drawing or televised draw show. In the event the prize winner or his or her designee fails to appear for a drawing or televised draw show, the executive director may designate an adult who may be a member of his staff to participate on behalf of the non-appearing prize winner. Any prize won by a participant appearing through a designee shall be payable to and delivered to the prize winner as provided by these rules and regulations.

(o) "Play area" is the portion of the front of each instant game ticket where the play or game symbols appear. It is covered by a removable layer of material which is intended to be removed ("scratched off") by the player to reveal the play or game symbols.

(p) "Play symbols" or "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 holder is entitled to a prize.

(q) "Play symbol captions" or "game symbol captions" are the words or portions of words printed beneath each play or game symbol in the play area and are used to repeat or explain the play or game symbol. The play or game symbol caption associated with each play or game symbol is designated by the rules of the game.

(r) Prize tiers:

(1) "Low-tier prize" means a lottery instant game prize not exceeding \$599.00.

(2) "High-tier prize" means a lottery instant game prize in excess of \$599.00.

(s) "Receptacle" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the drawings are made. Receptacles may be sealable and capable of being mixed.

(t) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer may use this code to confirm winners which are validated through the terminal and to be paid by the retailer.

(u) "Special event" means a drawing or other method of awarding an additional prize or prizes within a group of lottery instant game winners as defined by the rules for a particular instant game.

(v) "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.

(w) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. The ticket validation number appears under the removable covering on the front of each instant ticket.

(x) "Activated book" means book or pack of instant tickets activated on the lottery's computer system, which is available for sale to the public by a lottery retailer.

(y) "Consigned book" or "consigned pack" means a full book or pack of instant tickets sealed in shrink wrap and delivered to a certified Kansas lottery retailer, which is designated on the lottery's computer system as consigned and has not been made available to the public.

(z) "Partial pack" means a book or pack of instant tickets which has been activated, whether or not any of the tickets from the pack have been sold and whether or not the pack has been settled, or a pack not yet activated but upon which the shrink wrap or other seal has been broken or damaged.

(aa) "End-of-game date" means the date announced by the executive director as the last date for consignment of tickets, which date shall be 180 days prior to the expiration date of the game unless otherwise specified by the executive director.

(bb) "Expiration date" means the last date an instant ticket may be validated and eligible to win a prize, which date shall be 180 days following the end-of-game date as announced by the executive director, unless otherwise specified by the executive director. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-88-39, Oct. 15, 1987; amended, T-89-7, Feb. 26, 1988; amended, T-111-12-28-89, Dec. 21, 1989; amended, T-111-10-10-90, Sept. 15, 1990; amended, T-111-12-21-90, Dec. 14, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-12-20-93, Dec. 16, 1993; amended, T-111-11-8-94, Oct. 20, 1994; amended, T-111-6-5-95, May 31, 1995; amended, T-111-3-4-98, Jan. 16, 1998; amended, T-111-6-11-99, May 21, 1999; amended, T-111-1-27-00, Jan. 21, 2000; amended, T-111-6-19-00, June 16, 2000.)

#### Article 4.—INSTANT GAME RULES

**111-4-880. Method of entry.** (a) Entry into the daily "State Fair Drawings" is accomplished as follows:

(1) Only valid \$1.00 Kansas instant lottery tickets sold that year at the Kansas state fair selling location are eligible.

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

(3) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the ticket may enter the "State Fair Drawings."

(4) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner.

(5) The holder of the non-winning ticket must take the non-winning ticket with the completed information on the back of the ticket to the location of the "State Fair Drawings" and place it in the receptacle or drum provided during the "State Fair."

(6) A receptacle or drum shall be available and entries may be made at the Kansas lottery building at the state fair at the times stated in K.A.R. 111-4-877.

(7) The holder of the ticket is not required to personally attend the "State Fair Drawings" or be present at the time of the drawing to be determined a winner.

(8) The drawings will be conducted at the approximate times listed in K.A.R. 111-4-877.

(9) There is no limit to the number of entries a participant may make, but regardless of the number of entries a person whose name appears on a valid entry drawn in the "State Fair Drawings" has made, he or she shall not be eligible to win more than one \$100 prize on each drawing date.

(b) No person employed by a co-sponsor or person living in the same household as an employee of a co-sponsor shall be eligible to enter a drawing or win a prize resulting from such a drawing. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-7-22-96, July 19, 1996; amended, T-111-6-19-00, June 16, 2000.)

**111-4-881. Determination of "State Fair Drawings" winners.** (a) At least 10 minutes before the drawings, the co-sponsor or person designated by the executive director shall announce to the audience the time that the winner selection process will begin. Any persons wishing to enter the drawing who have not yet done so shall immediately place their tickets into the receptacle or drum at this time.

(b) The co-sponsor or person designated by the executive director shall announce that entries into the "State Fair Drawings" are closed. No further entries will be accepted. If sealable, the drawing receptacle or drum shall then be sealed.

(c) All non-winning tickets placed in receptacles or drums at the locations identified in subsections (a)(5) and (6) of K.A.R. 111-4-880 shall be under the supervision of the lottery security personnel present prior to each "State Fair Drawing."

(d) Daily drawings shall be conducted only from valid entries placed in the receptacle or drum at the state fair lottery location. After the first daily drawing, subsequent daily drawings shall be drawn from entries received from the close of each daily drawing until the close of the next daily drawing. Following each daily drawing, lottery security shall remove all entries for the just completed drawing from the receptacle, and retain custody of the tickets until they can be destroyed.

(e) The receptacle or drum shall be rotated a minimum of 10 times or mixed thoroughly with a shovel for two minutes by lottery security personnel present to ensure random selection. After rotation or mixing, any seals shall be removed.

(f) The executive director shall designate one individual of his choice to participate in the selection process.

(g) The selection of "State Fair Drawings" winners shall be accomplished by the individual designated by the executive director, using a bare arm technique, while looking away from the receptacle and removing only one ticket from the receptacle in which all entries were placed. The lottery security officer present and the lottery draw manager shall review the selected ticket to determine if the name stated on the information form located on the back of the selected ticket is legible and whether the ticket

(continued)



is valid. This process shall be repeated until five valid entries have been drawn.

(h) The named person is not required to be present in order to win the "State Fair Drawings" prizes described in K.A.R. 111-4-879. The security person conducting the drawing shall be responsible for the final determination concerning the legibility of the name on any ticket drawn and its validity.

(i) The five persons whose tickets have been drawn from the receptacle or drum and who meet the entry and validation requirements at each drawing shall be determined "State Fair Drawings" winners.

(j) Each winner shall be given or mailed a prize claim form to be completed and returned to the lottery within 45 days of the drawing.

(k) If the name on any ticket drawn is not legible or there is insufficient information on the information form, the ticket drawn will be void and the selection process shall be repeated until a valid ticket eligible for the drawings identified in K.A.R. 111-4-877 is selected.

(l) After five valid entries have been drawn for each daily drawing, five additional tickets shall be drawn following the procedure in subsection (g) above and given to lottery security to hold as alternates designated as 1A, 1B, 1C, 1D, and 1E in the event any of the tickets previously drawn do not meet entry or validation requirements or the prize winners cannot be located by telephone or United States mail within 30 days of the drawing. The alternate tickets, if used, will be utilized in order drawn. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-7-22-96, July 19, 1996; amended, T-111-8-25-97, Aug. 15, 1997; amended, T-111-6-8-00, May 12, 2000; amended, T-111-6-19-00, June 16, 2000.)

**RULES FOR INSTANT GAME NO. 108  
"50 SMACKERS"**

**111-4-1712. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "50 Smackers" commencing on or after June 26, 2000. The specific rules for the "50 Smackers" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1712 through 111-4-1715. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1713. Definitions.** The following definitions shall apply to the "50 Smackers" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink with matching captions. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: FREE - \$2.00 - \$5.00 - 10.00 - 15.00 - 50.00 - \$500\$.

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

Game Symbol	Game Symbol Caption
FREE	TICKET

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

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears 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 a 9-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 player 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: FRE = FREE TICKET; TWO = \$2.00; FIV = \$5.00; TEN = \$10.00; FTN = \$15.00; FTY = \$50.00; FHN = \$500.00.

(f) "Bar code" means the 20-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1714. 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 six prize amounts. If three of the six prize amounts are identical, the player wins the prize amount shown. A player can win one time 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-111-6-19-00, June 16, 2000.)

**111-4-1715. Number and value of instant prizes.**

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

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE	FREE TICKET	216,000	\$0
3 - \$2.00's	\$2	72,000	144,000
3 - \$5.00's	\$5	40,800	204,000
3 - \$10.00's	\$10	11,100	111,000
3 - \$15.00's	\$15	6,600	99,000
3 - \$50.00's	\$50	6,600	330,000
3 - \$500's	\$500	30	15,000
TOTAL		<u>353,130</u>	<u>\$903,000</u>

(b) The executive director may terminate the sale of



tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 5.10.

(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-111-6-19-00, June 16, 2000.)

**RULES FOR INSTANT GAME NO. 109  
"BONUS SUPER DOUBLE BLACKJACK"**

**111-4-1730. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "Bonus Super Double Blackjack" commencing on or after June 26, 2000. The specific rules for the "Bonus Super Double Blackjack" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1730 through 111-4-1734. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1731. Definitions.** The following definitions shall apply to the "Bonus Super Double Blackjack" 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 35 play spots within the play area. Each play symbol for this instant game is one of the following: 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10 - J - Q - K - A - BUST - \$1.00 - \$2.00 - \$3.00 - \$4.00 - \$5.00 - 7.00 - 10.00 - 11.00 - 21.00 - 70.00 - \$110\$ - \$210\$ - \$2100 - \$21000.

(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 game symbol. The play symbol caption associated with each play symbol is as follows:

Play Symbol	Play Symbol Caption
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
J	JAK
Q	QEN
K	KNG
A	ACE
BUST	BUST
\$1.00	ONE\$
\$2.00	TWO\$
\$3.00	THR\$
\$4.00	FOUR\$
\$5.00	FIVE\$

\$7.00	SEV\$
10.00	TEN\$
11.00	ELEVEN
21.00	TWEN-ONE
70.00	SEVENTY
\$110\$	ONETEN
\$210\$	TWOTEN
\$2100	21-HUN
\$21000	21-THOU

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

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is a 9-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 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: TWO = \$2.00; FIV = \$5.00; SEV = \$7.00; TEN = \$10.00; ELV = \$11.00; TWY = \$20.00; TWN = \$21.00; STY = \$70.00; OTN = \$110.00; THT = \$210.00.

(f) "Bar code" means the 20-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1732. Cost of ticket.** The price of "Bonus Super Double Blackjack" instant tickets sold by a retailer shall be \$2.00 each. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1733. Determination of instant prize winners.** This is a "Beat the Dealer" game featuring two table play game areas and one bonus play area. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering each table play area to reveal five hands, "HAND 1," "HAND 2," "HAND 3," "HAND 4," and "HAND 5," five prize amounts, and one "DEALER'S HAND." If the total value of a "HAND" is higher than the value of the "DEALER'S HAND," the player wins the prize directly below that "HAND." If the player gets "BLACKJACK" (total point value of 21) in any "HAND," the player wins double the prize for that "HAND." If the "DEALER'S HAND" shows "BUST," the player wins all five prizes on that table play area. For this game, the cards

(continued)

"J," "Q," and "K" will have a point value of 10 and the card "A" will have a point value of 11.

To play the bonus game, the player removes the scratch-off material covering the "BONUS" play area. If an ace (A) symbol is revealed, the player wins \$10 instantly.

Each ticket 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-111-6-19-00, June 16, 2000.)

**111-4-1734. 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:

(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-111-6-19-00, June 16, 2000.)

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$2	\$2	42,000	\$84,000
\$1 Doubled	\$2	60,000	120,000
\$1 + \$1	\$2	27,000	54,000
\$5	\$5	3,900	19,500
\$2 Doubled + \$1	\$5	4,500	22,500
\$3 + \$2	\$5	4,500	22,500
\$1 Doubled + \$1 Doubled + \$1	\$5	4,500	22,500
\$1 x 5	\$5	4,500	22,500
\$1 + \$2 + \$2	\$5	4,500	22,500
\$1 x 5(Bust)	\$5	4,500	22,500
\$7	\$7	2,550	17,850
\$2 + \$5	\$7	2,550	17,850
\$1 + \$2 + \$4	\$7	2,550	17,850
\$1 + \$1 + \$1 + \$2 Doubled	\$7	2,550	17,850
\$2 + \$2 + \$2 + \$1	\$7	2,550	17,850
\$1 x 5(Bust) + \$1 Doubled	\$7	1,500	10,500
\$1 + \$1 + \$1 + \$1 + \$1 + \$1 + \$1	\$7	1,500	10,500
\$10 (Bonus)	\$10	2,700	27,000
\$11	\$11	1,200	13,200
\$1 + \$1 + \$2 Doubled + \$5	\$11	1,500	16,500
\$1 + \$1 + \$1 + \$2 Doubled + \$2 Doubled	\$11	1,500	16,500
\$1 x 5(Bust) + \$1 x 5(Bust) + \$10 (Bonus)	\$20	1,500	30,000
\$20	\$20	900	18,000
\$1 + \$5 Doubled + \$5 Doubled	\$21	900	18,900
\$1 + \$5 + \$5 + \$5 + \$5	\$21	900	18,900
\$1 + \$1 + \$1 + \$2 + \$4 + \$4 + \$4 + \$4	\$21	900	18,900
\$2 Doubled + \$2 Doubled + \$4 + \$4 + \$5	\$21	1,050	22,050
\$1 + \$1 + \$1 + \$4 + \$4(Bust) + \$2 x 5(Bust)	\$21	1,050	22,050
\$70	\$70	240	16,800
\$2 + \$2 + \$2 + \$11 Doubled + \$21 Doubled	\$70	255	17,850
\$2 + \$11 + \$11 + \$11 + \$7 x 5(Bust)	\$70	270	18,900
\$7 x 5(Bust) + \$7 x 5(Bust)	\$70	300	21,000
\$1 + \$1 + \$1 + \$5 + \$7(Bust) + \$11 x 5(Bust)	\$70	300	21,000
\$4 x 5(Bust) + \$10 + \$10 + \$10 + \$5 + \$5 + \$10 (Bonus)	\$70	300	21,000
\$110	\$110	99	10,890
\$2 + \$2 + \$7 + \$7 + \$11 Doubled + \$70	\$110	105	11,550
\$11 x 5(Bust) + \$11 x 5(Bust)	\$110	120	13,200
\$210	\$210	12	2,520
\$70 + \$70 + \$70	\$210	12	2,520
\$2 + \$5 + \$21 + \$21 + \$21 + \$70 Doubled	\$210	18	3,780
\$21 x 5(Bust) + \$21 x 5(Bust)	\$210	18	3,780
\$2,100	\$2,100	6	12,600
\$210 x 5(Bust) + \$210 x 5(Bust)	\$2,100	6	12,600
\$21,000	\$21,000	7	147,000
Total		<u>191,818</u>	<u>\$1,081,740</u>

**RULES FOR INSTANT GAME NO. 106  
"DOUBLE DOG DARE"**

**111-4-1735. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "Double Dog Dare" commencing on or after June 26, 2000. The specific rules for the "Double Dog Dare" game are contained in K.A.R. 111-3-1 et. seq. and 111-4-1735 through 111-4-1738. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1736. Definitions.** The following definitions shall apply to the "Double Dog Dare" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink with matching captions. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: \$1.<sup>00</sup> - \$2.<sup>00</sup> - \$4.<sup>00</sup> - \$5.<sup>00</sup> - \$10.<sup>00</sup> - 20.<sup>00</sup> - 40.<sup>00</sup> - \$500\$ - \$1250 - \$2500 - symbol of a dog.

(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. <sup>00</sup>	ONES
\$2. <sup>00</sup>	TWOS
\$4. <sup>00</sup>	FOURS
\$5. <sup>00</sup>	FIVES
10. <sup>00</sup>	TENS
20. <sup>00</sup>	TWENTY
40. <sup>00</sup>	FORTY
\$500\$	FIVE-HUN
\$1250	TWLVFTY
\$2500	TWFHUN
Symbol of a dog	DOUBLER

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is an 11-digit number which appears 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 a 9-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; FOR = \$4.00; FIV = \$5.00; TEN = \$10.00; TWY = \$20.00; FRY = \$40.00; FHN = \$500.00.

(f) "Bar code" means the 20-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1737. Determination of instant prize winners.** An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three of six game which includes a doubler. If three of the six concealed prize amounts match, the player wins the amount shown. If two of the six concealed prize amounts match plus a "DOG SYMBOL," the player wins double the prize amount. 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-111-6-19-00, June 16, 2000.)

**111-4-1738. 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	140,000	\$140,000
2-\$1.00's & (D)	\$2	48,700	97,400
3-\$2.00's	\$2	48,700	97,400
2-\$2.00's & (D)	\$4	15,000	60,000
3-\$4.00's	\$4	15,000	60,000
3-\$5.00's	\$5	10,000	50,000
2-\$5.00's & (D)	\$10	7,000	70,000
3-\$10.00's	\$10	5,700	57,000
2-\$10.00's & (D)	\$20	2,550	51,000
3-\$20.00's	\$20	2,550	51,000
2-\$20.00's & (D)	\$40	500	20,000
3-\$40.00's	\$40	500	20,000
3-\$500's	\$500	40	20,000
2-\$1,250's & (D)	\$2,500	15	37,500
3-\$2,500's	\$2,500	10	25,000
		<u>296,265</u>	<u>\$856,300</u>

(D) denotes DOUBLER.

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 5.06.

(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-111-6-19-00, June 16, 2000.)

(continued)

**RULES FOR INSTANT GAME NO. 107  
"TRIPLE TRIPLER"**

**111-4-1739. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "Triple Tripler" commencing on or after June 26, 2000. The specific rules for the "Triple Tripler" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1739 through 111-4-1742. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1740. Definitions.** The following definitions shall apply to the "Triple Tripler" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink with matching captions. A game symbol appears in each of seven play spots within the play area. Each game symbol for this instant game is one of the following: \$1.<sup>00</sup> - \$2.<sup>00</sup> - \$3.<sup>00</sup> - \$5.<sup>00</sup> - 10.<sup>00</sup> - 18.<sup>00</sup> - 30.<sup>00</sup> - 90.<sup>00</sup> - \$1000 - \$2000 - \$6000 - SINGLE PRIZE - TRIPLE PRIZE - TRIPLE TRIPLER.

(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. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$3. <sup>00</sup>	THR\$
\$5. <sup>00</sup>	FIVE\$
10. <sup>00</sup>	TEN\$
18. <sup>00</sup>	EGTEEN
30. <sup>00</sup>	THIRTY
90. <sup>00</sup>	NINETY
\$1000	ONETHOU
\$2000	TWOTHOU
\$6000	SIXTHOU
SINGLE PRIZE	
TRIPLE PRIZE	
TRIPLE TRIPLER	

(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 a 9-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; THR = \$3.00; FIV = \$5.00; SIX = \$6.00; NIN = \$9.00; FTN = \$15.00; EGN = \$18.00; TRY = \$30.00; NTY = \$90.00.

(f) "Bar code" means the 20-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1741. Determination of instant prize winners.** This is a match three of six dollar amounts game with a "TRIPLE PRIZE" and a "TRIPLE TRIPLER" feature. A player will remove the latex covering over the play area to reveal six prize amounts and a "YOUR PRIZE LEVEL." The "YOUR PRIZE LEVEL" box will reveal either the words "SINGLE PRIZE," "TRIPLE PRIZE," or "TRIPLE TRIPLER." If a player matches three like prize amounts and the words "SINGLE PRIZE" are revealed, the player wins the prize amount shown. If a player matches three like prize amounts and the words "TRIPLE PRIZE" are revealed, the player wins triple the prize amount shown. If a player matches three like prize amounts and the words "TRIPLE TRIPLER" are revealed, the player wins nine times the prize 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-111-6-19-00, June 16, 2000.)

**111-4-1742. 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:

Get	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1's + (single prize)	\$1	125,000	\$125,000
3 - \$1's + (triple prize)	\$3	35,000	105,000
3 - \$3's + (single prize)	\$3	35,000	105,000
3 - \$5's + (single prize)	\$5	18,000	90,000
3 - \$2's + (triple prize)	\$6	13,000	78,000
3 - \$1's + (triple tripler)	\$9	9,000	81,000
3 - \$5's + (triple prize)	\$15	4,250	63,750
3 - \$2's + (triple tripler)	\$18	1,750	31,500
3 - \$18's + (single prize)	\$18	1,750	31,500
3 - \$30's + (single prize)	\$30	650	19,500
3 - \$10's + (triple prize)	\$30	650	19,500
3 - \$10's + (triple tripler)	\$90	225	20,250
3 - \$90's + (single prize)	\$90	225	20,250
3 - \$1,000's + (triple prize)	\$3,000	10	30,000
3 - \$6,000's + (single prize)	\$6,000	2	12,000
3 - \$2,000's + (triple prize)	\$6,000	4	24,000
<b>TOTAL</b>		<u>244,516</u>	<u>\$856,250</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 6.13.

(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-111-6-19-00, June 16, 2000.)

**RULES FOR INSTANT GAME NO. 100**  
"21"

**111-4-1743. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "21" commencing on or after June 26, 2000. The specific rules for the "21" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1743 through 111-4-1746. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1744. Definitions.** The following definitions shall apply to the "21" 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 14 play spots within the play area. Each game symbol for this instant game is one of the following: \$1<sup>00</sup> - \$2<sup>00</sup> - \$4<sup>00</sup> - \$8<sup>00</sup> - \$12<sup>00</sup> - \$20<sup>00</sup> - \$50<sup>00</sup> - \$100 - \$1,000 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10 - J - Q - K - A.

(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 <sup>00</sup>	ONES
\$2 <sup>00</sup>	TWOS
\$4 <sup>00</sup>	FOR\$
\$8 <sup>00</sup>	EGT\$
\$12 <sup>00</sup>	TWLV\$
\$20 <sup>00</sup>	TWENTY\$
\$50 <sup>00</sup>	FIFTY
\$100	ONE HUND
\$1,000	ONE THOU
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SEV
8	EGT
9	NIN
10	TEN
J	JAC
Q	QUN
K	KIN
A	ACE

(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 a 9-digit book number followed by a dash and then a 3-digit ticket num-

ber. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of eight varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; FOR = \$4.00; EGT = \$8.00; TWL = \$12.00; TWY = \$20.00; FTY = \$50.00; HUN = \$100.00.

(f) "Bar code" means the 20-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1745. Determination of instant prize winners.** This is a "Beat the Dealer" game. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the table play area to reveal two "YOUR CARDS" in each "GAME 1," "GAME 2," "GAME 3," and "GAME 4," one "PRIZE" amount for each "GAME," and one "DEALER'S TOTAL." If the total value of "YOUR CARDS" in a "GAME" is higher than the value of the "DEALER'S TOTAL," the player wins the "PRIZE" amount beside that "GAME." 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. Each ticket can win up to four 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-111-6-19-00, June 16, 2000.)

**111-4-1746. 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:

Get	Prize	Expected Number of Prizes in Game	Expected Value in Game
\$1	\$1	218,400	\$218,400
\$2	\$2	18,200	36,400
\$1 + \$1	\$2	43,400	86,800
\$4	\$4	5,600	22,400
\$1 + \$1 + \$1 + \$1	\$4	12,600	50,400
\$2 + \$2	\$4	11,200	44,800
\$8	\$8	5,600	44,800
\$2 + \$2 + \$2 + \$2	\$8	9,800	78,400
\$4 + \$4	\$8	7,000	56,000
\$12	\$12	1,400	16,800
\$4 + \$4 + \$2 + \$2	\$12	2,800	33,600
\$4 + \$4 + \$4	\$12	4,200	50,400
\$8 + \$4	\$12	2,800	33,600
\$20	\$20	1,400	28,000
\$12 + \$8	\$20	4,200	84,000
\$50	\$50	325	16,250
\$20 + \$20 + \$8 + \$2	\$50	325	16,250
\$100	\$100	55	5,500
\$50 + \$50	\$100	55	5,500
\$1,000	\$1,000	30	30,000
TOTAL		349,390	\$958,300

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

(continued)

mately proportional to the number of tickets actually sold. The odds of winning a prize in this game are one in 4.81.

(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-111-6-19-00, June 16, 2000.)

**RULES FOR INSTANT GAME NO. 101  
"HIGH ROLLER"**

**111-4-1747. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "High Roller" commencing on or after June 26, 2000. The specific rules for the "High Roller" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1747 through 111-4-1750. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1748. Definitions.** The following definitions shall apply to the "High Roller" 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 - \$5.00 - \$10.00 - \$15.00 - \$30.00 - \$2,500 - symbol of a die with one dot - symbol of a die with two dots - symbol of a die with three dots - symbol of a die with four dots - symbol of a die with five dots - symbol of a die with six dots.

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

Play Symbol	Play Symbol Caption
\$1.00	ONE\$
\$2.00	TWO\$
\$3.00	THR\$
\$5.00	FIVE\$
\$10.00	TEN\$
\$15.00	FIFTEEN
\$30.00	THIRTY
\$90.00	NINETY
\$2,500	2THOU500
Symbol of a die with one dot	ONE
Symbol of a die with two dots	TWO
Symbol of a die with three dots	THR
Symbol of a die with four dots	FOR
Symbol of a die with five dots	FIV
Symbol of a die with six dots	SIX

(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 a 9-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; THR = \$3.00; FIV = \$5.00; TEN = \$10.00; FTN = \$15.00; TRY = \$30.00; NTY = \$90.00.

(f) "Bar code" means the 20-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1749. Determination of instant prize winners.** This is a match three of six dice symbols game with a "DOUBLE" prize and a "TRIPLE" prize feature. A player will remove the latex covering over the play area to reveal six dice symbols and a "PRIZE" amount. If a player reveals three like dice symbols containing two, three, or four dots each, the player wins the prize amount shown. If a player reveals three like dice symbols containing one dot each, the player wins two times the prize amount shown. If a player reveals three like dice symbols containing six dots each, the player wins three times the prize 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-111-6-19-00, June 16, 2000.)

**111-4-1750. 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:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	\$1	205,800	\$205,800
\$2	\$2	42,000	84,000
\$1 (doubler)	\$2	61,600	123,200
\$3	\$3	12,600	37,800
\$1 (tripler)	\$3	12,600	37,800
\$5	\$5	15,400	77,000
\$5 (doubler)	\$10	14,000	140,000
\$10	\$10	8,400	84,000
\$15	\$15	1,400	21,000
\$5 (tripler)	\$15	4,200	63,000
\$30	\$30	200	6,000
\$10 (tripler)	\$30	275	8,250
\$15 (doubler)	\$30	275	8,250
\$90	\$90	125	11,250
\$30 (tripler)	\$90	200	18,000
\$2,500	\$2,500	14	35,000
<b>TOTAL</b>		<u>379,089</u>	<u>\$960,350</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 4.43.

(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-111-6-19-00, June 16, 2000.)

**RULES FOR INSTANT GAME NO. 102  
"GOLD CARD"**

**111-4-1751. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "Gold Card" commencing on or after June 26, 2000. The specific rules for the "Gold Card" game are contained in K.A.R. 111-3-1, *et seq.* and 111-4-1751 through 111-4-1754. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1752. Definitions.** The following definitions shall apply to the "Gold Card" 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 nine play spots within the play area. Each game symbol for this instant game is one of the following: \$1<sup>00</sup> - \$2<sup>00</sup> - \$5<sup>00</sup> - \$10<sup>00</sup> - \$15<sup>00</sup> - \$25<sup>00</sup> - \$50<sup>00</sup> - \$100 - \$2,000 - \$\$ - 1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9.

(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
\$100	ONE\$
\$2 <sup>00</sup>	TWO\$
\$5 <sup>00</sup>	FIVE\$
\$10 <sup>00</sup>	TEN\$
\$15 <sup>00</sup>	FIFTEEN
\$25 <sup>00</sup>	TWNFIV
\$50 <sup>00</sup>	FIFTY
\$100	ONE HUND
\$2,000	TWO THOU
\$\$	DBL
1	ONE
2	TWO
3	THREE
4	FOUR
5	FIVE
6	SIX
7	SVN
8	EGT
9	NIN

(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 a 9-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; FIV = \$5.00; TEN = \$10.00; FTN = \$15.00; TWF = \$25.00; FTY = \$50.00; HUN = \$100.00.

(f) "Bar code" means the 20-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1753. Determination of instant prize winners.** This is a simple match game. A player will remove the latex covering over the play area to reveal four "YOUR #" numbers, four "PRIZE" amounts, and one "GOLD CARD #" number. If a player matches any "YOUR #" with the "GOLD CARD #," the player wins the prize amount shown to the right of the matching "YOUR #." If a player reveals "\$\$," the player automatically wins two times the amount shown to the right of "\$\$." Each ticket is eligible to win up to four prizes. (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-111-6-19-00, June 16, 2000.)

**111-4-1754. 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:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	\$1	222,600	\$222,600
\$2	\$2	18,200	36,400
\$1 + \$1	\$2	43,400	86,800
\$5	\$5	5,600	28,000
\$1 + \$1 + \$1 + \$1 DBL	\$5	14,000	70,000
\$2 + \$1 + \$1 + \$1	\$5	12,600	63,000
\$10	\$10	1,400	14,000
\$2 DBL + \$5 + \$1	\$10	5,600	56,000
\$5 + \$2 + \$2 + \$1	\$10	5,600	56,000
\$5 DBL	\$10	4,200	42,000
\$15	\$15	1,400	21,000
\$5 DBL + \$2 + \$2 + \$1	\$15	5,600	84,000
\$25	\$25	1,400	35,000
\$10 DBL + \$5	\$25	1,400	35,000
\$5 DBL + \$10 + \$5	\$25	1,400	35,000
\$50	\$50	250	12,500
\$15 DBL + \$10 + \$5 + \$5	\$50	250	12,500
\$100	\$100	45	4,500
\$25 DBL + \$25 + \$15 + \$10	\$100	45	4,500
\$2,000	\$2,000	20	40,000
TOTAL		345,010	\$958,800

(continued)

(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 4.87.

(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-111-6-19-00, June 16, 2000.)

**RULES FOR INSTANT GAME NO. 103  
"ROULETTE"**

**111-4-1755. Name of game.** The Kansas lottery shall conduct an instant winner lottery game entitled "Roulette" commencing on or after June 26, 2000. The specific rules for the "Roulette" game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1755 through 111-4-1758. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1756. Definitions.** The following definitions shall apply to the "Roulette" 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.<sup>00</sup> - \$2.<sup>00</sup> - \$4.<sup>00</sup> - \$8.<sup>00</sup> - \$12.<sup>00</sup> - \$20.<sup>00</sup> - \$50.<sup>00</sup> - \$100 - \$1000 - 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.

(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. <sup>00</sup>	ONE\$
\$2. <sup>00</sup>	TWO\$
\$4. <sup>00</sup>	FOR\$
\$8. <sup>00</sup>	EGT\$
\$12. <sup>00</sup>	TWLV\$
\$20. <sup>00</sup>	TWENTY\$
\$50. <sup>00</sup>	FIFTY
\$100	ONE HUND
\$1000	ONE THOU
01	ONE
02	TWO
03	THREE
04	FOR
05	FIVE
06	SIX
07	SEV
08	EGT
09	NINE
10	TEN

11	ELVN
12	TWLV
13	TRTN
14	FORTN
15	FIFTN
16	SIXTN
17	SVNTN
18	EGTTN
19	NINTN
20	TWNTY
21	TWONE
22	TWTWO
23	TWTHR
24	TWFOR
25	TWFIV
26	TWSIX
27	TWSVN
28	TWEGT
29	TWNIN
30	TRTY
31	TRONE
32	TRTWO
33	TRTHR
34	TRFOR
35	TRFIV
36	TRSIX

(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 a 9-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the back of each instant game ticket both above the information form and below the bar code.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a three-letter code printed and appearing in three of six varying locations among the game symbols. The codes and their meanings are as follows: ONE = \$1.00; TWO = \$2.00; FOR = \$4.00; EGT = \$8.00; TWL = \$12.00; TWY = \$20.00; FTY = \$50.00; HUN = \$100.00.

(f) "Bar code" means the 20-digit bar-coded number appearing on the back of each ticket. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-6-19-00, June 16, 2000.)

**111-4-1757. Determination of instant prize winners.** This is a simple match game. A player will remove the latex covering over the play area to reveal "YOUR #" numbers and prize amounts and one "CENTER NUMBER." If a player matches any "YOUR #" with the "CENTER NUMBER," the player wins the prize amount shown

along with that "YOUR #." A single ticket may win up to six 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-111-6-19-00, June 16, 2000.)

**111-4-1758. 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:

\$12 + \$12 + \$12 + \$8 + \$4 + \$2	\$50	275	13,750
\$100	\$100	75	7,500
\$50 + \$50	\$100	75	7,500
\$1,000	\$1,000	30	30,000
<b>TOTAL</b>		<b>349,330</b>	<b>\$957,300</b>

(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 4.81.

(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-111-6-19-00, June 16, 2000.)

Gregory P. Ziemak  
Executive Director

Doc. No. 025377

**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
1-9-23	Amended	V. 19, p. 944
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
1-49-1	Amended	V. 19, p. 724

**AGENCY 3: KANSAS STATE TREASURER**

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3-2-1	New	V. 19, p. 1016
3-2-2	New	V. 19, p. 1016

3-2-3 New V. 19, p. 1016

**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
17-22-1	Amended	V. 19, p. 500
17-23-16	Amended	V. 19, p. 500
17-24-1	New	V. 18, p. 956
17-24-2	New	V. 18, p. 956

**AGENCY 22: STATE FIRE MARSHAL**

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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

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26-16-28b through			28-39-245 Amended	V. 18, p. 1413	
28-16-28f Amended (T)	V. 18, p. 1021-1033		28-39-247 Amended	V. 18, p. 1414	
28-17-15	V. 19, p. 680		28-39-275 through		
28-19-50	V. 18, p. 50		28-39-291 New	V. 18, p. 1416-1423	
28-19-52	V. 18, p. 50		28-39-300 through		
28-19-201 Amended	V. 18, p. 106		28-39-312 Revoked	V. 18, p. 1423	
28-19-650 New	V. 18, p. 50		28-39-425 through		
28-19-720 Amended	V. 18, p. 782		28-39-437 New	V. 18, p. 1423-1429	
28-19-729 New	V. 19, p. 565		28-50-1 Amended	V. 18, p. 1353	
28-19-729a through			28-50-2 Amended	V. 18, p. 1355	
28-19-729h New	V. 19, p. 566-569		28-50-4 Amended	V. 18, p. 1356	
28-19-735 Amended	V. 18, p. 782		28-50-5 Amended	V. 18, p. 1356	
28-19-750 Amended	V. 18, p. 782		28-50-6 Amended	V. 18, p. 1356	
28-19-751 Revoked	V. 18, p. 1099		28-50-7 Revoked	V. 18, p. 1358	
28-19-752 Revoked	V. 18, p. 1099		28-50-8 Amended	V. 18, p. 1358	
28-19-752a New	V. 18, p. 1099		28-50-9 Amended	V. 18, p. 1359	
28-23-81 through			28-50-10 Amended	V. 18, p. 1363	
28-23-89 Revoked	V. 18, p. 1099		28-50-14 Amended	V. 18, p. 1363	
28-19-751 Revoked	V. 18, p. 1099		28-65-1 Amended	V. 18, p. 682	
28-19-752 Revoked	V. 18, p. 1099		28-65-2 Amended	V. 18, p. 683	
28-19-752a New	V. 18, p. 1099		28-65-3 Amended	V. 18, p. 683	
28-23-81 through			28-72-1 New (T)	V. 18, p. 1459	
28-23-89 Revoked	V. 18, p. 1099		28-72-1 New	V. 18, p. 1888	
28-29-3 Amended	V. 18, p. 1345		28-72-2 New (T)	V. 18, p. 1462	
28-29-17a Revoked	V. 18, p. 1948		28-72-2 New	V. 18, p. 1891	
28-29-17b Revoked	V. 18, p. 1949		28-72-3 New (T)	V. 18, p. 1462	
28-29-25a New	V. 18, p. 1346		28-72-3 New	V. 18, p. 1891	
28-29-25b New	V. 18, p. 1347		28-72-4 New (T)	V. 18, p. 1463	
28-29-25c New	V. 18, p. 1348		28-72-4 New	V. 18, p. 1892	
28-29-25e New	V. 18, p. 1350		28-72-4a New (T)	V. 18, p. 1466	
28-29-25f New	V. 18, p. 1351		28-72-4a New	V. 18, p. 1895	
28-29-26 Revoked	V. 18, p. 673		28-72-4b New (T)	V. 18, p. 1468	
28-29-98 Revoked	V. 18, p. 1949		28-72-4b New	V. 18, p. 1897	
28-29-1100 through			28-72-4c New (T)	V. 18, p. 1470	
28-29-1107 New	V. 19, p. 941-943		28-72-4c New	V. 18, p. 1898	
28-29-2101 through			28-72-5 New (T)	V. 18, p. 1471	
28-29-2113 New	V. 18, p. 1949-1963		28-72-5 New	V. 18, p. 1900	
28-31-1 Amended	V. 18, p. 673		28-72-6 New (T)	V. 18, p. 1473	
28-31-2 Amended	V. 18, p. 673		28-72-6 New	V. 18, p. 1902	
28-31-3 Amended	V. 18, p. 674		28-72-7 New (T)	V. 18, p. 1475	
28-31-4 Amended	V. 18, p. 674		28-72-7 New	V. 18, p. 1904	
28-31-6 Amended	V. 18, p. 678		28-72-8 New (T)	V. 18, p. 1476	
28-31-8 Amended	V. 18, p. 679		28-72-8 New	V. 18, p. 1905	
28-31-8b Amended	V. 18, p. 680		28-72-9 New (T)	V. 18, p. 1478	
28-31-9 Amended	V. 18, p. 680		28-72-9 New	V. 18, p. 1907	
28-31-10 Amended	V. 18, p. 681		28-72-10 New (T)	V. 18, p. 1480	
28-31-12 Amended	V. 18, p. 681		28-72-10 New	V. 18, p. 1909	
28-31-13 Amended	V. 18, p. 682		28-72-11 New (T)	V. 18, p. 1481	
28-31-14 Amended	V. 18, p. 682		28-72-11 New	V. 18, p. 1910	
28-31-15 New	V. 18, p. 682		28-72-12 New (T)	V. 18, p. 1482	
28-31-16 New	V. 18, p. 682		28-72-12 New	V. 18, p. 1911	
28-36-10 through			28-72-13 New (T)	V. 18, p. 1483	
28-36-18 Revoked	V. 18, p. 1099		28-72-13 New	V. 18, p. 1912	
28-36-20 through			28-72-14 New (T)	V. 18, p. 1483	
28-36-29 Revoked	V. 18, p. 1099, 1100		28-72-14 New	V. 18, p. 1912	
28-36-101 through			28-72-15 New (T)	V. 18, p. 1484	
28-36-108 New	V. 18, p. 1100-1102		28-72-15 New	V. 18, p. 1913	
28-36-10 through			28-72-16 New (T)	V. 18, p. 1484	
28-36-18 Revoked	V. 18, p. 1099		28-72-16 New	V. 18, p. 1913	
28-36-20 through			28-72-17 New (T)	V. 18, p. 1485	
28-36-29 Revoked	V. 18, p. 1099, 1100		28-72-17 New	V. 18, p. 1914	
28-36-101 through			28-72-18 New (T)	V. 18, p. 1486	
28-36-108 New	V. 18, p. 1100-1102		28-72-18 New	V. 18, p. 1915	
28-39-133 Revoked	V. 18, p. 1393		28-72-18a New (T)	V. 18, p. 1487	
28-39-134 through			28-72-18a New	V. 18, p. 1916	
28-39-137 Revoked	V. 18, p. 1393		28-72-18b New (T)	V. 18, p. 1487	
28-39-144 Amended	V. 18, p. 1393		28-72-18b New	V. 18, p. 1916	
28-39-145 Revoked	V. 18, p. 1395		28-72-18c New (T)	V. 18, p. 1488	
28-39-145a New	V. 18, p. 1395		28-72-18c New	V. 18, p. 1917	
28-39-152 Amended	V. 18, p. 1397		28-72-18d New (T)	V. 18, p. 1489	
28-39-160 Amended	V. 18, p. 1399		28-72-18d New	V. 18, p. 1918	
28-39-161 Amended	V. 18, p. 1400		28-72-18e New (T)	V. 18, p. 1490	
28-39-162a Amended	V. 18, p. 1401		28-72-18e New	V. 18, p. 1919	
28-39-162c Amended	V. 18, p. 1405		28-72-19 New (T)	V. 18, p. 1491	
28-39-163 Amended	V. 18, p. 1410		28-72-19 New	V. 18, p. 1920	
28-39-240 Amended	V. 18, p. 1412		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	
			28-72-51 through		
			28-72-54 New	V. 19, p. 989, 990	

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
30-5-64	Amended	V. 19, p. 304
30-5-309	Amended	V. 19, p. 988
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
40-3-26	Amended	V. 19, p. 303
40-3-27	Revoked	V. 19, p. 680
40-3-32	Amended	V. 19, p. 303
40-3-33	Amended	V. 18, p. 1016
40-3-45	Amended	V. 19, p. 303
40-3-49	Amended	V. 19, p. 303
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 49: DEPARTMENT OF HUMAN RESOURCES

Reg. No.	Action	Register
49-45-1 through		
49-45-4	Amended	V. 19, p. 504
49-45-4a	New	V. 19, p. 504
49-45-5 through		
49-45-9	Amended	V. 19, p. 504
49-45-20 through		
49-45-28	Amended	V. 19, p. 504, 505
49-45-29 through		
49-45-34	New	V. 19, p. 505
49-45a-1	Amended	V. 19, p. 505
49-45a-2 through		
49-45a-27	Revoked	V. 19, p. 506
49-46-1	Amended	V. 19, p. 506
49-47-1	Amended	V. 19, p. 507
49-47-1a	New	V. 19, p. 507
49-47-1b	New	V. 19, p. 507
49-47-2	Amended	V. 19, p. 507
49-48-1	Amended	V. 19, p. 508
49-49-1a	New	V. 19, p. 508

49-50-1 through		
49-50-4	Amended	V. 19, p. 509, 510
49-50-6 through		
49-50-15	Amended	V. 19, p. 510-513
49-50-17 through		
49-50-20	Amended	V. 19, p. 513, 514
49-50-21	New	V. 19, p. 514
49-50-22	New	V. 19, p. 515
49-51-1	Amended	V. 19, p. 515
49-51-2	Amended	V. 19, p. 515
49-51-3	Amended	V. 19, p. 515
49-51-3a	New	V. 19, p. 516
49-51-6 through		
49-51-12	Amended	V. 19, p. 516-518
49-51-14	Revoked	V. 19, p. 518
49-52-5 through		
49-52-9	Amended	V. 19, p. 518-520
49-52-11	Amended	V. 19, p. 520
49-52-13	Amended	V. 19, p. 520
49-52-14	Amended	V. 19, p. 521
49-52-15	Revoked	V. 19, p. 521
49-52-16	New	V. 19, p. 521
49-52-17	New	V. 19, p. 521
49-54-1 through		
49-54-3	Revoked	V. 19, p. 521

**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
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**AGENCY 65: BOARD OF EXAMINERS IN OPTOMETRY**

Reg. No.	Action	Register
65-5-6	Amended	V. 19, p. 839
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 67: BOARD OF HEARING AID EXAMINERS**

Reg. No.	Action	Register
67-2-4	Amended	V. 19, p. 626

67-3-2	Amended	V. 19, p. 626
67-4-7	Amended	V. 19, p. 626
67-4-10	Amended	V. 19, p. 626
67-4-13	New	V. 19, p. 626
67-5-3	Amended	V. 19, p. 626
67-5-4	Amended	V. 19, p. 626
67-6-4	Amended	V. 19, p. 626
67-7-4	Amended	V. 19, p. 627

**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
68-5-1	Amended	V. 19, p. 501
68-5-15	New	V. 18, p. 993
68-7-11	Amended	V. 19, p. 501
68-7-12	Amended	V. 18, p. 1815
68-7-14	Amended	V. 19, p. 502
68-7-18	Amended	V. 19, p. 503
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
71-1-20	New	V. 19, p. 573
71-1-21	New	V. 19, p. 573
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
80-3-4	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
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. 19, p. 575
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
91-1-61	Revoked	V. 19, p. 680
91-12-22	Revoked	V. 19, p. 680
91-12-23	Revoked	V. 19, p. 680
91-12-24a	Revoked	V. 19, p. 680
91-12-25	Revoked	V. 19, p. 680
91-12-27	Revoked	V. 19, p. 680

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91-12-28	Revoked	V #19, p. 680
91-12-30 through 91-12-33	Revoked	V. 19, p. 680
91-12-35 through 91-12-42	Revoked	V. 19, p. 680, 681
91-12-44 through 91-12-69	Revoked	V. 19, p. 681
91-12-71 through 91-12-74	Revoked	V. 19, p. 682
91-22-1a	New	V. 19, p. 682
91-22-2	Amended	V. 19, p. 683
91-22-3	Revoked	V. 19, p. 683
91-22-4	Amended	V. 19, p. 683
91-22-5a	Amended	V. 19, p. 683
91-22-7	Amended	V. 19, p. 683
91-22-8	Revoked	V. 19, p. 683
91-22-9	Amended	V. 19, p. 683
91-22-10 through 91-22-18	Revoked	V. 19, p. 684
91-22-19	Amended	V. 19, p. 684
91-22-21	Revoked	V. 19, p. 684
91-22-22	Amended	V. 19, p. 684
91-22-23	Revoked	V. 19, p. 684
91-22-24	Revoked	V. 19, p. 684
91-22-25	Amended	V. 19, p. 684
91-22-26	Revoked	V. 19, p. 685
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
91-40-1 through 91-40-5	New	V. 19, p. 685-691
91-40-7 through 91-40-12	New	V. 19, p. 692-695
91-40-16 through 91-40-19	New	V. 19, p. 695-697
91-40-21	New	V. 19, p. 697
91-40-22	New	V. 19, p. 697
91-40-24 through 91-40-31	New	V. 19, p. 698-700
91-40-33 through 91-40-39	New	V. 19, p. 700-702
91-40-41 through 91-40-48	New	V. 19, p. 702-704
91-40-50 through 91-40-53	New	V. 19, p. 705, 706

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

Reg. No.	Action	Register
99-25-1	Amended	V. 18, p. 189
99-26-1	Amended	V. 19, p. 840
99-27-1	Amended	V. 19, p. 840

**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
100-7-1	Amended	V. 19, p. 1044
100-10a-1	Amended	V. 19, p. 241
100-10a-3	Amended	V. 19, p. 241
100-11-5	Revoked	V. 18, p. 1230
100-22-3	New	V. 19, p. 571
100-24-3	New	V. 18, p. 483
100-55-1 through 100-55-9	Amended	V. 19, p. 1017-1020
100-55-11	New	V. 19, p. 1020
100-60-9	Amended	V. 19, p. 571
100-60-10	Amended	V. 19, p. 571
100-60-13	Amended	V. 19, p. 572

**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 110: DEPARTMENT OF COMMERCE AND HOUSING**

Reg. No.	Action	Register
110-6-1	Amended (T)	V. 19, p. 677
110-6-1a	New (T)	V. 19, p. 677
110-6-2	Amended (T)	V. 19, p. 678
110-6-3	Amended (T)	V. 19, p. 678
110-6-4	Amended (T)	V. 19, p. 679
110-6-5	Amended (T)	V. 19, p. 679

**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
111-2-30	Amended	V. 19, p. 1045
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
111-2-111	New	V. 19, p. 811
111-3-1	Amended	V. 19, p. 176
111-3-12	Amended	V. 19, p. 16
111-3-13	Amended	V. 19, p. 1045
111-3-14	Amended	V. 19, p. 521
111-3-20	Amended	V. 19, p. 17
111-3-35	Amended	V. 19, p. 177
111-4-580	Amended	V. 19, p. 1046
111-4-583	Amended	V. 19, p. 1046
111-4-584	Amended	V. 19, p. 1047
111-4-585	Amended	V. 19, p. 1047
111-4-878	Amended	V. 19, p. 1047
111-4-881	Amended	V. 19, p. 1048
111-4-882	Amended	V. 19, p. 1048
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
111-4-1673 through 111-4-1698	New	V. 19, p. 522-528
111-4-1686 through 111-4-1689	Amended	V. 19, p. 811, 812
111-4-1699 through 111-4-1711	New	V. 19, p. 812-815
111-4-1718 through 111-4-1729	New	V. 19, p. 1048-1051
111-5-30	Amended	V. 19, p. 529
111-5-77	New	V. 19, p. 529
111-5-78	New	V. 19, p. 815
111-6-1	Amended	V. 19, p. 529
111-6-5	Amended	V. 19, p. 530
111-6-24	New	V. 19, p. 531
111-7-73	Amended	V. 19, p. 531
111-7-77	Amended	V. 19, p. 531
111-7-78	Amended	V. 19, p. 532
111-7-80	Amended	V. 19, p. 532
111-7-81	Amended	V. 19, p. 533
111-7-126	Amended	V. 19, p. 534

**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

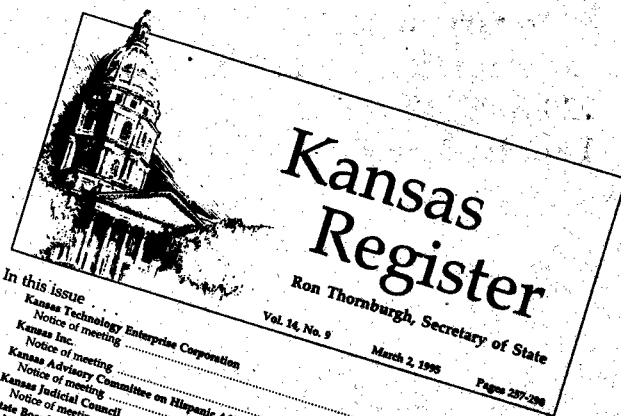
Reg. No.	Action	Register
118-4-1 through 118-4-4	New	V. 18, p. 672, 673

1. The first part of the document  
describes the general situation  
of the company in the year  
1998.

2. The second part of the document  
describes the results of the  
company's activities in the year  
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3. The third part of the document  
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position at the end of the year  
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