

Kansas Register

Ron Thornburgh, Secretary of State

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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
November 3	Guardianship and Conservatorship	9:30 a.m.	Room 259
November 3	Criminal Law	9:30 a.m.	Court of Appeals Courtroom
November 10	Juvenile Offender/Child in Need of Care	9:30 a.m.	Room 259
November-17	Judicial Council	9:00 a.m.	Room 259
November 17	PIK-Criminal/Civil	9:30 a.m.	Court of Appeals Courtroom
December 1	Criminal Law	9:30 a.m.	Room 259
December 1	Probate Law	9:30 a.m.	Court of Appeals Courtroom
December 8	Juvenile Offender/Child in Need of Care	9:30 a.m.	Room 259
January 5	Probate Law	9:30 a.m.	Room 259
January 12	Judicial Council	9:00 a.m.	Room 259
January 19	PIK-Civil	9:30 a.m.	Room 259
January 26	Juvenile Offender/Child in Need of Care	9:30 a.m.	Room 259

Hon. Tyler C. Lockett
Chair

Doc. No. 025813

State of Kansas

Criminal Justice Coordinating Council

Notice of Meeting

The Kansas Criminal Justice Coordinating Council will meet from 9 to 11 a.m. Tuesday, November 7, in the fourth floor conference room of Memorial Hall, 120 S.W. 10th Ave., Topeka. For further information, call (785) 296-0923.

Barbara Tombs
Executive Director

Doc. No. 025809

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 10-30-00 through 11-5-00	Term	Rate
	1-89 days	6.52%
	3 months	6.36%
	6 months	6.34%
	1 year	6.36%
	18 months	6.14%
	2 years	5.93%

Derl S. Treff
Director of Investments

Doc. No. 025806

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State of Kansas

Kansas Development Finance Authority

Notice of Hearing

A public hearing will be conducted at 9 a.m. Thursday, November 16, in the offices of the Kansas Development Finance Authority, Suite 1000, Jayhawk Tower, 700 S.W. Jackson, Topeka, on the proposal for the Kansas Development Finance Authority to issue its Agricultural Development Revenue Bonds for the projects numbered below in the respective maximum principal amounts. Each bond will be issued to assist the respective borrower 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. 000461, Maximum Principal Amount: \$50,000. Owner/Operator: John D. and Elaine Unruh. 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 Section 27, Range 21 South, Township 1 East, Marion County, Kansas, approximately 3 miles south of Goessel on K-15, then 1 mile east on 90th.

Project No. 000462, Maximum Principal Amount: \$39,593.91. Owner/Operator: John McCall. Description: Acquisition of 70 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 33, Range 13, Township 1, Dayton Township, Saline County, Kansas, approximately 3 miles east of New Cambria on Highway 40, then 2 miles south on Kipp Road.

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 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.

Jack H. Brier
President

Doc. No. 025820

State of Kansas

Secretary of State

Code Mortgage Rate for November

Pursuant to the provisions of K.S.A. 1999 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of November 1, 2000 through November 30, 2000, is 12.85 percent.

Ron Thornburgh
Secretary of State

Doc. No. 025808

State of Kansas

Secretary of State

Usury Rate for November

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of November 1, 2000 through November 30, 2000, is 9.35 percent.

Ron Thornburgh
Secretary of State

Doc. No. 025807

(Published in the Kansas Register November 2, 2000.)

Unified School District No. 443 Ford County, Kansas

Request for Proposals

Pursuant to the provisions of Kansas House Bill 2603 (Chapter 88 of 2000 Session Laws of the State of Kansas), Unified School District 443, Ford County, Kansas (Dodge City), hereby requests proposals and qualifications from contractors and vendors for the installation of energy conservation measures in conjunction with the remodel and renovation of the present high school facility, a 149,000 gross square foot building, located in Dodge City, Ford County, Kansas.

Dodge City U.S.D. 443 is requesting providers to propose energy conservation measures that will result in an energy savings contract fully compliant with the provisions of the above-cited Kansas statute.

For more information and a complete copy of the official request, contact Dr. Morris Reeves, Clerk of the Works, U.S.D. 443, 1000 2nd Ave., Dodge City, 67801, (316) 227-1621, fax (316) 227-1774.

Dr. Morris Reeves
Clerk of the Works
U.S.D. 443, Ford County, Kansas

Doc. No. 025810

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of November 6-19. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at (785) 296-2391 or TTY (785) 296-8430. When available, agendas can be found at <http://skyways.lib.ks.us/ksleg/KLRD/klrd.html>.

Date	Room	Time	Committee	Agenda
November 8	514-S	9:00 a.m.	Joint Committee on Health Care Reform Legislative Oversight	Agenda not available.
November 9	514-S	9:00 a.m.	Legislative Educational Planning Committee	Agenda not available.
November 10	Canceled			
November 9	519-S	9:00 a.m.	Joint Committee on Children's Issues	Child care issues; childhood vaccinations; health care credentialing.
November 9	531-N	10:00 a.m.	Joint Committee on Information Technology	Review agency computer plans and projects.
November 10	531-N	9:00 a.m.		
November 10			State Holiday-Observance of Veterans Day	
November 13	313-S	9:00 a.m.	Task Force on Long-Term Care Services	Task force discussions.
November 13	514-S	9:00 a.m.	Task Force on State Education Technology-Based Network	Task force review and recommendations on draft task force report and draft legislation.
November 13	519-S	10:00 a.m.	Task Force on Kansas Mental Health System	Agenda not available.
November 14	313-S	9:00 a.m.		
November 13	Junction City	10:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	Agenda not available.
November 14	Manhattan	9:00 a.m.		
November 14	123-S	10:00 a.m.	Joint Committee on Budget	14th: Document management and imaging systems; consolidation of prevention programs.
November 15	522-S	9:00 a.m.		15th: Awarding state construction contracts to low bidders; public broadcasting council funding; state general fund reports; committee discussion and recommendations.
November 14	519-S	10:00 a.m.	Special Committee on Preschool and K-12 Matters	14th: Topic 3—Student Retention/Social Promotion.
November 15	519-S	9:00 a.m.		15th: Education org. recommendation and committee deliberations.
November 14	531-N	9:00 a.m.	Health Care Stabilization Fund Oversight Committee	Agenda not available.
November 15	123-S	10:00 a.m.	Legislative Coordinating Council	Legislative matters.
November 15	313-S	9:00 a.m.	Task Force on Kansas Mental Health System	Agenda not available.
November 15	514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Agenda not available.
November 16	514-S	9:00 a.m.		
November 15	526-S	10:00 a.m.	Task Force on Consolidation of Public Safety Agencies	Agenda not available.
November 16	526-S	9:00 a.m.		
November 16	123-S	10:00 a.m.	Joint Committee on Pensions, Investments and Benefits	Review of KPERS actuarial valuation and of interim study topics.
November 17	123-S	9:00 a.m.		

November 16	245-N	10:00 a.m.	SRS Transition Oversight Committee	Agenda not available.
November 17	245-N	9:00 a.m.		
November 16	519-S	9:00-10:00 a.m.	Streamlined Sales Tax System for the 21st Century Legislative Oversight Committee	Update on pilot project and possible legislative recommendations to Special Committee on Assessment and Taxation.
November 16	519-S	10:00 a.m.	Special Committee on Assessment and Taxation	Final decisions on all topics.
November 17	519-S	9:00 a.m.		

Jeff Russell
 Director of Legislative
 Administrative Services

Doc. No. 025823

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

Notice of Meeting

The State Employees Health Care Commission will meet at 2 p.m. Wednesday, November 8, in the boardroom of the offices of the Kansas Public Employees Retirement System, 611 S. Kansas Ave., Topeka. An agenda may be viewed by accessing the commission's website at www.da.state.ks.us/hcc. For further information, contact the Benefits Office at (785) 296-6280.

Dan Stanley
 Chair

Doc. No. 025839

**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, commissions, and 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 website at www.kssos.org.

The following appointments were recently filed with the Secretary of State:

Anderson County Sheriff

Darin D. Dalsing, Anderson County Courthouse, 100 E. 4th, Garnett, 66032. Term expires when a successor is elected and qualifies according to law. Succeeds David L. Vaughan, resigned.

Educate America Act

Bill Howgill, 3400 S.W. Twilight Drive, Topeka, 66614. Term expires September 30, 2001. Succeeds Dan Hermes. Ex-officio member.

Patricia J. Moore, 6330 N.E. Indian Creek Road, Topeka, 66617. Term expires September 30, 2001. Reappointed.

Douglas A. Penner, 711 E. 6th, Newton, 67114. Term expires September 30, 2001. Reappointed.

Paul "Nick" Rogers, 2302 Maple Crest, Arkansas City, 67005. Term expires September 30, 2001. Reappointed.

Carol L. Russell, 1605 Sherwood Way, Emporia, 66801. Term expires September 30, 2001. Reappointed.

Nancy W. Ryan, 6600 W. 100th Terrace, Shawnee Mission, 66212. Term expires September 30, 2001. Reappointed.

Dana J. Sprinkle, 2239 Kensington Road, Salina, 67401. Term expires September 30, 2001. Reappointed.

Jerome L. Williams, 1542 Pleasant View, Wichita, 67203. Term expires September 30, 2001. Reappointed.

Information Technology Executive Council

Richard E. Beyer, Secretary of Human Resources, 401 S.W. Topeka Blvd., Topeka, 66603. Term expires March 4, 2002. Succeeds Rochelle Chronister.

J. D. Cox, 11 Century Parkway, Neodesha, 66757. Term expires March 4, 2002. Succeeds David Larrick.

Dr. Robert Cox, 2220 Canterbury Drive, Hays, 67601. Term expires March 4, 2002. Succeeds George Fuciu.

Jo Hunt, 818 S. Kansas Ave., Topeka, 66601. Term expires March 4, 2002. Reappointed.

Pamela J. Madl, 1100 Massachusetts, Lawrence, 66044. Term expires March 4, 2002. Reappointed.

Ronald D. McCreight, 5611 W. 91st St., Overland Park, 66207. Term expires March 4, 2002. Succeeds Charles Chandler.

Karla J. Pierce, Secretary of Revenue, Room 230-W, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. Term expires March 4, 2002. Reappointed.

John R. Wine, State Corporation Commission, 1500 S.W. Arrowhead Road, Topeka, 66604. Term expires March 4, 2002. Reappointed.

Kansas Library Network Board

Fred D. Atchison, 6136 Anderson, Manhattan, 66503. Term expires June 30, 2003. Succeeds Rosanne Goble.

Jo Ann Wahrman, 1525 Cherry, Goodland, 67735. Term expires June 30, 2003. Succeeds Sheila Blume.

Kansas Turnpike Authority

Jack H. Brier, 10 S.W. Westboro Place, Topeka, 66604. Term expires April 30, 2004. Succeeds Frank Becker, resigned.

Ron Thornburgh
 Secretary of State

Doc. No. 025830

State of Kansas

**Department of Administration
Division of Purchases**

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Room 102, Landon State Office Building, 900 S.W. Jackson, Topeka, 66612, until 2 p.m. on the date indicated and then will be publicly opened. Interested bidders may call (785) 296-2377 for additional information:

Monday, November 13, 2000

02442

University of Kansas/Regents Institutions—Silicon Graphics Computer Workstations, Servers, Upgrades and Accessories

02440

Department of Agriculture—GPS Survey System

02441

Kansas State University—Aboveground Fuel Storage Tank and Fuel Dispensing System

Tuesday, November 14, 2000

02451

University of Kansas Medical Center—Laser Scanning Confocal Microscope

Thursday, November 16, 2000

02405

Department of Transportation—Installation of Motor Vehicle Adapters, Various Locations

Monday, November 20, 2000

02404

University of Kansas—Printing of KU Alumni Magazine

Tuesday, November 21, 2000

02426

Department of Health and Environment—Emergency Drilling and Grouting, Crawford and Cherokee Counties

02427

Department of Health and Environment—Excavating and Backfilling, Crawford and Cherokee Counties

A-9038(A)

Larned Correctional Mental Health Facility—Metal Building System, CDRP Building

Thursday, November 30, 2000

A-9062

Ellsworth Correctional Facility—Maximum Security Housing

Request for Proposals

Wednesday, November 29, 2000

02236

Court Automation Project Accounting and Case Management for the Office of Judicial Administration

John T. Houlihan
Director of Purchases

Doc. No. 025831

State of Kansas

Social and Rehabilitation Services

Request for Comments

The Federal Temporary Assistance to Needy Families (TANF) welfare reform law was enacted in October 1996 to end long-term dependence on cash assistance. The law imposes work requirements and a 60-month time limit on families receiving TANF cash assistance. Beginning in October 2001, TANF will be discontinued to some families who have received cash assistance for 60 months. Child-only TANF cases are not affected by the time limits.

States may grant hardship exemptions to certain families allowing them to receive TANF assistance beyond 60 months. The following hardship criteria will be used to determine the Kansas families who will receive TANF assistance beyond 60 months:

Hardship Criteria

- Caretakers of disabled household members
- Persons aged 60 and older
- Persons with severe disabilities who are presently unable to work (identified through vocational assessment)
- Persons whose involvement with Children and Family Services precludes employment as defined in the social service plan
- Persons who are doing everything within their ability to be successful but who remain unemployed or underemployed after working cooperatively with SRS to identify and resolve employment barriers (underemployed includes persons whose wages and hours worked are insufficient to disqualify them for cash assistance)
- Persons who begin to cooperate during their 49th through 60th months on assistance, and continue to be financially eligible for a cash grant when their 60th month of eligibility expires, may continue to receive benefits until the first month cooperation ceases

Direct written comments or questions regarding the hardship criteria to Sandra C. Hazlett, Director of Economic and Employment Support, Docking State Office Building, 915 S.W. Harrison, Topeka, 66612. In order to be considered in formulating the final criteria, written comments must be received by December 1.

Janet Schalansky
Secretary of Social and Rehabilitation Services

Doc. No. 025832

State of Kansas

Office of the Governor

Executive Order No. 2000-07

WHEREAS, Article 1, Section 3 of the Constitution of the State of Kansas vests the supreme executive power of the State in the Governor; and

WHEREAS, Article 1, Section 4 of the Constitution of the State of Kansas vests in the Governor the power to require information from the officers of the executive department upon any subject related to their duties; and

WHEREAS, Kansas state government is a complex combination of organizations and functions providing a wide variety of services to citizens and other customers; and

WHEREAS, there is a recognized need to increase quality and lower costs of services provided to Kansas citizens through informed application of geographic information systems technology; and

WHEREAS, improved coordination of the State's geographic information systems resources and development of an infrastructure that promotes efficient service delivery and data sharing among state organizations and government entities is an essential element in improving the quality of services provided to the people of Kansas;

NOW THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby establish the Kansas Geographic Information Systems Policy Board.

(1) The Kansas Geographic Information Systems Policy Board shall:

- (a) Continue to guide the deployment of geographic information systems technology for the best value and benefit of the citizens of Kansas and to update its strategic plan biennially;
- (b) Develop and maintain policies, standards, guidelines, and strategies which emphasize cooperation and coordination among entities in the public and private sectors in order to maximize the cost effectiveness of geographic information systems and their value to the State;
- (c) Establish public and private partnerships throughout Kansas to maximize value, minimize cost, and avoid redundant activities in the development and implementation of geographic information systems; and
- (d) Coordinate, review, and provide recommendations on geographic information systems programs and investments and provide assistance with dispute resolution among geographic information systems partners.

(2) The Kansas Geographic Information Systems Policy Board shall be a standing advisory committee to the Information Technology Executive Council, and shall provide a copy of its annual report to the Council, as well as to the Governor and Legislature.

(3) The Board shall consist of 27 members as follows:

- (a) Chief Information Technology Officer representing the Executive Branch;
- (b) Chief Information Technology Officer representing the Legislative Branch;
- (c) Chief Information Technology Officer representing the Judicial Branch;
- (d) The Secretary of the Department of Agriculture, or designee;
- (e) The Chairperson of the Kansas Corporation Commission, or designee;
- (f) The Director of the Kansas Water Office, or designee;
- (g) The Secretary of the Department of Health and Environment, or designee;
- (h) The Secretary of the Department of Revenue, or designee;
- (i) The Secretary of the Department of Transportation, or designee;
- (j) The Executive Director of the State Conservation Commission, or designee;
- (k) The Secretary of the Department of Wildlife and Parks, or designee;
- (l) The Secretary of Social and Rehabilitation Services, or designee;
- (m) The Director of the Kansas Geological Survey, or designee;
- (n) The Director of the Kansas Biological Survey, or designee;
- (o) The District Chief of the United States Geological Survey, or designee; and
- (p) The District Chief of the Natural Resource and Conservation Service, or designee.
- (q) The Governor shall appoint the following 11 members whose terms of four years shall be subsequent to the terms of like members established by Executive Order 95-180 with the exception that the terms of members who are serving on the board on the effective date of this Executive Order shall expire on September 30 of the year in which such member's term would have expired under Executive Order 95-180. The additional (third) executive from the private sector shall serve an initial term expiring September 30, 2002, and thereafter a term of four years. Of the two newly designated representatives from Regents institutions, one shall serve an initial term expiring September 30, 2002, and one shall serve an initial term expiring September 30, 2003, and both thereafter shall serve terms of four years. Thereafter, members shall be appointed for terms of four years and until their successors are appointed and qualified. No member appointed under this section shall serve more than 3 terms.
 - (i) 5 representatives of local government including cities, counties, or local government consortia of cities, counties, non-profit and private sector enterprises. Such members may include, but not be limited to, representatives from city and county commissions or planning councils, law en-

(continued)

forcement, county clerks, county appraisers and emergency planning divisions;

- (ii) 2 representatives of Regents institutions;
 - (iii) 3 executives representing the private sector. Members from the private sector may include, but not be limited to, representatives from the trucking industry, utilities, telecommunications, publishers, agriculture, oil and gas industry, chambers of commerce, aircraft and auto industry, and the banking community;
 - (iv) 1 representative of a relevant statewide business or professional organization, such as statewide associations of groundwater management districts, emergency planning, law enforcement, licensed surveyors, and other relevant technical professions or agriculture-related business.
- (4) All other members shall serve terms consistent with their terms of office, employment or appointment.
 - (5) The Governor may remove a member from the Board should lack of attendance or lack of participation be demonstrated.
 - (6) The Governor shall select a Chairperson and Vice-Chairperson from among the members who shall serve at the discretion of the Governor. The Board may elect other officers among its members and may establish any committees deemed necessary to discharge its duties.
 - (7) Members of the board shall not receive compensation, subsistence allowance, mileage or association expenses. Officers or employees of state agencies who are appointed to the Board shall be authorized to participate on the Board as part of their duties and may claim subsistence allowance, mileage or associated expenses as permitted by law.
 - (8) For administrative purposes the Board shall be housed in the Department of Administration. The Board shall receive staff support from the State Geographic Information Systems Director.
 - (9) The Board shall work jointly with officials from other state agencies, organizations and county and municipal governments, as well as with businesses and organizations in the private sector who are concerned with the efficient management of the State's geographic information systems resources.

This order shall continue in full force and in effect until the date of any subsequent Executive Order with respect to the subject hereof is promulgated.

Executive Order 95-180 shall be repealed on the effective date of this Executive Order.

This document shall be filed with the Secretary of State as Executive Order No. 2000-07 and shall become effective immediately.

Dated October 26, 2000.

Bill Graves
Governor

Attest: Ron Thornburgh
Secretary of State

Doc. No. 025833

State of Kansas

Attorney General

Opinion 2000-48

Cities and Municipalities—Retirement Systems; Group Health Care Benefits for Retirants—Group Health Care Benefits Plan; Availability for Retirants; Coverage, End; Eligibility; Cost of Coverage; Definitions; Cessation of Coverage. Representative Judy Showalter, 78th District, Winfield, October 4, 2000.

A local government may not terminate a retired employee's access to group health insurance solely because the retired employee is covered or becomes eligible for coverage under a group health insurance plan through the employer of the spouse of the retired employee. Cited herein: K.S.A. 12-5040; 29 U.S.C. § 1162; MF

Opinion 2000-49

Counties and County Officers—Miscellaneous Provisions—County Charters in Counties Declared to be Urban Areas; Adoption and Amendment; Charter to Govern Local Legislation and Administration; Authorized Provisions; Limitations; Elimination and Consolidation of Elective County Offices.

Cities and Municipalities—Governmental Organization—Consolidation of Operations, Procedures and Functions By a Political and Taxing Subdivision or By Two or More Subdivisions; Procedure; Elimination of Elective Office; Election; Submission of Agreements Affecting State Functions and Services to State Officer or Agency for Approval. Representative Tim Tedder, 101st District, Hutchinson, October 4, 2000.

The offices of county clerk and county treasurer may be consolidated into a non-elective position within a county charter pursuant to K.S.A. 19-2680 *et seq.* The proposed charter for Johnson County, including the provisions to consolidate county offices, should be submitted to the voters as required by K.S.A. 1999 Supp. 19-2685. While K.S.A. 19-2680 *et seq.* do not require approval by state agencies affected by the consolidation of county offices under a charter for county government, if the proposed charter is approved by the electors of Johnson County, the county should work with state officials to assure that state functions and services are properly carried out by the county. Cited herein: K.S.A. 12-3901; 12-3903; 12-3906; 19-2654; 19-2680; K.S.A. 1999 Supp. 19-2681; 19-2684; 19-2685; K.S.A. 25-1115; 25-2502; L. 1975, Ch. 151, § 1; L. 1976, Ch. 132, § 1. DMV

Opinion 2000-50

Schools—Organization, Powers and Finances of Boards of Education—Boards of Education; General Powers; Purchases of Equipment, Goods, or Services By Private Individuals; Reimbursement by Unified School District. Rodney J. Bieker, General Counsel, Kansas State Department of Education, Topeka, October 4, 2000.

Unified School District No. 423 does not have the authority to reimburse a student or parent for costs incurred by the student or parent in acquiring equipment and ma-

materials, including computer hardware, computer software, books, supplies, and Internet access, that enable the student to participate in the Mid-Kansas Independent Academy program proposed by the School District. Cited herein: K.S.A. 1999 Supp. 72-5389; 72-5390; K.S.A. 72-8212; K.S.A. 1999 Supp. 72-8301, RDS

Opinion 2000-51

Waters and Watercourses—Navigable Waters—Arkansas River; Navigability; Ownership of Bed and Banks. Representative Tim Tedder, 101st District, Hutchinson, October 4, 2000.

Title to the bed and banks of a navigable river is vested in the state. The public land extends up to the high water mark, which is the point to which the water usually rises in ordinary seasons of high water. However, where no public access exists, one may need to obtain permission from the adjoining landowner in order to travel on private land to get to the public land. Additionally, some recreational activity may be restricted by the application of other state laws dealing with bank maintenance or conservation water structures. Cited herein: K.S.A. 24-126; 70a-106; 82a-301; 82a-307. GE

Opinion 2000-52

Cities and Municipalities—General Provisions—Countywide and City Retailers' Sales Tax; Use of Sales Tax Revenue.

Constitution of the State of Kansas—Finance and Taxation—Object of Tax; City Retailers' Sales Tax. Martin W. Mishler, Sabetha City Attorney, Sabetha, October 5, 2000.

Resolution No. 1991-6, enacted by the governing body of the City of Sabetha, suggests that the city retailers' sales tax revenue generated pursuant to the vote authorized by that resolution can be used only for the operation and improvement of the city's utilities. Until such time as the governing body amends or repeals Resolution No. 1991-6, the governing body is bound by its provisions regarding the use of such sales tax revenue. Cited herein: K.S.A. 12-137; K.S.A. 1999 Supp. 12-187, as amended by L. 2000, Ch. 140, § 1; K.S.A. 12-197; Kan. Const. Art. 11, § 5. MF

Opinion 2000-53

Public Health—Secretary of Health and Environment, Activities; Water Supply and Sewage—Prevention of Water Pollution; Permits; Exemptions; Reservoirs and Farm Ponds. Clyde D. Graeber, Secretary, Kansas Department of Health and Environment, Topeka, October 24, 2000.

The federal Clean Water Act's water quality standards apply only to "natural ponds" and not to artificially created ponds. K.S.A. 1999 Supp. 65-171d(d), which exempts "reservoirs and farm ponds" from water quality standards (absent discharge or seepage to surface or groundwater, or impairment to the health of persons using the reservoir or farm pond), can be interpreted to apply only to non-natural ponds, thus providing consistency between Kansas law and the Clean Water Act. A duly adopted regulation as proposed herein would clarify that

the "reservoirs and farm ponds" to which K.S.A. 1999 Supp. 65-171d(d) refers are not "natural ponds" and therefore not part of "waters of the United States" as defined by the Environmental Protection Agency pursuant to the Clean Water Act. Since nearly all "reservoirs and farm ponds" located on Kansas farms are not "natural ponds," such "reservoirs or farm ponds," whether privately or publicly owned, are not subject to the water quality standards of the Clean Water Act.

The Clean Water Act's water quality standards do apply to lakes and wetlands. Subsection (f) of K.A.R. 28-16-28c, which attempts to exempt lakes and wetlands from water quality standards, is not authorized under Kansas law and thus is void, providing additional consistency between Kansas law and the Clean Water Act.

Finally, Attorney General Opinion No. 87-154 is withdrawn to the extent it is inconsistent with the conclusions reached herein. Cited herein: K.S.A. 1999 Supp. 65-171d; K.A.R. 28-16-28b; K.A.R. 28-26-28c; 33 U.S.C. § 1251; 33 U.S.C. § 1311; 33 U.S.C. § 1363; 33 C.F.R. § 323; 33 C.F.R. § 328.3; 40 C.F.R. § 122.2. CN

Carla J. Stovall
Attorney General

Doc. No. 025824

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 Airport Hilton, Wichita, until 2 p.m. November 15, and then publicly opened:

District One—Northeast

Douglas—23 U-1749-01—Riverridge Road from North Iowa to North Michigan in Lawrence, grading and surfacing. (Federal Funds)

Johnson—46 C-3464-01—179th Street from Switzer Road to U.S. 69, 1.5 miles (2.4 kilometers), grading, bridge and surfacing. (Federal Funds)

Johnson—46 N-0174-01—99th and Lackman Road in Lenexa, intersection improvement. (Federal Funds)

Johnson—7-46 K-8274-01—K-7 northbound exit ramp to westbound K-10, signing. (State Funds)

Johnson—46 N-0167-01—87th Parkway and Rosehill Road in Lenexa, 0.2 mile (0.3 kilometer), grading and surfacing. (Federal Funds)

Johnson—46 N-0119-01—Intersection of 79th and Quivira Road in Lenexa, 0.2 mile (0.3 kilometer), grading and surfacing. (Federal Funds)

Johnson—46 N-0130-01—Marshall Drive, 0.5 mile (0.8 kilometer) west of Pflumm Road in Lenexa, 0.6 mile (0.1 kilometer), bridge improvement. (Federal Funds)

Leavenworth—52 U-1606-01—Hughes Road from Eisenhower to Muncie Street in Leavenworth, 0.3 mile (0.5 kilometer), grading and surfacing. (Federal Funds)

(continued)

Leavenworth—52 U-1690-01—Gillman Road from U.S. 73/K-7 east 0.5 mile (0.8 kilometer), grading, bridge and surfacing. (Federal Funds)

Nemaha—66 C-3542-01—County Road southeast of Seneca, 0.2 mile (0.3 kilometer), grading and bridge. (Federal Funds)

Nemaha—9-66 K-6807-01—K-9 Illinois Creek bridge, 9.9 miles (15.9 kilometers) east of the Marshall-Nemaha county line, bridge replacement. (Federal Funds)

Osage—31-70 K-6694-01—Seventh Street east, north and east on K-31 in Osage City, 0.5 mile (0.8 kilometer), grading and surfacing. (State Funds)

Osage—31-70 K-8056-01—K-31 from the west junction of U.S. 75 east to the south city limits of Melvern, 3.5 miles (5.6 kilometers), overlay. (State Funds)

Pottawatomie—24-75 K-8052-01—U.S. 24, 1 mile (1.6 kilometers) east of the east city limits of Wamego east to the east city limits of Belvue, 5.9 miles (9.5 kilometers), overlay. (State Funds)

Riley—24-81 K-8054-01—U.S. 24 from the junction of K-13 east 4.7 miles (7.6 kilometers), overlay. (State Funds)

Wabaunsee—31-99 K-8057-01—K-31 from the junction of K-99 east to the Wabaunsee-Osage county line, 10.1 miles (16.3 kilometers), overlay. (State Funds)

Wyandotte—70-105 K-5658-04—I-70 intercity viaduct, bridge painting. (State Funds)

District Two—Northcentral

Dickinson—21 C-3523-01—County road 0.5 mile (0.8 kilometer) east and 1.5 miles (2.4 kilometers) north of Carlton, 0.25 mile (0.4 kilometer), grading, bridge and surfacing. (Federal Funds)

Jewell—28-45 K-7174-01—K-28 Custer Street to Lincoln Street in Jewell, 0.13 mile (0.21 kilometer), roadway improvements. (State Funds)

Saline—135-85 K-5644-03—I-135 bridges over K-4/U.S. 81B, bridge replacement. (Federal Funds)

District Three—Northwest

Ellis—183-26 TE-0085-01—U.S. 83 from 27th Street to north of I-70 in Hays, 1.1 miles (1.8 kilometers), landscaping and beautification. (Federal Funds)

Ellis—183-26 U-1700-01—Vine Street from 27th Street to I-70 in Hays, 1 mile (1.6 kilometers), grading and surfacing. (Federal Funds)

Phillips—74 C-3550-01—County road 1.5 miles (2.4 kilometers) north and 3.9 miles (6.3 kilometers) east of Long Island, 0.09 mile (0.16 kilometer), grading and bridge. (Federal Funds)

Rawlins—36-77 K-5741-01—U.S. 36, 3.4 miles (5.5 kilometers) east of County Route 892 east to the Rawlins-Decatur county line, 8 miles (12.9 kilometers), grading, bridge and surfacing. (Federal Funds)

Smith—92 C-1253-01—County road 2 miles (3.2 kilometers) west of Lebanon then east 0.3 mile (0.5 kilometer), bridge replacement. (Federal Funds)

District Four—Southeast

Cherokee—7-11 K-6210-01—K-7, four culverts north of K-96, culvert replacement. (State Funds)

Cherokee—7-11 K-6408-01—K-7 bridge over Little Cherry Creek 0.4 mile (0.7 kilometer) south of K-102, bridge replacement. (Federal Funds)

Cherokee—11 U-1702-01—West Country Road bridge in Columbus, 0.06 mile (0.1 kilometer), bridge improvement. (Federal Funds)

Elk-Montgomery—106 K-8185-01—U.S. 160, 0.7 mile (1.1 kilometers) west of the Elk-Montgomery county line east to the Elk-Montgomery county line; U.S. 75 from the west junction of U.S. 160 east to the west city limits of Independence; U.S. 160 from the Elk-Montgomery county line east to the west junction of U.S. 75, 18.7 miles (30.2 kilometers), overlay. (State Funds)

Greenwood—54-37 K-8112-01—U.S. 54 from the Butler-Greenwood county line to the east junction of K-99, 19.6 miles (31.6 kilometers), sealing. (State Funds)

Neosho—67 C-3040-01—County road over Village Creek 1 mile (1.6 kilometers) north of Chanute, 0.25 mile (0.4 kilometer), grading, bridge and surfacing. (Federal Funds)

Miami—61 C-3136-01—County road 0.9 mile (1.5 kilometers) south of Hillsdale over the Burlington Northern Santa Fe railroad, 0.1 mile (0.16 kilometer), grading, bridge and surfacing. (Federal Funds)

Miami—61 C-3588-01—County road 1 mile (1.6 kilometers) south of Hillsdale over Ten Mile Creek, 0.09 mile (0.16 kilometer), grading, bridge and surfacing. (Federal Funds)

Wilson—39-103 K-8109-01—K-39 from the junction of U.S. 400 to the west junction of U.S. 75, 14.7 miles (23.7 kilometers), overlay. (State Funds)

Woodson—54-104 K-8113-01—U.S. 54 from the east city limits of Yates Center east to the Woodson-Allen county line, 11.8 miles (19 kilometers), slurry seal. (State Funds)

District Five—Southcentral

Cowley—77-18 K-8139-01—U.S. 77 from the Timber Creek bridge north to the Cowley-Butler county line, 15.7 miles (25.3 kilometers), overlay. (State Funds)

Kingman—14-48 K-7970-01—K-14 bridge over Hunter Creek, bridge overlay. (State Funds)

Reno—50-78 K-8186-01—U.S. 50 from the junction of K-14 east to the west junction of K-61; U.S. 50 from the west junction of K-61 east to the junction of K-96; U.S. 50 from the junction of K-96 east to Halstead Street, 17.2 miles (27.8 kilometers), overlay. (State Funds)

Rice—56-80 M-1943-01—U.S. 56 KDOT mixing strip, approximately 0.5 mile (0.8 kilometer) east of Lyons, stockpile bituminous material. (State Funds)

Rice—14-80 K-8128-01—K-14 from the north city limits of Lyons north to the junction of K-4, 10.8 miles (17.5 kilometers), overlay. (State Funds)

Sedgewick—42-87 K-8129-01—K-42 from 119th Street northeast to Ridge Road, 4 miles (6.4 kilometers), slurry seal. (State Funds)

Sedgewick—54-87 K-8136-01—U.S. 54 Washington Street bridge east to Hillside Avenue, 1.7 miles (2.7 kilometers), overlay. (State Funds)

Sedgwick-Summer—106 K-8188-01—U.S. 81 from the Summer-Sedgwick county line north to Haysville; K-55 from the junction of U.S. 81 east to the west city limits of Belle Plaine; U.S. 81 from the north city limits of Wellington north to the Summer-Sedgwick county line, 24.4 miles (39.3 kilometers), overlay. (State Funds)

District Six—Southwest

Stevens—51-95 K-6251-01—K-51 from Washington Street east to Commercial Street in Hugoton, 0.2 mile (0.3 kilometer), grading and surfacing. (State Funds)

Stevens—51-95 K-6703-01—Commercial Street, east county road on K-51 (11th Street), 0.25 mile (0.4 kilometer), grading and surfacing. (State Funds)

Seward—83-88 K-8041-01—U.S. 83 Cimarron River bridge, 5.5 miles (8.9 kilometers) north of K-51, bridge repair. (State Funds)

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

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of 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. 025793

State of Kansas

**Department of Health
and Environment**

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit. Grede Foundries, Inc. has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 *et seq.* The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting

requirements applicable to each source as of the effective date of permit issuance.

Grede Foundries, Inc. owns and operates a gray iron foundry located at 805 E. Boston St., Wichita.

A copy of the proposed permit, permit application, all supporting documentation and all information relied upon during the permit application review process is available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the Wichita-Sedgwick County Department of Community Health, 1900 E. 9th, Wichita. To obtain or review the proposed permit and supporting documentation, contact Alan Brooks, (785) 296-6281, at the KDHE central office, or Randy Owen, (316) 268-8448, at the Wichita-Sedgwick County Department of Community Health. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Alan Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business December 4.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business December 4 in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA 45-day review period. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 025814

State of Kansas

Kansas State University

Notice to Bidders

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

Monday, November 20, 2000

#1091

Livestock lagoon wastewater irrigation system

William H. Sesler
Director of Purchasing

Doc. No. 025828

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Yuasa, Inc. has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to modify its lead-acid battery manufacturing plant in Hays to expand production of "G" batteries. Emissions of particulate matter (PM), particulate matter equal to or less than 10 microns in diameter (PM₁₀) and lead (Pb) were evaluated during the permit review process.

Yuasa, Inc. owns and operates the stationary source located at 1 Yuasa Road, Hays, at which one new oxide mill, two new grid casters, three new natural gas-fired battery plate curing ovens, additional paste mixing and pasting capacity, additional "G" battery wet formation capacity, and two associated fabric filters for controlling air emissions are to be installed.

A copy of the proposed permit, permit application, all supporting 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 KDHE Northwest District Office, 2301 E. 13th, Hays. To obtain or review the proposed permit and supporting documentation, contact Alan W. Brooks, (785) 296-6281, at the KDHE central office, or Rick Robinson, (785) 625-5663, at the KDHE Northwest District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Alan W. Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business December 4.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The

written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business December 4 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 025816

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality construction permit. Krause Plow Corporation has applied for an air quality construction permit in accordance with the provisions of K.A.R. 28-19-300 to replace the existing paints with new paints. Emissions of volatile organic compounds (VOC), particulate matter equal to or less than 10 microns in diameter (PM₁₀), individual hazardous air pollutants (HAPs) and combined HAPs were evaluated during the permit review process.

Krause Plow Corporation, Hutchinson, owns and operates the stationary source located at 305 S. Monroe, Hutchinson, Reno County, at which it plans to replace the existing paints with new paints. Krause Plow Corporation also plans to use methyl propyl ketone as a cleaning solvent to flush lines between color changes.

A copy of the proposed permit, permit application, all supporting 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, 66620, and at the KDHE South Central District Office, 130 S. Market, sixth floor, Wichita. To obtain or review the proposed permit and supporting documentation, contact Alan W. Brooks, (785) 296-6281, at the KDHE central office, or Dave Butler, (316) 3370-6020, at the KDHE South Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the proposed permit to Alan W. Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating a final permit decision, written comments must be received by the close of business December 4.

A person may request a public hearing be held on the proposed permit. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business December 4 in order for the Secretary of Health and Environment to consider the request.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 025821

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding a proposed air quality operating permit and amending previously issued construction permits. Junction City Foundry has applied for a Class I operating permit in accordance with the provisions of K.A.R. 28-19-510 *et seq.* The purpose of a Class I permit is to identify the sources and types of regulated air pollutants emitted from the facility; the emission limitations, standards and requirements applicable to each source; and the monitoring, record keeping and reporting requirements applicable to each source as of the effective date of permit issuance. Notice also is given that certain requirements were found to no longer be appropriate in the construction permit dated November 13, 1991. These requirements are being modified by an applicability determination.

Junction City Foundry owns and operates a gray iron foundry located at 1825 Old Highway 40, Junction City.

A copy of the proposed permit, permit application, all supporting documentation, all information relied upon during the permit application review process, and a copy of the applicability determination are available for a 30-day public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, and at the KDHE North Central District Office, 2501 Market Place, Suite D, Salina. To obtain or review either document, contact Alan Brooks, (785) 296-6281, at the KDHE central office, or Joan Ratzlaff, (785) 827-9639, at the KDHE North Central District Office. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding the documents to Alan Brooks, KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka, 66620. In order to be considered in formulating final document decisions, written comments must be received by the close of business December 4.

A person may request a public hearing be held on the proposed documents. The request for a public hearing shall be in writing and set forth the basis for the request. The written request must be submitted to Connie Carreno, Bureau of Air and Radiation, not later than the close of business December 4 in order for the Secretary of Health and Environment to consider the request.

The United States Environmental Protection Agency has a 45-day review period, which will start concurrently with the 30-day public comment period, within which to object to the proposed permit. If the EPA has not objected in writing to the issuance of the permit within the 45-day review period, any person may petition the administrator of the EPA to review the permit. The 60-day public petition period will directly follow the EPA 45-day review period. If the EPA waives its 45-day review period, the 60-day public petition period will start directly after the 30-day public comment period. Interested parties may contact KDHE to determine if the EPA's 45-day review period has been waived.

Any such petition shall be based only on objections to the permit that were raised with reasonable specificity during the public comment period provided for in this notice, unless the petitioner demonstrates that it was impracticable to raise such objections within such period, or unless the grounds for such objection arose after such period. Contact Gary Schlicht, U.S. EPA, Region VII, Air Permitting and Compliance Branch, 901 N. 5th St., Kansas City, KS 66101, (913) 551-7097, to determine when the 45-day EPA review period ends and the 60-day petition period commences.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 025815

State of Kansas

Department of Health
and Environment

Request for Comments

The Kansas Department of Health and Environment is soliciting comments regarding issuance of a revised authorization to operate under the general Class I air quality operating permit for natural gas compressor stations. The authorization to operate under the general Class I operating permit has been issued in accordance with the provisions of K.A.R. 28-19-400 *et seq.*

A copy of the permit application, authorization and all supporting documentation is available for public review during normal business hours at the KDHE, Bureau of Air and Radiation, Building 283, Forbes Field, Topeka. Information also is available at the KDHE district office indicated for each facility. To obtain or review the permit, authorization and supporting documentation, contact Connie Carreno, (785) 296-6422, at the KDHE central office, or the indicated district representative. The standard departmental cost will be assessed for any copies requested.

Direct written comments or questions regarding an authorization to Connie Carreno, Bureau of Air and Radiation, KDHE, Building 283, Forbes Field, Topeka, 66620.

A list of all major sources within the state authorized to operate under the terms of the general Class I operating permit will be maintained at the Topeka KDHE offices.

Revised authorization issued during the week of
August 14, 2000.

Company:	ONEOK Field Services
Compressor Station:	Haskell Co. #1
Source ID No.:	0810007
Location:	S19, T30S, R33W, Haskell County
KDHE District Rep.:	Al Guernsey, (316) 225-0596
Rep. Location:	Southwest District Office, Dodge City

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 025817

**State of Kansas
State Conservation Commission
Notice to Contractors**

Sealed bids for the construction of a 20,215 cubic yard detention dam, Site 203 in Osage County, will be received by the Wakarusa Watershed Joint District No. 35 at the district office, 305 Maple, P.O. Box 139, Overbrook, 66524, (785) 665-7231, until 2 p.m. November 28, and then opened. A copy of the invitation for bids and the plans and specifications can be obtained from the Wakarusa Watershed Joint District No. 35 office.

Tracy D. Streeter
Executive Director

Doc. No. 025829

**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-00-330/331
Application(s) for New or Expansion of
Existing Swine Facilities**

Name and Address of Applicant	Owner of Property Where Facility Will Be Located
Dewey Underwood & Sons Route 2, Box 76 Mankato, KS 66956	Dewey Underwood Route 2, Box 76 Mankato, KS 66956
Legal Description	Receiving Water
Southeast Quarter of Section 5, Township 3 South, Range 9 West, Jewell County	Solomon River Basin
Application Number A-SOJW-S017	

This is an application for expansion of an existing swine facility from a capacity of 570 head (228 animal units) of swine to a maximum capacity of 970 head (338 animal units) of swine weighing greater than 55 pounds and 220 head (22 animal units) of swine weighing 55 pounds or less, for a total of 1,190 head (410 animal units) of swine. A new or modified permit will not be issued without additional public notice.

Name and Address of Applicant	Owner of Property Where Facility Will Be Located
Kent F. Condray 471 Bismark Road Clifton, KS 66937	Condray Farms Inc. 471 Bismark Road Clifton, KS 66937
Legal Description	Receiving Water
Northwest Quarter & Southeast Quarter of Section 15, and Northeast Quarter of Section 21, Township 5 South, Range 1 East, Washington County	Lower Republican River Basin
Application Number A-LRWS-H002 Federal Permit No. KS-0085740	
This is an application for expansion of an existing swine facility. The proposed capacity of the facility is a maximum of 5,850 head of swine weighing greater than 55 pounds and 8,180 head of swine weighing 55 pounds or less, for a total of 3,158 animal units of swine. The existing capacity of the facility is 4,670 head of swine weighing greater than 55 pounds and 4,790 head of swine weighing 55 pounds or less. The resulting expansion is an increase of 1,180 head of swine weighing greater than 55 pounds and 3,390 head of swine weighing 55 pounds or less. A new or modified permit will not be issued without additional public notice.	

**Public Notice No. KS-AG-00-332/336
Pending Permits for Confined Feeding Facilities**

Name and Address of Applicant	Legal Description	Receiving Water
Stampede Feeders 5503 E. Road 210 Scott City, KS 67871	NW/4 of Section 24, T17S, R32W, Scott County	Upper Arkansas River Basin
Kansas Permit No. A-UASC-C018 Federal Permit No. KS-0086886		
This is a renewal of an existing facility for a maximum of 10,000 head (10,000 animal units) of beef cattle weighing greater than 700 pounds.		
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.		
Compliance Schedule: Existing controls meet KDHE requirements.		
Name and Address of Applicant	Legal Description	Receiving Water
Westside Dairy LLC HC 1, Box 61 Syracuse, KS 67878	NW/4 of Section 11, T28S, R42W, Stanton County	Cimarron River Basin
Kansas Permit No. A-CIST-D002 Federal Permit No. KS-0096121		
This is a new facility for a maximum of 4,185 head (5,859 animal units) of mature dairy cattle.		
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided which meets or exceeds KDHE minimum requirements.		
Compliance Schedule: Permeability tests shall be conducted on the earthen retention structure after the soil liner has been compacted. The approved manure/waste management plan for the facility shall be adhered to as a condition of the permit. Dewatering equipment shall be obtained within three months of the issuance of the permit.		

Name and Address of Applicant	Legal Description	Receiving Water
Triple C Feeders Wendell K. Carter 1095 Ave. U Alden, KS 67512	SW/4 of Section 30, T21S, R9W, Rice County	Lower Arkansas River Basin
Kansas Permit No. A-ARRC-C005 Federal Permit No. KS-0092746		
This is a permit renewal for an existing facility for a maximum of 4,000 head (4,000 animal units) of cattle weighing greater than 700 pounds.		
Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Waste-		

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

Compliance Schedule: 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
Nelson Farms of Windom Inc. 156 Dakota Road Windom, KS 67491	NE/4 of Section 19, T20S, R5W, McPherson County	Little Arkansas River Basin

Kansas Permit No. A-LAMP-B001

This is a permit renewal for an existing facility for a maximum of 600 head (600 animal units) of cattle weighing greater than 700 pounds.

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

Compliance Schedule: 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
River Valley Farms Inc. 2470 18th Road Sterling, KS 67579	NE/4 of Section 2, T22S, R8W, Rice County	Arkansas River Basin

Kansas Permit No. A-ARRC-H001* Federal Permit No. KS-0117161

This is a permit renewal for an existing facility for a maximum of 4,888 head (1,955.2 animal units) of swine weighing greater than 55 pounds, and 2,000 head (200 animal units) of swine weighing 55 pounds or less.

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.

Public Notice No. KS-00-222/226

Name and Address of Applicant	Waterway	Type of Discharge
Delia, City of P.O. Box 17 Delia, KS 66418	Kansas River via Salt Creek	Treated Domestic Wastewater

Kansas Permit No. M-KS10-0001 Federal Permit No. KS0046443

Legal: NW¼, S21, T9S, R13E, Jackson 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 and pH. Monitoring for ammonia and fecal coliform also will be required. Included in this permit is a schedule of compliance requiring the permittee to obtain the services of a KDHE-certified wastewater treatment plant operator. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f), and Federal Surface Water Criteria, and are technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Maple Hill, City of P. O. Box 215 Maple Hill, KS 66507	Mill Creek via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-KS39-0001 Federal Permit No. KS0046426

Legal: NW¼, S19, T11S, R12E, Wabaunsee 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. 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
Severy, City of P.O. Box 128 Severy, KS 67137	Verdigris River via Fall River via Salt Creek	Treated Domestic Wastewater

Kansas Permit No. M-VE34-0001 Federal Permit No. KS0029076

Legal: NW¼, S17, T28S, R11E, 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 and pH. Monitoring for ammonia and fecal coliform 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 technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Stockton, City of P.O. Box 512 Stockton, KS 67669	South Fork of the Solomon River via Dibble Creek	Treated Domestic Wastewater

Kansas Permit No. M-SO41-0001 Federal Permit No. KS0117625

Legal: NW¼, S24, T7S, R18W, Rooks 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, fecal coliform and pH. Monitoring for total phosphorus, nitrate, nitrite, total kjeldahl and 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
Martin Marietta Aggregates 11252 Aurora Ave. Des Moines, IA 50322	Marais des Cygnes River via Ottawa Creek via various tributaries	Pit Dewatering, Stormwater Runoff and Washwater

Facility Name: Leloup Quarry

Kansas Permit No. I-MC48-PO03 Federal Permit No. KS0088579

Legal: NE¼ and S½, S23, T16S, R20E, Franklin County

Facility Description: The proposed action is to reissue an existing permit for the discharge of wastewater during quarry operation. This is a limestone crushing operation with occasional washing. Washwater is treated using a settling pond that occasionally discharges. The proposed permit includes limits for total suspended solids and pH. 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-PT-00-015

Name and Address of Applicant	Receiving Facility	Type of Discharge
Diversified Services, Inc. 28 Clark Ave., Industrial Park #2 Wellington, KS 67152	Wellington WWTP	Processed Wastewater

Kansas Permit No. P-AR92-0003

Facility Description: The proposed action is to reissue an existing pre-treatment permit for this facility. This facility conducts anodizing, non-destructive testing, shot-peening cleaning, priming and painting of aluminum parts for aircraft or other uses. The proposed permit includes limits for total toxic organics, cadmium, chromium, copper, lead, nickel, silver, zinc, cyanide (total) and pH. Process wastewater

(continued)

is treated before being released to the city sanitary sewer. The permit limits are pursuant to state and federal pretreatment requirements.

Public Notice No. KS-ND-00-047/049

Name and Address of Applicant	Legal Location	Type of Discharge
Vicki Eldridge 13944 Mitchell Court Basehor, KS 66007	NE $\frac{1}{4}$, S25, T10S, R22E, Leavenworth County	Nonoverflowing

Facility Name: Janice Voight Subdivision Restaurant

Facility Address: Corner of K-7 and Highway 73, Basehor, KS 66007

Kansas Permit No. C-KS04-NO02

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 two-cell wastewater stabilization lagoon system. 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).

Name and Address of Applicant	Legal Location	Type of Discharge
Bennie Stinson 2357 Haskell Road Ottawa, KS 66067	SE $\frac{1}{4}$, S34, T17S, R19E, Franklin County	Nonoverflowing

Facility Name: Stinson Processing

Facility Address: 2417 Haskell Road, Ottawa, KS 66067

Kansas Permit No. I-MC31-NP02

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily processed wastewater. This facility engages in the slaughter and processing of hogs and cattle. The wastewater from these operations and domestic wastewater enter a 1,400 gallon septic tank and then into a nondischarging, clay-lined lagoon. 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 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).

Name and Address of Applicant	Legal Location	Type of Discharge
Rome Corporation (dba Western Well Service) 1023 Reservation Road Hays, KS 67601	SW $\frac{1}{4}$, S3, T14S, R18W, Ellis County	Nonoverflowing

Kansas Permit No. I-SH16-NP03

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily processed wastewater. This facility is a well service company. The washwater from cleaning the exterior of company vehicles is directed to a nonoverflowing earthen lagoon through a mud trap. Discharge of wastewater from this treatment facility to 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, Di-

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

All comments regarding the draft permit or application notice postmarked or received on or before December 2 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-00-330/331, KS-AG-00-332/336, KS-00-222/226, KS-PT-00-015, KS-ND-00-047/049) and name of applicant/application as listed when preparing comments.

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

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

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

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

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

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

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

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

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

For all other proposed permits, the draft permit(s), including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information, are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water.

Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays. These documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

Clyde D. Graeber
Secretary of Health
and Environment

Doc. No. 025822

(Published in the Kansas Register November 2, 2000.)

Cancellation of Bond Sale Period
City of Overland Park, Kansas
\$42,690,000
Internal Improvement Bonds
Series 2000B

The bond sale period commencing October 6, 2000 and ending November 3, 2000, authorized by K.S.A. 10-106, as amended, for the above-referenced Internal Improvement Bonds of the City of Overland Park, Kansas, is hereby cancelled for internal administrative reasons. The city anticipates scheduling the sale for the bonds for a date certain within the next 60 days.

City of Overland Park, Kansas
 By Kristy Stallings
 Director of Finance, Budget
 and Administration

Doc. No. 025826

(Published in the Kansas Register November 2, 2000.)

Summary Notice of Bond Sale
City of Tonganoxie, Kansas
\$610,000
General Obligation Bonds, Series 2000
(General obligation bonds payable from
unlimited ad valorem taxes)

Bids

Subject to the notice of bond sale dated October 23, 2000, written bids will be received by the clerk of the City of Tonganoxie, Kansas (the issuer), on behalf of the governing body at City Hall, 321 S. Delaware, Tonganoxie, KS 66086, until 11 a.m. November 13, 2000, for the purchase of \$610,000 principal amount of General Obligation 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 November 15, 2000, and will become due on September 1 in the years as follows:

Year	Principal Amount
2001	\$20,000
2002	35,000
2003	30,000
2004	35,000
2005	40,000
2006	65,000
2007	65,000
2008	70,000
2009	70,000
2010	70,000
2011	5,000
2012	10,000
2013	10,000
2014	10,000
2015	10,000

2016	10,000
2017	10,000
2018	10,000
2019	10,000
2020	10,000
2021	15,000

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

Book-Entry-Only System

The bonds will be 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 \$12,200 (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 November 29, 2000, to DTC for the account of the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 2000 is \$17,504,132. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$1,020,000.

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, (913) 845-2620, fax (913) 845-9760; or from the financial advisor, U.S. Bancorp Piper Jaffray, 4600 Madison Ave., Suite 1200, Kansas City, MO 64112, Attention: Greg Vahrenberg, (816) 360-3000, fax (816) 360-3093.

Dated October 23, 2000.

City of Tonganoxie, Kansas

Doc. No. 025812

(Published in the Kansas Register November 2, 2000.)

Statutory Notice of Bond Sale
City of Shawnee, Kansas
\$9,110,000
Internal Improvement Bonds
Series 2000B
Dated December 1, 2000
(General obligations payable from
unlimited ad valorem taxes)

2010	650,000
2011	680,000
2012	715,000
2013	750,000
2014	785,000
2015	830,000

Bids for the bonds may contain a maturity schedule providing for a combination of serial bonds and term bonds, provided that no serial bond may mature on or after the first mandatory sinking fund redemption date of any term bond. All term bonds shall be subject to mandatory sinking fund redemption and must conform to the maturity schedule set forth above.

The bonds will bear interest from their date at rates to be determined when the bonds are sold as herein provided, which interest will be payable June 1, 2001, and semiannually thereafter on June 1 and December 1 in each year the bonds are outstanding at the office of the State Treasurer in Topeka, Kansas.

Good Faith Deposit

A good faith deposit in the form of a certified or cashier's check or financial surety bond payable to the city in the amount of \$182,200 must accompany each bid for the bonds.

Costs

The city will pay the cost of printing the bonds and the expense of all legal services, including the opinion of McDowell, Rice, Smith & Gaar, a Professional Corporation, bond counsel, approving the legality of the bonds and the exclusion of the interest thereon (with specified minor exceptions) from federal and Kansas gross income taxes.

Delivery and Payment

The bonds will be delivered to the successful bidder properly prepared, executed and registered without cost within approximately 30 days after the date of award in New York, New York.

Assessed Valuation and Indebtedness

For the computation of the debt limitation relating to the bonds, the assessed valuation of the taxable tangible property within the city as of December 31, 1999, is \$431,857,886. The total general obligation indebtedness of the city, including the bonds but excluding refunding bonds, as of the date of the bonds, is \$38,250,000.

Additional Information

A complete notice of bond sale, official statement and bid form approved by the city will be mailed to all interested parties. Additional information regarding the bonds may be obtained from the city's financial advisor, Springsted Incorporated, 85 E. 7th Place, Suite 100, St. Paul, MN 55101, (651) 223-3000; and from the City of Shawnee, Kansas, 11110 Johnson Drive, Shawnee, KS 66203, (913) 631-2500, Attention: Lee Meyer, Finance Director.

City of Shawnee, Kansas
 Lee Meyer
 Finance Director
 City Hall
 11110 Johnson Drive
 Shawnee, KS 66203

Sealed and Electronic Bids

Bids, submitted in a sealed envelope, marked "Bond Bid," for the purchase of all of the general obligation bonds of the City of Shawnee, Kansas, consisting of Internal Improvement Bonds, Series 2000B, in the principal amount of \$9,110,000 will be received by the undersigned finance director of the city at City Hall, 11110 Johnson Drive, Shawnee, KS 66203, until 1 p.m. Monday, November 13, 2000. Electronic bids for the purchase of all of the bonds will only be accepted through BidComp/Parity (PARITY) electronic bid submission system. Each bidder shall be solely responsible for making the necessary arrangements to access PARITY for the purpose of submitting its electronic bid in a timely manner and in compliance with the requirements of the complete notice of bond sale. If any provisions in this statutory notice of bond sale conflict with information provided by PARITY, this statutory notice of bond sale will control. Further information about PARITY, including any fee charged and registration requirements, may be obtained from PARITY, c/o Thomson Financial Municipals Group, 395 Hudson St., 3rd Floor, New York, NY 10014, (212) 807-3800. The city assumes no responsibility or liability for bids submitted through PARITY. The city is using the services of PARITY solely as a communication mechanism to conduct the electronic bidding for the bonds. PARITY is not an agent of the city. All bids will be publicly opened on the date and at the time set forth above and will be considered and acted upon by the governing body of the city at a meeting of the City Council scheduled for 7:30 p.m. Monday, November 13, 2000. No oral, telephone, telefax or auction bids will be considered. No bids shall be less than 99 percent of the principal amount of the bonds.

Bond Details

The bonds will consist of fully registered bonds, issued in book-entry form only, in the denomination of \$5,000 or any integral multiple thereof; will be dated December 1, 2000; will be issued in the principal amount of \$9,110,000; and will become due serially on December 1 in each of the years as follows:

Maturity December 1	Principal Amount
2001	\$435,000
2002	455,000
2003	475,000
2004	495,000
2005	520,000
2006	540,000
2007	565,000
2008	595,000
2009	620,000

Doc. No. 025825

(Published in the Kansas Register November 2, 2000.)

**Summary Notice of Bond Sale
City of Garden City, Kansas
\$350,000
General Obligation Bonds, Series 2000
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated October 17, 2000, bids will be received by the city clerk of the City of Garden City, Kansas, on behalf of the governing body at 301 N. 8th, Garden City, Kansas, until 11 a.m. Tuesday, November 14, 2000, for the purchase of \$350,000 principal amount of General Obligation Bonds, Series 2000. No bid of less than the entire par value of the bonds and accrued interest to the date of delivery will be considered.

Bond Details

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

Maturity November 1	Principal Amount
2001	\$25,000
2002	30,000
2003	30,000
2004	30,000
2005	35,000
2006	35,000
2007	40,000
2008	40,000
2009	40,000
2010	45,000

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

Paying Agent and Bond Registrar

Kansas State Treasurer, Topeka, Kansas.

Good Faith Deposit

Each bid shall be accompanied by a cashier's or certified check drawn on a bank located in the United States or a financial surety bond in a form that complies with the requirements set forth in the notice of sale in the amount of \$7,000 (2 percent of the principal amount of the bonds).

Delivery

The city will pay for preparation of the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about December 13, 2000, through the offices of the Depository Trust Company, New York, New York, or such other location in the contiguous United States as may be specified by the successful bidder.

Assessed Valuation and Indebtedness

The equalized assessed tangible valuation for computation of bonded debt limitations for the year 1999 is \$136,413,448. The total general obligation indebtedness of

the city as of the date of the bonds, including the bonds being sold, is \$13,345,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the city clerk, (316) 276-1234; from the city's financial advisor, George K. Baum & Co., 100 N. Main, Suite 810, Wichita, 67202, Attention: Chuck Bouilly, (316) 264-9351; or from bond counsel, Logan Riley Carson & Kaup, L.C., 9200 Indian Creek Parkway, Suite 230, Overland Park, KS 66210, (913) 661-0399.

Dated October 17, 2000.

City of Garden City, Kansas
By Jean Payne
City Clerk
301 N. 8th
Garden City, KS 67846

Doc. No. 025818

(Published in the Kansas Register November 2, 2000.)

**Summary Notice of Bond Sale
City of Park City, Kansas
\$1,730,000
General Obligation Bonds, Series 2000-1
(General obligation bonds payable from
unlimited ad valorem taxes)**

Bids

Subject to the notice of bond sale dated October 24, 2000, written bids will be received by the clerk of the City of Park City, Kansas (the issuer), on behalf of the governing body at City Hall, 6110 N. Hydraulic, Park City, KS 67219, until 11 a.m. November 14, 2000, for the purchase of \$1,730,000 principal amount of General Obligation Bonds, Series 2000-1. 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 December 1, 2000, and will become due on December 1 in the years as follows:

Year	Principal Amount
2003	\$ 95,000
2004	100,000
2005	105,000
2006	115,000
2007	120,000
2008	125,000
2009	130,000
2010	135,000

(continued)

2011	145,000
2012	150,000
2013	160,000
2014	170,000
2015	180,000

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 June 1 and December 1 in each year, beginning June 1, 2002.

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 \$34,600 (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 December 1, 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 2000 is \$27,569,273. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold but excluding temporary notes to be retired in conjunction therewith, is \$8,462,000.

Approval of Bonds

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

Additional Information

Additional information regarding the bonds may be obtained from the clerk, (316) 744-2026, fax (316) 744-3685; or from the financial advisor, Froggatte & Company, 320 N. Main, Wichita, KS 67202, Attention: Theron L. Froggatte, (316) 264-6300, fax (316) 264-7999.

Dated October 24, 2000.

City of Park City, Kansas

Doc. No. 925827

State of Kansas

Governmental Ethics Commission

Opinion No. 2000-50

Written October 19, 2000, to Eugene W. Robbert, Inspector General, Kansas Department of Transportation, Topeka.

This opinion is in response to your letter of October 11, 2000, in which you request an opinion from the Kansas Governmental Ethics Commission concerning the state level conflict of interest laws (K.S.A. 46-215 *et seq.*). We note at the outset that the Commission's jurisdiction is limited to the application of K.S.A. 46-215 *et seq.*, and whether some other statutory system, common law theory or agency rule or regulation applies to your inquiry is not covered by this opinion.

Factual Statement

We understand that you are asking for this opinion in your capacity as the Inspector General for the Kansas Department of Transportation (KDOT). You have explained that your agency has a large number of employees who are involved in varying degrees in the different stages of contracting. You have explained that the contracts at issue are negotiated contracts. You question whether individuals involved in the scenarios listed below would be substantially involved in the preparation of or would have participated in the making of a contract.

Question

Are individuals involved in the scenarios listed below substantially involved in the preparation of or have they participated in the making of a contract pursuant to K.S.A. 1999 Supp. 46-233?

Opinion

K.S.A. 1999 Supp. 46-233(a) states in pertinent part:

(a)(2) Except as otherwise provided in this subsection, whenever any individual has participated as a state officer or employee in the making of any contract with any person or business, such individual shall not accept employment with such person or business as an employee, independent contractor or subcontractor until two years after performance of the contract is completed or until two years after the individual terminates employment as a state officer or employee, whichever is sooner.

(e) . . . (2) "Substantially involved in the preparation or participate in the making of contract" means having approved or disapproved a contract or having provided significant factual or specific information or advice or recommendations in relation to the negotiated terms of the contract.

You have detailed the following scenarios:

1. The Pre-Qualification Committee: The pre-qualification committee determines the categories (road, bridge, etc.) for which a consultant may compete should a contract become available. Are members of the pre-qualification committee considered to have been substantially involved in the preparation of or have they participated in the making of a contract?

Because there is no contract at issue at the time these committee members pre-qualify the consultants, these employees would not be substantially involved in the

preparation of a contract, nor would they be participating in the making of a contract.

2. The Shortlist Committee: A large number of pre-qualified consultants will express an interest in working on a particular contract. The shortlist committee, comprised of seven or eight employees, reviews the consultant list and selects three to five consultants that will be asked to submit proposals for the work. Are members of the shortlist committee considered to have been substantially involved in the preparation of or have they participated in the making of a contract?

Because these individuals have the ability to influence the selection of the consultant, they have been substantially involved in the preparation of or have participated in the making of a contract.

3. The Selection Committee: The selection committee determines which consultant the agency will start negotiations with. On occasion, an employee from the road or bridge section of the agency will sit in on the interviews of the selection committee. These employees do not determine which consultant will be selected, but they are allowed to comment and advise the selection committee because of their prior experience with the consultant. Are employees from the road or bridge departments who advise the selection committee considered to have been substantially involved in the preparation of or have they participated in the making of a contract?

If these individuals provide significant information, advice or recommendations in relation to the selection of the consultant, they have been substantially involved in the preparation of or have participated in the making of a contract.

4. Squad Leaders: During the negotiation process, a squad leader or design leader may be asked to review a consultant proposal and make recommendations to the contract section. Are these squad leaders considered to have been substantially involved in the preparation of or have they participated in the making of a contract?

Because these individuals have provided significant information, advice or recommendations in relation to the negotiated terms of the contract, they have been substantially involved in the preparation of or have participated in the making of a contract.

5. Squad Leaders and Modifications to Contract: During contract administration, a squad or design leader oversees a consultant contract. As part of this process, the squad leader may review a request for a change order increasing or decreasing the cost of the contract and make recommendations for approval or revisions to the contract section. Are squad leaders involved in the modification of a contract considered to have been substantially involved in the preparation of or have they participated in the making of a contract?

If there are material changes made to the contract, and the squad leader provides significant information, advice or recommendations in relation to those material changes, the squad leaders involved in the modification will be considered to have been substantially involved in the preparation of or have participated in the making of a contract. See Opinion No. 1999-33.

6. Road and Bridge Staff Supervision: Road and bridge staff supervise the squad leaders that are directly in-

involved with the consultants. Are road and bridge staff who supervise the squad leaders considered to have been substantially involved in the preparation of or have they participated in the making of a contract?

Absent additional facts, neither the road and bridge staff who supervise the squad leaders nor the squad leaders who are merely involved with the consultants would be considered to have been substantially involved in the preparation of or have participated in the making of a contract.

7. Claim Resolution: Road and bridge staff are involved in claim resolution or settlement of contract disputes with the consultants. Are road and bridge staff who are involved in claim resolution or settlement of contract disputes considered to have been substantially involved in the preparation of or have they participated in the making of a contract?

If the parties come to an agreed upon settlement or resolution to the dispute, the road and bridge staff who are involved in the resolution or settlement would have been substantially involved in the preparation of or have participated in the making of a new contract, and therefore, the prohibitions in K.S.A. 46-233(a)(1) and (2) would apply.

Opinion No. 2000-51

Written October 19, 2000, to all interested persons:

Pursuant to K.S.A. 25-4159, the Kansas Governmental Ethics Commission takes the opportunity to issue its opinion regarding the use of campaign funds, pursuant to K.S.A. 1999 Supp. 25-4157a, for expenses associated with mileage, and the documentation required to be kept pursuant to K.S.A. 1999 Supp. 25-4147 for such expenditures.

Opinion

K.S.A. 1999 Supp. 25-4157a states in pertinent part:

No moneys received by any candidate or candidate committee of any candidate as a contribution under this act shall be used or be made available for the personal use of the candidate and no such moneys shall be used by such candidate or the candidate committee of such candidate except for:

- (1) Legitimate campaign purposes;
- (2) expenses of holding political office;

For the purpose of this subsection, expenditures for "personal use" shall include expenditures to defray normal living expenses for the candidate or the candidate's family and expenditures for the personal benefit of the candidate having no direct connection with or effect upon the campaign of the candidate or the holding of public office.

Legislators and candidates for the legislature may use campaign funds to pay for otherwise un-reimbursed expenditures for mileage associated with the expenses of holding political office or for legitimate campaign purposes. When claiming reimbursement for such expenditures, the treasurer, pursuant to K.S.A. 1999 Supp. 25-4147 and K.A.R. 19-27-3, shall keep detailed records for mileage expenditures showing the dates of travel, the necessity for and specific purpose of the travel, and the actual mileage traveled.

Daniel Sevart
Chairman

Doc. No. 025819

State of Kansas

**Office of Judicial Administration
Court of Appeals Docket**

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

Kansas Court of Appeals
Old Sedgwick County Courthouse
510 N. Main, 3rd Floor
Wichita, Kansas

Before Elliott, P.J.; Knudson, J.; and Jack L. Burr, District Judge, assigned.

Monday, November 20, 2000

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
85,139	Phyllis Brown, Appellee, v. Elec-Tron, Inc., and United States Fire Insurance Co., Appellants.	Gary A. Winfrey Janell Jenkins Foster Douglas C. Hobbs	Work Comp
83,661	State of Kansas, Appellee, v. Ronald Bainum, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Elizabeth Reimer, Asst. D.A. Stephen T. Ariagno	Sedgwick
83,550	Gonzalo Luna, Appellant, v. City of Ulysses, Kansas, a Municipal Corporation; Barbara Dye; Jerry Anderson; Tom Keaton; Edwin Wiltse; Sy Hileman; Lona Long; and Jim Stroh, Appellees.	Michael J. Friesen David C. Black	Grant
83,926	City of Ulysses, Appellee, v. Gonzalo R. Luna, Appellant.	David C. Black Michael J. Friesen	Grant
1:30 p.m.			
84,341	State of Kansas, Appellee, v. Joseph C. Hamilton, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Charles R. Reimer, Asst. D.A. Kiehl Rathbun	Sedgwick
84,197	Daryl Bugner, Appellee, v. Farm Bureau Mutual Insurance Company, Appellant.	Gerald W. Scott Mark A. Scott Marc A. Powell	Sedgwick
84,387	State of Kansas, Appellee, v. Clarence E. Carlyle, Appellant.	Attorney General Nels P. Noel, C.A. Leslie Hess	Haskell
83,657	Francis Lofland, Acting by and through Allen E. Lofland, Attorney-in-Fact Under Durable Power of Attorney, Appellant, v. Via Christi St. Joseph Adult Day Health Center, Appellee.	Kenneth H. Jack Chris S. Cole Steven C. Day	Sedgwick

Tuesday, November 21, 2000

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
85,467	Leonard J. Dix, Appellant, v. Clara Strutt, County Clerk and Electrion Officer of Rooks County, Kansas, Appellee.	Tony A. Potter Allen G. Glendenning Randall W. Weller	Rooks
85,335	State of Kansas, Appellant, v. Jeff Bowles, Appellee.	Attorney General Chris Oakley, C.A. Michael S. Holland	Rice
83,993	Lance C. Cellier, Appellant, v. State of Kansas, Appellee.	Richard Ney Attorney General Joe E. Lee, C.A.	Lyon
Summary Calendar—No Oral Argument			
83,461	State of Kansas, Appellee, v. Kenneth Wayne Kinzenbaw, Appellant.	Attorney General Christina Trocheck, Asst. C.A. Jessica R. Kunen, Chief A.D. Janine Cox, Asst. A.D.	Saline
83,963	State of Kansas, Appellee, v. Joshua P. Fairley, a/k/a Joshua P. Farley, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D. Brent Getty, Asst. A.D.	Sedgwick
84,177	Charles C. Hodge, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Patrick H. Dunn, Asst. A.D. Attorney General Debra S. Peterson, Asst. D.A. Elizabeth Reimer, Asst. D.A.	Sedgwick
84,343	State of Kansas, Appellee, v. Timmy L. Whitcomb, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D. Brent Getty, Asst. A.D.	Sedgwick
84,490	In the Interest of A.H., K.M., R.W., D.W., S.R., All Minor Children Under 18 Years of Age.	Cortland E. Berry Wade H. Bowie, Jr., Asst. C.A.	Lyon
84,712	Edward Harris, Appellant, v. Cassandra Moreland, Appellee.	Donald A. McKinney Christopher Randall	Sedgwick
83,935	State of Kansas, Appellee, v. Troy H. Nelson, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Charles Reimer, Asst. D.A. Jessica R. Kunen, Chief A.D. Brent Getty, Asst. A.D.	Sedgwick
83,974	State of Kansas, Appellee, v. James Ray Mayfield, Appellant.	Attorney General Thomas V. Black, C.A. Jessica R. Kunen, Chief A.D. Brent Getty, Asst. A.D.	Pratt
84,139	State of Kansas, Appellee, v. Thomas Claypole, Appellant.	Attorney General Keith E. Schroeder, Deputy D.A. Jessica R. Kunen, Chief A.D. Rick Kittel, Asst. A.D.	Reno

(continued)

84,236	City of Newton, Kansas, Appellee, v. Gary Hilliard, Appellant.	Michael E. Cleary Cortland E. Berry	Harvey
84,309	State of Kansas, Appellee, v. Guy A. Knarr, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D. Debra J. Wilson, Asst. A.D.	Sedgwick
84,826	Keith Mathis, Appellant, v. State of Kansas, Appellee.	Kevin Loeffler Attorney General Debra S. Peterson, Asst. D.A. Elizabeth Reimer, Asst. D.A.	Sedgwick
83,142	State of Kansas, Appellee, v. Tony M. Ferguson, Appellant.	Attorney General Mark Frame, C.A. Michael S. Holland II	Edwards
83,680	State of Kansas, Appellee, v. Rodney E. Jackson, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Charles R. Reimer, Asst. D.A. Ralph J. DeZago	Sedgwick

**Kansas Court of Appeals
Wyandotte County Courthouse
Division 17
710 N. 7th St., 3rd Floor
Kansas City, Kansas**

Before Lewis, P.J.; Rulon, J.; and Glenn D. Schiffner, D.J., assigned.

Monday, November 20, 2000

1:30 p.m.

Case No.	Case Name	Attorneys	Jurisdiction
84,372	In the Matter of the Marriage of Walter F. Ricci, Appellee, v. Marilyn Ricci, Appellant, and Walter Jorge Ricci, Intervenor, Appellee, v. Walter F. Ricci and Marilyn Ricci.	Kevin D. Case Gerald N. Jeserich	Johnson
85,318	Kathryn Wilson, Appellant, v. Mercy Health Center and Kansas Hospital Association, Appellees.	Seth G. Valerius John A. Bausch	Work Comp
83,838	State of Kansas, Appellee, v. Albert Craig Dougherty, Appellant.	Attorney General Sheryl L. Lidtke, Asst. D.A. Jessica R. Kunen, Chief A.D. Brent Getty, Asst. A.D.	Wyandotte
79,003	State of Kansas, Appellee, v. Jason Eugene Chaney, Appellant.	Attorney General County Attorney Jessica R. Kunen, Chief A.D. Rick Kittel, Asst. A.D.	Reno
82,565	State of Kansas, Appellee, v. David Gault, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Randy R. McCalla	Johnson

Tuesday, November 21, 2000

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
83,866	State of Kansas, Appellee, v. William E. Miller, Appellant.	Attorney General Sheryl L. Lidtke, Asst. D.A. Autumn L. Fox	Wyandotte
84,563	Total Medical and Surgical Services, Inc., <i>et al.</i> , Appellants, v. Dr. Malcolm Knarr, d/b/a Central Family Medicine, Inc., <i>et al.</i> , Appellees.	Philip R. Sedgwick Tammy M. Somogye Philip O. Willoughby	Wyandotte
84,260	In the Matter of the Estate of Theodore Shane, Deceased.	L. Franklin Taylor Dean D. Garland Thomas W. Harris	Johnson
85,217	Dennis Reed and Janet Reed, Appellants, v. Richard L. Dayton and ILC of Lawrence, Appellees, v. Meliton Guana and Theresa A. Guana.	James I. Chappell Melissa D. Allemann	Douglas

1:30 p.m.

84,166	Donna Cottrell, Appellant, v. Lee W. Tetwiler, Appellee.	Donald L. Hochanadel Bruce Keplinger Pamela C. Woolsey	Miami
84,135	Salon Enterprises, Inc., Appellant, v. Topaze Langford and F. Morse Beauty, Inc., Appellees.	Thomas Kelly Ryan Gregory D. Kincaid	Johnson

Summary Calendar—No Oral Argument

83,323	State of Kansas, Appellee. v. Juan M. Acosta, Appellant.	Attorney General County Attorney Jessica R. Kunen, Chief A.D.	Lyon
84,000	State of Kansas, Appellee, v. Jose A. Contreras, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Charles R. Reimer, Asst. D.A. Jessica R. Kunen, Chief A.D. Brent Getty, Asst. A.D.	Sedgwick
84,063	State of Kansas, Appellee, v. Abyah Ky Eteeyan, Appellant.	Attorney General Katherine Von Kliem, Asst. D.A. Autumn L. Fox	Shawnee
84,102	Donna Cottrell, Heir-at-Law of C. Ray "Butch" Cottrell, Jr., Appellant, v. Farmers Insurance Company, Inc., Appellee.	Donald L. Hochanadel Kenneth Berra	Miami
84,328	State of Kansas, Appellee, v. Jeffrey A. Baldwin, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Richard A. Olmstead, Asst. D.A. Jessica R. Kunen, Chief A.D. Jennifer C. Roth, Asst. A.D.	Sedgwick
85,273	In the Interest of C.M.I., dob: 05/19/92; A.R.M., dob: 10/27/90.	Philip J. Bernhart Daylene Brady Walls, Asst. C.A.	Montgomery

(continued)

83,629	State of Kansas, Appellee, v. Larry O. Daniels, Appellant.	Attorney General Rex L. Lane, Asst. C.A. Jessica R. Kunen, Chief A.D. Randall L. Hodgkinson, Asst. A.D.	Atchison
83,831	State of Kansas, Appellee, v. Clifton E. Logan, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. McFadden, Asst. D.A. Jessica R. Kunen, Chief A.D. Daniel C. Estes, Asst. A.D.	Sedgwick
84,585	State of Kansas, Appellee, v. Lewis James Padilla, Appellant.	Attorney General County Attorney Jessica R. Kunen, Chief A.D. Jennifer C. Roth, Asst. A.D.	Kearney
84,719	State of Kansas, Appellee, v. Ronnie L. Scott, Appellant.	Attorney General Ann L. Smith, Spécial Asst. C.A. Robert C. Claus, C.A. Jessica R. Kunen, Chief A.D. Niki Christopher, Asst. A.D.	Montgomery
85,031	In the Matter of the Marriage of James N. Mooney, Appellee, v. Reba L. Mooney, Appellant.	Susan Ellis Suzanne R. Dwyer	Sedgwick
85,170	City of Manhattan, Appellee, v. Jason L. Leonard, Appellant.	Michael L. Kearns Henry Otto III	Riley
83,938 84,358	State of Kansas, Appellee, v. Mistella D. Kneil, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Jessica R. Kunen, Chief A.D. Kathryn B. Wall, Asst. A.D.	Sedgwick
84,398	In the Matter of the Marriage of Tamala R. Schulze, Appellee, and Timothy R. Schulze, Appellant.	Robert S. Jones Allen Shelton	Norton

Kansas Court of Appeals
Sedgwick County Courthouse
Courtroom 11-1
525 N. Main
Wichita, Kansas

Before Marquardt, P.J.; Green, J.; and James Buchele, Senior Judge.

Monday, November 20, 2000

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
84,059	David L. Upchurch, Appellant, v. State of Kansas, Appellee.	Roger L. Falk Gary W. Owens Attorney General Debra S. Peterson, Asst. D.A. Charles R. Reimer, Asst. D.A.	Sedgwick
84,571	Don Muir, #53284, Appellant, v. Louis A. Bruce, <i>et al.</i> , Appellees.	Cheryl I. Allen Jon D. Graves	Reno
85,136	In the Matter of M.A.E-G., a Child Under the Age of 18 Years.	Geary N. Gorup Debra S. Peterson, Asst. D.A.	Sedgwick

83,796	Board of County Commissioners of Reno County, Kansas, Acting as the Governing Body of Reno County Water District No. 8, Appellee, v. Asset Management and Marketing L.L.C., <i>et al.</i> , Appellants.	Joseph O'Sullivan John A. O'Leary	Reno
		1:30 p.m.	
85,077	Rosa M. Albright, Appellant, v. Kansas Department of Transportation, State of Kansas, Appellee.	Kenneth E. Peirce Vicky S. Johnson	Reno
84,944	Phil L. Unruh, Deceased, Appellant, v. Prudential Insurance Company, and Travelers Indemnity of Illinois, Appellees.	Theodore C. Geisert Leigh C. Hudson Blake Hudson	Work Comp
84,577	Christopher J. Linenberger, Appellee, v. Kansas Department of Revenue, Appellant.	Michael S. Holland Brian Cox	Barton
84,727	Dorothy Burt, Appellant, v. Gerhard Schrubba, Defendant, and Alamo Rent-a-Car, Garnishee, Appellee.	Joel W. Riggs Carol B. Bonebrake	Sedgwick

Tuesday, November 21, 2000

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
85,108	Karen Watson, Appellee/Cross-Appellant, v. Spiegel, Inc., and Hartford Accident & Indemnity, Appellants/Cross-Appellee.	Vincent A. Burnett Kelly W. Johnston Shayla C. Johnston	Work Comp
83,249	State of Kansas, Appellee, v. Shane A. Wentling, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. McFadden, Asst. D.A. Jessica R. Kunen, Chief A.D. Karen Eager, Asst. A.D.	Sedgwick
84,043	State of Kansas, Appellee, v. Derrick A. French, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. McFadden, Asst. D.A. Jessica R. Kunen, Chief A.D. Rick Kittel, Asst. A.D.	Sedgwick
85,274	Ag Services of America, Inc., Appellee, v. Debruce Grain, Inc., Appellant, <i>et al.</i>	Charles E. Owen II Mark D. Calcara	Stanton

Summary Calendar—No Oral Argument

83,911	State of Kansas, Appellant, v. Carolyn Bogunovich, a/k/a Carolyn Edris, Appellee.	Attorney General Jennifer M. Wieland, Asst. C.A. Jessica R. Kunen, Chief A.D. Sandra Carr, Asst. A.D.	Harvey
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(continued)

84,138	State of Kansas, Appellee, v. Barbara J. Hellewell, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Jessica R. Kunen, Chief A.D. Karen Eager, Asst. A.D.	Sedgwick
84,562	Darin Stecklein, Appellant, v. Jay Shelton, Warden, Appellee.	Paula D. Hofaker Robert E. Wasinger	Norton
84,595	State of Kansas, Appellee, v. Morgan G. Walkup, Appellant.	Attorney General Thomas J. Drees, C.A. Jessica R. Kunen, Chief A.D. Brent Getty, Asst. A.D.	Trego
84,938	State of Kansas, Appellee, v. Shawn Allen Gumm, Appellant.	Attorney General Ty Kaufman, C.A. Jessica R. Kunen, Chief A.D. Rick Kittel, Asst. A.D.	McPherson
85,070	Robert J. Braun, Appellant, v. Simon Roth, Jr., Lelyn J. Braun, and Donald E. Schultz, Appellees.	Robert J. Braun Monte Vines	Ellis
80,189 80,213	State of Kansas, Appellee, v. Frank J. Wilkins, Appellant.	Attorney General County Attorney Nicholas M. St. Peter Timothy A. Showalter	Cowley
83,722	State of Kansas, Appellee, v. Christopher J. Saemisch, Appellant.	Attorney General Angela M. Wilson, Asst. D.A. Jessica R. Kunen, Chief A.D. Niki Christopher, Asst. A.D.	Douglas
83,903	State of Kansas, Appellee, v. Robert D. Thomas, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. McFadden, Asst. D.A. Charles A. O'Hara	Sedgwick
84,329	State of Kansas, Appellee, v. James David Mueller, Appellant.	Attorney General Kevin K. Stephenson, Asst. C.A. Jessica R. Kunen, Chief A.D. Peter Maharry, Asst. A.D.	Lyon
84,347	State of Kansas, Appellee, v. Larry M. Drew, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Jessica R. Kunen, Chief A.D. Daniel C. Estes, Asst. A.D.	Sedgwick
84,484	Michael T. Fitzmorris, Appellant, v. Parsons State Hospital and Training Center, Appellee.	Richard G. Tucker Beth Lange Engle	Labette
84,362	State of Kansas, Appellee, v. Elmer L. Marshall, Appellant.	Attorney General Debra S. Peterson, Asst. A.D. Boyd K. Isherwood, Asst. A.D. Jessica R. Kunen, Chief A.D. Craig Durham, Asst. A.D.	Sedgwick
84,477	State of Kansas, Appellee, v. Dean Edward Endsley, Appellant.	Attorney General Thomas R. Stanton, Asst. C.A. James P. Davidson	Saline
84,502	In the Matter of the Application of Mark Connell for Exemption from Ad Valorem Taxation in Russell County, Kansas.	Daniel W. Krug, C.A. Mark Connell	Tax Appeal

85,008	State of Kansas, Appellee, v. Michelle I. Martin, Appellant.	Attorney General Keith E. Schroeder, Deputy C.A. Edward M. Kumorowski	Reno
85,068	State of Kansas, Appellee, v. Kathy Stephens, a/k/a Kathy Alcorn- Gravatt, Appellant.	Attorney General Kevin K. Stephenson, Asst. C.A. Kevin W. Babbit	Lyon
85,122	State of Kansas, Appellee, v. Ronnie E. Gonzalez, Appellant.	Attorney General Matthew J. Richter, Asst. C.A. Jessica R. Kunen, Chief A.D. Randall L. Hodgkinson, Asst. A.D.	Seward

**Kansas Court of Appeals
Kansas Judicial Center
Court of Appeals Courtroom
301 S.W. 10th Ave.
Topeka, Kansas**

Before Beier, P.J.; Pierron, J.; and Thomas E. Malone, D.J., assigned.

Monday, November 20, 2000

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
84,658	State of Kansas, Appellee, v. Jonathan B. Phelps, Appellant.	Attorney General Joel W. Meinecke, Asst. D.A. Chris R. Davis	Shawnee
84,461	State of Kansas, Appellee, v. Demone Rashee Bell, Appellant.	Attorney General Barry R. Wilkerson, Asst. C.A. Jessica R. Kunen, Chief A.D. Rick Kittel, Asst. A.D.	Riley
84,451	State of Kansas, Appellee, v. Paul A. Seibel, Appellant.	Attorney General Brenda Taylor-Mader, Asst. D.A. Jessica R. Kunen, Chief A.D. Niki Christopher, Asst. A.D.	Shawnee
84,080	State of Kansas, Appellee, v. Milford L. Dillon, Appellant.	Attorney General Rod Ludwig, C.A. Jessica R. Kunen, Chief A.D. Rick Kittel, Asst. A.D.	Mitchell

1:30 p.m.

85,141	Thomas F. Gray, Ph.D., CCC-A, d/b/a Audiology Associates, Appellant, v. Manhattan Medical Center, Inc., John M. Barlow, M.D., and Benjamin C. Pease, M.D., Appellees.	Jeffrey A. Wietharn William L. Frost Charles R. Hay	Riley
84,972	Sean M. Butera, Appellee, v. Fluor Daniel Construction Corp., and CNA Group, Appellants, and Wolf Creek Nuclear Operating Corporation, Appellee.	Eric I. Unrein George H. Pearson Douglas M. Greenwald John David Jurcyk	Work Comp
85,457	In the Matter of the Marriage of Deborah A. Haun, Appellant, * and Rudy T. Haun, Appellee.	David P. Troup Anne Burke Miller	Riley

(continued)

85,496	Randall R. Schuster, Appellant, v. State of Kansas, Appellee.	Autumn L. Fox Attorney General Eric K. Rucker, C.A.	Dickinson
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Tuesday, November 21, 2000

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
84,649	Devin E. Williams, Deceased, Appellant, v. Flint Hills Trucking Company and Tomco Trucks, and Workers Compensation Fund, Appellees.	Michael C. Helbert Derek R. Chappell	Work Comp
84,921	In the Matter of the Marriage of Linda C. Eyer, Appellee, and Robert A. Eyer, Appellant.	Stephen W. Boyda Norbert C. Marek, Jr. Paul D. Post	Marshall
84,494 84,495	Stephen M. Smith, Appellee, v. Smith & Smith, and Cigna, Appellants, and Workers Compensation Fund, Appellee.	Beth Regier Foerster Donald J. Fritschie Gary R. Terrill	Work Comp

Summary Calendar—No Oral Argument

82,829	State of Kansas, Appellee, v. Vincent E. Scott, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D. Craig Durham, Asst. A.D.	Johnson
83,342	Montel L. Riley, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Peter Maharry, Asst. A.D. Attorney General Steven J. Obermeier, Asst. D.A.	Johnson
83,581	Tracy Schmidt, Appellant, v. State of Kansas, Appellee.	Nicholas M. St. Peter Attorney General County Attorney	Cowley
84,666	State of Kansas, Appellant, v. Kenneth L. Hill, Sr., Appellee.	Attorney General Keith Schroeder, Deputy D.A. Jessica R. Kunen, Chief A.D. Sandra Carr, Asst. A.D.	Reno
84,785	Phillip G. Cline, Sr., Administrator of the Estate of Phillip Gardner Cline, Jr., (Deceased), Appellant, v. Cronister Construction Company, Inc., Hooters South Side Saloon, and "Kenny" (Last Name Unknown), Appellees.	Ira Dennis Hawver Jeff K. Cooper Gregory A. Lee	Jefferson
85,049	In the Matter of the Marriage of Robert John Salas, Appellant, and Yon Sun Salas, Appellee.	Robert D. Beall Yon Sun McIntosh, pro se	Leavenworth
83,706	State of Kansas, Appellee, v. Maurice L. Garvin, Appellant.	Attorney General Vernon E. Buck, Asst. C.A. Jessica R. Kunen, Chief A.D. Randall L. Hodgkinson, Asst. A.D.	Lyon

83,707	Ronald L. Greer, Appellant, v. State of Kansas, Appellee.	Jennifer Passiglia Attorney General County Attorney	Cowley
84,172	Thomas Britt Nichols, Appellant, v. Kansas Governmental Ethics Commission, Appellee.	Thomas Britt Nichols Vera May Gannaway	Shawnee
84,636	State of Kansas, Appellee, v. James Elbert King, Appellant.	Attorney General William R. Mott, C.A. Jessica R. Kunen, Chief A.D. Brent Getty, Asst. A.D.	Sumner
84,779	Melvin Cunningham, Appellant, v. Jack's Engine & Machine Company, Inc., Appellee.	Robert W. Christensen Alan C. Goering	Barber
84,929	Damion Boyd, Appellant, v. David R. McKune, et al., Appellees.	Michael G. Highland Jeffrey L. Cowger Kenneth R. Smith, Special Asst. A.G.	Leavenworth
83,770	State of Kansas, Appellee, v. Heath Frydendall, Appellant.	Attorney General Don L. Scott, C.A. Jessica R. Kunen, Chief A.D. Mary Curtis, Asst. A.D.	Seward
84,217	State of Kansas, Appellee, v. Darren M. Warner, Appellant.	Attorney General Joseph W. Lentz, Asst. A.D. Jessica R. Kunen, Chief A.D. Niki Christopher, Asst. A.D.	Shawnee

Carol G. Green
Clerk of the Appellate Courts

Doc. No. 025790

State of Kansas

Board of Accountancy

**Permanent Administrative
Regulations**

Article 1.—EXAMINATIONS

74-1-2. Grading. (a) A person shall be considered to have successfully passed an examination if the person receives a grade of at least 75 percent in each subject.

(b) Cheating on the examination shall invalidate any grade otherwise earned on any part of the examination and may warrant summary expulsion from the examination site and disqualification from taking the examination for a specified number of subsequent sittings.

(c) Cheating shall include the following actions:

(1) Falsification or misrepresentation of educational credentials or other information required for admission to the examination;

(2) communication concerning the examination between or among candidates inside or outside the examination room while the examination is in progress or copying another candidate's answers;

(3) communication with others concerning the examination outside the examination room while the examination is in progress;

(4) substitution of another person to sit in the examination room in the place of the candidate;

(5) reference to crib sheets, textbooks or other materials inside or outside the examination room while the examination is in progress;

(6) failure to cooperate with testing officials; and

(7) any conduct that violates the standards of test administration.

(d) If it appears to the board or its designee that cheating has occurred or is occurring, the candidate may be summarily expelled by the board or its designee. In addition, any action necessary to segregate the candidate may be taken by the board or its designee so that the candidate can be observed more closely.

(e) If there is evidence that a candidate has cheated on the examination or if a candidate has been expelled from the examination, a hearing shall be conducted by the board. The purpose of this hearing shall be to determine whether or not the candidate cheated and, if so, what remedy should be applied. During the hearing, the following issues shall be decided by the board:

(1) Whether the candidate will be given credit for any portion of the examination completed in that session; and

(2) whether the candidate will be barred from taking the examination in future sittings and, if so, for how many sittings.

(f) All examination papers shall be submitted to the board of examiners of the American institute of certified public accountants for evaluation, but all final grades

(continued)

shall be determined and affixed by the board. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-302, as amended by L. 2000, Ch. 81, § 7; effective Jan. 1, 1966; amended Nov. 17, 2000.)

74-1-7. Examination security. Scheduled examinations, the grading of examinations, and the issuance of certificates may be postponed by the board for any of the following reasons:

- (a) Breach of examination security;
- (b) unauthorized acquisition or disclosure of the contents of an examination;
- (c) suspected or actual negligence, errors, omissions, or irregularities in conducting examinations; or
- (d) any other reasonable cause or unforeseen circumstance. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-302, as amended by L. 2000, Ch. 81, § 7; effective Nov. 17, 2000.)

Article 2.—APPLICATIONS

74-2-1. Filing date for applications. In order for an applicant to be admitted to an examination, the application submitting evidence that the applicant has met all requirements shall be filed with the examination-administering entity on or before March 1 for the May examinations or on or before September 1 for the November examinations. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4, K.S.A. 1999 Supp. 1-302, as amended by L. 2000, Ch. 81, § 7, and K.S.A. 1-302a, as amended by L. 2000, Ch. 81, § 8; effective Jan. 1, 1966; amended May 1, 1978; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended July 18, 1997; amended Nov. 17, 2000.)

74-2-3. Submission of college transcripts. (a) An individual applying for admission to the examination, or for issuance of a certificate as certified public accountant by waiver of examination, shall submit with the application official college transcripts and include the number of hours of credit received in courses that are listed in K.A.R. 74-2-7. College transcripts shall not be returned.

(b) Transcripts received from foreign universities shall be evaluated by a credentialing evaluation service approved by the board. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4, K.S.A. 1-302a, as amended by L. 2000, Ch. 81, § 8, K.S.A. 1999 Supp. 1-307, as amended by L. 2000, Ch. 81, § 10; effective Jan. 1, 1966; amended Jan. 1, 1972; amended Feb. 15, 1977; amended May 1, 1978; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended Nov. 17, 2000.)

74-2-4. Conditionally qualified within 90 days after examination. An applicant who will graduate from a college or university and who will satisfy the 150 semester hours set forth in K.A.R. 74-2-7 within 90 days after the date of the examination to which the applicant has applied for admission, may be admitted to the examination. However, no report on the examination shall be

made until verification has been submitted to the board that the applicant has graduated and completed the 150 semester hours within the 90-day period. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1-302a, as amended by L. 2000, Ch. 81, § 8; effective Jan. 1, 1966; amended Jan. 1, 1972; amended Feb. 15, 1977; amended May 1, 1978; amended Nov. 17, 2000.)

Article 3.—ISSUANCE OF CERTIFICATES

74-3-8. Ethics examination requirement for issuance of certificate. Satisfactory completion of an examination in professional ethics approved by the board shall be required for issuance of the Kansas certificate. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-302, as amended by L. 2000, Ch. 81, § 7; effective Feb. 15, 1977; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended Nov. 17, 2000.)

Article 4.—PERMITS TO PRACTICE

74-4-1. (Authorized by K.S.A. 1997 Supp. 1-202 and K.S.A. 75-1119; implementing K.S.A. 1997 Supp. 1-316, K.S.A. 75-1119, and 75-1128; effective Jan. 1, 1966; amended Jan. 1, 1970; amended Jan. 1, 1972; amended May 1, 1985; amended Jan. 12, 1996; amended Sept. 25, 1998; revoked Nov. 17, 2000.)

74-4-1a. Experience requirements for attest services. Each permit holder who supervises attest services or who signs or authorizes a person to sign a report on any audit, review, compilation, or examination of prospective financial information on behalf of a firm shall meet the requirements set forth in the "statements on quality control standards" issued by the auditing standards board of the American institute of certified public accountants and contained in the "AICPA professional standards," as adopted by reference in K.A.R. 74-11-6. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4, K.S.A. 1999 Supp. 1-302b, as amended by L. 2000, Ch. 81, § 9; implementing K.S.A. 1999 Supp. 1-302b, as amended by L. 2000, Ch. 81, § 9; effective Nov. 17, 2000.)

74-4-2a. Evidence of experience. (a) Any certified public accountant who refuses to verify an applicant's experience may be required to inform the board of the certified public accountant's reason for refusing to verify this experience.

(b) Any certified public accountant who has verified the experience of an applicant may be required by the board to substantiate any information provided to the board.

(c) Any documentation relating to an applicant's experience may be reviewed by the board. The applicant may be required to appear before the board or its designee to supplement or verify the applicant's experience. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-302b, as amended by L. 2000, Ch. 81, § 9; effective Nov. 17, 2000.)

74-4-3a. Permit renewal. (a) Each application for renewal of a permit shall be made on a form provided by the board.

(b) Any renewal application that is insufficient shall not be processed and shall be returned to the applicant. An application shall be deemed insufficient if it meets any of the following conditions:

- (1) Is not completely filled out;
- (2) lacks the required documentation; or
- (3) does not include the renewal fee. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-310, as amended by L. 2000, Ch. 81, § 12; effective Nov. 17, 2000.)

74-4-4. Experience requirement for permits. (a) The accounting experience required under K.S.A. 1-302b, and amendments thereto, may include any type of service or advice involving the use of attest or nonattest skills pursuant to K.S.A. 1-302b and amendments thereto. Attest and nonattest services shall be as defined in L. 2000, Ch. 81, § 1.

(b) One year of experience shall consist of full- or part-time employment that extends over a period of no less than one year and no more than three years and that includes no fewer than 2,000 hours of performance of services as described in subsection (a). (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-302b, as amended by L. 2000, Ch. 81, § 9; effective, E-82-27, Dec. 22, 1981; effective May 1, 1982; amended Jan. 12, 1996; amended Sept. 25, 1998; amended Nov. 17, 2000.)

74-4-7. Continuing education requirements. (a) Each applicant for renewal of a permit to practice as a certified public accountant in Kansas shall have completed 80 hours with a minimum of 20 hours in each year of acceptable continuing education during each biennial period for renewal.

(b) Each applicant for renewal of a permit to practice as a licensed municipal public accountant in Kansas shall have completed a 16-hour program of acceptable continuing education during each year within the biennial period. At least eight of the 16 hours shall be in the area of municipal accounting or auditing.

(c) Standards used to determine acceptable continuing education shall include the following:

(1) One hour of credit shall be granted for each 50-minute period attended. Partial hours shall not be counted.

(2) Hours devoted to preparation by a lecturer or discussion leader for formal programs shall be computed at a maximum of one and a half hours for each contact hour of presentation. No time devoted to preparation by a participant shall be counted.

(3) Hours served as a lecturer or discussion leader shall be included to the extent that they contribute to the professional competence of the applicant. Repeated presentations of the same course shall not be counted unless it can be demonstrated that the program content involved was substantially changed and the change required significant additional study or research.

(4) Only one-half of the total continuing education hours required for permit renewal may be satisfied by instruction or service as a lecturer or discussion leader.

(d) The requirements of subsection (a) may be waived by the board for reasons of health, military service, foreign residence, retirement, or for other good cause determined by the board.

(e) Any applicant for renewal of a permit to practice as a certified public accountant may carry over a maximum of 20 hours of continuing education earned in the 12-month period preceding July 1 of each year.

(f) If an applicant for renewal fails to obtain the continuing education required by this regulation, the applicant may be required by the board to obtain an additional eight hours of continuing education within a period of time specified by the board before the applicant's permit to practice is renewed. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4, K.S.A. 1999 Supp. 1-310, as amended by L. 2000, Ch. 81, § 12, and K.S.A. 75-1119; implementing K.S.A. 1999 Supp. 1-310, as amended by L. 2000, Ch. 81, § 12, K.S.A. 75-1119; effective, E-82-27, Dec. 22, 1981; effective May 1, 1982; amended May 1, 1985; amended July 13, 1992; amended Sept. 25, 1998; amended Nov. 17, 2000.)

74-4-10. Continuing education requirements for initial or reinstated permits. (a) Each applicant for an initial permit to practice as a certified public accountant in Kansas shall complete continuing education hours in an amount proportionate to the hours required for the renewal period, given the number of full months from the date of issuance of the permit to the June 30 renewal date.

(b) In addition to the continuing education requirements of K.S.A. 1-310(g) and amendments thereto, each applicant for reinstatement of a permit to practice as a certified public accountant in Kansas shall complete the number of continuing education hours proportionate to the number of hours required for the renewal period, given the number of full months from the date of the issuance of the permit to the June 30 renewal date.

(c) Board-approved continuing education credit obtained by the applicant on and after July 1 of the issuance year of the permit may be used to satisfy the continuing education requirement in subsection (a). (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4 and K.S.A. 1999 Supp. 1-310, as amended by L. 2000, Ch. 81, § 12; implementing K.S.A. 1999 Supp. 1-310, as amended by L. 2000, Ch. 81, § 12; effective, E-82-27, Dec. 22, 1981; effective May 1, 1982; amended Sept. 25, 1998; amended Sept. 10, 1999; amended Nov. 17, 2000.)

Article 5.—RULES OF PROFESSIONAL CONDUCT

74-5-2. Definitions. The following definitions shall be applicable wherever this terminology is used in the rules of professional conduct:

(a) "Audit" means an independent examination of financial information of any entity, regardless of profit orientation, size, and legal form, when the examination is conducted to express an opinion thereon.

(b) "Board" means the Kansas state board of accountancy.

(c) "Certified public accountant," or "CPA," means any of the following:

(continued)

- (1) A holder of a Kansas certificate;
- (2) a person practicing certified public accountancy under the authorization to practice by notification as provided in L. 2000, Ch. 81, § 2; or
- (3) a registered firm.
- (d) "Client" means a person or entity that contracts with a permit holder to receive any professional service.
- (e) "Compilation" means the presentation of information, in the form of financial statements, that is the representation of the client without undertaking to express any assurance on the statements.
- (f) "Contingent fee" is any charge established for the performance of any services pursuant to an arrangement in which no charge will be made unless a specified finding or result is attained, or in which the amount of the charge is otherwise dependent upon the finding or result of these services. Fees fixed by courts or other public authorities, or in tax matters that are determined based on the results of judicial proceedings or the findings of governmental agencies, shall not be regarded as being contingent.
- (g) "Enterprise" means any person or persons or entity, whether organized for profit or not, for which a certified public accountant provides services.
- (h) "Financial planning" means the ongoing process of designing fiscal strategies and making planning decisions that are intended to implement goals, including assisting clients by organizing data, performing analyses, providing suggestions and recommendations, assisting in decision making, and facilitating the implementation of planning decisions.
- (i) "Financial statements" means the following:
- (1) The statements and related footnotes that purport to show financial position at a particular time or changes in financial position over a period of time;
 - (2) the statements that use a cash or other comprehensive basis of accounting; and
 - (3) the balance sheets, statements of income, statements of retained earnings, statements of cash flow, and statements of changes in owners' equity. Incidental financial data included in management advisory services reports to support recommendations to a client and tax returns and supporting schedules shall not constitute financial statements for purposes of this definition. The required affidavit or signature on tax returns prepared by a certified public accountant shall not constitute an opinion regarding financial statements.
- (j) "Firm" means a proprietorship, partnership, limited liability partnership, professional corporation or association, limited liability company, or general corporation organized for the practice of certified public accountancy.
- (k) "Licensed municipal public accountant," or "LMPA," means a holder of a permit issued under the laws of Kansas to practice as a municipal public accountant.
- (l) "Practice of certified public accountancy" means performing or offering to perform attest or nonattest services for the public while using the designation "certified public accountant" or "C.P.A." in conjunction with such services. "Attest" and "nonattest" services shall be as defined in L. 2000, Ch. 81, § 1.

(m) "Professional services" means any services performed or offered to be performed by a certified public accountant in the course of the practice of certified public accountancy.

(n) "Public communication" means any written, verbal, or visual communication.

(o) "Review" means performing inquiry and analytical procedures that provide the accountant with a reasonable basis for expressing limited assurance that there are no material modifications that should be made to the statements in order for them to be in conformity with generally accepted accounting principles or, if applicable, with another comprehensive basis of accounting. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-311, as amended by L. 2000, Ch. 81, § 13(a)(7), and K.S.A. 75-1119; effective Jan. 1, 1974; amended May 1, 1978; amended May 1, 1979; amended May 1, 1985; amended July 22, 1991; amended July 13, 1992; amended April 5, 1993; amended Aug. 23, 1993; amended Jan. 12, 1996; amended Jan. 8, 1999; amended Nov. 17, 2000.)

74-5-202. Auditing standards. (a) A certified public accountant or a licensed municipal public accountant shall not permit the accountant's name to be associated with financial statements in a way that implies the accountant is acting as an independent certified public accountant or licensed municipal public accountant with respect to the financial statements unless the accountant has complied with applicable, generally accepted auditing standards as interpreted by statements on auditing standards issued by the American institute of certified public accountants in the AICPA professional standards, as adopted by reference in K.A.R. 74-11-6, and the 2000 revised "Kansas municipal audit guide," prescribed by the municipal accounting section of the division of accounts and reports, department of administration, and hereby adopted by reference.

(b) Any accountant who does not conform to those standards shall provide justification for this departure. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-311, as amended by L. 2000, Ch. 81, § 13(a)(7), and K.S.A. 75-1119; effective Jan. 1, 1966; amended Jan. 1, 1972; amended Jan. 1, 1974; amended May 1, 1978; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended May 22, 1989; amended Jan. 7, 1991; amended July 13, 1992; amended Aug. 23, 1993; amended Sept. 26, 1994; amended Jan. 12, 1996; amended Sept. 25, 1998; amended Sept. 10, 1999; amended Nov. 17, 2000.)

74-5-203. Accounting principles. (a) Except as provided in subsection (b), a certified public accountant or a licensed municipal public accountant shall not express an opinion that financial statements are presented in conformity with generally accepted accounting principles if the financial statements depart from those accounting principles in any way that materially affects the financial statements as a whole.

(b) Any certified public accountant or licensed municipal public accountant may express an opinion described

in subsection (a) if the accountant demonstrates that, due to unusual circumstances, the financial statement would otherwise be misleading. In such a case, the accountant's report shall describe the following:

- (1) The departure;
- (2) the approximate effects, if practicable; and
- (3) the reasons why compliance with the principle would result in a misleading statement.

(c) For purposes of this regulation, "generally accepted accounting principles" shall be considered to be pronouncements issued by the financial accounting standards board or the governmental accounting standards board included in the professional standards adopted by reference in K.A.R. 74-11-6. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-311, as amended by L. 2000, Ch. 81, § 13(a)(7), and K.S.A. 75-1119; effective Jan. 1, 1966; amended Jan. 1, 1974; amended May 1, 1978; amended, E-82-27, Dec. 22, 1981; amended May 1, 1982; amended May 1, 1985; amended May 1, 1986; amended May 1, 1987; amended May 1, 1988; amended May 22, 1989; amended Jan. 7, 1991; amended July 13, 1992; amended Aug. 23, 1993; amended Sept. 26, 1994; amended Jan. 12, 1996; amended Sept. 25, 1998; amended Sept. 10, 1999; amended Nov. 17, 2000.)

74-5-205. Professional standards. (a) Each certified public accountant who provides consulting or management advisory services shall conform to the statement on standards for consulting services (SSCS) issued by the American institute of certified public accountants in the AICPA professional standards, as adopted by reference in K.A.R. 74-11-6.

(b) Each certified public accountant who provides compilation and review services shall conform to the statement on standards for accounting and review services (SSARS) issued by the American institute of certified public accountants in the AICPA professional standards, as adopted by reference in K.A.R. 74-11-6.

(c) Each certified public accountant who provides attestation services shall conform to the statement on standards for attestation engagements (SSAE) issued by the American institute of certified public accountants in the AICPA professional standards, as adopted by reference in K.A.R. 74-11-6. (Authorized by and implementing L. 2000, Ch. 81, § 1 and K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; effective Nov. 17, 2000.)

74-5-405. Form of practice. A certified public accountant may practice certified public accountancy, whether as an owner or an employee, in the form of a proprietorship, a partnership, a limited liability partnership, a professional corporation or association, a limited liability company, or a general corporation. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-311, as amended by L. 2000, Ch. 81, § 13(a)(7); effective May 1, 1978; amended Aug. 23, 1993; amended Nov. 17, 2000.)

Article 6.—ADDITIONAL OFFICES

74-6-1. Definitions of office and firm. (a) "Office," as used in K.S.A. 1-308 and amendments thereto, is any

space that is identified to the public as being connected with a registered firm, or for which there is a separate telephone listing in a telephone directory.

(b) "Firm," as used in this article, has the meaning specified in K.S.A. 1-308 and amendments thereto. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-308, as amended by L. 2000, Ch. 81, § 11; effective Jan. 1, 1966; amended Jan. 1, 1972; amended Aug. 23, 1993; amended Jan. 12, 1996; amended Nov. 17, 2000.)

74-6-2. Management of an office. (a) Each firm with an office, as defined by K.A.R. 74-6-1, that is located in this state shall have one resident manager in charge who is the holder of a current permit to practice as a certified public accountant issued by this state and who devotes more than half of the resident manager's working time to the affairs of that office.

(b) Each firm may, however, have one additional office that does not meet the resident manager requirement in subsection (a) if the additional office meets the following requirements:

(1) A certified public accountant who holds a current permit to practice shall supervise directly the additional office as the resident manager and shall oversee the planning, administration, direction, and review of the services being performed in that office.

(2) The resident manager shall be present at least two-thirds of the hours the office is listed as being open.

(3) The firm shall register the additional office by providing a written statement to the board, listing the name of the resident manager and the days and hours the additional office will be advertised as being open. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-308, as amended by L. 2000, Ch. 81, § 11; effective Jan. 1, 1972; amended May 1, 1980; amended May 1, 1982; amended Aug. 21, 1989; amended Aug. 23, 1993; amended Jan. 12, 1996; amended Sept. 25, 1998; amended Nov. 17, 2000.)

Article 7.—REGISTERED PARTNERSHIPS

74-7-2. Firms eligible for registration. (a) Before practicing certified public accountancy, a firm, as defined in K.S.A. 1-308 and amendments thereto, with an office in Kansas shall meet the following requirements:

(1) Register with the board on forms provided by the board;

(2) affirm that any individual who signs or authorizes someone to sign the accountant's report on any audit, review, or compilation or on the examination of prospective financial information on behalf of the firm has met the competency requirements set forth in K.A.R. 74-4-1a; and

(3) pay the fee specified in K.A.R. 74-12-1.

(b) Each firm shall renew its registration annually by December 31 on forms provided by the board and shall pay the fee specified in K.A.R. 74-12-1. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4; implementing K.S.A. 1999 Supp. 1-308, as amended by L. 2000, Ch. 81, § 11; effective Jan. 1, 1966; amended

(continued)

May 1, 1988; amended Jan. 12, 1996; amended Nov. 17, 2000.)

Article 11.—PEER REVIEW PROGRAM

74-11-6. Definitions. The following definitions shall be applicable whenever used throughout article 11 pertaining to peer reviews: (a) "AICPA" means the American institute of certified public accountants.

(b) "Applicant" means any certified public accountant holding a current permit to practice public accountancy in this state.

(c) "Firm" shall be as defined in K.S.A. 1-308 and amendments thereto.

(d) "Oversight body" means the permit-holding certified public accountants appointed by the board who are independent of the report acceptance committee. The oversight body shall monitor all report acceptance committee meetings and report on program compliance to the board.

(e) "Peer review" means a review of a firm's accounting and auditing practice in accordance with applicable standards developed and published by the AICPA securities and exchange commission practice section or the AICPA standards for performing and reporting on peer reviews, contained in the professional standards.

(f) "Peer review records" means all files, reports, and other information in the possession of a peer review team relating to the professional competence of a firm, or information concerning the peer review that was developed by a peer review team and that is in the possession of a firm.

(g) "Peer review team" means persons or organizations participating in the peer review program required by the regulations in article 11. It shall specifically include the team captain, team members, the report acceptance committee, and the oversight body, but shall not include the board.

(h) "Professional standards" means the "AICPA professional standards," volumes 1 and 2, published by the American institute of certified public accountants, as in effect on June 1, 2000, which are hereby adopted by reference.

(i) "Report acceptance committee" means the component of the peer review team responsible for ensuring that the reviews are conducted in accordance with the peer review standards developed by the applicable body designated by the AICPA, as published in the professional standards, and that the peer review reports are in compliance with these standards.

(j) "Substantially similar review" means a peer review conducted in accordance with the provisions of this regulation and subject to the following requirements:

(1) The peer review team shall be approved by a nationally recognized accounting organization as having the qualifications, training, and experience to perform the peer review function required by this regulation.

(2)(A) The peer review shall be conducted pursuant to peer review standards as issued by a nationally recognized peer review program that has received prior approval by the board and incorporates the requirements of this regulation; or

(B) the peer review shall be conducted pursuant to a written submission detailing the qualifications of the peer review team to conduct the peer review and providing a written plan for the peer review illustrating the means of compliance with this regulation with the prior specific approval of the board.

(3) Each peer review program that has been approved by the board shall include a review of each peer review by a report acceptance committee. The report acceptance committee shall consist of at least three members currently active in public practice at a supervisory level in the accounting and auditing function of a firm that has already had a peer review in compliance with either this regulation or requirements substantially similar to those of this regulation. A majority of the committee members shall possess the qualifications required by K.A.R. 74-11-10(a) for a team captain.

(k) "Team captain" means the member of the peer review team who is responsible for organizing and conducting the peer review.

(l) "Team member" means all individuals directly engaged in conducting the peer review. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4, K.S.A. 1999 Supp. 1-501; implementing K.S.A. 1999 Supp. 1-501; effective Feb. 14, 1994; amended Sept. 25, 1998; amended Sept. 10, 1999; amended Nov. 17, 2000.)

Article 12.—FEES

74-12-1. Fees. Each applicant shall submit the appropriate application form and fee as shown in the following schedule.

(a) Initial examination	\$200.00
(b) Complete reexamination.....	\$150.00
(c) Partial reexamination for the following:	
(1) Any two subjects	\$120.00
(2) One subject.....	\$60.00
(d) Issuance of Kansas certificate (initial or duplicate).....	\$25.00
(e) Issuance of reciprocal certificate.....	\$225.00
(f) Initial permit to practice as a certified public accountant:	
(1) For more than one year of a biennial period....	\$150.00
(2) For one year or less of a biennial period.....	\$75.00
(g) Renewal of biennial permit to practice as certified public accountant:	
(1) If received on or before July 1 of the renewal year in which the permit expires.....	\$150.00
(2) If received after July 1 of the renewal year in which the permit expires.....	\$225.00
(h) Reinstatement of permit to practice as a certified public accountant whose permit has expired:	
(1) For more than one year of a biennial period....	\$225.00
(2) For one year or less of a biennial period.....	\$112.50
(i) Issuance of a duplicate permit	\$25.00
(j) Renewal of a biennial permit to practice as a licensed municipal public accountant:	
(1) If received on or before July 1 of the odd-numbered renewal years	\$50.00
(2) If received after July 1, or for reinstatement of a permit to practice that has been expired for one or more years	\$75.00
(k) To proctor another state's candidate at a CPA examination in Kansas	\$100.00

- (l) Notification fee..... \$150.00
 (m) Renewal of notification \$150.00
 (n) Firm registration fee \$40.00

(Authorized by and implementing K.S.A. 1999 Supp. 1-301, as amended by L. 2000, Ch. 81, § 6, and K.S.A. 75-1119; effective May 1, 1988; amended May 22, 1989; amended Dec. 18, 1989; amended Sept. 26, 1994; amended Aug. 23, 1996; amended July 18, 1997; amended May 28, 1999; amended November 29, 1999; amended Nov. 17, 2000.)

Article 15.—PRACTICE OF CERTIFIED PUBLIC ACCOUNTANCY BY NOTIFICATION

74-15-1. Adoption of the uniform accountancy act.

For purposes of determining substantial equivalency, the board hereby adopts by reference sections 5(c), 5(d), and 5(f) of the "uniform accountancy act and uniform accountancy act rules," third edition, revised November 1999, in effect on July 1, 2000. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, §4, and L. 2000, Ch. 81, § 1; implementing L. 2000, Ch. 81, §§1 and 2; effective Nov. 17, 2000.)

74-15-2. Application of notification to practice; renewal. (a) Each applicant who intends to practice by notification shall perform the following:

(1) Complete an application of notification provided by the board of accountancy within 30 days of the date of notifying the board, in writing, that the applicant intends to practice in this state;

(2) provide proof that the applicant holds an active license to practice certified public accountancy in the state where the applicant has a principal place of business and that the applicant is in good standing in that state; and

(3) pays the fees specified in K.A.R. 74-12-1.

(b) This written notification shall be made before commencing practice in this state.

(c) Each applicant who intends to practice according to subsection (a) and intends to perform attest services shall also submit a letter of completion of the most recent peer review of the applicant or the applicant's firm.

(d) Each person who is granted the right to practice certified public accountancy by notification shall renew on a biennial basis. The biennial period shall commence on the date the board issues a certificate of authority to practice by notification.

(e) An applicant's authorization to practice by notification may be renewed by the board if the applicant performs the following:

(1) Holds an active license to practice certified public accountancy in the state where the applicant has a principal place of business and is in good standing in that state;

(2) produces a letter of completion of the most recent peer review of the applicant or the applicant's firm, if applicable; and

(3) pays the fee specified in K.A.R. 74-12-1. (Authorized by K.S.A. 1999 Supp. 1-202, as amended by L. 2000, Ch. 81, § 4, and L. 2000, Ch. 81, § 2; implementing L. 2000, Ch. 81, § 2; effective Nov. 17, 2000.)

Susan L. Somers
Executive Director

Doc. No. 025811

State of Kansas

Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-112. Winner awareness "Starburst" promotion. (a) In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also conduct a "Starburst" promotion to enhance winner awareness at all Kansas T&E Oil Pump & Pantry locations.

(b) The winner awareness sales promotion will commence at 5:00 a.m. on Sunday, October 1, 2000, and end at the end of the business day as defined at K.A.R. 111-6-1 on Tuesday, October 31, 2000.

(c) Beginning October 1, 2000, and concluding October 31, 2000, the lottery will conduct a "Starburst" promotion at all the T&E Oil Pump & Pantry corporate stores located in Kansas. The stores must place a starburst decal on a visible wall or counter for every winning instant or on-line ticket that is redeemed at that retailer which wins \$10 or more. Each starburst placed should contain, where possible, the amount won, the ticket itself, and the name of the winner if written permission is obtained from the winner.

(d) For every 10 winning starbursts placed in a visible location at the retail establishment, the retailer will receive the lottery's choice of a promotional item, with a maximum of 10 items per store. For every 25 winning starbursts placed in a visible location at the retail establishment, that retailer will be entered into a drawing for a prize from the lottery. The grand prize is credit for a pack of instant tickets, second prize is credit for \$50 of instant tickets, and third prize is credit for \$25 in instant tickets. Each retail location is eligible to win only one of the three instant ticket credit prizes.

(e) During the week preceding the start of the promotion, an information sheet will be provided for all participating retailers so that they may all start on the same day. Starbursts will be provided by the lottery. The drawings for the grand prize, second prize, and third prize will be conducted at the lottery's Wichita regional office on November 8, 2000. Lottery security will approve drawing procedures to be used for the drawing. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-7-31-00, July 21, 2000; amended, T-111-10-16-00, Sept. 8, 2000.)

111-2-113. Winner awareness "Starburst" promotion. (a) In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also conduct a "Starburst" promotion to enhance winner awareness at all Kansas R & C Petroleum locations.

(b) The winner awareness sales promotion will commence at 5:00 a.m. on Wednesday, November 1, 2000, and end at the end of the business day as defined at K.A.R. 111-6-1 on Thursday, November 30, 2000.

(c) Beginning November 1, 2000, and concluding November 30, 2000, the lottery will conduct a "Starburst"

(continued)

promotion at all the R & C Petroleum corporate stores located in Kansas. The stores must place a starburst decal on a visible wall or counter for every winning instant or on-line ticket that is redeemed at that retailer which wins \$10 or more. Each starburst placed should contain, where possible, the amount won, the ticket itself, and the name of the winner if written permission is obtained from the winner.

(d) For every 10 winning starbursts placed in a visible location at the retail establishment, the retailer will receive the lottery's choice of a promotional item, with a maximum of 10 items per store. For every 25 winning starbursts placed in a visible location at the retail establishment, that retailer will be entered into a drawing for a prize from the lottery. The grand prize is credit for a pack of instant tickets, second prize is credit for \$50 of instant tickets, and third prize is credit for \$25 in instant tickets. Each retail location is eligible to win only one of the three instant ticket credit prizes.

(e) During the week preceding the start of the promotion, an information sheet will be provided for all participating retailers so that they may all start on the same day. Starbursts will be provided by the lottery. The drawings for the grand prize, second prize, and third prize will be conducted at the lottery's Great Bend regional office on December 8, 2000. Lottery security will approve drawing procedures to be used for the drawing. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-7-31-00, July 21, 2000; amended, T-111-10-16-00, Sept. 8, 2000.)

111-2-114. Winner awareness "Starburst" promotion. (a) In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also conduct a "Starburst" promotion to enhance winner awareness at all Kansas Pic Quik locations.

(b) The winner awareness sales promotion will commence at 5:00 a.m. on Wednesday, November 1, 2000, and end at the end of the business day as defined at K.A.R. 111-6-1 on Thursday, November 30, 2000.

(c) Beginning November 1, 2000, and concluding November 30, 2000, the lottery will conduct a "Starburst" promotion at all the Pic Quik corporate stores located in Kansas. The stores must place a starburst decal on a visible wall or counter for every winning instant or on-line ticket that is redeemed at that retailer which wins \$10 or more. Each starburst placed should contain, where possible, the amount won, the ticket itself, and the name of the winner if written permission is obtained from the winner.

(d) For every 10 winning starbursts placed in a visible location at the retail establishment, the retailer will receive the lottery's choice of a promotional item, with a maximum of 10 items per store. For every 25 winning starbursts placed in a visible location at the retail establishment, that retailer will be entered into a drawing for a prize from the lottery. The grand prize is credit for a pack of instant tickets, second prize is credit for \$50 of instant tickets, and third prize is credit for \$25 in instant tickets. Each retail location is eligible to win only one of the three instant ticket credit prizes.

(e) During the week preceding the start of the promotion, an information sheet will be provided for all partic-

ipating retailers so that they may all start on the same day. Starbursts will be provided by the lottery. The drawings for the grand prize, second prize, and third prize will be conducted at the lottery's Great Bend regional office on December 8, 2000. Lottery security will approve drawing procedures to be used for the drawing. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-7-31-00, July 21, 2000; amended, T-111-10-16-00, Sept. 8, 2000.)

111-2-116. Johnson's General Store winner awareness "Starburst" promotion. (a) In addition to compensation specified in K.A.R. 111-2-4 and 111-2-6, the Kansas lottery shall also conduct a "Starburst" promotion to enhance winner awareness at all Johnson's General Store corporate locations.

(b) The winner awareness sales promotion will commence at 5:00 a.m. on Wednesday, November 1, 2000, and end at the end of the business day as defined at K.A.R. 111-6-1 on Thursday, November 30, 2000.

(c) Beginning November 1, 2000, and concluding November 30, 2000, the lottery will conduct a "Starburst" promotion at all the Johnson's General Store corporate stores located in Kansas. The stores must place a starburst decal on a visible wall or counter for every winning instant or on-line ticket that is redeemed at that retailer which wins \$10 or more. Each starburst placed should contain, where possible, the amount won, the ticket itself, and the name of the winner if written permission is obtained from the winner.

(d) For every 10 winning starbursts placed in a visible location at the retail establishment, the retailer will receive the lottery's choice of a promotional item, with a maximum of 10 items per store. For every 25 winning starbursts placed in a visible location at the retail establishment, that retailer will be entered into a drawing for a prize from the lottery. The grand prize is credit for a pack of instant tickets, second prize is credit for \$50 of instant tickets, and third prize is credit for \$25 in instant tickets. Each retail location is eligible to win only one of the three instant ticket credit prizes.

(e) During the week preceding the start of the promotion, an information sheet will be provided for all participating retailers so that they may all start on the same day. Starbursts will be provided by the lottery. The drawings for the grand prize, second prize, and third prize will be conducted at the lottery's Great Bend regional office on December 8, 2000. Lottery security will approve drawing procedures to be used for the drawing. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-10-16-00, Sept. 8, 2000.)

Article 3.—INSTANT GENERIC GAME RULES

111-3-18. Termination of the game. At any time the executive director may announce a termination date for a game, announce a last date for sale of tickets in a game, or require one or more retailers to cease the sale of tickets for a game by a date certain. In the event the executive director orders cessation of the sale of tickets for a game by one or more retailers, affected retailers shall cease selling tickets for that game no later than the date instructed and, if requested by the lottery, shall return all

consigned and partial packs of tickets for the game. Each such retailer shall receive credit for all partial packs of tickets properly returned. If a game is terminated prior to the sale of all tickets, the number and value of prizes will be approximately proportional to the number of tickets actually sold. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-89-4, Jan. 21, 1988; amended, T-111-7-31-00, July 21, 2000; amended, T-111-10-16-00, Sept. 8, 2000.)

Article 4.—INSTANT GAME RULES

111-4-1778. "Super Lucky 3" instant ticket lottery game number 115. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Super Lucky 3" commencing on or after August 28, 2000. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1778.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$3. ⁰⁰	THREE\$
\$6. ⁰⁰	SIX\$
\$9. ⁰⁰	NINE\$
13. ⁰⁰	THIRTEEN
30. ⁰⁰	THIRTY
\$300\$	THR-HUN
\$3000	THRTHOU
3	THR
X	XXX

(c) For this game, a play symbol shall appear in each of 10 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	FREE TICKET
THR	=	\$3.00
SIX	=	\$6.00
NIN	=	\$9.00
TRN	=	\$13.00
TRY	=	\$30.00
THH	=	\$300.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) An instant prize winner in this game will be determined when a player removes the scratch-off material to reveal nine play symbols and one prize amount. If a player matches three "3" symbols in the same row, column, or diagonal straight line, the player wins the amount shown in the prize area.

(h) Each ticket in this game may win up to one time.

(i) Approximately 1,500,000 tickets shall be ordered initially for this instant game. 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.

(j) The expected number and value of instant prizes in this game shall be as follows:

Get	Prizes	Expected Number of Prizes in Game	Expected Value in Game
FREE	Free ticket	200,000	\$0
\$3	\$3	60,500	181,500
\$6	\$6	31,500	189,000
\$9	\$9	11,250	101,250
\$13	\$13	6,500	84,500
\$30	\$30	2,625	78,750
\$300	\$300	250	75,000
\$3,000	\$3,000	10	30,000
TOTAL		<u>312,635</u>	<u>\$740,000</u>

(k) The odds of winning a prize in this game are approximately one in 4.80. (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-111-8-24-00, Aug. 18, 2000; amended, T-111-10-16-00, Sept. 8, 2000.)

111-4-1787a. "Gold Card" instant ticket lottery game number 104. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Gold Card" commencing on or after September 18, 2000. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1787.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$1 ⁰⁰	ONES
\$2 ⁰⁰	TWOS
\$5 ⁰⁰	FIVES
\$10 ⁰⁰	TENS
\$15 ⁰⁰	FIFTEEN
\$25 ⁰⁰	TWNFIV
\$50 ⁰⁰	FIFTY
\$100	ONEHUND
\$2,000	TWOTHOU
1	ONE
2	TWO
3	THREE
4	FOUR
5	FIVE
6	SIX
7	SVN
8	EGT
9	NINE
\$	DBL

(c) For this game, a play symbol shall appear in each of nine play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of eight varying locations among the play symbols. The retailer validation codes for this game 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

(continued)

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) An instant prize winner will be determined when a player removes the scratch-off covering the play area to reveal one "GOLD CARD #," four "YOUR #S," and four "PRIZE" amounts. If the "GOLD CARD #" matches any of the "YOUR #S," the player wins the prize shown in the corresponding "PRIZE" box. If a "\$\$" symbol is revealed, the player wins double the "PRIZE" amount.

(h) Each ticket in this game may win up to four times.

(i) Approximately 1,680,000 tickets shall be ordered initially for this instant game. 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.

(j) The expected number and value of instant prizes in this game shall be as follows:

Match	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

"DBL" denotes doubler symbol.

(k) The odds of winning a prize in this game are approximately one in 4.87. (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-111-10-17-00, Sept. 8, 2000.)

111-4-1788. "Money Money Money" instant ticket lottery game number 105. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Money Money Money" commencing on or after September 18, 2000. The rules for this game are contained in K.A.R. 111-3-1 et seq. and 111-4-1788.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$1 ⁰⁰	ONE\$
\$2 ⁰⁰	TWO\$
\$3 ⁰⁰	THR\$
\$6 ⁰⁰	SIX\$
\$9 ⁰⁰	NIN\$
\$18 ⁰⁰	EGTEEN
\$30 ⁰⁰	THIRTY
\$90 ⁰⁰	NINETY
\$1,000	ONETHOU
\$3,000	THRTHOU

Symbol of a stack of dollar bills MONEY

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of six varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

ONE	=	\$1.00
TWO	=	\$2.00
THR	=	\$3.00
SIX	=	\$6.00
NIN	=	\$9.00
EGN	=	\$18.00
TRY	=	\$30.00
NTY	=	\$90.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) An instant prize winner will be determined when a player removes the scratch-off covering the play area to reveal one "WINNING AMOUNT" and five "YOUR PRIZE AMOUNTS." If the "WINNING AMOUNT" matches any of the "YOUR PRIZE AMOUNTS," the player wins the "WINNING AMOUNT" shown. If a symbol of a stack of dollar bills is revealed, the player wins triple the "WINNING AMOUNT."

(h) Each ticket in this game may win up to five times.

(i) Approximately 1,680,000 tickets shall be ordered initially for this instant game. 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.

(j) The expected number and value of instant prizes in this game shall be as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	\$1	212,800	\$212,800
\$2	\$2	22,400	44,800
\$1 + \$1	\$2	49,000	98,000
\$3	\$3	5,600	16,800
\$1 (Tripler)	\$3	14,000	42,000
\$1 + \$1 + \$1	\$3	18,200	54,600
\$6	\$6	5,600	33,600
\$2 (Tripler)	\$6	8,400	50,400
\$2 + \$2 + \$2	\$6	8,400	50,400
\$9	\$9	1,400	12,600
\$3 (Tripler)	\$9	7,000	63,000
\$3 + \$3 + \$3	\$9	7,000	63,000
\$18	\$18	1,400	25,200
\$6 (Tripler)	\$18	1,400	25,200
\$6 + \$6 + \$6	\$18	4,200	75,600
\$30	\$30	750	22,500
\$6 + \$6 + \$6 + \$6 + \$6	\$30	750	22,500
\$90	\$90	65	5,850
\$30 (Tripler)	\$90	65	5,850
\$1,000	\$1,000	12	12,000
\$3,000	\$3,000	7	21,000
TOTAL		368,449	\$957,700

"Tripler" denotes tripler symbol.

(k) The odds of winning a prize in this game are approximately one in 4.56. (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-111-10-16-00, Sept. 8, 2000.)

111-4-1789. "Friday Night Poker" instant ticket lottery game number 130. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Friday Night Poker" commencing on or after September 18, 2000. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1789.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$1 ⁰⁰	ONE\$
\$2 ⁰⁰	TWO\$
\$3 ⁰⁰	THR\$
\$5 ⁰⁰	FIVE\$
\$10 ⁰⁰	TEN\$
\$15 ⁰⁰	FIFTEEN
\$25 ⁰⁰	TWNFIV
\$75 ⁰⁰	SVNFIV
\$500	FIVHUND
\$5,000	FIVTHOU
2	TWO
3	THR
4	FOR
5	FIV
6	SIX
7	SVN
8	EGT
9	NIN
10	TEN
Symbol of a jack	JAC
Symbol of a queen	QUN
Symbol of a king	KNG
Symbol of an uppercase letter "A"	ACE

(c) For this game, a play symbol shall appear in each of 18 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of six varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free Ticket
TWO	=	\$2.00
THR	=	\$3.00
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
TWF	=	\$25.00
STF	=	\$75.00
FHN	=	\$500.00

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) An instant prize winner will be determined when a player removes the scratch-off covering the play area to reveal three hands, "HAND 1," "HAND 2," and "HAND 3" and three "PRIZE" amounts. Each hand contains five game card symbols. If a player matches any two like game cards in any one hand, the player wins the "PRIZE" amount shown for that hand. If a player reveals five cards in an unbroken sequence in any one hand, the player wins

five times the "PRIZE" amount shown for that hand. Aces are high or low.

(h) Each ticket in this game may win up to three times.

(i) Approximately 1,680,000 tickets shall be ordered initially for this instant game. 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.

(j) The expected number and value of instant prizes in this game shall be as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
Free Ticket	Free Ticket	224,000	\$0
\$2	\$2	19,600	39,200
\$1 + \$1	\$2	39,200	78,400
\$3	\$3	11,200	33,600
\$2 + \$1	\$3	29,400	88,200
\$5	\$5	7,000	35,000
\$1 (Straight)	\$5	16,800	84,000
\$10	\$10	4,200	42,000
\$2 (Straight)	\$10	4,200	42,000
\$5 + \$3 + \$2	\$10	5,600	56,000
\$15	\$15	1,400	21,000
\$3 (Straight)	\$15	1,400	21,000
\$10 + \$3 + \$2	\$15	2,800	42,000
\$25	\$25	1,400	35,000
\$5 (Straight)	\$25	2,800	70,000
\$15 + \$5 + \$5	\$25	1,400	35,000
\$75	\$75	250	18,750
\$15 (Straight)	\$75	500	37,500
\$500	\$500	34	17,000
\$5,000	\$5,000	7	35,000
TOTAL		<u>373,191</u>	<u>\$830,650</u>

"Straight" denotes one hand with five cards in an unbroken sequence.

(k) The odds of winning a prize in this game are approximately one in 4.50. (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-111-10-16-00, Sept. 8, 2000.)

111-4-1790. "Red Hot 50's" instant ticket lottery game number 131. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Red Hot 50's" commencing on or after September 18, 2000. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1790.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
FREE	TICKET
\$2 ⁰⁰	TWO\$
\$5 ⁰⁰	FIVE\$
\$10 ⁰⁰	TEN\$
\$15 ⁰⁰	FIFTEEN
\$50 ⁰⁰	FIFTY
\$500	FIV HUND

(c) For this game, a play symbol shall appear in each of six play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 299.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of six varying locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

(continued)

FRE	=	Free Ticket
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
FTY	=	\$50.00
FHN	=	\$500

(f) The price of instant tickets sold by a retailer for this game shall be \$1.00 each.

(g) This is a "match three of six" game. An instant prize winner will be determined when a player removes the scratch-off covering the play area to reveal six play symbols. If three like prize amounts are revealed, the player wins the prize amount shown.

(h) Each ticket in this game may win up to one time.

(i) Approximately 1,680,000 tickets shall be ordered initially for this instant game. 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.

(j) The expected number and value of instant prizes in this game shall be as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's	Free Ticket	204,400	\$0
3 - \$2's	\$2	77,000	154,000
3 - \$5's	\$5	33,600	168,000
3 - \$10's	\$10	11,200	112,000
3 - \$15's	\$15	5,600	84,000
3 - \$50's	\$50	6,200	310,000
3 - \$500's	\$500	28	14,000
TOTAL		338,028	\$842,000

(k) The odds of winning a prize in this game are approximately one in 4.97. (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-111-10-16-00, Sept. 8, 2000.)

111-4-1791. "Doubler Mania" instant ticket lottery game number 132. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Doubler Mania" commencing on or after September 18, 2000. The rules for this game are contained in K.A.R. 111-3-1 et seq. and 111-4-1791.

(b) The "play symbols" and "play symbol captions" for this game are as follows:

Play Symbols	Play Symbol Captions
\$2 ⁰⁰	TWO \$
\$4 ⁰⁰	FOR \$
\$5 ⁰⁰	FIVE \$
\$10 ⁰⁰	TEN \$
\$20 ⁰⁰	TWENTY
\$30 ⁰⁰	THIRTY
\$100	ONE HUND
\$2,000	TWO THOU
\$20,000	TWNTY THOU
FREE	TICKET
\$\$	DOUBLE

(c) For this game, a play symbol shall appear in each of 24 play spots within the play area or areas.

(d) The ticket numbers in each book of tickets in this game shall start with 000 and end with 149.

(e) The three letters comprising the retailer validation codes used in this game shall appear in three of six varying

locations among the play symbols. The retailer validation codes for this game and their meanings are as follows:

FRE	=	Free ticket
FOR	=	\$4.00
TEN	=	\$10.00
TWY	=	\$20.00
TRY	=	\$30.00
HUN	=	\$100.00

(f) The price of instant tickets sold by a retailer for this game shall be \$2.00 each.

(g) This is a "match three of six" game plus a doubler feature. An instant prize winner will be determined when a player removes the scratch-off covering four game play areas, "GAME 1," "GAME 2," "GAME 3," and "GAME 4." Each game play area contains six play symbols. In any game, if three like prize amounts are revealed, the player wins the prize amount shown. In any game, if two like prize amounts and a "\$\$" symbol are revealed, the player wins double the prize amount shown.

(h) Each ticket in this game may win up to four times.

(i) Approximately 960,000 tickets shall be ordered initially for this instant game. 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.

(j) The expected number and value of instant prizes in this game shall be as follows:

Match	Prizes	Expected Number of Prizes in Game	Expected Value in Game
3 - free tickets	TICKET	128,000	\$0
3 - \$4's	\$4	14,400	57,600
3 - \$2's + 3 - \$2's	\$4	20,800	83,200
\$2 (DBL)	\$4	28,800	115,200
3 - \$10's	\$10	4,800	48,000
3 - \$5's + 3 - \$5's	\$10	6,400	64,800
\$5 (DBL)	\$10	8,000	80,000
\$2 (DBL) + \$2 (DBL)			
+ 3 - \$2's	\$10	12,800	128,000
3 - \$20's	\$20	1,600	32,000
3 - \$10's + 3 - \$10's	\$20	1,600	32,000
\$4 (DBL) + \$2 (DBL)			
+ \$2 (DBL) + \$2 (DBL)	\$20	1,600	32,000
\$10 (DBL)	\$20	1,600	32,000
3 - \$30's	\$30	1,200	36,000
3 - \$10's + 3 - \$10's			
+ 3 - \$5's + 3 - \$5's	\$30	1,230	36,900
\$5 (DBL) + \$5 (DBL)			
+ \$5 (DBL)	\$30	1,100	33,000
3 - \$100's	\$100	300	30,000
\$30 (DBL) + \$3 - \$20's			
+ 3 - \$10's + 3 - \$10's	\$100	300	30,000
3 - \$2,000's	\$2,000	8	16,000
3 - \$20,000's	\$20,000	4	80,000
TOTAL		234,542	\$965,900

"DBL" denotes doubler symbol.

(k) The odds of winning a prize in this game are approximately one in 4.09. (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-111-10-16-00, Sept. 8, 2000.)

Article 7.—ON-LINE GAMES

111-7-122. Prize pool. The prize pool in the lottery prize payment fund for all prize categories shall consist of 49.45 percent of net sales for each draw. Net sales shall be total sales less free ticket prizes. The prize pool shall include all sums previously designated for the Cash Lotto jackpot prize if that jackpot is not won on the August 17, 1996, drawing. The Kansas lottery guarantees the jackpot prize for Kansas Cash shall be a minimum of \$100,000. If the

minimum jackpot amount of \$100,000 is not won on the first drawing on which that amount appeared, until won the jackpot shall be increased by not less than \$10,000 for each of the drawings following the \$100,000 minimum jackpot. Moneys left over after the five of six and four of six prizes have been rounded down pursuant to subsection (f) of K.A.R. 111-7-123 shall be applied to prizes in categories 2 and 3 in the next Kansas Cash drawing. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-7-22-96, July 19, 1996; amended, T-111-9-4-96, August 16, 1996; amended, T-111-9-16-96, Sept. 13, 1996; amended, T-111-10-16-00, Sept. 8, 2000.)

111-7-123. Prizes, probability of winning. (a) Prizes shall be awarded for matching three, four, five or six numbers on a board. Prize categories, probability of winning rounded to the nearest whole number and prize allocation are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
1	All 6	1 in 811,580	Parimutuel (Jackpot)	Approximately 86.85% (\$100,000 minimum)
2	Any 5	1 in 4,664	Parimutuel	Approximately 4.80% (\$2.00 minimum) (parimutuel share)
3	Any 4	1 in 133	Parimutuel	Approximately 8.35% (\$2.00 minimum) (parimutuel share)
4	Any 3	1 in 11	Free Ticket	0%

Overall odds of winning any prize are one in 10.23.

(b) The jackpot prize for matching all six winning numbers shall be calculated on a parimutuel basis and be not less than \$100,000 for the first drawing and until won not less than an additional \$10,000 for each of the drawings which follow if no one matches six numbers in the first drawing. On any draw, if the jackpot is hit and the jackpot pool is insufficient to match the guarantee, the lottery will utilize the lottery prize payment fund, including unclaimed prize money to fund the guaranteed jackpot amounts.

(c) All prizes shall be paid in a lump sum.

(d) The prize money allocated to the jackpot prize category for matching six of six shall be divided equally by the number of game boards winning a jackpot prize.

(e) The prize money allocated to prize category numbers two and three shall be paid on a parimutuel basis, but not be less than the minimum amount stated in subsection (a). In situations wherein the number of winners in a category or categories results in a prize liability in excess of the percent of the prize pool allocated for that category, the amount in the prize pool to cover the minimum \$2.00 prize, money in the lottery prize payment fund shall be used to pay the minimum amounts stated in the prize categories.

(f) The prize paid for matching five of six winning numbers shall not be less than the prize paid for matching four of six winning numbers.

(g) The prize paid for category numbers two and three shall be paid in the amount stated in subsection (a).

(h) The calculation of a prize shall be rounded down so that prizes can be paid in multiples of whole dollars. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-7-22-96, July 19, 1996; amended, T-111-9-16-96, Sept. 13, 1996; amended, T-111-10-16-96, Sept. 8, 2000.)

WINNERS TAKE ALL GAME RULES

111-7-148. Name of the game; rules and regulations. The Kansas lottery shall conduct an online game entitled "Winners Take All," starting on or after October 2, 2000. The specific rules for the "Winners Take All" game are contained in K.A.R. 111-6-1 *et seq.* and 111-7-148 through 111-7-156. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-10-16-00, Sept. 8, 2000.)

111-7-149. Definitions. The following definitions shall apply to Winners Take All.

(a) "Retailer" means a person or entity authorized by the Kansas lottery to sell lottery tickets.

(b) "Drawing" means the formal process of selecting winning numbers which determines the number of winners for each prize level of the game as provided by subsection (f) of K.A.R. 111-6-1.

(c) "Quick pick" means the random selection by the computer system of five different numbers from one through 33 which appear on a ticket and are played by a player in the game.

(d) "Game board" or "boards" means that area of the play slip which contains 33 boxes, numbered one through 33.

(e) "Game ticket" or "ticket" means a computer generated ticket issued by an on-line terminal to a person as a receipt for the combination of numbers a person has selected.

(f) "Winners Take All" means a lottery game wherein for each board played a player selects five numbers out of a set of numbers one through 33. A player wins a prize if two, three, four, or five of the numbers selected by the player match the randomly drawn numbers in the drawings conducted by the Kansas lottery on the applicable drawing date.

(g) "Lottery" means the Kansas lottery.

(h) "Play" means the five different numbers from one (01) through 33 which appear on a ticket as a single lettered selection and are to be played by a player in the game. In Winners Take All, a player is entitled to play one board for \$1.00.

(i) "Play slip" means a card used in marking a player's game plays and contains five boards.

(j) "Price" means the cost of playing the Winners Take All game which shall be \$1.00 for each board played.

(k) "Terminal" means a device which is authorized by the lottery to function in on-line, interactive mode with the lottery's computer system, for the purpose of issuing lottery tickets and entering, receiving, and processing lottery transactions, including purchases, validating tickets and transmitting reports.

(l) "Winning numbers" means the five numbers one through 33, randomly selected at each drawing, which shall be used to determine winning plays contained on a game ticket.

(m) "Validation" or "validate" means the process of determining whether a ticket presented for a prize is a winning ticket.

(n) "Net sales" means the total dollar amount of all plays less the dollar amount of all cancelled plays. (Au-

(continued)

thorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-10-16-00, Sept. 8, 2000.)

111-7-150. Game description; retail sale of tickets.

(a) Winners Take All is a five of 33 lotto game which pays prizes for correctly matching two of five, three of five, four of five, and all five of the five numbers drawn in each game. There is an approximate minimum guaranteed jackpot prize of 44.52 percent of the prize pool of each Winners Take All game, with a roll-down feature wherein if no ticket matches five of five numbers, the jackpot prize is proportionately added to the amounts allocated for matching four of five and three of five numbers as provided in K.A.R. 111-7-152. Prizes for correctly matching five of five numbers, four of five numbers, and three of five numbers shall be determined on a parimutuel basis as provided in K.A.R. 111-7-152. Correctly matching two of five numbers provides a prize of \$1.00.

(b) To play Winners Take All, a player shall select one or more sets of five different numbers, one through 33, for input into a terminal. Tickets may be purchased from a terminal operated by a retailer. When purchased from a retailer, the player may select each set of numbers by: (1) communicating the numbers to the retailer; (2) by marking one or more boards with five numbers on each board on a play slip and submitting the play slip to the retailer; or (3) requesting one or more quick picks from the retailer.

(c) A ticket shall be the only proof of a game play or plays, and the submission of a winning ticket to and receipt of the ticket by the lottery or its authorized retailer shall be the sole method of claiming a prize or prizes. A play slip has no pecuniary or prize value and shall not constitute evidence of ticket purchase, or numbers selected or prizes to be paid.

(d) A ticket may be cancelled as provided in K.A.R. 111-6-20.

(e) Ticket sales for this game shall commence on or after October 2, 2000. Ticket sales will end at approximately 8:59 p.m. central time (CT) on each Wednesday and Saturday and resume at approximately 9:04 p.m. for the next drawing.

(f) Drawings will be conducted two times a week, on Wednesdays and Saturdays as soon as possible after the game is closed at approximately 8:59 p.m. central time, and the lottery draw official has verified that the game is closed, under conditions and procedures promulgated by the executive director of the lottery.

(g) It shall be the sole responsibility of the player to verify the accuracy of the game plays and other data printed on the ticket. The placing of plays is done at the player's own risk through the on-line retailer who is acting on behalf of the player in entering the plays. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-10-16-00, Sept. 8, 2000.)

111-7-151. Prize pool. The prize pool in the lottery prize payment fund for all prize categories shall consist of 50.0 percent of net sales for each draw. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-10-16-00, Sept. 8, 2000.)

111-7-152. Prizes, probability of winning. (a) Prizes shall be awarded for matching two, three, four, or

five numbers on a board. Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which at least one ticket matches five of five numbers, four of five numbers, and three of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
1	All 5	1 in 237,336	Parimutuel (Jackpot)	Approximately 44.52%
2	Any 4	1 in 1,695	Parimutuel	Approximately 11.87% (parimutuel share)
3	Any 3	1 in 63	Parimutuel	Approximately 16.00% (parimutuel share)
4	Any 2	1 in 7	\$1.00	Approximately 27.61%

(b) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which no ticket matches five of five numbers but at least one ticket matches four of five numbers and three of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
5	All 4	1 in 1,695	Parimutuel	Approximately 40.39% (parimutuel share)
6	Any 3	1 in 63	Parimutuel	Approximately 32.00% (parimutuel share)
7	Any 2	1 in 7	\$1.00	Approximately 27.61%

(c) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which at least one ticket matches five of five numbers and three of five numbers, but no ticket matches four of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
8	All 5	1 in 237,336	Parimutuel (Jackpot)	Approximately 44.52%
9	Any 3	1 in 63	Parimutuel	Approximately 27.87% (parimutuel share)
10	Any 2	1 in 7	\$1.00	Approximately 27.61%

(d) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which at least one ticket matches five of five numbers and four of five numbers, but no ticket matches three of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
11	All 5	1 in 237,336	Parimutuel (Jackpot)	Approximately 44.52%
12	Any 4	1 in 1,695	Parimutuel	Approximately 27.87% (parimutuel share)
13	Any 2	1 in 7	\$1.00	Approximately 27.61%

(e) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which at least one ticket matches five of five numbers, but no tickets match four of five or three of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
14	All 5	1 in 237,336	Parimutuel (Jackpot)	Approximately 72.39%
15	Any 2	1 in 7	\$1.00	Approximately 27.61%

(f) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which at least one ticket matches three of five numbers, but no ticket matches five of five numbers or four of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
16	Any 3	1 in 63	Parimutuel	Approximately 72.39% (parimutuel share)
17	Any 2	1 in 7	\$1.00	Approximately 27.61%

(g) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which at least one ticket matches four of five numbers, but no ticket matches five of five numbers or three of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
18	Any 4	1 in 1,695	Parimutuel	Approximately 72.39% (parimutuel share)
19	Any 2	1 in 7	\$1.00	Approximately 27.61%

(h) Prize categories, probability of winning rounded to the nearest whole number and prize allocation for each game in which no ticket matches five of five numbers, four of five numbers, or three of five numbers are as follows:

Prize Category	Matches in One Game Play	Probability of Winning	Prize	Percent of Prize Pool Allocated to Prize
20	Any 2	1 in 7	\$1.00	Approximately 27.61%

The remaining prize pool (approximately 72.39 percent) shall be added to the jackpot prize amount for the next consecutive drawing conducted.

(i) The prizes for matching three, four, or five winning numbers shall be calculated on a parimutuel basis.

(j) The overall odds of winning any prize are approximately one in 6.00.

(k) The calculation of prizes shall be rounded down so that prizes can be paid in multiples of whole dollars. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-10-16-00, Sept. 8, 2000.)

111-7-153. Prize payment. (a) All prize categories including the jackpot prizes shall be paid in one lump sum.

(b) The holder of a winning ticket may win in only one prize category per board in connection with the winning numbers drawn, and shall be entitled only to the highest prize won by those numbers.

(c) Prizes shall be claimed within 365 days from the date of the drawing for which the ticket was purchased.

(d) At the conclusion of the prize claim period, all unclaimed prizes shall remain in the lottery's prize payment fund to be used for the payment of other prizes.

(e) All prizes are subject to setoff and deductions as provided by law. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-10-16-00, Sept. 8, 2000.)

111-7-154. Ticket validation. (a) To be a valid ticket and eligible to receive a prize, a Winners Take All

ticket shall satisfy all the requirements established by the Kansas lottery for validation of winning tickets.

(b) A ticket with consecutive games may be validated before all the winning number game selections have been made for the remainder of the games on the ticket. An exchange ticket will be issued if a winning ticket is valid for future games. The exchange ticket will be valid for any games for which a drawing has not yet been conducted. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-10-16-00, Sept. 8, 2000.)

111-7-155. Claiming prizes; procedure and time period. (a) Following the drawing for which a Winners Take All ticket was purchased, and prior to the payment of that prize, each ticket shall be validated by any on-line retailer or any Kansas lottery office pursuant to K.A.R. 111-6-7 and this article.

(b) The procedure for payment of a prize on any single game ticket of \$599 or less, except for a jackpot prize, is as follows:

(1) The holder of a ticket purchased in Kansas may present the ticket to any online retailer in Kansas. Upon validation of the ticket, the retailer shall immediately make payment of the prize to the holder. If the retailer cannot validate the ticket, the claimant shall fill out a claim form provided by the retailer and personally present or mail the completed form, together with the ticket, to any office of the Kansas lottery. If the ticket is validated and the claim form is completed, then payment shall be made either directly to the claimant if personally present at lottery headquarters or by mail.

(2) The claimant may bring the ticket to any regional office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the ticket, and completion of a claim form, payment shall be processed for the claimant.

(3) The claimant may mail the ticket with a completed claim form in any envelope, to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon validation of the ticket and receipt of a completed claim form, payment shall be processed for the claimant. If any evidence of alteration, mutilation, tear, or other ambiguity appears on the ticket, the retailer shall not make the direct payment of a prize. The claimant shall submit a claim form with the ticket to the lottery.

(c) The procedure for the payment of a Winners Take All prize on any single game ticket which totals \$600 or more, except for a jackpot prize, shall be as follows:

(1) The claimant may bring the ticket to any office of the Kansas lottery during the hours that the office is open to the public for business. Upon validation of the ticket and completion of a claim form, payment shall be processed for the claimant.

(2) The claimant may mail the ticket with a completed claim form to any office of the Kansas lottery. Claim forms may be obtained from any lottery retailer or any office of the Kansas lottery. Upon validation of the ticket and receipt of a completed claim form, payment shall be processed for the claimant.

(d) The procedure for the payment of a jackpot prize or for prizes won on the same ticket as a jackpot prize are as follows:

(continued)

The claimant shall personally submit the ticket and a completed claim form to any Kansas lottery office. Jackpot prizes and prizes won on the same ticket as jackpot prizes shall not be claimed by mail. Upon validation of the ticket and receipt of a completed claim form, payment shall be processed for the claimant.

(e) All prizes shall be claimed within 365 days of the drawing in which the prize was won. Any prize or prizes not claimed within the time specified shall be forfeited. If a prize is claimed by mail, the ticket and claim form must actually be received by the lottery within the claim period. (Authorized by K.S.A. 1999 Supp. 74-8710; implementing K.S.A. 1999 Supp. 74-8710 and K.S.A. 74-8720; effective, T-111-10-16-00, Sept. 8, 2000.)

111-7-156. Multi-draw. (a) In addition to a single play involving one board for each \$1.00, a player may also have his or her selections in multiple drawings. Multi-draw tickets must be purchased for consecutive drawings beginning with the next drawing. This is done by marking one of the multi-draw boxes designated by 2, 3, 4, 5, or 10 draws on the play slip, or a retailer may manually enter multi-draws for a player using the lottery terminal for 2, 3, 4, 5, 6, 7, 8, 9 or 10 draws. The additional draw period(s) for which the ticket is valid will then appear on the computer generated ticket given to the player by the retailer.

(b) A player must pay an additional \$1.00 for each board for each additional drawing in which he or she wishes to play.

(c) Unless one of the multi-draw boxes is marked and the additional amount paid, the play will only be eligible for the current drawing up to approximately 8:59 p.m. the day of the drawing.

(d) When purchasing a multiple drawing ticket, a player must purchase the same numbers on the same board(s) for the duration of the multiple drawings. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-10-16-00, Sept. 8, 2000.)

Article 8.—PULL-TAB INSTANT TICKET GENERIC RULES

111-8-2. Definitions. Unless otherwise specified in the individual game rules of each pull-tab lottery game, the following definitions apply to all pull-tab instant games:

(a) "Executive director" means the executive director of the Kansas Lottery.

(b) "Individual game rules" are rules issued by the Lottery pursuant to K.S.A. 1987 Supp. 74-8710 and amendments thereto, which describe the exact manner in which each game is played and which set forth details concerning each game.

(c) "Prize" means any prize paid by a retailer to the holder of the winning ticket in a pull-tab game.

(d) "Play numbers" or "Play symbols" are the numbers, letters, symbols or pictures printed under the tabs of a pull-tab ticket which determine if the ticket bearer is entitled to a prize.

(e) "Pull-tab tickets" are lottery tickets that are played by opening tabs to reveal if a prize was won. "Pull-tab tickets" do not include "instant game tickets" that are

played by removing a latex covering from the play area, referred to in K.A.R. 111-3-1 *et seq.* and are not considered as valid non-winning instant game tickets for the purpose of instant ticket drawings.

(f) "Carton" or "sleeve" means a package of pull-tab tickets containing the number of tickets as set forth in the rules of each individual pull-tab game.

(g) "Carton serial number" is the 9-digit number appearing on the front of each pull-tab ticket, which shall be the same for each ticket within a carton, but different for each carton. The first three digits of this number shall represent the pull-tab game number and the remaining six digits shall represent the unique number assigned to each carton within that game. (Authorized by and implementing K.S.A. 1999 Supp. 74-8710; effective, T-111-9-13-88, Sept. 6, 1988; amended, T-111-8-24-00, Aug. 18, 2000; amended, T-111-10-16-00, Sept. 8, 2000.)

Article 9.—INDIVIDUAL PULL-TAB GAME RULES

111-9-109. "Kansas 7's" pull-tab ticket lottery game number 917. (a) The Kansas lottery shall conduct a pull-tab lottery game entitled "Kansas 7's" commencing on or after August 31, 2000. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-109.

(b) The price of pull-tab tickets sold by a retailer for this game shall be 50 cents each.

(c) Approximately 1,000,000 tickets shall be ordered initially for this pull-tab game which shall be packaged in cartons of 660 tickets each. Additional ticket orders shall have the same prize structure, the same number of prizes per carton of tickets, and the same odds as were contained in the initial ticket order.

(d) The play symbols for this game are as follows:

the number "7" superimposed with a yellow star symbol

the number "7" superimposed with a multi-colored gemstone symbol

the number "7" superimposed with a blue bell symbol

the number "7" superimposed twice with

the word "BAR"

the number "7" superimposed with a yellow

lemon symbol

the number "7" superimposed with two red

cherries symbol

the number "7" superimposed with a purple

plum symbol

the number "7" superimposed with the word "GOLD"

the number "7" superimposed with an orange

fruit symbol

the number "7" superimposed with a watermelon

the number "7" superimposed with a horseshoe

(e) For this game, one or more play symbols shall appear under each of five tabs on the back of each ticket. On the front of each ticket shall appear examples of all winning combinations using the play symbols for this game along with each corresponding prize amount.

(f) All tabs on the back of each ticket are to be pulled open. For each combination of three play symbols matching the examples on the front of the ticket, the player wins the prize amount corresponding to each combination as shown in (g) below. A blue line shall run through all win-

ning combinations. All winning combinations shall be in a horizontal line only.

(g) The number and value of prizes in this game per carton of pull-tab tickets and winning combinations shall be as follows:

Match	Prize	Number of Prizes in each Carton
3 - number 7's superimposed with a yellow star	\$75.00	1
3 - number 7's superimposed with a multi-colored gemstone	\$25.00	1
3 - number 7's superimposed with a blue bell	\$10.00	1
3 - number 7's superimposed twice with the word "BAR"	\$5.00	5
3 - number 7's superimposed with a yellow lemon	\$2.00	10
3 - number 7's superimposed with two red cherries	\$0.50	90

(h) Each ticket in this game may have only one winning combination and each winning ticket shall include underneath one of the tabs the dollar amount won on that ticket.

(i) The overall odds of winning a prize in this game per each carton of tickets are approximately one in 6.11. (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-111-8-24-00, Aug. 18, 2000; amended, T-111-10-16-00, Sept. 8, 2000.)

111-9-110. "Wild Thing" pull-tab ticket lottery game number 918. (a) The Kansas lottery shall conduct a pull-tab lottery game entitled "Wild Thing" commencing on or after August 31, 2000. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-110.

(b) The price of pull-tab tickets sold by a retailer for this game shall be 50 cents each.

(c) Approximately 1,000,000 tickets shall be ordered initially for this pull-tab game which shall be packaged in cartons of 660 tickets each. Additional ticket orders shall have the same prize structure, the same number of prizes per carton of tickets, and the same odds as were contained in the initial ticket order.

(d) The play symbols for this game are as follows:

- the words "Wild Thing" in purple
- one red "7" with the word "SUPER" across it
- three stacked bars in red, yellow, and blue with the word "BAR" across each
- two stacks of poker chips
- a multi-colored gemstone

- a bunch of three red cherries
- a golden "5" with the word "BAR" across it
- a green emerald
- a lemon
- an orange
- a bell
- a heart
- a pool ball with the number "8" on it

(e) For this game, one or more play symbols shall appear under each of five tabs on the back of each ticket. On the front of each ticket shall appear examples of all winning combinations using the play symbols for this game along with each corresponding prize amount.

(f) All tabs on the back of each ticket are to be pulled open. For each combination of three play symbols matching the examples on the front of the ticket, the player wins the prize amount corresponding to each combination as shown in (g) below. A red line shall run through all winning combinations. All winning combinations shall be in a horizontal line, vertical line, or diagonal line.

(g) The number and value of prizes in this game per carton of pull-tab tickets and winning combinations shall be as follows:

Match	Prize	Number of Prizes in Each Carton
3 - purple "Wild Things"	\$75.00	1
3 - red "7's"	\$20.00	1
3 - stacked bars	\$10.00	1
3 - stacks of poker chips	\$5.00	4
3 - multi-colored gemstones	\$2.00	10
3 - bunches of three red cherries	\$1.00	15
3 - golden "5's"	\$1.00	12
Any two matching symbols plus one purple "Wild Thing"	\$0.50	52

(h) Each ticket in this game may have only one winning combination and each winning ticket shall include underneath one of the tabs the dollar amount won on that ticket.

(i) The overall odds of winning a prize in this game per each carton of tickets are approximately one in 6.88. (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-111-8-24-00, Aug. 18, 2000; amended, T-111-10-16-00, Sept. 8, 2000.)

Ed Van Petten
Executive Director

Doc. No. 025789

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.

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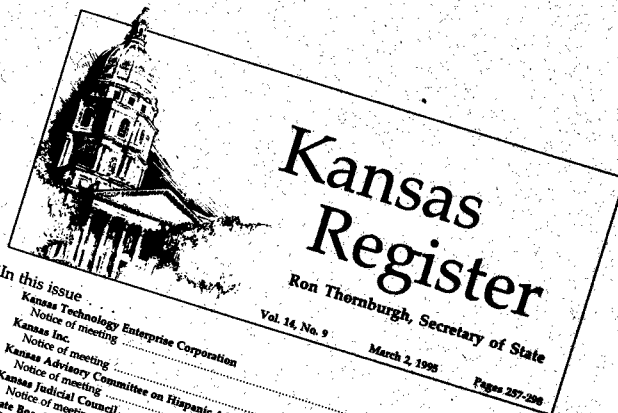
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