

# Kansas Register

Ron Thornburgh, Secretary of State

Vol. 20, No. 40    October 4, 2001    Pages 1543-1588

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## State of Kansas

## Secretary of State

## Code Mortgage Rate for October

Pursuant to the provisions of K.S.A. 2000 Supp. 16a-1-301, Section 11, the code mortgage rate during the period of October 1, 2001 through October 31, 2001, is 12 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 027106

## 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
October 5	Criminal Law	9:30 a.m.	Room 275
October 5	Estate Tax	9:30 a.m.	Room 259
October 12	PIK-Criminal	9:30 a.m.	Room 259
October 12	Family Law	1:00 p.m.	Room 259
October 18	Probate Law	1:00 p.m.	Room 259
October 19	Judicial Council	9:00 a.m.	Room 259
October 26	Juvenile Offender/ Child in Need of Care	9:30 a.m.	Room 275
November 9	PIK-Criminal	9:30 a.m.	Room 275
November 9	Probate Law	9:30 a.m.	Room 259
November 16	Judicial Council	9:00 a.m.	Room 259
November 30	Juvenile Offender/ Child in Need of Care	9:30 a.m.	Room 275
December 7	Guardianship/Conservatorship	9:30 a.m.	Room 259

Hon. Tyler C. Lockett  
Chair

Doc. No. 027111

## State of Kansas

## Secretary of State

## Usury Rate for October

Pursuant to the provisions of K.S.A. 16-207, the maximum effective rate of interest per annum for notes secured by all real estate mortgages and contracts for deed for real estate (except where the note or contract for deed permits adjustment of the interest rate, the term of the loan or the amortization schedule) executed during the period of October 1, 2001 through October 31, 2001, is 8.02 percent.

Ron Thornburgh  
Secretary of State

Doc. No. 027105

## 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. 2000 Supp. 12-1675(b)(c)(d), and K.S.A. 75-4201(l) and 75-4209(a)(1)(B).

## Effective 10-1-01 through 10-7-01

Term	Rate
1-89 days	2.96%
3 months	2.35%
6 months	2.35%
1 year	2.48%
18 months	2.65%
2 years	2.85%

Derl S. Treff  
Director of Investments

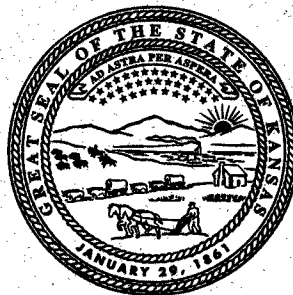
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## State of Kansas

**Legislature**  
**Interim Committee Schedule**

The following committee meetings have been scheduled during the period of October 8-21. 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/kldr.html>.

Date	Room	Time	Committee	Agenda
October 8 October 9	<b>Canceled</b> 514-S	10:00 a.m.	Joint Committee on Administrative Rules and Regulations	Review rules and regulations proposed by the KCC; Dept. of Wildlife and Parks; Real Estate Comm.; KPERS; SRS; KDHE; Dept. of Revenue; Dept. of Human Resources—Div. of Workers Comp.; Racing and Gaming Comm.; and Dept. on Aging.
October 8 October 9 October 10	519-S 519-S 519-S	1:30 p.m. 9:00 a.m. 9:00 a.m.	Joint Committee on Corrections and Juvenile Justice Oversight	10th: a.m.—Touring Topeka.
October 8 October 9	526-S 526-S	9:30 a.m. 9:00 a.m.	Legislative Educational Planning Committee	8th: a.m.— School finance suitability study; p.m.— special education audit and juvenile detention facilities. 9th: Residency requirements (postsecondary) and university technology funding.
October 8 October 9	<b>Canceled</b> <b>Canceled</b>		Joint Committee on Information Technology	
October 9	Pittsburg State University, KS Tech. Center, Room 511D	10:00 a.m.	Special Committee on Agriculture	Testimony concerning agricultural contracts and other agricultural issues.
October 10 October 11 October 12	526-S 526-S 526-S	9:00 a.m. 9:00 a.m. 9:00 a.m.	Special Committee on Utilities	Review of energy infrastructure needs; natural gas pricing and supply; and discussion of energy plan.
October 11 October 12	514-S 514-S	10:00 a.m. 9:00 a.m.	Long-Term Care Services Task Force	Agenda not available.
October 11 October 12	519-S 519-S	10:00 a.m. 9:00 a.m.	Joint Committee on Economic Development	State strategic plan and reorganization of economic development agencies.
October 15-18	Tour of Eastern Kansas	Biennial tour for Senate Ways and Means Committee; House Appropriations Committee; Joint Committee on State Building Construction; Legislative Post Audit		15th: Topeka and Manhattan. 16th: Cottonwood Falls, El Dorado and Wichita. 17th: Wichita, Emporia, Overland Park and Kansas City. 18th: Kansas City area.
October 18 October 19	519-S 519-S	10:00 a.m. 9:00 a.m.	Special Committee on Assessment and Taxation	18th: Shortline RR income tax credits; investment service company apportionment; review of ag use value technical assistance report; public hearing on SB 129; Kansas Inc. re HB 2219. 19th: Streamlined sales tax update; public hearing on streamlined sales tax issue.

Jeff Russell  
Director of Legislative  
Administrative Services

## State of Kansas

**Governor's Advisory Board on Agriculture****Notice of Meeting**

The Governor's Advisory Board on Agriculture will meet at 10 a.m. Wednesday, October 10, at the Farm Credit Bank, board room, 245 N. Waco, Wichita. A meeting agenda can be obtained by contacting Ginger Patterson at (785) 296-3902. This meeting is open to the public and will include time for public comment. If special accommodations are needed, individuals should contact the Department of Agriculture at least three business days prior to the meeting at (785) 296-3902.

Jamie Clover Adams  
Secretary of Agriculture

Doc. No. 027108

## State of Kansas

**Kansas Development Finance Authority****Notice of Hearing**

A public hearing will be conducted at 9 a.m. Thursday, October 18, in the conference room in the offices of the Kansas Development Finance Authority, 555 S. Kansas Ave., Suite 202, Topeka, on the proposal for the Kansas Development Finance Authority to issue approximately \$23,000,000 principal amount of Housing Development Revenue Bonds. The bonds will be issued, pursuant to K.S.A. 74-8901 *et seq.*, to finance the costs of construction of a 290-unit apartment complex to be operated as Overland Park Parkview Apartments and related improvements and equipment to be used for public housing purposes. The project is being financed for OP Parkview L.P. or an affiliated entity (the developer). Overland Park Parkview Apartments will be a 290-unit multifamily housing complex located at the intersection of 135th and Pflumm in Overland Park, Johnson County, Kansas.

The bonds, 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 the bonds constitute an indebtedness for which the faith and credit and taxing powers of the State of Kansas are pledged. The bonds will be payable solely from amounts received from the developer, the obligation of which will be sufficient to pay the principal of, interest and redemption premium, if any, on the bonds when they become 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 555 S. Kansas Ave., Suite 202, Topeka, 66603, will be considered. Additional information regarding the project may be obtained by contacting the Authority.

Jack H. Brier  
President

Doc. No. 027128

## State of Kansas

**State Fair Board****Notice of Meeting**

The Kansas State Fair Board will meet by conference call at 8 a.m. Tuesday, October 9, for approval of the FY 2003 budget. The White House on the fairgrounds in Hutchinson will be the base for the call. For further information, contact Deana Novak at (620) 669-3612.

Bob Barker  
President

Doc. No. 027110

(Published in the Kansas Register October 4, 2001.)

**Seward County Community College****Notice of Intent to Issue Revenue Bonds**

Notice is hereby given that the governing body of Seward County Community College, Seward County, Kansas, duly adopted a resolution on October 1, 2001, declaring necessary and authorizing improvements to the Student Union and Dormitory System by constructing a new 160-unit student housing facility on the campus of Seward County Community College, Liberal, Kansas (the project), at an estimated construction cost of \$4,300,000, all under the authority of K.S.A. 76-6a13 to 76-6a25, inclusive, as amended and supplemented.

You are hereby further notified that the resolution declares necessary and authorizes the issuance and sale of system revenue bonds of the college in an amount of not to exceed \$5,000,000, such bonds to be used, along with any other available funds of the college, to pay the costs of the project and provide for the deposit of bond reserve funds and related costs of issuance.

You are hereby further notified that unless an action to contest the legality of the proposed revenue bonds of the college shall be filed in a court of law within 30 days of the date of publication of this notice, the right to contest the legality of any revenue bonds issued in compliance with the aforesaid resolution and other proceedings duly and legally had and taken by the governing body prior to the date of publication of this notice, and the right to contest the validity of the provisions of such proceedings, shall cease to exist, and no court shall thereafter have the authority to inquire into such matters. After the expiration of said 30 days from the date of publication of this notice, no one shall have any right to commence an action contesting the validity of such revenue bonds or the provisions of such proceedings of the governing body, all such revenue bonds shall be conclusively presumed to be legal, and no court shall thereafter have the authority to inquire into such matters.

Dated October 1, 2001.

Board of Trustees  
Seward County Community College  
Seward County, Kansas  
By JoAnn Sharp  
Chairperson  
Attest: Dr. James Grote  
Secretary

Doc. No. 027123

State of Kansas

Department of Wildlife and Parks

Public Notice

The Kansas Department of Wildlife and Parks has reached agreement for a long-term lease of a tract of land in Cloud County, with the option to purchase the property. The parcel consists of 160 acres (W/2 of the E/2 of S4-T5S-R5W). This tract was appraised at \$125,800, and the lease payment will be a one-time sum of \$125,800. The lease will run for 20 years, and the department will have the right to purchase the property at the end of the lease term for a sum of \$10. This tract will be part of the Jamestown Wildlife Area and will remain on the county tax rolls.

Steve A. Williams  
Secretary of Wildlife  
and Parks

Doc. No. 027103

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-01-327/329

Pending Permits for Confined Feeding Facilities

Name and Address of Applicant	Legal Description	Receiving Water
Winter Livestock, Inc. 1414 E. Trail St. Dodge City, KS 67801	NE/4 of Section 36, T26S, R25W, NW/4 of Section 31, T26S, R24W, Ford County	Upper Arkansas River Basin

Kansas Permit No. A-UAFO-C017 Federal Permit No. KS0096164

This is a new permit for an existing livestock sale facility for 3,750 head (3,750 animal units) of beef cattle.

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

Compliance Schedule: Permeability tests shall be conducted on the earthen retention structure(s). Should any structure not meet the permeability requirements, additional sealing will be necessary. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Gray County Feed Yard Div. of Irsik & Doll Feed Services, Inc. 23405 State Road 23 Cimarron, KS 67835	NE/4 of Section 26, SE/4 of Section 23, T27S, R28W, Gray County	Upper Arkansas River Basin

Kansas Permit No. A-UAGY-C004 Federal Permit No. KS0115304

This is a renewal permit for an existing facility for 30,000 head (30,000 animal units) of beef cattle.

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

Compliance Schedule: The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Name and Address of Applicant	Legal Description	Receiving Water
Davignon Farms Route 1, Box 103B Hill City, KS 67642	NE/4 of Section 7, T9S, R23W, Graham County	Solomon River Basin

Kansas Permit No. A-SOGH-B004

This is a new permit for a new facility for 990 head (990 animal units) of cattle weighing greater than 700 pounds each.

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

Compliance Schedule: Permeability tests shall be conducted on the earthen wastewater retention structure(s). Should any structure not meet permeability requirements, additional sealing will be required. Dewatering equipment shall be obtained within six months after issuance of the permit. Prior to construction of the earthen line for the retention structure, the coefficient of permeability shall be determined for the material to be used to construct the liner. This information shall be submitted to the department prior to construction of the liner. The manure/waste management plan developed by the designer and approved by the department shall be adhered to as a condition of the permit.

Public Notice No. KS-01-137/140

Name and Address of Applicant	Waterway	Type of Discharge
Haddam, City of P.O. Box 95 Haddam, KS 66944	Mill Creek via Myer Creek	Treated Domestic Wastewater

Kansas Permit No. M-BB09-0001 Federal Permit No. KS0048518

Legal: SE/4, S22, T2S, R1E, Washington 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 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 technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Haviland, City of P.O. Box 246 Haviland, KS 67059	Lost Lake via Unnamed Tributary	Treated Domestic Wastewater

Kansas Permit No. M-AR42-0001 Federal Permit No. KS0027839

(continued)

Legal: NE¼, S8, T28S, R16W, Kiowa 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
St. Francis, City of P.O. Box 517 St. Francis, KS 67756	South Fork of Republican River via Sand Creek	Treated Domestic Wastewater
Kansas Permit No. M-UR18-0001		Federal Permit No. KS0031089

Legal: NW¼, S23, T3S, R40W, Cheyenne 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 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 technology based.

Name and Address of Applicant	Waterway	Type of Discharge
Stockton, City of P.O. Box 512 Stockton, KS 67669	South Fork 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 nitrogen 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.

### Public Notice No. KS-ND-01-021

Name and Address of Applicant	Legal Location	Type of Discharge
Parks, Inc. John Culver P.O. Box 588 Augusta, KS 67010	NW¼, S25, T27S, R3E, Butler County	Nonoverflow
Kansas Permit No. I-WA03-NP02		

Facility Description: The proposed action is to reissue an existing permit for the operation of an existing wastewater treatment facility treating primarily process wastewater. This facility is a full service car dealership. Discharge of wastewater from this treatment facility to the surface waters of the State of Kansas is prohibited by this permit. The permit requirements are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-f).

Persons wishing to comment on or object to the draft permits and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Shonda Domme for agricultural permits or ap-

plications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 S.W. Jackson, Suite 420, Topeka, 66612-1367.

All comments regarding the draft permit or application notice postmarked or received on or before November 3 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas permit number (KS-AG-01-327/329, KS-01-137/140, KS-ND-01-021) 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

Application information and components of plans and specifications for all new facilities and for expansions of existing swine facilities may be reviewed on the Internet at <http://www.kdhe.state.ks.us/feedlots/stindex.html>.

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. 027113

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 29,300 cubic yard detention dam, Site I-3 in Bourbon County, will be received by the Marmaton Watershed Joint District No. 102 at the office of Agricultural Engineering Associates, 1000 Promontory Drive, Uniontown, 66779, until 7 p.m. October 25, and then opened at 7:05 p.m. A copy of the invitation for bids and plans and specifications can be reviewed at and/or obtained from the Agricultural Engineering Associates office, (316) 756-1000.

Tracy D. Streeter  
Executive Director

Doc. No. 027116

State of Kansas

Department of Health  
and Environment

Notice of Intent to Issue Revenue Bonds

Notice is hereby given that the Board of Directors of the Kansas Development Finance Authority adopted a resolution on September 7, 2001, authorizing the issuance of additional Kansas Public Water Supply Loan Fund Revenue Bonds on behalf of the Kansas Department of Health and Environment, pursuant to the provisions of K.S.A. 74-8901 *et seq.* and K.S.A. 2000 Supp. 65-163d *et seq.*, to finance the continued operation of the Kansas Public Water Supply Loan Fund. Proceeds of the bonds and other moneys in the loan fund will be used, in part, to provide loans to Kansas municipalities to finance public water supply system projects.

The bonds shall be issued in one or more series in an aggregate amount not to exceed \$300 million. Subsequent series of bonds may be issued to further the purpose of the loan fund without limit as to amount, subject to certain restrictions set forth in the Master Bond Resolution No. 106 adopted by the Authority on November 3, 1997, as may be amended from time to time. The bonds will not be general obligations of the Authority, KDHE or the State of Kansas, but shall be payable only from moneys in the loan fund.

This notice shall be published one time in the Kansas Register. Unless an action to contest the legality of the bonds is filed in a court of law within 30 days from the date of such publication, the right to contest the legality of the bonds and actions taken by the secretary of KDHE relating thereto shall cease to exist and no court shall thereafter have authority to inquire into such matters.

Clyde D. Graeber  
Secretary of Health  
and Environment

Doc. No. 027118

(Published in the Kansas Register October 4, 2001.)

Summary Notice of Bond Sale

Trego County, Kansas

Fire District No. 1

\$200,000

General Obligation Bonds

Series 2001A

(Fire Fighting Equipment)

(General obligation bonds payable from unlimited ad valorem taxes)

Sealed Bids

Subject to the official notice of bond sale dated October 1, 2001, sealed bids will be received by the county clerk of Trego County, Kansas, on behalf of the Trego County, Kansas, Fire District No. 1 at the Trego County Courthouse, 216 Main St., WaKeeney, KS 67672, until 9:30 a.m. October 15, 2001, for the purchase of \$200,000 principal amount of General Obligation Bonds, Series 2001A (Fire Fighting Equipment). No bid of less than the par value of the bonds plus 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 1, 2001, and will become due on November 1, in the years as follows:

Year	Principal Amount	Interest Rate
2002	\$20,000	0.00%
2003	20,000	0.00
2004	20,000	0.00
2005	20,000	0.00
2006	20,000	0.00
2007	20,000	0.00
2008	20,000	0.00
2009	20,000	0.00
2010	20,000	0.00
2011	20,000	0.00

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

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 May 1 and November 1 in each year, beginning May 1, 2002.

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 in the amount of \$4,000 (2 percent of the principal amount of the bonds).

Delivery

The district will pay for printing the bonds and will deliver the same properly prepared, executed and registered at such bank or trust company in the contiguous United States as may be specified by the successful bidder

(continued)

without cost to the successful bidder within 45 days after the date of sale.

**Assessed Valuation and Indebtedness**

The total assessed valuation of taxable tangible property in the district for the year 2001 is \$25,876,807. The total general obligation indebtedness of the district as of the date of the bonds, including the bonds being sold, is \$200,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the county clerk, (785) 743-5773.

Dated October 1, 2001.

Trego County, Kansas  
Fire District No. 1  
Kathleen Conness, County Clerk  
Trego County Courthouse  
216 Main St.  
WaKeeney, KS 67672

Doc. No. 027115

(Published in the Kansas Register October 4, 2001.)

**Summary Notice of Bond Sale  
City of Valley Center, Kansas  
\$1,294,000**

**General Obligation Bonds, Series 2001-2  
(General obligation bonds payable from  
unlimited ad valorem taxes)**

**Bids**

Subject to the notice of bond sale dated October 2, 2001, sealed, facsimile and electronic bids will be received by the clerk of the City of Valley Center, KS (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at City Hall, 116 S. Park, Valley Center, KS 67147, and in the case of electronic bids, through Thomson Financial Municipals Group BiDCOMP/PARTY electronic bid submission system, until 4 p.m. October 16, 2001, for the purchase of \$1,294,000 principal amount of General Obligation Bonds, Series 2001-2. 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, except one bond in the denomination of \$4,000 (or such amount added to \$5,000 or any integral multiple thereof). The bonds will be dated November 1, 2001, and will become due on December 1 in the years as follows:

Year	Principal Amount
2004	\$64,000
2005	65,000
2006	75,000

2007	75,000
2008	80,000
2009	85,000
2010	90,000
2011	95,000
2012	100,000
2013	100,000
2014	105,000
2015	115,000
2016	120,000
2017	125,000

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, 2003.

**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 \$25,880 (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 1, 2001, 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 2001 is \$27,150,606. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold and temporary notes being sold simultaneously with the sale of the bonds, but excluding temporary notes to be retired in conjunction therewith, is \$8,542,000.

**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 Lynn E. Ireland, clerk, (316) 755-7310, fax (316) 755-7319.

Dated October 2, 2001.

City of Valley Center, Kansas

Doc. No. 027120



(Published in the Kansas Register October 4, 2001.)

**Summary Notice of Bond Sale  
Jackson County, Kansas  
\$720,000**

**General Obligation Bonds, Series 2001**

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

2006	70,000
2007	75,000
2008	75,000
2009	80,000
2010	85,000
2011	90,000

**Sale Particulars**

Subject to the terms and conditions of the complete official notice of bond sale and the preliminary official statement both dated October 3, 2001, of Jackson County, Kansas, in connection with the issuance of the county's General Obligation Bonds, Series 2001, as hereinafter described, sealed, written bids will be received at the office of the county clerk at the Jackson County Courthouse, 400 New York Ave., Holton, KS 66436, until 11 a.m. Monday, October 15, 2001, for the purchase of the bonds. All bids will be publicly opened, read aloud and tabulated on said date and at said time and will thereafter be immediately considered and acted upon by the governing body of the county.

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

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

**Details of the Bonds**

The aggregate principal amount of the bonds is \$720,000. The bonds will be dated October 15, 2001, and will be issued as fully registered bonds in the denomination of \$5,000 or any integral multiples thereof not exceeding the principal amount of bonds maturing in any year. The bonds shall initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payment of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. Certain of the bonds are subject to redemption prior to their maturities as provided in the complete official notice of bond sale.

Interest on the bonds will be payable semiannually on April 1 and October 1 in each year, commencing April 1, 2002, and the bonds will mature serially on October 1 in each of the years and principal amounts as follows:

Maturity	Amount
2002	55,000
2003	60,000
2004	65,000
2005	65,000

**Payment of Principal and Interest**

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

**Security for the Bonds**

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

**Delivery of the Bonds**

The bonds, duly prepared, executed and registered, will be furnished and delivered in book-entry form only at the expense of the county through the facilities of the Depository Trust Company, New York, New York, on or before October 31, 2001.

**Legal Opinion**

The bonds will be sold subject to the legal opinion of Jonathan P. Small, Chartered, Topeka, Kansas, bond counsel, whose fees will be paid by the county. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale and preliminary official statement for a discussion of tax exemption and other legal matters.)

**Financial Matters**

The county's 2001 equalized assessed valuation for computation of bonded debt limitations is \$66,442,287.

The county's outstanding general obligation bonded indebtedness as of the date hereof totals the principal amount of \$2,352,292, which includes the bonds described herein, and \$432,292 principal amount in temporary notes, which will be paid off in total from the proceeds of the bonds described herein.

**Additional Information**

For additional information regarding the county, the bonds and the public sale, interested parties are invited to contact the county clerk at the address and telephone number shown below.

Dated October 3, 2001.

Kathy L. Mick, County Clerk  
Jackson County Courthouse  
400 New York Ave.  
Holton, KS 66436  
(785) 364-2891  
Fax (785) 364-4202

Doc. No. 027132

(Published in the Kansas Register October 4, 2001.)

**Heartland Works, Inc.****Notice to Bidders**

Heartland Works, Inc. is accepting bids for janitorial services for its Workforce Center located at 2540 Iowa, Suite R, Lawrence. To receive a Request for Proposals including all specifications, contact the Heartland Works office at 610 S.W. 10th Ave., Suite 210, Topeka, 66612-1616, (785) 234-0500. All bids must be received by 3 p.m. November 1. Heartland Works, Inc. welcomes all interested companies to bid.

Kris Kitchen  
Executive Director

Doc. No. 027130

(Published in the Kansas Register October 4, 2001.)

**Summary Notice of Bond Sale****City of Derby, Kansas****\$2,350,000****General Obligation Bonds, Series C, 2001****(General obligation bonds payable from unlimited ad valorem taxes)****Bids**

Subject to the notice of bond sale dated September 25, 2001, sealed, facsimile and electronic bids will be received by the clerk/finance officer of the City of Derby, Kansas (the issuer), in the case of sealed and facsimile bids, on behalf of the governing body at City Hall, 611 N. Mulberry, Derby, KS 67037, and in the case of electronic bids, through Thomson Financial Municipals Group BiD-COMP/PARITY electronic bid submission system, until 11 a.m. October 16, 2001, for the purchase of \$2,350,000 principal amount of General Obligation Bonds, Series C, 2001. 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 1, 2001, and will become due on December 1 in the years as follows:

Year	Principal Amount
2004	\$ 95,000
2005	100,000
2006	110,000
2007	115,000
2008	125,000
2009	130,000
2010	135,000
2011	140,000
2012	145,000
2013	150,000
2014	160,000
2015	165,000
2016	175,000
2017	180,000
2018	95,000

2019	105,000
2020	110,000
2021	115,000

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, 2003.

**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 \$47,000 (2 percent of the principal amount of the bonds).

**Delivery**

The issuer will pay for printing the bonds and will deliver the same properly prepared, executed and registered without cost to the successful bidder on or about November 1, 2001, 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 2001 is \$113,097,755. The total general obligation indebtedness of the issuer as of the date of delivery of the bonds, including the bonds being sold, and Temporary Notes, Series 2001-4, in the principal amount of \$1,360,000, being sold simultaneously with the bonds, but excluding temporary notes to be retired in conjunction therewith, is \$42,710,000.

**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/finance officer, (316) 788-1519, fax (316) 788-6067; 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 September 25, 2001.

City of Derby, Kansas

Doc. No. 027109

(Published in the Kansas Register October 4, 2001.)

**Heartland Works, Inc.**

**Notice to Bidders**

Heartland Works, Inc. is accepting bids for the purchase of local and long distance telephone services (approximately \$30,000 in service costs per year). To receive a Request for Proposals including all specifications, contact the Heartland Works office at 610 S.W. 10th Ave., Suite 210, Topeka, 66612-1616, (785) 234-0500. All bids must be received by 3 p.m. November 1. Heartland Works, Inc. welcomes all interested companies to bid.

Kris Kitchen  
Executive Director

Doc. No. 027131

(Published in the Kansas Register October 4, 2001.)

**Summary Notice of Bond Sale**

**Salina Airport Authority**

**(Salina, Kansas)**

**\$1,385,000**

**Taxable General Obligation Improvement Bonds**

**Series 2001-A**

**Bids**

Subject to the terms and conditions of the complete notice of bond sale and preliminary official statement dated September 19, 2001, bids will be received by Timothy F. Rogers, executive director of the Salina Airport Authority, at the Salina Municipal Airport, 3237 Arnold, Salina, KS 67402, on behalf of the governing body until 1 p.m. local time Wednesday, October 17, 2001, for the purchase of \$1,385,000 principal amount of Taxable General Obligation Improvement Bonds, Series 2001-A. No bid of less than the entire par value of the bonds and accrued interest thereon to the date of delivery will be considered. Each bid shall be accompanied by a cashier's or certified check or a financial surety bond in the amount of 2 percent of the principal amount of the bonds.

Bids will be received (1) in the case of sealed and facsimile bids, by the executive director at the address and fax number hereafter set forth, and (2) in the case of electronic bids, through PARITY electronic bid submission system. The Authority and the Authority's financial advisor shall not be responsible for any failure, misdirection, delay or error in the means of transmission selected by the bidder.

**Bond Details**

The bonds will consist of fully registered certificated bonds in the denomination of \$5,000 or any integral multiple thereof. The bonds will initially be registered in the name of Cede & Co., as nominee of the Depository Trust Company, New York, New York, to which payments of principal of and interest on the bonds will be made. Individual purchases of bonds will be made in book-entry form only. Purchasers will not receive certificates representing their interest in bonds purchased. The bonds will be dated November 1, 2001, and will become due serially on September 1 in the years as follows:

Principal Amount	Maturity September 1
\$105,000	2003
115,000	2004
120,000	2005
125,000	2006
135,000	2007
140,000	2008
150,000	2009
160,000	2010
165,000	2011
175,000	2012

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, 2002. The bonds will not be subject to redemption prior to their stated maturity dates.

**Paying Agent and Bond Registrar**

The Kansas State Treasurer will be the paying agent and bond registrar for the bonds.

**Delivery**

The Authority 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 7, 2001, through the facilities of the Depository Trust Company in New York, New York.

**Assessed Valuation and Indebtedness**

The equalized assessed valuation for computation of bonded debt limitations for the year 2000 is \$331,396,116. The total general obligation indebtedness of the Authority as of the date of the bonds, including the bonds being sold, will be \$5,675,000.

**Approval of Bonds**

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

**Additional Information**

Additional information regarding the bonds may be obtained from the undersigned or from George K. Baum & Company, Kansas City, Missouri, (816) 474-1100, the Authority's financial advisor.

Dated September 19, 2001.

City of Salina, Kansas  
By Timothy F. Rogers, A.A.E.  
Executive Director  
Salina Municipal Airport  
3237 Arnold Ave.  
Salina, KS 67402  
(785) 827-3914  
Fax (785) 827-2221

Doc. No. 027129

United States Postal Service

**Statement of Ownership, Management, and Circulation**

1. Publication Title <b>Kansas Register</b>		2. Publication Number 0 6 6 2 - 1 9 0		3. Filing Date Sept. 27, 2001	
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8. Complete Mailing Address of Headquarters or General Business Office of Publisher (Not printer)  
same as above

9. Full Names and Complete Mailing Addresses of Publisher, Editor, and Managing Editor (Do not leave blank)

Publisher (Name and complete mailing address)

Ron Thornburgh, Kansas Secretary of State, 1st Floor, Memorial Hall,  
120 SW 10th Ave., Topeka, KS 66612-1594

Editor (Name and complete mailing address)

Nancy R. Reddy, Secretary of State's Office, 1st Floor, Memorial Hall,  
120 SW 10th Ave., Topeka, KS 66612-1594

Managing Editor (Name and complete mailing address)

same as above

10. Owner (Do not leave blank. If the publication is owned by a corporation, give the name and address of the corporation immediately followed by the names and addresses of all stockholders owning or holding 1 percent or more of the total amount of stock. If not owned by a corporation, give the names and addresses of the individual owners. If owned by a partnership or other unincorporated firm, give its name and address as well as those of each individual owner. If the publication is published by a nonprofit organization, give its name and address.)

Full Name	Complete Mailing Address
State of Kansas, c/o Secretary of State	1st Floor, Memorial Hall 120 SW 10th Ave., Topeka, KS 66612-1594

11. Known Bondholders, Mortgagees, and Other Security Holders Owning or Holding 1 Percent or More of Total Amount of Bonds, Mortgages, or Other Securities. If none, check box  None

Full Name	Complete Mailing Address

12. Tax Status (For completion by nonprofit organizations authorized to mail at nonprofit rates) (Check one)

The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes:

- Has Not Changed During Preceding 12 Months
- Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)

13. Publication Title		14. Issue Date for Circulation Data Below	
15. Extent and Nature of Circulation		Average No. Copies Each Issue During Preceding 12 Months	No. Copies of Single Issue Published Nearest to Filing Date
a. Total Number of Copies (Net press run)		1350	1350
b. Paid and/or Requested Circulation	(1) Paid/Requested Outside-County Mail Subscriptions Stated on Form 3541. (Include advertiser's proof and exchange copies)	507	482
	(2) Paid In-County Subscriptions (Include advertiser's proof and exchange copies)	107	104
	(3) Sales Through Dealers and Carriers, Street Vendors, Counter Sales, and Other Non-USPS Paid Distribution	26	25
	(4) Other Classes Mailed Through the USPS		
c. Total Paid and/or Requested Circulation [Sum of 15b. (1), (2),(3),and (4)]		640	611
d. Free Distribution by Mail (Samples, complimentary, and other free)	(1) Outside-County as Stated on Form 3541	369	369
	(2) In-County as Stated on Form 3541	16	16
	(3) Other Classes Mailed Through the USPS		
e. Free Distribution Outside the Mail (Carriers or other means)		105	105
f. Total Free Distribution (Sum of 15d. and 15e.)		490	490
g. Total Distribution (Sum of 15c. and 15f)		1130	1101
h. Copies not Distributed		220	249
i. Total (Sum of 15g. and h.)		1350	1350
j. Percent Paid and/or Requested Circulation (15c. divided by 15g. times 100)		57%	55%

16. Publication of Statement of Ownership  
 Publication required. Will be printed in the Oct. 4, 2001 issue of this publication.  Publication not required.

17. Signature and Title of Editor, Publisher, Business Manager, or Owner  
Nancy R. Reddy Nancy R. Reddy, Editor Date Sept. 27, 2001

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

**Instructions to Publishers**

- Complete and file one copy of this form with your postmaster annually on or before October 1. Keep a copy of the completed form for your records.
- In cases where the stockholder or security holder is a trustee, include in items 10 and 11 the name of the person or corporation for whom the trustee is acting. Also include the names and addresses of individuals who are stockholders who own or hold 1 percent or more of the total amount of bonds, mortgages, or other securities of the publishing corporation. In item 11, if none, check the box. Use blank sheets if more space is required.
- Be sure to furnish all circulation information called for in item 15. Free circulation must be shown in items 15d, e, and f.
- Item 15h., Copies not Distributed, must include (1) newsstand copies originally stated on Form 3541, and returned to the publisher, (2) estimated returns from news agents, and (3), copies for office use, leftovers, spoiled, and all other copies not distributed.
- If the publication had Periodicals authorization as a general or requester publication, this Statement of Ownership, Management, and Circulation must be published; it must be printed in any issue in October or, if the publication is not published during October, the first issue printed after October.
- In item 16, indicate the date of the issue in which this Statement of Ownership will be published.
- Item 17 must be signed.

**Failure to file or publish a statement of ownership may lead to suspension of Periodicals authorization.**

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

Before Rulon, C.J.; Gernon and Marquardt, JJ.

Wednesday, October 24, 2001

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
84,210	State of Kansas, Appellee, v. Scotty R. Adam, Appellant.	Attorney General William A. Kassebaum, Asst. C.A. Jessica R. Kunen, Chief A.D. Debra J. Wilson, Asst. A.D.	Morris
86,936	Shane Levi Bahr, Appellant, v. State of Kansas, Appellee.	Joseph D. Johnson Attorney General Douglas P. Witteman, C.A.	Coffey
84,400	State of Kansas, Appellee, v. Walter S. Kloster, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D. Cory D. Riddle, Asst. A.D.	Johnson
85,869	Paul L. Steele, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Sandra Carr, Asst. A.D. Attorney General Daniel L. Baldwin, Spec. Prosecutor	Marion
86,448	State of Kansas, Appellee, v. Kristen R. Becker, Appellant.	Attorney General Ty Kaufman, C.A. Jessica R. Kunen, Chief A.D. Rick Kittel, Asst. A.D.	McPherson
1:30 p.m.			
86,096	State of Kansas, Appellee, v. Marshall E. Humphrey, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Ian H. Taylor, Asst. D.A. Jessica R. Kunen, Chief A.D. Patrick H. Dunn, Asst. A.D.	Sedgwick
85,538	State of Kansas, Appellee, v. Terry L. Adams, Appellant.	Attorney General Terra D. Morehead, Asst. D.A. Jessica R. Kunen, Chief A.D. Randall L. Hodgkinson, Asst. A.D.	Wyandotte
87,022	State of Kansas, Appellee, v. Charles E. Simecka, Appellant.	Attorney General Chris Oakley, C.A. Robert A. Anderson	Rice
86,508	State of Kansas, Appellee, v. Dale Clyde Vest, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D. Korey A. Kaul, Asst. A.D.	Johnson
84,459	State of Kansas, Appellee, v. Patrick J. Soptic, Appellant.	Attorney General Christopher L. Schneider, Asst. D.A. Jessica R. Kunen, Chief A.D. Janine Cox, Asst. A.D.	Wyandotte

86,057	State of Kansas, Appellee, v. Monte Jakobosky, Appellant.	Attorney General Brian V. Grace, C.A. Jessica R. Kunen, Chief A.D. Rick Kittel, Asst. A.D.	Republic
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Thursday, October 25, 2001

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
85,591	State of Kansas, Appellee, v. Thomas E. Sullivan, Jr., Appellant.	Attorney General Kim W. Cudney, C.A. Jessica R. Kunen, Chief A.D. Reid T. Nelson, Asst. A.D.	Washington
87,243	Antonio Ortiz, Appellant, v. National Beef Packing Co., L.P. and Wausau Insurance Companies, Appellees.	Stanley R. Ausemus D. Shane Bangerter	Work Comp
82,378	State of Kansas, Appellee, v. Kenneth A. Jarvis, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. McFadden, Asst. D.A. Jessica R. Kunen, Chief A.D. Sandra Carr, Asst. A.D.	Sedgwick
86,773	In the Interest of: K.D.M., DOB: 12-08-89 C.M.M., DOB: 06-22-91 N.L.M., DOB: 12-02-93	Jennifer A. Wagle Roger Batt	Sedgwick
86,283	Javier Juarez, Appellant, v. State of Kansas, Appellee.	Elizabeth Seale Cateforis Attorney General Matthew J. Richter, Asst. C.A.	Seward

Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
86,588	Gregory D. Walker, Appellant, v. State of Kansas, Appellee.	Gregory D. Walker, pro se Attorney General Debra S. Peterson, Asst. D.A. Lesley A. McFadden, Asst. D.A.	Sedgwick
85,271	State of Kansas, Appellee, v. Brian W. Bussart, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Elizabeth Reimer, Asst. D.A. Jessica R. Kunen, Chief A.D. Jennifer C. Roth, Asst. A.D.	Sedgwick
84,579	State of Kansas, Appellee, v. Othello Johnson, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Jessica R. Kunen, Chief A.D. Daniel C. Estes, Asst. A.D.	Sedgwick
87,088	State of Kansas, Appellee, v. Billy Joe Fawl, Appellee.	Attorney General Brandon L. Jones, Asst. C.A. Robert Kuchar	Franklin
86,059	Kenneth Leek, Appellant, v. State of Kansas, Appellee.	William F. Dunn Attorney General Christopher L. Schneider, Asst. D.A.	Wyandotte
84,847	State of Kansas, Appellee, v. Ortencia Zaragoza, Appellant.	Attorney General Ellen Mitchell, C.A. William Rex Lorson	Saline

(continued)

83,300	State of Kansas, Appellee, v. Wayne L. Lacquement, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Jessica R. Kunen, Chief A.D. Brent Getty, Asst. A.D.	Sedgwick
85,876 86,627	Walter D. Langdon, Appellant, v. Yolanda D. Pennington, Appellee.	David C. Graham Fritz Edmunds, Jr.	Johnson

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

Before Green, P.J.; Knudson, J.; and Stephen D. Hill, District Judge, assigned.

Wednesday, October 24, 2001

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
82,522	State of Kansas, Appellee, v. Reuben J. McCaslin, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Elizabeth Reimer, Asst. D.A. Jessica R. Kunen, Chief A.D. Mary Curtis, Asst. A.D.	Sedgwick
86,791	In the Matter of the Marriage of Deborah S. Wherrell, Appellee, and Wesley R. Wherrell, Appellant.	Chris R. Davis Frank D. Taff	Shawnee
85,712	Previn E. Tauer, Appellant, v. State of Kansas, Appellee.	Jessica R. Kunen, Chief A.D. Debra J. Wilson, Asst. A.D. Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A.	Sedgwick
86,934	Pittsburg State University/Kansas National Education Association, Appellant, v. Kansas Board of Regents/Pittsburg State University, and Kansas Department of Human Resources, Appellees.	John G. Mazurek William Scott Hesse Don Doesken	Shawnee

1:30 p.m.

84,756	State of Kansas, Appellee, v. Yieka R. Edmond, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Richard A. Olmstead, Asst. D.A. Jessica R. Kunen, Chief A.D. Cory D. Riddle, Asst. A.D.	Sedgwick
86,721	In the Matter of the Marriage of Stanley D. Ross, Appellant/Cross-Appellee, and Dawn K. Ross, Appellee, Cross- Appellant.	John G. Mazurek Larry A. Prauser	Cherokee
87,289	In the Matter of M.L.M., DOB: 11-15-1983.	Wendy A. Wussow, Asst. C.A. William S. Mills	McPherson
84,025	State of Kansas, Appellee, v. Carl E. Bengston Jr., a/k/a Carl E. Bengton, Jr.	Attorney General Keith E. Schroeder, C.A. Jessica R. Kunen, Chief A.D. Jennifer C. Roth, Asst. A.D.	Reno



85,826	State of Kansas, Appellee, v. Jamaal W. Dorsey, Appellant.	Attorney General Marc Goodman, C.A. Jessica R. Kunen, Chief A.D. Randall L. Hodgkinson, Asst. A.D.	Lyon
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Thursday, October 25, 2001

9:30 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
83,404	State of Kansas, Appellee, v. Shane E. McAllister, Appellant.	Attorney General Keith E. Schroeder, Asst. D.A. Jessica R. Kunen, Chief A.D. Daniel C. Estes, Asst. A.D.	Reno
84,724	State of Kansas, Appellee, v. Wilbur R. McElroy, a/k/a Wilbert McElroy, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Jessica R. Kunen, Chief A.D. Brent Getty, Asst. A.D.	Sedgwick
86,864	Peggy I. Ullum, Appellee, v. Dunhill Staffing Systems, Inc., and Fire- man's Fund Insurance Co., Appellants.	Stephen J. Jones Terry J. Torline	Work Comp

## Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
86,348	State of Kansas, Appellant, v. William Preston Collins, Appellee.	Attorney General Steven J. Obermeier, Asst. D.A.	Johnson
87,139	Monty R. Haynes, Appellant, v. Charles Simmons, et al., Appellees.	Monty R. Haynes, pro se Jon D. Graves	Reno
86,002	State of Kansas, Appellee, v. Sheena K. Tonihka, a/k/a Sheena Keeney, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Jessica R. Kunen, Chief A.D. Shawn Minihan, Asst. A.D.	Sedgwick
86,104	State of Kansas, Appellee, v. Cager J. Spates, Appellant.	Attorney General Angela M. Wilson, Asst. D.A. Jessica R. Kunen, Chief A.D. Sandra Carr, Asst. A.D.	Douglas
84,796	State of Kansas, Appellee, v. Donald James Baum, Appellant.	Jessica R. Kunen, Chief A.D. Randall L. Hodgkinson, Asst. A.D.	Seward
86,047	State of Kansas, Appellee, v. Kathryn M. Baker, Appellant.	Attorney General Franklin T. Bruce, Asst. D.A. Kiehl Rathbun	Reno
85,324	State of Kansas, Appellee, v. David Franklin Dahna, Appellant.	Attorney General Julie A. Funk, Asst. C.A. Jessica R. Kunen, Chief A.D. Brent Getty, Asst. A.D.	Ford
85,687	State of Kansas, Appellee, v. Jonathan W. Rouse, Appellant.	Attorney General William R. Mott, C.A. Jessica R. Kunen, Chief A.D. Randall L. Hodgkinson, Asst. A.D.	Sumner
86,881	Shelly Marie Chiasson (Gallmeister), Appellant, v. Christopher Manor, and Insurance Com- pany State of Pennsylvania, Appellees.	Stanley R. Ausemus Stephen P. Doherty	Work Comp

(continued)

Kansas Court of Appeals  
Disciplinary Administrator's Office  
701 S.W. Jackson, 1st Floor  
Topeka, Kansas

Before Beier, P.J.; Pierron, J.; and Wahl, S.J.

Wednesday, October 24, 2001

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
85,309 85,445	State of Kansas, Appellee, v. Artis Termain Cobb, Appellant.	Attorney General Chris Biggs, C.A. Jessica R. Kunen, Chief A.D. Reid T. Nelson, Asst. A.D.	Geary
86,524	Wilbert Ryan, Cleveland Carter, and Christy Daugherty, Appellants, v. Sun Ja Sitterle, American Family Mutual Insurance Company and Chandra Paul Ramnarine, Appellees.	Henry O. Boaten John D. Conderman	Geary
86,063 86,064	State of Kansas, Appellee, v. Aaron Hatt, Appellant.	Attorney General John H. Taylor, Asst. C.A. Jessica R. Kunen, Chief A.D. Shawn Minihan, Asst. A.D.	Geary
84,513	State of Kansas, Appellee, v. Gary Dixon, Appellant.	Attorney General Christopher L. Schneider, Asst. D.A. Jessica R. Kunen, Chief A.D. Craig Durham, Asst. A.D.	Wyandotte
86,164	Donald J. Crowder, Appellant, Cross- Appellee, v. State of Kansas, Kansas Department of Revenue, Appellee, Cross-Appellant.	Douglas E. Wells Brian Cox	Shawnee
1:30 p.m.			
86,176	In the Matter of the Care and Treatment of Richard G. Rios.	Michael G. Highland Terra D. Morehead, Spec. Asst. A.G.	Wyandotte
86,177	In the Matter of the Care and Treatment of Michael Blackmore.	Michael G. Highland Terra D. Morehead, Spec. Asst. A.G.	Wyandotte
85,736	State of Kansas, Appellee, v. Gary Floyd Brown, Appellant.	Attorney General Amanda Norris, Asst. C.A. Jessica R. Kunen, Chief A.D. Nathan B. Webb, Asst. A.D.	Saline
87,031	Raymond L. Greene, Appellant, v. State of Kansas, Appellee.	Kathleen M. Cerne Attorney General Steve Stockard, Asst. C.A.	Crawford
86,503	Earl Eugene Abbey, Appellee, v. Cleveland Inspections Services, Inc., Appellee, and State Insurance Fund of Oklahoma, Appellant.	Edward D. Heath, Jr. Gary A. Winfrey	Work Comp

Thursday, October 25, 2001

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
85,082	State of Kansas, Appellee, v. Fred Bryant, Jr., Appellant.	Attorney General Sheryl L. Lidtke, Asst. D.A. Fred Bryant, Jr., Pro se Virginia Girard-Brady	Wyandotte
85,043	State of Kansas, Appellee, v. Tameka Henson, Appellant.	Attorney General Terra D. Morehead, Asst. C.A. Jessica R. Kunen, Chief A.D. Rick Kittel, Asst. A.D.	Wyandotte
86,758	William R. Holt, Appellant, v. Charles Simmons, et al., Appellees.	Joseph L. McCarville III Attorney General Jon D. Graves, Spec. Asst. A.G.	Reno
86,993	In the Interest of H.E.K., A Minor Child, DOB: 09-02-94.	Grant D. Griffiths Douglas F. Martin, C.A.	Clay
85,975	State of Kansas, Appellee, v. Daniel Macias, Appellant.	Attorney General Lois K. Malin, Asst. C.A. Jessica R. Kunen, Chief A.D. Patrick H. Dunn, Asst. A.D.	Finney
86,778	Gary Matthews, Appellant, v. State of Kansas, Appellee.	Dennis J. C. Owens David S. Rauzi Attorney General Robbin L. Wasson, Asst. D.A.	Wyandotte

## Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
84,896	State of Kansas, Appellee, v. Robert D. Eberhart, Appellant.	Attorney General Stacy Lynn Cuning, Asst. C.A. Jessica R. Kunen, Chief A.D. Rick Kittel, Asst. A.D.	Saline
83,602	State of Kansas, Appellee, v. Robert L. Campbell, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Jessica R. Kunen, Chief A.D. Cory D. Riddle, Asst. A.D.	Sedgwick
86,519	Kristy Childs, Appellant, v. American Standard Insurance Company of Wisconsin, Appellee.	Prince Adebayo I.K. Ogunmenon Leo L. Logan	Wyandotte
84,772	State of Kansas, Appellee, v. Ulysses S. Wright, Appellant.	Attorney General Terra D. Morehead, Asst. D.A. Thomas R. Telthorst	Wyandotte
87,144	Marc E. Bunting, Appellee, v. Xiangyuan (Sue) Zhu, Appellant.	Thomas G. Lemon Xiangyuan (Sue) Zhu, Pro se	Shawnee
83,884	State of Kansas, Appellee, v. Frank Wilkins, Jr., Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Jessica R. Kunen, Chief A.D. Cory D. Riddle, Asst. A.D.	Sedgwick
86,595	Gary M. Bullock, Appellant, v. Charles E. Simmons, et al., Appellees.	Gary M. Bullock, Pro se Julie Riddle	Butler
86,688	In the Interest of Z.S., DOB: 03-05-97.	Craig A. Lubow Sheryl A. Bussell, Asst. D.A.	Wyandotte

(continued)

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

Before Elliott, P.J.; Johnson, J.; and Rogg, S.J.

Wednesday, October 24, 2001

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
85,745	Roger L. Moss, Appellant, v. State of Kansas, Appellee.	Geary N. Gorup Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A.	Sedgwick
85,990	Manuel Urbina, Appellee, v. Brad Stevens, Individually and d/b/a Air Capital Travel, Appellant.	William L. Fry Kiehl Rathbun	Sedgwick
85,392	State of Kansas, Appellee, v. Bernard B. Megaffin, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Ian H. Taylor, Asst. D.A. Jessica R. Kunen, Chief A.D. Libby Snider, Asst. A.D.	Sedgwick
86,475	In the Matter of the Conservatorship of Billy Joe Dotson, A Disabled Person.	Sarah J. McMaster F. C. McMaster Jerry D. Bogle	Sedgwick
85,617	State of Kansas, Appellee, v. Sandra Dee Devore, Appellant.	Attorney General Julia D. Allen, Asst. C.A. Jessica R. Kunen, Chief A.D. Sandra Carr, Asst. A.D.	Montgomery
1:30 p.m.			
86,870	Jack D. Reese, M.D., Appellant, v. The Board of Healing Arts of the State of Kansas, Appellee.	Thomas A. Wood Mark W. Stafford	Shawnee
85,239	State of Kansas, Appellee, v. Christopher L. Buckner, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Richard A. Olmstead, Asst. D.A. Jessica R. Kunen, Chief A.D. Daniel Estes, Asst. A.D.	Sedgwick
84,989	State of Kansas, Appellee, v. Andree T. Barker, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D. Jennifer C. Roth, Asst. A.D.	Johnson
87,082	Dannie A. Brooks, Appellant, v. Samye Ann Burton, Appellee.	Mark G. Ayesh Michael G. Jones	Sedgwick
86,133	Chad Beers, Appellant, v. State of Kansas, Appellee.	Edward G. Collister, Jr. Attorney General Rekha Sharma-Crawford, Asst. D.A.	Douglas

Thursday, October 25, 2001

9:00 a.m.

Case No.	Case Name	Attorneys	Jurisdiction
84,552	State of Kansas, Appellee, v. Kenneth David McNelly, Appellant.	Attorney General Ellen H. Mitchell, C.A. Charles D. Lamb	Saline
86,608	David C. Martinez, d/b/a Mulvane Chiropractic Clinic, Appellee, v. Farm Bureau Insurance Company Inc., Appellant.	Ryan Hodge Arthur S. Chalmers	Sedgwick
84,123	State of Kansas, Appellee, v. Deanthaney L. Pennington, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Boyd K. Isherwood, Asst. D.A. Jessica R. Kunen, Chief A.D. Randall L. Hodgkinson, Asst. A.D.	Sedgwick
85,187	State of Kansas, Appellee, v. Karen L. Huddleston, Appellant.	Attorney General Steven J. Obermeier, Asst. D.A. Jessica R. Kunen, Chief A.D. Nathan B. Webb, Asst. A.D.	Johnson
85,710	State of Kansas, Appellee, v. Charles M. Hankerson, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Lesley A. McFadden, Asst. D.A. Jessica R. Kunen, Chief A.D. Shawn Minihan, Asst. A.D.	Sedgwick

## Summary Calendar—No Oral Argument

Case No.	Case Name	Attorneys	Jurisdiction
87,204	In the Matter of the Estate of George H. O'Toole, Deceased.	Todd R. Stramel Gregory E. Saindon Paul R. Shepherd	Trego
84,251	State of Kansas, Appellee, v. Chad E. Benoit, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Richard A. Olmstead, Asst. D.A. Jessica R. Kunen, Chief A.D. Niki Christopher, Asst. A.D.	Sedgwick
85,601	State of Kansas, Appellee, v. Leeroy A. Tweet, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Ian H. Taylor, Asst. D.A. Jessica R. Kunen, Chief A.D. Peter Maharry, Asst. A.D.	Sedgwick
86,441	Gloria Cowles, Appellant, v. National Credit Services Corporation, Appellee.	Barry R. Grissom Sara E. Welch	Johnson
87,108	State of Kansas, Appellee, v. Mario Najera, Appellee.	Attorney General Vernon E. Buck, Asst. C.A. Don C. Krueger	Lyon
87,198	Darryl Wayne Manco, #55906, Appellant, v. Michael A. Nelson, Appellee.	Darryl Wayne Manco, Pro se Julie Riddle	Butler

(continued)

85,109	Joan B. Wells and David D. Duggins, Co-Trustees of the Testamentary Trust Created by Marguerite Barkley in Article 3, Paragraph B of her Last Will and Testament for the Benefit of John Barkley Wells, Clay Batterton Wells and Minette Elisabeth Wells, Appellants, v. City of Mission, Kansas, Appellee.	Daniel R. Jones Keven M. P. O'Grady G. Peter Bunn III David K. Martin	Johnson
85,414 85,415	State of Kansas, Appellee, v. Thomas E. Sullivan, Appellant.	Attorney General Kim W. Cudney, Special Prosecutor Jessica R. Kunen, Chief A.D. Jennifer C. Roth, Asst. A.D.	Marshall
86,097	State of Kansas, Appellee, v. Thomas W. Kopetzky, Appellant.	Attorney General Debra S. Peterson, Asst. D.A. Ian H. Taylor, Asst. D.A. Jessica R. Kunen, Chief A.D. Randall L. Hodgkinson, Asst. A.D.	Sedgwick

Carol G. Green  
Clerk of the Appellate Courts

Doc. No. 027088

## State of Kansas

## Department of Revenue

Notice of Hearing on Proposed  
Administrative Regulations

A public hearing will be conducted by the Department of Revenue at 1:30 p.m. Monday, December 10, in Room 481-W, Docking State Office Building, 915 S.W. Harrison, Topeka, to consider the revocation of one regulation pertaining to fees for disabled parking placards and identification cards.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments on the proposed revocation of this regulation. All interested parties may submit written public comments on the proposed revocation prior to the hearing to Kathleen Smith, Tax Specialist, Office of Policy and Research, Room 230, Docking State Office Building, 915 S.W. Harrison, Topeka, 66625.

All interested parties will be given a reasonable opportunity to present their views, either orally or in writing or both, concerning the proposed revocation of this regulation. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Kathleen Smith at (785) 296-3081 or TTY (785) 296-6461. Disabled parking is located in State Parking Lot No. 2, south of the Docking Building facing Harrison Street. The north, south and east entrances to the Docking Building are accessible.

The regulation is proposed for revocation on a permanent basis. A copy of the regulation and the economic impact statement may be obtained by contacting Kathleen Smith. A summary of the proposed regulation and the economic impact follows.

## Article 51.—TITLES AND REGISTRATION

**K.A.R. 92-51-40. Handicapped persons placards and identification card fees.** This regulation prescribes a fee for disabled parking placards and identification cards. The proposed revocation of this regulation will eliminate the imposition of a fee for disabled parking placards and identification cards for permanent or temporary conditions.

**Economic Impact:** The revocation of this regulation will result in the loss of revenue to the State of Kansas but not to the Kansas Department of Revenue per se. Although K.S.A. 8-1,125(c) provides that the fee for the placard and identification card cannot exceed cost, monies received do not remain in the department's budget but instead are credited to the State Highway Fund. See K.S.A. 8-145(c), 8-146.

As noted, the funds remitted to the department for disabled parking placards and identification cards are remitted to the State Highway Fund. The yearly amount by one estimate is approximately \$117,000 for permanent placards and approximately \$19,360 for temporary placards; both figures vary, of course, with the number of applicants. There is no impact on local governmental entities. Individuals who are permanently or temporarily disabled will no longer have to pay a fee to obtain a disabled parking placard and identification card therefor (the latter is required only for permanent placards).

Stephen S Richards  
Secretary of Revenue

Doc. No. 027114

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 Wichita Airport Hilton, until 2 p.m. October 17, and then publicly opened:

District One—Northeast

**Brown**—73-7 K-8273-01—U.S. 73 (First Street) and Iowa Street in the City of Hiawatha, traffic signals. (State Funds)

**Jackson**—C-3705-01—County road 3.9 miles (6.3 kilometers) east of Delia, 0.3 mile (0.5 kilometer), grading, bridge and surfacing. (Federal Funds)

**Jackson**—43 C-3770-01—County road 2.5 miles (4 kilometers) east and 3 miles (4.8 kilometers) south of Mayetta, 0.3 mile (0.5 kilometer), grading, bridge and surfacing. (Federal Funds)

**Jefferson**—44 C-3619-01—County road 1 mile (1.6 kilometers) north and 7 miles (11.3 kilometers) east of Perry, 0.1 mile (0.16 kilometer), grading, bridge and surfacing. (Federal Funds)

**Leavenworth**—C-3603-01—Intersection of county route 1841 and 1847, 0.2 mile (0.3 kilometer), intersection improvement. (Federal Funds)

**Leavenworth**—C-3617-01—County route 389 from 0.06 mile (0.1 kilometer) south of county route 2176 to 0.06 mile (0.1 kilometer) north of county route 5050, 1.1 miles (1.8 kilometers), grading and surfacing. (Federal Funds)

**Leavenworth**—52 U-1706-01—West Mary Street from U.S. 73 west to DeSoto Road in Lansing, 1.1 miles (1.8 kilometers), grading and surfacing. (Federal Funds)

**Lyon**—35-56 K-8626-01—I-35 from the U.S. 50/KTA interchange east 5.8 miles (9.3 kilometers), pavement marking. (State Funds)

**Osage**—56-70 K-6812-01—U.S. 56 bridge over Dragoon Creek Drainage, bridge replacement. (Federal Funds)

**Pottawatomie**—75 C-3749-01—County road 5 miles (8 kilometers) west of Westmoreland, 0.2 mile (0.4 kilometer), grading, bridge and surfacing. (Federal Funds)

**Riley-Geary**—18-106 K-8628-01—K-18 from the east junction of I-70 northeast to the Union Pacific Overpass at Ogden, 4.9 miles (7.9 kilometers), pavement patching. (State Funds)

**Shawnee**—89 C-3415-01—Northwest 46th Street, 3 miles (4.8 kilometers) northeast of Silver Lake, 0.5 mile (0.8 kilometer), grading, bridge and surfacing. (Federal Funds)

**Shawnee**—70-89 K-6358-02—Fabrication and delivery of structural steel for I-70 bridges at the Dover exit. (Federal Funds)

**Wyandotte**—70-105 K-8623-01—Westbound I-70 bridge, 0.2 mile (0.4 kilometer) west of the junction of I-435, bridge repair. (State Funds)

**Wyandotte**—105 N-0151-01—East Kansas Avenue over the Kansas River in Kansas City, 0.4 mile (0.6 kilometer), bridge repair. (Federal Funds)

District Two—Northcentral

**Chase**—177-9 K-7957-01—K-177 culvert at Milepost 8.9, culvert construction. (State Funds)

**Clay**—14 C-3844-01—County road 5.2 miles (8.4 kilometers) south and 4 miles (6.4 kilometers) east of Clay Center, 0.2 mile (0.3 kilometer), grading, bridge and surfacing. (Federal Funds)

**Jewell**—45 C-3755-01—County road 5 miles (8 kilometers) south and 2.1 miles (3.4 kilometers) east of Jewell, 0.2 mile (0.3 kilometer), grading and bridge. (Federal Funds)

**Jewell**—14-45 K-8535-01—K-14 from the east junction of U.S. 36 north to the Kansas-Nebraska state line, 15.2 miles (24.5 kilometers), overlay. (State Funds)

**Jewell-Mitchell**—106 K-8599-01—K-128 from the Mitchell-Jewell county line north to the west junction of U.S. 36; K-228 from the junction of K-128 east to Ionia; K-128 from the junction of U.S. 24 north to the Mitchell-Jewell county line, 19.4 miles (31.2 kilometers), overlay. (State Funds)

**Lincoln-Mitchell-Russell**—181-106 K-8601-01—K-181 from the Russell-Lincoln county line east and north to the Lincoln-Mitchell county line; K-181 from the Lincoln-Mitchell county line north and west to the Mitchell-Oborne county line; K-181 from the junction of K-232 east to the Russell-Lincoln county line, 37.2 miles (59.9 kilometers), overlay. (State Funds)

**Washington**—101 K-8536-01—K-15 from the west junction of U.S. 36 north to the Kansas-Nebraska state line, 13.2 miles (21.2 kilometers), overlay. (State Funds)

District Three—Northwest

**District Three**—70-106 K-8625-01—Various locations on I-70 in Gove, Logan, Sheridan and Wallace counties, 31.6 miles (50.8 kilometers), pavement marking. (State Funds)

**Ellis**—183-26 K-8444-01—U.S. 183 from the Rush-Ellis county line north to the junction of U.S. 183 Alternate, 11.4 miles (18.3 kilometers), slurry seal. (State Funds)

**Graham**—33 C-3700-01—County road 5.2 miles (8.4 kilometers) north and 1 mile (1.6 kilometers) east of Bogue, 0.2 mile (0.3 kilometer), grading and bridge. (Federal Funds)

**Logan**—40-55 K-8442-01—U.S. 40 from the Wallace-Logan county line east to 0.1 mile (0.2 kilometer) west of the west junction of U.S. 83, 35.7 miles (57.4 kilometers), overlay. (State Funds)

**Rawlins**—117-77 K-8443-01—K-177 from the junction of U.S. 36 north to the Kansas-Nebraska state line, 12 miles (19.3 kilometers), overlay. (State Funds)

**Russell**—84 U-1882-01—City of Russell, signing. (Federal Funds)

**Wallace**—40-100 K-5900-01—U.S. 40 Safety Rest Area east of Wallace, safety rest area improvement. (State Funds)

District Four—Southeast

**Labette**—166-50 K-6388-01—U.S. 166 bridge over the Neosho River 0.25 mile (0.4 kilometer) east of the east junction of U.S. 59, bridge replacement. (Federal Funds)

(continued)

Miami—61 C-3579-01—The junction of county route 1604 and 264 northeast of Osawatomie east to U.S. 169, 1 mile (1.6 kilometers), grading, bridge and surfacing. (Federal Funds)

Montgomery—160-63 K-2620-01—U.S. 160 bridge over the Verdigris River 1.3 miles (2.1 kilometers) east of the east junction of U.S. 75, bridge replacement. (Federal Funds)

District Five—Southcentral

Barton—5 K-8590-01—K-4 from the east junction of U.S. 281 east to the Barton-Rice county line; U.S. 281 from the east junction of K-4 west to the west city limits of Hoisington, 16.5 miles (26.5 kilometers), overlay. (State Funds)

Barton—5 C-3397-01—County road 4 miles west of Ellinwood then south 0.4 mile (0.6 kilometer), grading, bridge and surfacing. (Federal Funds)

Butler—8 C-3578-01—North city limits of Augusta from county route 83 to county route 74, 4 miles (6.4 kilometers), grading, bridge and surfacing. (Federal Funds)

Comanche-Edwards-Kiowa—183-106 K-8596-01—U.S. 183 from the junction of U.S. 160 north to the Comanche-Kiowa county line; U.S. 183 from the Kiowa-Edwards county line to the junction of U.S. 56; U.S. 183 from the Comanche-Kiowa county line north to the Kiowa-Edwards county line, 48.4 miles (77.9 kilometers), overlay. (State Funds)

Rice—4-80 K-8512-01—K-4 from the junction of K-14 east to the Rice-Ellsworth county line, 10.1 miles (16.3 kilometers), overlay. (State Funds)

Rush—4-83 K-8513-01—K-4 from the Ness-Russell county line east to the junction of U.S. 183, 21.5 miles (34.7 kilometers), overlay. (State Funds)

Stanton—27-94 K-8452-01—K-27 from the junction of U.S. 160 north to the Stanton-Hamilton county-line, 12 miles (19.3 kilometers), overlay. (State Funds)

Sumner—96 C-3763-01—County road 0.1 mile (0.16 kilometer) south and 2 miles (3.2 kilometers) west of Ashton, 0.09 mile (0.16 kilometer), grading, bridge and surfacing. (Federal Funds)

Sumner—96 C-3764-01—County road 6 miles (9.7 kilometers) west and 3 miles (4.8 kilometers) north of Adamsville, 0.09 mile (0.16 kilometer), grading, bridge and surfacing. (Federal Funds)

District Six—Southwest

Finney—28 U-1877-01—City of Garden City, signing. (Federal Funds)

Haskell-Seward—106 K-8505-01—U.S. 83 from the Haskell-Seward county line north to the junction of U.S. 56; K-190 from the east junction of U.S. 56 south to the Haskell-Seward county line; K-190 from the Haskell-Seward county line east to the junction of U.S. 83, 16.9 miles (27.2 kilometers), overlay. (State Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment and experience. Also, a statement of unearned contracts (Form No. 284)

must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid.

This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of 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. 027101

State of Kansas

Secretary of State

Permanent Administrative
Regulations

Article 39.—UNIFORM PARTNERSHIP ACT

7-39-1. Uniform partnership act; filing fees. (a) The filing fees for documents filed with the secretary of state pursuant to the uniform partnership act shall be as follows:

- (1) Statement of partnership authority ..... \$ 20
(2) Statement of denial ..... \$ 20
(3) Statement of dissociation ..... \$ 20
(4) Statement of dissolution ..... \$ 20
(5) Statement of merger ..... \$ 20
(6) Statement of limited liability partnership qualification ..... \$150
(7) Statement of foreign limited liability partnership qualification ..... \$150
(8) Amendment to statement ..... \$ 20
(9) Cancellation of statement ..... \$ 20
(10) Any other statement for which a fee is not prescribed ..... \$ 20

(b) A certified copy shall be \$7.50 plus \$.50 per page.
(c) If a certified copy of a statement that is filed in another state is filed instead of an original statement, the filing fee charged shall be the fee prescribed for an original statement. (Authorized by and implementing K.S.A. 2000 Supp. 56a-105(g); effective Nov. 20, 1998; amended Oct. 19, 2001.)

Ron Thornburgh
Secretary of State

Doc. No. 027127



## State of Kansas

## Animal Health Department

Temporary Administrative  
RegulationsArticle 18.—ANIMAL FACILITY INSPECTION  
PROGRAM—LICENSE AND REGISTRATION FEES

**9-18-1. Fees.** Each applicant for a license and each registrant under K.S.A. 47-1701 et seq., and any amendments thereto shall pay the appropriate application fee as set forth below:

(a) License for animal breeder premises of a person licensed under 7 U.S.C. § 2131 et seq. ....	\$150.00
(b) License for animal breeder premises of a person not licensed under 7 U.S.C. § 2131 et seq. ....	\$300.00
(c) License for a pound or shelter .....	\$200.00
(d) License for a retail breeder licensed under 7 U.S.C. § 2131 et seq. ....	\$150.00
(e) License for a retail breeder not licensed under 7 U.S.C. § 2131 et seq. ....	\$300.00
(f) License for an operator of a temporary pet shop not licensed under 7 U.S.C. § 2131 et seq.	
(1) 1-2 sale days during license year .....	\$50.00
(2) 3-4 sale days during license year .....	\$75.00
(3) 4-6 sale days during license year .....	\$100.00
(4) 7-12 sale days during license year .....	\$200.00
(g) License for an operator of a temporary pet shop licensed under 7 U.S.C. § 2131 et seq.	
(1) 1-2 sale days during license year .....	\$50.00
(2) 3-4 sale days during license year .....	\$75.00
(3) 4-6 sale days during license year .....	\$100.00
(4) 7-12 sale days during license year .....	\$125.00
(h) License for an operator of a pet shop licensed under 7 U.S.C. § 2131 et seq. ....	\$150.00
(i) License for an operator of a pet shop not licensed under 7 U.S.C. § 2131 et seq. ....	\$300.00
(j) License for an operator of a research facility licensed under 7 U.S.C. § 2131 et seq. ....	\$150.00
(k) License for an operator of a research facility not licensed under 7 U.S.C. § 2131 et seq. ....	\$300.00
(l) License for a hobby breeder or boarding kennel operator .....	\$75.00
(m) License for an animal distributor licensed under 7 U.S.C. § 2131 et seq. ....	\$150.00
(n) License for an animal distributor not licensed under 7 U.S.C. § 2131 et seq. ....	\$300.00
(o) Out-of-state distributor permit licensed under 7 U.S.C. § 2131 et seq. ....	\$150.00
(p) Out-of-state distributor permit not licensed under 7 U.S.C. § 2131 et seq. ....	\$300.00
(q) License for a pound and shelter: foster home .....	\$20.00
(r) License for a pound and shelter: rescue home .....	\$50.00
(s) Temporary closing permit for a hobby breeder or kennel operator .....	\$25.00
(t) Temporary closing permit for a pound and shelter, animal breeder, animal distributor, retail breeder, pet shop, or research facility .....	\$75.00

(Authorized by and implementing K.S.A. 47-1721, as amended by L. 2001, Ch. 5, Sec. 172; effective, T-9-7-22-89, July 27, 1989; amended Sept. 11, 1989; amended, T-9-7-1-91, July 1, 1991; amended, T-9-10-22-91, Oct. 22, 1991; amended Feb. 10, 1992; amended, T-9-7-1-96, July 1, 1996; amended Nov. 15, 1996; amended, T-9-5-31-01, May 31, 2001; amended, T-9-9-27-01, Sept. 27, 2001.)

## Article 22.—ANIMAL POUNDS AND SHELTERS

**9-22-4. Foster homes.** (a) Definitions.

(1) "Act" means the Kansas pet animal act, K.S.A. 47-1701 et seq. and amendments thereto.

(2) "Foster home" means a type of shelter or pound consisting of the premises of an individual who provides temporary care and housing for one or more animals in the custody of a licensed pound or shelter that has approved the individual as a foster home caretaker for that pound or shelter.

(3) "Shelter" means an animal shelter as defined in K.S.A. 47-1701, and amendments thereto.

(4) "Temporary care" means care of an individual animal for 180 days or less during the calendar year, except as provided by subsections (i) and (j).

(b) Application forms for a foster home license shall be provided by the commissioner at the request of a licensed pound or shelter. Each shelter wishing to use foster homes shall provide the application to each individual it approves as a foster home. Both the sponsoring shelter or pound and the foster home applicant shall sign the completed foster home license application, and the foster home applicant shall submit to the commissioner the completed application and the foster home license fee established by K.A.R. 9-18-1. No animal shall be placed by the sponsoring shelter or pound in a foster home until the commissioner has issued the foster home license.

(c) Any foster home may house animals for more than one pound or shelter if the following conditions are met:

(1) A separate foster home license application has been jointly signed by the applicant with each sponsoring pound or shelter and submitted to the commissioner.

(2) The commissioner has issued a separate foster home license on behalf of each sponsoring pound or shelter.

(d) Each sponsoring shelter or pound using a foster home shall develop a plan of veterinary care to be followed by the foster home caretaker. Each plan of veterinary care shall be recorded on the form specified in K.S.A. 47-1701(dd)(1)(A), and amendments thereto. This plan shall include the name of the licensed veterinarian the foster home caretaker must contact in case of injury or illness and the name of the party responsible for the payment of treatment and office call charges. The foster home caretaker shall notify the sponsoring pound or shelter of any animal receiving veterinary care within 24 hours of treatment. A copy of the plan of veterinary care shall be filed annually with the commissioner.

(e) A foster home shall not directly accept relinquished or stray animals. All animals housed or maintained by a foster home, other than personal pets of the foster home caretaker, shall be transferred from the sponsoring shelter or pound. Each sponsoring shelter or pound shall have a physical facility for the intake of stray and relinquished animals and the housing of stray animals. No stray animal may be placed with a foster home until the requirements of K.S.A. 47-1710, and amendments thereto, have been met.

(f) No foster home may maintain or house more than 19 dogs, puppies, cats, kittens, or a combination of these animals on its premises at any time. This limitation shall include the following:

(1) Any dog, cat, puppy, or kitten that is a personal pet of the foster home caretaker; and

(continued)

(2) any dog, cat, puppy, or kitten owned by any other individual or entity and maintained or housed on the premises.

(g) An intact dog or cat that is six months of age or older shall not be placed or maintained in a foster home unless spaying or neutering is contraindicated by a licensed veterinarian. The veterinarian shall provide a written opinion as to why the animal cannot be spayed or neutered and an estimated time of when, if ever, the animal may be altered. A copy of the written opinion shall be kept by both the foster home and the sponsoring shelter or pound.

(h) The sponsoring shelter or pound shall process all documentation for each adoption and all spay and neuter deposits required by K.S.A. 47-1731, and amendments thereto. Each intact dog, cat, puppy, or kitten shall be adopted directly from the sponsoring pound or shelter. Any altered dog, cat, puppy, or kitten may be adopted directly from the foster home only after all final adoption paperwork has been processed through the sponsoring shelter or pound.

(i) Each animal placed with a foster home shall be evaluated every 180 days by the sponsoring shelter or pound to determine whether it should be returned to the shelter or pound or should continue in foster care. The records of both the sponsoring shelter or pound and the foster home shall reflect the date on which the animal was evaluated, the reason for the animal to remain in a foster home, and the name of the person at the sponsoring shelter or pound who made the decision.

(j) An animal shall not remain in foster care for more than 12 months without written permission from the commissioner.

(k) In addition to the provisions of this regulation, each foster home shall comply with the statutory provisions of the act and K.A.R. 9-22-1 through K.A.R. 9-22-3. All records shall be kept on a form provided by the commissioner. (Authorized by K.S.A. 47-1712 and 47-1731; implementing K.S.A. 47-1701, 47-1704, 47-1710, 47-1712, and 47-1731; effective, T-9-5-31-01, May 31, 2001; effective, T-9-9-27-01, Sept. 27, 2001.)

**9-22-5. Rescue homes.** (a) Definitions.

(1) "Act" means the Kansas pet animal act.

(2) "Rescue home" means a type of pound or shelter consisting of the premises of an individual who meets both of the following criteria:

(A) Provides care and housing for a specific type of purebred dog or cat or for a specific species or breed of animal; and

(B) is an affiliate or agent of a national purebred organization or a national organization for a specific species or breed that meets all of the following conditions:

(i) The national organization's focus is the specific type of purebred, breed, or species that will receive care and housing in the rescue home.

(ii) The national organization has authority to set standards for the rescue home.

(iii) The national organization meets the criteria of section 501(c)(3) of the internal revenue code.

(b)(1) Each individual who wishes to be licensed to operate a rescue home shall submit an application on a form provided by the commissioner along with the following:

(A) the rescue home license fee established by K.A.R. 9-18-1;

(B) a copy of a certification that the national organization meets the criteria of section 501(c)(3) of the federal internal revenue code; and

(C) either a letter or other documentation from the national organization accepting that individual as a rescue home.

(2) No animal shall be placed in a rescue home until the commissioner has issued a rescue home license.

(3) If an applicant wishes to serve as a rescue home for more than one type of purebred, breed, or species, the applicant shall submit a separate application for each type of purebred, breed, or species to be served.

(c) Each animal housed or maintained at a rescue home, other than the personal pets of the rescue home licensee, shall have been relinquished by an owner, transferred from another rescue home, or transferred from a shelter or pound. No stray dog, cat, puppy, or kitten may be placed with a rescue home until the requirements of K.S.A. 47-1710, and amendments thereto, have been met.

(d) No rescue home may maintain or house more than 19 dogs, puppies, cats, kittens, or any combination of these animals on the premises at any time. This limitation shall include the following:

(1) Any dog, cat, puppy, or kitten that is a personal pet of the rescue home caretaker; and

(2) any dog, cat, puppy, or kitten owned by any other individual or entity and maintained or housed at the rescue home.

(e) Each rescue home licensee shall develop a plan of veterinary care. Each plan of veterinary care shall be recorded on the form specified in K.S.A. 47-1701(dd)(1)(A), and amendments thereto. This plan shall include the name of the licensed veterinarian that the rescue home will contact in case of injury or illness. A copy of the plan of veterinary care shall be filed annually with the commissioner.

(f) Any rescue home may offer animals in its custody for adoption and may transfer ownership in accordance with K.S.A. 47-1710 and K.S.A. 47-1731, and amendments thereto.

(g) In addition to the provisions of this regulation, each rescue home licensee shall comply with the statutory provisions of the act and K.A.R. 9-22-1 through K.A.R. 9-22-3.

(h) Each rescue home accepting animals from out of state shall comply with the importation and certificate of health requirements set out in K.A.R. 9-7-9, K.A.R. 9-7-9a, and K.A.R. 9-7-11. The original of each certificate of health shall be maintained with the rescue home's files. (Authorized by K.S.A. 47-1712 and 47-1731; implementing K.S.A. 47-1701, 47-1704, 47-1710, 47-1712, and 47-1731; effective, T-9-5-31-01, May 31, 2001; effective, T-9-9-27-01, Sept. 27, 2001.)

George Teagarden  
Kansas Livestock Commissioner

Doc. No. 027126

State of Kansas

**Kansas Lottery**

**Temporary Administrative Regulations**

**Article 4.—INSTANT GAMES AND DRAWINGS**

**111-4-1864.** "Heat Wave Harley-Davidson" instant ticket lottery game number 175. (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Heat Wave Harley-Davidson" commencing on or after August 27, 2001. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1864.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$2. <sup>00</sup>	TWO\$
\$3. <sup>00</sup>	THR\$
\$4. <sup>00</sup>	FOUR\$
\$5. <sup>00</sup>	FIVE\$
10. <sup>00</sup>	TEN\$
15. <sup>00</sup>	FIFTEEN
20. <sup>00</sup>	TWENTY
25. <sup>00</sup>	TWEN-FIV
30. <sup>00</sup>	THIRTY
40. <sup>00</sup>	FORTY
50. <sup>00</sup>	FIFTY
\$100\$	ONE-HUN
\$1000	ONETHOU
\$20000	20-THOU
Symbol of a Harley-Davidson motorcycle	MCYCLE
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SEV
08	EGT
09	NIN
10	TEN
11	ELVN
12	TWLV
13	THRTN
14	FORTN
15	FIFTN
16	SIXTN
17	SEVTN
18	EGHTN
19	NINTN
20	TWENTY
Symbol of a Harley helmet	HELMET
Symbol of leather gloves	GLOVES
Symbol of a pair of sunglasses	SGLASSES
Symbol of a t-shirt	TSHIRT
Symbol of a pair of boots	BOOTS
Symbol of a road map	ROADMAP
MAYBE NEXT TIME	
GOOD LUCK	

(c) For this game, a play symbol shall appear in each of 36 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 059.

(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
FIV	=	\$5.00
TEN	=	\$10.00
FTN	=	\$15.00
SXN	=	\$16.00
TWY	=	\$20.00
TRY	=	\$30.00
FRY	=	\$40.00
FTY	=	\$50.00
HUN	=	\$100.00
THY	=	\$250.00

(f) The price of instant tickets sold by a retailer for this game shall be \$5.00 each.

(g) "Heat Wave Harley-Davidson" features four different games with distinct play areas. Game 1 is a match three of six game. A player removes the scratch-off material covering the play area to reveal six prize amounts. If three of the six prize amounts are identical, the player wins that prize amount. A player can win once in this game.

Game 2 is a key number match game. A player removes the scratch-off material to reveal two "LUCKY NUMBERS" and 10 "YOUR NUMBERS" with a prize amount or symbol below each of the "YOUR NUMBERS." If any of the "YOUR NUMBERS" match either of the "LUCKY NUMBERS," the player wins the prize shown below that matched number. If the motorcycle prize is won, the player wins a Harley-Davidson Sportster® 1200 Custom™ together with cash as set forth in paragraph (h) herein. A player can win up to 10 times in this game play area.

Game 3 is a symbol match game. A player removes the scratch-off material to reveal one "LUCKY SYMBOL" and three "YOUR SYMBOLS." If any of the "YOUR SYMBOLS" match the "LUCKY SYMBOL," the player wins the prize shown below that matched symbol. A player can win up to three times in this game play area.

Game 4 is an instant win game. A player removes the scratch-off material to reveal one play area. If a player reveals a "PRIZE AMOUNT," the player wins that prize instantly. A player can only win once in this game play area.

(h) Each person who wins a motorcycle prize instantly shall receive the next available Harley-Davidson Sportster® 1200 Custom™ production motorcycle, which will be delivered to the Harley-Davidson® dealer nearest to the winner's home address, \$1,000 cash, and mandatory federal and state withholding taxes. Harley-Davidson® will determine the color of the motorcycle. Motorcycle prizes are not exchangeable for cash. Motorcycles will not appear exactly as illustrated on the "Heat Wave Har-

(continued)

ley-Davidson" instant ticket. All motorcycle prizes include dealer preparation fees and setup charges. The winner is responsible for all additional taxes that may become due. The value of each motorcycle prize, plus \$1,000 cash and mandatory federal and state income withholding taxes, is approximately \$16,418. Two Harley-Davidson FLSTC/FLSTCI Heritage Softail® Classic motorcycles together with a cash prize, will also be given away in a second-chance drawing as set forth in K.A.R. 111-4-1865

through 111-4-1870.

(i) Each ticket in this game may win up to 15 times.

(j) Approximately 1,200,000 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.

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

Get	Game 1	Game 2	Game 3	Game 4	Prize	Expected Number of Prizes in Game	Expected Value in Game
FREE					FREE TICKET	80,000	\$ 0
\$5					\$5	56,000	280,000
\$5 (\$2 + \$3)					\$5	54,000	270,000
\$10					\$10	20,000	200,000
\$10 (\$5 x 2)					\$10	20,000	200,000
\$10 (\$2 x 5)					\$10	20,000	200,000
\$15					\$15	6,800	102,000
\$15 (\$5 x 3)					\$15	6,800	102,000
\$15 (\$3 x 5)					\$15	6,800	102,000
\$16 (\$2 x 8)					\$16	5,400	86,400
\$16 (\$4 x 4)					\$16	5,300	84,800
\$20					\$20	5,200	104,000
\$20 (\$5 x 4)					\$20	4,000	80,000
\$20 (\$2 x 10)					\$20	4,000	80,000
\$30					\$30	2,600	78,000
\$30 (\$15 x 2)					\$30	2,600	78,000
\$30 (\$2 x 15)					\$30	2,600	78,000
\$30 (\$5 x 6)					\$30	2,600	78,000
\$40					\$40	1,740	69,600
\$40 (\$5 x 8)					\$40	1,760	70,400
\$40 (\$5 x 6) + \$10					\$40	1,700	68,000
\$50					\$50	1,600	80,000
\$50 (\$25 x 2)					\$50	1,600	80,000
\$50 (\$5 x 10)					\$50	1,600	80,000
\$100					\$100	800	80,000
\$100 (\$10 x 10)					\$100	800	80,000
\$250 (\$10 x 13)+\$100+\$20					\$250	400	100,000
\$1,000					\$1,000	24	24,000
\$1000 (\$100 x 10)					\$1,000	24	24,000
Harley motorcycle symbol	(Game 2 only)				\$16,418	5	82,090
\$20,000	2	2	2	2	\$20,000	8	160,000
SUBTOTAL						316,761	\$3,201,290
Harley motorcycle mail-in drawing					\$29,104	2	58,208
TOTAL						<u>316,763</u>	<u>\$3,259,498</u>

(l) The odds of winning a prize in this game are approximately one in 3.79. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-8-23-01, Aug. 17, 2001; amended, T-111-9-25-01, Sept. 12, 2001.)

**111-4-1866. Prize.** (a) Two prize winners will be selected in the "Heat Wave Harley-Davidson Drawing" on the date specified in K.A.R. 111-4-1865 to receive a Harley-Davidson FLSTC/FLSTCI Heritage Softail® Classic motorcycle, cash of \$1,500, and mandatory federal and state income withholding taxes. The total value of each prize is approximately \$29,104.

(b) Each person who wins a motorcycle prize in this second-chance drawing shall receive the next available production motorcycle of the type he or she has won delivered to the Harley-Davidson® dealer nearest to the winner's home address, \$1,500 cash, and mandatory fed-

eral and state income withholding taxes. Harley-Davidson® will determine the color of the motorcycle. Motorcycle prizes are not exchangeable for cash. Motorcycles may not appear exactly as illustrated on the "Harley Davidson" instant ticket. All motorcycle prizes include dealer preparation fees and setup charges. The winner is responsible for all additional taxes that may become due.

(c) All prizes are subject to lottery validation, set-offs, and deductions authorized by law.

(d) The winner of a prize as the result of the "Heat Wave Harley-Davidson Drawing" drawing shall claim the prize within 45 days in which his or her ticket was drawn or the person named on the ticket drawn will no longer be eligible for the prize. In such an event, the first eligible alternate entry drawn pursuant to subsection (e) of K.A.R. 111-4-1869 shall be declared the winner. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; effective, T-111-8-23-01, Aug. 17, 2001; amended, T-111-9-25-01, Sept. 12, 2001.)

**111-4-1869. Selection of winners.** The following process shall be used for the selection of winners in the "Heat Wave Harley-Davidson Drawing":

(a) Kansas lottery personnel shall pick up all properly mailed envelopes containing "Heat Wave Harley-Davidson Drawing" entries at the United States Post Office in Topeka, Kansas, with final pick up on Tuesday, March 12, 2002.

(b) Lottery personnel shall transport the mail to the mail room where the envelopes will be opened and the ticket(s) contained therein stored in a secure location until immediately prior to the drawing, at which time all tickets will be placed into the drawing receptacle or drum.

(c) The drawing shall be held at the lottery headquarters in a place accessible to the public and open for public attendance with lottery security personnel present. The drawing shall be audio and video taped.

(d) At the start of the Friday, March 15, 2002, drawing, lottery security personnel shall present the receptacle or drum to the person designated by the executive director to perform the drawing. The receptacle or drum for the "Heat Wave Harley-Davidson Drawing" shall contain all eligible entries. The designated individual shall then unseal the receptacle or drum, and using the bare-arm technique, while looking away, remove two tickets, one at a time, from the receptacle or drum and mark them in order drawn, 1 and 2. The person whose name appears on each of the entries shall be the winner of the prize identified in K.A.R. 111-4-1866, subject to validation by the lottery as set forth in these rules.

(e) After two tickets have been drawn and each entry has been verified as valid by lottery security, two more entries will be drawn, one at a time, to serve as alternate entries. The alternate entries will be marked in order drawn, 1A and 2A. The alternate ticket entries will be used only if the original winners cannot be located or are declared ineligible, or fail to present a fully executed claim form to lottery headquarters by 5:00 p.m. on the forty-fifth day following the drawing. The alternates will be used, if necessary, in the order drawn.

(f) The Kansas lottery security official present shall review each ticket drawn to determine the validity of the entry into the "Heat Wave Harley-Davidson Drawing" in accordance with these regulations. If it is a valid entry and the name is legible, the event manager and the security person present shall record the name of the winner. Each winner shall be given or sent a prize claim form to be completed and returned to the lottery within 45 days of the drawing.

(g) If the entry is determined to be ineligible, it shall be discarded by the security person present and another entry drawn. This procedure will be repeated until valid selections are obtained.

(h) Non-winning "Heat Wave Harley-Davidson Drawing" entry tickets are eligible for all drawings.

(i) All "Heat Wave Harley-Davidson Drawing" tickets remaining in the drum or receptacle on March 15, 2002, after the winners have been selected and certified, and all entries not received in compliance with these rules shall be destroyed pursuant to K.A.R. 111-3-34. (Authorized by and implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; effective, T-111-8-23-01, Aug. 17, 2001; amended, T-111-9-25-01, Sept. 12, 2001.)

**111-4-1871. "Quick Silver" instant ticket lottery game number 178.** (a) The Kansas lottery shall conduct

an instant winner lottery game entitled "Quick Silver" commencing on or after September 24, 2001. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1871.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$2.00	TWOS\$
\$5.00	FIVE\$
10.00	TEN
20.00	TWNTY
25.00	TWNFIV
40.00	FORTY
\$500\$	FIVHN
\$1500	FTNHN
01¢	PENNY
05¢	NICKEL
10¢	DIME
25¢	QUARTER
50¢	HALF

(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:

FRE	=	Free Ticket
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
TWY	=	\$20.00
TWF	=	\$25.00
FRY	=	\$40.00
FHN	=	\$500.00

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

(g) "Quick Silver" is an add-up game. A player will remove the scratch-off material covering the game play area to reveal one prize symbol and five play symbols which are symbols of coins. If the five coins add up to \$1.00 or more, the player wins the prize shown in the prize box.

(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:

Prize	Expected Number of Prizes in Game	Expected Value in Game
FREE	215,000	\$0
\$2	58,000	116,000
\$5	35,500	177,500
\$10	10,000	100,000
\$20	5,000	100,000

(continued)

\$25	4,250	106,250
\$40	2,000	80,000
\$500	60	30,000
\$1,500	15	22,500
<b>TOTAL</b>	<b>329,825</b>	<b>\$732,250</b>

(k) The odds of winning a prize in this game are approximately one in 4.55. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-23-01, Sept. 12, 2001.)

**111-4-1872. "Talkin' Turkey" instant ticket lottery game number 179.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Talkin' Turkey" commencing on or after September 24, 2001. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1872.

(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\$
10.00	TEN\$
15.00	FIFTN
20.00	TWENTY
30.00	THIRTY
60.00	SIXTY
\$250\$	TWOFTY
\$500\$	FIVHUN
\$750\$	SVNFTY
\$1500	FIFTHN

SINGLE PRIZE  
DOUBLE PRIZE

(c) For this game, a play symbol shall appear in each of seven 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
FOR	=	\$4.00
TEN	=	\$10.00
TWY	=	\$20.00
TRY	=	\$30.00
SXY	=	\$60.00
FHN	=	\$500.00

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

(g) "Talkin' Turkey" is a match three of six game with a bonus feature. A player will remove the scratch-off material covering the game play area to reveal six prize amounts and a "BONUS" symbol. The "BONUS" symbol will be either the words "SINGLE PRIZE" or the words "DOUBLE PRIZE." If a player matches three like prize amounts and the words "SINGLE PRIZE" are revealed, the player wins the prize amount matched. If a player

matches three like prize amounts and the words "DOUBLE PRIZE" are revealed, the player wins double the prize amount matched.

(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	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - \$1's + (single prize)	\$1	205,000	\$205,000
3 - \$1's + (double prize)	\$2	35,000	70,000
3 - \$2's + (single prize)	\$2	27,500	55,000
3 - \$2's + (double prize)	\$4	15,500	62,000
3 - \$10's + (single prize)	\$10	7,000	70,000
3 - \$10's + (double prize)	\$20	4,000	80,000
3 - \$20's + (single prize)	\$20	4,000	80,000
3 - \$30's + (single prize)	\$30	1,500	45,000
3 - \$15's + (double prize)	\$30	1,500	45,000
3 - \$60's + (single prize)	\$60	375	22,500
3 - \$30's + (double prize)	\$60	375	22,500
3 - \$500's + (single prize)	\$500	80	40,000
3 - \$250's + (double prize)	\$500	854	2,500
3 - \$1,500's + (single prize)	\$1,500	5	7,500
3 - \$750's + (double prize)	\$1,500	5	7,500
<b>TOTAL</b>		<b>301,925</b>	<b>\$854,500</b>

(k) The odds of winning a prize in this game are approximately one in 4.97. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-4-1873. "Holly Hundreds" instant ticket lottery game number 180.** (a) The Kansas lottery shall conduct an instant winner lottery game entitled "Holly Hundreds" commencing on or after September 24, 2001. The rules for this game are contained in K.A.R. 111-3-1 *et seq.* and 111-4-1873.

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

Play Symbols	Play Symbol Captions
FREE	TICKET
\$2.00	TWO\$
\$4.00	FOUR\$
\$5.00	FIVE\$
10.00	TEN\$
20.00	TWENTY
30.00	THIRTY
40.00	FORTY
80.00	EIGHTY
\$100\$	ONEHUN
\$2000	TWOTHOU
\$20000	20THOU

(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) "Holly Hundreds" is a match three of six game with four separate game play areas on each ticket. A player will remove the scratch-off material covering the game play area to reveal six prize amounts per game. If three of the six prize amounts in any one game match, the player wins that amount.

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

(i) Approximately 600,000 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	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - Free's	Free Ticket	86,000	\$0
3 - \$4's	\$4	8,200	32,800
3 - \$2's + 3 - \$2's	\$4	8,000	32,000
3 - \$10's	\$10	6,000	60,000
3 - \$5's + 3 - \$5's	\$10	6,000	60,000
3 - \$20's	\$20	1,000	20,000
3 - \$10's + 3 - \$10's	\$20	1,000	20,000
3 - \$5's + 3 - \$5's + 3 - \$5's + 3 - \$5's	\$20	900	18,000
3 - \$30's	\$30	600	18,000
3 - \$10's + 3 - \$10's + 3 - \$10's	\$30	900	27,000
3 - \$100's	\$100	600	60,000
3 - \$80's + 3 - \$20's	\$100	700	70,000
3 - \$40's + 3 - \$40's + 3 - \$10's + 3 - \$10's	\$100	800	80,000
3 - \$2,000's	\$2,000	4	8,000
3 - \$20,000's	\$20,000	4	80,000
TOTAL		<u>120,708</u>	<u>\$585,800</u>

(k) The odds of winning a prize in this game are approximately one in 4.97. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**Article 8.—PULL-TAB GENERIC GAMES**

**111-8-101. Definitions.** The following definitions apply to all bar-coded pull tab ticket games unless otherwise specified by individual game rules: (a) "Bare arm technique" means a type of drawing in which the person drawing the winning ticket from the receptacle or drum wears a short-sleeved (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm, or a long-sleeved shirt rolled up past the elbow and looks away from the drawing drum or receptacle while drawing.

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

(c) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. The book-ticket number is a 9-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers

in each book start with 000. The book-ticket number is printed in one place on the back of each ticket.

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

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

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

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

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

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

(j) "Pull tab ticket" or "pull tab" means a lottery game in which an individually numbered and bar-coded ticket is purchased by a player and the player can immediately determine whether he or she has won a prize by opening or removing tabs and comparing the exposed play numbers or symbols with those specified as winners in the published game rules for that game. Pull tab tickets do not include "instant game tickets" referred to in K.A.R. 111-3-1, *et seq.*, or "standard pull tab tickets" referred to in K.A.R. 111-8-1, *et seq.*

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

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

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

(n) "Participant" means any person, player, or contestant participating in a lottery game.

(o) "Play area" is the portion of the back of each game ticket where the play or game symbols appear. It is covered by removable tabs which are intended to be opened or removed by the player to reveal the play or game symbols.

(p) "Play symbols" or "game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each game ticket and which determine if the ticket holder is entitled to a prize.

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

(r) Prize tiers:

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

(continued)

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

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

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

(v) "Ticket holder" or "holder" means the person who has possession of an unsigned ticket or the person whose signature appears in the area upon a ticket designated for signature, if any.

(w) "Ticket validation number" means a unique 11-digit number appearing on each ticket which is used to validate winning tickets. The ticket validation number appears under one or more tabs on the back of each ticket.

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

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

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

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

(bb) "Expiration date" means the last date a ticket may be validated and eligible to win a prize, which date shall be 180 days following the end-of-game date as announced by the executive director, unless otherwise specified by the executive director.

(cc) "Bar code" means the 20-digit bar-coded number appearing on the front of each ticket.

(dd) "Individual game rules" are rules issued by the lottery pursuant to K.S.A. 74-8710 and amendments thereto, which describe the exact manner in which each game is played and which set forth details concerning each game. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-102. Manner of selection of winners.** Winners of a pull tab game are determined by the matching or specified alignment of the play symbols on a valid game ticket in accordance with the rules for each game. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp.

74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-103. Deadline for claiming prizes.** A ticket which is not submitted for payment of a prize or for participation in a special event within the time limit and in the manner set forth in the rules for each pull tab game is invalid and ineligible for any prize or participation in the special event. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-104. Disclosure of winners.** (a) The Kansas lottery may use the name, city of residence and photograph of any winner in any lottery promotional campaign upon written authorization from that winner.

(b) Completing the information form on the back of a non-winning lottery ticket, and entering the ticket in a drawing conducted by the lottery constitutes written authorization to publicly identify the name of the person whose entry is drawn. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-105. Special drawings.** (a) The executive director may conduct special drawings to award prizes, which may be tangible or intangible items in addition to, or in lieu of, cash awards. The nature and number of awards will be determined by the executive director for each special drawing. Special drawings for promotional awards may be held independently of the Kansas lottery's regular prize drawings or may be incorporated therein. The promotional drawings may be co-sponsored and conducted in conjunction with Kansas lottery retailers or other independent businesses.

(b) In view of the temporary nature and indeterminate frequency of the promotional awards drawings, a press announcement and normal advertising media will be used to inform the public of the rules for each special drawing.

(c) At the discretion of the executive director equivalent cash prizes may be awarded to winners of tangible or intangible items in those instances where deemed appropriate. The value of non-cash items shall be estimated by using either the cost of the item or its fair market value. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-106. Ticket sales.** (a) The price of any pull tab tickets sold by a retailer shall be \$1.00 unless a different price is established by game rules adopted by the Kansas lottery commission for a specific game.

(b) No retailer shall promote or sell tickets in a manner contrary to the principle that every ticket has an equal and random chance of winning a prize.

(c) Tickets shall be sold only by retailers with a current lottery retailer all games contract in effect with the Kansas lottery. Tickets shall be sold only at the retailer's location which has been approved by the Kansas lottery.



(d) Tickets shall not be sold to any person under the age of 18 years. Retailers may require persons purchasing tickets to produce proof of their age. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-107. Determination of prize winners.** The following subparagraphs specify how a pull tab prize winner is determined except where otherwise specified by individual game rules:

(a) The player must remove or open the tabs covering the play area to reveal the play symbols and captions. If the play symbols meet the requirements of the rules of the game, the player wins the prize designated by the rules of the game.

(b) In any event, only the highest prize shall be paid on a given ticket unless it is a multiple game ticket.

(c) Once a player has collected a prize from a retailer, the player shall not be entitled to any other prize from the lottery whether or not the prize paid by the retailer was less than the prize to which the player was entitled.

(d) Only play symbols and validation numbers are used for determination of entitlement to prizes. Play symbol captions, agent validation codes, book-ticket numbers, any portion of the display printing and any extraneous materials are not play symbols or validation numbers, and shall not be usable or playable to win prizes.

(e) In all events, the determination of prize winners shall be subject to the general ticket validation requirements set forth in K.A.R. 111-8-113 and the requirements set forth on the back of each ticket.

(f) A pull tab ticket is a bearer instrument. The prize payable for a ticket shall be paid to the bearer or holder thereof unless the ticket has been signed on the back. Once a ticket has been signed on the back, any prize payable for such ticket shall be paid to the apparent owner of the ticket as evidenced by such signature. If the signature of more than one person appears on the back of the ticket, all persons whose signatures appear must identify one person to whom payment should be made. If all persons whose signatures appear on the back of the ticket cannot identify one person to whom payment should be made, the lottery shall keep the prize until a determination of entitlement is made by the parties. In no event shall more than one person be entitled to a particular prize.

(g) No particular prize may be paid more than once.

(h) All prizes must be claimed within 180 days following the termination of the game announced by the executive director, or in drawings involving non-winning tickets entered in a drawing, within 180 days of the drawing in which the prize was won. To claim a prize, the holder of the winning ticket must present or mail the winning ticket and claim form as set forth in K.A.R. 111-8-114, and the retailer or the lottery must receive it within the above time period. Any prize not claimed by such date and in the manner specified on the back of each ticket shall be forfeited.

(i) The right of any person to a prize shall not be assignable, except that payment of any prize may be paid

to the estate of a deceased prize winner or to a person designated pursuant to an appropriate judicial order. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-108. Ticket validation requirements.** (a) Each pull tab game ticket shall be validated prior to payment of a prize. Submission of a valid winning ticket to and receipt of the ticket by the lottery or one of its authorized retailers shall be the sole method of claiming a prize or prizes.

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

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

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

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

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

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

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

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

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

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

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

(11) The ticket validation number of an apparent winning ticket shall appear on the Kansas lottery's official

(continued)

computer database of ticket validation numbers of winning tickets and a ticket with that ticket validation number shall not have been paid previously.

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

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

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

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

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

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

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

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

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

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

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

(9) The final decision on whether a prize will be paid shall be made by the executive director. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-3-109. Payment of prizes.** The procedures for payment of prizes to the winners of the pull tab games are as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(e) Tickets submitted for payment of a prize shall become property of the lottery and shall not be returned to claimant.

(f) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-110. Responsibility for lost or stolen tickets.** The Kansas lottery is not responsible for lost or stolen pull tab game tickets. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-111. Disputes.** In the event of a dispute between a ticket holder and the Kansas lottery concerning any pull tab lottery game, and the drawings associated with any game, the executive director has the authority to determine the facts underlying the dispute and to pay a prize to the holder of a valid winning lottery ticket. If the investigation of the dispute is inconclusive, the executive director may, solely at his or her option, reimburse the ticket holder for the cost of the disputed ticket. If the investigation of the dispute determines facts in favor of the Kansas lottery, the executive director shall deny any claim relating to the dispute. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-112. Termination of the game.** At any time the executive director may announce a termination date for a pull tab 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 K.S.A. 2000 Supp.

74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-113. Method of entry.** Entry into lottery drawings is accomplished by the following steps except where otherwise specified by individual game rules:

(a) Obtain a valid Kansas pull tab game lottery ticket;

(b) Determine if the ticket is a winning ticket in accordance with any game rules. If the ticket is a winning ticket, it is not eligible for the drawings and shall be redeemed in accordance with the appropriate game rules;

(c) If the ticket is a non-winning ticket, it is eligible for winning the drawing, and the holder of the ticket may enter the drawing by placing it in the receptacle or drum provided by the lottery;

(d) The holder of a non-winning ticket must sign the back of the ticket in a legible manner, or sign the back of the ticket and legibly print his or her name if the signature is not legible;

(e) There is no limit on the number of entries a person may make, but a person may only win one time.

(f) All entrants in a Kansas lottery drawing must be at least 18 years of age to constitute a valid entry or win a prize. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-114. Certification of drawings.** (a) All pull tab ticket drawings except as otherwise specified by individual game rules shall be personally observed by a member of the Kansas lottery division of security designated by the executive director and by an employee of the Kansas lottery designated by the executive director as drawing manager.

(b) Upon completion of the drawing, the designated lottery security person shall issue a report certifying that the ticket selected is valid and that to the best of his or her knowledge the procedures required by these rules were followed in conducting the drawing. Tickets drawn and certified shall be secured by the designated lottery security person and retained until ready for disposal. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-115. Selection of participants.** The following process shall be used for the selection of participants in all drawings conducted pursuant to K.A.R. 111-8-101 *et seq.* unless otherwise specified by individual game rules:

(a) Kansas lottery personnel shall pick up all entries mailed to the lottery's post office box.

(b) Lottery personnel shall transport the tickets to a secure area where they will be held until the time designated by the executive director for the drawing for which they are entered. Lottery security personnel shall then be responsible for transporting the tickets and placing them in the receptacle(s) or drum(s) to be used for the drawing.

(c) The selection process shall be held at the date and time specified in individual game rules. All draws shall

(continued)

be held in a place accessible to the public and be open for public attendance and with lottery security personnel present. All draws shall be video and audio taped.

(d) An individual designated by the executive director shall pick at random the number of tickets specified by the rules and regulations of the drawing from the receptacle(s) or drum(s) using the bare-arm technique. Should the designated individual draw tickets belonging to that designated individual, the tickets shall be disqualified.

(e) The contents of the receptacle(s) or drum(s) shall be mixed thoroughly with a shovel or other means, or rotated a minimum of 10 times to ensure random selection.

(f) If a ticket drawn is determined to be ineligible, it shall be discarded and another drawn. This procedure will be repeated until valid selections are obtained.

(g) All tickets remaining in the receptacle(s) or drum(s) after valid entries have been selected shall be destroyed.

(h) Valid entries shall be certified and secured in accordance with K.A.R. 111-8-114. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-116. Winner validation.** The following validation requirements shall apply to all drawings conducted pursuant to K.A.R. 111-8-101 *et seq.* unless otherwise specified by individual game rules:

(a) Each ticket entered must be a valid non-winning Kansas pull tab game lottery ticket from any game specified by the rules and regulations of the drawing;

(b) A signature must appear on the back of each ticket, along with the legibly printed name of the signator if the signature is not otherwise legible;

(c) Each ticket must have been issued by the Kansas lottery in an authorized manner and must not be counterfeit in whole or in part;

(d) Each ticket shall be intact to the extent that the lottery can determine whether the ticket is a winning ticket;

(e) Each ticket must not be altered or tampered with in any way;

(f) Each ticket must not be blank or partially blank, misregistered, defective, or printed or produced in error;

(g) The display printing on each ticket must be regular in every respect and correspond precisely with the artwork on file at the Kansas lottery;

(h) Each ticket must not be stolen nor appear on any list of omitted tickets on file at the Kansas lottery;

(i) Each ticket must have exactly one ticket validation number, one book-ticket number, and a two-letter retailer validation code for non-bar-coded tickets and a three-letter retailer validation code for bar-coded tickets, each of which must be present in its entirety, be fully legible, be exactly as described in paragraph (d) above, and correspond precisely to the artwork on file at the Kansas lottery. Each ticket validation number shall correspond to the play symbols on the ticket;

(j) The ticket validation number of the tickets shall not appear on the Kansas lottery's official list of ticket validation numbers of winning tickets.

(k) Any ticket not passing all the validation checks in this section is void and is not eligible for drawings con-

ducted pursuant to K.A.R. 111-8-101 *et seq.* (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-117. Security of equipment.** The drum shall be stored in a locked secure area at all times when not in use. Keys to the secure area shall be under the exclusive control of the Kansas lottery division of security. Prior to use, the drum shall be inspected by the Kansas lottery division of security to ensure it has not been tampered with and is in good working order. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-118. Rights of participants.** Any Kansas pull tab lottery ticket entered into a drawing conducted pursuant to K.A.R. 111-8-101 *et seq.* is disqualified from any other Kansas lottery prize or eligibility for which that ticket may have been redeemable unless otherwise specified by individual game rules. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-119. Awarding of prizes.** The executive director or his designee shall award the designated prize to the appropriate person as soon as it is determined that all laws, regulations, and rules have been adhered to. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-120. Payment of prizes to persons under 18 years of age.** In the event a person entitled to a prize for any winning ticket by means of a gift or inheritance is under 18 years, the Lottery may require:

(a) The claim form for all prizes of \$25 or more to be signed by the parent or legal guardian of the minor, and

(b) Payment by delivery of a warrant payable to the order of the minor to a parent or legal guardian of the minor.

(c) Where the prize exceeds \$5,000, payment shall be made for the benefit of the minor to the court appointed guardian or conservator, or as may otherwise be ordered by the court, upon receipt of written verification of the appointment of the legal guardian or conservator satisfactory to the executive director. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-121. Invalidation of tickets.** No pull tab ticket remains valid after the 180th day following the announced end of the game it represents. For a non-winning ticket to provide the holder of the ticket the opportunity to win a prize, the ticket must be drawn before the day on which the ticket becomes invalid. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch.

24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-122. Identification of winner.** Any person whose ticket is selected at any drawing conducted by the lottery which requires that he or she be present to win, will have three (3) minutes from the time of the announcement of the person selected, to appear and identify himself or herself to the person conducting the drawing. If the person selected fails to appear within three minutes, the ticket will be disqualified and another ticket will be drawn. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-123. Disposal of tickets.** Upon completion of any drawings using non-winning pull tab lottery tickets, lottery security personnel shall return to the Topeka lottery headquarters all tickets remaining in the receptacle or drum for disposal. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-124. Return of unsold tickets.** (a) A retailer may return consigned books of unsold bar-coded pull tab tickets until 60 days after the announced end of game date designated by the executive director. Unless specifically approved by the executive director, no tickets shall be consigned to a retailer after the end-of-game date announced by the executive director, and no consigned packs shall be activated after 30 days from the end-of-game date.

(b) A retailer may return partial packs of tickets to the lottery until 60 days following the announced end-of-game date designated by the executive director. Unless specifically approved by the executive director, no credit will be allowed for any partial packs not returned within 60 days of the end-of-game date.

(c) In the event the executive director announces the termination of a pull tab game and cessation of sales to the public by retailers on a specific date, the lottery may reimburse retailers for activated books of unsold tickets for that specific game.

(d) Should a retailer contract be terminated or the retailer prohibited from selling tickets prior to the expiration of the game, the lottery may reimburse that specific retailer for all activated books of tickets of each active game.

(e) In any situation in which the lottery will reimburse a retailer for returned books of tickets, the amount of credit shall be based upon the actual price paid for the tickets by the retailer, multiplied by the number of returned books and/or tickets as counted by the lottery.

(f) Upon return of any tickets, the lottery shall provide the retailer with a receipt for the tickets returned. The retailer shall retain a copy of the receipt and shall be required to produce the receipt in the event of any claims the retailer may make regarding the tickets returned. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L.

2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-125. Location and method of sales.** An offer to buy and an offer to sell a lottery ticket in Kansas shall be made only at the location of a Kansas lottery retailer certified to sell lottery tickets pursuant to a contract with the Kansas lottery. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

**111-8-126. Applicable law.** In purchasing a ticket, the purchaser agrees to comply with and abide by all applicable laws, as well as rules and regulations adopted by the Kansas lottery commission. (Authorized by K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-9-25-01, Sept. 12, 2001.)

#### Article 9.—PULL-TAB GAMES

**111-9-112. "Lucky Break" pull tab ticket lottery game number 177.** (a) The Kansas lottery shall conduct a pull tab lottery game entitled "Lucky Break" commencing on or after August 27, 2001. The rules for this game are contained in K.A.R. 111-8-1 *et seq.* and K.A.R. 111-9-112.

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

(c) Approximately 2,100,000 tickets shall be ordered initially for this pull tab game which shall be packaged in packs of 100 tickets each. The ticket numbers in each pack in this game shall start with 000 and end with 099. Additional ticket orders shall have the same prize structure, the same number of prizes per pool of 300,000 tickets, and the same odds as were contained in the initial ticket order.

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

- a pot of gold coins
- a shamrock
- a bag of cash
- a horse shoe
- a wish bone
- a single gold coin

(e) For this game, three play symbols shall appear under each of four tabs on the back of each ticket. On the front of each ticket shall appear a legend of all winning combinations using the play symbols for this game along with the corresponding prize amount for each combination.

(f) All tabs on the back of each ticket are to be pulled open. For each combination of three play symbols matching the legend on the front of the ticket, the player wins the prize amount corresponding to each combination as shown in (h) below. All winning combinations shall be within a single window in a horizontal line.

(g) The three letters comprising the retailer validation codes used in this game shall appear in three of 12-varying locations among the play symbols. The retailer vali-

(continued)

dation codes for this game and their meanings are as follows:

ONE	=	\$1.00
TWO	=	\$2.00
FIV	=	\$5.00
TEN	=	\$10.00
TWF	=	\$25.00
HUN	=	\$100.00

(h) The number and value of prizes in this game and winning combinations shall be as follows:

Get	Prize	Expected Number of Prizes in Game	Expected Value in Game
3 - single gold coins	\$1	432,950	\$432,950
3 - wish bones	\$2	171,500	343,000
3 - horse shoes	\$5	62,300	311,500
3 - bags of cash	\$10	19,880	198,800
3 - shamrocks	\$25	4,410	110,250
3 - pots of gold coins	\$100	315	31,500
<b>TOTAL</b>		<u>691,355</u>	<u>\$1,428,000</u>

(i) Each ticket in this game may have only one winning combination.

(j) The overall odds of winning a prize in this game are approximately one in 3.04. (Authorized by K.S.A. 2000

Supp. 74-8710, as amended by L. 2001, Ch. 24, §6; implementing K.S.A. 2000 Supp. 74-8710, as amended by L. 2001, Ch. 24, §6, and K.S.A. 74-8720; effective, T-111-8-23-01, Aug. 17, 2001; amended, T-111-9-25-01, Sept. 12, 2001.)

Ed Van Petten  
Executive Director

Doc. No. 027107

State of Kansas

Department of Revenue

Temporary Administrative Regulations

Article 5.—TITLES AND REGISTRATION

**92-51-40.** (Authorized by and implementing L. 1986, Ch. 36, Sec. 2; effective, T-87-25, Oct. 1, 1986; effective May 1, 1987; revoked, T-92-9-27-01, Sept. 27, 2001.)

Stephen S. Richards  
Secretary of Revenue

Doc. No. 027125

State of Kansas

Department of Administration  
Division of Purchases

Notice to Bidders

Sealed bids for the following items will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, 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, October 15, 2001**

04078

University of Kansas Medical Center—Printing of "Kansas Connections" Newsletter

**Tuesday, October 16, 2001**

04082

Department of Wildlife and Parks—Construct Wood Frame Metal Building, El Dorado

04086

University of Kansas, KLETC—Food Service

**Wednesday, October 17, 2001**

04076

Statewide—Hewlett Packard Servers, Upgrades and Accessories

04093

Emporia State University—Furnish and Set in Place Chiller

04105

Topeka Correctional Facility—Conveyor Dish Machines and Components

Thursday, October 18, 2001

A-9206

Emporia State University—Third Floor Renovation, Morse Hall

**Tuesday, October 23, 2001**

A-9247

Larned State Hospital—Test Holes and Well Testing

A-9374

Kansas State University—Veterinary Medicine Necropsy Ventilation Fan Replacement, Mosier Hall

Thursday, October 25, 2001

A-9226

Kansas State University—New Metal Building, Extension and Research Center, Olathe

A-9270

Kansas Neurological Institute—Add Service Lift, Cottonwood Lodge

A-9382

Kansas State University—Replace Roofing, Little Theater, Student Union

**Monday, November 19, 2001**

04080

Kansas Highway Patrol—Property Insurance

John T. Houlihan  
Director of Purchases

Doc. No. 027124

**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 2000 Volumes of the *Kansas Administrative Regulations*.

**AGENCY 1: DEPARTMENT OF ADMINISTRATION**

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1-5-8	Amended (T)	V. 20, p. 175
1-5-8	Amended	V. 20, p. 730
1-5-9	Amended (T)	V. 20, p. 176
1-5-9	Amended	V. 20, p. 730
1-5-19b	Amended (T)	V. 20, p. 176
1-5-19b	Amended	V. 20, p. 730
1-5-19c	Amended (T)	V. 20, p. 176
1-5-19c	Amended	V. 20, p. 730
1-5-20	Amended (T)	V. 20, p. 176
1-5-20	Amended	V. 20, p. 731
1-5-24	Amended	V. 19, p. 1337
1-9-23	Amended	V. 19, p. 944
1-18-1a	Amended	V. 19, p. 1719
1-18-1a	Amended (T)	V. 20, p. 1123
1-45-7a	New (T)	V. 20, p. 1123
1-49-1	Amended	V. 19, p. 724

**AGENCY 3: KANSAS STATE TREASURER**

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3-2-1	New	V. 19, p. 1016
3-2-2	New	V. 19, p. 1016
3-2-3	New	V. 19, p. 1016
3-3-1	New	V. 19, p. 1678

**AGENCY 4: DEPARTMENT OF AGRICULTURE**

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4-3-47	Amended	V. 20, p. 861
4-3-49	Amended (T)	V. 20, p. 246
4-3-49	Amended	V. 20, p. 861
4-3-51	New (T)	V. 20, p. 246
4-3-51	New	V. 20, p. 861
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4-7-214	Amended	V. 19, p. 117
4-7-215	Revoked	V. 19, p. 118
4-7-216	New	V. 19, p. 118
4-8-14a	Amended	V. 19, p. 1679
4-8-27	Amended	V. 19, p. 1679
4-8-28	Amended	V. 19, p. 1680
4-8-29	Amended	V. 19, p. 1680
4-8-32	Amended	V. 19, p. 1680
4-8-34	Amended	V. 19, p. 1680
4-8-41	Amended	V. 19, p. 1680
4-8-42	New	V. 19, p. 1680
4-10-2j	Amended	V. 20, p. 431
4-10-5	Amended	V. 20, p. 430
4-10-5a	New	V. 20, p. 431

**AGENCY 5: DEPARTMENT OF AGRICULTURE—DIVISION OF WATER RESOURCES**

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5-1-12	New	V. 19, p. 1480-1483
5-2-3	New	V. 19, p. 1484
5-3-1a	New	V. 19, p. 1484
5-3-4b	Amended	V. 19, p. 1484
5-3-4c	New	V. 19, p. 1484
5-3-4d	New	V. 19, p. 1485
5-3-4e	New	V. 19, p. 1485
5-3-5d	Amended	V. 19, p. 1485
5-3-5e	Amended	V. 19, p. 1485

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5-4-5	New	V. 19, p. 1494
5-4-8	New	V. 19, p. 1494
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9-10-33a	New	V. 20, p. 1393
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28-4-501	Amended	V. 19, p. 422
28-4-503	Amended	V. 19, p. 423
28-4-504	Amended	V. 19, p. 423
28-4-505	Amended	V. 19, p. 423
28-4-513	Amended	V. 19, p. 423
28-4-530	Revoked	V. 19, p. 423
28-4-531	Revoked	V. 19, p. 423
28-10-15	through	
28-10-35	Revoked	V. 20, p. 322
28-10-37	Revoked	V. 20, p. 322
28-10-38	Revoked	V. 20, p. 322
28-10-39	Revoked	V. 20, p. 322
28-10-75	through	
28-10-88	Revoked	V. 20, p. 322
28-10-100	through	
28-10-108	Revoked	V. 20, p. 322
28-15-35	Amended	V. 20, p. 725
20-15-36	Amended	V. 20, p. 728
28-15-36a	Amended	V. 20, p. 728
28-15-37	Amended	V. 20, p. 729
28-16-28b	through	
28-16-28e	Amended	V. 20, p. 1264-1270
28-16-30	through	
28-16-36	Amended	V. 20, p. 1277-1279
28-16-57	Revoked	V. 20, p. 322
28-16-58	Amended	V. 20, p. 1279
28-16-60	Amended	V. 20, p. 1280
28-16-76	through	
28-16-79	Revoked	V. 20, p. 322
28-16-82	Revoked	V. 20, p. 322
28-17-6	Amended (T)	V. 20, p. 1122
28-17-6	Amended	V. 20, p. 1523
28-17-15	Amended	V. 19, p. 1190

(continued)

28-19-79	Revoked	V. 20, p. 492
28-19-202	Amended	V. 20, p. 322
28-19-717	New	V. 19, p. 1932
28-19-719	New	V. 20, p. 492
28-19-729	New	V. 19, p. 565
28-19-729a		
through		
28-19-729h	New	V. 19, p. 566-569
28-29-1100		
through		
28-29-1107	New	V. 19, p. 941-943
28-34-1a	Amended	V. 20, p. 105
28-34-6a	Amended	V. 20, p. 106
28-34-9a	Amended	V. 20, p. 107
28-34-21	Revoked	V. 20, p. 323
28-34-26	Revoked	V. 20, p. 323
28-34-27	Revoked	V. 20, p. 323
28-34-28	Revoked	V. 20, p. 323
28-34-30	Revoked	V. 20, p. 323
28-34-32a	Amended	V. 20, p. 107
28-34-50	Amended	V. 20, p. 453
28-34-51	Amended	V. 20, p. 454
28-34-52	Revoked	V. 20, p. 455
28-34-52a	New	V. 20, p. 455
28-34-52b	New	V. 20, p. 455
28-34-53	Amended	V. 20, p. 456
28-34-54	Amended	V. 20, p. 456
28-34-55	Revoked	V. 20, p. 457
28-34-55a	New	V. 20, p. 457
28-34-56	Revoked	V. 20, p. 457
28-34-56a	New	V. 20, p. 457
28-34-57	Amended	V. 20, p. 457
28-34-58	Revoked	V. 20, p. 458
28-34-58a	New	V. 20, p. 458
28-34-59	Revoked	V. 20, p. 459
28-34-59a	New	V. 20, p. 459
28-34-60	Revoked	V. 20, p. 459
28-34-60a	New	V. 20, p. 459
28-34-61	Revoked	V. 20, p. 460
28-34-61a	New	V. 20, p. 460
28-34-62a	Amended	V. 20, p. 460
28-34-75		
through		
28-34-93	Revoked	V. 20, p. 323
28-34-94a	Revoked	V. 20, p. 323
28-36-30	Amended (T)	V. 20, p. 1122
28-36-60	New (T)	V. 20, p. 1122
28-36-120	New (T)	V. 20, p. 1122
28-38-18		
through		
28-38-23	Amended	V. 19, p. 1078-1080
28-38-26	Amended	V. 19, p. 1081
28-38-28	Amended	V. 19, p. 1081
28-38-29	Amended	V. 19, p. 1081
28-38-30	New	V. 19, p. 1082
28-39-410	Revoked	V. 20, p. 323
28-59-1		
through		
28-59-5	Amended	V. 20, p. 295, 296
28-59-5a	Amended	V. 20, p. 297
28-59-6	Amended	V. 20, p. 297
28-59-7	Amended	V. 20, p. 298
28-59-8	Amended	V. 20, p. 298
28-61-1		
through		
28-61-10	Amended	V. 20, p. 298-303
28-61-11	New	V. 20, p. 304
28-68-1	Amended	V. 19, p. 1934
28-68-2	Amended	V. 19, p. 1934
28-68-3	Amended	V. 19, p. 1935
28-68-6	Amended	V. 19, p. 1936
28-72-51		
through		
28-72-54	New	V. 19, p. 989, 990

**AGENCY 30: SOCIAL AND REHABILITATION SERVICES**

Reg. No.	Action	Register
30-4-50	Amended	V. 19, p. 1548
30-4-64	Amended	V. 20, p. 490
30-5-58	Amended	V. 20, p. 1023
30-5-59	Amended	V. 19, p. 1548
30-5-64	Amended	V. 20, p. 1393
30-5-81	Amended	V. 19, p. 1587
30-5-92	Amended	V. 20, p. 1029

30-5-94	Amended	V. 20, p. 1030
30-5-108	Amended	V. 20, p. 491
30-5-309	Amended	V. 19, p. 988
30-6-89	New	V. 20, p. 1394
30-10-21	Amended	V. 19, p. 1550

**AGENCY 36: DEPARTMENT OF TRANSPORTATION**

Reg. No.	Action	Register
36-2-3	Revoked	V. 19, p. 1449
36-2-4	Revoked	V. 19, p. 1449
36-2-6	Revoked	V. 19, p. 1449
36-2-8		
through		
36-2-13	Revoked	V. 19, p. 1449
36-15-23	Revoked	V. 19, p. 1622
36-34-1	Revoked	V. 19, p. 1622

**AGENCY 40: KANSAS INSURANCE DEPARTMENT**

Reg. No.	Action	Register
40-1-8	Revoked	V. 20, p. 946
40-1-13	Revoked	V. 20, p. 946
40-1-30	Revoked	V. 20, p. 723
40-1-37	Amended	V. 20, p. 1343
40-1-42	Amended	V. 20, p. 723
40-1-43	Amended	V. 20, p. 723
40-1-46	New	V. 20, p. 573
40-3-26	Amended	V. 19, p. 303
40-3-27	Revoked	V. 19, p. 680
40-3-29	Revoked	V. 20, p. 946
40-3-32	Amended	V. 19, p. 303
40-3-45	Amended	V. 19, p. 303
40-3-49	Amended	V. 19, p. 303
40-4-35	Amended	V. 20, p. 1307
40-4-41	Amended	V. 20, p. 946
40-4-41b		
through		
40-4-41g	Amended	V. 20, p. 949-953
40-4-41h	New	V. 20, p. 953
40-4-41i	New	V. 20, p. 954
40-4-41j	New	V. 20, p. 954
40-5-106	Revoked	V. 20, p. 1161
40-5-111	Revoked	V. 20, p. 1161
40-7-6	Revoked	V. 20, p. 1161
40-9-100	Amended	V. 20, p. 954
40-12-1	Revoked	V. 20, p. 723

**AGENCY 49: DEPARTMENT OF HUMAN RESOURCES**

Reg. No.	Action	Register
49-45-1		
through		
49-45-4	Amended	V. 19, p. 504
49-45-4a	New	V. 19, p. 504
49-45-5		
through		
49-45-9	Amended	V. 19, p. 504
49-45-20		
through		
49-45-28	Amended	V. 19, p. 504, 505
49-45-29		
through		
49-45-34	New	V. 19, p. 505
49-45a-1	Amended	V. 19, p. 505
49-45a-2		
through		
49-45a-27	Revoked	V. 19, p. 506
49-46-1	Amended	V. 19, p. 506
49-47-1	Amended	V. 19, p. 507
49-47-1a	New	V. 19, p. 507
49-47-1b	New	V. 19, p. 507
49-47-2	Amended	V. 19, p. 507
49-48-1	Amended	V. 19, p. 508
49-49-1a	New	V. 19, p. 508
49-50-1		
through		
49-50-4	Amended	V. 19, p. 509, 510
49-50-6		
through		
49-50-15	Amended	V. 19, p. 510-513
49-50-17		
through		
49-50-20	Amended	V. 19, p. 513, 514
49-50-21	New	V. 19, p. 514

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

**AGENCY 50: DEPARTMENT OF HUMAN RESOURCES—DIVISION OF EMPLOYMENT**

Reg. No.	Action	Register
50-1-2	Amended	V. 20, p. 137
50-1-3	Amended	V. 20, p. 138
50-1-4	Amended	V. 20, p. 138
50-2-1	Amended	V. 20, p. 139
50-2-3	Amended	V. 20, p. 139
50-2-9	Revoked	V. 20, p. 140
50-2-12	Amended	V. 20, p. 140
50-2-17	Amended	V. 20, p. 140
50-2-18	Amended	V. 20, p. 140
50-2-19	Amended	V. 20, p. 140
50-2-21	Amended	V. 20, p. 141
50-2-26	Amended	V. 20, p. 143
50-3-1		
through		
50-3-5	Amended	V. 20, p. 143-145
50-4-2	Amended	V. 20, p. 146

**AGENCY 60: BOARD OF NURSING**

Reg. No.	Action	Register
60-3-111	Amended	V. 20, p. 1522
60-4-101	Amended	V. 20, p. 449
60-6-101	Amended	V. 19, p. 344
60-7-102	Amended	V. 20, p. 449
60-7-108	Amended	V. 20, p. 449
60-8-101	Amended	V. 20, p. 449
60-9-105	Amended	V. 20, p. 449
60-9-106	Amended	V. 20, p. 450
60-11-101	Amended	V. 19, p. 344
60-11-103	Amended	V. 19, p. 345
60-11-104a	Amended	V. 19, p. 346
60-11-106	Amended	V. 19, p. 346
60-11-108	Revoked	V. 19, p. 346
60-11-119	Amended	V. 20, p. 451
60-12-106	Amended	V. 20, p. 1522
60-13-101	Amended	V. 20, p. 451
60-13-112	Amended	V. 20, p. 1523
60-16-104	Amended	V. 20, p. 451
60-17-101		
through		
60-17-111	New	V. 19, p. 346-350

**AGENCY 63: BOARD OF MORTUARY ARTS**

Reg. No.	Action	Register
63-1-3	Amended	V. 19, p. 2024
63-1-4	Amended	V. 19, p. 2024
63-1-5	Amended	V. 19, p. 2025
63-1-6	Amended	V. 19, p. 2025
63-1-12	Amended	V. 19, p. 2025
63-2-7	Amended	V. 19, p. 2025
63-2-10	Amended	V. 19, p. 2026
63-2-11	Amended	V. 19, p. 2026
63-2-12	Amended	V. 19, p. 2026
63-3-17	Amended	V. 19, p. 2027
63-3-18	Amended	V. 19, p. 2027
63-3-20	Amended	V. 19, p. 2027
63-5-1	Amended	V. 19, p. 2028
63-6-1	Amended	V. 19, p. 2028
63-6-2	Amended	V. 19, p. 2028
63-6-3	Amended	V. 19, p. 2029
63-6-6	Amended	V. 19, p. 2029



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

Reg. No.	Action	Register
65-5-6	Amended	V. 19, p. 839
65-8-5	New	V. 20, p. 944

**AGENCY 66: BOARD OF TECHNICAL  
PROFESSIONS**

Reg. No.	Action	Register
66-6-4	Amended	V. 20, p. 102
66-6-6	Amended	V. 19, p. 70
66-7-2	Amended	V. 19, p. 70
66-8-7	New	V. 19, p. 70
66-9-4	Amended	V. 19, p. 71
66-9-6	New	V. 19, p. 71
66-10-1	Amended	V. 20, p. 103
66-10-4	Amended	V. 20, p. 103
66-10-11	Amended	V. 20, p. 104
66-10-12	Amended	V. 20, p. 104
66-10-13	Amended	V. 20, p. 104
66-11-4	New	V. 19, p. 72
66-12-1	Amended	V. 19, p. 72
66-14-1	Amended	V. 19, p. 72
66-14-6	Amended	V. 19, p. 72
66-14-10	Amended	V. 20, p. 104

**AGENCY 67: BOARD OF HEARING  
AID EXAMINERS**

Reg. No.	Action	Register
67-2-4	Amended	V. 19, p. 626
67-3-2	Amended	V. 19, p. 626
67-4-7	Amended	V. 19, p. 626
67-4-10	Amended	V. 19, p. 626
67-4-13	New	V. 19, p. 626
67-5-3	Amended	V. 19, p. 626
67-5-4	Amended	V. 19, p. 626
67-6-4	Amended	V. 19, p. 626
67-7-4	Amended	V. 19, p. 627

**AGENCY 68: BOARD OF PHARMACY**

Reg. No.	Action	Register
68-5-1	Amended	V. 19, p. 501
68-7-11	Amended	V. 19, p. 501
68-7-14	Amended	V. 19, p. 502
68-7-18	Amended	V. 19, p. 503
68-9-2	New	V. 20, p. 1020
68-14-8	Amended	V. 19, p. 1830

**AGENCY 71: KANSAS DENTAL BOARD**

Reg. No.	Action	Register
71-1-20	New	V. 19, p. 573
71-1-21	New	V. 19, p. 573
71-3-8	New	V. 19, p. 1336

**AGENCY 74: BOARD OF ACCOUNTANCY**

Reg. No.	Action	Register
74-1-2	Amended	V. 19, p. 1791
74-1-7	New	V. 19, p. 1792
74-2-1	Amended	V. 19, p. 1792
74-2-3	Amended	V. 19, p. 1792
74-2-4	Amended	V. 19, p. 1792
74-3-8	Amended	V. 19, p. 1792
74-4-1	Revoked	V. 19, p. 1792
74-4-1a	New	V. 19, p. 1792
74-4-2a	New	V. 19, p. 1792
74-4-3a	New	V. 19, p. 1793
74-4-4	Amended	V. 19, p. 1793
74-4-7	Amended	V. 19, p. 1793
74-4-10	Amended	V. 19, p. 1793
74-5-2	Amended	V. 19, p. 1793
74-5-202	Amended	V. 19, p. 1794
74-5-203	Amended	V. 19, p. 1794
74-5-205	New	V. 19, p. 1795
74-5-405	Amended	V. 19, p. 1795
74-6-1	Amended	V. 19, p. 1795
74-6-2	Amended	V. 19, p. 1795
74-7-2	Amended	V. 19, p. 1795
74-11-6	Amended	V. 19, p. 1796
74-12-1	Amended	V. 19, p. 1796
74-15-1	New	V. 19, p. 1797
74-15-2	New	V. 19, p. 1797

**AGENCY 75: STATE BANKING DEPARTMENT**

Reg. No.	Action	Register
75-6-2	Revoked	V. 19, p. 1082
75-6-6	Revoked	V. 19, p. 1082

75-6-24	Revoked	V. 19, p. 1082
75-6-26	Amended	V. 19, p. 1082
75-6-30	New	V. 19, p. 1082
75-6-31	New	V. 19, p. 1083
75-6-32	New	V. 20, p. 175

**AGENCY 82: STATE CORPORATION  
COMMISSION**

Reg. No.	Action	Register
82-1-250	New	V. 20, p. 1094
82-3-133	Amended	V. 20, p. 771
82-3-133a	New	V. 20, p. 771
82-3-201	Amended	V. 20, p. 771
82-3-206	Amended	V. 20, p. 771
82-3-300	Amended	V. 20, p. 772
82-3-306	Amended	V. 20, p. 772
82-3-307	Amended	V. 20, p. 773
82-3-310	Amended	V. 20, p. 773
82-3-312	Amended	V. 20, p. 773
82-4-1	Amended	V. 19, p. 1158
82-4-3	Amended	V. 19, p. 1159
82-4-6d	Amended	V. 19, p. 1083
82-4-8a	Amended	V. 19, p. 1084
82-4-8h	New	V. 19, p. 1085
82-4-20	Amended	V. 19, p. 1085
82-4-23	Amended	V. 19, p. 1085
82-4-24a	Amended	V. 19, p. 1085
82-4-27c	Amended	V. 19, p. 1085
82-4-27e	Amended	V. 19, p. 1086
82-4-27f	Revoked	V. 19, p. 1087
82-4-27g	Amended	V. 19, p. 1087
82-4-30a	Amended	V. 19, p. 1087
82-4-31	Amended	V. 19, p. 1087
82-4-32	Amended	V. 19, p. 1087
82-4-33	Amended	V. 19, p. 1087
82-4-35a	Amended	V. 19, p. 1088
82-4-37	Amended	V. 19, p. 1088
82-4-42	Amended	V. 19, p. 1088
82-4-57	Amended	V. 19, p. 1088

**AGENCY 88: BOARD OF REGENTS**

Reg. No.	Action	Register
88-23-1	through	
88-23-6	New	V. 19, p. 41-43

**AGENCY 91: DEPARTMENT OF EDUCATION**

Reg. No.	Action	Register
91-1-26	Revoked	V. 19, p. 1435
91-1-27	Revoked	V. 19, p. 1435
91-1-27a	through	
91-1-27d	Revoked	V. 19, p. 1435
91-1-28	Revoked	V. 19, p. 1435
91-1-30	Revoked	V. 19, p. 1435
91-1-30a	Revoked	V. 19, p. 1435
91-1-31	through	
91-1-35	Revoked	V. 19, p. 1435
91-1-37	Revoked	V. 19, p. 1435
91-1-39	through	
91-1-58	Revoked	V. 19, p. 1435, 1436
91-1-60	Revoked	V. 19, p. 1436
91-1-61	Revoked	V. 19, p. 680
91-1-63	Revoked	V. 19, p. 1436
91-1-65	Revoked	V. 19, p. 1436
91-1-67	Revoked	V. 19, p. 1436
91-1-68a	through	
91-1-68e	Amended	V. 19, p. 1588-1592
91-1-70	Revoked	V. 19, p. 1436
91-1-70b	Revoked	V. 19, p. 1593
91-1-71	through	
91-1-83	Revoked	V. 19, p. 1436, 1437
91-1-84a	Revoked	V. 19, p. 1437
91-1-85	through	
91-1-91	Revoked	V. 19, p. 1437
91-1-91a	Revoked	V. 19, p. 1437
91-1-92	Revoked	V. 19, p. 1437
91-1-93a	Revoked	V. 19, p. 1437
91-1-101a	Revoked	V. 19, p. 1437
91-1-101b	Revoked	V. 19, p. 1437

91-1-102a	Revoked	V. 19, p. 1437
91-1-104b	Revoked	V. 19, p. 1437
91-1-104c	Revoked	V. 19, p. 1437
91-1-105	Revoked	V. 19, p. 1437
91-1-106	Revoked	V. 19, p. 1437
91-1-106a	through	
91-1-106m	Revoked	V. 19, p. 1437, 1438
91-1-107a	Revoked	V. 19, p. 1438
91-1-108a	Revoked	V. 19, p. 1438
91-1-108b	Revoked	V. 19, p. 1438
91-1-108c	Revoked	V. 19, p. 1438
91-1-109a	Revoked	V. 19, p. 1438
91-1-110a	Revoked	V. 19, p. 1438
91-1-110c	Revoked	V. 19, p. 1438
91-1-111a	Revoked	V. 19, p. 1438
91-1-112c	Revoked	V. 19, p. 1438
91-1-112d	Revoked	V. 19, p. 1438
91-1-113b	Revoked	V. 19, p. 1438
91-1-114a	Revoked	V. 19, p. 1438
91-1-115a	Revoked	V. 19, p. 1438
91-1-117a	Revoked	V. 19, p. 1438
91-1-118a	Revoked	V. 19, p. 1438
91-1-119a	through	
91-1-119g	Revoked	V. 19, p. 1438, 1439
91-1-120	Revoked	V. 19, p. 1439
91-1-121	Revoked	V. 19, p. 1439
91-1-122	Revoked	V. 19, p. 1439
91-1-123a	Revoked	V. 19, p. 1439
91-1-125	Revoked	V. 19, p. 1439
91-1-127a	Revoked	V. 19, p. 1439
91-1-128b	Revoked	V. 19, p. 1439
91-1-129a	Revoked	V. 19, p. 1439
91-1-130	Revoked	V. 19, p. 1439
91-1-131	Revoked	V. 19, p. 1439
91-1-132a	Revoked	V. 19, p. 1439
91-1-135a	Revoked	V. 19, p. 1439
91-1-137a	Revoked	V. 19, p. 1439
91-1-138a	Revoked	V. 19, p. 1439
91-1-140a	Revoked	V. 19, p. 1439
91-1-141	Revoked	V. 19, p. 1439
91-1-143	Revoked	V. 19, p. 1439
91-1-144	Revoked	V. 19, p. 1439
91-1-145	Revoked	V. 19, p. 1439
91-1-146a	Amended	V. 19, p. 1593
91-1-146e	Amended	V. 19, p. 1593
91-1-148a	Revoked	V. 19, p. 1439
91-1-149	Revoked	V. 19, p. 1439
91-1-150	Revoked	V. 19, p. 1439
91-1-153	Revoked	V. 19, p. 1439
91-1-200	through	
91-1-211	New	V. 19, p. 1439-1449
91-5-14	Amended	V. 20, p. 108
91-12-22	Revoked	V. 19, p. 680
91-12-23	Revoked	V. 19, p. 680
91-12-24a	Revoked	V. 19, p. 680
91-12-25	Revoked	V. 19, p. 680
91-12-27	Revoked	V. 19, p. 680
91-12-28	Revoked	V. 19, p. 680
91-12-30	through	
91-12-33	Revoked	V. 19, p. 680
91-12-35	through	
91-12-42	Revoked	V. 19, p. 680, 681
91-12-44	through	
91-12-69	Revoked	V. 19, p. 681
91-12-71	through	
91-12-74	Revoked	V. 19, p. 682
91-22-1a	New	V. 19, p. 682
91-22-2	Amended	V. 19, p. 683
91-22-3	Revoked	V. 19, p. 683
91-22-4	Amended	V. 19, p. 683
91-22-5a	Amended	V. 19, p. 683
91-22-7	Amended	V. 19, p. 683
91-22-8	Revoked	V. 19, p. 683
91-22-9	Amended	V. 19, p. 683
91-22-10	through	
91-22-18	Revoked	V. 19, p. 684

(continued)

91-22-19	Amended	V. 19, p. 684
91-22-21	Revoked	V. 19, p. 684
91-22-22	Amended	V. 19, p. 684
91-22-23	Revoked	V. 19, p. 684
91-22-24	Revoked	V. 19, p. 684
91-22-25	Amended	V. 19, p. 684
91-22-26	Revoked	V. 19, p. 685
91-37-2	Amended	V. 20, p. 724
91-37-3	Amended	V. 20, p. 724
91-37-4	Amended	V. 20, p. 724
91-40-1 through 91-40-5	New	V. 19, p. 685-691
91-40-2	Amended	V. 20, p. 541
91-40-7 through 91-40-12	New	V. 19, p. 692-695
91-40-7	Amended	V. 20, p. 541
91-40-9	Amended	V. 20, p. 542
91-40-10	Amended	V. 20, p. 542
91-40-16 through 91-40-19	New	V. 19, p. 695-697
91-40-17	Amended	V. 20, p. 543
91-40-18	Amended	V. 20, p. 544
91-40-21	New	V. 19, p. 697
91-40-22	New	V. 19, p. 697
91-40-24 through 91-40-31	New	V. 19, p. 698-700
91-40-27	Amended	V. 20, p. 544
91-40-33 through 91-40-39	New	V. 19, p. 700-702
91-40-33	Amended	V. 20, p. 544
91-40-36	Amended	V. 20, p. 545
91-40-37	Amended	V. 20, p. 545
91-40-38	Amended	V. 20, p. 545
91-40-41 through 91-40-48	New	V. 19, p. 702-704
91-40-50 through 91-40-53	New	V. 19, p. 705, 706
91-40-52	Amended	V. 20, p. 545
91-40-53	Amended	V. 20, p. 546
91-41-1 through 91-41-4	New (T)	V. 20, p. 137
91-41-1 through 91-41-4	New	V. 20, p. 546, 547

**AGENCY 92: DEPARTMENT OF REVENUE**

Reg. No.	Action	Register
92-9-8	Revoked	V. 20, p. 1124
92-12-66	Revoked	V. 20, p. 1124
92-12-66a	New	V. 20, p. 1124
92-15-6	Amended	V. 20, p. 1126
92-19-4a	Revoked	V. 20, p. 1126
92-19-4b	New	V. 20, p. 1126
92-19-16a	New	V. 20, p. 1128
92-19-24	Amended	V. 20, p. 1129
92-19-33	Amended	V. 20, p. 1129
92-19-64	Revoked	V. 20, p. 1129
92-19-64a	New	V. 20, p. 1129
92-19-73	Amended	V. 20, p. 1130
92-19-75	Revoked	V. 20, p. 1130
92-25-1	Amended	V. 20, p. 1130
92-51-33	Revoked	V. 20, p. 1130
92-51-50	Revoked	V. 20, p. 1130
92-51-51	Revoked	V. 20, p. 1130
92-51-52	Revoked	V. 20, p. 1130
92-51-54	Revoked	V. 20, p. 1130
92-51-55	Revoked	V. 20, p. 1131
92-52-9	Amended (T)	V. 20, p. 1124
92-52-9a	Amended (T)	V. 20, p. 1188
92-53-1 through 92-53-7	Revoked	V. 20, p. 1131
92-54-1 through 92-54-5	Revoked	V. 20, p. 1131

**AGENCY 93: DEPARTMENT OF REVENUE—DIVISION OF PROPERTY VALUATION**

Reg. No.	Action	Register
93-1-1 through 93-1-4	Revoked	V. 20, p. 452
93-4-6	Amended	V. 20, p. 452
93-6-1 through 93-6-4	Amended	V. 20, p. 452, 453

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

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

**AGENCY 100: BOARD OF HEALING ARTS**

Reg. No.	Action	Register
100-6-2	Amended	V. 19, p. 241
100-7-1	Amended	V. 19, p. 1044
100-10a-1	Amended	V. 19, p. 241
100-10a-3	Amended	V. 19, p. 241
100-11-1	Amended	V. 19, p. 1190
100-15-1	Amended	V. 20, p. 1093
100-22-3	New	V. 19, p. 571
100-27-1	New	V. 20, p. 773
100-28a-1 through 100-28a-16	New (T)	V. 20, p. 247-251
100-28a-1 through 100-28a-16	New	V. 20, p. 774-778
100-29-7	Amended	V. 19, p. 1547
100-49-4	Amended	V. 19, p. 1190
100-54-4	Amended	V. 19, p. 1547
100-55-1 through 100-55-9	Amended	V. 19, p. 1017-1020
100-55-4	Amended	V. 19, p. 1547
100-55-11	New	V. 19, p. 1020
100-60-1	Revoked (T)	V. 20, p. 251
100-60-1	Revoked	V. 20, p. 778
100-60-2	Revoked (T)	V. 20, p. 251
100-60-2	Revoked	V. 20, p. 778
100-60-4	Revoked (T)	V. 20, p. 251
100-60-4	Revoked	V. 20, p. 778
100-60-5	Revoked (T)	V. 20, p. 251
100-60-5	Revoked	V. 20, p. 778
100-60-6	Revoked (T)	V. 20, p. 251
100-60-6	Revoked	V. 20, p. 779
100-60-8 through 100-60-15	Revoked (T)	V. 20, p. 251
100-60-8 through 100-6-15	Revoked	V. 20, p. 779
100-60-10	Amended	V. 19, p. 571
100-60-13	Amended	V. 19, p. 572
100-69-5	Amended	V. 19, p. 1547

**AGENCY 102: BEHAVIORAL SCIENCES REGULATORY BOARD**

Reg. No.	Action	Register
102-1-3	Revoked	V. 19, p. 1681
102-1-3a	New	V. 19, p. 1681
102-1-5	Revoked	V. 19, p. 1683
102-1-5a	New	V. 19, p. 1683
102-1-12	Amended	V. 19, p. 1684
102-1-15	Amended	V. 19, p. 1686
102-1-17	New	V. 19, p. 1687
102-1-18	New	V. 19, p. 1687
102-1-19	New	V. 20, p. 572
102-2-1a	Amended	V. 19, p. 1192
102-2-2a	Amended	V. 19, p. 1194
102-2-3	Amended	V. 19, p. 1194
102-2-4a	Amended	V. 19, p. 1195
102-2-5	Amended	V. 19, p. 1196
102-2-7	Amended	V. 19, p. 1196
102-2-8	Amended	V. 19, p. 1198
102-2-11	Amended	V. 19, p. 1200
102-2-12	Amended	V. 19, p. 1201
102-2-13	New	V. 19, p. 1202

102-2-14	New	V. 19, p. 1202
102-2-15	New	V. 20, p. 572
102-3-1a	Amended	V. 19, p. 1202
102-3-2	Amended	V. 19, p. 1204
102-3-5a	Amended	V. 19, p. 1205
102-3-7a	Amended	V. 19, p. 1206
102-3-14	New	V. 19, p. 1207
102-3-15	New	V. 19, p. 1207
102-3-16	New	V. 20, p. 572
102-4-1a	Amended	V. 19, p. 1208
102-4-2	Amended	V. 19, p. 1209
102-4-4a	Amended	V. 19, p. 1209
102-4-5a	Amended	V. 19, p. 1211
102-4-7a	Amended	V. 19, p. 1211
102-4-14	New	V. 19, p. 1212
102-4-15	New	V. 19, p. 1213
102-4-16	New	V. 20, p. 572
102-5-1	Amended	V. 19, p. 1213
102-5-2	Amended	V. 19, p. 1214
102-5-4a	Amended	V. 19, p. 1215
102-5-5	Amended	V. 19, p. 1216
102-5-7a	Amended	V. 19, p. 1216
102-5-13	New	V. 19, p. 1218
102-5-14	New	V. 19, p. 1218
102-5-15	New	V. 20, p. 572

**AGENCY 108: STATE EMPLOYEES HEALTH CARE COMMISSION**

Reg. No.	Action	Register
108-1-1	Amended	V. 19, p. 2022
108-1-3	New	V. 19, p. 68

**AGENCY 109: BOARD OF EMERGENCY MEDICAL SERVICES**

Reg. No.	Action	Register
109-2-2	Amended	V. 19, p. 1949
109-5-1	Amended	V. 19, p. 1749
109-5-4	Amended	V. 19, p. 1750
109-6-2	Amended	V. 19, p. 1750
109-6-3	New	V. 19, p. 1751
109-7-1	Amended	V. 19, p. 1751
109-10-1	Amended	V. 19, p. 1751
109-11-6	Amended	V. 19, p. 1753
109-13-1	Amended	V. 19, p. 1754

**AGENCY 110: DEPARTMENT OF COMMERCE AND HOUSING**

Reg. No.	Action	Register
110-4-1	Amended (T)	V. 20, p. 934
110-4-1	Amended	V. 20, p. 1392
110-6-1	Amended	V. 20, p. 177
110-6-1a	Amended	V. 20, p. 178
110-6-2	Amended	V. 20, p. 178
110-6-3	Amended	V. 20, p. 178
110-6-4	Amended	V. 20, p. 179
110-6-5	Amended	V. 20, p. 180
110-7-1 through 110-7-4	Revoked	V. 20, p. 1426
110-7-5	New	V. 20, p. 1426
110-7-6	New	V. 20, p. 1426
110-7-8	New	V. 20, p. 1426
110-7-9	New	V. 20, p. 1426
110-7-10	New	V. 20, p. 1426

**AGENCY 111: KANSAS LOTTERY**

A complete index listing all regulations filed by the Kansas Lottery from 1988 through 2000 can be found in the Vol. 19, No. 52, December 28, 2000 Kansas Register. The regulations listed below were published after December 31, 2000.

Reg. No.	Action	Register
111-2-4	Amended	V. 20, p. 1094
111-2-119 through 111-2-124	New	V. 20, p. 416-419
111-2-120	Amended	V. 20, p. 1094
111-2-124	Amended	V. 20, p. 1343
111-2-125	New	V. 20, p. 573
111-2-126	New	V. 20, p. 573
111-2-127	Amended	V. 20, p. 937
111-2-128	New	V. 20, p. 1188
111-2-129	New	V. 20, p. 1343
111-2-130	New	V. 20, p. 1394
111-3-12	Amended	V. 20, p. 40
111-3-35	Amended	V. 20, p. 1189

111-4-1795		
through		
111-4-1813	New	V. 20, p. 40-47
111-4-1801	Amended	V. 20, p. 1095
111-4-1803	Amended	V. 20, p. 1095
111-4-1805a	New	V. 20, p. 1095
111-4-1814		
through		
111-4-1823	New	V. 20, p. 419-427
111-4-1818	Amended	V. 20, p. 575
111-4-1824	New	V. 20, p. 575
111-4-1825		
through		
111-4-1839	New	V. 20, p. 937-942
111-4-1828	Amended	V. 20, p. 1096
111-4-1832	Amended	V. 20, p. 1344
111-4-1840		
through		
111-4-1844	New	V. 20, p. 1096-1100
111-4-1845		
through		
111-4-1850	New	V. 20, p. 1189-1193
111-4-1849	Amended	V. 20, p. 1344
111-4-1851	New	V. 20, p. 1345
111-4-1852	New	V. 20, p. 1346
111-4-1853	New	V. 20, p. 1347
111-4-1854		
through		
111-4-1870	New	V. 20, p. 1395-1405
111-5-23	Amended	V. 20, p. 428
111-5-24	Amended	V. 20, p. 428
111-5-27	Amended	V. 20, p. 429
111-7-123	Amended	V. 20, p. 48
111-7-134	Amended	V. 20, p. 429
111-7-152	Amended	V. 20, p. 49
111-7-158		
through		
111-7-162	New	V. 20, p. 577
111-7-159	Amended	V. 20, p. 1101
111-7-162	Amended	V. 20, p. 944
111-7-163		
through		
111-7-170	New	V. 20, p. 1101-1103
111-7-165	Amended	V. 20, p. 1194

111-9-111	New	V. 20, p. 1406
111-9-112	New	V. 20, p. 1406
<b>AGENCY 112: KANSAS RACING AND GAMING COMMISSION</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
112-4-1	Amended	V. 20, p. 765
112-7-19	Amended	V. 20, p. 547
112-7-21	Amended	V. 19, p. 118
112-10-38	Amended	V. 19, p. 119
112-11-20	Amended	V. 20, p. 945
112-18-21	Amended	V. 19, p. 1308
112-18-22	Amended	V. 19, p. 119

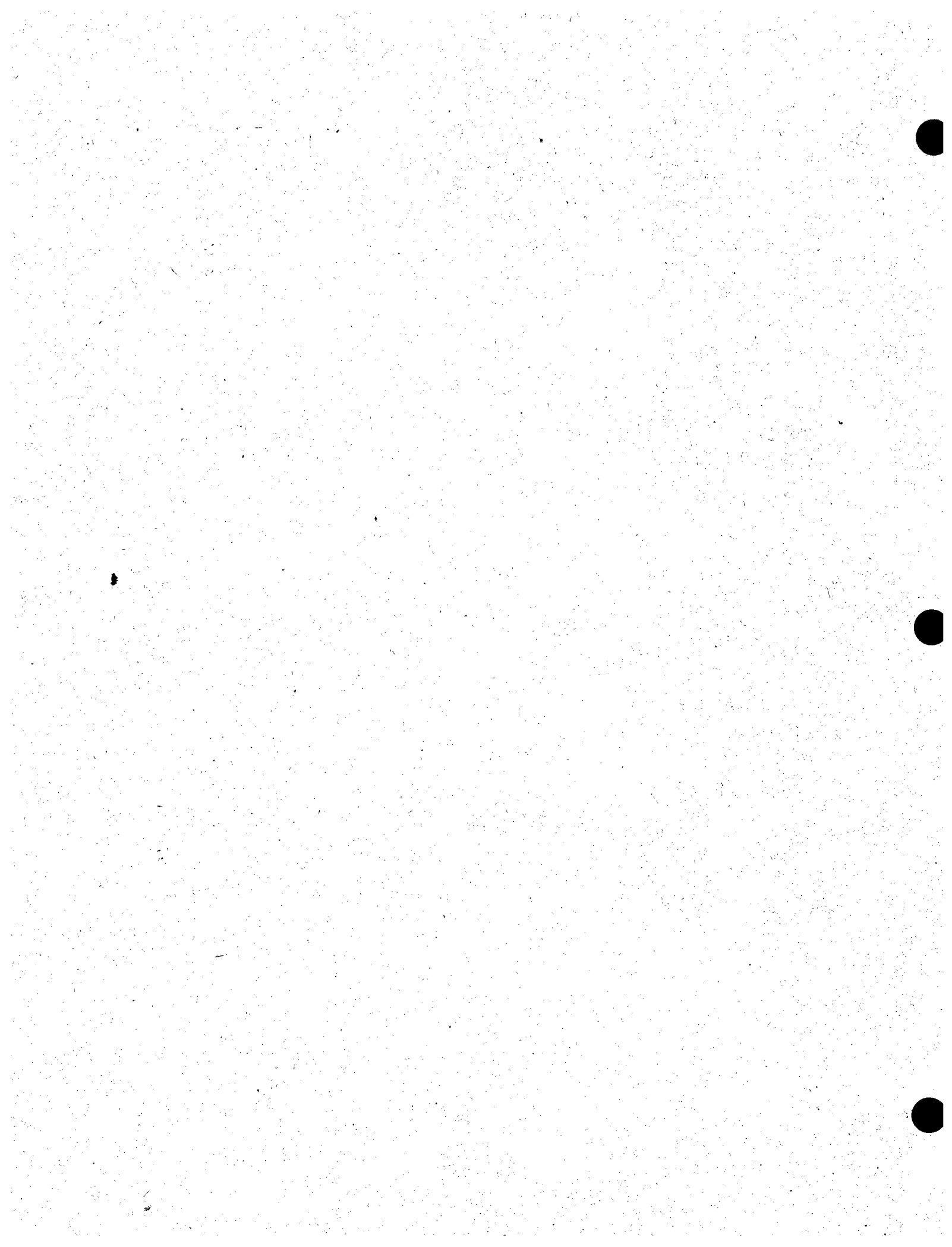
<b>AGENCY 115: DEPARTMENT OF WILDLIFE AND PARKS</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
115-2-1	Amended	V. 20, p. 1499
115-2-2	Amended	V. 19, p. 1875
115-2-3	Amended	V. 19, p. 1875
115-2-4	Amended	V. 20, p. 1499
115-3-1	Amended	V. 20, p. 766
115-3-2	Amended	V. 20, p. 767
115-4-1	Revoked	V. 20, p. 767
115-4-2	New	V. 20, p. 767
115-4-3	Revoked	V. 20, p. 768
115-4-4	New	V. 20, p. 768
115-4-5	Revoked	V. 20, p. 769
115-4-6	Amended	V. 19, p. 1140
115-4-7		
through		
115-4-10	Revoked	V. 20, p. 769
115-4-11	Amended	V. 20, p. 769
115-4-12	Revoked	V. 20, p. 770
115-4-13	Amended	V. 20, p. 770
115-7-1	Amended	V. 19, p. 1876
115-8-1	Amended	V. 20, p. 1061
115-8-4	Amended	V. 20, p. 1500
115-8-5	Revoked	V. 20, p. 1061
115-8-8	Amended	V. 20, p. 1061
115-8-12	Amended	V. 20, p. 1062
115-8-16	Revoked	V. 20, p. 1062
115-8-18	Revoked	V. 20, p. 1062

115-8-20	Amended	V. 20, p. 1062
115-8-21	Amended	V. 20, p. 1062
115-13-1	Amended	V. 20, p. 1500
115-13-2	Amended	V. 20, p. 1500
115-13-5	Amended	V. 20, p. 1501
115-14-2	Amended	V. 20, p. 1501
115-14-3	Amended	V. 20, p. 1502
115-14-5	Amended	V. 20, p. 1502
115-14-6	Amended	V. 20, p. 1502
115-14-7	Revoked	V. 20, p. 1502
115-14-9	Amended	V. 20, p. 1502
115-14-10	Amended	V. 20, p. 1503
115-18-5	Revoked	V. 20, p. 1504
115-18-8	Amended	V. 20, p. 1504
115-18-9	Amended	V. 20, p. 1504
115-18-10	Amended	V. 19, p. 1474
115-18-13	Amended	V. 19, p. 1475
115-18-14	Amended	V. 20, p. 1504
115-18-16	New	V. 19, p. 1475
115-18-17	New	V. 20, p. 1062
115-20-1	Amended	V. 20, p. 1063
115-20-2	Amended	V. 20, p. 1063

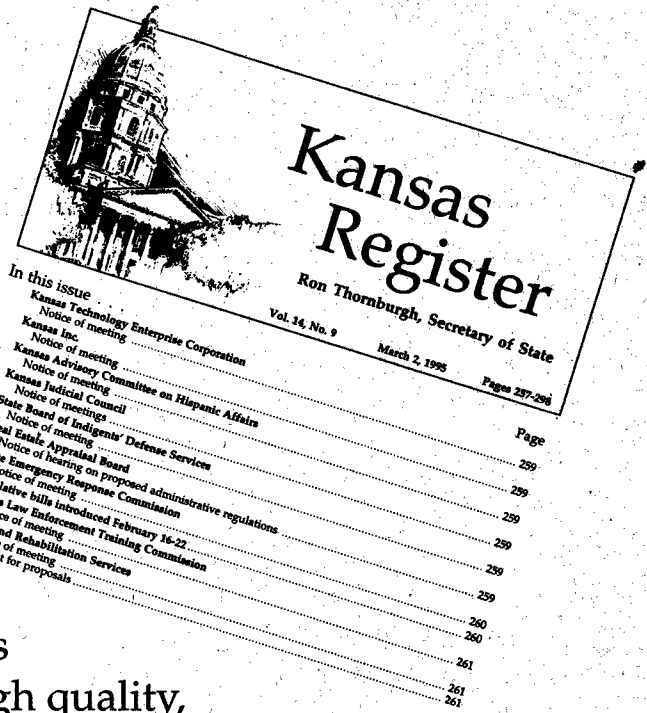
<b>AGENCY 117: REAL ESTATE APPRAISAL BOARD</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
117-6-3	Amended	V. 20, p. 862
117-6-4	New	V. 20, p. 863
117-7-1	Amended	V. 20, p. 863
117-8-1	Amended	V. 20, p. 1020
117-9-1	Amended	V. 19, p. 41

<b>AGENCY 118: STATE HISTORICAL SOCIETY</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
118-5-1		
through		
118-5-10	New (T)	V. 20, p. 1492-1495

<b>AGENCY 125: AGRICULTURAL REMEDIATION BOARD</b>		
<b>Reg. No.</b>	<b>Action</b>	<b>Register</b>
125-1-1		
through		
125-1-9	New (T)	V. 20, p. 1496-1498



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